Journal of the Assembly

DURING THE

FIFTY-SECOND SESSION

OF THE

Legislature of the State of California

1937

FIRST PART OF SESSION, JANUARY FOURTH TO JANUARY TWENTY-SECOND, INC.

SECOND PART OF SESSION, MARCH FIRST TO MAY TWENTY-EIGHTH, INC.

HON. WILLIAM MOSELEY JONES, Speaker
JAMES G. SMYTH, Chief Clerk

CALIFORNIA STATE PRINTING OFFICE
GEORGE H MOORE, STATE PRINTER
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CALIFORNIA LEGISLATURE

FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY
FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 4, 1937.

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

In conformity with the law, the following officers of the fifty-first session were also present: Charles H. Erb, Minute Clerk, and Joseph Moloney, Sergeant-at-Arms.

Prayer.

By invitation of the Chief Clerk, prayer was offered by Rev. Father Tumulty of Sacramento, Chaplain of the Assembly for the fifty-first session.

Appointment of Temporary Attache.

The Chief Clerk announced the following appointment of attache for the temporary organization of the Assembly:

Stenographer—Juanita Dependener.

Certificate from Secretary of State.

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

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, FRANK C. JORDAN, Secretary of State of the State of California, do hereby certify that the following is a complete list of those duly elected at the general election held on the third day of November, A.D. 1936, to represent the people of the State of California as members of the Assembly at the fifty-second session of the Legislature of said State, as appears from the Statement of Vote received from the county clerks of the various counties and the registrar of voters of the City and County of San Francisco, comprising the several Assembly Districts of the State of California, said Statement of Vote being a record of and on file in my office, viz:

MEMBERS OF THE ASSEMBLY-ELECT.

Name	*District*	*County or Counties Comprising District*
Michael J. Burns	First	Del Norte, Humboldt, Mendocino
Clinton J. Fulcher	Second	Siskiyou, Modoc, Lassen, Shasta, Trinity, Sierra, Plumas
John H. O'Donnell	Third	Tehama, Glenn, Colusa, Yolo
Seth Millington	Fourth	Butte, Yuba, Sutter
Ernest C. Crowley	Fifth	Lake, Napa, Solano
Jesse M. Mayo	Sixth	Placer, El Dorado, Amador, Alpine, Nevada, Mono, Calaveras, Tuolumne, Mariposa, Inyo

Name	*District*	*County or Counties Comprising District*
Hubert B. Scudder	Seventh	Sonoma, Marin
Chester F. Gannon	Eighth	Sacramento
Earl D. Desmond	Ninth	Sacramento
Harold F. Sawallisch	Tenth	Contra Costa
Charles M. Weber	Eleventh	San Joaquin
James E. Thorp	Twelfth	San Joaquin
James M. Cassidy	Thirteenth	Alameda
George P. Miller	Fourteenth	Alameda
Leon M. Donihue	Fifteenth	Alameda
Arthur H. Breed, Jr.	Sixteenth	Alameda
Henry P. Meehan	Seventeenth	Alameda
Henry A. Dannenbrink	Eighteenth	Alameda
Gardiner Johnson	Nineteenth	Alameda
Thomas A. Maloney	Twentieth	San Francisco
Joseph Francis Sheehan	Twenty-first	San Francisco
Kennett B. Dawson	Twenty-second	San Francisco
Wm. B. Hornblower	Twenty-third	San Francisco
Patrick J. McMurray	Twenty-fourth	San Francisco
Melvyn I. Cronin	Twenty-fifth	San Francisco
Ray Williamson	Twenty-sixth	San Francisco
Jefferson E. Peyser	Twenty-seventh	San Francisco
Edgar C. Levey	Twenty-eighth	San Francisco
Harrison W. Call	Twenty-ninth	San Mateo
Adron A. Beene	Thirtieth	Santa Clara
C. C. Cottrell	Thirty-first	Santa Clara
Hugh P. Donnelly	Thirty-second	Stanislaus
James D. Garibaldi	Thirty-third	Merced, Madera
Jacob M. Leonard	Thirty-fourth	San Benito, Santa Cruz
Ellis E. Patterson	Thirty-fifth	Monterey, San Luis Obispo
Hugh M. Burns	Thirty-sixth	Fresno
S. L. Heisinger	Thirty-seventh	Fresno
Gordon H. Garland	Thirty-eighth	Kings, Tulare
Alfred W. Robertson	Thirty-ninth	Santa Barbara
Fred P. Muldoon	Fortieth	Ventura
Rodney L. Turner	Forty-first	Kern
Elmer E. Lore	Forty-second	Los Angeles
C. Don Field	Forty-third	Los Angeles
John B. Pelletier	Forty-fourth	Los Angeles
Charles A. Hunt	Forty-fifth	Los Angeles
Jack B. Tenney	Forty-sixth	Los Angeles
Eleanor Miller	Forty-seventh	Los Angeles
Frank G. Martin	Forty-eighth	Los Angeles
Frank L. Baynham	Forty-ninth	Los Angeles
Gerald C. Kepple	Fiftieth	Los Angeles
William Moseley Jones	Fifty-first	Los Angeles
Ben Rosenthal	Fifty-second	Los Angeles
E. V. Latham	Fifty-third	Los Angeles
Wilbur F. Gilbert	Fifty-fourth	Los Angeles
Frank D. Laughlin	Fifty-fifth	Los Angeles
Thomas J. Cunningham	Fifty-sixth	Los Angeles
Kent H Redwine	Fifty-seventh	Los Angeles
Frank J. Waters	Fifty-eighth	Los Angeles
Charles W. Lyon	Fifty-ninth	Los Angeles
Geoffrey F. Morgan	Sixtieth	Los Angeles
Ernest O. Voigt	Sixty-first	Los Angeles
Augustus F. Hawkins	Sixty-second	Los Angeles
Ralph Louis Welsh	Sixty-third	Los Angeles
Samuel W. Yorty	Sixty-fourth	Los Angeles
Gene Flint	Sixty-fifth	Los Angeles
James J Boyle	Sixty-sixth	Los Angeles
Cecil R. King	Sixty-seventh	Los Angeles
Fred Reaves	Sixty-eighth	Los Angeles
Fred P. Glick	Sixty-ninth	Los Angeles
John Gee Clark	Seventieth	Los Angeles
Paul Peek	Seventy-first	Los Angeles
Godfrey A Andreas	Seventy-second	San Bernardino
Gordon W. Corwin	Seventy-third	San Bernardino
Clyde A. Watson	Seventy-fourth	Orange
Thomas H Kuchel	Seventy-fifth	Orange
Nelson S. Dilworth	Seventy-sixth	Riverside
Clarence R. Walker	Seventy-seventh	San Diego
Jeanette E. Daley	Seventy-eighth	Imperial
Paul A. Richie	Seventy-ninth	San Diego
Charles W. Stream	Eightieth	San Diego

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this fifth day of December, A.D. 1936.

FRANK C. JORDAN, Secretary of State.

[SEAL]

Roll Call by Counties.

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

Members Sworn In.

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

Oath of Office.

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

James M. Cassidy, George P. Miller, Leon M. Donihue, Arthur H. Breed, Jr., Henry P. Meehan, Henry A. Dannenbrink, Gardiner Johnson, Jesse M. Mayo, Seth Millington, John H. O'Donnell, Harold F. Sawallisch, Hugh M. Burns, S. L. Heisinger, Michael J. Burns, Clarence R. Walker, Gordon H. Garland, Ernest C. Crowley, Clinton J. Fulcher, Elmer E. Lore, C. Don Field, John B. Pelletier, Charles A. Hunt, Jack B. Tenney, Eleanor Miller, Frank G. Martin, Frank L. Baynham, Gerald C. Kepple, William Moseley Jones, Ben Rosenthal, E. V. Latham, Wilbur F. Gilbert, Frank D. Laughlin, Thomas J. Cunningham, Kent H. Redwine, Frank J. Waters, Charles W. Lyons, Geoffrey F. Morgan, Ernest O. Voigt, Augustus F. Hawkins, Ralph Louis Welsh, Samuel W. Yorty, Gene Flint, James J. Boyle, Cecil R. King, Fred Reaves, Fred P. Glick, John Gee Clark, Paul Peek, James D. Garibaldi, Hubert B. Scudder, Ellis E. Patterson, Clyde A. Watson, Thomas H. Kuchel, Nelson S. Dilworth, Chester F. Gannon, Earl D. Desmond, Jacob M. Leonard, Godfrey A. Andreas, Gordon W. Corwin, Jeanette E. Daley, Paul A. Richie, Charles W. Stream, Thomas A. Maloney, Joseph Francis Sheehan, Kennett B. Dawson, William B. Hornblower, Patrick J. McMurray, Melvyn I. Cronin, Ray Williamson, Jefferson E. Peyser, Edgar C. Levey, Charles M. Weber, James E. Thorp, Harrison W. Call, Alfred W. Robertson, Adron A. Beene, C. C. Cottrell, Hugh P. Donnelly, and Fred P. Muldoon.

Leave of Absence.

The following member was granted leave of absence for the day:

Mr. Turner, on motion of Mr. O'Donnell.

Nomination and Election of Officers of the Assembly.

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

Nomination and Election of Speaker.

Mr. Henry P. Meehan, of Alameda County placed in nomination for Speaker of the Assembly, Hon. William Moseley Jones of Montebello.

Nomination of Hon. William Moseley Jones was seconded by Messrs. Earl D. Desmond of Sacramento County, James J. Boyle of Los Angeles County, and Ray Williamson of San Francisco County.

Nominations Closed.

On motion of Mr. Welsh, the nominations for Speaker were declared closed.

Election of Speaker.

The roll was called, and Hon. William Moseley Jones elected Speaker of the Assembly, by the following vote:

For HON. WILLIAM MOSELEY JONES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Yorty—77.

Appointment of Committee of Escort.

The Chief Clerk appointed Messrs. Meehan, Desmond, Boyle, Williamson and Welsh as a Special Committee to escort Speaker-elect Hon William Moseley Jones to the chair.

Oath of Office Administered.

Upon arriving at the bar of the Assembly, Hon. William Moseley Jones took and subscribed to the following oath administered by Associate Justice Emmet Seawell of the Supreme Court.

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

Motion to Print Speech in Journal.

On motion of Mr. Desmond, the speech delivered by Hon. William Moseley Jones, Speaker of the Assembly, upon taking his oath of office, was ordered printed in the Journal.

Speech by Speaker William Moseley Jones.

January 4, 1937.

Members of the Assembly:

Upon taking the gavel for the first time as your Speaker, I do so with a deep feeling of gratitude in my heart. I am grateful, indeed, for the honor that has been bestowed upon me. More than that, I am grateful for your confidence in me.

I am deeply sensitive to the fact that there are many of you present with greater legislative experience than I; many of you of more mature years and judgment than I; many of you more competent to fill this office. The fact that men and women, such as you, have seen fit to place me in this position, leaves me not only grateful to the highest degree, but also with the deepest humility in my heart. I shall at all times feel that I am but your chosen servant, appointed in an administrative capacity to discharge faithfully a sacred trust.

I take this occasion to pledge you an administration of utmost fairness and impartiality, unrestricted by petty passions or prejudices. I pledge you further, my most diligent and unrelenting effort toward the end that this legislative session go down in the history of California as one of constructive and efficient accomplishment, made possible through the spirit of true statesmanship and political integrity.

The eyes of California are upon us. Our task is difficult. Our pathway will at times be obscure. Our problems trying to nerve and temper, but I have faith that out of it all will come great accomplishment, and that when we finally adjourn *sine die*, we may all look back upon this session as one in which we were proud to serve.

Our system of government vests ultimate sovereignty in all the people. We are their representatives. Political parties are the medium through which the popular will is expressed. To that extent political parties are important.

We Democrats are indeed proud that the people of California have seen fit to give us, for the first time in 43 years, a majority in this house. We are deeply sensitive to the responsibility devolving upon us. At the same time, we know that you members on the Republican side of the house are just as intent as are we, upon making effective, as legislation, those things which the people of California, by their vote, have impliedly or expressly authorized.

It seems fitting that I, at this time, briefly give you a personal interpretation of some matters of general policy which confront us.

From the standpoint of State expenditures, I am sure that all of us are keen to create an efficient State Government, but none the less—an economical government. In California for many years there has been a tendency to create duplicating, overlapping and often times, useless commissions and agencies This process has, to a more or less degree, been going on for many years. Conscientious study of this problem by all of us will, I am sure, result in many economies without impairment of the obligations we owe to our constituents.

It is gratifying, indeed, that our State, like every other State, now finds itself upon the golden highway to a prosperity such as has never been equalled, even in the balmy days of 1929. We all have confidence that this recovery is built upon a firm and lasting foundation.

Our tax revenues are increasing by leaps and bounds. It appears inconceivable that any new or additional taxes for revenue purposes will be either necessary or advisable. With proper economies, I think we may indeed look forward to the possibility of tax reduction With this as one of our aims, we can at least steer a pathway which will meet the approval of all the people of California.

I feel sure that with "Economy" as one of our aims, we shall none-the-less continue, without abeyance, the great forward progress of California and the whole United States in the field of social security and humanitarian legislation I am certain that we will all lend our best efforts toward liberalizing to the greatest degree possible, pensions to the aged, the widows, and the blind of California. Further than that, I know that we will seek to do away with any stigma of public charity in this connection, placing the whole matter upon the basis of right and responsibility. Nor will we, I am sure, seek to sacrifice upon the altar of economy, those unfortunates who are even yet victims of economic disaster We can, I am sure we will, improve upon our present system of unemployment relief.

During the economic crisis of the past few years, we have, on several occasions, found it necessary to protect the home owner from immediate foreclosure by mortgagees and lien holders. This protection, under the present law, expires on February 1st of this year. All of us, I am sure, will be deeply concerned with legislation designed to prevent wholesale foreclosures upon the expiration of the existing moratorium.

In the field of humanitarian legislation, our institutions are of utmost importance During financial stringency, we have, of necessity, fallen behind the standard which a progressive government should maintain. Let us repair this situation. I am sure we will.

Public education has always been the foundation of good government. Our schools and universities rank high among those of the Nation. They will continue to be of prime importance to every member.

Without placing blame, we nevertheless look with regret upon the labor disputes now existing in California. Let us endeavor in every appropriate way to help solve and settle these problems and to take such steps as will prevent any future recurrence. In this connection, I am not unmindful of the duty placed upon us by the Constitution to maintain inviolate the civil liberties of all our citizens. The protection of these liberties is of fundamental and paramount importance.

The proper development of our great natural resources is a reservoir of untold wealth and prosperity. Our Central Valley Project has long been dear to us. We hope for complete realization of our dreams in this regard. Our State is possessed of vast oil deposits in its tidelands. Development of these resources in such a manner as will provide the most advantageous return to the State is of vital concern.

In times of prosperity, we are often prone to forget the lessons we learned in times of stress Let us dedicate ourselves to the accomplishment of every safeguard against any repetition of the past economic tragedy. Proper regulation of business, in this connection, we know to be essential. Prevention of corporate and financial racketeering is also essential if our recovery be permanent.

Our Federal Governmet has already done much along those lines There is much we can do to supplement national legislation In all matters, I am sure that this Legislature and the Federal Administration, under the leadership of our great President, will work in harmony and accord.

I could not close this speech without a compliment to our great Bay District, upon the completion of one of its famous bridges. It is my hope that they may soon

be as free to use as our marvelous network of public highways, and that the collection of tolls will no longer be necessary.

This day, we have all been joined in a fraternity of responsibility. I know that this spirit of fraternity will exist throughout the session.

I know also, that though we may disagree, we will do so with understanding for one another's viewpoints. Out of it all I know that strong and lasting friendships will be formed during the months that are to come.

Again, I thank you all, and wish you success and happiness.

Recess.

At twelve o'clock and forty minutes p.m., by order of the Speaker, the Assembly was declared at recess.

Reassembled.

At two o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Nomination and Election of Speaker Pro Tempore.

The Speaker declared that nominations for the office of Speaker pro tempore of the Assembly were now in order.

Mr. Henry A. Dannenbrink of Oakland placed in nomination Hon. Henry P. Meehan of Alameda County.

Nomination of Hon. Henry P. Meehan was seconded by Messrs. Ernest C. Crowley of Suisun, and Gardiner Johnson of Berkeley.

Nominations Closed.

On motion of Mr. Cottrell, the nominations for Speaker pro tempore were declared closed.

Election of Speaker Pro Tempore.

The roll was called, and Hon. Henry P. Meehan elected Speaker pro tempore of the Assembly, by the following vote:

For HON. HENRY P. MEEHAN—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Yorty—73.

Statement of Vote.

Not being in the Assembly Chamber at the time the Speaker pro tempore was elected, I hereby state, had I been in the Chamber at the time the Speaker pro tempore was selected, I would have cast my vote for Henry P. Meehan.

THOMAS A. MALONEY.

Appointment of Committee of Escort.

The Speaker appointed Messrs. Dannenbrink, Johnson and Crowley as a Special Committee to escort Speaker pro tempore-elect Hon. Henry P. Meehan to the bar of the Assembly.

Oath of Office Administered.

Upon arriving at the bar of the Assembly, Speaker pro tempore Hon. Henry P. Meehan took and subscribed to the following oath, administered by Hon. William Moseley Jones, Speaker of the Assembly:

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

Nomination and Election of Chief Clerk.

The Speaker declared that nominations for the office of Chief Clerk of the Assembly were now in order.

Mr. Patrick J. McMurray of San Francisco placed in nomination Mr. James George Smyth of San Francisco.

Nomination of Mr James George Smyth was seconded by Mr. Gordon H Garland of Woodlake

Nominations Closed.

On motion of Mr. Welsh, the nominations for Chief Clerk were declared closed.

Election of Chief Clerk.

The roll was called, and Mr. James George Smyth elected Chief Clerk of the Assembly by the following vote:

For MR JAMES GEORGE SMYTH—Andreas, Bayham, Beene, Boyle, Breed Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kepple, King, Kuchel, Laughlin, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Yorty—67.

Oath of Office Administered.

Mr James George Smyth appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon William Moseley Jones, Speaker of the Assembly.

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

Motion to Extend Best Wishes.

Mr Levey moved that the Assembly extend its best wishes to Mr. Arthur A Ohnimus, the retiring Chief Clerk of this body, with the hope that his future may be crowned with every successful achievement

Messrs. Cottrell, Lyon, Clark, Cronin and Jones seconded the motion.

Motion carried unanimously.

Motion to Appoint Special Committee.

Miss Miller moved that the Speaker appoint a Special Committee of three members to prepare a resolution expressing the appreciation of the Assembly for the years of efficient service rendered by Mr. Arthur A Ohnimus, and to have the same properly engrossed and presented to him

Messrs. Lyon, Redwine and Cunningham seconded the motion.

Motion carried unanimously.

Appointment of Special Committee.

The Speaker announced the appointment of Messrs. Levey and Boyle and Miss Miller as a Special Committee to prepare the resolution of appreciation

Nomination and Election of Minute Clerk.

The Speaker declared that nominations for the office of Minute Clerk of the Assembly were now in order

Mr James D. Garibaldi of Merced placed in nomination Mr. David V. Oliver of Merced.

Nomination of Mr. David V. Oliver was seconded by Mr. Gordon H. Garland of Woodlake.

Nominations Closed.

On motion of Mr. Burns, Hugh M., the nominations for Minute Clerk were declared closed.

Election of Minute Clerk.

The roll was called, and Mr. David V Oliver elected Minute Clerk of the Assembly by the following vote:

For MR DAVID W. OLIVER—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Field, Flint, Fulcher Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Yorty—74.

Oath of Office Administered.

Mr. David V. Oliver appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. Emmet Seawell, Associate Justice of the Supreme Court:

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

Nomination and Election of Sergeant-at-Arms.

The Speaker declared that nominations for the office of Sergeant-at-Arms of the Assembly were now in order.

Mr. Ellis E. Patterson of King City placed in nomination Mr. Delwin W. Smith of Los Angeles.

Nomination of Mr. Delwin W Smith was seconded by Messrs Leon M Donahue of Oakland and John Gee Clark of Long Beach.

Nominations Closed.

On motion of Mr. Welsh, the nominations for Sergeant-at-Arms were declared closed.

Election of Sergeant-at-Arms.

The roll was called, and Mr. Delwin W. Smith elected Sergeant-at-Arms of the Assembly by the following vote:

For MR. DELWIN W SMITH—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley Cunningham Daley Dannenbrink Dawson, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Waters, Watson, Weber, Welsh, and Williamson—72.

Explanation of Vote.

My vote for Mr Smith for Sergeant-at-Arms of the Assembly was not officially recorded through error I voted for Mr Smith and desire the records to so show.
SAMUEL W YORTY.

Oath of Office Administered.

Mr. Delwin W. Smith appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. Emmet Seawell, Associate Justice of the Supreme Court:

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

Nomination and Election of Chaplain.

The Speaker declared that nominations for the office of Chaplain of the Assembly were now in order.

Mr. Chester F. Gannon of Sacramento placed in nomination, Rev. William F Ehmann of Sacramento.

Nomination of Rev. William F. Ehmann was seconded by Mr. Earl D. Desmond of Sacramento.

Nominations Closed.

On motion of Mr. Welsh, the nominations for Chaplain were declared closed.

Election of Chaplain.

The roll was called, and Rev. William F. Ehmann elected Chaplain of the Assembly by the following vote:

For REV. WILLIAM F. EHMANN—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Yorty—76.

Resolutions.

The following resolutions were offered:

By Mr. Boyle:

House Resolution No. 1.

Resolved, That the Speaker appoint a Special Committee of Three to inform the Senate that the Assembly is now duly organized, having elected the following statutory officers:

Speaker, Hon. William Moseley Jones
Speaker pro tempore, Hon. Henry P. Meehan.
Chief Clerk, Mr. James G. Smyth.
Minute Clerk, Mr. David V. Oliver.
Sergeant-at-Arms, Mr. Delwin W. Smith.
Chaplain, Rev. William F. Ehmann

House Resolution No. 1 read, and adopted.

Appointment of Special Committee.

In accordance with House Resolution No. 1, the Speaker appointed Messrs. Boyle, Dawson, and Garibaldi as such Special Committee.

House Resolution No. 2.

By Mr. Hornblower:

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

House Resolution No. 2 read, and adopted.

Appointment of Special Committee.

In accordance with House Resolution No. 2, the Speaker appointed Messrs. Hornblower, Waters, Lyon, Cassidy, and Clark as such Special Committee.

Committee From the Senate.

Senators Nielsen, Phillips and McBride appeared before the bar of the Assembly, and announced that the Senate had organized, and was now ready to proceed with the regular business.

Resolutions.

The following resolutions were offered:

By Messrs. Lyon, Welsh and Rosenthal:

House Resolution No. 3.

Resolved, That the following rules as proposed by the Assembly Interim Committee on Legislative Rules, Procedure and Printing, be and the same are hereby adopted as the Temporary Rules of this House until otherwise ordered. Notwith-

standing anything to the contrary, a majority vote of the entire elected membership may amend any of the Temporary Rules.

PROPOSED PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE FIFTY-SECOND SESSION—1937-1939.

Hour of Meeting.

1. The sessions of the Assembly shall be daily, beginning at ten o'clock a.m., (Sundays excepted) unless otherwise ordered by a majority of the members present.

Speaker to Call Assembly to Order.

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

Roll Call and Quorum.

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

Order of Business.

4. The order of business of the Assembly shall be as follows.

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

Reading of the Previous Day's Journal

5 The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present

Approval of the Journal

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

Motion to Correct Journal.

7 A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the members present.

Presentation of Petitions.

8. Whenever petitions, memorials or other papers are presented by a member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine Mention of receipt of such presentation and its disposition shall be entered on the Journal

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

Reports of Committees

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

Messages From the Governor

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

Messages From the Senate.

11. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal. The Speaker shall

forthwith refer to the proper committee all Senate bills accompanying such messages, which reference shall be entered on the Journal. Assembly bills which have been passed without amendment by the Senate, shall be ordered to enrollment.

Bill Defined.

12. Wherever the word bill is used, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided for in these rules.

Introduction and Reference of Bills.

13. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills", the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk. When received at the Clerk's desk, it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Introduction of Bills after Constitutional Recess.

14. Any member requesting permission to introduce a bill after the constitutional recess shall send such request together with the bill to the Clerk's desk, and shall under the order of "Introduction of Bills" be referred by the Speaker to the Committee on Introduction of Bills. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in section 2 of Article IV of the Constitution, and if it will not, shall report back on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative recorded vote of three-fourths of all members elected to the Assembly.

Examining of Bills by Legislative Counsel Bureau.

15. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

If in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

Daily Calendar.

16. There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on Rules shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar:

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

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

Motions and Resolutions.

17. Any motion or resolution not otherwise provided for under the rules shall be placed before the Assembly only under this order of business. Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

Adjournment.

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

Duties of Assembly Officers.

Duties of the Speaker.

19. The Speaker shall possess the powers and perform the duties herein prescribed:

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

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

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

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

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

(f) To propose a schedule of meetings of standing committees.

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

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

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

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants and subpenas issued by order of the Assembly.

Duties of the Speaker Pro Tempore.

20. The Speaker pro tempore shall have the powers and perform the duties of the Speaker during his absence.

Duties of the Chief Clerk.

21. The duties of the Chief Clerk shall be as follows:

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

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

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

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

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

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

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

Duties of the Sergeant-at-Arms.

22. The duties of the Sergeant-at-Arms shall be as follows:

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

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

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

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

(e) To execute all commands of the Speaker.

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

Members' Decorum and Privileges.

Order in Speaking to Questions.

23 When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration.

Speaker to Decide Who Is Entitled to Floor.

24. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

Members Called to Order for Transgressing Rules.

25 If any member in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may call the offending member to order. The member so called to order shall immediately take his seat, unless permitted to explain; if called to order by a member, such member shall immediately state the point of order. The point of order shall be decided by the Speaker without debate. If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision by the Speaker shall be subject to an appeal to the Assembly.

Members Called to Order for Offensive Words.

26. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

Members Voting.

27. Every member at his desk when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present.

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

Ayes and Noes.

28. The ayes and noes shall be recorded either by viva voce or by the electrical voting system on the final passage of all bills, and on other questions when called for by three members whose names shall be entered on the Journal.

Voting Not to be Interrupted.

29. When once begun, voting shall not be interrupted, except that any member may move a call of the Assembly, after the completion of the roll and prior to the final recording and announcement of the vote.

Changing Vote.

30. Prior to the announcement of the vote, the Speaker shall inquire if all members have voted. After the vote is announced, no member shall be allowed to change his vote, or have his vote recorded.

Members at Clerk's Desk.

31. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted.

Tie Vote.

32. In case of an equal division, or tie vote, the question shall be lost.

Call of the Assembly.

33. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call. Thereupon no member shall be permitted to leave the Assembly Chamber except by written permission of the Speaker and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter or business by unanimous consent. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly.

Leave of Absence.

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

Personal Privilege.

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

Objection to Reading of Any Paper.

36. Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

Assignment of Desks to Members.

37. Members shall be assigned to desks by the Superintendent of Capitol Buildings and Grounds, and, so far as possible, he shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly

Motions and Questions.

Precedence of Motions During Debate.

38. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn.
Second—To recess to a time certain;
Third—To lay on the table;
Fourth—For the previous question.
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer or re-refer.
Eighth—To amend

Questions of Order Decided Without Debate.

39. All incidental questions of order, arising after a motion is made for any of the questions named in Rule No. 38 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal from Decision of the Speaker.

40. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and shall forthwith put this question to the Assembly "Shall the decision of the Speaker be sustained?"

An appeal can not be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question

An appeal can not be debated when relating to indecorum, transgression of rules, or priority of business. A majority vote of the members present shall decide any appeal.

To Adjourn.

41. A motion to adjourn is not debatable and can not be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting, (c) during a call of the Assembly. The name of any member moving an adjournment and also the hour at which the motion was made and adjournment taken, shall be entered on the Journal Such a motion to adjourn must be adopted by a majority vote of the members present

When such a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn Such statement shall not occupy more than two minutes and shall not be debatable.

To Recess to a Time Certain.

42. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess It yields only to a motion to adjourn.

To Lay on the Table.

43. A motion to lay on the table is not debatable and can not be amended. If carried by a majority vote of the entire elected membership, it carries with it the main question and everything that adheres to it; provided however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint or house resolution.

A motion to lay on the table having been decided in the negative shall not again be allowed on the same day or at the same stage of the bill or question.

The Previous Question.

44. The previous question shall be put only when demanded by five members, and in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

Motion to Set Special Order.

45. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members present. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain.

46 A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely.

47. When a motion is made to postpone indefinitely any bill, motion or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire membership, the main question shall not be acted upon again during the session.

Motion to Amend.

48. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

Amendment to Be Germane.

49. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

Substitute Motion.

50. A motion to substitute shall be deemed and treated as a motion to amend.

Motions in Writing

51. Upon request of the Speaker all motions shall be reduced to writing and shall be read by the Speaker before the same is acted upon.

Consideration of Motions.

52. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

Division of Questions.

53. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Assembly.

Resolutions Authorizing Expenditure of Money.

54. All resolutions providing for the expenditure of money, other than the current and incidental expenses of the Assembly, shall first be referred to the Committee on Rules.

The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of the entire elected membership.

Withdrawal of Motions.

55. After a motion is stated by the Speaker, or a bill, resolution or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly.

Motion to Be Germane.

56. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

Bills Reported Back to Assembly.

57. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule.

Motion to Withdraw and Recall Bills.

58. A motion to withdraw a bill from one committee and re-refer it to another committee may be made during the regular order of business. Such motion shall only be debatable as to the propriety of such reference, and shall be decided by a majority vote of the entire elected membership.

A motion to recall a bill or resolution from any committee shall require one day's notice and shall be decided by a recorded majority vote of the entire elected membership.

Bills Stricken From Calendar.

59. A motion to strike from the Calendar any bill or House Resolution requires a majority vote of the entire elected membership. Such bill shall not be acted upon again during the session.

Motion to Rescind Action and Expunge Record.

60. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Reference of Bills to Committee.

61. Immediately following its first reading the Speaker shall refer each bill to a committee, unless upon a motion, the Assembly by a majority vote of its entire elected membership, shall refer it so some other committee. Such motion to refer a bill shall not be debatable. Should several different committees be proposed, preference shall be given as follows:

1. Committee of the Whole.
2. Standing Committee.
3. Special Committee.

Record of Bills.

62. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be endorsed upon such bill.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions.

63. Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution.

Second Reading of Bills.

64. All bills shall be read the second time in the order of their appearance upon the Second Reading Calendar. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading.

Committee Amendments.

65. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be ordered reprinted and to third reading.

Amendments from the Floor.

66. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon the Third Reading Calendar, shall be

reprinted and all Assembly bills so reprinted shall be ordered re-engrossed The Chief Clerk shall order printed not to exceed 750 copies of all amended bills.

Committee on Engrossment and Enrollment.

67. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, ordered or considered engrossed by the Assembly with the engrossed copies thereof, and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto, and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Engrossment and Enrollment shall be in order at any time.

Engrossing and Enrolling Bills.

68. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the Assembly.

Bills Transmitted to the Senate.

69. Upon the final passage of any bill, if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

Bills Considered During Last Seven Days.

70. No Assembly bill shall be passed by the Assembly within seven calendar days previous of the time set for adjournment *sine die* of the Legislature, except upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of the entire elected membership of the Assembly

Concurrence in Senate Amendments.

71. No Senate amendment to an Assembly bill shall be concurred in except by an affirmative recorded vote of a majority of the entire elected membership of the Assembly. When Senate amendments to such bill are so concurred in, it shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

Nonconcurrence in Senate Amendments.

72. If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to recede from its amendments. If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled

Committee on Free Conference

73. Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, except during a roll call or when a member has the floor It shall require an affirmative recorded vote of a majority of the entire elected membership of the Assembly to adopt any free conference report After such adoption, and notice that the Senate has adopted the report, the bill shall be ordered enrolled

Enrollment

74. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in section 539 of the Political Code. The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal

Committees.

Standing Committees

75 The standing committees of the Assembly shall be as follows:

1. A Committee on Agriculture, to consist of 17 members.
2. A Committee on Attaches, to consist of 7 members.

3. A Committee on Aviation and Aircraft, to consist of 11 members.
4. A Committee on Banking, to consist of 9 members.
5. A Committee on Building and Construction, to consist of 7 members.
6. A Committee on Building and Loan Associations, to consist of 7 members
7. A Committee on Civil Service, to consist of 9 members.
8. A Committee on Commerce and Navigation, to consist of 9 members.
9. A Committee on Conservation, to consist of 9 members
10. A Committee on Constitutional Amendments, to consist of 13 members.
11. A Committee on Contested Elections, to consist of 5 members.
12. A Committee on Contingent Expenses, to consist of 5 members.
13. A Committee on Corporations, to consist of 9 members.
14. A Committee on County Government, to consist of 15 members.
15. A Committee on Crime Problems, to consist of 7 members.
16. A Committee on Direct Legislation, to consist of 7 members.
17. A Committee on Drainage, Swamp and Overflowed Lands, to consist of 13 members.
18. A Committee on Education, to consist of 13 members.
19. A Committee on Elections, to consist of 11 members.
20. A Committee on Engrossment and Enrollment, to consist of 5 members.
21. A Committee on Exhibitions and Fairs, to consist of 7 members.
22. A Committee on Federal Relations, to consist of 7 members.
23. A Committee on Financial Institutions (other than banking and building and loan associations), to consist of 7 members.
24. A Committee on Fish and Game, to consist of 15 members.
25. A Committee on Governmental Efficiency and Economy, to consist of 11 members.
26. A Committee on Governmental Revenues and Expenditures, to consist of 5 members.
27. A Committee on Hospitals and Asylums, to consist of 11 members.
28. A Committee on Insurance, to consist of 11 members.
29. A Committee on Introduction of Bills, to consist of 5 members.
30. A Committee on Irrigation, to consist of 17 members.
31. A Committee on Judiciary Codes, to consist of 15 members.
31a. A Committee on Judiciary General, to consist of 15 members
32. A Committee on Labor and Capital, to consist of 13 members.
33. A Committee on Libraries, to consist of 5 members.
34. A Committee on Live Stock and Dairies, to consist of 9 members
35. A Committee on Manufactures, to consist of 7 members
36. A Committee on Medical and Dental Laws, to consist of 9 members.
37. A Committee on Mileage, to consist of 5 members.
38. A Committee on Military Affairs, to consist of 9 members.
39. A Committee on Mines and Mining, to consist of 9 members.
40. A Committee on Motor Vehicles, to consist of 15 members.
41. A Committee on Municipal Corporations, to consist of 13 members
42. A Committee on Oil Industries, to consist of 9 members.
43. A Committee on Prisons and Reformatories, to consist of 11 members.
44. A Committee on Public Charities and Corrections, to consist of 9 members.
45. A Committee on Public Health and Quarantine, to consist of 9 members
46. A Committee on Public Morals, to consist of 11 members.
47. A Committee on Public Utilities, to consist of 11 members.
48. A Committee on Revenue and Taxation, to consist of 15 members.
49. A Committee on Roads and Highways, to consist of 15 members.
50. A Committee on Rules, to consist of 7 members, including the Speaker and the Speaker pro tempore.
51. A Committee on Social Service and Welfare, to consist of 9 members.
52. A Committee on Soldiers and Sailors Affairs, to consist of 13 members
53. A Committee on State Grounds and Parks, to consist of 7 members.
54. A Committee on Teachers Colleges, to consist of 7 members.
55. A Committee on Unemployment, to consist of 7 members.
56. A Committee on Universities, to consist of 7 members.
57. A Committee on Ways and Means, to consist of 21 members

Committee Quorum.

76. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business. At least a majority of all members constituting such committee shall be required to report a bill out of committee

Meetings of Standing Committees.

77. All standing committees shall meet at the hour provided by schedule, unless otherwise ordered by the Assembly. Committees may hold such additional meetings as the chairman of the committee may deem necessary; provided, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee by a majority vote of its entire membership shall order an executive session.

Standing Committee Rules.

78. The Rules of the Assembly shall govern the conduct of all committee meetings whenever practicable. Each committee may adopt, by a majority vote of its entire membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

Signing Bills Out of Committee.

79. No bill shall be signed out of any committee except during the final two weeks of the session and then only upon the signatures of a majority of the entire committee membership.

Committee Expenditures.

80. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess.

Committee on Attaches.

81. The Committee on Attaches shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

Committee on Ways and Means.

82. The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly, and other than bills effecting existing departments of State Government which do not increase or decrease the salaries or expenses of such departments.

Whenever requested by the Assembly, the Chairman of the Committee on Ways and Means shall report the exact condition of legislation involving appropriations and the aggregate amount of all proposed appropriations pending before the committee. The committee may also report whenever necessary, their opinion as to the condition of the State revenues and expenditures

Concurrent resolutions providing for all adjournments shall be referred to the Committee on Ways and Means, which committee shall report back such concurrent resolution to the Assembly, together with any statement the committee may deem advisable relative to the status of the general appropriation bill, or other business before the committee.

Committee of the Whole.

83. The Assembly may resolve itself into a Committee of the Whole at any time, by a majority vote of the members present. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole. The Rules of the Assembly shall be observed in the Committee of the Whole so far as they may be applicable, except that the ayes and noes need not be taken.

A motion that the Committee of the Whole "do now rise and report back to the Assembly" shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered on the Journal except upon motion and a majority vote of the members present.

Reconsideration of Vote.

84. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the Unfinished Business Calendar, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. The notice of motion to reconsider may be called up by any member on the next legislative day after the notice of reconsideration of the bill, constitutional amendment, concurrent or joint resolution has been given.

Any member voting on any motion, amendment, concurrence, recedence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided however, that a motion to reconsider on the same day the

notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected Assembly membership, except that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of the entire Assembly elected membership

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

Printing.

Authority for Printing.

85. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

Printing Style, Form and Amount to be Printed.

86. Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Chief Clerk and approved by the Speaker or Chairman of Committee on Rules. All requests by members for additional copies of bills shall be referred to the Committee on Rules.

Printing Assembly History.

87. The Chief Clerk shall cause to be compiled and printed during the constitutional recess, a Legislative Handbook and a Semi-Final Assembly History, together with an index, setting forth a complete History showing all actions on bills, constitutional amendments, concurrent, joint and house resolutions prior to the constitutional recess.

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week, a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

Printing of Maps.

88. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership.

Rules.

Adoption of Standing Rules.

89. The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the entire elected membership. When once adopted, such Standing Rules shall remain in effect, unless suspended or amended as provided in these rules, until such time as other Standing Rules are adopted by a succeeding Legislature.

Parliamentary Rules.

90. Roberts Rules of Order shall be the recognized authority on all occasions when the Assembly Rules are not applicable.

Suspension of Rules.

91. Unless otherwise specifically provided by law or Assembly rule, any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present, provided that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Amending Standing Rules.

92. No standing rule of the Assembly shall be amended except by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly and one day's notice must be given on the motion thereof

Temporary Rule.

93. The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly, such temporary rule shall have the effect for the time being, of a standing rule If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on Rules.

Miscellaneous.

Press Privileges.

94. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks; also the necessary rooms for the exclusive use of such accredited press representatives.

Privilege of Addressing the Assembly.

95. No person other than a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

Smoking in Assembly Chamber.

96. Smoking may be prohibited temporarily during any session of the Assembly by a majority vote of the members present.

Fees for Witnesses.

97. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars for each day such witness shall be required to appear, and the sum of three and one-half cents for each mile he shall travel in coming to and going from the place of examination.

Use of Assembly Chamber.

98. The Assembly Chamber shall not be used for any public or private business other than legislative matters, during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

Persons Admitted to Floor of the Assembly.

99. No persons other than members, officers, attaches, employees of the Legislature, former members of the Legislature, and accredited members of the press, shall be admitted to the floor of the Assembly during any session of the Assembly; provided that a guest of any member shall be admitted upon presentation of a guest card of said member, countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued. Such guest shall be seated only at the member's desk issuing such card.

A special section in the balcony shall be reserved for those holding guest cards.

Lobbying in the Assembly Chamber.

100. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule. This rule can not be suspended except by a two-thirds vote of the entire elected membership of the Assembly.

Speaker Explains Order of Business.

101. The Speaker may, on his own motion or upon the motion of any member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

Sessions of Assembly Following Constitutional Recess.

Hour of Meeting.

Special Rule No. 1. Following the constitutional recess, the Assembly shall meet promptly at two o'clock p.m. daily (Sundays excepted) unless otherwise ordered by a majority of the members present.

The roll was called, and House Resolution No. 3, providing the Temporary Rules of the Assembly, adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth,

Donihue, Donnelly, Field, Flint, Fulcher, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, and Yorty—69.

NOES—None.

By Mr. Hunt:

House Resolution No. 4.

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

House Resolution No. 4 read, and adopted.

By Mr. Cassidy:

House Resolution No. 5.

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

House Resolution No. 5 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Jones, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—71.

NOES—None.

By Mr. McMurray:

House Resolution No. 6.

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

House Resolution No. 6 read, and adopted

By Mr. Robertson:

House Resolution No. 7.

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

Arthur A. Ohnimus, Chief Clerk, 3 days at $10 per day	$30 00
Fred J. Desch, First Assistant Clerk, 3 days at $9 per day	27 00
Juanita Dependener, Chief Stenographer, 3 days at $6 per day	18 00
Joseph P. Moloney, Sergeant-at-Arms, 3 days at $8 per day	24 00
Charles H. Erb, Minute Clerk, 3 days at $9 per day	27 00

House Resolution No. 7, read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M.; Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Yorty—76.

NOES—None.

By Mr. Welsh:

House Resolution No. 8.

Resolved, That the Chief Clerk be authorized to receive from the members of the Assembly a mailing list of all bills, resolutions, and Histories; to be directed to libraries, chambers of commerce, and other public centers, for general inspection. This list is to be limited to 10 names each, and shall be forwarded to the Legislative Bill Room for regular mailing No member shall include on his list any State department or employee thereof. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list, as well as the Attorney General, Legislative Counsel Bureau, and the Governor's Office. That in addition to the above, the Chief Clerk shall forward to the Legislative Bill Room for regular mailing, five copies of said bills, resolutions, and Histories to be mailed to the State Commander of the American Legion, or to such parties as he shall name, and be it further

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

Resolved, That the total number of bills to be printed in no event, unless otherwise authorized, shall be over two thousand five hundred (2500).

House Resolution No. 8 read, and adopted.

By Mr. Garibaldi:

House Resolution No. 9.

Resolved, That the Chief Clerk of the Assembly be, and hereby is, authorized and directed to purchase eighty-three (83) sets of the 1935 edition of Deering's Codes of the State of California, each set consisting of the following six volumes:

Civil Code,
Code of Civil Procedure,
Penal Code,
Political Code (two volumes),
1935 Supplement to Codes, General Laws and Constitution;

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

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

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

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

House Resolution No 9 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M.; Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Waters, Watson, Weber, Welsh, Williamson, and Yorty—74.

NOES—None.

By Mr. Desmond:

House Resolution No. 10.

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

House Resolution No. 10 read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh, M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine,

Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Yorty—74.
NOES—None.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 4, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has organized by the election of the following officers:

W. P. Rich, President pro tempore.
Joseph A. Beek, Secretary.
E. W. Scammon, Minute Clerk.
Joseph F. Nolan, Sergeant-at-Arms.
Rev. Clarence A. Kircher, Chaplain.

J. A. BEEK, Secretary of Senate.

SENATE CHAMBER, SACRAMENTO, January 4, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 1—Relative to the selection of the Legislative Counsel.

J. A. BEEK, Secretary of Senate.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 1.

Senate Concurrent Resolution No. 1—Relative to the selection of the legislative counsel.

Senate Concurrent Resolution No. 1 read and adopted.

Title read and approved Bill ordered transmitted to the Senate

Introduction and Reference of Bills.

The following bills were introduced:

Assembly Concurrent Resolution No. 1: By Mr. Leonard—Relative to approving certain amendments to the charter of the city of Santa Cruz, a municipal corporation in the county of Santa Cruz, State of California, and voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-fourth day of November, 1936.

Request for Unanimous Consent.

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

Consideration of Assembly Concurrent Resolution No. 1.

Assembly Concurrent Resolution No. 1—Relative to approving certain amendments to the charter of the city of Santa Cruz, a municipal corporation in the county of Santa Cruz, State of California, and voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-fourth day of November, 1936.

Assembly Concurrent Resolution No. 1 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M.; Burns, Michael J.; Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin,

Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P.; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Yorty—73.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate

Assembly Concurrent Resolution No. 2: By Mr. Lyon—Resolved by the Assembly of the State of California, the Senate concurring, That the following be, and the same are hereby adopted as the Joint Rules of the Assembly and Senate of the State of California for the fifty-second session of the Legislature

Introduced, and referred to Committee on Rules.

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From L. B. Hume of Dos Palos, relative to naturalization papers.

From George C Craig, Bloomington, Illinois, relative to safety tires.

From J. A. Johnson, Alexandria, Minnesota, relative to relief.

From International Roll Call System, relative to roll call systems.

From Los Angeles Bar Association, Los Angeles, relative to removal of Judge Gavin W. Craig.

From James P. B. Hyndman, New York, relative to elections.

Adjournment.

At four o'clock p.m., on motion of Mr. Welsh, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Tuesday, January 5, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY
SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 5, 1937

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

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G Smyth at the desk.

Roll Call.

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

Andreas, Bayham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Horublower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levy, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Hunt, the further reading of the Journal of Monday, January 4, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day

Mr Gannon, on motion of Mr Desmond

Guests Extended Privilege of Assembly Floor.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Robert M McCurdy, Past Commander of Los Angeles Post, American Legion, present member of Forty-second Rainbow Division of Pasadena

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Harry Sanderson of Sacramento.

On request of Mr Reaves, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Duane B. Wiesel.

Communication.

The following communication was received:

By Mr. Speaker:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,
SACRAMENTO, CALIFORNIA, January 4, 1937.

Hon. William Moseley Jones, Speaker of the Assembly.
State Capitol, Sacramento, California

MR. SPEAKER: I am privileged to transmit to you from the Council of State Governments, Drexel Avenue and 58th Street, Chicago, Illinois, a formal Proclamation and Call to the Third General Assembly of the Council of State Governments to be held at the Mayflower Hotel, Washington, D C, January 21 to 24, 1937

A letter received by me from Mr. Henry W. Toll, Executive Director of The Council of State Governments, dated December 30, 1936, requesting me to transmit the enclosed document to you, is also enclosed herewith.

Very sincerely yours,

FRED B. WOOD, Legislative Counsel.

The Speaker referred the above letter and enclosed proclamation to the Committee on Rules.

Appointment of Standing Committee.

The Speaker announced the appointment of the following standing committee:

Attaches—Messrs. Voigt, Chairman; Meehan, McMurray, Pelletier, Flint, Lyon, and Richie

Resolution.

The following resolution was offered:

By the Committee on Attaches:

House Resolution No. 11.

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

Commencing January 4, 1937—

	Per day
James G. Smyth, Chief Clerk	$10 00
David V. Oliver, Minute Clerk	9 00
Jack Carl Greenburg, Assistant Chief Clerk	9 00
Andrew Kelly, Assistant Minute Clerk	7 00
Juanita L. Dependener, Chief Stenographer	6 00
Ethel Lachtman, Stenographer	5 00
Hattie H. Voigt, Stenographer	5 00
Delwin W. Smith, Sergeant-at-Arms	8 00
Mrs. Ernest C. Crowley, Assistant Sergeant-at-Arms	5 00
Joseph Moloney, Bookkeepe r to Sergeant-at-Arms	7 00
Rev William F. Ehmann, Chaplain	4 00
Wm. Rinehart, Assistant Sergeant-at-Arms	5 00
Commencing January 5, 1937.	
Theron W. Smith, Assistant Sergeant-at-Arms	5 00
Sam McCance, Assistant Sergeant-at-Arms	5 00
Thomas Boyle, Assistant Sergeant-at-Arms	5 00
William Gavin, Assistant Sergeant-at-Arms	5 00
Darrell Fulcher, Assistant Sergeant-at-Arms	5 00
Jack Commons, Assistant Sergeant-at-Arms	5 00
Ray R. Kahl, Assistant Sergeant-at-Arms	5 00
Daniel McGough, Assistant Sergeant-at-Arms	5 00
Clarence Nelson, Assistant Sergeant-at-Arms	5 00
Herb Kling, Assistant Sergeant-at-Arms	5 00
Harry O. Johnson, Assistant Sergeant-at-Arms	5 00
Cristel Hastings, Secretary to Chief Clerk	5 00
C W. Booth, Assistant Clerk	7 00
Hallie Young, Postmistress	5 00
Florence Miller, Assistant Postmistress	4 00
John McGillicuddy, History Clerk	7 00
Wm. I. Gunlock, Engrossing and Enrolling Clerk	7 00
Albert Day, Journal Clerk	7 00
Blanche Black, Assistant Journal Clerk	5 00

Laura W. Pettit, Assistant Engrossing and Enrolling and File Clerk	$7 00
E. A. (Took) Berry, Assistant Clerk	7 00
Ralph Kellogg, Assistant Clerk	5 00
Roberta Hansen, Stenographer	5 00
Mary Burns, Stenographer	5 00
Rose Klimovich, Stenographer	5 00
Ruth Tate, Stenographer	5 00
Bea Rae, Stenographer	5 00
Mrs. H. Davis, Stenographer	5 00
Flora Rusich, Stenographer	5 00
Elberta Elliott, Stenographer	5 00
Marion Hendricks, Stenographer	5 00
James Clancy, Chief Page	3 00
James MacDaniel, Page	2 50
Walter Hovenkamp, Page	2 50

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

House Resolution No. 11 read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Member Sworn In.

The Speaker directed the Sergeant-at-Arms to escort Hon. Rodney L. Turner, member-elect from the Forty-first District, to the bar of the Assembly.

Oath of Office Administered.

Mr. Rodney L. Turner appeared before the bar of the Assembly, and took and subscribed to the following oath, administered by Hon. William Moseley Jones, Speaker of the Assembly:

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

Introduction and Reference of Bills.

The following bills were introduced:

Assembly Concurrent Resolution No. 3: By Messrs. Waters and Yorty—Approving two certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a special municipal election held therein on the eighth day of December, 1936

Request for Unanimous Consent.

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

Consideration of Assembly Concurrent Resolution No. 3.

Assembly Concurrent Resolution No. 3—Approving two certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the

electors of such city at a special municipal election held therein on the eighth day of December, 1936

Assembly Concurrent Resolution No 3 read, and adopted by the following vote·

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—75

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Explanation of Vote.

At the time the roll call was taken for confirmation of the charter amendments to the charter of the city of Los Angeles, I was conferring with the Legislative Counsel. Had I been present, I would have voted "Aye," as I am strongly in favor of the amendments.

THOMAS J CUNNINGHAM.

Assembly Concurrent Resolution No. 4: By Messrs. Cassidy, Dannenbrink, Miller, George P.; Breed, Donihue and Meehan—Relative to approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city, at a special municipal election held therein on the third day of November, 1936.

Request for Unanimous Consent.

Mr. Cassidy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 4, at this time, without reference to print, committee, or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 4.

Assembly Concurrent Resolution No. 4—Relative to approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city, at a special municipal election held therein on the third day of November, 1936

Assembly Concurrent Resolution No 4 read, and adopted by the following vote·

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—76.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 5, 1937

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 1—Relative to memorializing the President of the United States to use his good offices to attempt to bring about an amicable adjustment of the maritime strike on the Pacific Coast.

J. A. BEEK, Secretary of Senate

Request for Unanimous Consent.

Mr. McMurray asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 1, at this time, without reference to committee or calendar.

Consideration of Senate Joint Resolution No. 1.

Senate Joint Resolution No. 1—Relative to memorializing the President of the United States to use his good offices to attempt to bring about an amicable adjustment of the maritime strike on the Pacific Coast

Senate Joint Resolution No. 1 read, and on motion of Mr. McMurray, unanimously adopted.

Title read and approved. Bill ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1: By Messrs Andreas, Boyle, Burns, Hugh M, Burns, Michael J, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Garibaldi, Garland, Gilbert, Hornblower, Hunt, King, Latham, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Millington, Patterson, Peyser, Reaves, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Weber, Williamson, Jones, Yorty, Richie and Waters—An act to amend sections 2, 2½, 3, 4, 14, 17 and 18, to add sections 4½, 5, and 25, and to repeal section 8 of the Old Age Security Act of the State of California, relating to aid to the aged.

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

Assembly Bill No. 2: By Messrs Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Garibaldi, Garland, Gilbert, Hornblower, Hunt, King Latham, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Millington, Patterson, Peyser, Reaves, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Weber, Williamson, Jones, Yorty, Richie and Waters—An act to amend sections 2, 2½, 3, 4, 14, 17 and 18, to add sections 4½, 5, and 25, and to repeal section 8 of the Old Age Security Act of the State of California, relating to aid to the aged

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

Assembly Bill No. 3: By Mr. Boyle—An act to amend sections 1, 3, 5, 6, 11 and 13 of the Unfair Practices Act, to repeal section 15 of said act, and to add sections 15, 16 and 17 thereto, all relating to unfair trade practices.

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

Assembly Bill No. 4: By Messrs Hornblower, and Crowley—An act to amend sections 2, 3, 4, 5, 6, 10 and 11 and to repeal section 7 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to needy blind.

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

Assembly Bill No. 5: By Mr Lyon—An act to repeal sections 2.21, 3 174, 3.301, 3 302, 3 306, 3 308, 3 309, 3.415 and 3 416 of the School Code, to amend sections 3 304 and 3.305 of said code, to add to Part I of Division III of the said code a new chapter to be known as Chapter VIII, and consisting of sections 3 105, 3 106, 3.107 and 3.108, and to add to said code a new section to be numbered 3 306, all relating to the attendance of pupils upon the public schools.

Bill read first time, and referred to Committee on Education

Assembly Bill No. 6: By Mr Martin—An act to add section 630 to the Streets and Highways Code, relating to State highways.

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

Assembly Bill No. 7: By Mr Redwine—An act to amend section 996 of the Political Code, relating to vacancies.

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

Assembly Bill No. 8: By Mr Scudder—An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts.

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

Assembly Bill No. 9: By Mr. Burns—An act to amend section 356 of the Streets and Highways Code, relating to State highways and establishing a secondary State highway from Westport to Ferndale.

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

Assembly Bill No. 10: By Mr Martin—An act to amend sections 1269a and 1269c of the Civil Code, relating to the sale, mortgage or exchange of a homestead by the husband or wife of an insane or incompetent person.

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

Assembly Bill No. 11: By Mr. Martin—An act to add a new section to be numbered 5.5 to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to the regulation and government of fire protection districts.

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

Assembly Bill No. 12: By Mr. Martin—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817*l*, and 3817m of the Political Code and to add sections 3817b5 and 3817c5 thereto, relating to taxation and assessment, including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately.

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

Assembly Bill No. 13: By Mr Scudder—An act to add sections 8.5, 8.6 and 12.5 to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to county fire protection districts.

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

Assembly Bill No. 14: By Mr. Latham—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Bill read first time, and referred to Committee on Constitutional Amendments.

Assembly Bill No. 15: By Mr. Dilworth—An act to amend section 429 of the Fish and Game Code, relating to hunting and fishing licenses.

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

Assembly Bill No. 16: By Mr. Dilworth—An act making an appropriation to pay the claim of Chester Henry against the State of California.

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

Assembly Bill No. 17: By Mr. Hunt—An act relating to foods: to provide for the public health and safety by licensing places where food is prepared for human consumption, to be consumed on the premises, providing regulations, restrictions and conditions under which food may be prepared and sold for consumption therein; providing for the administration, disposition of funds, and penalties for the violation of the provisions of this act.

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

Assembly Bill No. 18: By Mr. Lyon—An act to amend section 527 of the Political Code, relating to printed documents.

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

Assembly Bill No. 19: By Mr. Lyon—An act to repeal sections 332, 333, 334, 335, 336 and 337 of the Political Code, relating to biennial reports of departments and agencies of the State.

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

Assembly Bill No. 20: By Mr. Lyon—An act to amend section 324 of the Political Code, relating to resolutions.

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

Assembly Bill No. 21: By Mr. Lyon—An act to repeal sections 273, 274, 275, 276, 277, 278, 279, 280, 281, 282 and 283, of the Political Code, relating to the contesting of elections for members of the Legislature.

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

Assembly Bill No. 22: By Mr. Lyon—An act to amend section 268 of the Political Code, relating to the compensation of officers and attaches of the Senate and Assembly.

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

Assembly Bill No. 23: By Mr. Lyon—An act to amend sections 301 and 302 of the Political Code, relating to witnesses before the Legislature and committees thereof.

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

Assembly Bill No. 24: By Mr. Lyon—An act to repeal section 267 of the Political Code, relating to the Speaker of the Assembly.

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

Assembly Bill No. 25: By Mr. Lyon—An act to amend section 247 of the Political Code, relating to officers and employees of the Legislature.

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

Assembly Bill No. 26: By Mr. Lyon—An act to amend section 256 of the Political Code, relating to the Journals of the respective houses of the Legislature.

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

Assembly Bill No. 27: By Mr. Lyon—An act to amend section 259 of the Political Code, relating to the Sergeant-at-Arms.

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

Assemby Bill No. 28: By Mr. Lyon—An act to repeal section 249 and 250 of the Political Code, relating to the Judiciary Committee.

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

Assembly Bill No. 29: By Mr. Lyon—An act to amend section 237 of the Political Code, relating to temporary officers and employees of the Senate and Assembly.

Bill read first time, and referred to Committee on Attaches

Assembly Bill No. 30: By Mr. Lyon—An act to repeal section 241, 242, 243, and 244 of the Political Code, relating to the Controller.

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

Assembly Bill No. 31: By Mr. Lyon—An act to amend section 530 of the Political Code, relating to the Superintendent of State Printing.

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

Assembly Bill No. 32: By Mr. Lyon—An act to amend section 528 of the Political Code, relating to the publication of laws of each session of the Legislature.

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

Assembly Bill No. 33: By Mr. Lyon—An act to amend section 410 of the Political Code, relating to the laws, resolutions and Journals of the Legislature.

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

Assembly Bill No. 34: By Mr. Lyon—An act to amend section 737 of the Penal Code, relating to officers liable to impeachment.

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

Assembly Bill No. 35: By Mr. Lyon—An act to amend section 2295a of the Political Code, relating to reports and publications furnished to the State Library.

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

Assembly Bill No. 36: By Mr. Lyon—An act to repeal section 906 of the Political Code, relating to oaths of office of the members of the Legislature.

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

Assembly Bill No. 37: By Mr. Lyon—An act to amend section 540 of the Political Code, relating to the State printing fund.

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

Assembly Bill No. 38: By Mr. Lyon—An act to amend section 539 of the Political Code, relating to the printing of bills.

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

Assembly Bill No. 39: By Mr. Lyon—An act to amend section 538 of the Political Code, relating to State printing.

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

Assembly Bill No. 40: By Mr. Lyon—An act to repeal section 537 of the Political Code, relating to warrants for wages of State printing employees.

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

Assembly Bill No. 41: By Mr. Lyon—An act to repeal section 533 of the Political Code, relating to contracts for ruling, folding, sticking and binding.

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

Assembly Bill No. 42: By Mr. Lyon—An act to repeal section 532 of the Political Code, relating to contracts for paper.

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

Assembly Bill No. 43: By Mr. Lyon—An act to amend section 531 of the Political Code, relating to duties of the Superintendent of State Printing.

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

Assembly Bill No. 44: By Mr. Burns, Michael J.—An act to establish a State highway from Westport in Mendocino County to Ferndale in Humboldt County, and classifying it as a secondary State highway.

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

Assembly Bill No. 45: By Mr. Maloney—An act to add section 1.701 to the School Code, relating to purchase of school buses.

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

Assembly Bill No. 46: By Mr. Maloney—An act to amend section 1.91 of the School Code, relating to safety features of school buses.

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

Assembly Bill No. 47: By Messrs Clark and Peek—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

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

Assembly Bill No. 48: By Mr. Burns, Hugh M.—An act to amend sections 3 and 4 of the Old Age Security Act of the State of California, relating to aid to the aged.

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

Assembly Bill No. 49: By Mr. Burns, Hugh M.—An act to amend section 2020 and to add section 2226 to the Welfare and Institutions Code, relating to aid to the aged.

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

Assembly Bill No. 50: By Mr Heisinger—An act to amend section 451 of the Agricultural Code, relating to dairies and dairy products.

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

Assembly Bill No. 51: By Mr. Heisinger—An act to amend section 4223 of the Political Code, relating to admission of county hospitals.

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

Assembly Bill No. 52: By Mr. King—An act to prohibit the passage or enforcement of anti-picketing ordinances, laws or regulations.

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

Assembly Bill No. 53: By Mr. King—An act to amend section 1195a of, and to add a new section to be numbered 1195c to, the Political Code, relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors.

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

Assembly Bill No. 54: By Mr King—An act to amend section 88 of the Vehicle Code, relating to safety zones.

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

Assembly Bill No. 55: By Mr. King—An act to add Chapter 2A to Part 3 of Division II of the Labor Code, relating to the enforcement of anti-picketing laws, ordinances or regulations.

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

Assembly Bill No. 56: By Mr King—An act to amend sections 2, 3 and 4 of the Old Age Security Act of the State of California, relating to aid to the aged.

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

Assembly Bill No. 57: By Mr. King—An act to amend sections 2020 and 2160 and to repeal sections 2224 and 2225 of the Welfare and Institutions Code, all relating to aid to the aged.

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

Assembly Bill No. 58: By Mr King—An act to amend section 473 of the Vehicle Code, relating to the unauthorized display of signs, signals and lights.

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

Assembly Bill No. 59: By Mr. King—An act to provide for the conveyance and transfer of property to and by the State Food Administrator and for the relief of the unemployed and destitute of this State.

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

Assembly Bill No. 60: By Mr. Hawkins—An act limiting the hours of labor of persons employed as personal or domestic workers and providing penalties for the violation of the provisions of this act.

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

Assembly Bill No. 61: By Mr. Robertson—An act to amend sections 67 and 68 of the Fish and Game Code, relating to fish and game districts.

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

Assembly Bill No. 62: By Mr. Robertson—An act to add section 615.2 to the Fish and Game Code, relating to trout.

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

Assembly Bill No. 63: By Mr Yorty—An act to prescribe and fix the maximum legal rate of interest and other compensation on loans or forbearances of any money, goods or things in action, or on accounts after demand or judgment, and to provide penalties for the violation hereof.

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

Assembly Bill No. 64: By Mr. Yorty—An act to amend section 2 of an act entitled "An act to carry into effect the provisions of section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof," relating to interest charges and compensation.

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

Assembly Bill No. 65: By Messrs Hunt and Boyle—An act to amend the "Retail Sales Tax Act of 1933", relating to definitions and exemptions.

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

Assembly Joint Resolution No. 1: By Mr. Heisinger—Relative to memorializing Congress to initiate an amendment to the Constitution of the United States to provide that the electoral college be abolished and that the President and Vice President be elected by a direct vote of the people.

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 2: By Messrs. Hornblower, Maloney, Cronin, Call, Dawson, Sheehan, Williamson, Peyser, and Levey—Relative to memorializing the Reconstruction Finance Corporation to reduce the rate of interest upon bonds issued by the California Toll Bridge Authority.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 2, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 2.

Assembly Joint Resolution No. 2—Relative to memorializing the Reconstruction Finance Corporation to reduce the rate of interest upon bonds issued by the California Toll Bridge Authority.

Assembly Joint Resolution No. 2 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Constitutional Amendment No. 1: By Mr. Redwine—Proposed amendment to Article VI of the Constitution by adding section 10a thereto, relative to removal of judges.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 2: By Mr. King—Proposed amendment to Article XIII of the Constitution by adding section 1c thereto, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 3: By Mr. Redwine—Proposed amendment to Article XX of the Constitution by adding a new section numbered 11a, relative to the forfeiture of offices.

Introduced, and referred to Committee on Constitutional Amendments.

Resolutions.

The following resolutions were offered:

By Mr. Robertson:

House Resolution No. 12.

WHEREAS, It is apparent to the members of the Legislature of the State of California that the expenditures in the various departments of the State Government have far exceeded the revenues produced and made available during the past two bienniums, and that there is now a substantial deficit in the State Treasury; and

WHEREAS, The present incoming sources of revenue are wholly inadequate to enable the State to carry on its various departments, agencies and subdivisions thereof as now organized and administered; and

WHEREAS, A program of governmental reorganization was inaugurated in 1927, which program was further developed and extended by the Legislature in 1929 and 1931; and

WHEREAS, It is necessary to reduce the cost of State Government to a minimum and to again consider the problem of governmental reorganization and to further extend such program to all the activities of the State in each and all of its various departments, to eliminate overlapping agencies, to consolidate functions, to reduce and eliminate costs; and

WHEREAS, It will be necessary for the Legislature of the State of California and the Assembly thereof to have before it reliable and dependable information concerning each and all of the various departments of the State, their activities, cost of administration, and other things connected therewith, in order to act advisedly and judiciously concerning the aforesaid matters, and upon various bills and measures which are or will be before the Legislature touching such matters; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on State Governmental Organization to consist of five members of the Assembly appointed by the Speaker; and be it further

Resolved, That such committee is hereby authorized and directed to completely study and investigate, accurately and in detail, the organization, functions and administration of the State Government and of any department, agency or subdivision thereof, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and the removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the State Government and the agencies and subdivisions thereof; and be it further

Resolved, That such committee upon the appointment of its members shall organize, and that such committee may appoint a secretary and may employ such clerical and technical assistance and adopt such rules as it in its discretion deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein; and be it further

Resolved, That all officers of this State and the heads of each and every department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, shall give and furnish to such committee upon request such information, records and documents as the committee deems necessary or proper for the achievement of the purposes for which it was created; and be it further

Resolved, That such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description; to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; and be it further

Resolved, That the members of such committee are, and that each of them is hereby authorized and empowered to administer oaths, and that all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly is hereby directed to serve any and all subpenas, orders and other process that may be issued by such committee, when directed so to do by the committee or by the chairman thereof, and to do and perform any other service required of him by such committee or the chairman thereof; and be it further

Resolved, That such committee is hereby authorized and empowered to make a complete investigation and study of all the matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary and proper in connection therewith, and to do and perform each and all of the things necessary or convenient to enable it to exercise the powers and perform the duties heretofore granted to it or imposed upon it; and be it further

Resolved, That such committee may exercise its powers and perform its duties during the sessions of the Assembly, between sessions thereof, and during the constitutional recess, at such times and places as the committee determines; and be it further

Resolved, That such committee shall make a preliminary report of the results of its study and investigation, together with its preliminary recommendation for proposed legislation to the Assembly upon its reconvening after the constitutional recess, or as soon thereafter as possible, and that such committee shall make a final report of the results of its study and investigation and of its recommendations for proposed legislation to the fifty-third session of the Legislature; and be it further

Resolved, That for the purpose of paying the expenses of such committee, in connection with the powers granted and the duties imposed by this resolution, and for the paying of the expenses of the necessary assistants of such committee, there is hereby appropriated from the contingent fund of the Assembly the sum of

$10,000, to be disbursed after certification by the chairman upon warrants drawn by the Controller upon the State Treasurer.

House Resolution No. 12 read, and referred to Committee on Rules.

House Resolution No. 13.

By Mr Heisinger:

Assembly resolution relating to appointing an Assembly Investigation Committee to investigate the possibility of consolidation of State offices.

WHEREAS, In nearly every city within the State, there are separate offices of the several State departments, boards and commissions; and

WHEREAS, Many such offices maintain a full personnel of employees besides expending office rent in excess of the actual business requirements of the department, or board or commission; and

WHEREAS, The people of the State desire the State Government to be conducted upon an economical and business-like basis; and

WHEREAS, Many legislators are committed to a program of efficiency and economy in governmental affairs; now, therefore, be it

Resolved by the Assembly, That there is hereby created an Assembly Investigation Committee to consist of three members to be appointed by the Speaker of the Assembly; and be it further

Resolved, That it shall be the duty of said Assembly Investigation Committee to investigate and make a thorough study of any and all matters relating to the possible consolidation of the offices of the State departments, boards and commissions, in order that the committee may recommend to the Legislature such legislation as it may deem appropriate, necessary and proper as a result of its investigation and study; and be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation in the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses and production of testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The Assembly Investigation Committee shall report to the Legislature with all convenient speed, but not later than the tenth day of March, 1937, the result of its investigations and studies, with legislative proposals which it recommends, and said Assembly Investigation Committee may also report from time to time such results of its investigations and studies as it may deem necessary for the action and advice of the Legislature; and be it further

Resolved, That the sum of $750, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, which may have been heretofore or may hereafter be appropriated for the contingent expenses of the Assembly at this session of the Legislature for the purpose of paying the expenses incurred by the Assembly Investigation Committee hereby created, and for the purposes herein set out, such payments to be disbursed from time to time by Controller's warrants, to be drawn against such contingent fund upon the written orders of the Chairman of said Assembly Investigation Committee, and the said Treasurer is hereby authorized and directed to pay the same.

House Resolution No. 13 read, and referred to Committee on Federal Relations.

Recess.

At eleven o'clock and forty-eight minutes a.m., on motion of Mr. Welsh, the Assembly was declared at recess for the purpose of meeting with the Senate in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
SACRAMENTO, January 5, 1937.

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

Hon. William Moseley Jones, Speaker of the Assembly, directed that Hon. George J. Hatfield, President of the Senate, and Hon. W. P. Rich, President pro tempore of the Senate, be escorted to the platform.

Senate Roll Call.

Hon. George J. Hatfield, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

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

Senators Allen, Biggar, Crittenden, Cunningham, DeLap, Deuel, Garrison, Gordon, Hays, Holohan, Jespersen, Keating, Keough, Knowland, Law, McBride, McColl, McCormack, McGovern, Metzger, Mixter, Nielsen, Olson, Parkman, Phillips, Pierovich, Powers, Quinn, Rich, Seawell, Schottky, Slater, Swing, Tickle, Wagy, Westover, Williams, and Young—38.

The President declared a quorum of the Senate present.

Assembly Roll Call.

Hon. William Moseley Jones, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

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

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

The Speaker declared a quorum of the Assembly present.

Consideration of Senate Concurrent Resolution No. 1.

Senate Concurrent Resolution No. 1.

Relative to the selection of the Legislative Counsel

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Senate and Assembly meet in Joint Session in the Assembly Chamber at eleven o'clock and forty-five minutes a. m. on the fifth day of January, 1937, for the purpose of selecting the Legislative Counsel, as provided and required by section 1 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913.

Senate Concurrent Resolution No. 1 read.

Nomination and Election of Legislative Counsel.

In accordance with Senate Concurrent Resolution No. 1, the Speaker declared the nomination of Legislative Counsel now in order.

Senator Slater placed in nomination Mr. Fred B. Wood for Legislative Counsel.

The nomination of Mr. Fred B. Wood was seconded by Mr. Garibaldi.

Nominations Closed.

On motion of Mr. Hornblower, the nominations were closed.

Election of Legislative Counsel.

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

The roll was called with the following result:

FOR MR. FRED B. WOOD—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

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

The roll was called with the following result:

FOR MR. FRED B. WOOD—Senators Allen, Biggar, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Garrison, Gordon, Hays, Holohan, Jespersen, Keating, Keough, Knowland, Law, McBride, McColl, McCormack, McGovern, Metzger, Mixter, Nielsen,

Olson, Parkman, Phillips, Pierovich, Powers, Quinn, Rich, Seawell, Schottky, Slater, Swing, Tickle, Wagy, Westover, Williams, and Young—39.

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

Motion For Committee of the Whole.

On motion of Mr. Lyon, the Joint Convention of the Senate and Assembly resolved itself into a Committee of the Whole to hear from Mr. Fred B. Wood.

IN COMMITTEE OF THE WHOLE.

Mr. Fred B. Wood, Legislative Counsel, addressed the Joint Convention of Senate and Assembly in Committee of the Whole.

Motion.

On motion of Mr. Lyon, the Committee of the Whole did arise and report back to the Joint Convention.

IN JOINT CONVENTION.

Reading and Approval of Minutes.

On motion of Senator Slater, the minutes of the Joint Convention were approved as read.

Adjournment of Joint Convention.

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

IN ASSEMBLY.

At twelve o'clock and eleven minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Concurrent Resolution No. 5: By Mr. Desmond—Relative to approving certain amendments to the charter of the city of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of November, 1935.

Request for Unanimous Consent.

Mr Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 5, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 5.

Assembly Concurrent Resolution No. 5—Relative to approving certain amendments to the charter of the city of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of November, 1935

Assembly Concurrent Resolution No. 5 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King,

Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—70

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 5, 1937

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 3.

J A BEEK, Secretary of Senate

The above reported bill ordered to enrollment.

Motion to Print Report in Journal.

On motion of Mr. Lyon, the following Report of the Assembly Interim Committee on Legislative Rules, Procedure and Printing was ordered printed in the Journal:

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON LEGISLATIVE RULES, PROCEDURE AND PRINTING.

Submitted to 1937 Assembly of the California Legislature.

1935 ASSEMBLY INTERIM COMMITTEE ON LEGISLATIVE RULES, PROCEDURE AND PRINTING

Hon. Charles W. Lyon, Chairman, Los Angeles
Hon. Roy J. Nielsen, Sacramento
Hon. Joseph P. Gilmore, San Francisco

Resolution Authorizing Assembly Interim Committee on Legislative Rules, Procedure and Printing.

The following resolution was offered

By Mr. Lyon:

Assembly Resolution.

WHEREAS, This has been the longest session in the history of the California Legislature, the members thereof having worked twenty-five (25) days without compensation, and

WHEREAS, The extraordinary length of this session may be in part attributed to the antiquated and obsolete rules and procedure, and unsatisfactory procedure regarding the handling of legislative printing, and

WHEREAS, The time of this Legislature could be materially conserved and the cost of printing be reduced by the adoption of a better method of procedure, and

WHEREAS, It is estimated that the cost of legislative printing for the session will exceed the cost of printing of previous legislative sessions by over one hundred thousand dollars ($100,000) which might have been saved by better methods of procedure, and

WHEREAS, A proper and scientific study of the rules and procedure would result in large savings in this, the largest single item of legislative expense, therefore, be it

Resolved, by the Assembly, That a committee of three members be appointed by the Speaker to study and report on this matter to assist the next Legislature to consider the changes proposed, and be it further

Resolved, That the sum of two thousand five hundred dollars ($2,500) is hereby appropriated out of the contingent expense fund of the Assembly for the purpose of paying the necessary expenses of this committee and the members thereof and such assistance as they may deem necessary to carry out the provisions of this resolution

The resolution authorizing the foregoing Assembly Interim Committee appears in the final approved Assembly Journal on page 4965 The members of the committee, namely: Hon. Charles W. Lyon, Chairman, Roy J. Nielsen, and Joseph P Gilmore were appointed by Speaker Edward Craig, the appointment appearing on page 5120 of the approved Assembly Journal

Acknowledgment.

The Assembly Interim Committee on Legislative Rules, Procedure and Printing desires to extend its thanks to all State departments who have so willingly and cheerfully cooperated with them in working toward a more expeditious legislative procedure.

The committee is particularly indebted to Fred B. Wood, Legislative Counsel, John J. Hamlyn, Deputy Legislative Counsel, and to the other members of their staff, for many hours of consultation with the committee members.

While much of the work of the committee has dealt with future or proposed printing changes, naturally a large portion of the committee's time has been in collaboration with the State Printer and his staff. The committee desires to express its sincere thanks to George H. Moore, State Printer, and to the entire printing office; to Robert A. Gardiner, Supervisor of Documents, who with the State Printer has given his whole-hearted assistance in laboring with the committee through many months, all striving for a uniform, coordinated and orderly procedure.

Although space will not permit mention of all persons who have offered helpful and valuable suggestions, this committee feels, however, that the following persons have contributed much toward the preparation of this report, and to the following the committee is very grateful: Clarence H. Smith, Deputy State Controller; Charles J. Hagerty, Deputy Secretary of State; Jess Hession, Deputy Attorney General; Arlin E. Stockburger, Director of Finance; Fred W. Links, Superintendent of Accounts, Department of Finance, Frank Killam, Superintendent of Capitol Grounds and Buildings; Hon. George J. Hatfield, Lieutenant Governor, Hon. William P. Rich, President pro tempore of the Senate, Hon. Joseph A. Beek, Secretary of the Senate; to the members of the press, and to many members of the Assembly, both of the last and former sessions, who have attended hearings of the committee.

Members of the committee owe a deep debt of gratitude to Arthur A. Ohnimus, Chief Clerk, and to Fred J. Desch, Assistant Chief Clerk of the Assembly for their untiring efforts in working with the committee, without compensation. Their intimate knowledge of Assembly rules and parliamentary procedure, covering a long period of time, has been of invaluable assistance to this committee.

CHARLES W. LYON, Chairman.
ROY J. NIELSEN
JOSEPH P. GILMORE.

Statement of Transmittal.

To the Honorable Members of the Assembly,
1937 California Legislature.

GENTLEMEN: The 1935 Assembly of the California Legislature authorized the appointment of this committee. The resolution will be found on page 4965 of the final approved Assembly Journal. Appointment of committee members by Speaker Edward Craig will be found on page 5120 of the final approved Assembly Journal.

The resolution seeks a remedy for the lengthy session of 1935; it also seeks a remedy for the old and obsolete rules of procedure, which necessarily tend to delay and increase the cost of legislative printing.

The committee has worked hard and diligently, holding 15 meetings in Sacramento, San Francisco and Los Angeles. It has invited to its meetings all departments of State, and every member of the past session and members of previous sessions have received special invitations to attend the meetings in the various cities. Many valuable suggestions from these members are incorporated in this report.

It is the sincere belief of the committee members, that if the recommendations suggested herein are adopted, that the duration of the next legislative session will be shortened, and the cost of the session greatly reduced.

Respectfully submitted.

CHARLES W. LYON, Chairman.
ROY J. NIELSEN.
JOSEPH P. GILMORE.

Proposed Permanent Standing Rules for the Assembly for the 1937–1939 Session.

In submitting the following Proposed Standing Rules for the Assembly for the 1937 session, the committee believes that it is recommending a complete set of rules under which the Assembly may be expeditiously operated.

The committee, before proceeding upon its labors, wrote to every State in the Union, including the Federal Government, for complete information and rules under which the other States of the United States operate. The committee carefully digested these rules, adopting such ideas as seemed to simplify our own procedure, and has re-written many rules, which heretofore have had ambiguous meanings.

In addition to much time spent in an analysis of the rules of foreign States, the committee also made a thorough study of both Assembly and Joint Rules of the Senate and the Assembly under which these respective houses have operated since 1913.

The committee has sought, wherever possible, to simplify the language of all rules; to eliminate all so-called "jokers" or "trick motions", such as a motion to lay an amendment on the table, which, under the present rules carries the main question with it, and is not subject to debate, but will, under the proposed rules, merely result in laying the amendment on the table and not the main question. This will eliminate much confusion, and allow a vote on the merits of the main question.

A very important change recommended is proposed Assembly Special Rule No. 1. This rule provides that following the constitutional recess, the Assembly shall meet at two o'clock p.m. instead of ten o'clock in the morning, subject, of course, to the right of the Assembly to change this rule to conform to the necessities of the body.

This change will allow committee meetings in the morning and make unnecessary many of the night committee hearings, and immediately upon reconvening after the constitutional recess, give the Assembly a large number of bills ready for consideration, which undoubtedly will result in saving considerable time to the Assembly, and assist in eliminating the "jam" at the end of the session.

It is the belief of the committee that holding committee meetings in the morning will insure more complete hearings, and avoid inconvenience to those who come long distances, expecting to be heard, only to find that a call of the Assembly or adjournment of the committee for other reasons makes necessary their return to future committee hearings in connection with the matters in which they are interested. The adoption of this rule will allow committee chairmen to definitely set dates for hearings on controversial measures.

The committee feel that in addition to the comments and notes made following each of the proposed rules, indicating changes, that the more important rules and changes should have additional explanations. Following are such rules:

PROPOSED ASSEMBLY RULE NO. 4.

Order of Business.

The committee has rearranged Items Nos. 9 and 10 under daily "Order of Business" so that Item No. 9, "Business on the Daily Calendar" will precede Item No. 10, "Motions and Resolutions." This transposition will insure the immediate consideration of the routine business of the Assembly, and the consideration of its own bills, particularly bills calling for amendments, to be taken up before "Motions and Resolutions," many of which are highly controversial, and once debated, delay the consideration of bills until a late hour, and quite often, until the next day. We believe this change to be advantageous to every member, particularly in the early days of the session, and will work a hardship on no member.

PROPOSED ASSEMBLY RULE NO. 16.

Daily Calendar.

After careful study and consultations with many of the members of the Assembly, the order of business on the Daily Calendar was further rearranged, allowing the second reading of Assembly bills, and the second reading of Senate bills to precede the order of "Unfinished Business." The adoption of this rule will allow the printing of the sometimes voluminous amendments to reach the Printing Plant hours in advance of the present order of business, thereby insuring the return of the printed bill as amended for consideration upon the next day. This change will be particularly helpful to members during the latter days of the session when they have important bills up for consideration, and which should reach the Senate as quickly as possible. This order is soon disposed of, and will not interfere with the "Unfinished Business File." During the closing days, the "Unfinished Business File" becomes congested with bills returned from the Senate, in which numerous amendments have been inserted, and which often result in long debate as to concurrence or nonconcurrence in the Senate amendments.

PROPOSED ASSEMBLY RULE NO. 18.

Adjournment.

The resolution for adjournment sine die originally provided for a 28-day notice That rule was in existence when sessions of the Legislature did not exceed 80 days in length, and when the number of bills introduced and considered were approximately one-half the number acted upon by recent Legislatures. The rule was found to be unworkable as sessions lengthened, and the number of bills introduced and considered doubled. The rule, consequently, was changed to 14 days notice.

This time limit the committee now feels is likewise unworkable, due to the tremendous amount of business transacted by the last three Legislatures.

The committee believes that a resolution providing for a 7-day notice of adjournment sine die will stop the unwieldy and rather foolish custom of stopping the clock in order to beat the "dead-line" of time set for final adjournment, and then remaining in session for days after.

The advantage of this change in the rule, the committee feels, lies in the fact that when the resolution for adjournment sine die is adopted, each house of the Legislature will have completed consideration of its own bills, and will from then on consider only bills of the other house, subject of course to the provisions of

Proposed Joint Rule No. 24, which allows consideration of a bill in the house of origin when recommended by the presiding officer of that house and confirmed by a recorded vote of three-fourths of the members of that house.

The committee is of opinion the adoption of this change will aid in preventing the confusion always attendant upon the closing days of the session.

PROPOSED ASSEMBLY RULE NO 40.

Appeal From the Decision of the Speaker.

The change in this rule provides for greater security in the main question, whatever it may be. The one change in the rule states that if an appeal be laid on the table, such action shall have no effect on the pending main question.

PROPOSED ASSEMBLY RULE NO 43

To Lay on the Table.

The committee has endeavored, as stated in its "Foreword", to eliminate all so-called "jokers" from the rules. In past sessions, many new members, unaware of the provisions of this rule, had their bills killed. This was done by another member moving that an amendment under consideration be laid on the table. Under the old rule this meant that not only the amendment but the main question and everything that adhered to it was laid on the table. This committee has deleted this provision so that in the future, when an amendment is laid on the table, it will not carry with it a bill, constitutional amendment, concurrent, joint or house resolution.

PROPOSED ASSEMBLY RULE NO. 47.

Motion to Postpone Indefinitely.

Since the purpose of this motion is to kill whatever may be before the Assembly for consideration, the committee feels that a majority of the elected membership, rather than a majority of the members present, should be required to carry such a motion.

PROPOSED ASSEMBLY RULE NO 58.

Motion to Withdraw and Recall Bills.

Past experience indicates to the members of this committee that all bills receive fair hearings in committee meetings. It is the belief therefore that inasmuch as a recorded majority vote of the entire elected membership is necessary to withdraw a bill from committee and place it upon file, that the same vote should be required to withdraw a bill from a committee and re-refer it to another committee.

PROPOSED ASSEMBLY RULE NO. 60.

Motion To Rescind Action and Expunge Record.

In line with our idea of shortening and simplifying the rules, the committee has deleted a portion of old Rule No. 55, eliminating what was considered ambiguous matter. The major change to the rule is that no motion to rescind the action and expunge the record shall be made twice on the same proposition. We believe this amendment to the rule is self-explanatory.

PROPOSED ASSEMBLY RULE NO 66.

Amendments from the Floor.

Your committee feels that the adoption of this rule, as amended, will save considerable money without working inconvenience upon any member or subscriber. Many bills are amended with but technical changes, such as the correcting of misspelled words, punctuation marks, or the addition or deletion of a word or two. Many of these bills are amended four and five times before they finally go to the Senate, where these bills may again be amended.

Many bills that are frequently amended are also quite lengthy, often being from 10 to 20 pages in length. The cost of this printing of amended bills amounts to a large proportion of the legislative printing expense. The committee agrees that 750 copies of all amended bills are ample to take care of all ordinary needs. In many instances, these bills are amended two or three different days in succession, and so their value to anyone, other than a member of the legislature is naught, and in many cases great confusion and annoyance result to the members of the Legislature, especially in having the public obtain and refer to a copy of an earlier amended bill that has subsequently become amended.

PROPOSED ASSEMBLY RULE NO 82

Committee on Ways and Means.

In past sessions, many bills have been referred for consideration to the Committee on Ways and Means which were not strictly appropriation bills. The committee is endeavoring to relieve the Committee on Ways and Means of such bills by excluding from their consideration such departmental bills of State Government which do not increase or decrease the salaries or expenses of such departments.

PROPOSED ASSEMBLY RULE NO. 84.

Reconsideration of Vote.

In the minor amendment to this rule, the committee has clarified its provisions, so that it is no longer felt that its meaning is ambiguous, or that further delay may

be occasioned in considering its provisions. The rule now provides a specific definition of what may be reconsidered at the time a motion is made for so reconsidering, and what must lie over until the following day.

PROPOSED ASSEMBLY RULE NO. 85.

Authority for Printing.

The amendment to this rule provides that the State Printer submit invoices to the Assembly for all work performed within 30 days after such work has been completed. The Hon. George H. Moore, State Printer, states that this can easily and readily be done. It will greatly assist the clerical officers of the Assembly and the Chairman of the Committee on Rules in more intelligently auditing these bills in the future.

PROPOSED ASSEMBLY RULE NO. 86.

Printing Style, Form, and Amount To Be Printed.

The committee feels that requests by members for additional copies of bills shall be referred to the Committee on Rules. In past sessions, through no fault of individual members, many duplications of bills were needlessly ordered printed, and a larger number of bills printed than in many instances necessary. No harm can come from submitting these requests to the Committee on Rules, and we believe that a considerable saving of money will result thereby.

PROPOSED ASSEMBLY RULE NO. 99

Persons Admitted to Floor of the Assembly

To the provisions of this rule, the committee has given a great deal of thought. The committee has consulted with many members, representatives of the press and numerous state officers. After considerable deliberation, the committee is agreed that to expeditiously handle the tremendous amount of legislative work with which they will be confronted at the next session, that the floor of the Assembly should be entirely free from visitors, with the exception of guests of members who shall be seated only at the members' desks.

The committee is convinced that the adoption of this rule will create an orderly Assembly; will eliminate the confusion now existent, thereby allowing members to follow debate and be ready for roll calls without the necessity of the Speaker being forced to rap constantly for order. Much time can be saved. The rule further provides that a portion of the gallery shall be reserved for those guests of members holding cards.

The following is a complete set of proposed rules for the 1937 Assembly of the California Legislature. Following each rule will be a note indicating whether or not a change is suggested from the 1935 Standing Rules of the Assembly.

Proposed Permanent Standing Rules of the Assembly for the Fifty-second Session—1937-1939.

Hour of Meeting.

1. The sessions of the Assembly shall be daily, beginning at ten o'clock a.m., (Sundays excepted) unless otherwise ordered by a majority of the members present.

NOTE.—Was 1935 Rule No. 1. Merely simplified in language. See Special Rule No. 1 (following end of standing rules).

Speaker to Call Assembly to Order.

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

NOTE.—Was 1935 Rule No. 2. Several words deleted from old rule and word "chairman" substituted in lieu of word "Speaker" in second last line. No material change.

Roll Call and Quorum.

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

NOTE.—Was 1935 Rule No. 4. Rules Nos. 3 and 4 of 1935 have been transposed since roll call and quorum should be determined before the "Order of Business" is taken up.

Order of Business.

4. The order of business of the Assembly shall be as follows:

1. Roll Call
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Reports of Committees
6. Messages from the Governor

7 Messages from the Senate
8. Introduction and Reference of Bills
9. Business on the Daily Calendar
10. Motions and Resolutions
11. Announcements
12. Adjournment

NOTE.—Was 1935 Rule No. 3. Order of business Nos. 9 and 10 have been transposed. No. 11 has been shortened to include all announcements irrespective of character.

Reading of the Previous Day's Journal.

5. The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present.

NOTE.—Was 1935 Rule No. 5. No change.

Approval of the Journal.

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

NOTE.—Was 1935 Rule No. 6. In line 3 following the word "days" has been added, "from the date of such Journal".

Motion to Correct Journal.

7. A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the members present.

NOTE.—Was 1935 Rule No. 56 In lines 2 and 3 "the approval of the Journal" has been substituted in lieu of "adoption of such motion".

Presentation of Petitions.

8. Whenever petitions, memorials or other papers are presented by a member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine Mention of receipt of such presentation and its disposition shall be entered on the Journal.

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

NOTE.—Was 1935 Rule No. 7. Following the word "petitions" in the first line has been deleted "for or against any pending legislation". In the fourth line the word "filed" has been used in lieu of "laid on the table".

Reports of Committees.

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

NOTE.—Was 1935 Rule No. 8. No Change.

Messages From the Governor.

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

NOTE.—Was 1935 Rule No. 9. No change.

Messages From the Senate.

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

NOTE.—Was 1935 Rule No. 10. No change.

Bill Defined.

12. Wherever the word bill is used, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided for in these rules.

NOTE.—New rule.

Introduction and Reference of Bills.

13. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk. When received at the Clerk's desk, it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed

NOTE.—Combines 1935 Rules Nos. 11 and 57. Language simplified.

Introduction of Bills After Constitutional Recess.

14. Any member requesting permission to introduce a bill after the constitutional recess shall send such request together with the bill to the Clerk's desk, and shall, under the order of "Introduction of Bills," be referred by the Speaker to the Committee on Introduction of Bills. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in section 2 of Article IV of the Constitution, and if it will not, shall report back on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative recorded vote of three-fourths of all members elected to the Assembly. (Const., Art. IV, Sec. 2.)

NOTE.—Was 1935 Rule No. 61. Language clarified. No material change.

Examining of Bills by Legislative Counsel Bureau.

15. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

If, in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

NOTE.—Was 1935 Rule No. 62. No change.

Daily Calendar.

16. There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on Rules shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar.

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

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

NOTE.—Was 1935 Rule No. 13. In lines 2 and 3 has been added following the word "recess" the following, "or at any time prior thereto when ordered by the Speaker." The listing numbers 2 and 3 have been transposed.

Motions and Resolutions.

17. Any motion or resolution not otherwise provided for under the rules shall be placed before the Assembly only under this order of business. Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

NOTE.—Was 1935 Rule No. 12. No change.

Adjournment.

18. Adjournment for the constitutional recess or adjournment sine die shall be ordered by concurrent resolution. The resolution for adjournment sine die shall

be adopted by the Assembly not less than seven days before the date set therein for such adjournment.

NOTE.—Was 1935 Rule No. 15. The word "seven" has been substituted in lieu of "fourteen."

DUTIES OF ASSEMBLY OFFICERS.

Duties of the Speaker.

19. The Speaker shall possess the powers and perform the duties herein prescribed:

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

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

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

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

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

(f) To propose a schedule of meetings of standing committees.

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

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

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

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants and subpenas issued by order of the Assembly.

NOTE.—Was 1935 Rule No 16 Sections f, k, l and m are rewritten with no material changes.

Duties of the Speaker Pro Tempore.

20. The Speaker pro tempore shall have the powers and perform the duties of the Speaker during his absence

NOTE.—Was 1935 Rule No 17 No change

Duties of the Chief Clerk.

21 The duties of the Chief Clerk shall be as follows:

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

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

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

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

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

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

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

NOTE.—Was 1935 Rule No. 18. No change.

Duties of the Sergeant-at-Arms.

22. The duties of the Sergeant-at-Arms shall be as follows:

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

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

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

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

(e) To execute all commands of the Speaker.

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

NOTE.—Was 1935 Rule No. 19. No change.

MEMBERS' DECORUM AND PRIVILEGES.

Order in Speaking to Questions.

23 When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration

NOTE.—Was 1935 Rule No. 20. No material change

Speaker to Decide Who is Entitled to Floor.

24. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

NOTE.—Was 1935 Rule No. 21. No change.

Members Called to Order for Transgressing Rules.

25. If any member in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may call the offending member to order. The member so called to order shall immediately take his seat, unless permitted to explain; if called to order by a member, such member shall immediately state the point of order. The point of order shall be decided by the Speaker without debate. If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision by the Speaker shall be subject to an appeal to the Assembly.

NOTE.—Was 1935 Rule No. 22. Part of the last line of the former rule has been deleted. No material change.

Members Called to Order for Offensive Words.

26. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

NOTE.—Was 1935 Rule No. 23. Rephrased. No material change.

Members Voting.

27. Every member at his desk when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present.

A member may submit a written explanation of his vote on any bill or house resolution, and have such explanation printed on the Journal immediately following such vote, provided no such explanation shall exceed 50 words in length

NOTE.—Rules Nos. 24, 28 and 98 of 1935 are combined and rewritten with minor deletions.

Ayes and Noes.

28 The ayes and noes shall be recorded either by viva voce or by the electrical voting system on the final passage of all bills, and on other questions when called for by three members whose names shall be entered on the Journal.

NOTE.—Was Rules Nos. 86, 86A and 86B of 1935.

Voting Not To Be Interrupted.

29. When once begun, voting shall not be interrupted, except that any member may move a call of the Assembly, after the completion of the roll and prior to the final recording and announcement of the vote.

NOTE.—Was 1935 Rule No. 88. No change.

Changing Vote

30. Prior to the announcement of the vote, the Speaker shall inquire if all members have voted. After the vote is announced, no member shall be allowed to change his vote, or have his vote recorded

NOTE.—Was 1935 Rule No 89 The first sentence of above rule has been added

Members at Clerk's Desk.

31. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted

NOTE.—Was 1935 Rule No. 90. No change.

Tie Vote.

32. In case of an equal division, or tie vote, the question shall be lost

NOTE.—Was 1935 Rule No. 91. No change.

Call of the Assembly.

33 After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present

may order a call of the Assembly and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call. Thereupon no member shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter or business by unanimous consent. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly.

NOTE.—Was 1935 Rule No. 93. No material change. Several words deleted.

Leave of Absence.

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

NOTE.—Was 1935 Rule No. 25. No change.

Personal Privilege.

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

NOTE.—Was 1935 Rule No. 26. No change.

Objection to Reading of Any Paper.

36 Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

NOTE.—Was 1935 Rule No. 29. No change.

Assignment of Desks to Members.

37. Members shall be assigned to desks by the Superintendent of Capitol Buildings and Grounds, and, so far as possible, he shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

NOTE.—Was 1935 Rule No. 30. No change

MOTIONS AND QUESTIONS.

Precedence of Motions During Debate.

38. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn;
Second—To recess to a time certain;
Third—To lay on the table;
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer or re-refer;
Eighth—To amend.

NOTE.—Was 1935 Rule No. 31. No change.

Questions of Order Decided Without Debate.

39. All incidental questions of order, arising after a motion is made for any of the questions named in Rule No. 38 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

NOTE.—Was 1935 Rule No. 32. No change.

Appeal From Decision of the Speaker.

40. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal can not be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal can not be debated when relating to indecorum, transgression of rules, or priority of business. A majority vote of the members present shall decide any appeal.

NOTE.—Was 1935 Rule No. 33. The third paragraph has been changed so that laying the appeal on the table will not carry with it the main question.

To Adjourn.

41. A motion to adjourn is not debatable and can not be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment, and also the hour at which the motion was made and adjournment taken, shall be entered on the Journal. Such a motion to adjourn must be adopted by a majority vote of the members present.

When such a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Such statement shall not occupy more than two minutes and shall not be debatable.

NOTE.—Was 1935 Rule No. 34. First paragraph rewritten.

To Recess to a Time Certain.

42. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

NOTE.—Was 1935 Rule No. 35. Last sentence of former rule deleted. No material change.

To Lay on the Table.

43. A motion to lay on the table is not debatable and can not be amended. If carried by a majority vote of the entire elected membership, it carries with it the main question and everything that adheres to it; provided however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint or House resolution.

A motion to lay on the table having been decided in the negative shall not again be allowed on the same day or at the same stage of the bill or question.

NOTE.—Was 1935 Rule No 36. Last sentence of paragraph one has been added.

The Previous Question.

44. The previous question shall be put only when demanded by five members, and in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

NOTE.—Combined 1935 Rules Nos. 37 and 38. No change.

Motion to Set Special Order.

45. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members present. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

NOTE.—Was 1935 Rule No. 39. No change.

Motion to Postpone to a Time Certain.

46. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

NOTE.—Was 1935 Rule No. 40. No change.

Motion to Postpone Indefinitely.

47. When a motion is made to postpone indefinitely any bill, motion or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire membership, the main question shall not be acted upon again during the session.

NOTE.—Was 1935 Rule No. 41. Vote required changed from majority present to majority elected.

Motion to Amend.

48. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

NOTE—Was 1935 Rule No. 43. No change.

Amendment To Be Germane.

49. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

NOTE—Was 1935 Rule No. 44. No change.

Substitute Motion.

50. A motion to substitute shall be deemed and treated as a motion to amend.

NOTE.—Was 1935 Rule No. 45. No change.

Motions in Writing.

51. Upon request of the Speaker all motions shall be reduced to writing and shall be read by the Speaker before the same is acted upon.

NOTE.—Was 1935 Rule No. 47. No change.

Consideration of Motions.

52. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

NOTE.—Was 1935 Rule No. 48. No change.

Division of Questions.

53. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Assembly.

NOTE—Was 1935 Rule No. 49. No change.

Resolutions Authorizing Expenditure of Money.

54. All resolutions providing for the expenditure of money, other than the current and incidental expenses of the Assembly, shall first be referred to the Committee on Rules.

The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of the entire elected membership.

NOTE—Was 1935 Rule No. 50 First paragraph of above Rule is new.

Withdrawal of Motions.

55. After a motion is stated by the Speaker, or a bill, resolution or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly.

NOTE.—Was 1935 Rule No. 51. Matter of old rule following the word "Assembly" in last line has been deleted.

Motion To Be Germane.

56. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

NOTE—Was 1935 Rule No. 52. No change.

Bills Reported Back to Assembly.

57. All committees shall act upon bills referred to them as soon as practicable, and when acted upon, each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule.

NOTE.—Was 1935 Rule No. 53. Last sentence of former rule deleted.

Motion to Withdraw and Recall Bills.

58 A motion to withdraw a bill from one committee and re-refer it to another committee may be made during the regular order of business. Such motion shall only be debatable as to the propriety of such reference, and shall be decided by a majority vote of the entire elected membership.

A motion to recall a bill or resolution from any committee shall require one day's notice and shall be decided by a recorded majority vote of the entire elected membership.

NOTE.—Combined 1935 Rules Nos. 54 and 53. Change is merely from a majority present to a majority elect.

Bills Stricken from Calendar.

59. A motion to strike from the Calendar any bill or house resolution requires a majority vote of the entire elected membership Such bill shall not be acted upon again during the session.

NOTE.—Was a portion of 1935 Rule No. 54.

Motion to Rescind Action and Expunge Record.

60. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

NOTE.—Was 1935 Rule No. 55. A portion of old rule which was ambiguous in meaning has been deleted. The last sentence of above rule is new matter.

Reference of Bills to Committee.

61 Immediately following its first reading the Speaker shall refer each bill to a committee, unless upon a motion, the Assembly by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable Should several different committees be proposed, preference shall be given as follows:

1. Committee of the Whole.
2. Standing Committee.
3. Special Committee.

NOTE—Combination of 1935 Rules Nos. 48 and 58. Rewritten with minor deletions No material change.

Record of Bills.

62 The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be endorsed upon such bill.

NOTE.—Was 1935 Rule No. 59. No change.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions.

63. Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution.

NOTE.—Was 1935 Rule No. 60. Last sentence of former rule deleted

Second Reading of Bills.

64 All bills shall be read the second time in the order of their appearance upon the Second Reading Calendar. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading.

NOTE.—Was 1935 Rule No. 63. No change

Committee Amendments.

65. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be ordered reprinted and to third reading

NOTE.—Was 1935 Rule No. 64. No change.

Amendments from the Floor.

66. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed. The Chief Clerk shall order printed not to exceed 750 copies of all amended bills.

NOTE.—Was 1935 Rule No. 65. Last sentence is new matter

Committee on Engrossment and Enrollment.

67. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, ordered or considered engrossed by the Assembly with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto, and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed The report of the Committee on Engrossment and Enrollment shall be in order at any time.

NOTE.—Was 1935 Rule No 66 Last sentence added. In former years, always a portion of this rule.

Engrossing and Enrolling Bills.

68 The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall have been acted upon by the Assembly.

NOTE.—Was 1935 Rule No. 67. Rewritten. No material change. Obsolete matter of rule deleted.

Bills Transmitted to the Senate.

69. Upon the final passage of any bill, if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

NOTE.—Was 1935 Rule No. 68. No change.

Bills Considered During Last Seven Days.

70 No Assembly bill shall be passed by the Assembly within seven calendar days previous of the time set for adjournment sine die of the Legislature, except upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of the entire elected membership of the Assembly.

NOTE—Was 1935 Rule No. 69. No change.

Concurrence in Senate Amendments.

71. No Senate amendment to an Assembly bill shall be concurred in except by an affirmative recorded vote of a majority of the entire elected membership of the Assembly When Senate amendments to such bill are so concurred in, it shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

NOTE—Was 1935 Rule No. 70. No change.

Nonconcurrence in Senate Amendments.

72 If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to recede from its amendments If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled.

NOTE.—Was 1935 Rule No. 71. No change.

Committee on Free Conference.

73. Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, except during a roll call or when a member has the floor. It shall require an affirmative recorded vote of a majority of the entire elected membership of the Assembly to adopt any free conference report. After such adoption, and notice that the Senate has adopted the report, the bill shall be ordered enrolled.

NOTE.—Was 1935 Rule No. 72. No change.

Enrollment.

74 After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in section 539 of the Political Code. The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal.

NOTE—Was 1935 Rule No. 73. No change

COMMITTEES.

Standing Committees.

75 The standing committees of the Assembly shall be as follows:

1. A Committee on Agriculture, to consist of 17 members.
2. A Committee on Attaches, to consist of 7 members.
3. A Committee on Aviation and Aircraft, to consist of 11 members
4. A Committee on Banking, to consist of 9 members.
5. A Committee on Building and Construction, to consist of 7 members.
6. A Committee on Building and Loan Associations, to consist of 7 members.
7. A Committee on Civil Service, to consist of 9 members.
8. A Committee on Commerce and Navigation, to consist of 9 members.
9. A Committee on Conservation, to consist of 9 members.
10. A Committee on Constitutional Amendments, to consist of 13 members.
11. A Committee on Contested Elections, to consist of 5 members.

12. A Committee on Contingent Expenses, to consist of 5 members.
13. A Committee on Corporations, to consist of 9 members.
14. A Committee on County Government, to consist of 15 members.
15. A Committee on Crime Problems, to consist of 7 members.
16. A Committee on Direct Legislation, to consist of 7 members.
17. A Committee on Drainage, Swamp and Overflowed Lands, to consist of 13 members.
18. A Committee on Education, to consist of 13 members.
19. A Committee on Elections, to consist of 11 members.
20. A Committee on Engrossment and Enrollment, to consist of 5 members.
21. A Committee on Exhibitions and Fairs, to consist of 7 members.
22. A Committee on Federal Relations, to consist of 7 members.
23. A Committee on Financial Institutions, (other than Banking and Building and Loan Associations) to consist of 7 members.
24. A Committee on Fish and Game, to consist of 15 members.
25. A Committee on Governmental Efficiency and Economy, to consist of 11 members.
26. A Committee on Governmental Revenues and Expenditures, to consist of 5 members.
27. A Committee on Hospitals and Asylums, to consist of 11 members.
28. A Committee on Insurance, to consist of 11 members.
29. A Committee on Introduction of Bills, to consist of 5 members.
30. A Committee on Irrigation, to consist of 17 members.
31. A Committee on Judiciary Codes, to consist of 15 members.
31a. A Committee on Judiciary General, to consist of 15 members.
32. A Committee on Labor and Capital, to consist of 13 members.
33. A Committee on Libraries, to consist of 5 members.
34. A Committee on Live Stock and Dairies, to consist of 9 members.
35. A Committee on Manufactures, to consist of 7 members.
36. A Committee on Medical and Dental Laws, to consist of 9 members.
37. A Committee on Mileage, to consist of 5 members.
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40. A Committee on Motor Vehicles, to consist of 15 members.
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44. A Committee on Public Charities and Corrections, to consist of 9 members.
45. A Committee on Public Health and Quarantine, to consist of 9 members.
46. A Committee on Public Morals, to consist of 11 members.
47. A Committee on Public Utilities, to consist of 11 members.
48. A Committee on Revenue and Taxation, to consist of 15 members
49. A Committee on Roads and Highways, to consist of 15 members.
50. A Committee on Rules, to consist of 7 members including the Speaker and the Speaker pro tempore.
51. A Committee on Social Service and Welfare, to consist of 9 members
52. A Committee on Soldiers and Sailors Affairs, to consist of 13 members
53. A Committee on State Grounds and Parks, to consist of 7 members.
54. A Committee on Teachers Colleges, to consist of 7 members.
55. A Committee on Unemployment, to consist of 7 members.
56. A Committee on Universities, to consist of 7 members.
57. A Committee on Ways and Means, to consist of 21 members.

NOTE.—Was 1935 Rule No. 74. Former 1935 Rule No. 82 is included in committee comprising rules. No other change

Committee Quorum.

76 A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business. At least a majority of all members constituting such committee shall be required to report a bill out of committee.

NOTE.—Was 1935 Rule No. 77. No change.

Meetings of Standing Committees.

77 All standing committees shall meet at the hour provided by schedule, unless otherwise ordered by the Assembly. Committees may hold such additional meetings as the chairman of the committee may deem necessary; provided, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee, by a majority vote of its entire membership, shall order an executive session.

NOTE.—Was 1935 Rule No. 78. No change

Standing Committee Rules

78. The Rules of the Assembly shall govern the conduct of all committee meetings whenever practicable. Each committee may adopt, by a majority vote of its entire

membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

NOTE—Was 1935 Rule No. 79 No change

Signing Bills Out of Committee.

79. No bill shall be signed out of any committee except during the final two weeks of the session and then only upon the signatures of a majority of the entire committee membership.

NOTE—Was 1935 Rule No 80. No change

Committee Expenditures.

80. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the Chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess.

NOTE.—Was 1935 Rule No. 81. Reworded. No change.

Committee on Attaches

81. The Committee on Attaches shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly

NOTE.—Was 1935 Rule No 83. No change

Committee on Ways and Means

82 The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly, and other than bills effecting existing departments of State government which do not increase or decrease the salaries or expenses of such departments.

Whenever requested by the Assembly, the Chairman of the Committee on Ways and Means shall report the exact condition of legislation involving appropriations and the aggregate amount of all proposed appropriations pending before the committee The committee may also report whenever necessary, their opinion as to the condition of the State revenues and expenditures.

Concurrent resolutions providing for all adjournments shall be referred to the Committee on Ways and Means, which committee shall report back such concurrent resolution to the Assembly, together with any statement the committee may deem advisable relative to the status of the general appropriation bill, or other business before the committee.

NOTE—Was 1935 Rule No. 84. First paragraph adds reference of bills dealing with existing State departments. Deletes provision requiring reporting adjournment resolution back next legislative day after receipt.

Committee of the Whole.

83. The Assembly may resolve itself into a Committee of the Whole at any time, by a majority vote of the members present The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole. The Rules of the Assembly shall be observed in the Committee of the Whole so far as they may be applicable, except that the ayes and noes need not be taken

A motion that the Committee of the Whole "do now rise and report back to the Assembly" shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered on the Journal except upon motion and a majority vote of the members present

NOTE—Was 1935 Rule No. 85. No change.

Reconsideration of Vote

84 Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the unfinished business calendar, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly The notice of motion to reconsider may be called up by any member on the next legislative day after the notice of reconsideration of the bill, constitutional amendment, concurrent or joint resolution has been given

Any member voting on any motion, amendment, concurrence, recedence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same

was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day, provided however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected Assembly membership, except that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of the entire Assembly elected membership.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

NOTE—Was 1935 Rule No. 94. Rewritten so as to clarify the status of all propositions other than bills. Amendments, etc., are given preference for immediate consideration if desired at time notice is given.

PRINTING.

Authority for Printing.

85 The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

NOTE—Was 1935 Rule No. 95. Requests State Printer to submit invoices within 30 days. No other change.

Printing Style, Form and Amount to be Printed.

86. Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Chief Clerk and approved by the Speaker or Chairman of Committee on Rules. All requests by members for additional copies of bills shall be referred to the Committee on Rules.

NOTE.—Was 1935 Rule No. 96. Adds last line of above rule.

Printing Assembly History.

87. The Chief Clerk shall cause to be compiled and printed during the constitutional recess, a Legislative Handbook and a semi-final Assembly History, together with an index, setting forth a complete History showing all actions on bills, constitutional amendments, concurrent, joint and House resolutions prior to the constitutional recess.

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week, a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

NOTE—Was 1935 Rule No. 97. No change.

Printing of Maps.

88. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership.

NOTE.—Was 1935 Rule No. 98. No change.

RULES.

Adoption of Standing Rules.

89 The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the entire elected membership. When once adopted, such Standing Rules shall remain in effect, unless suspended or amended as provided in these rules, until such time as other Standing Rules are adopted by a succeeding Legislature.

NOTE.—Was 1935 Rule No. 99. No change.

Parliamentary Rules.

90 Robert's Rules of Order shall be the recognized authority on all occasions when the Assembly Rules are not applicable.

NOTE—Was 1935 Rule No. 100. No change.

Suspension of Rules.

91. Unless otherwise specifically provided by law or Assembly rule, any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present, provided that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

NOTE.—Was 1935 Rule No. 101. No change.

Amending Standing Rules.

92. No standing rule of the Assembly shall be amended except by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly and one day's notice must be given on the motion thereof.

NOTE—Was 1935 Rule No. 102. No change.

Temporary Rule.

93. The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly, such temporary rule shall have the effect for the time being, of a standing rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on Rules.

NOTE—Was 1935 Rule No. 103. No change.

MISCELLANEOUS

Press Privileges

94. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks; also the necessary rooms for the exclusive use of such accredited press representatives.

NOTE—Was 1935 Rule No 104. No change.

Privilege of Addressing the Assembly

95 No person other than a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

NOTE—Was 1935 Rule No. 105. No change.

Smoking in Assembly Chamber.

96 Smoking may be prohibited temporarily during any session of the Assembly by a majority vote of the members present.

NOTE.—Was 1935 Rule No 106 No change.

Fees for Witnesses

97 Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars for each day such witness shall be required to appear, and the sum of three and one-half cents for each mile he shall travel in coming to and going from the place of examination.

NOTE—Was 1935 Rule No 107. No change.

Use of Assembly Chamber

98 The Assembly Chamber shall not be used for any public or private business other than legislative matters, during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

NOTE—Was 1935 Rule No. 108 No change

Persons Admitted to Floor of the Assembly.

99 No persons other than members, officers, attaches, employees of the Legislature, former members of the Legislature, and accredited members of the press, shall be admitted to the floor of the Assembly during any session of the Assembly; provided that a guest of any member shall be admitted upon presentation of a guest card of said member, countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued Such guest shall be seated only at the member's desk issuing such card.

A special section in the balcony shall be reserved for those holding guest cards.

NOTE—Was 1935 Rule No 109 Change provides reserved seats in balcony for members' guests

Lobbying in the Assembly Chamber.

100 No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation; and any person transgressing this rule shall be removed from the floor of the

Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule. This rule can not be suspended except by a two-thirds vote of the entire elected membership of the Assembly.

NOTE.—Was 1935 Rule No. 110. No change.

Speaker Explains Order of Business.

101. The Speaker may on his own motion or upon the motion of any member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

NOTE.—Was 1935 Rule No 112. No change

SESSIONS OF ASSEMBLY FOLLOWING CONSTITUTIONAL RECESS.

Hour of Meeting.

Special Rule No. 1. Following the constitutional recess, the Assembly shall meet promptly at two o'clock p.m. daily (Sundays excepted) unless otherwise ordered by a majority of the members present.

NOTE.—A new rule.

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Proposed Joint Rules for the Senate and the Assembly for the 1937-1939 Session.

In submitting the following proposed Joint Rules for the Senate and the Assembly for the 1937 session the committee has endeavored to clarify those provisions in the Joint Rules which during the past session seemed to cause some confusion

While the committee suggests numerous amendments to the Joint Rules, those considered of most importance are the rules dealing with the form and manner of amending bills; the distribution of bills to the general public; the time set for adjournment sine die, and clarifying the provisions of bills carrying urgency clauses. These will all be taken up and discussed quite fully in numerical order.

PROPOSED JOINT RULE NO 9.

Restrictions as to Amendments

This rule as amended deletes the provision of the Legislative Counsel examining all amended bills to see whether or not the amended material is germane to the title of the bill. This former provision in the rule has been unworkable and impossible of performance. With the deluge of work in the drafting of bills, the Counsel Bureau has more work than it can perform during the rush days of the session, and with their limited staff, can not possibly perform this additional work. The members of the bureau do everything possible to note errors and make corrections. During past sessions, committee chairmen have been extremely careful in seeing that amendments are germane, and an additional check has been made by Assembly desk officers when amendments have been before the house for adoption. The committee feels that this provision should not be a rule, when its provisions can not be enforced.

PROPOSED JOINT RULE NO. 10.

Changes in Existing Law To Be Marked by Author.

PROPOSED JOINT RULE NO. 12.

Printing of Amendments.

The committee has considered the provisions of these two proposed joint rules together, inasmuch as their context is somewhat similar. Both deal primarily with the substitution of brackets for the expensive strike-out type now used to indicate material to be deleted

In an original bill as it is now prepared by the Legislative Counsel for a member who desires to introduce the same when the Assembly has convened, the typewritten copy is set up as follows: Material which is to be deleted is set with strike-out type; that is, ordinary type with a line drawn through the center, illustrated as follows (~~This is strike-out type~~). New material which the author desires to incorporate into the bill is set up with a line underscoring the same, as follows. (This material is to be new matter.) After the bill has been introduced, it goes to the State Printer for printing. The printed bill will show all new matter in an italic type and all material to be deleted will be in the above indicated strike-out type. The composition of the strike-out type is slow and expensive, and its "proof reading" is extremely difficult.

In the original preparation of the bill by the Legislative Counsel much time is consumed, for as everyone knows, typewriters are not equipped with strike-out type and a great amount of time is naturally consumed by the stenographic service, who in reality must write the original typed copy and then again go over all matter to be deleted and strike a small dash through each letter to be deleted With the small staff available to the Legislative Counsel, and with the major portion of all bills introduced each session coming just a few days prior to adjournment for the constitutional recess, the committee believes that much time can be saved by the substitution of the brackets for the strike-out type.

When the original bill has been printed with the strike-out type, and is now to be amended, the following procedure must take place. The strike-out type of the original bill is removed, and new strike-out type inserted to indicate what material is to be deleted by the amendment In many instances this means almost the printing of an entire new bill The committee feel that the use of brackets will in no way destroy the simplicity or clarity of the changes proposed by the author of the amendments

The committee after numerous consultations with State Printer George H. Moore, earnestly advocate the adoption of this proposed change, as the State Printer estimates a saving of $50,000 (fifty thousand dollars) in legislative printing next session by this one change alone

PROPOSED JOINT RULE NO 13.

Distribution of Legislative Publications.

The change proposed by the committee in this rule is to eliminate the free distribution of all bills and legislative publications, except to members of the Legislature, the requirements of the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses, the Legislative Counsel Bureau, Attorney General's Office, Office of the Secretary of State, Controller's Office, Treasurer's Office, Governor's Office and members of the press.

The committee has given more time, thought and deliberation to this rule than possibly all other rules. The committee recognizes the interest of the public in proposed and pending legislation, and their right to be informed However, the committee strongly feels that while the enactment of bills is a legislative function,

the supplying to the public of this State and many foreign States with copies of bills and other legislative publications is a charge that should rightfully be made against the State general fund. The California Legislature is commended or condemned by the public on the amount of money which it spends during a session

Past Legislatures realizing the increased public demand and the unwarranted charge against the Legislature for this printing bill, provided for a complete bill service to the public by the payment of $35 per session. Mr. Robert A. Gardiner, Supervisor of Documents, informs the committee that this service has grown each session since inaugurated. The members of the committee feel that very few persons can be interested in every bill introduced, and that those persons who are interested in all legislation should be and are in most instances willing and capable of paying for such service.

The committee makes no change in the rule existent for many sessions relative to the number of persons, organizations, libraries, etc., on a member's mailing list. The committee feels that every member of the Legislature is entitled to all legitimate requests for copies of bills and other legislative publications Libraries and chambers of commence can be taken care of by members without charge, these places usually being open to the public for inspection of all legislative publications

A check-up of the Chief Clerk's correspondence of the Assembly for several sessions past indicates that approximately 75 per cent of all requests for bills and other legislative publications, express a willingness to pay the cost of supplying the bills or publications so desired.

Careful perusal of the rules of the other States in the United States show that very few States have a State-owned printing plant. Legislative and all other State printing is contracted, and only minimum legislative needs are provided for. All requests for copies of bills in those States are referred to the private printer, who makes a charge, and naturally profits thereby. While this committee does not specifically recommend the Printing Plant being in business for profit, it does feel that a charge should be made to help cover the cost of printing, inasmuch as our records verify the willingness of 75 per cent of all inquiries to pay for the same.

This committee is proud of California legislative publications, which we consider on a par with and better than any other State publications we have examined. If the high excellence of this work is to be continued, a charge will be necessary and justified.

The number of bills introduced in each house since 1924 has been constantly on the increase, as well as the length of sessions. Prior to 1923, a 100-day session was little heard of, except for five or six sessions during early California history, when a then all-time lengthy session of 110 days was recorded in 1854.

The next 100-day session or over occurred in 1923 In 1933 a high record was made of 111 days and last session, that is for 1935, the session broke all records and lasted 125 days. That meant that the members worked for 25 days without pay The number of bills introduced each session has naturally grown, showing a steady increase each session until last session when the Assembly made another all-time record of introducing 2,719 measures.

While this tremendous increase in the number of bills introduced more than triples technical and clerical work in preparation, handling and amending the bills during the past ten years, the constitutional allowance for the employment of this service was reduced from $500 per day to $300 per day during the legislative session. This reduction has seriously impaired the handling of the legislative business.

The committee refers to the following extract from The Saturday Evening Post of February 29 1936 Taken from an article entitled "Washingtonia."

> "The Seventy-third Congress—which, in the number of its laws, as well as the character of its enactments, set a record—during its 266 days of sitting passed nearly 500 acts, almost two a day. Some 434 private bills were passed in addition. These were boiled down from 3806 Senate bills and 9968 House bills
>
> Copies of public bills and resolutions are kept in the document room at the Capitol, and there are bound volumes of them on the shelves of the House Library and the Congressional Library. One session which brought forth 6414 bills for both houses required 8310 additional printings, making a total of 14,724 bill printings.
>
> The various printings have names: Committee Print, from 25 to 100 copies, and often with repeated Confidential Committee Prints; Introduced Print, 1100 copies; Reported Print, 1100 copies, Engrossed Print, 25 to 100 copies; Referred Print—when sent by the Senate to the House or by the House to the Senate—1100 copies; Conference Print with Amendments, 20 to 50 copies, and often in series; Enrolled Print, one copy to be signed by the Speaker of the House and the President of the Senate, and Law Print, which varies, the average for the last session being 4299 copies
>
> The title of each bill, often excerpts, and all the amendments with the floor discussions are printed in the Congressional Record, which closed the last session with a circulation of 37,500 copies per issue, the largest in its existence, indicating the extent to which the general public is now watching

Congress. It costs between fifty-three and fifty-four dollars a page to print, which, for the first session of this Congress ran about 15,204 pages, or in monthly outlay, around $800,000."

The committee believed that the above quotation might be of interest, inasmuch as the National Government has felt that it no longer can supply the public free of charge with copies of bills and governmental publications, but has for some time past, made a charge to cover the cost of all such requests.

PROPOSED JOINT RULE No. 14.

Printing of the Daily Journal.

The amendment to this rule reduces the number of printed daily Journals from 1000 copies to 750 copies and also leaves to the discretion of the Secretary of the Senate and the Chief Clerk of the Assembly the number of bound volumes to be printed of the final, approved indexed Journal. The committee feels that the above number 750 copies is sufficient to supply all needs. When a public demands exceeds this quantity, it can readily be reprinted The committee is agreed that if a small price is placed upon this publication that the above number will be ample to supply all needs. A substantial saving will result in this printing item, if adopted. The preparation, editing and printing of the daily Journal is a rush job. The printed copy is available the following morning for the preceding day. Naturally errors creep into the carefully prepared copy. Members are oftentimes incorrectly recorded in their voting. Subsequent corrected and approved Journals must be printed. There has been a great waste in this publication in the past, and the committee feels quite certain that the above number of copies with a small price to cover its cost of printing will satisfy all needs.

PROPOSED JOINT RULE No. 15.

What Shall Be Printed in the Journal.

The committee proposes that the text of concurrent and joint resolutions be not printed in full in the Journal. These resolutions are printed in full the same as all other bills, and available in the Bill Room. While bills are not printed in full in the Journal upon their passage, this committee sees no reason for special treatment of resolutions, particularly since many are quite lengthy. The committee further recommends that House resolutions be so called, and for convenience, of the members, be numbered, printed and become a part of the Daily Calendar and History.

PROPOSED JOINT RULE No. 22.

Messages to Be in Writing Under Proper Signatures

This amended rule combines former Joint Rules Nos. 26, 27, 28, 29 and 30. Heretofore five rules indicated how messages were to be delivered and received from one house to the other. The committee believe the amended rule covers quite fully the context which formerly was contained in the five rules enumerated above.

PROPOSED JOINT RULE No. 23.

Passage of Urgency Provisions in Bills.

Much confusion has existed in the past on the passage of urgency provisions in bills. It was formerly a joint rule that where the urgency clause in a bill was refused adoption, the bill was then considered dead. This committee is of the opinion that the more fair way is to consider the bill on its merits without the accelerating feature of the urgency clause, in the event the urgency clause is refused adoption, and allowing the members to vote on the bill, to be effective, if passed and signed by the Governor on the regular 90-day period after the session has adjourned sine die.

PROPOSED JOINT RULE No. 30.

Report of Committee on Free Conference.

Formerly there was no limit to the number of times a Committee on Free Conference could be appointed and report on a particular bill. This committee feels that when three conference committees have been appointed and fail to agree, that it is useless to continue further deliberations, and that the bill be declared dead

PROPOSED JOINT RULE No. 32.

Press Rules.

The only amendment to this rule requires press representatives file a credential signed by their editor or publisher requesting legislative press privileges.

PROPOSED JOINT RULE No. 33.

Adjournment.

The argument given for the adoption of Proposed Assembly Rule No. 18 is equally applicable to this proposed joint rule. It is the purpose of each house to have all of its work finished 7 days prior to the day such resolution of intended adjournment is adopted. The number of days has been changed from 14 to 7 days and the resolution will provide for "intended," and not adjournment sine die.

PROPOSED JOINT RULE NO 34.

Dispensing with Joint Rules.

This committee recommends that the last four lines of old Joint Rule No. 46 be deleted. Formerly when it was discovered that in the passage of a bill by either house, some infraction of a joint rule had been violated, it was the custom to return the bill to the house of origin, and no further action allowed thereon. This committee believes that when such an infraction of the Joint Rules is observed, that the bill be returned to the house of origin for correction, or when desirable that a committee, to function with the same powers as a Committee on Free Conference be appointed to cure or remedy the defects as noted by the house returning the bill. The committee feels that this recourse will prevent a member from losing an important bill.

NOTE.—This committee has endeavored at all times in the re-writing of these rules to eliminate as many rules as possible and simplify every proposed rule so there will be no difficulty in interpretation.

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California Legislature—Proposed Joint Rules for the Senate and Assembly for the Fifty-second Session, 1937–1939.

COMMITTEES AND COMMITTEE MEETINGS.

Standing Committees.

1. Subject to the right of either house to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each house:

1. Agriculture
2. Banking
3. Building and Loan Associations.
4. Commerce and Navigation
5. Conservation.
6. Constitutional Amendments
7. County Government.
8. Drainage, Swamp and Overflowed Lands
9. Education.
10. Elections
11. Federal Relations
12. Finance in the Senate, and Ways and Means in the Assembly
13. Fish and Game.
14. Hospitals and Asylums

15. Insurance
16 Irrigation
17. Judiciary.
18. Labor and Capital
19. Military Affairs.
20. Mines and Mining.
21. Municipal Corporations.
22 Oil Industries.
23. Prisons and Reformatories
24 Public Utilities.
25 Public Health and Quarantine.
26. Revenue and Taxation.
27. Roads and Highways.
28. Rules.

NOTE.—Was 1935 Rule No. 1. No change.

Joint Committee.

2. The Committee on Rules of each house shall be the Joint Standing Committee on Joint Rules of the Senate and the Assembly.

NOTE.—Was 1935 Rule No. 2. Reworded. No change in substance.

BILLS AND RESOLUTIONS.

Definition of Word Bill.

3. Wherever the word "bill" is used in these rules, it shall include constitutional amendments, concurrent and joint resolutions.

NOTE.—Was 1935 Rule No. 4. Reworded. No change.

Joint Meeting of Committees.

4. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

NOTE.—Was 1935 Rule No. 3. No change.

Concurrent and Joint Resolutions.

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature

Joint resolutions are those which relate to matters connected with the Federal Government.

NOTE.—Was 1935 Rule No. 5. Reworded. No change in substance.

Resolutions Treated as Bills.

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be read but one time in each house and that they shall not be deemed bills within the meaning of section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

NOTE.—Was 1935 Rule No. 6. A word transposed. No change.

PREPARATION AND INTRODUCTION OF BILLS.

Title of Bill.

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

NOTE.—Was 1935 Rule No. 7. No change.

Division of Bill Into Sections.

8. Bills amending more than one section of existing laws shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

NOTE.—Was 1935 Rule No. 8. No changes.

Restrictions as to Amendments.

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration.

NOTE.—Was 1935 Rule No. 9. Following word consideration at end of above rule, all old matter has been deleted. Impossible for Legislative Counsel to comply with provision.

Changes in Existing Law to be Marked by Author.

10. In case of a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be enclosed in brackets When printed the new matter shall be printed in italics, and the matter to be omitted shall be enclosed in brackets.

NOTE.—Was 1935 Rule No. 10. Brackets are substituted in lieu of strikeout type.

PRINTING AND DISTRIBUTION OF BILLS

Manner of Printing Bills, etc.

11. The State Printer shall observe the following directions in printing all bills, constitutional amendments, concurrent and joint resolutions.

(a) The body of such bills shall be printed in solid unspaced form so that the same type shall be used both before and after enrollment.

(b) All titles of bills shall be set in italics, statute form, and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only; provided, however, that concurrent resolutions approving city or county charters or amendments thereto may be set in smaller type.

NOTE.—Was 1935 Rule No. 12. Sec. (d) of former rule deleted.

Printing of Amendments.

12. All bills amended by either house shall be reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be enclosed in brackets. When a bill is amended in either house, the first or previous markings shall be omitted. When a bill amendatory of a code section or general law is engrossed, all figures or symbols shall be removed.

In the case of an amendment to a skeleton bill, which amendment actually sets up, for the first time, the wording of the bill, this rule shall not apply, but the use of italics and brackets shall be as in an original bill.

NOTE.—Was 1935 Rule No. 13. Brackets have been substituted in lieu of strikeout type.

Distribution of Legislative Publications.

13. All requests for mailing or distribution of bills and legislative publications shall be filed with the Secretary of the Senate or the Chief Clerk of the Assembly. Each member of the Senate and Assembly shall be permitted to submit a list of ten libraries, chambers of commerce or individuals. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications to supply this list together with such number as may be necessary for legislative requirements.

Except as hereinabove provided, no complete list of bills shall be delivered except upon payment therefor of the sum of $35, nor shall single copies of bills or other legislative publications be distributed free except to members of the Legislature, the requirements of the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's Office; Secretary of State's Office; Controller's Office; Governor's Office and accredited members of the press. The State Printer shall fix the cost of such bills and publications, and such monies as may be received by him, shall after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Unless otherwise provided for, the total number of each bill to be printed shall be not more than 2,500.

NOTE.—Was 1935 Rule No. 14. Rewritten to eliminate Legislature from providing for public demand except as indicated.

OTHER LEGISLATIVE PRINTING.

Printing of the Daily Journal.

14. The State Printer shall print, in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Journal of each day's proceedings of each house. At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature as required by law.

NOTE.—Was 1935 Rule No 16 Quantity optional with Secretary of the Senate and Chief Clerk of the Assembly.

What Shall Be Printed in the Journal.

15. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional

amendments when introduced in, offered to, or acted upon by the house, and the title and text of joint and concurrent resolutions and constitutional amendments when adopted by the house, provided, that in the case of a concurrent resolution approving the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments need not be printed in the Journal.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

NOTE.—Was 1935 Rule No. 17. No change.

Printing of the Daily File.

16. A daily file of bills ready for consideration shall be printed each legislative day for each house.

NOTE.—Was 1935 Rule No 18. Sentence deleted providing distribution, which is otherwise provided for.

Printing of History.

17. Each house shall cause to be printed on Monday of each week, during the session, a complete History of all bills, constitutional amendments, concurrent, joint and house resolutions originating in or acted upon by the respective houses. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History.

Immediately following the adjournment for the constitutional recess, the History shall be compiled and printed to date of recess by the Secretary of the Senate and the Chief Clerk of the Assembly.

NOTE.—Was 1935 Rule No. 19. Rephrased. No change in context.

Authority for Printing Orders.

18. The Superintendent of State Printing shall not print for use of either house any matter other than provided by law or by these rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may also, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order

The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of said printing.

NOTE.—Was 1935 Rule No. 20. Last sentence added

RECORD OF BILLS.

Secretary and Chief Clerk to Keep Register.

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill.

NOTE.—Was 1935 Rule No. 21. No change.

Secretary and Chief Clerk Shall Indorse Bills.

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall indorse on every original bill a statement of any action taken by the Senate and Assembly.

NOTE.—Was 1935 Rule No. 22. No change.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER.

After a Bill Has Been Passed By the Senate or Assembly.

21. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate Messages" or, "Assembly Messages"), read the first time, and shall then be referred to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with observance of this rule.

NOTE.—Was 1935 Rule No. 24. Several ambiguous words deleted. No change in context.

Messages to Be in Writing Under Proper Signatures.

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly

from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

NOTE.—Combines 1935 Rules No. 28 and a portion of No. 30. Also includes general subject matter of 1935 Rules Nos. 26, 27 and 29

PASSAGE AND ENROLLING OF BILLS

Passage of Urgency Provisions in Bills.

23. Upon the third reading of a bill which is an urgency measure within the meaning of section 1, Article IV of the State Constitution, the presiding officer shall direct that the section of said bill setting forth the facts constituting the necessity for such urgency (which shall be known as the urgency section) be then read and put to vote. The question shall be thus stated: "Shall this section, setting forth the urgency features of this bill, be passed?" If upon such final vote two-thirds of all the members elected to the house in which the vote is being taken shall not vote in the affirmative, no further action shall be taken on the bill; but, in case an identical bill without such an emergency clause be again introduced into such house, such bill shall be placed on file without reference to any committee.

NOTE.—Was 1935 Rule No. 32 No change.

Passage of Bills Preceding Final Adjournment.

24. No Senate bill shall be passed by the Senate, and no Assembly bill shall be passed by the Assembly within seven days of the intended time set for adjournment sine die of the two houses of the Legislature in the resolution of notice of intention to adjourn, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the presiding officer thereof.

NOTE.—Was 1935 Rule No. 33. No change.

Enrollment of Bill After Passage.

25. After a bill shall have passed both houses, it shall be duly enrolled after being carefully compared, by the engrossing and enrolling clerk and committee of the house in which it originated, with the engrossed bill, as passed in the two houses. It shall then receive the signatures provided for in Joint Rule No. 26, and be presented to the Governor of the State.

NOTE—Was 1935 Rule No. 34. No change.

Enrolling Committee to Present Bills to Governor.

26. After a bill shall have been thus passed in each house, it shall be presented by the engrossing and enrolling committee of the house in which it originated to the Governor of the State for his approval (it being first indorsed by the presiding officers of the two houses, and by the Secretary of the Senate and the Chief Clerk of the Assembly). The said committee shall report the day of presentation to the Governor, which time shall be entered on the Journal of the House in which the bill originated.

NOTE.—Was 1935 Rule No. 35. No change.

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached.

27. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

NOTE.—Was 1935 Rule No. 36 No change.

To Concur or Refuse to Concur in Amendments.

28. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment

NOTE.—Was 1935 Rule No. 37. No change.

When Senate or Assembly Refuse to Concur.

29. If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or the Chief Clerk shall notify the house making the amendments of such refusal, and ask that they recede

from their amendments If they refuse to recede, the presiding officer shall appoint a committeee of three (3) on conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the Committee on Free Conference shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the Assembly and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports The Committee on Free Conference shall report to both the Senate and Assembly.

NOTE.—Was 1935 Rule No. 38. No change.

Report of Committee on Free Conference.

30 The report of the Committee on Free Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees appointed; provided, however, that no more than three different free conference committees shall be appointed on any one bill.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill.

NOTE—Was 1935 Rule No. 40. Change puts limitation upon the number of Committees on Free Conference upon any one bill

When Conference Committee Report Is in Order.

31. The presentation of the report of a Committee on Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

NOTE—Was 1935 Rule No. 41 No change.

Press Rules

32. A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the Assembly.

(a) The applicant shall state in writing the name of the newspaper or newspapers he represents, together with a letter from the publisher or the editor of the paper so to be represented, and that he is not engaged and will not become engaged as a lobbyist for any person, copartnership, corporation or interest and that he is not and will not become the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, that he is not employed in any executive, administrative or legislative department of the State government and will not become so employed while accepting the privileges of a press representative.

(b) It shall be the duty of the President of the Senate and the Speaker of the Assembly to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room. The press room shall be under the control of the Superintendent of the Capitol Building and Grounds; provided, that all rules and regulations shall be approved by the President of the Senate and the Speaker of the Assembly.

NOTE—Was 1935 Rule No. 43. Change in Paragraph (a) adds requirement that applicant secure letter from the publisher he is to represent.

Adjournment.

33 Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution; and the resolution for adjournment sine die shall be passed by both houses at least seven days before the date of such intended adjournment.

NOTE.—Was 1935 Rule No. 44. Deletes from former proposed rule provision intention not to be construed as actual adjournment

Dispensing With Joint Rules.

34 No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No. 24 can be dispensed with only in the manner provided for in said Joint Rules. If either house shall violate a joint rule, a question of order may be raised in the other house, and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to

the house in which it originated, and such disputed matter be considered in like manner as in Committee on Free Conference. The presiding officers of each house shall appoint committees in like manner and with like power of Committees on Free Conference.

NOTE.—Was 1935 Rule No. 46. Deletes last 4 lines of old rule. Adds Free Conference provisions.

Legislative Procedure.

While the Proposed Rules as rewritten for the Assembly in reality cover the procedure of the Assembly, the committee, in addition to a thorough study of the rules of all other State Legislatures in the United States, including the National Congress, has also, for the first time, undertaken to make a complete and exhaustive survey of all code sections which affect the operation of the Legislature.

Many code sections are old and obsolete. Many should be amended to make them conform to legislative rules under which both houses have been operating. This the committee has done. The Legislative Counsel Bureau have been furnished with a list of all suggested amendments and will have these bills prepared for introduction during the 1937 session.

The committee examined the following sections of the Political Code:

Sections 78, 225, 226, 227, 228, 229, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 252, 253, 254, 255, 256, 259, 260, 261, 266, 267, 268, 269, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 300, 301, 302, 303, 304, 309, 310, 311, 312, 313, 318, 323, 324, 325, 326, 327, 328, 329, 330, 332, 333, 334, 381, 396, 397, 398, 407, 408, 409, 410, 470, 526, 527, 528, 528a, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 539d, 540, 541, 542, 543, 889, 890, 891, 905, 906, 907, 920, 995, 996, 997, 998, 1000, 1067, 1068, 2295a, 2296 and 2297.

The committee examined the following sections of the Penal Code:

81, 82, 83, 84, 85, 86, 87, 88, 89, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753 and 1419.

The committee examined the following sections of the Code of Civil Procedure: 595 and 1054.

The committee examined the following Statutes:

1852:49:112, 1859:304:333 and 1931:123:169.

The following are the proposed changes which the committee recommends:

Political Code Section 241 "Form for statement of money required by State departments." The State Controller says this section is obsolete and can be repealed.

Political Code Section 242 "Form for members of Legislature." The State Controller says this section is obsolete and can be repealed.

Political Code. Section 243. "Claims against the State, statements to be filed." The State Controller says this section is obsolete and can be repealed.

Political Code. Section 244. "Controller to report amounts requested." The State Controller says this section is obsolete and can be repealed.

Political Code Section 247 "Elections and appointments" The committee recommends amending this section, taking out obsolete matter, so that the amended section will read "All officers and employees of the Legislature, except the President of the Senate, must be elected by the house to which such officers and employees are attached."

Political Code Section 249 "Duties of Judiciary Committee." This section calls upon the Committee on Judiciary to codify all laws. It is a function which the committee can not perform. The committee recommends repeal of the section.

Political Code. Section 250. "Judiciary Committee to codify laws when." This section likewise places upon the Committee on Judiciary a function of which it is impossible to perform. This work is carried on at the present time by the California Code Commission. Repeal section.

Political Code. Section 256. "Daily Journal of each house to be printed." The committee recommends that this section be amended so that the number of daily Journals printed and the number printed at the end of the session after it has been properly indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, be determined by the Secretary of the Senate and the Chief Clerk of the Assembly.

Political Code. Section 259. "Duties of Sergeant-at-Arms." The committee recommend that this section be amended by deleting in the last line of the section the words, "and prepare checks for the same."

Political Code. Section 261. "Duties of officers of Legislature at close of session." The committee recommend no change in this section.

Political Code. Section 267. "Per diem and mileage of Speaker of the Assembly." The committee recommend that this section be repealed. This section is obsolete referring to the days when the members of the Legislature received only $1,000 for a 2-year term

Political Code. Section 268. "Salaries of Senate employees. Salaries of Assembly employees" The committee recommend that such classifications

as are obsolete, in so far as they pertain to the Assembly be deleted from the provisions of this section The committee refers to such classifications as mail carrier, gatekeepers, doorkeepers, janitress to ladies cloakroom, etc Those were days when the Assembly and the Senate operated with a daily allowance of $500.

Political Code Section 273 "Who may contest." This section, as do also the following sections to and including section 283 all deal with contesting elections for Members of the Legislature. The committee believe that this is all provided for in the Code of Civil Procedure, and recommend repeal of the sections. The Legislative Counsel Bureau has been requested to make a thorough check to see that no rights may be jeopardized by repeal.

Political Code. Section 274. "Statement of cause of contest to be filed" Obsolete. Committee recommends repeal. Provided for in the Code of Civil Procedure.

Political Code. Section 275. "Commission to take testimony." Obsolete. Repeal. Provided for in the Code of Civil Procedure.

Political Code. Section 276. "Notice to person interested, by whom served." Obsolete. Repeal. Provided for in the Code of Civil Procedure.

Political Code. Section 277. "Compelling attendance of witnesses." Obsolete. Repeal. Provided for in the Code of Civil Procedure.

Political Code. Section 278. "Testimony, how taken." Obsolete. Repeal. Provided for in the Code of Civil Procedure.

Political Code. Section 279. "Vacancy in commission, how filled." Obsolete Repeal. Provided for in the Code of Civil Procedure.

Political Code. Section 280. "Fees of officers" Obsolete. Repeal. Provided for in the Code of Civil Procedure.

Political Code. Section 281. "Testimony to be transmitted to Secretary of State. Duties of secretary." Obsolete. Repeal. Provided for in the Code of Civil Procedure.

Political Code. Section 282. "Depositions." Obsolete. Repeal. Provided for in the Code of Civil Procedure.

Political Code. Section 283 "Further evidence may be taken." Obsolete. Repeal. Provided for in the Code of Civil Procedure.

Political Code. Section 301 "Service of subpenas." The committee believe that this section should be amended to delete that portion of the second line of the section which now reads, "who might be a witness in the matter."

Political Code Section 302. "Failure of witness to appear, contempt" The committee feel that this section should harmonize with the section as provides for contempt in the Code of Civil Procedure. If a witness fails to appear when subpenaed, they should be cited into the superior court in the county where the contempt is committed.

Political Code. Section 324. "When joint resolutions take effect." The code provides no reference to concurrent resolutions. The committee recommends that they be included in this section, and are effective when delivered by the Legislature to the Secretary of State and properly chaptered.

Political Code. Section 333. "Reports, printing of." The committee believe that the provisions of Political Code section 354 fully cover the provisions here contained, and recommend the repeal of this section.

Political Code. Section 334. "Duty of Superintendent of State Printing." The committee feel that this section is fully covered by section 354, and that this section therefore being obsolete, should be repealed .

Political Code. Section 335 "To be printed in English." This section states that all reports are to be printed in the English language. The committee feel this section to be obsolete and recommend its repeal.

Political Code. Section 337. "Reports of Insurance Commissioner, distribution of." While the committee does not attempt to invade the field of other departments in its recommendations, this section is a part of the same article, and since this section has become obsolete through the adoption of a new Insurance Code, recommend its repeal.

Political Code. Section 527. "Number of documents to be printed" This section provides in addition to messages, documents, etc., printed in book form, there shall be struck off at the same time, 480 copies to be later bound with the journals of both houses as an appendix. The 1933 sessions limited this quantity to 100 copies, nearly all of which are still reposing in the archives of the Secretary of State. This quantity is ample in the opinion of this committee. The committee also recommends deleting the last two lines of this section which reads, "Of bills ordered printed, when the number is not fixed in the order, there must be printed two hundred and forty copies" The Secretary of the Senate and the Chief Clerk of the Assembly are given authority both in the Standing Rules of their respective houses and in the Joint Rules, and also in several code sections, to order such quantities as in their opinions will meet the needs of their respective houses.

Political Code. Section 528 "Distribution of laws. Fixing price. Enrolled bills." Lines 8, 9 and 10 of this section give authority to the State Board of Control to direct the State Printer to print any additional amount of the statutes, sell the same and credit the monies to the State Treasury. The Legislature is now charged, together with the Legislative Counsel Bureau with the cost of composition and printing, and any monies received from the sale of these laws should be credited to the Legislature. The committee recommends this amendment. Part 2 of this section directs the State Printer to print 240 copies of chaptered bills for the use of both houses. The committee recommends that this be amended so that the quantity will be fixed by the Secretary of the Senate and the Chief Clerk of the Assembly.

The last paragraph of this section dealing with Journals and appendices, shall be amended so as to clarify its provisions. The committee recommend that the section shall read that the State Printer shall have the laws, Journals of the Senate and Assembly and the appendices thereto, after they have been properly indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, bound in such binding as the Secretary of the Senate and the Chief Clerk of the Assembly shall direct.

Political Code. Section 530. "Appointment of Superintendent of State Printing." As previously stated the committee does not desire to invade other departments. However, as this section follows in sequence, the committee believe that this section has now become obsolete, since the State Printer's office has become one of civil service, and therefore, recommend its repeal.

Political Code. Section 531. "Duties of Superintendent of State Printing." In the first paragraph the committee recommend an amendment authorizing the Secretary of the Senate and the Chief Clerk of the Assembly to receipt for all printing in lieu of the Sergeant-at-Arms. As all printing is ordered by these respective officers, receipt should also be made by them. In the second paragraph, exclude the Legislature from authority of the State Printer to revise, reduce or decline to execute any printing orders.

Political Code. Section 532. "Letting of contracts for paper." This refers to the State Printer. Again the committee makes apology for perhaps assuming responsibility not strictly in accord with legislative authority. However, the committee feel this section is obsolete, after consulting with the State Printer, and recommend its repeal. Its provisions are absolutely impossible of performance.

Political Code. Section 533 "Ruling, folding, stitching, and binding, contracts for." The committee recommend the repeal of this section, since its provisions refer to work to be performed prior to the time that the State of California established its own State Printing Plant.

Political Code. Section 537. "Warrants for wages" The committee after consultation with the State Controller and the State Printer believe this section obsolete and recommend its repeal. It deals with the manner of paying Printing Plant wages when monies in the general fund are exhausted Its provisions have been superseded

Political Code. Section 539. "Printing bills." The committee recommend the deletion of several lines in the middle of the paragraph reading. "Such bills or other documents shall have a separate order of comparison from the engrossed bill." That is not the procedure at the present time, nor desired

Political Code. Section 906. "Oath of members of the Legislature" While the committee feel that section 904 fully covers taking of oaths, however recommend that this section be amended to read that a member of the Legislature must take the oath before taking his seat in either house, and amend from the section that portion which now reads that he may take the oath of office at any time during the term for which he has been elected.

Political Code Section 2205a. "Publications furnished State Library." This section the committee feel, in line with the limitations placed upon all other State departments, should be amended as to that portion of the section which reads that of publications issued by the Legislature, there shall be furnished to the library as many as they may desire. This is to be amended, so that the quantity delivered will be as may be directed by the Secretary of the Senate and the Chief Clerk of the Assembly

Penal Code Section 737. "Officers liable to impeachment." The committee recommend, in line with constitutional provisions that this section be amended to include judges of the Appellate Court

THE CONSTITUTION

Although the members of this committee are in accord that the less tampering with the Constitution, the better, nevertheless it undertook, again for the first time a complete study of all sections which effect or deal primarily with the operation of the Legislature. The following articles with their respective sections were

studied by the committee and changes, or recommendations are noted following the section numbers:

Article III, section 1.
Article IV, sections 1, 1-A, 1-A, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 22, 22-A, 23, 23-A, 24, 25, 25-A, 25½, 25¾, 26, 27, 28, 29, 30, 31, 31-A, 31-B, 31-B, 31-C, 32, 33, 34 and 34-A.
Article V, sections 9, 10, 11, 15, 16, 18 and 19.
Article VI, sections 1, 4-A, 9, 10, 11, 11-A, 12, 13, 14 and 16.
Article VII, section 1.
Article VIII, section 1.
Article IX, sections 1, 5, 6, 6½, 7, 9 and 14.
Article X, sections 1, 4, 5 and 6.
Article XI, sections 3, 5, 6, 12, 13, 14, 16½ and 20.
Article XII, sections 1, 5, 7, 8, 10, 17, 22, 23, 23a and 24.
Article XIII, sections 7, 8, 8a, 9, 12, 13, 14, 14½, 14f, 15, 15½, 15b, 16, 16½, 16(3), 16(4), 16(5) and 16(1b and 2b).
Article XIV, sections 1 and 3.
Article XVII, section 1.
Article XVIII, sections 1 and 2.
Article XIX, section 1.
Article XX, sections 1, 3, 4, 13, 14, 15, 17, 17½, 19, 21, 22 and 22.
Article XXIV, sections 1, 2, 3, 4, 5 and 6.

The following are the suggested changes in the Constitution of the State of California:

Article IV. Section 1a. "Effective Dates of Statutes of 1933." This section should be repealed as its purpose was to make bills effective as passed by the fiftieth regular session 90 days after May 22, 1933 and not 90 days after the recessed period or on or before July 16, 1933, the adjournment of the regular session sine die. It should also be repealed as another section bearing the same number was subsequently passed dealing with "Claims and Budgets" now in effect. Sections in the Constitution bearing identical numbers are very confusing, and become more so as time passes.

Article IV. Section 22. "Public Money to be Drawn Only on Warrant. No State Aid for Private Institutions, State Aid for Aged Persons, Needy Blind, Orphans, Abandoned Children, etc., and Panama-Pacific International Exposition." Another section in the same article bearing the same section number 22 reads as follows, "Public Money to Be Drawn Only on Warrant. No State Aid for Private Institutions. State Aid for Orphans, Abandoned Children, etc., and Physically Handicapped Persons" Both sections were adopted November 6, 1928. The context of both sections should be harmonized or renumbered The Legislative Counsel will examine and prepare whatever amendment is necessary to avoid confusion in interpretation.

Article IV. Section 23a "Legislature Expenses of Limitation." This amendment should be of interest to every member of the Legislature, for it vitally affects the work of each house and thereby affects the services performed for the members by the officers and attaches of each house.

Perhaps, a brief history of this section may clarify the proposed change recommended by the committee and explain the reason for the change.

The original text of section 23 (Constitution of 1849) provided that members of the Legislature shall receive a per diem not to exceed $8, a mileage not to exceed 10 cents per mile, and for contingent expenses not to exceed $25 for each session.

Although this section was revised in 1879, no further amendment was adopted until November, 1908. The section as amended then provided as follows: "The members of the Legislature shall receive for their services, the sum of one thousand dollars each for each regular session, to be paid at such times during the session as may be provided by law, and the sum of ten dollars each, for each day while in attendance at a special or extraordinary session, for a number of days not exceeding thirty; and mileage to be fixed by law, such mileage not to exceed ten cents per mile; and each member shall be allowed contingent expenses not exceeding twenty-five dollars per member for each regular biennial session

The Legislature may also provide for additional help; but in no case shall the total expense for officers, employees and attaches exceed the sum of $500 per day for either house, at any regular or biennial session, nor the sum of $200 per day for either house, at any special or extraordinary session

On November 4, 1924, this section was further amended, increasing the compensation of members to $100 each for each month of the term for which they were elected, to be paid monthly in the even numbered years and to be paid during the regular legislative session in the odd numbered years at such times as may be provided by law and mileage to be fixed by law, such mileage not to exceed 5 cents per mile.

This amendment in effect reduced mileage by one-half and eliminated the $25 contingent expense allowance for each member. The basis of pay for

members during a session was fixed at $12 per day until such time as the $1200 was exhausted. If the Legislature adjourns before the $1200 has been consumed, then whatever balance is remaining shall be paid in a lump sum to the member upon adjournment sine die.

At the time this amendment was adopted, a new section 23a was written into the Constitution reducing the appropriation for legislative officers, employees and attaches from $500 per day to $300 per day for any regular or biennial session and also reducing the amount from $200 per day to $100 per day for any special or extraordinary session. It would appear, therefore, as if the people reduced the amount of the allowance for help while raising the pay of members.

This committee believes that the reduction in the daily legislative allowance of 1924 was not justified and uncalled for, and has directly resulted in the Legislature being seriously handicapped, and in some measure responsible for the growing length of each session.

It was soon found that this great reduction in the daily allowance for help worked a hardship on the members, and that in order to satisfactorily perform legislative work, the services of additional help must be borrowed from other State departments. This has been done. Formerly the Legislature with its $500 daily allowance hired all of the people engaged in the reading of amended, engrossed and enrolled bills. This work is now largely performed by the State Printing Plant employees, at double the cost, and paid for by the Legislature. Other State departments have been called upon for borrowed help to perform needed legislative services. These "borrowings" have been properly charged to legislative expense. Therefore, the Legislature has been denied the hiring of its own employees, although properly charged for the same, and with no consequent saving to the people, in fact an additional expense.

While the daily allowance now available barely meets daily operating expenses, despite the fact that a portion of the excess over $300 per day is absorbed by other State departments, it is necessary to save from this $300 per day allowance, to provide for the necessary legislative work during the constitutional recess period of 30 days, and for the vast amount of detail work following adjournment of the Legislature sine die.

Members of the Assembly who have served three and four sessions state that correspondence from their constituents has increased 500 per cent over their first session. In order to satisfactorily handle this vast amount of necessary correspondence, adequate stenographic service should be available to the members. With the limited amount of money now available, this can not be done.

We believe it only proper and fair to mention that there has been no increase in the pay of officers and attaches of the Legislature since 1915. Every other State and private office or employment has given its employees an increase in salary or per diem allowance save the Legislature, and with the work of this body showing an increase of 300 per cent, these faithful employees have performed their services year after year and session after session without any increase whatsoever.

As the population of the State increased, so did the number of bills introduced and considered by the Legislature increase. Since 1923 when 833 Senate bills and 1489 Assembly bills were introduced, or a total of 2322 bills for both houses, we find a steady increase until the year 1933 when all records were broken with the introduction of 1358 Senate bills and 2668 Assembly bills, or a total for both houses of 4026 bills. During the last or 1935 session, all records were broken for the Assembly with the introduction of 2719 measures, while the Senate introduced 1232 bills. It may also be noted that last session was the longest on record with 125 days, while the 1933 session lasted 111 days.

So great has been the need for an additional appropriation to successfully operate the Legislature due to the tremendous increase in bills introduced, amendments to bills and other detail work, and the consequent increase in work placed upon the members by this volume of business, that amendments have been proposed to this section, asking for this needed additional appropriation.

The Legislatures of 1929, 1931 and 1935 each voted to place an amendment upon the ballot requesting the people to vote for the increased allowance.

Proposition No. 12 on the November 4, 1930, ballot termed "Legislative Help. Limitation upon Expenses Therefor" was defeated by the narrow margin of 9000 votes, the vote being YES—449,280 and NO—458,225, or a total vote cast of over 900,000. This amendment provided that each legislative house be authorized, by resolution to employ help, prescribe duties and fix compensation thereof; total daily expense for officers, employees and attaches not to exceed, at any regular session, $400 for the Senate and $450 for the Assembly, exclusive of salaries of the Secretary of the Senate and Chief Clerk of the Assembly, and, at any special or extraordinary session, $150 for each house, exclusive of salaries of such Secretary and Chief Clerk.

The amendment placed upon the November general election ballot of 1932

asked the people of the State for a small increase in the daily allowance. This too was beaten by but a small majority. At the last election, that is the November, 1936, general election, an amendment to this section 23a requested an allowance of $5,000 for each house to perform the necessary legislative work following adjournment sine die of the Legislature, as required by statute. This too has been beaten by but a small majority.

This committee feels that this section should be amended in order that the Legislature may properly carry on its own work. It is peculiar in that the Assembly can, from its contingent fund, appropriate money for almost every conceivable cause, yet it can not appropriate any money therefrom to complete a record of its own session, as prescribed by statute it must do.

In view of the amendments which have been placed upon the ballot and which have been unsuccessful, due to a lack of campaigning for their adoption, for it is apparent that there is no interest save from members of the Legislature, who have neither the time nor the money to expend in their behalf, this committee is of the opinion that the best way to place this amendment before the people is to exclude the per diem allowance of the Secretary of the Senate and the Chief Clerk of the Assembly. If necessary, the appropriation asked for may be reduced by the amount received by these two officers. Therefore, it could be advocated that only the smallest increase was being asked, and the Legislature could then expend the greater part of its constitutional allowance for help, as originally intended by the Constitution.

It is essential that certain officers of both houses be present during the constitutional recess and following adjournment sine die to sign enrolled bills, and in many instances cause corrections to be made in these enrolled bills where through some error, important provisions of original bills may have been omitted through hasty printing. Further, these officers are the only ones directly answerable to the Legislature to perform services for the members and the public, that no other State office could so satisfactorily perform.

Article IV. Section 31b. "Tax Liens. Presumption of Payment of Taxes after Thirty Years." Another section bearing the same section number 31b entitled—"Escondido Authorized to Hold Stock in Mutual Water Company" were both adopted November 8, 1932. These sections, in order to insure against future misunderstandings, should be renumbered.

Article XIII. Section 8a. "Reassessment of Property Damaged by Earthquake." The committee believe that the objective of this amendment to the Constitution has been served, and that it can therefore be repealed. The amendment provided for reassessment of property damaged in Orange and Los Angeles counties by the earthquakes occurring between March 10, 1933, and the first Monday in July, 1933. The Legislative Counsel has been requested to study this provision and ascertain if any substantial rights might be jeopardized by the repeal of this amendment.

Article XIII. Section 12. "Poll Tax. Levy of." This amendment adopted November 4, 1924, provides for the Legislature to levy and collect an annual educational poll tax of not less than $5 on every male inhabitant of this State over 21 and under 50 years of age, with certain exceptions. The tax so collected shall be paid into the State school fund. The provision has never been enforced. The committee has no recommendation to make.

Article XX. Section 22 "Intoxicating Liquors" Another section bearing the same number 22 and titled "Interest Rates" were both adopted November 6, 1934. Since both sections are important, and apt to be confusing due to identical numbers, the committee suggest renumbering

Application for a Writ of Mandate.

Assemblyman John Phillips, Chairman of the Assembly Interim Committee on Agricultural Marketing, instituted this suit after consultation with the members of this committee. It was first the intention of this committee to itself undertake clarifying the provisions of this section (23a) but after consultation with and the consent of the State Controller, the Hon. Ray L. Riley, the Chairman of the Agricultural Committee kindly consented to have the matter presented, and inasmuch as the cause of action of the suit to be brought by Mr. Phillips embodied all of the issues of this committee wanted adjudicated, it was thought best that the Phillips suit be filed and that the Committee on Rules assist in every way possible in getting a judicial determination to this vexing and heretofore confusing problem.

The suit as filed in the Supreme Court of the State of California is known as:

"John Phillips, as Chairman of the Interim Committee appointed to investigate problems connected with the marketing of agricultural products, known as the "Assembly Committeee on Agricultural Marketing," Zella Jones and Myron J. Bonham,

Petitioners,

vs

Ray L. Riley, as Controller of the State of California,

Respondent.

THE ISSUES.

I. Does section 23a of Article IV of the State Constitution, where its "Session" expense maximum has been reached, prevent the payment of compensation, by salary or per diem, of stenographers, clerks and others, necessarily employed by an interim committee of the Legislature in the performance of duties enjoined upon such committee by the resolution creating it?

II. Does said section 23a in such circumstances prevent said interim committee from making expenditures, other than by way of compensation for services of its employees, such, for instance, as the reasonable purchase price of transcripts, reports, exhibits, and other documents necessary in the efficient performance of its duties?"

Legislative interim committees in the past have found themselves utterly unable to function because of their inability to utilize the comparatively small amounts appropriated in the respective resolutions creating said committees, for the reason that they were unable to procure the necessary stenographic and clerical assistance, and/or purchase transcripts and reports, and acquire information indispensable to the proper performance of their duties.

This proceeding was also invited by the State Director of Finance and the Attorney General, who were equally desirous of seeing the above questions promptly determined.

The members of this committee and the chairman in particular have for a long time been of the opinion that when either house of the Legislature created a committee and authorized the expenditure of money allotted to them, that it was not the intent of that body to hinder or place any restrictions upon the committee to secure the information which the house desired.

The following is the opinion of the Supreme Court in re the application for a writ of mandate prayed to be directed to respondent Controller to compel the issuance of warrants in payment of claims for services incurred by a special committee of the State Legislature.

"WRIT GRANTED."

"The petitioner John Phillips, as Chairman of the interim committee appointed to investigate problems connected with the marketing of agricultural products, known as the 'Assembly Committee on Agricultural Marketing,' and others are here seeking a writ of mandate to compel the respondent Controller of State to draw, execute and deliver warrants for the payment of claims for services incurred by the special committee of the State Legislature appointed to investigate the problems connected with the proper marketing of agricultural products of the State. The due appointment of the committee by joint action of both houses of the Legislature is not challenged, nor is it charged that the committee has not full power and sufficient authority to carry out the letter and spirit of the resolutions creating it. In the interim between the close of the legislative session of 1935 and the convening of the session of 1937, the committee is pursuing the required investigations and studies necessary for the proper discharge of its duties. In the performance of these duties, the committee has incurred certain expenses deemed by it necessary and proper, and reasonable in amount. The respondent refuses to draw warrants for the amount of the claims for the sole reason, that in his view, to do so would violate the provisions of section 23a of Article IV of the State Constitution.

That section does not, in our opinion, apply to these claims. So far as here material, it reads as follows: 'The Legislature may provide for additional help; but in no case shall the total expense for officers, employees and attaches exceed the sum of three hundred dollars per day for either house, at any regular or biennial session, nor the sum of two hundred dollars per day for both houses at any special or extraordinary session, nor shall the pay of any officer, employee or attache be increased after he is elected or appointed.'

(1) We concur in an opinion but recently rendered by the Attorney General in advising a member of the State Senate on the precise question raised by this petition for the writ of mandate. We quote: 'Section 23a of Article IV, in our opinion, relates only to officers, employees or attaches of the Legislature engaged in work in connection with the legislative session proper, including post-session services, but does not prohibit the employment by interim committees of such additional help as may be found necessary, provided that the entire expense of such committee does not exceed the amount of money set apart to it by the resolution creating it. Any other construction of that section it seems to us, would, as a practical matter, render the work and studies of any such committee inadequate. In extensive investigations and studies phonographic reporters' services, for example, might be indispensable if the committee is to function with a proper degree of usefulness and efficiency.' Any attempt to erect the section as a bar to recovery on the claims now before the court, or similar demands reasonable in amount, and shown to be necessary, is to apply a forced and unnecessary construction on plain and unambiguous language. We are not unmindful of the language

used by the District Court of Appeal in *Hilborn* vs. *Nye*, 15 Cal. App. 298, 114 Pac. 801, and relied on with some assurance by respondent. The factual setup there and here are vitally different. The claims there considered were for services rendered by the duly appointed 'officers, employees and attaches' of the Legislature in closing up the work of the regular session. Further than to hold that such claims fall within the constitutional limit, the holding in the decision is mere dicta.

Let a writ of mandate issue as prayed for.

Signed (WASTE, C. J.)

We concur:

SHENK, J.
CURTIS, J.
LANGDON, J.
THOMPSON, J.

S. F. No. 15657. In Bank. May 21, 1936."

The committee is of the opinion that the above decision of the California Supreme Court will allow future legislative interim committees to function with a greater degree of efficiency, and be productive of more valuable information in the enactment of future statutes.

Conclusion.

The unprecedented change in economic conditions within the past decade call for simplification of rules and procedure to cope with these new conditions.

Each session brings new problems which are time consuming in their solution. Where no suitable remedy is found for these new problems, greater and more complex situations arise from the unsolved original problem, with the natural and attendant confusion. If a continued study of the rules and procedure could be made, cures for these unsolved problems could be submitted to the next Legislature and time and money saved.

Our study convinces this committee that rules and procedure must keep pace with the progress of the time. A daily session of the Legislature may easily be computed to cost in excess of $5,000 per day; therefore, we believe that the saving of time is the saving of actual money to the State; to individuals who are compelled to come to Sacramento to sponsor or oppose pending legislation and to the members. Be it remembered that the members are paid for a session of 100 days, and every day over that number is a service performed by them without compensation.

We further believe that a session of the Legislature should be as short as consistent with the transaction of such business as rightfully should be considered.

We believe that it is an imposition upon the members and the public to unduly prolong a session, and we feel that the adoption of these rules will materially assist in eliminating many of the time-wasting causes resulting in an unduly long session.

A tremendous amount of time is consumed each session in the interpretations of obscure rules. We believe that we have simplified these obscure rules, removing the highly controversial features, which heretofore have caused delay and argument.

This committee working with the State Printer has suggested numerous changes in the style of printing the Journal, which in our opinion will make it easier for a member and the public to obtain the ultimate action on a bill and obtain a clearer and quicker knowledge of the action on any measure printed in the Journal. We have suggested that the Printer make no change in form, but have advised the use of the boldface type in these actions. The printing of House Resolutions, recommended by this committee, will in our opinion save considerable money in fewer copies of the Journal being printed, for in the past, many of the members have found it necessary to have numerous copies of the Journal supplied them in order to obtain the House Resolution only therein contained. We believe this will simplify the procedure and save the house many hours in time during the session in looking up these House Resolutions, in many instances printed in Journals of days, and even weeks previous to the original action by the house.

We have omitted much of the detail work performed by this committee along this same line, feeling that space did not permit the full detailed report of the activity of the committee in its study of the rules and procedure of this and other State Legislatures.

We realize that this committee has not performed a complete study of all legislative detail work, for of necessity the members of this committee could not give their entire time to this work.

Every member and anyone interested has been invited to offer suggestions and advise this committee in its work, and if error may be found, it is only the committee, like all humans, is fallible.

We submit these proposed rules with the hope that the months of study and work may be the means of saving the Legislature a great amount of time and the people of this State considerable money.

We feel that if any of the major recommendations submitted by this committee are adopted, the expense incurred by it will be more than justified.

Respectfully submitted.

CHARLES W. LYON, Chairman.
ROY J. NIELSEN.
JOSEPH P. GILMORE.

December 31, 1936.

Adjournment.

At twelve o'clock and fifty-five minutes p.m., on motion of Mr. Welsh, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Wednesday, January 6, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY
THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 6, 1937.

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

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

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

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Shechan, Stream, Tenney, Thorp, Turner, Vogt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—78

Quorum present.

Prayer.

Prayer was offered by Rev William F Ehmann, Chaplain of the Assembly

Reading of the Journal Dispensed With.

On motion of Mr. Clark, the further reading of the Journal of Tuesday, January 5, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Gannon, on motion of Mr. Desmond

Mr Call, on motion of Mr Meehan

Guests Extended Privilege of Assembly Floor.

On request of Mr Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. R Morgan of Sacramento.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. John J. Bray of San Francisco

On request of Mr Hawkins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Clarence R Johnson, General Chairman of the Dining Car Employees' Union.

On request of Mr Dannenbrink, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Francis L Hopper.

On request of Mr Peyser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs Adrien J. Falk and Grant H Wren.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Pauline Perati and Miss Mary O'Connor of Oakland, and Dr A Russell Berti, Mr. Fred Sherry, Mr. Leo J Murphy and Mrs. Joseph A. Jones of San Francisco

On request of Mr. Kepple, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to former Assemblyman Byron J. Walters, his daughter and son Marjorie and James Walters, and his mother and father, Mr and Mrs Franklin H Walters, all of Rosemead

Communications.

The following communications were received and read:

By Mr. Speaker:

SAN FRANCISCO, CALIFORNIA, January 4, 1937

Hon William Moseley Jones, Speaker of Assembly,
State Building, Sacramento, California.

DEAR MR JONES: On November 20, 1936, the Board of Governors of the State Bar of California unanimously adopted a resolution urging that appropriate action be taken by the fifty-second session of the Legislature of the State of California to remove Gavin W. Craig from his office as Associate Justice of the District Court of Appeals of this State under the provisions of section 10 of Article VI of the Constitution

Accordingly I am presenting herewith a complaint on behalf of the State Bar against Judge Craig which prays for his removal from this office

Respectfully yours,

CLAUDE MINARD,
Secretary of State Bar of California.

Above communication and enclosed complaint referred to Committee on Rules.

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1937

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

San Francisco Examiner—William H Jordan, William Flynn, Maxwell Thayer, John C. Lee
San Francisco Chronicle—Earl C. Behrens
Oakland Tribune—Wesley E Robbins
International News Service—Ed. Labowitch, Neil M. Toohy, Robert E Smith
Los Angeles Examiner—Joseph Timmons.
United Press Associations—George E. Helmer, Melvin Lord, J F. McLaughlin, John Abbott, Lawrin Todd
California Real Estate Association—Glenn D. Willaman, F. E. Dayton.
Western Mining News—Albert F. Knorp.
California Agency Bulletin; California Association of Insurance Agents—Frank C. Colridge
Sacramento Bee—Walter P. Jones, Myron V. Depew, Fred B Moore, Herbert L. Phillips, George D. Dean, Edward Dickson, Hamilton Hintz, Bert Vaughn, Alexander J Ashen, Stephen L Kyle
United Progressive News—Oliver Thornton.
California Feature Service—Clem Whitaker, Leone Baxter.
Film Daily—Hulda McGinn.
Associated Press—W A. Wells, H T. Ashbaugh, Brian Bell, Wesley Moore, John Salt, Roger Barr, Mark Sand, John Rodrigues, Norman Pollock, Edward Spaulding
News Letter and Wasp—Edward M. Bauer Jr
San Francisco News—B W Horne
Columbia Broadcasting System, Inc., Pacific Network—Carroll Williams

Fresno Bee; Modesto Bee—T R Jackson
Los Angeles Times—Chester G. Hanson.
Railway Labor News; Railroad Time Book; Progressive Railway Journal—M. F O'Malley, James M Murphy, William Lyons.
Variety—Arthur Unger, W. H. Lollier
State News Syndicate—Gene Desimore, William Conlin.
Sacramento Union—C J Lilley, Will F Ragan, Morris Laudsberg.
On With Roosevelt News—Anne Gillespie.
Twin Peaks Sentinel—Joseph Rae

JAMES G. SMYTH, Chief Clerk of Assembly.

Appointment of Standing Committees.

The Speaker announced the appointment of the following standing committees

Mileage—Martin, Chairman; Dilworth, Kuchel, Beene, Leonard.
Rules—Peek, Chairman; Jones, Meehan, Lyon, Dawson, King, Welsh.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 66: By Mr. Peyser—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans.

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

Assembly Bill No. 67: By Mr Peyser—An act to amend section 1507 of the Welfare and Institutions Code, relating to needy children.

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

Assembly Bill No. 68: By Mr. Stream—An act to amend section 3617 of the Political Code, relating to revenue and taxation.

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

Assembly Bill No. 69: By Mr. Stream—An act to amend sections 1305, 1306, and 1307 of the Penal Code, relating to forfeiture of bail

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

Assembly Bill No. 70: By Mr. Reaves—An act to extend the time of payment of installment contracts for the sale of real estate, mortgages, and trust deeds when relief has heretofore been granted by order of court or agreement of the parties, and to declare the urgency hereof

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

Assembly Bill No. 71: By Messrs. Hunt, Miller, and Cunningham—An act to limit the number of cars in a train, and prescribing penalties for violation thereof.

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

Assembly Bill No. 72: By Mr. Yorty—An act to amend section 132 of the Civil Code, relating to divorce.

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

Assembly Bill No. 73: By Mr. Kepple—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts and to repeal all acts in conflict with this act.

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

Assembly Bill No. 74: By Mr Redwine—An act to regulate the sale of second-hand watches.

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

Assembly Bill No. 75: By Mr. Kepple—An act to add section 3804.5 to the Political Code, relating to tax refunds.

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

Assembly Bill No. 76: By Mr. Thorp—An act to amend section 585 of the Agricultural Code, relating to labeling.

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

Assembly Bill No. 77: By Mr. Thorp—An act to amend sections 451, 452, 453, 458, 482, 487, 488, 489, 490, 491, 492 and 493 of the Agricultural Code, relating to milk inspection and standards.

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

Assembly Bill No. 78: By Mr. Thorp—An act to amend section 479 of the Agricultural Code, relating to market milk.

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

Assembly Bill No. 79: By Messrs. Hawkins, Rosenthal, Flint, Clark, Tenney, Pelletier, Reaves and Richie—An act to repeal the Retail Sales Tax Act of 1933, relating to taxation

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

Assembly Bill No. 80: By Mr. Kepple—An act to amend section 1281a of the Political Code, relating to the completion and correction of election returns.

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

Assembly Bill No. 81: By Mr. Maloney—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 82: By Mr. Stream—An act to add section 421.5 to the Fish and Game Code, relating to fishing licenses

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

Assembly Bill No. 83: By Mr. Hornblower—An act to amend section 1250 of the Fish and Game Code, relating to deer

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

Assembly Bill No. 84: By Mr. Yorty—An act to provide for the establishment of a pari-mutuel system of betting and wagering upon contests of speed or endurance between horses; for the installation of machines for recording such bets or wagers; and for the payment of amounts won on such bets or wagers, making an appropriation for the purpose of installing machines and providing for the punishment of violations of this act, and to repeal section 337a of the Penal Code.

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

Assembly Bill No. 85: By Mr. Heisinger—An act to amend section 1274 and to repeal section 1273 of the Fish and Game Code, relating to deer

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

Assembly Bill No. 86: By Mr. Heisinger—An act to amend sections 3244 and 3245 of the Political Code and to repeal sections 3246, 3247,

as added by Chapter 85, Statutes of 1887, 3248, 3249 and 3250, of the Political Code, relating to hours of employment.

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

Assembly Bill No. 87: By Mr. Heisinger—An act to amend section 372 of the Vehicle Code, relating to registration of certain vehicles used for the transportation of persons or property in this State.

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

Assembly Bill No. 88: By Mr. Burns, Hugh M.—An act to amend section 1507 of the Welfare and Institutional Code, relating to aid to needy children.

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

Assembly Bill No. 89: By Mr. Burns, Hugh M.—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

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

Assembly Bill No. 90: By Messrs. Gilbert and Hunt—An act providing for payment by the State for park property acquired for highway purposes in the Arroyo Seco in Los Angeles County.

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

Assembly Bill No. 91: By Mr. King—An act to amend sections 1501, 1502, and 1505 of the Welfare and Institutions Code, relating to needy children

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

Assembly Bill No. 92: By Mr King—An act to amend sections 2283 and 2290 of the Political Code, relating to State aid to children.

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

Assembly Bill No. 93: By Mr Yorty—An act to amend section 3.110 of the School Code, relating to the establishment of kindergartens.

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

Assembly Bill No. 94: By Mr. Voigt—An act to amend sections ------of the Fish and Game Code, relating to fish and game and other wild life.

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

Assembly Bill No. 95: By Mr. Voigt—An act to amend sections ------of the Vehicle Code, relating to vehicles and vehicular traffic.

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

Assembly Bill No. 96: By Mr. Voigt—An act to amend sections ------of the Fish and Game Code, relating to fish and game and other wild life.

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

Assembly Bill No. 97: By Mr. Voigt—An act to amend section ------ of the School Code, relating to the establishment, government, maintenance and operation of the public school system of the State of California.

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

Assembly Bill No. 98: By Mr. Miller—An act to amend section 2289 of the Political Code, relating to age of minor orphans, half orphans and abandoned children.

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

Assembly Bill No. 99: By Mr. Miller—An act to amend section 1507 of the Welfare and Institutions Code, relating to age of needy children.

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

Assembly Bill No. 100: By Mr. Miller—An act to amend section 1 of an act entitled "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, relating to the establishment of free employment bureaus.

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

Assembly Bill No. 101: By Mr. Miller—An act to amend section 1680 of the Labor Code, relating to the establishment of free employment bureaus.

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

Assembly Bill No. 102: By Mr. Miller—An act to add section 2013 to the Civil Code, relating to the payment of wages.

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

Assembly Bill No. 103: By Mr. Miller—An act to add section 207.5 to the Labor Code, relating to the payment of wages.

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

Assembly Bill No. 104: By Mr. Voigt—An act to amend sections ------ of the Fish and Game Code, relating to fish and game and other wild life.

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

Assembly Bill No. 105: By Mr. Voigt—An act to amend sections ------ of the Fish and Game Code, relating to fish and game and other wild life.

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

Assembly Bill No. 106: By Mr. Voigt—An act to amend section ------ of the School Code, relating to the establishment, government, maintenance and operation of the public school system of the State of California

Bill read first time, and referred to Committee on Education

Assembly Bill No. 107: By Mr. Voigt—An act to amend sections ------ of the Vehicle Code, relating to vehicles and vehicular traffic.

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

Assembly Bill No. 108: By Mr Voigt—An act to amend sections ------ of the Vehicle Code, relating to vehicles and vehicular traffic.

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

Assembly Bill No. 109: By Mr. Voigt—An act to amend section ------ of the School Code, relating to the establishment, government, maintenance and operation of the public school system of the State of California.

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

Assembly Bill No. 110: By Mr. Voigt—An act to amend section 10 of the Fish and Game Code, relating to the Division of Fish and Game.

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

Assembly Bill No. 111: By Mr. Voigt—An act to amend section ------ of the School Code, relating to the establishment, government, maintenance and operation of the public school system of the State of California.

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

Assembly Bill No. 112: By Mr. Voigt—An act to amend sections ------ of the Vehicle Code, relating to vehicles and vehicular traffic.

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

Assembly Bill No. 113: By Mr. Flint—An act to add section 1a to an act entitled "An act to carry into effect the provisions of section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking; and providing penalties for the violation hereof," approved July 15, 1935, relating to the regulation of pawnbrokers.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 114: By Messrs. Gilbert and Hunt—An act to add sections 620, 621, and 622 to the Streets and Highways Code, relating to State highways.

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

Assembly Bill No. 115: By Mr. Cunningham—An act to amend section 410 of the Vehicle Code, relating to satisfaction of judgment and proof of ability to respond in damages.

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

Assembly Bill No. 116: By Mr. Garibaldi—An act making an appropriation for the enforcement of standards, quality and identity, in the manufacture and sale of California wines and brandy.

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

Assembly Bill No. 117: By Mr. Robertson—An act to amend section 1054 of the Code of Civil Procedure relating to extension of time for acts to be done.

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

Assembly Bill No. 118: By Mr. Cottrell—An act to amend section 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to licenses.

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

Assembly Bill No. 119: By Mr. Cottrell—An act to amend section 5 of an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the collection of taxes.

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

Assembly Bill No. 120: By Mr. Cottrell—An act to add section 12a to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the revocation of licenses.

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

Assembly Constitutional Amendment No. 4: By Mr. Boyle—Proposed amendment to Article XIII, section 9, of the Constitution, relative to State and county boards of equalization.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 6: By Messrs. Redwine, Cunningham, Welsh, Waters, Clark, Kepple, Cottrell, Latham, and Peek—Relative to the setting of a time and place of permitting Gavin W Craig an opportunity of being heard in his defense of a complaint requesting his removal from office as an Associate Justice of the District Court of Appeal, Second Appellate District, Division Two.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 6.

Assembly Concurrent Resolution No. 6—Relative to the setting of a time and place of permitting Gavin W. Craig an opportunity of being heard in his defense of a complaint requesting his removal from office as an Associate Justice of the District Court of Appeal, Second Appellate District, Division Two.

Assembly Concurrent Resolution No. 6 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—75

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Joint Resolution No. 3: By Messrs. Maloney, Hornblower, Hunt, Boyle, and Cronin—Relative to memorializing Congress to make provision for widows of retired Federal Civil Service employees.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 3, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 3.

Assembly Joint Resolution No. 3—Relative to memoralizing Congress to make provision for widows of retired Federal Civil Service employees.

Assembly Joint Resolution No. 3 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Williamson, Yorty, and Mr. Speaker—73.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Resolutions.

The following resolutions were offered:

By the Committee on Attaches:

House Resolution No. 14.

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

Commencing January 6, 1937—

	Per day
Noma Browning, Stenographer	$5 00
Olga Clayton, Stenographer	5 00
Helen R. Hutchings, Stenographer	5 00
Jeanne Caire, Stenographer	5 00
Correne Cordoni, Stenographer	5 00

Resolved further, That the compensation of the above named attaches shall be on a six-day per week basis

House Resolution No. 14 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

By Mr. Lyon:

House Resolution No. 15.

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the contingent fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of $2,000, said amount being for the purchase of postage stamps to be used by members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding $2,000 in the aggregate, as shall be necessary for the use of the members of the Assembly for official mail, and be it further

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of $25.

House Resolution No. 15 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannen-

brink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—75.

NOES—None.

By Mr. Hawkins:

House Resolution No. 16.

Relative to Civil Service.

WHEREAS, Many bills relating to Civil Service are being introduced; and

WHEREAS, In order properly to consider the many bills relating to Civil Service, it is necessary that the Legislature have before it information concerning Civil Service employees, their number, status, and compensation; now, therefore, be it

Resolved by the Assembly of the State of California, That all "appointing powers" as defined in the State Civil Service Act be and they are hereby requested and required to prepare and file with the fifty-second session of the Legislature on February 1, 1937, or sooner if possible, a survey of all Civil Service positions in relation to which they have the appointing power, which survey shall clearly and specifically set forth all of the following

(1) Name of each permanent Civil Service employee or officer;

(2) Status, classification, grade, rank, and any other Civil Service designation given to the position of each officer and employee,

(3) Minimum and maximum salary designated for each such position by the State Personnel Board;

(4) Salary being paid to each such employee

That the above described survey give the information as of January 1, 1937.

That, at the time of the filing of the above described survey, a supplemental report be filed by the appointing powers showing any changes in any of the matter set out in the survey between January 1, 1937, and the date of its filing.

All positions authorized in any manner but vacant for any reason, shall be reported by the appointing power, giving so much of the above data as may be applicable

Reports and surveys filed under this resolution during the recess of the Legislature shall be lodged with the Chief Clerk of the Assembly for filing with the Assembly immediately upon its reconvening

House Resolution No. 16 read, and referred to Committee on Civil Service.

By the Committee on Mileage:

House Resolution No. 17.

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312	--	--	---	624	$31 20
2	Clinton J Fulcher	Lookout, Modoc County	324	--	44	280	560	28 00
3	John H O'Donnell	Woodland, Yolo County	23	--	--	---	46	2 30
4	Setn Millington	Gridley, Butte County	86	--	14	72	144	7 20
5	Ernest C Crowley	Suisun, Solano County	48	--	--	---	96	4 80
6	Jesse M Mayo	Angels Camp, Calaveras County	73	12	--	85	170	8 50
7	Hubert B Scudder	Sebastopol, Sonoma County	90	7	--	97	194	9 70
8	Chester F Gannon	Sacramento, Sacramento County	---	--	--	---	---	---
9	Earl D Desmond	Sacramento, Sacramento County	---	--	--	---	---	---
10	Harold F Sawallisch	Richmond, Contra Costa County	62	22	--	84	168	8 40
11	Charles M Weber	Stockton, San Joaquin County	48	--	--	---	96	4 80
12	James E Thorp	Lockeford, San Joaquin County	48	--	3	45	90	4 50
13	James M Cassidy	Oakland, Alameda County	84	--	--	---	168	8 40
14	George P Miller	Alameda, Alameda County	84	5	--	89	178	8 90
15	Leon M Donihue	Oakland, Alameda County	84	--	--	---	168	8 40
16	Arthur H Breed, Jr	Piedmont, Alameda County	84	--	--	---	168	8 40

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
17	Henry P Meehan	Oakland, Alameda County	84	--	--	---	168	8 40
18	Henry A Dannenbrink	Oakland, Alameda County	84	--	--	---	168	8 40
19	Gardner Johnson	Berkeley, Alameda County	84	--	1	83	166	8 30
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	---	180	9 00
21	Joseph Francis Sheehan	San Francisco, San Francisco County	90	--	--	---	180	9 00
22	Kennett B Dawson	San Francisco, San Francisco County	90	--	--	---	180	9 00
23	William B Hornblower	San Francisco, San Francisco County	90	--	--	---	180	9 00
24	Patrick J McMurray	San Francisco, San Francisco County	90	--	--	---	180	9 00
25	Melvyn I Cronin	San Francisco, San Francisco County	90	--	--	---	180	9 00
26	Ray Williamson	San Francisco, San Francisco County	90	--	--	---	180	9 00
27	Jefferson E Peyser	San Francisco, San Francisco County	90	--	--	---	180	9 00
28	Edgar C Levey	San Francisco, San Francisco County	90	--	--	---	180	9 00
29	Harrison W. Call	So San Francisco, San Mateo County	119	--	--	---	238	11 90
30	Adron A Beene	Palo Alto, Santa Clara County	128	18	--	146	292	14 60
31	C C Cottrell	San Jose, Santa Clara County	128	--	--	---	256	12 80
32	Hugh P Donnelly	Turlock, Stanislaus County	77	14	--	91	182	9 10
33	James D Garibaldi	Merced, Merced County	114	--	--	---	228	11 40
34	Jacob M Leonard	Hollister, San Benito County	173	--	--	---	346	17 30
35	Ellis E Patterson	King City, Monterey County	208	50	--	258	516	25 80
36	Hugh M Burns	Fresno, Fresno County	169	--	--	---	338	16 90
37	S L Heisinger	Fresno, Fresno County	169	--	--	---	338	16 90
38	Gordon H Garland	Woodlake, Tulare County	206	16	--	222	444	22 20
39	Alfred W Robertson	Santa Barbara, Santa Barbara County	460	--	--	---	920	46 00
40	Fred P Muidoon	Oxnard, Ventura County	490	10	--	500	1000	50 00
41	Rodney L Turner	Delano, Kern County	278	--	30	248	496	24 80
42	Elmer E Lore	North Hollywood, Los Angeles County	447	--	--	---	894	44 70
43	C Don Field	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	John B Pelletier	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
45	Charles A Hunt	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
46	Jack B Tenney	Inglewood, Los Angeles County	447	10	--	457	914	45 70
47	Eleanor Miller	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	Frank G Martin	Altadena, Los Angeles County	447	15	--	462	924	46 20
49	Frank L Baynham	Pomona, Los Angeles County	447	32	--	479	958	47 90
50	Gerald C Kepple	Whittier, Los Angeles County	447	15	--	462	924	46 20
51	William Moseley Jones	Montebello, Los Angeles County	447	10	--	457	914	45 70
52	Ben Rosenthal	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
53	E V Latham	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	Wilbur F Gilbert	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
55	Frank D Laughlin	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
56	Thomas J Cunningham	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
57	Kent H Redwine	Hollywood, Los Angeles County	447	--	--	---	894	44 70
58	Frank J Waters	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
59	Charles W Lyon	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
60	Geoffrey F. Morgan	Santa Monica, Los Angeles County	447	22	--	469	938	46 90
61	Ernest O Voigt	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
63	Ralph Louis Welsh	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
64	Samuel W Yorty	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
65	Gene Flint	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
66	James J Boyle	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
67	Cecil R King	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
68	Fred Reaves	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Fred P Glick	South Gate, Los Angeles County	447	15	--	462	924	46 20
70	John Gee Clark	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Paul Peek	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	Godfrey A Andreas	Upland, San Bernardino County	508	22	--	530	1060	53 00
73	Gordon W Corwin	Highland, San Bernardino County	508	10	--	518	1036	51 80
74	Clyde A Watson	Orange, Orange County	481	--	--	---	962	48 10
75	Thomas A Kuchel	Anaheim, Orange County	481	7	--	488	976	48 80
76	Nelson S Dilworth	Hemet, Riverside County	512	34	--	546	1092	54 60
77	Clarence R Walker	Westmoreland, Imperial County	661	--	22	639	1278	63 90
78	Jeanette E Daley	San Diego, San Diego County	573	--	--	---	1146	57 30
79	Paul A Richie	San Diego, San Diego County	573	--	--	---	1146	57 30
80	Charles W Stream	Palm City, San Diego County	573	13	--	586	1172	58 60

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
James G. Smyth	San Francisco, San Francisco County	90	--	--	---	180	$18 00
Dave V Oliver	Fresno, Fresno County	169	--	--	---	338	33 80
Delwin W Smith	Los Angeles, Los Angeles County	447	--	--	---	894	89 40
Arthur A Ohnimus	San Francisco, San Francisco County	90	--	--	---	180	18 00
Charles H. Erb	San Francisco, San Francisco County	90	--	--	---	180	18 00
Joseph P Maloney	Sacramento, Sacramento County	---	--	--	---	---	---

Request for Unanimous Consent.

Mr. Martin asked for, and was granted, unanimous consent to take up House Resolution No 17, by the Committee on Mileage, at this time.

House Resolution No. 17 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced:

Assembly Joint Resolution No. 4: By Messrs. Hornblower, and Voigt—Relative to memorializing the President and Congress to increase the payments for old age assistance and aid to the blind made by the Federal Government to the several States under the provisions of the Social Security Act.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 4, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 4.

Assembly Joint Resolution No. 4—Relative to memorializing the President and Congress to increase the payments for old age assistance and aid to the blind made by the Federal Government to the several States under the provisions of the Social Security Act.

Assembly Joint Resolution No. 4 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—77.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate

Assembly Joint Resolution No. 5: By Mr. Heisinger—Relative to memorializing the President and Congress to enact legislation requiring compulsory arbitration of labor disputes affecting the public interest.

Introduced, and referred to Committee on Labor and Capital.

Assembly Concurrent Resolution No. 7: By Mr. Welsh—Relative to granting leave of absence to the Honorable Jefferson E. Peyser, member of the Assembly of the fifty-second session of the Legislature of the State of California.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 7.

Assembly Concurrent Resolution No. 7—Relative to granting leave of absence to the Honorable Jefferson E. Peyser, member of the Assembly of the fifty-second session of the Legislature of the State of California.

Assembly Concurrent Resolution No 7 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—74.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Concurrent Resolution No. 8: By Mr. Voigt—Relative to proceedings for the removal of Gavin W. Craig from the office of Justice of District Court of Appeal, Second Appellate District, Division Two, under and pursuant to the provisions of section 10, Article VI, of the Constitution of the State of California, setting a date and time for hearing on such removal

Introduced, and referred to Committee on Rules.

Resolution.

The following resolution was offered:

By Mr. Welsh:

House Resolution No. 18.

Relative to granting leave of absence to the Honorable Jefferson E. Peyser, member of the Assembly of the fifty-second session of the Legislature of the State of California.

Resolved by the Assembly of the State of California, That the Honorable Jefferson E. Peyser, member thereof, is hereby granted leave of absence and is excused from attending any of the meetings or sessions of the Assembly during the fifty-second session of the Legislature for the period from January 18, 1937, to January 31, 1937, inclusive.

House Resolution No. 18 read, and adopted.

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 6, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 4.
Assembly Concurrent Resolution No. 5.

J. A. BEEK, Secretary of Senate.

The above reported bills ordered to enrollment

Motion to Appoint Special Committee.

Mr. Field moved that the Speaker appoint a Special Committee of Three to prepare a resolution expressing the appreciation of the Assembly for the years of faithful and efficient service rendered by Mr. Fred J. Desch, former Assistant Chief Clerk of the Assembly, and that a suitably engrossed copy of the resolution be presented to Mr. Fred J. Desch.

Motion carried.

Appointment of Special Committee.

In accordance with the above motion, the Speaker appointed Messrs. Field, Lyon and Levey as such Special Committee.

Adjournment.

At twelve o'clock and thirty-five minutes p.m., on motion of Mr. Welsh, the Speaker declared the Assembly adjourned this day until eleven o'clock a m. Thursday, January 7, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY
FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 7, 1937.

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

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G Smyth at the desk

Roll Call.

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

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker —77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Gilbert, the further reading of the Journal of Wednesday, January 6, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Gannon, on motion of Mr. Desmond.

Mr. Williamson, on motion of Mr. Dawson.

Mr. Call, on motion of Mr. Meehan

Guests Extended Privilege of Assembly Floor.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Doctor H. B. Mehrmann. Grand Worthy President of Fraternal Order of Eagles, and Mrs. H. B. Mehrmann, of Oakland; and D. D. Heagarty, State Organizer of Fraternal Order of Eagles, and Mrs. D. D. Heagarty.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leo Gillig and Chester Gillig of San Francisco.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs. Homer Davis of Genoa, Nebraska, Mr. and Mrs. Roy D. Whitlow and Mr. Dempsy Whitlow of Woodland.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Alfred Jones, County Surveyor of Los Angeles County.

On request of Mr. Kepple, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to H. N. Ellis of Los Angeles.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Georgia Crowley and Paula Crowley.

Assistant Clerk Berry Reading.

Resolutions.

The following resolutions were offered:

By the Committee on Attaches:

House Resolution No. 19.

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the said person for the said respective amount, and the Treasurer is hereby directed to pay the same:

Commencing January 4, 1937—	*Per day*
Dewey Baker, Page	$2 50

Resolved further, That the compensation of the above named attache shall be on a six-day per week basis

House Resolution No. 19 read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, and Yorty—70.

NOES—None.

By Mr. Peek.

House Resolution No. 20.

Resolved, That the following rules proposed by the Assembly Interim Committee on Legislative Rules, Procedure and Printing, be adopted as the Standing Rules of the Assembly for the fifty-second session.

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE FIFTY-SECOND SESSION—1937-1939.

Hour of Meeting.

1. The sessions of the Assembly shall be daily, beginning at ten o'clock a.m. (Sundays excepted) unless otherwise ordered by a majority of the members present.

Speaker to Call Assembly to Order.

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

Roll Call and Quorum.

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

Order of Business.

4. The order of business of the Assembly shall be as follows:

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

Reading of the Previous Day's Journal.

5. The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present.

Approval of the Journal.

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

Motion to Correct Journal.

7. A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the members present.

Presentation of Petitions.

8. Whenever petitions, memorials or other papers are presented by a member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Mention of receipt of such presentation and its disposition shall be entered on the Journal.

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

Reports of Committees.

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

Messages From the Governor.

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

Messages From the Senate.

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

Bill Defined.

12. Wherever the word bill is used, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided for in these rules.

Introduction and Reference of Bills.

13. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills", the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk. When received at the Clerk's desk, it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Introduction of Bills After Constitutional Recess.

14. Any member requesting permission to introduce a bill after the constitutional recess shall send such request together with the bill to the Clerk's desk, and shall under the order of "Introduction of Bills" be referred by the Speaker to the Committee on Introduction of Bills. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in section 2 of Article IV of the Constitution, and if it will not, shall report back on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative recorded vote of three-fourths of all members elected to the Assembly.

Examining of Bills by Legislative Counsel Bureau.

15. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

If in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

Daily Calendar.

16 There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on Rules shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar.

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

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

Motions and Resolutions.

17. Any motion or resolution not otherwise provided for under the rules shall be placed before the Assembly only under this order of business. Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

Adjournment.

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

Duties of Assembly Officers.

Duties of the Speaker.

19. The Speaker shall possess the powers and perform the duties herein prescribed:

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

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

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

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

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

(f) To propose a schedule of meetings of standing committees.

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

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

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

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants and subpenas issued by order of the Assembly.

Duties of the Speaker Pro Tempore.

20. The Speaker pro tempore shall have the powers and perform the duties of the Speaker during his absence.

Duties of the Chief Clerk.

21. The duties of the Chief Clerk shall be as follows:

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

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

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

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

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

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

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

Duties of the Sergeant-at-Arms.

22. The duties of the Sergeant-at-Arms shall be as follows:

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

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

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

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

(e) To execute all commands of the Speaker.

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

Members' Decorum and Privileges.

Order in Speaking to Questions.

23. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker". Upon being recognized, he may speak, confining himself to the question under consideration.

Speaker to Decide Who Is Entitled to Floor.

24. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

Members Called to Order for Transgressing Rules.

25. If any member in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may call the offending member to order. The member so called to order shall immediately take his seat, unless permitted to explain; if called to order by a member, such member shall immediately state the point of order. The point of order shall be decided by the Speaker without debate. If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision by the Speaker shall be subject to an appeal to the Assembly.

Members Called to Order for Offensive Words.

26. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

Members Voting.

27. Every member at his desk when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present.

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

Ayes and Noes.

28. The ayes and noes shall be recorded either by viva voce or by the electrical voting system on the final passage of all bills, and on other questions when called for by three members whose names shall be entered on the Journal.

Voting Not to be Interrupted.

29. When once begun, voting shall not be interrupted, except that any member may move a call of the Assembly, after the completion of the roll and prior to the final recording and announcement of the vote.

Changing Vote.

30. Prior to the announcement of the vote, the Speaker shall inquire if all members have voted. After the vote is announced, no member shall be allowed to change his vote, or have his vote recorded.

Members at Clerk's Desk.

31. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted.

Tie Vote.

32. In case of an equal division, or tie vote, the question shall be lost.

Call of the Assembly.

33. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call. Thereupon no member shall be permitted to leave the Assembly Chamber except by written permission of the Speaker and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter or business by unanimous consent. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly.

Leave of Absence.

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

Personal Privilege.

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

Objection to Reading of Any Paper.

36. Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

Assignment of Desks to Members.

37. Members shall be assigned to desks by the Superintendent of Capitol Buildings and Grounds, and, so far as possible, he shall conform to the requests of

members, giving due consideration to their seniority in point of service in the Assembly.

Motions and Questions.

Precedence of Motions During Debate.

38. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn;
Second—To recess to a time certain;
Third—To lay on the table;
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer or re-refer;
Eighth—To amend.

Questions of Order Decided Without Debate.

39. All incidental questions of order, arising after a motion is made for any of the questions named in Rule No. 38 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal from Decision of the Speaker.

40. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal can not be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal can not be debated when relating to indecorum, transgression of rules, or priority of business A majority vote of the members present shall decide any appeal.

To Adjourn.

41. A motion to adjourn is not debatable and can not be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment and also the hour at which the motion was made and adjournment taken, shall be entered on the Journal. Such a motion to adjourn must be adopted by a majority vote of the members present.

When such a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Such statement shall not occupy more than two minutes and shall not be debatable.

To Recess to a Time Certain.

42. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

To Lay on the Table.

43. A motion to lay on the table is not debatable and can not be amended. If carried by a majority vote of the entire elected membership, it carries with it the main question and everything that adheres to it; provided however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint or house resolution

A motion to lay on the table having been decided in the negative shall not again be allowed on the same day or at the same stage of the bill or question.

The Previous Question.

44. The previous question shall be put only when demanded by five members, and in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

Motion to Set Special Order.

45. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members present. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain

46. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely.

47. When a motion is made to postpone indefinitely any bill, motion or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire membership, the main question shall not be acted upon again during the session.

Motion to Amend.

48. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

Amendment to Be Germane.

49. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

Substitute Motion.

50. A motion to substitute shall be deemed and treated as a motion to amend

Motions in Writing.

51 Upon request of the Speaker all motions shall be reduced to writing and shall be read by the Speaker before the same is acted upon

Consideration of Motions.

52. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker

Division of Questions

53. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Assembly.

Resolutions.

54. All Assembly resolutions, other than those providing for the current and incidental expenses of the Assembly, shall first be referred to the Committee on Rules.

The adoption of any resolution authorizing the expenditure of money, shall require an affirmative recorded vote of the majority of the entire elected membership.

Withdrawal of Motions.

55. After a motion is stated by the Speaker, or a bill, resolution or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly

Motion to Be Germane.

56 No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

Bills Reported Back to Assembly

57. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule.

Motion to Withdraw or Re-Refer Bills and Resolutions.

58 A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business A motion to re-refer shall only be debatable as to the propriety of such reference.

A motion to withdraw or re-refer shall require one day's notice and shall be decided by a recorded vote of the majority of the entire elected membership

Bills Stricken From Calendar.

59. A motion to strike from the Calendar any bill or House Resolution requires a majority vote of the entire elected membership. Such bill shall not be acted upon again during the session.

Motion to Rescind Action and Expunge Record.

60. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Reference of Bills to Committee.

61. Immediately following its first reading the Speaker shall refer each bill to a committee, unless upon a motion, the Assembly by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable. Should several different committees be proposed, preference shall be given as follows:

1. Committee of the Whole.
2. Standing Committee.
3. Special Committee.

Record of Bills.

62. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be endorsed upon such bill.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions.

63. Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution.

Second Reading of Bills.

64. All bills shall be read the second time in the order of their appearance upon the Second Reading Calendar. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading.

Committee Amendments.

65. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be ordered reprinted and to third reading.

Amendments from the Floor.

66. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed. The Chief Clerk shall order printed not to exceed 750 copies of all amended bills.

Committee on Engrossment and Enrollment.

67. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, ordered or considered engrossed by the Assembly with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Engrossment and Enrollment shall be in order at any time

Engrossing and Enrolling Bills.

68. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the Assembly.

Bills Transmitted to the Senate

69. Upon the final passage of any bill, if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

Bills Considered During Last Seven Days.

70. No Assembly bill shall be passed by the Assembly within seven calendar days previous of the time set for adjournment *sine die* of the Legislature, except upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of the entire elected membership of the Assembly.

Concurrence in Senate Amendments.

71. No Senate amendment to an Assembly bill shall be concurred in except by an affirmative recorded vote of a majority of the entire elected membership of the Assembly. When Senate amendments to such bill are so concurred in, it shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

Nonconcurrence in Senate Amendments.

72. If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to recede from its amendments. If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled.

Committee on Free Conference.

73. Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, except during a roll call or when a member has the floor. It shall require an affirmative recorded vote of a majority of the entire elected membership of the Assembly to adopt any free conference report. After such adoption, and notice that the Senate has adopted the report, the bill shall be ordered enrolled.

Enrollment.

74 After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in section 539 of the Political Code. The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal.

Committees.

Standing Committees.

75. The standing committees of the Assembly shall be as follows:

1. A Committee on Agriculture, to consist of 17 members.
2. A Committee on Attaches, to consist of 7 members.
3. A Committee on Aviation and Aircraft, to consist of 11 members.
4. A Committee on Banking, to consist of 9 members
5. A Committee on Building and Construction, to consist of 7 members.
6. A Committee on Building and Loan Associations, to consist of 7 members
7. A Committee on Civil Service, to consist of 9 members.
8. A Committee on Commerce and Navigation, to consist of 9 members.
9. A Committee on Conservation, to consist of 9 members.
10. A Committee on Constitutional Amendments, to consist of 13 members.
11. A Committee on Contested Elections, to consist of 5 members
12. A Committee on Contingent Expenses, to consist of 5 members
13. A Committee on Corporations, to consist of 9 members.
14. A Committee on County Government, to consist of 15 members
15. A Committee on Crime Problems, to consist of 7 members.
16. A Committee on Direct Legislation, to consist of 7 members
17. A Committee on Drainage, Swamp and Overflowed Lands, to consist of 13 members
18. A Committee on Education, to consist of 13 members.
19. A Committee on Elections, to consist of 11 members
20. A Committee on Engrossment and Enrollment, to consist of 5 members.
21. A Committee on Exhibitions and Fairs, to consist of 7 members.
22. A Committee on Federal Relations, to consist of 7 members
23. A Committee on Financial Institutions (other than banking and building and loan associations), to consist of 7 members

24 A Committee on Fish and Game, to consist of 15 members
25 A Committee on Governmental Efficiency and Economy, to consist of 11 members
26. A Committee on Governmental Revenues and Expenditures, to consist of 5 members.
27. A Committee on Hospitals and Asylums, to consist of 11 members.
28 A Committee on Insurance, to consist of 11 members
29. A Committee on Introduction of Bills, to consist of 5 members.
30. A Committee on Irrigation, to consist of 17 members.
31. A Committee on Judiciary Codes, to consist of 15 members.
31a. A Committee on Judiciary General, to consist of 15 members.
32. A Committee on Labor and Capital, to consist of 13 members.
33 A Committee on Libraries, to consist of 5 members
34. A Committee on Live Stock and Dairies, to consist of 9 members.
35 A Committee on Manufactures, to consist of 7 members.
36 A Committee on Medical and Dental Laws, to consist of 9 members.
37. A Committee on Mileage, to consist of 5 members
38. A Committee on Military Affairs, to consist of 9 members
39 A Committee on Mines and Mining, to consist of 9 members
40. A Committee on Motor Vehicles, to consist of 15 members
41 A Committee on Municipal Corporations, to consist of 13 members.
42. A Committee on Oil Industries, to consist of 9 members.
43. A Committee on Prisons and Reformatories, to consist of 11 members
44. A Committee on Public Charities and Corrections, to consist of 9 members
45 A Committee on Public Health and Quarantine, to consist of 9 members.
46. A Committee on Public Morals, to consist of 11 members.
47 A Committee on Public Utilities, to consist of 11 members
48 A Committee on Revenue and Taxation to consist of 15 members
49. A Committee on Roads and Highways, to consist of 15 members
50. A Committee on Rules, to consist of 7 members, including the Speaker and the Speaker pro tempore
51. A Committee on Social Service and Welfare, to consist of 9 members.
52 A Committee on Soldiers and Sailors Affairs, to consist of 13 members.
53. A Committee on State Grounds and Parks, to consist of 7 members.
54. A Committee on Teachers Colleges, to consist of 7 members
55. A Committee on Unemployment, to consist of 7 members.
56 A Committee on Universities, to consist of 7 members
57. A Committee on Ways and Means, to consist of 21 members

Committee Quorum.

76. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business. At least a majority of all members constituting such committee shall be required to report a bill out of committee.

Meetings of Standing Committees.

77. All standing committees shall meet at the hour provided by schedule, unless otherwise ordered by the Assembly Committees may hold such additional meetings as the chairman of the committee may deem necessary; provided, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee by a majority vote of its entire membership shall order an executive session.

Standing Committee Rules.

78. The Rules of the Assembly shall govern the conduct of all committee meetings whenever praticable. Each committee may adopt, by a majority vote of its entire membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

Signing Bills Out of Committee

79. No bill shall be signed out of any committee except during the final two weeks of the session and then only upon the signatures of a majority of the entire committee membership.

Committee Expenditures.

80. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the Chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess

Committee on Attaches.

81. The Committee on Attaches shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have

authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

Committee on Ways and Means.

82. The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly, and other than bills affecting existing departments of State government which do not increase or decrease the salaries or expenses of such departments.

Whenever requested by the Assembly, the Chairman of the Committee on Ways and Means shall report the exact condition of legislation involving appropriations and the aggregate amount of all proposed appropriations pending before the committee The committee may also report whenever necessary, their opinion as to the condition of the State revenues and expenditures.

Committee of the Whole.

83. The Assembly may resolve itself into a Committee of the Whole at any time, by a majority vote of the members present The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole The Rules of the Assembly shall be observed in the Committee of the Whole so far as they may be applicable, except that the ayes and noes need not be taken.

A motion that the Committee of the Whole "do now rise and report back to the Assembly" shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered on the Journal except upon motion and a majority vote of the members present.

Reconsideration of Vote.

84. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the Unfinished Business Calendar, and no further action shall be taken prior to the next legislative day When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. The notice of motion to reconsider may be called up by any member on the next legislative day after the notice of reconsideration of the bill, constitutional amendment, concurrent or joint resolution has been given.

Any member voting on any motion, amendment, concurrence, recedence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected Assembly membership, except that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of the entire Assembly elected membership.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

Printing.

Authority for Printing.

85. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order

Printing Style, Form and Amount to be Printed

86. Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be

printed of each order, shall be decided by the Chief Clerk and approved by the Speaker or Chairman of Committee on Rules. All requests by members for additional copies of bills shall be referred to the Committee on Rules.

Printing Assembly History.

87. The Chief Clerk shall cause to be compiled and printed during the Constitutional recess, a Legislative Handbook and a Semi-Final Assembly History, together with an index, setting forth a complete History showing all actions on bills, constitutional amendments, concurrent, joint and house resolutions prior to the constitutional recess.

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week, a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

Printing of Maps.

88. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership

Rules.

Adoption of Standing Rules.

89. The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the entire elected membership. When once adopted, such Standing Rules shall remain in effect, unless suspended or amended as provided in these rules, until such time as other Standing Rules are adopted by a succeeding Legislature.

Parliamentary Rules.

90. Roberts Rules of Order shall be the recognized authority on all occasions when the Assembly Rules are not applicable.

Suspension of Rules.

91. Unless otherwise specifically provided by law or Assembly rule, any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present, provided that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Amending Standing Rules.

92. No standing rule of the Assembly shall be amended except by an affirmative recorded vote of two-thirds of the entire elected memership of the Assemly and one day's notice must be given on the motion thereof.

Temporary Rule.

93. The Committee on Rules may at any time report a temporary rule Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly, such temporary rule shall have the effect for the time being, of a standing rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on Rules.

Miscellaneous.

Press Privileges.

94. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks; also the necessary rooms for the exclusive use of such accredited press representatives.

Privilege of Addressing the Assembly.

95. No person other than a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

Smoking in Assembly Chamber.

96. Smoking may be prohibited temporarily during any session of the Assembly by a majority vote of the members present.

Fees for Witnesses.

97. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars for each day such witness shall be required to appear, and the sum of three and one-half cents for each mile he shall travel in coming to and going from the place of examination.

Use of Assembly Chamber.

98. The Assembly Chamber shall not be used for any public or private business other than legislative matters, during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

Persons Admitted to Floor of the Assembly.

99. No persons other than members, officers, attaches, employees of the Legislature, former members of the Legislature, and accredited members of the press, shall be admitted to the floor of the Assembly during any session of the Assembly; provided that a guest of any member shall be admitted upon presentation of a guest card of said member, countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued. Such guest shall be seated only at the member's desk issuing such card.

A special section in the balcony shall be reserved for those holding guest cards

Lobbying in the Assembly Chamber.

100. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule. This rule can not be suspended except by a two-thirds vote of the entire elected membership of the Assembly.

Speaker Explains Order of Business.

101. The Speaker may, on his own motion or upon the motion of any member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

Sessions of Assembly Following Constitutional Recess.

Hour of Meeting.

Special Rule No. 1. Following the constitutional recess, the Assembly shall meet promptly at two o'clock p.m. daily (Sundays excepted) unless otherwise ordered by a majority of the members present.

House Resolution No. 20 read.

Motion for Committee of the Whole.

On motion of Mr. Lyon, the Assembly resolved itself into a Committee of the Whole for the consideration of House Resolution No 20, providing the Standing Rules of the Assembly.

IN COMMITTEE OF THE WHOLE.

Speaker Jones in the chair.

Upon invitation of the Speaker, Dr. H. B. Mehrmann of Oakland, Grand Worthy President, Fraternal Order of Eagles and guest of Mr. Desmond, addressed the Assembly.

House Resolution No. 20 and Rules considered.

On motion of Mr. King, the committee did arise and report back to the Assembly for the purpose of recessing.

IN ASSEMBLY.

Speaker Jones in the chair.

Recess.

At twelve o'clock and thirty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

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

Speaker Jones in the chair.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 121: By Mr. Waters—An act to amend section 423 of the Probate Code, relating to nomination of administrators.

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

Assembly Bill No. 122: By Mr. Crowley—An act making an appropriation for the construction of buildings and other improvements at Napa State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 123: By Mr. Crowley—An act to make an appropriation for the construction of a dam in Napa County.

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

Assembly Bill No. 124: By Mr. Crowley—An act making an appropriation for construction of buildings and other improvements at the Veterans' Home at Yountville.

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

Assembly Bill No. 125: By Mr. Garland—An act to add section 4131.5 to the Political Code, relating to the recordation of registration cards issued under the Social Security Act of the Federal Government.

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

Assembly Bill No. 126: By Mr. Reaves—An act defining bookmakers, and requiring the regulation, bonding, supervision and licensing thereof and providing for the enforcement of this act, and prescribing penalties for violation of the provisions hereof.

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

Assembly Bill No. 127: By Mr. Maloney—An act to amend section 3 of the "Retail Sales Tax Act of 1933," relating to the levy of taxes.

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

Assembly Bill No. 128: By Mr Peyser—An act to amend section ------of the Alcoholic Beverage Control Act, relating to wines.

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

Assembly Bill No. 129: By Mr. McMurray—An act to amend section 1315 of the Political Code, relating to Electors of the President and Vice President of the United States.

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

Assembly Bill No. 130: By Mr. Cunningham—An act to add a new section to be numbered 2957a to the Civil Code, relating to the recording of chattel mortgages.

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

Assembly Bill No. 131: By Messrs. Reaves, and Flint—An act to add section 25 to the Old Age Security Act of the State of California, relating to aid to the aged.

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

Assembly Bill No. 132: By Mr. Garibaldi—An act to amend section 4307 of the Political Code, relating to county charges.

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

Assembly Bill No. 133: By Mr. Garibaldi—An act to amend section 4307 of the Political Code, relating to county charges.

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

Assembly Bill No. 134: By Mr. Garibaldi—An act to amend section 105 of an act entitled "An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor," approved June 9, 1931, as amended, relating to part time employment of retired employees.

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

Assembly Bill No. 135: By Messrs. Thorp, and Garland—An act expressing assent by the State of California to the provisions and purpose of an act passed by the Congress of the United States entitled "An act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges," approved June 29, 1935, and to authorize and empower the Regents of the University of California to receive all grants of money appropriated under the said above entitled act of the Congress of the United States, and to apply, use, and expend said grants of money for the purposes and in accordance with the terms, conditions, and requirements set forth in the act of the Congress aforesaid.

Bill read first time, and referred to Committee on Education

Assembly Bill No. 136: By Mr. Garland—An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants.

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

Assembly Bill No. 137: By Mr. Voigt—An act relating to and providing for the regulation and licensing of pari-mutuel wagering, and repealing all acts and part of acts inconsistent herewith.

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

Assembly Bill No. 138: By Mr. Voigt—An act relating to and providing for the regulation and licensing of pari-mutuel wagering, and repealing all acts and part of acts inconsistent herewith.

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

Assembly Bill No. 139: By Mr. Voigt—An act to define loan brokers and to regulate their charges and business.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 140: By Mr. Voigt—An act to amend section 32 of the Retail Sales Tax Act of 1933, relating to penalties.

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

Assembly Bill No. 141: By Mr. Voigt—An act to amend the Insurance Code, relating to insurance principles, practice, and business and matters incidental thereto.

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

Assembly Bill No. 142: By Mr. Voigt—An act to amend the Insurance Code, relating to insurance principles, practice, and business and matters incidental thereto.

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

Assembly Bill No. 143: By Mr. Voigt—An act to amend the Insurance Code, relating to insurance principles, practice, and business and matters incidental thereto.

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

Assembly Bill No. 144: By Mr. Voigt—An act to amend section 32 of the Retail Sales Tax Act of 1933, relating to penalties.

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

Assembly Bill No. 145: By Mr. Voigt—An act to amend the Insurance Code, relating to insurance principles, practice, and business and matters incidental thereto.

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

Assembly Bill No. 146: By Mr. Voigt—An act to amend the Insurance Code, relating to insurance principles, practice, and business and matters incidental thereto.

Bill read first time, and referred to Committee on Insurance

Assembly Bill No. 147: By Mr. Voigt—An act to amend the Insurance Code, relating to insurance principles, practice, and business and matters incidental thereto.

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

Assembly Bill No. 148: By Mr. Voigt—An act to amend section 54 of the Bank Act, relating to transactions by banks with respect to real property.

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

Assembly Bill No. 149: By Mr. Voigt—An act to regulate the business of trust companies and to prohibit the solicitation of business by said companies.

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

Leave of Absence.

Mr. Sheehan was granted leave of absence for the balance of this legislative day, on motion of Mr Garibaldi.

Motion for Committee of the Whole.

On motion of Mr. King, the Assembly resolved itself into a Committee of the Whole for the further consideration of House Resolution No. 20, providing the Standing Rules of the Assembly.

IN COMMITTEE OF THE WHOLE.

Speaker Jones in the chair.

House Resolution No. 20 and Rules considered.

On motion of Mr. Lyon, the committee did arise and report back to the Assembly.

IN ASSEMBLY.

Speaker Jones in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1937

GENTLEMEN: Your Committee of the Whole has considered House Resolution No. 20, and respectfully reports the same back, with the recommendation: Be adopted as amended in the Committee of the Whole.

JONES, Chairman.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 20, and the amendments proposed by the Committee of the Whole, at this time.

Consideration House Resolution No. 20 and Proposed Amendments.

The following amendments were submitted by the Committee of the Whole:

Amendment No. 1.

In Rule 14, line 1, after the word "bill", insert the following "except a resolution or constitutional amendment".

Amendment No. 2.

In Rule 28, line 1, strike out "either by viva voce", and in line 2, after the comma following the word "bills", insert the following: "or by viva voce when demanded by three members," and after the second word "on", insert the word "any", and in the word "questions", strike out the letter "s".

Amendment No. 3.

In Rule 29, line 1, after the comma following the word "interrupted", insert the following: "except that any member may have the total pending vote flashed on the visible vote recorder and"

Amendment No. 4.

In Rule 43, strike out the last paragraph thereof.

Amendment No. 5.

In Rule 44, line 4, strike out the period, and insert in lieu thereof the following: ", that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate."

Amendment No. 6.

In Rule 54, strike out the whole, and insert in lieu thereof the following "The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly."

Amendment No. 7.

In Rule 58, strike out the last paragraph thereof.

Amendment No. 8.

In Rule 66, line 6, strike out the figures "750", and insert in lieu thereof the figures "1000".

Amendment No. 9.

In Rule 75, subdivision 31, strike out "relative to"; in subdivision 31a, strike out "relative to", and the word "laws", and in subdivision 54, strike out "teachers", and insert in lieu thereof the word "State".

Amendment No. 10.

In Rule 79, strike out the whole thereof following the figures "79", and insert in lieu thereof the following: "No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business."

Amendment No. 11.

In Rule 100, after the figures "100", insert the following: "All persons appearing, or being, or desiring to appear, or be, at or in the Assembly Chamber, or at or in any

committee room of the Assembly for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Assembly, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Assembly upon any such bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

This rule shall not apply to members of either house of the Legislature, to elected State officers, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person shall appear at or enter the Assembly Chamber, or any committee room of the Assembly, for the purpose of advocating the adoption or defeat of any bill, measure or resolution, without first having registered and secured the certificate, as herein provided"

Amendment No. 12.

In Special Rule No. 1, in the second line, after the word "daily", strike out the parenthetical expression "(Sundays excepted)", and insert in lieu thereof the following parenthetical expression: "(Sundays and Mondays excepted)".

Amendments read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—68.

NOES—None.

Amendments adopted

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 20, as amended, at this time

Consideration of House Resolution No. 20, as amended.

The roll was called, and House Resolution No. 20, as amended, providing the Standing Rules of the Assembly, adopted by the following vote

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—68.

NOES—None.

House Resolution No. 20.

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE FIFTY-SECOND SESSION—1937-1939.

Hour of Meeting.

1. The sessions of the Assembly shall be daily, beginning at ten o'clock a.m., (Sundays excepted) unless otherwise ordered by a majority of the members present.

Speaker to Call Assembly to Order.

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

Roll Call and Quorum.

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

Order of Business.

4. The order of business of the Assembly shall be as follows:

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

Reading of the Previous Day's Journal.

5. The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present.

Approval of the Journal.

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

Motion to Correct Journal.

7. A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the members present.

Presentation of Petitions.

8. Whenever petitions, memorials or other papers are presented by a member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Mention of receipt of such presentation and its disposition shall be entered on the Journal.

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

Reports of Committees.

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

Messages From the Governor.

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

Messages From the Senate.

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

Bills Defined.

12. Wherever the word bill is used, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided for in these rules.

Introduction and Reference of Bills.

13. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill constitutional amendment, concurrent or joint resolution

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session

send the same to the Clerk's desk. When received at the Clerk's desk, it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Introduction of Bills After Constitutional Recess.

14. Any member requesting permission to introduce a bill except a resolution or constitutional amendment after the constitutional recess shall send such request together with the bill to the Clerk's desk, and shall under the order of "Introduction of Bills" be referred by the Speaker to the Committee on Introduction of Bills. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in section 2 of Article IV of the Constitution, and if it will not, shall report back on the same legislative day each bill so referred to it The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative recorded vote of three-fourths of all members elected to the Assembly.

Examining of Bills by Legislative Counsel Bureau.

15. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

If in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days

Daily Calendar.

16. There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on Rules shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar:

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

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

Motions and Resolutions.

17. Any motion or resolution not otherwise provided for under the rules shall be placed before the Assembly only under this order of business. Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

Adjournment.

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

Duties of Assembly Officers.

Duties of the Speaker.

19. The Speaker shall possess the powers and perform the duties herein prescribed:

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

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

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

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

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

(f) To propose a schedule of meetings of standing committees.

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

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

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

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants and subpenas issued by order of the Assembly.

Duties of the Speaker Pro Tempore.

20. The Speaker pro tempore shall have the powers and perform the duties of the Speaker during his absence.

Duties of the Chief Clerk.

21. The duties of the Chief Clerk shall be as follows

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

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

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

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

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

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

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

Duties of the Sergeant-at-Arms.

22 The duties of the Sergeant-at-Arms shall be as follows:

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

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

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

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

(e) To execute all commands of the Speaker.

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

Members' Decorum and Privileges.

Order in Speaking to Questions.

23. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration.

Speaker to Decide Who Is Entitled to Floor.

24. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

Members Called to Order for Transgressing Rules

25. If any member in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may call the offending member to order. The member so called to order shall immediately take his seat unless permitted to explain; if called to order by a member, such member shall immediately state the point of order. The point of order shall be decided by the Speaker without debate If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat Every such decision by the Speaker shall be subject to an appeal to the Assembly

Members Called to Order for Offensive Words

26. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken

Members Voting.

27. Every member at his desk when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present.

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

Ayes and Noes

28. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or by viva voce when demanded by three members, and on any other question when called for by three members whose names shall be entered on the Journal.

Voting Not to Be Interrupted.

29. When once begun, voting shall not be interrupted, except that any member may have the total pending vote flashed on the visible vote recorder and except that any member may move a call of the Assembly, after the completion of the roll and prior to the final recording and announcement of the vote

Changing Vote.

30 Prior to the announcement of the vote, the Speaker shall inquire if all members have voted. After the vote is announced, no member shall be allowed to change his vote, or have his vote recorded.

Members at Clerk's Desk

31. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted

Tie Vote

32. In case of an equal division, or tie vote, the question shall be lost

Call of the Assembly.

33 After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call. Thereupon no member shall be permitted to leave the Assembly Chamber except by written permission of the Speaker and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter or business by unanimous consent No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly

Leave of Absence.

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

Personal Privilege.

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

Objection to Reading of Any Paper

36. Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

Assignment of Desks to Members.

37. Members shall be assigned to desks by the Superintendent of Capitol Buildings and Grounds, and, so far as possible, he shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

Motions and Questions.

Precedence of Motions During Debate.

38. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn;
Second—To recess to a time certain,
Third—To lay on the table,
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer or re-refer;
Eighth—To amend.

Questions of Order Decided Without Debate.

39 All incidental questions of order, arising after a motion is made for any of the questions named in Rule No. 38 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise

Appeal from Decision of the Speaker.

40. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal can not be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal can not be debated when relating to indecorum, transgression of rules, or priority of business. A majority vote of the members present shall decide any appeal.

To Adjourn.

41. A motion to adjourn is not debatable and can not be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment and also the hour at which the motion was made and adjournment taken, shall be entered on the Journal. Such a motion to adjourn must be adopted by a majority vote of the members present.

When such a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Such statement shall not occupy more than two minutes and shall not be debatable.

To Recess to a Time Certain.

42. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn

To Lay on the Table.

43 A motion to lay on the table is not debatable and can not be amended. If carried by a majority vote of the entire elected membership, it carries with it the main question and everything that adheres to it; provided however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint or house resolution.

The Previous Question.

44. The previous question shall be put only when demanded by five members, and in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it, except that

the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order.

45. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members present. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain.

46. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely.

47. When a motion is made to postpone indefinitely any bill, motion or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire membership, the main question shall not be acted upon again during the session

Motion to Amend.

48. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule a motion to amend is in order during the second or third reading of any bill.

Amendment to Be Germane.

49. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

Substitute Motion.

50. A motion to substitute shall be deemed and treated as a motion to amend.

Motions in Writing.

51. Upon request of the Speaker all motions shall be reduced to writing and shall be read by the Speaker before the same is acted upon.

Consideration of Motions.

52. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

Division of Questions.

53. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Assembly.

Resolutions Authorizing Expenditure of Money.

54. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly.

Withdrawal of Motions.

55. After a motion is stated by the Speaker, or a bill, resolution or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly.

Motion to Be Germane.

56 No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

Bills Reported Back to Assembly.

57. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule.

Motion to Withdraw and Recall Bills.

58 A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the

regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference.

Bills Stricken from Calendar.

59. A motion to strike from the Calendar any bill or House Resolution requires a majority vote of the entire elected membership. Such bill shall not be acted upon again during the session.

Motion to Rescind Action and Expunge Record.

60. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally: except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Reference of Bills to Committee.

61. Immediately following its first reading the Speaker shall refer each bill to a committee, unless upon a motion, the Assembly by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable. Should several different committees be proposed, preference shall be given as follows:

1. Committee of the Whole.
2. Standing Committee.
3. Special Committee.

Record of Bills.

62. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be endorsed upon such bill.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions.

63. Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution.

Second Reading of Bills.

64. All bills shall be read the second time in the order of their appearance upon the Second Reading Calendar. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading.

Committee Amendments.

65. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be orderd reprinted and to third reading.

Amendments from the Floor.

66. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed. The Chief Clerk shall order printed not to exceed 1000 copies of all amended bills.

Committee on Engrossment and Enrollment.

67. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, ordered or considered engrossed by the Assembly with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Engrossment and Enrollment shall be in order at any time.

Engrossing and Enrolling Bills.

68. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the Assembly.

Bills Transmitted to the Senate

69. Upon the final passage of any bill, if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk Senate bills refused passage shall forthwith be returned to the Senate under similar signature

Bills Considered During Last Seven Days.

70. No Assembly bill shall be passed by the Assembly within seven calendar days previous of the time set for adjournment *sine die* of the Legislature, except upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of the entire elected membership of the Assembly.

Concurrence in Senate Amendments.

71. No Senate amendment to an Assembly bill shall be concurred in except by an affirmative recorded vote of a majority of the entire elected membership of the Assembly. When Senate amendments to such bill are so concurred in, it shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

Nonconcurrence in Senate Amendments.

72 If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to recede from its amendments. If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled.

Committee on Free Conference.

73. Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly Such report is not subject to amendment and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, except during a roll call or when a member has the floor. It shall require an affirmative recorded vote of a majority of the entire elected membership of the Assembly to adopt any free conference report. After such adoption, and notice that the Senate has adopted the report, the bill shall be ordered enrolled.

Enrollment.

74. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in section 539 of the Political Code. The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal.

Committees.

Standing Committees.

75. The standing committees of the Assembly shall be as follows:

1. A Committee on Agriculture, to consist of 17 members
2. A Committee on Attaches, to consist of 7 members.
3. A Committee on Aviation and Aircraft, to consist of 11 members
4. A Committee on Banking, to consist of 9 members.
5. A Committee on Building and Construction, to consist of 7 members.
6. A Committee on Building and Loan Associations, to consist of 7 members.
7. A Committee on Civil Service, to consist of 9 members.
8. A Committee on Commerce and Navigation, to consist of 9 members.
9. A Committee on Conservation, to consist of 9 members
10. A Committee on Constitutional Amendments, to consist of 13 members.
11. A Committee on Contested Elections, to consist of 5 members.
12. A Committee on Contingent Expenses, to consist of 5 members.
13. A Committee on Corporations, to consist of 9 members.
14. A Committee on County Government, to consist of 15 members
15. A Committee on Crime Problems, to consist of 7 members.
16. A Committee on Direct Legislation, to consist of 7 members.
17. A Committee on Drainage, Swamp and Overflowed Lands, to consist of 13 members
18. A Committee on Education, to consist of 13 members

19. A Committee on Elections, to consist of 11 members.
20. A Committee on Engrossment and Enrollment, to consist of 5 members.
21. A Committee on Exhibitions and Fairs, to consist of 7 members.
22. A Committee on Federal Relations, to consist of 7 members.
23. A Committee on Financial Institutions (other than banking and building and loan associations), to consist of 7 members
24. A Committee on Fish and Game, to consist of 15 members.
25. A Committee on Governmental Efficiency and Economy, to consist of 11 members.
26. A Committee on Governmental Revenues and Expenditures, to consist of 5 members.
27. A Committee on Hospitals and Asylums, to consist of 11 members
28. A Committee on Insurance, to consist of 11 members.
29. A Committee on Introduction of Bills, to consist of 5 members.
30. A Committee on Irrigation, to consist of 17 members.
31. A Committee on Judiciary Codes, to consist of 15 members.
32. A Committee on Judiciary General, to consist of 15 members
33. A Committee on Labor and Capital, to consist of 13 members.
34. A Committee on Libraries, to consist of 5 members.
35. A Committee on Live Stock and Dairies, to consist of 9 members.
36 A Committee on Manufactures, to consist of 7 members
37. A Committee on Medical and Dental Laws, to consist of 9 members.
38. A Committee on Mileage, to consist of 5 members.
39 A Committee on Military Affairs, to consist of 9 members.
40. A Committee on Mines and Mining, to consist of 9 members
41. A Committee on Motor Vehicles to consist of 15 members.
42. A Committee on Municipal Corporations, to consist of 13 members
43 A Committee on Oil Industries, to consist of 9 members.
44. A Committee on Prisons and Reformatories, to consist of 11 members.
45. A Committee on Public Charities and Corrections, to consist of 9 members.
46. A Committee on Public Health and Quarantine, to consist of 9 members
47. A Committee on Public Morals, to consist of 11 members.
48. A Committee on Public Utilities, to consist of 11 members
49. A Committee on Revenue and Taxation, to consist of 15 members
50 A Committee on Roads and Highways, to consist of 15 members
51. A Committee on Rules, to consist of 7 members, including the Speaker and the Speaker pro tempore
52. A Committee on Social Service and Welfare, to consist of 9 members
53. A Committee on Soldiers and Sailors Affairs, to consist of 13 members.
54. A Committee on State Grounds and Parks, to consist of 7 members.
55. A Committee on State Colleges, to consist of 7 members.
56. A Committee on Unemployment, to consist of 7 members.
57. A Committee on Universities, to consist of 7 members.
58. A Committee on Ways and Means, to consist of 21 members

Committee Quorum.

76. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business. At least a majority of all members constituting such committee shall be required to report a bill out of committee.

Meetings of Standing Committees.

77. All standing committees shall meet at the hour provided by schedule, unless otherwise ordered by the Assembly. Committees may hold such additional meetings as the chairman of the committee may deem necessary; provided, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee by a majority vote of its entire membership shall order an executive session

Standing Committee Rules.

78. The Rules of the Assembly shall govern the conduct of all committee meetings whenever practicable. Each committee may adopt, by a majority vote of its entire membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

Signing Bills Out of Committee.

79. No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

Committee Expenditures

80. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the Chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess.

Committee on Attaches

81. The Committee on Attaches shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

Committee on Ways and Means.

82. The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly, and other than bills affecting existing departments of State Government which do not increase or decrease the salaries or expenses of such departments.

Whenever requested by the Assembly, the Chairman of the Committee on Ways and Means shall report the exact condition of legislation involving appropriations and the aggregate amount of all proposed appropriations pending before the committee. The committee may also report whenever necessary, their opinion as to the condition of the State revenues and expenditures.

Committee of the Whole.

83. The Assembly may resolve itself into a Committee of the Whole at any time, by a majority vote of the members present. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole. The Rules of the Assembly shall be observed in the Committee of the Whole so far as they may be applicable, except that the ayes and noes need not be taken.

A motion that the Committee of the Whole "do now rise and report back to the Assembly" shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered on the Journal except upon motion and a majority vote of the members present.

Reconsideration of Vote.

84. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the Unfinished Business Calendar, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. The notice of motion to reconsider may be called up by any member on the next legislative day after the notice of reconsideration of the bill, constitutional amendment, concurrent or joint resolution has been given.

Any member voting on any motion, amendment, concurrence, recedence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected Assembly membership, except that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of the entire Assembly elected membership.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

Printing.

Authority for Printing.

85. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be rendered by the State Printer within 30 days after completion of said printing. When

necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order

Printing Style, Form and Amount to Be Printed

86 Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Chief Clerk and approved by the Speaker or Chairman of Committee on Rules. All requests by members for additional copies of bills shall be referred to the Committee on Rules

Printing Assembly History.

87. The Chief Clerk shall cause to be compiled and printed during the constitutional recess, a Legislative Handbook and a Semi-Final Assembly History, together with an index, setting forth a complete History showing all actions on bills, constitutional amendments, concurrent, joint and house resolutions prior to the constitutional recess

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week, a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

Printing of Maps.

88. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership.

Rules.

Adoption of Standing Rules.

89 The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the entire elected membership. When once adopted, such Standing Rules shall remain in effect, unless suspended or amended as provided in these rules, until such time as other Standing Rules are adopted by a succeeding Legislature

Parliamentary Rules.

90. Roberts Rules of Order shall be the recognized authority on all occasions when the Assembly Rules are not applicable.

Suspension of Rules.

91. Unless otherwise specifically provided by law or Assembly rule, any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present, provided that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Amending Standing Rules.

92 No standing rule of the Assembly shall be amended except by an affirmtive recorded vote of two-thirds of the entire elected membership of the Assembly and one day's notice must be given on the motion thereof.

Temporary Rule.

93. The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly, such temporary rule shall have the effect for the time being, of a standing rule If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on Rules.

Miscellaneous.

Press Privileges.

94. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks; also the necessary rooms for the exclusive use of such accredited press representatives.

Privilege of Addressing the Assembly.

95. No person other than a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

Smoking in Assembly Chamber.

96. Smoking may be prohibited temporarily during any session of the Assembly by a majority vote of the members present.

Fees for Witnesses.

97. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars for each day such witness shall be required to appear, and the sum of three and one-half cents for each mile he shall travel in coming to and going from the place of examination.

Use of Assembly Chamber.

98. The Assembly Chamber shall not be used for any public or private business other than legislative matters, during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

Persons Admitted to Floor of the Assembly.

99. No persons other than members, officers, attaches, employees of the Legislature, former members of the Legislature, and accredited members of the press, shall be admitted to the floor of the Assembly during any session of the Assembly; provided that a guest of any member shall be admitted upon presentation of a guest card of said member, countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued Such guest shall be seated only at the member's desk issuing such card.

A special section in the balcony shall be reserved for those holding guest cards.

Lobbying in the Assembly Chamber.

100. All persons appearing, or being, or desiring to appear, or be, at or in the Assembly Chamber, or at or in any committee room of the Assembly for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Assembly, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Assembly upon any such bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection

This rule shall not apply to members of either house of the Legislature, to elected State officers, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person shall appear at or enter the Assembly Chamber, or any committee room of the Assembly, for the purpose of advocating the adoption or defeat of any bill, measure or resolution, without first having registered and secured the certificate, as herein provided

No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session The Speaker is charged with the enforcement of this rule This rule can not be suspended except by a two-thirds vote of the entire elected membership of the Assembly

Speaker Explains Order of Business.

101. The Speaker may, on his own motion or upon the motion of any member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable Such explanation is not to consume more than two minutes.

Sessions of Assembly Following Constitutional Recess.

Hour of Meeting.

Special Rule No 1 Following the constitutional recess, the Assembly shall meet promptly at two o'clock p m. daily (Sundays and Mondays excepted) unless otherwise ordered by a majority of the members present.

Resolution.

The following resolution was offered:

By Mr. Cassidy

House Resolution No. 21.

Resolved by the Assembly of the State of California, That the sum of $300, or as much thereof as may be necessary, be and the same is hereby appropriated out of the contingent fund of the Assembly to Frank N. Killam, Chief of the Bureau of Buildings and Grounds, to be expended by him for the purchase and installation of cabinets in the Assembly Stenographers' Room in the State Capitol, Sacramento, California; and be it further

Resolved, That the Controller is hereby directed to draw his warrant on the contingent fund of the Assembly in favor of Frank N. Killam in the sum of $300, or as much thereof as may be necessary, to carry out the provisions of this resolution.

Request for Unanimous Consent.

Mr. Cassidy asked for, and was granted, unanimous consent to take up House Resolution No. 21 at this time, without reference to committee or calendar.

House Resolution No. 21 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65

NOES—Hunt—1.

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 7, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 1.

J. A. BEEK, Secretary of Senate.

The above reported bill ordered to enrollment.

Motion to Print Report in Journal.

On motion of Mr. Boyle, the following Report of the Assembly Interim Committee on Intoxicating Liquor was ordered printed in the Journal:

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON INTOXICATING LIQUOR PURSUANT TO ASSEMBLY RESOLUTION ADOPTED JUNE 16, 1935.

Submitted to the Assembly of California on January 7, 1937.

COMMITTEE MEMBERS.

Hubert B. Scudder.
Chas. W. Lyon.
Harry B. Riley.
Melvyn I. Cronin.
James J. Boyle, Chairman.

In re Liquor Investigation Pursuant to Assembly Resolution Adopted June 16, 1935.

To the Assembly of the State of California:

Your Committee on Liquor Investigation and Study begs leave to report:

In recognition of the necessity for a careful study of the problems involved in the sale and use of alcoholic beverages within this State, the Speaker was authorized by appropriate resolution of the Assembly to appoint a committee for that purpose. During the same session the Senate authorized a similar committee and these committees have held joint meetings and have conducted their study jointly.

Because of the nature of the subject involved, your committee determined at its first session that it would confine itself to investigations and studies strictly within the scope of the purposes as outlined in the resolution authorizing its appointment. If the committee's work was to be effective, it was necessary to avoid spectacular hearings and to steer clear of entanglements which might in anywise stamp the committee as one seeking the limelight of front page publicity.

We are not unmindful that California is a large State and that it comprises people of many minds and with many and varied ideas as to the proper method of solving not only this but all other public problems. We also realize that there are communities that demand strict enforcement and others so constituted that they are agreeable to any reasonable laxity which enforcement officers may extend. The committee, therefore, has endeavored at all times to adhere strictly to the problem from a State-wide standpoint rather than engage in or become involved in local questions or in personalities. In this report where we have referred to particular classes of businesses our remarks are not to be deemed a reflection upon the general business conducted by any particular firm or class of firms, but only to discuss the method of business of such firms in so far as it affects the solution of the problem here being considered. We have not attempted to minimize the seriousness of certain situations and tendencies developing from the return of the legalized use of alcoholic beverages nor to magnify the benefits, nor has the committee been influenced in its report by any political effect upon the committee which a free and frank discussion of the problem involved requires. We trust, therefore, that those who read this report will bear in mind that we are dealing with the subject from a state-wide standpoint and not from the viewpoint of any particular local community, except as such viewpoint may affect the State problem, nor have we attempted to weigh the evils or benefits flowing from the legalized use of intoxicating liquor against the evils and benefits of prohibition. Our hearings were open, impartial and uninfluenced. All persons were invited, and given an opportunity to express their views. Public hearings were held in Los Angeles, San Francisco and Sacramento, at which all interested parties and organizations were invited and did participate. Much valuable material was assembled and many valuable suggestions made to the committee.

When initiative petitions were filed submitting proposed constitutional changes relating to this subject, the committee found it necessary to delay further study until after the result of the election was known. The measures referred to were defeated at the November election.

Since that time the members of the committee have not been able to continue their studies and therefore are unable to submit in detailed form the recommendations which it believes necessary if our laws are to provide for an effective and proper administration of the sale and use of alcoholic beverages. We do feel, however, that it will be helpful to the members of the Legislature and to the public generally to be advised as to some of the suggested changes, as well as some of the complications which might interfere with the enactment of desirable regulation.

The Situation Upon Return from Prohibition.

While legalizing the use of alcoholic beverages was anticipated for some time before it became a realization, the return from prohibition found this State poorly and inadequately equipped to meet the many complications and situations which developed when the return became effective. Not only was the State poorly equipped in regulatory measures but the drinking public was in no frame of mind to immediately submit to strict enforcement and strict regulation. This was due to the fact that during prohibition many people felt that they were being deprived of their constitutional liberties by the prohibition of the use of alcoholic liquor as a beverage and, as a result thereof, there grew up among a great number of our people a general disregard for law and order and constituted authority in so far as alcoholic liquor was concerned, and it was difficult to reestablish in the minds of these people a belief that strict regulation and control was necessary if the use of alcoholic liquor as a beverage was to continue. The legalization of the use of such beverage was accomplished by initiative measures which did not have the benefit of open discussion, constructive criticism and argument which similar measures usually have when they emanate from the Legislature. The drafters of such measure were controlled, more or less, by the dominant demand for legalization of the use of such beverages, rather than with the idea of providing proper enforcement machinery. No doubt, such drafters thought, and perhaps rightly, that the peace officers of the various communities were adequate to and would see that no abuses grew from the use of such liquors.

In casting about for a proper agency upon which to confer the duty of licensing the sale of alcoholic beverages, the drafters of such proposal selected the State Board of Equalization. The fact that revenues were to be derived from licenses and taxes imposed upon the privilege of selling intoxicating beverages prompted the selection of this board.

At that time, the Board of Equalization had little or no experience in matters other than those pertaining to taxation and no experience in enforcing police regulations and were unequipped with an organization for such purpose. But by the return measure this board was endowed not only with the duty of licensing and collecting taxes, but also authorized and directed to enforce all laws, rules and regulations which might be adopted or provided for a proper regulation of the sale and use of such beverages.

Perhaps in the first instance it would have been far wiser to have created a special department to handle all matters pertaining to the use of alcoholic beverages, but however that may be, the Board of Equalization having been selected for such purpose, and the people by their vote having imposed these duties upon it, the members rose to the occasion and undertook the job, perhaps without enthusiasm, but at least with as much vigor as could be expected from any commission or board.

The constitutional amendment so imposing these duties upon the board was indefinite and uncertain in many respects and the board, in attempting to function, found itself in a realm of uncertainty not only as to its powers, but likewise as to its authority to impose and enforce proper rules and regulations.

The board likewise was without any organization and without qualified or experienced enforcement officers to aid in the performance of the many duties which necessarily developed when it took on these new functions. Not only was the Board of Equalization surrounded by uncertainty as to the meaning and effect of the repeal amendment, but the public generally was confused as to the power and authority of the board and not infrequently assumed that the board was endowed with power that it never in fact possessed. Because of this situation much unjust criticism has been made of the board and of its various members.

After four years of experience, and of "trial and error", to use our President's expression, we find that the board has built up an organization well equipped to meet any contingency if and when the laws are amended in some of the particulars which we will hereinafter mention. But complete and satisfactory enforcement and regulation can come only through cooperation of local police and of local peace officers. The entire enforcement of all police regulations was never intended to be and is not in fact vested in the Board of Equalization. All regulations looking to the general welfare must still be enforced by local police and not by the Board of Equalization.

One of the frequent criticisms directed against the Board of Equalization is that there are too many licensees as well as that many of them do not possess a sufficiently good moral character to justify their engaging in the liquor business. Perhaps there is some truth to the charges, but when one stops to consider that upon the repeal of prohibition many of the applications for on-sale licenses were made by persons theretofore engaged in the illicit sale or the illicit purchase and consumption of alcoholic liquor, it is not surprising that some of the licensees are subject to the accusations made. These are being weeded out as rapidly as possible. Not only have many licenses been revoked, but a reissue of many of the original ones has been denied. It is hoped that eventually all licensees will appreciate that strict adherence to laws and strict regulation and enforcement is in the interest of their own businesses.

In studying the matters referred to it, the committee gave consideration to the constitutional provisions and the present statutory enactments, and some report should be made concerning these matters and the recommended changes.

The Constitution.

Considerable time was devoted by the Senate and Assembly committees in attempting to bring the various interests together on what we deemed to be a desirable constitutional amendment. After considerable effort we found it necessary to abandon all hope in that direction. This did not deter others from causing other proposals to be circulated and placed upon the ballot. The recent defeat of these proposals makes it necessary for us to rely upon the present constitutional provisions for authority to legislate, for the power of the Legislature is, of course, circumscribed by the provisions of the Constitution, for that is the organic law of the State and legislative acts must not conflict therewith.

The present constitutional provision reserves to the State the exclusive "right and power" to license and regulate the manufacture, sale, purchase, possession and transportation of alcoholic liquor within the State. Therefore, the legislative bodies of municipalities and political subdivisions have no power to legislate upon such matters as are so reserved for exclusive control by the State.

The Constitution further provides that intoxicating liquors, other than beer, shall not be sold or consumed in any public saloon or bar, excepting, however, that such liquor notwithstanding such provision, may be sold and consumed in a hotel, restaurant or other public eating house, or in clubs, even though such place have all the outward appearance of the old-time saloon. It readily will be noted that the Constitution does not prohibit the sale of liquor without a meal nor does it require the serving of meals when liquor is served, but it only requires that provision be made for the serving of meals to such customers as may desire to eat, and only in such quantities as the customer may wish.

This explanation is made because of the common belief that saloons are prohibited by the Constitution, while in fact the Constitution expressly provides for sale and consumption of intoxicating liquor under the same conditions as existed prior to prohibition, except that such place must be equipped for and be prepared to serve meals to the public.

A careful consideration of the constitutional provision above mentioned would seem to authorize the Legislature to impose any needful or reasonable regulation,

not prohibitory in its effect, as may be necessary to properly regulate the liquor business in the interest of society and the general welfare of the State

By the Constitution, the Board of Equalization is given the exclusive right and power to license the manufacture, importation and sale of intoxicating liquors in the State and to collect license tax and occupational taxes from those engaged in such business, and perhaps have power to fix the amount of such license and occupational tax. Perhaps also such license fee and tax may be regulated and fixed by the Legislature, at least, the power is in either the board or the Legislature, and perhaps in both.

From what we have said concerning the present Constitution, it is apparent, except in two important particulars, which will be mentioned, that the power of the Legislature to properly regulate the business is not materially restricted.

The two exceptions are (a) the Legislature can not prohibit the sale and use of liquor, and (b) the Legislature can not delegate the power to license and regulate the sale and use of intoxicating liquor to the legislative boards of cities and political subdivisions of the State. Not only the power, but the duty of enacting proper legislation is reposed in the State Legislature, and the power and duty of enforcing and carrying out proper legislation is by the Constitution vested in the Board of Equalization, aided, of course, by the police. The duty of enforcing all police regulations and all laws affecting the general welfare is still in the police.

These preliminary observations are desirable in order that the suggestions hereinafter made may be understood and appreciated.

Local Control.

The committee encountered considerable sentiment in favor of local control. However, an effort to make local option effective in this State was defeated in the recent election. Just how far local option would be helpful in removing some of the objectionable conditions is somewhat uncertain In the recently published volume entitled "After Repeal", the authors at page 70 say:

> "We have discussed the number of ways in which restrictions have been placed on private trade in the license systems. It remains to consider local option as a special kind of restriction which has been widely adopted. Local option is in reality a form of prohibition which exempts a county, city or community from the general State liquor law. Technically, this privilege might be utilized to exempt certain areas from a dry statute, but in practice local option is employed to enact a local prohibition law in an otherwise wet State. Consequently the Local Option Law as administered is welcomed as a weapon by the militant drys, who, defeated in nearly every State of the Union, are seeking opportunities to check liquor selling town by town, city by city, and county by county, with the view of reaching ultimately nation-wide prohibition Every victory on the question of local liquor sale brings them nearer their goal, and every defeat is to them merely a lull until the next vote. Local option thus serves to keep alive agitation and uncertainty in regard to the status and legitimacy of liquor in a particular community. This is especially true of localities where wet and dry sentiment is nearly even. Thus, where a vote is necessary to resolve the issue, it becomes, on the contrary, a vital factor in prolonging the strife Communities are constantly torn apart over a social issue in regard to which some element of certainty and continuity would seem to be desirable"

Mr Archer Bowden, City Attorney of San Jose, and Chairman of the Public Relations Committee of the League of Municipalities, when before the committee at its hearing at San Francisco, suggested that certain licenses be designated "local license" and that certain local control over the issuance thereof be extended to local authorities He said:

> "The things we are primarily interested in are:
>
> "'Limitations on Issuance of Local Licenses The following types of licenses are designated as local licenses:
>
> On-sale beer, on-sale beer and wine, off-sale beer and wine, off-sale liquor, and hotel and restaurant.
>
> The board shall not issue any local licenses until thirty (30) days after written notice to the chief of police and the city clerk in the city in which the premises of the applicant are located, or the sheriff and the county clerk of the county in which said premises are located (if outside of incorporated territory) of the making of said application, and the furnishing to said respective officers of a copy of the application for said license'"

Mr Bowden further said:

> "I do not think it (the license) should issue for a longer period than three years, and provide that after a license was issued it could not be revoked unless you found the men guilty of a violation of a law or conduct against the public interest, or it was felt that the number of licenses should be reduced. In other words, give the licensee a measure of protection against a revocation which was, you might say, arbitrary. In other words, you could not have an arbitrary revocation, at least during the life of the license; and one draft put in provides for automatic renewal of a license, but the wisdom

of that, I do not feel. But, after all, the industry is entitled to some measure of protection in that, if the man's license is taken away from him during the period, or if they do not renew it, if it is a short license, that that should be done only in the event that there has been some violation or the board feels that the number of licenses should be reduced."

In speaking in favor of local option, such as was presented at the last election, Senator E. E. Grant, representing the Local Option League, appeared before our committee at Los Angeles and in support of his contention that local option was desirable, said:

"There was a clamor for 13 years for the right of the people to determine whether or not they wanted prohibition. That clamor finally took effect and resulted in the repeal of the Eighteenth Amendment.

Now, it is just as logical, conceding that the opinion of the country at least was that prohibition after 13 years was a failure, that State control has failed too, and in presenting our amendment (the local option amendment) to you today, we are presenting it on the basis that State control has proven a positive failure, in attempting to handle the liquor problem in the State of California, and merely shifting the control from the State Board of Equalization, as has been suggested by City Attorney Bowden of San Jose, will by no means solve the problem, but merely complicate it by giving a little more red tape to work with when your municipalities go up before the State board asking for revocation of certain licenses, or asking that certain licenses that are sought be denied.

In saying that State control has failed and in saying that the administration of the State Board of Equalization also has failed, does not necessarily mean an indictment of the State Board of Equalization as such, because I think the stress under which they are working has absolutely proven that you can not handle the subject of liquor administration by remote control, and the vice of that situation is a body meeting in Sacramento, or possibly, as has been suggested, having local branches attempting to handle a local problem, which they can not handle nearly as well as can local officials, and under that particular plan you will merely find the local officials, the police departments, the mayors and city councilmen going up before that body in Sacramento, presenting their case before them, why a saloon should be denied here or a saloon license revoked there,—by merely presenting that before a body, when they know in their hearts that they know more about the local situation than the ones who are going to pass judgment on it.

I do not attempt to compete with the experts on city government, who have addressed you today. They have studied the question of municipal administration over a period of years, and it would take me a good many years to be even in a position to speak on common grounds with them."

But whatever benefits may flow from local option, it is apparent that it can not be resorted to in the full sense of the word under our present constitutional provision. As we view the Constitution, however, it does not deprive the Legislature from providing for some supervision by municipal authorities. The extent of local supervision believed by municipal students to be desirable, was well stated by Mr. E. H. Spoor, a councilman from Redlands, and president of the citrus belt division of the California League of Municipalities to the committee at its meeting in Los Angeles on December 4, 1936, at which time Mr. Spoor said:

"Among the numerous proposals the committee has received from constituents was that on-sale liquor establishments, to which my entire reference is made, be limited according to the population. There has not been any particular crystalization of that sort. There has been a very definite preponderance of sentiment in favor of higher on-sale licenses, possibly not less than $1000 a year, which would eliminate so many little places springing up, and often as Mr. Stout well knows, cause a little festering point. As Mayor Dodge of Indio just stated, perhaps 85 per cent of their difficulties in Indio, which, while it is a small town of course, but they have that entire metropolitan acqueduct group, comes from transients and whores by droves coming in there to take care of these boys. They have quite a problem there, probably far in excess the size of the town would indicate. Mayor Dodge said that some 85 per cent of their difficulties locally are caused by 15 per cent of the on-sale liquor places. There seems to be a very definite opinion that the high license would be desirable towards keeping out a lot of these smaller and less desirable places, and keep the on-sale liquor in the hands of more responsible people.

"The committee's one point, which it feels very strongly, and the one point which will be stressed in its recommendations to the exclusion of all others, is that all Board of Equalization licensees should be approved by the local division of government, in the case of county areas by the respective boards of supervisors. Note that we say the councils and the boards of supervisors. We do not say the police departments or the sheriffs' departments. I need not go into detail on that. There is no reflection on any police or sheriff department. But the elected constitutional authority in the cities

is the city councils. In our sixth class cities, which of course predominate in California, our police departments are all appointive, not elected by the people, and they are consequently not accountable to the people as an elected officer. Therefore, we feel it should be handled directly by the city council. I presume that in a large metropolitan area, such as Los Angeles, the council would have to have a committee which would act on those things. The modus operandi we are not concerned with. We do not care to suggest details. We would feel it a little presumptuous on our part to do it. That is the important point, that the licenses, all licenses, be approved by either the council or the board of supervisors.

Now as pertains to existing licensees, we find that we are in a very difficult position when we have trouble. All of the gentlemen present have had trouble in their towns, the selling of liquor to drunks, the selling of liquor to minors particularly is coming to the fore. There is a great deal of it, and while the people as a whole perhaps do not give a damn what is done to the drunks, whether he buys another drink or gets dead drunk or not, they do care what happens to minors and they feel very strongly on that point. It is not possible for the local authorities to really accomplish much. They can go out and make a pinch, but you know what happens. The committee proposes as far as existing licenses are concerned, that in the event there is cause to take action in a case that the local city council or the local board of supervisors be given authority to close the place of business, not to suspend the license or to revoke the license, but to close the place of business pending a hearing before the Board of Equalization, or its representative of course"

During the discussion, Mr. Bowden suggested an amendment as follows:

"The board may refuse a license or permit if, in its opinion, the premises on which the applicant proposes to conduct his business do not meet the requirements of this amendment, or the statutes adopted pursuant thereto, or if, in its opinion, the character of the applicant, or its officers, partners, members or directors is such that violations of said amendment or statutes would be likely to result if a license or permit were granted; or if, in its opinion, licenses or permits already granted for the particular locality are adequate for the reasonable needs of the community. Upon written demand by an applicant who has been refused a license or permit, the board shall, in writing, state its reasons for such refusal."

concerning which he said:

"We felt that giving the board discretion to say there are enough liquor places in a given area at a given time is better than to put a population limit on, for the reason that it is hard to get a limit which would fit both moist and dry territory, and that the tendency of the board would probably be to go up to a limit if you should have a fixed limit."

These suggestions are worthy of consideration and are probably as far as we can go in that direction.

We are requesting an opinion from the Attorney General upon the power of the Legislature to provide regulations along the line suggested by Mr. Spoor, and upon receipt of such opinion this committee will give further consideration to such suggestions and will thereupon make its recommendations concerning the same.

We have made some investigation as to provisions enacted by other States covering local control of the issuing and revoking of licenses and we find a number of States have provided for some local supervision somewhat similar to that suggested by Mr. Spoor.

The provisions made by some of the other States relative to the issuance of licenses are as follows:

The Nevada Act provides:

"Application for any of the licenses hereinabove described shall be made to the county commissioners of the county in which the applicant resides or maintains his principal place of business. (Sec. 5—Par. 7061 CCH.) The county commissioners shall approve or disapprove such applications, and in the event an application is disapproved by the county commissioners, the county commissioners shall forthwith return to the applicant the license fee accompanying such application. If the county commissioners approve an application they shall forward it to the State Tax Commission of the State of Nevada together with their written approval thereof and the license fee accompanying the same. Upon receipt thereof the State Tax Commission * * * shall forthwith issue the appropriate license to such applicant. (Sec. 6—Par. 7065 CCH.)"

The New Mexico Act provides:

"The Board of Liquor Control is vested with exclusive control over the issuance of licenses to and collection of license fees from distillers * * * (Sec. 1001—Par. 7245 CCH.) In addition to retailer's * * * licenses herein required to be secured from and provided to be issued by the State Board of Liquor Control, municipal corporations within local option districts are hereby vested with power and authority to * * * prescribe the terms under which

such licenses may be issued: * * * Provided, that * * * no license shall be issued by the municipality * * * to any person who shall not as a condition precedent thereto secure a license from the State Board of Liquor Control as herein provided (Sec. 1002—Par. 7246 CCH.)"

The New York Act provides:

"Every local board shall * * * have the following functions, powers and duties.

(1) To recommend to the liquor authority the issuance or the refusal of the issuance of licenses to sell alcoholic beverages at retail. (Sec 43, Par. 7088-7089 CCH.)"

Indiana also has a law which might very well be adopted as a model for California.

Limitation in Number of Licenses.

In Mr. Spoor's statement to the committee, hereinbefore referred to, he emphasized the desirability of reducing the number of licenses. Many others also took the same view. It is generally felt that there is no real necessity for so many such places and that a restriction in number would facilitate enforcement and promote the general welfare without any inconvenience to the consuming public. It has also been suggested that the number of licenses issued to one person or one corporation likewise be limited. Some go so far as to suggest that the sale of alcoholic beverages should be conducted in an establishment maintained for that purpose alone, thereby eliminating drugstores, grocery stores and similar places.

One of the suggestions concerning limitation was that licenses be issued upon a population basis. It was, therefore, desirable to know not only the number of licenses now issued but also the ratio they bear to population.

Mr. George Stout, the present Liquor Administrator under the Board of Equalization, furnishes the following information:

"RATIO OF "ON-SALE" LIQUOR LICENSES IN CALIFORNIA TO POPULATION.

NOTE: An "on-sale" license authorizes the sale of the alcoholic beverage specified in the license for consumption on the premises where sold, and to be eligible for an "on-sale" license, the premises must be a public eating place.* An "on-sale" beer and an "on-sale beer" and wine license also authorizes the exercise, with respect to the particular beverage or beverages mentioned in such license, of the rights and privileges granted by an "off-sale" beer and wine license. On trains and boats under such licenses, alcoholic beverages may be sold only to passengers or employees

Equalization District No. 1—

Counties	On-sale beer and wine	On-sale beer only	On-sale distilled spirits	Totals	Population (1930 census)	Ratio to population
San Francisco	1,991	221	1,194	3,406	634,394	1 to 186
San Mateo	333	99	204	636	77,405	1 to 122
Monterey	200	79	102	381	53,705	1 to 141
San Benito	43	8	20	71	11,311	1 to 159
San Luis Obispo	106	49	56	211	29,613	1 to 140
Santa Clara	344	152	149	645	145,118	1 to 225
Santa Cruz	162	82	90	334	37,433	1 to 112
Totals	3,179	690	1,815	5,684	988,979	1 to 174

* Does not apply in the case of "beer only" licenses

Equalization District No. 2—

Counties	On-sale beer and wine	On-sale beer only	On-sale distilled spirits	Totals	Population (1930 census)	Ratio to population
Alameda	983	262	446	1,691	474,883	1 to 281
Contra Costa	300	76	162	538	78,608	1 to 146
Amador	71	14	37	122	8,494	1 to 70
Sacramento	537	124	220	881	141,999	1 to 161
Fresno	339	162	103	604	144,379	1 to 239
Inyo	24	10	12	46	6,555	1 to 143
Kern	345	118	134	597	82,570	1 to 138
Kings	49	49	23	121	25,385	1 to 210
Madera	49	40	8	97	17,164	1 to 177
Mono	16	11	5	32	1,360	1 to 43
Tulare	139	83	38	260	77,442	1 to 298
Alpine	2	2	1	5	241	1 to 48
Calaveras	43	16	20	79	6,008	1 to 76
Mariposa	20	12	8	40	3,233	1 to 81
Merced	119	83	46	248	36,748	1 to 148
San Joaquin	414	130	152	696	102,940	1 to 148
Stanislaus	141	77	56	274	56,641	1 to 207
Tuolumne	71	17	36	124	9,271	1 to 75
Totals	3,663	1,286	1,507	6,455	1,273,921	1 to 197

Equalization District No. 3—

Counties	On-sale beer and wine	On-sale beer only	On-sale distilled spirits	Totals	Population (1930 census)	Ratio to population
El Dorado	71	33	34	138	8,325	1 to 60
Yolo	101	35	30	166	23,644	1 to 142
Solano	161	51	75	287	40,834	1 to 142
Del Norte	24	10	13	47	4,739	1 to 101
Humboldt	137	67	75	279	43,233	1 to 155
Lake	36	20	17	73	7,166	1 to 98
Marin	152	28	97	277	41,648	1 to 150
Mendocino	110	46	47	203	23,505	1 to 116
Napa	95	38	43	176	22,897	1 to 130
Sonoma	297	105	155	557	62,222	1 to 112
Butte	80	71	39	190	34,093	1 to 179
Colusa	31	24	16	71	10,258	1 to 144
Glenn	22	24	10	56	10,935	1 to 195
Nevada	99	23	59	181	10,596	1 to 59
Placer	124	46	65	235	24,468	1 to 104
Sierra	20	4	9	33	2,422	1 to 73
Sutter	21	40	8	69	14,618	1 to 212
Yuba	61	48	30	139	11,331	1 to 82
Lassen	39	15	14	68	12,589	1 to 185
Modoc	321	12	15	59	8,038	1 to 136
Plumas	54	25	34	113	7,912	1 to 70
Siskiyou	96	31	52	179	25,480	1 to 142
Shasta	70	47	37	154	13,927	1 to 90
Tehama	54	14	15	83	13,866	1 to 167
Trinity	13	7	6	26	2,809	1 to 108
Totals	2,000	864	995	3,859	481,556	1 to 125

Equalization District No. 4—

Counties	On-sale beer and wine	On-sale beer only	On-sale distilled spirits	Totals	Population (1930 census)	Ratio to population
Los Angeles	3,696	1,372	1,368	6,236	2,208,492	1 to 354
Orange	175	94	48	317	118,674	1 to 374
Riverside	206	104	61	371	81,024	1 to 218
San Bernardino	346	161	112	619	133,900	1 to 216
Imperial	158	41	44	243	60,903	1 to 251
San Diego	444	196	170	810	209,659	1 to 259
Santa Barbara	169	48	74	291	65,167	1 to 224
Ventura	122	38	28	188	54,976	1 to 292
Totals	5,316	2,054	1,705	9,075	2,932,795	1 to 323
Grand Totals—						
Entire State	14,157	4,894	6,022	25,073	5,677,251	1 to 226

NOTE.—It is realized there have doubtless been substantial changes in the population of California counties since the 1930 census, but inasmuch as that is the last reliable figure we have, we are using it in this computation.

RATIO OF "ON-SALE" LIQUOR LICENSES IN CALIFORNIA TO POPULATIONS OF CITIES WITH OVER 40,000.

Equalization District No. 1—

Cities of over 40,000 population	On-sale beer and wine	On-sale beer only	On-sale distilled spirits	Totals	Population (1930 census)	Ratio to population
San Francisco	1,991	221	1,194	3,406	634,394	1 to 186
San Jose	127	37	39	203	57,651	1 to 284
Totals	2,118	258	1,233	3,609	692,045	1 to 192

Equalization District No. 2—

Cities of over 40,000 population	On-sale beer and wine	On-sale beer only	On-sale distilled spirits	Totals	Population (1930 census)	Ratio to population
Berkeley	35	38	7	80	82,109	1 to 1026
Fresno	161	60	52	273	52,513	1 to 192
Oakland	690	153	304	1,147	284,063	1 to 248
Sacramento	376	71	152	599	93,750	1 to 157
Stockton	223	42	96	361	47,965	1 to 133
Totals	1,485	364	611	2,460	560,398	1 to 228

Equalization District No. 4—

Cities of over 40,000 population	*On-sale beer and wine*	*On-sale beer only*	*On-sale distilled spirits*	*Totals*	*Population (1930 census)*	*Ratio to population*
Los Angeles	2,235	712	683	3,630	1,238,048	1 to 341
Glendale	58	20	18	96	62,736	1 to 654
Long Beach	232	90	65	387	142,032	1 to 367
Pasadena	76	17	22	115	76,086	1 to 662
San Diego	344	114	143	601	147,995	1 to 246
Totals	2,945	953	931	4,829	1,666,897	1 to 345
Grand Totals—						
Entire State	6,548	1,575	2,775	10,898	2,919,340	1 to 268

NOTE—Equalization District No. 3 does not have any city with a population of over 40,000."

In connection with the matter of reducing the number of licenses, it was also suggested to the committee that there should be a limit in the number which could be held by any one individual or concern. This, of course, brings into the picture the chain organization and the number of licenses held by such organizations and the effect of the merchandising plan of such organizations.

According to the information furnished us by Mr. Stout, there are 249 multiple license holders, of which at least 145 are properly denominated chain organizations. Of these organizations the Safeway Stores top the list, holding 1142 retail licenses within the State of California. Owl Drug Company comes next with 200; Modern Food Company, 175; Great Atlantic and Pacific Tea Company, 101; Sontag's, 92; United Cigar Stores, 82; Thrifty, 56, and the other being limited in their number of licenses only by the number of places which they maintain. The total of such multiple retail licenses being 3338.

It has been represented to the committee that many of the chain organizations openly disregard the fair trade practice rules and that the parent organization purchases liquor in large quantities, frequently in carload lots from out-of-State distilleries and distributes it to the various retail establishments within the State. That by so doing they profit as a wholesaler as well as a retailer, which enables them to market at profit many of the popular brands of liquor below the market price. It is contended that by so doing they unfairly compete with the independent liquor dealers.

One of the suggestions made to the committee is that a chain organization should be restricted in the number of licenses which the organization could have in any one community, leaving it to the organization to designate which of its stores would handle liquor, and that all such organizations be required to respect the fair trade practice rules.

Mr. Tonkin of the Wholesale Liquor Distributors Association, said at the Sacramento meeting:

> "We believe that the incorporation of certain fair trade practice rules in the relation between producers, wholesalers and retailers, would be desirable in the interest of social control."

Other States have been confronted with similar situations and have met them not only by enforcing fair trade practice rules but also by limiting chain organizations in the number of retail licenses which they may hold in any one community. The industry itself, with the assistance of proper legislation, can easily do away with unfair competition, and we believe should do so. The United States Supreme Court in *Old Dearborn Dist. Co.* vs. *Seagram Dist. Corp.*, 81 U. S. Adv. 130, pointed the way to a very satisfactory solution of this problem, and the same court at the same term sustained the California Fair Trade Act in *Pep Boys* vs. *Pyroil Sales Co.*, 81 U S Adv. 138. Perhaps our Fair Trade Practice Act should be amended so as to take advantage of all the suggestions contained in the decision last above referred to.

Some of the States where limitation of licenses held by chain organizations has been imposed are New York, Texas and Indiana. Perhaps other States also have limitations, but these three were brought directly to the attention of the committee. In Texas a chain organization may hold three retail licenses; in Indiana, one; and in New York, one.

What we have said concerning chain organizations is not to be construed as an indictment against such organizations as such, nor is it an indication that this committee, or any member thereof, is opposed to chain organizations. Our remarks are directed solely to the manner in which such organizations display and sell intoxicating liquor and the effect the method pursued by such organizations has upon the use and sale of liquor within this State.

Many persons have suggested a material reduction in licenses and have frequently advocated that the basis for issuing licenses should be predicated on public necessity and convenience and in no instance exceed one to each 1000 in population in the metropolitan areas. Some exception, however, should be made in the sparsely settled districts. This entire matter requires further consideration by the committee before making a final recommendation.

Advertising and Indiscriminate Display of Liquor with Food Products.

Considerable objection was voiced to the display advertisements of the various brands of liquor, the contention being that the character of the advertisement tended to mislead the youth as to the dangers which might follow the use of intoxicating liquor It is a conceded fact that if intoxicating liquor is to be used as a beverage it then becomes necessary to properly inform all children that the use of such liquor is detrimental both to the mind and body of the growing child and that the use even by an adult must be with moderation.

When considering this suggestion we found the distillers very cooperative and many of the objectionable advertisements then being circulated were immediately withdrawn Further restrictions in advertising, no doubt, will be effected by the distillers themselves It not, then this subject will require legislation

Probably the most persuasive argument against the display of alcoholic beverages in food stores along with food and food products is that such a display disarms the youth as to the lurking dangers in the use of intoxicating liquor as a beverage The places most frequently referred to in connection with this criticism are the chain organizations frequented by women and children when conducting household marketing and presents an additional and perhaps the most forceful argument in favor of limiting the number of licenses which should be issued to such organizations

The argument is very persuasive that the liquor business should be conducted independently and that persons engaged in general business, other than restaurants and hotels, should not be permitted to handle or sell intoxicating liquor at retail

Perhaps the most effective indictment against the indiscriminate mixing of the liquor business with general merchandising of food and other similar products was made by Mr. George Young Hammond State Superintendent of the Anti-Saloon League, to the committee at Sacramento at which time he said:

> "If we can do something to decrease the consumption of liquor, crimes and tragedies will decrease proportionately Now the question is as to what can be done under the present set-up in California as long as the policy of having liquor sold under the law is permitted I believe there is something very definitely that can be done by the Board of Equalization I get it that what this committee wants to do is make recommendations that will eliminate some objectionable features To me the most objectionable feature in the present set-up is the widespread advertising and display of intoxicating liquors When I came to Los Angeles, I went to a store to get a bottle of milk. There was whiskey along with the milk on the counter * * * To me, the display of liquor has a greater effect upon the minds of getting people to drink than advertising * * * This committee could do nothing better than to recommend legislation that would prohibit the advertising and display of intoxicating liquor There is no other purpose of advertising than to increase the consumption of the thing advertised As you increase the consumption of liquor you get more money but you get these other things along with it deaths on the highway, etc There is no net profit in regard to liquor when you subtract these other things * * * The State of California should not permit a program that is counteracting what is taught in the schools against the use of alcohol California has one of the best laws in the country providing for the teaching of scientific truths about alcohol to children in the schools, and outside of the schools you have one of the biggest programs for advertising liquor on billboards, in magazines and newspapers, liquor displays in store windows, and even alongside of milk in food stores * * * I think that my two boys are in far greater danger today than in the saloon days My father could warn me against going to a saloon but now where can my boys go and not find it, even where they buy candy They got people to vote for repeal on the grounds that the saloon could not come back; thinking the saloon is the root of the evil We say liquor should be sold in saloons where it can be watched But we don't advocate sale of liquor anywhere We would not have any part in selling liquor in any way; but would rather have it sold in saloons than in drug stores and milk counters as we have it today."

The committee feels constrained to acquiesce in the contention that many persons now licensed are wholly unfitted to carry on the liquor business and that these persons, because of their disregard for all rules and regulations, have brought more or less discredit upon all engaged in the retail business. A satisfactory plan to eliminate these unscrupulous persons from further participating in the liquor business is absolutely necessary. Strict regulations and strict enforcement is but one of the means by which this can be accomplished Perhaps a more effective means would be to make the procuring of a license far more difficult and the revocation more certain to follow violation, so that when once acquired a license would have a real and substantial value. The owner would then not wish to jeopardize his license by infractions of the law.

Importation to Avoid Tax.

A practice has been developed in the matter of importation of liquor for use by Federal officers and employees on Government Reserves, such as March Field, Mare Island and other similar places, which would seem to be a fraud upon the State. This liquor is not imported for the use of the Federal Government but for the individual. The practice now followed is for the negotiations for the sale to be made in this State but the actual shipment to be made from some other State, frequently from Phoenix, Arizona. Occasionally, liquor is shipped from California to Phoenix and then from Phoenix back to its destination in California, to avoid the tax. Originally, it was believed that all inter-State shipments were protected by the inter-State commerce clause, but in the recent case of *State Board of Equalization* vs. *Young's Market*, the United States Supreme Court held otherwise, and pointed out that the repeal provision of the Federal Constitution prohibits the transportation or importation of intoxicating liquor into any State in "violation of the laws thereof." It therefore would seem that under this decision the State would have authority to impose a tax upon all such liquor, especially where it is not for the direct use of the Federal Government itself. There can be no justification for a Federal officer, whether in the Army, Navy or other branch of the government, evading the payment of the tax imposed by California upon liquor used within the State. Under this practice, a Federal employee, when on a Federal Reserve, escapes the payment of the tax by resorting to the subterfuge of having the liquor shipped to the Federal Reserve. Not only does the consuming individual escape his fair share of the tax so imposed, but it results in an unfair discrimination against such of our local wholesalers who refuse to resort to the practice. Under the present scheme the local wholesaler has his choice of paying the tax himself or losing the sale, or becoming a party to the fraud of shipping out of the State and reshipping to the Federal Reserve. Not only is the practice to be condemned but it should be made impossible. The highest penalties should be imposed upon any one who is either a party to or who conspires to either directly or indirectly evade the provisions of the Liquor Control Act, or who conspires to evade the payment of any tax imposed upon the use of liquor within this State.

Complications Resulting from Changing Social Status.

In pre-prohibition days the public use of hard liquor was very largely restricted to men. Women and children were prohibited from saloons. The bars themselves were conducted behind closed doors. During those days more advocates of temperance insisted that such regulations were desirable, in fact necessary, as a warning to the oncoming generation and to the protection of womanhood.

Without suggestion as to the reason for the change, it it a known fact that during and since the war there was a noticeable relaxation in the moral and social structure in so far as the use of alcoholic beverages is concerned.

While our Supreme Court has frequently upheld legislation which discriminated against women in the use of alcoholic beverages and in the frequenting of places where such liquor is dispensed, legislation of such character would no doubt now result in a storm of protest by a large class of people who believe in equal rights and equal privileges irrespective of the effect according such equal privileges might have.

The present trend of thought seems to be that all bars should be open to all people, irrespective of sex, and that they should be permitted to partake of alcoholic beverages in such bars, with the doors wide open and in full view of the passing school girls and school boys. We hesitate to predict the effect on the oncoming generation of a continuation of this situation or to suggest a remedy. We think there is a remedy and that there should be a change. As already pointed out, there is nothing in our present law which prohibits minors from entering places where intoxicating liquor is sold, although the sale to persons under 21 is prohibited. Because minors may lawfully enter, bartenders as well as enforcement officers are confronted with a difficult problem. So long as minors may enter places of this character, there will be a probability of their procuring liquor even though no sale is made to them. The most difficult part of the problem is the inability of the average person to determine the age of either a boy or a girl when they are approaching their majority. Many girls are mature and frequently married long before they arrive at the age of 21 years. They have all the appearance of a girl of 25 and if inclined to the use of intoxicating liquor do not hesitate to falsify their age. Perhaps the Constitution may prevent the enactment of legislation which we deem proper to meet this situation, but in the meantime, we should afford additional protection not only for the children but for the licensee honestly endeavoring to obey the law. Such licensee is entitled to some protection from being imposed on by a person who possesses the looks but lacks the age.

The whole problem here being considered deals with the social and economic welfare of our people and perhaps, therefore, the remedy should start in the home rather than at the bar. A complete answer can not be found in enforcement alone and experience shows that it can not be found in prohibition. Home training, proper instructions at school and moderation in the use of intoxicating liquor by the par-

ents, would at least be helpful. In suggesting home training and school instruction we are not depreciating the present instructions given at school nor the training now given at home, but the changed social conditions and the relaxation of our people toward enforcement of rules and regulations designed for their own welfare, justifies our emphasizing the necessity for bringing home to the youth, during his formative period, the effect of the excessive use of alcoholic liquor upon his mental and physical development.

General Conclusion.

From what has been said it is apparent that there are a number of very important questions of policy which must be determined before recommending the form of legislation as to the particular matters hereinbefore referred to.

Before passing the general discussions we desire to call attention to the fact that the many important duties now imposed upon the State Board of Equalization would seem to justify the active participation of a board of five elective members Under the present Constitution the Board of Equalization is made up of four elective members and one ex officio member. By the Constitution the State Controller is made ex officio member. Since that provision was written into the Constitution the duties of not only the Board of Equalization but also of the Controller have so materially increased that the Controller is pretty much occupied by his primary duties, whereas the demands on the Board of Equalization should require one actively engaged in the performance of such duties continuously.

Under the present set-up the southern part of the State represents more than one-half the voting population and more than one-half of the wealth of the State, yet it has but one elective member on the board. This condition should be changed and an additional elective member given the southern part of the State. We say this without any disrespect to the present State Controller, for he has rendered as efficient service as his other duties permit.

Additional Suggested Amendments.

At the last legislative session, Senate Bill No. 919, introduced by Senator Pierovich, was adopted as the measure regulating the sale and handling of intoxicating liquor within this State. While this measure was carefully drawn and contains many helpful regulations, there are some particulars wherein it could be amended which would be helpful in enforcement and in aid of the general welfare of society and of the State. The following are some suggested amendments which we submit for your consideration:

(a) A provision should be incorporated prohibiting the sale by any licensee of any preparation, except liquors, containing more than 60 per cent of alcohol by volume. Alcohol as such has no legitimate use as a beverage and if alcohol is to be purchased it should be purchased at a drug store upon prescription, yet many unscrupulous persons sell alcohol knowing it is to be used for beverage purposes.

(b) In the interest of promoting fair trade practices, retail licensees should be prohibited from giving premiums or free goods in connection with the sale of alcoholic beverages. Not infrequently, some organizations within the State selling well advertised and well-known national brands of alcoholic beverages, as an inducement give a premium, such as a lemon squeezer, a quantity of limes or other merchandise. At first blush this provision perhaps does not seem to be important, but in view of the fact that the United States Supreme Court has recently upheld the Fair Trade Practice Act in California, it would seem desirable to prevent its violation both directly and indirectly.

(c) No manufacturer, rectifier, distiller, importer or wholesaler, licensed under the California Act, should be permitted to have or to be interested in more than one off-sale license or conduct more than one off-sale business for the selling of alcoholic beverages at retail, nor be permitted to be a director or stockholder in any corporation holding such license, nor be permitted to hold any mortgage or lien upon any personal or real property used in the conducting of a retail business. The purpose of this provision is to prevent a retailer from procuring a wholesale license when he is not really engaged in the wholesale business, but only secures the wholesale license for the purpose of enabling him to purchase from the distiller or rectifier liquor at wholesale for the use in his retail establishments. In connection with this subject one of the retailers made the following observation:

> "We have very fine high-class places that have both a retail and wholesale department and it is a very legitimate business; but there has been and is a lot of abuse particularly by the chain outlets in the holding of both wholesale and retail licenses. We do not want to restrict anybody that is legitimately operating. On the other hand, take for instance firms like Thrifty and Sontag. They obtain a wholesale license which enables them to go direct to the manufacturer and distiller and get merchandise at prices comparable to those paid by the wholesaler and yet they have none of the expense or overhead of the wholesaler; the only expense they have is for the distribution of their

merchandise to their retail stores, which is very small in comparison to what the wholesaler's overhead is. In other words, they are enabled to take double profit on all their liquor sales and the chains have been hard to control on the retail price for that reason. They are in great competition with your independent liquor store, grocery store and drug store and also that ties in with what we will discuss with reference to limitation of licenses. It is difficult to compel them to maintain retail prices as they can afford by virtue of their wholesale buying to undersell the larger types of retailer and consequently obtain a far larger volume than they are entitled to. In other words, chains like Thrifty Drug and Sontag should be compelled by law to make a choice between the wholesale and retail business"

(d) Re-define and re-classify manufacturers so as to prohibit the distiller from selling direct to the retail licensee, and add an amendment that an importer's license can be held only by wholesaler, rectifier or manufacturer. The purpose of this is to correct another abuse and prevent the distiller from selling direct to the retailer. It is said that some distillers come into the market and sell to the wholesalers and then compete with the wholesalers by selling in large quantities to the retailer at a price comparable to that charged the wholesaler;

(e) License all brokers engaged in the alcoholic beverage business at a rate comparable to that paid by the wholesaler. The present practice is for the broker to sell warehouse receipts. They are not engaged strictly in the sale of alcoholic liquor but indirectly they are and they compete in this manner with the wholesaler. Such a license would put them on the same basis as wholesalers.

(f) Provide for uniform opening and closing of all retail places and businesses. The provision now for closing at two o'clock a.m. is not in the Liquor Control Bill. Hours for opening and closing should be directly provided for in the bill itself.

(g) The provision relating to delivery of alcoholic beverage during closing hours should be changed. Wholesalers should be prohibited from making any deliveries to the retailer on Sundays or on election days or during closed periods;

(h) In keeping with our suggestion that a license be made a thing of value so as to be a deterrent against violation by the licensee, we believe that the provision for automatic expiration of licenses in the present law should perhaps be changed so that a license when once issued should continue until revoked. In connection with this there should also be a provision for the transfer of the license from one person to another with the consent of the Board of Equalization. There are a number of laws now relative to transfer of business. In some instances notice must be given as a protection to creditors. The present act should be so amended that these provisions of the general law can be complied with and the business and license transferred without the necessity of closing the place of business during the transfer.

(i) The license fee should be graduated. There is no good reason for requiring a person in a sparsely settled community doing only a small business, to pay the same license fee as one engaged in a similar business in the center of a metropolitan area. Perhaps a minimum fee could be established, plus a certain percentage on the gross sales. This would remedy one of the objections now made against large hotels conducting a number of bars in their premises all under one license.

(j) Bond should be required from all persons engaged in the business, both retail or wholesale, not only to insure adherence to law but also as a guarantee for the payment of all tax.

(k) A stiff penalty should be provided for any unlicensed person selling alcoholic beverage upon which the State and Federal tax has not been paid In this connection it might be well to incorporate a conspiracy provision in the present act, to make all persons who conspire to evade the payment of any tax or who conspire to evade any of the provisions of the act, guilty of a conspiracy. This would have a very wholesome effect, upon persons not directly engaged in the business, and would cause a more wholesome respect for the law.

(l) Provide for confiscation by the State officers of all liquor found in the possession of a licensee upon which no tax has been paid. Also, authorize the confiscation of automobiles and paraphernalia used in connection with processing, manufacturing or delivering of alcoholic beverages on which no tax has been paid. At the present time it becomes necessary for the State officials to call in Federal officers in order to confiscate bootlegging paraphernalia. If we could broaden the provisions of the act, the State officers could take action directly without waiting for the Federal officers to show up. In connection with this the State officers should be given the same power which the Federal officers now have for confiscation of illicit liquors and for the disposal of the same.

(m) Directly impose upon the local police the duty of enforcing all police regulations as well as the provisions of the act in so far as they relate to the general welfare.

(n) The license imposed upon fraternal organizations and bona fide clubs, serving only their members or special guests, should be less than regular bars, for such organizations are not engaged in the business of selling intoxicating liquors in the strict sense of the word but provide such liquor solely for the use of their members and their convenience.

Summary.

When considering the public welfare, in connection with the use of intoxicating liquors we are forced to the conclusion that the sale and use of such liquor for beverage purposes must be restricted and confined to times, places and conditions which will afford the greatest protection against the abuse of the privilege consistent with the individual's rights as guaranteed by the Constitution. Not only must the individual be restricted to a moderate use but it must be made certain that he shall not indulge to such an extent that he becomes a menace to society. Experience extending back over many years, both before, during and since prohibition, shows that a proper regulation of the premises used, times when and conditions under which sales may be made, is absolutely essential and that the more strict such regulations are the better it will be for all concerned. But strict regulation with strict enforcement will avail nothing, and strict enforcement can not be had without the cooperation of the public itself. Strict regulations, with willing and efficient enforcement officers, together with public cooperation, will do more than anything else to continue the use of liquor as a beverage with the least detrimental effect. Wise and thoughtful liquor men realizing this to be so are anxious that the use of intoxicating liquor be brought under complete control by limiting regulations and strict enforcement.

While we have arrived at certain general conclusions and made a number of specific recommendations, we have not attempted to place these in the form necessary for adoption. We are, however, having the Legislative Counsel Bureau prepare measures covering the suggestions made in this report which will be introduced, not with the idea that they will be adopted in the form originally presented, but as a basis for discussion and further consideration, not only by the members of the Legislature, but by the public generally

From the foregoing report it can be seen that the work assigned us has not been fully completed This, however, was through no fault of our own. The delay in our work was inevitable under the circumstances.

In view of the investigations thus far conducted, we believe it would be helpful to the Assembly and beneficial to the State if this committee were permitted to continue until after the constitutional recess, and that it be permitted to hold further meetings and hearings at various times and places until it shall have completed the matters heretofore assigned it. We will at a proper time submit a resolution so continuing the committee

Respectfully,

HUBERT B. SCUDDER,
CHAS. W. LYON.
HARRY B. RILEY.
MELVYN I. CRONIN.
JAMES J. BOYLE, Chairman
Assembly Interim Committee on Intoxicating Liquor

Sacramento, California, January 5, 1937.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated

Assembly Bill No. 150: By Mr Voigt—An act to add section 108 to the Bank Act, relating to the regulation of the business of trust companies and to the solicitation of business by the trust companies.

Bill read first time and referred to Committee on Financial Institutions.

Assembly Bill No. 151: By Mr. Waters—An act authorizing the Director of Finance, upon behalf of the State, to prospect for, drill for, develop, extract, take and remove or dispose of, and to grant leases and easements for taking or extraction of, oil, gas or other hydrocarbons, or other minerals, of whatsoever kind, within and from certain lands belonging to the State; to acquire by purchase, eminent domain or otherwise, real property or interests therein necessary for the purposes of this act; providing for the disposition of all funds

received pursuant to the provisions hereof; repealing all acts or parts of acts inconsistent or in conflict with this act, and making an appropriation for the purpose of carrying out the provisions of this act.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 152: By Mr. Peyser (By request)—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions" approved June 5, 1933, relating to horse racing, to take effect immediately.

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

Assembly Bill No. 153: By Mr. Desmond—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

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

Assembly Bill No. 154: By Mr. Voigt—An act to amend section 4 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to reports and assessments.

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

Assembly Bill No. 155: By Mr. Voigt—An act relating to taxation, providing for bank and corporation taxes, and to carry into effect the provisions of sections 14 and 16 of Article XIII of the Constitution of the State of California.

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

Assembly Bill No. 156: By Mr. Voigt—An act relating to taxation providing for the levying and collection of a tax upon the incomes of individuals, estates, and trusts, and providing for the disposition of the revenue therefrom.

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

Assembly Bill No. 157: By Mr. Voigt—An act providing for the regulation of rates of interest on loans, and providing penalties for the violation hereof.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 158: By Mr. Voigt—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 159: By Mr. Voigt—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 160: By Mr. Voigt—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 161: By Mr. Voigt—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 162: By Mr. Voigt—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 163: By Mr. Voigt—An act to amend Chapter 5 of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 164: By Mr. Voigt—An act to amend Chapter 5 of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 165: By Mr. Voigt—An act to amend Chapter 5 of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 166: By Mr. Voigt—An act to amend Chapter 5 of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 167: By Mr. Voigt—An act to amend Chapter 5 of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 168: By Mr. Voigt—An act to provide for the calling of a Constitutional Convention in the State of California.

Bill read first time, and referred to Committee on Constitutional Amendments.

Assembly Bill No. 169: By Mr. Voigt—An act to provide for the calling of a Constitutional Convention in the State of California.

Bill read first time, and referred to Committee on Constitutional Amendments.

Assembly Bill No. 170: By Mr. Voigt—An act to amend the State Bar Act, relating to the practice of law.

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

Assembly Bill No. 171: By Mr. Voigt—An act to amend the State Bar Act, relating to the practice of law.

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

Assembly Bill No. 172: By Mr. Voigt—An act to amend section 4 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to reports and assessments.

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

Assembly Bill No. 173: By Mr. Voigt—An act to amend section ____ of the "Corporate Securities Act" relating to tipster sheets, section ______ of said act relating to sales by telephone and section ______ of said act, relating to the residence of agents, all relating to the sale of corporate securities.

Bill read first time, and referred to Committee on Corporations

Assembly Bill No. 174: By Mr. Boyle—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Bill read first time, and referred to Committee on Constitutional Amendments.

Assembly Bill No. 175: By Messrs. Pelletier, Lore, Hawkins, Clark, Peek, Reaves, Glick, and Tenney—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

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

Assembly Bill No. 176: By Mr. Pelletier—An act to amend section 2924½ of the Civil Code and section 580b of the Code of Civil Procedure, relating to deficiency judgments.

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

Assembly Bill No. 177: By Mr. Pelletier—An act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

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

Assembly Bill No. 178: By Mr. Pelletier—An act to add section 687.5 to the Code of Civil Procedure, relating to the sale of real property by writ of execution.

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

Assembly Bill No. 179: By Mr. Pelletier—An act to amend section 996 of the Political Code, relating to vacancies in office.

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

Assembly Bill No. 180: By Mr. Pelletier—An act to amend section 117 of the Code of Civil Procedure, relating to small claims courts.

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

Assembly Bill No. 181: By Mr. Pelletier—An act to amend sections 2 and 5 of the "Retail Sales Tax Act of 1933," relating to definitions and exemptions.

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

Assembly Bill No. 182: By Mr. Lyon—An act to amend section 786 of the Fish and Game Code, relating to lobsters.

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

Assembly Bill No. 183: By Mr. Hornblower—An act to amend sections 788, 789, 790 of the Fish and Game Code, relating to crabs.

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

Assembly Bill No. 184: By Mr. Beene—An act to amend section 224 of the Civil Code, relating to consent to adoption.

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

Assembly Bill No. 185: By Mr. Beene—An act to amend section 953a of the Code of Civil Procedure, relating to appeals from any court of record.

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

Assembly Bill No. 186: By Mr. Heisinger—An act to add a new section 670.5 to the Vehicle Code, relating to inspection of brakes of motor vehicles.

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

Assembly Bill No. 187: By Mr. Patterson—An act to amend sections 7 and 9 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to employers and employees subject to the act.

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

Assembly Bill No. 188: By Mr. Patterson—An act for the construction of two radio broadcast stations and the maintenance and operation thereof by the University of California, and making an appropriation therefor.

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

Assembly Bill No. 189: By Mr. Patterson—An act providing for completion of investigation and report by Division of Water Resources, Department of Public Works on flood control, hydro-electric development and conservation and utilization of water supply of Salinas River Basin.

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

Assembly Bill No. 190: By Mr. Rosenthal—An act to amend an act entitled "An act to establish a system of unemployment reserves for this

State, and making an appropriation therefor," approved June 25, 1935, as amended, relating to employers.

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

Assembly Bill No. 191: By Mr. Rosenthal—An act to amend section 657 of the Code of Civil Procedure, relating to new trials.

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

Assembly Bill No. 192: By Mr. Rosenthal—An act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Public Utilities Act.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 193: By Messrs. Rosenthal, Peyser, Dawson, Clark, Peek, Garibaldi, Gilbert, Hunt and Yorty—An act to amend sections 2, 4, 5, 7, 9, 10, 14, 15, 19 and 25 of Mortgage and Trust Deed Moratorium of 1935, approved June 21, 1935, relating to the relief of debtors and guarantors; declaring the urgency hereof and providing that it shall take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 193, at this time, without reference to print, committee or calendar.

Motion to Set Assembly Bill No. 193 as Special Order.

Mr. Rosenthal moved that the consideration of Assembly Bill No. 193 be made a special order for Tuesday, January 12, 1937, at eleven o'clock a.m.

The roll was called, and Assembly Bill No. 193 made a special order of business by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 193 ordered to print and placed upon the second reading calendar.

Assembly Bill No. 194: By Mr. Donnelly—An act to add section 129.5 to the Agricultural Code, relating to orchard pests.

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

Assembly Bill No. 195: By Mr. Donnelly—An act relating to insured deposits with building and loan associations.

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

Assembly Bill No. 196: By Mr. Donnelly—An act to amend section 396a of the Code of Civil Procedure, relating to place of trial of civil actions.

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

Assembly Bill No. 197: By Mr. Donnelly—An act to amend section 1011 of the Code of Civil Procedure, relating to service of notices and papers in civil actions.

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

Assembly Bill No. 198: By Mr. Turner—An act to amend sections 4.51 and 4.52 of the School Code, relating to the distribution of funds received by the State under the act of Congress approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain."

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

Assembly Bill No. 199: By Mr. Lyon—An act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and projects to provide dwelling accommodations for families of low income; to create such housing authorities in cities; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or the exercise of the power of eminent domain, and including borrowing money, issuing bonds and other obligations, and giving security therefor; to confer remedies on obligees of housing authorities; to provide that housing authorities, their property and securities shall be tax exempt; to provide that the bonds of the authority shall be legal investments, and declaring the urgency thereof.

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

Assembly Bill No. 200: By Mr. Clark—An act to amend section 702 of the Code of Civil Procedure, relating to redemption interest.

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

Assembly Bill No. 201: By Mr. Clark—An act to add sections 54.5 and 54.6 to Part II of Division First of the Civil Code, relating to the right to picket.

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

Assembly Bill No. 202: By Mr. Clark—An act to add Chapter 7 to Part 3 of Division II of the Labor Code, comprising sections 1120 and 1121, relating to the right to picket.

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

Assembly Bill No. 203: By Mr. Clark—An act to amend section 630 of the Probate Code, relating to summary probate proceedings.

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

Assembly Bill No. 204: By Mr. Clark—An act to amend section 692 of, and to add a new section to be numbered 692a to, the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust or mortgage

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

Assembly Bill No. 205: By Mr. Clark—An act to amend section 771 of the Probate Code, relating to stocks, bonds, and building and loan certificates.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 206: By Mr. Clark—An act to amend section 403 of the Vehicle Code, relating to liability for injuries or death of guests.

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

Assembly Bill No. 207: By Mr. Morgan—An act to amend section 463 of the Streets and Highways Code, relating to State highways.

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

Assembly Bill No. 208: By Mr. Morgan—An act to add a new section to the School Code to be numbered 2.95, relating to the powers and duties of superintendents of school districts.

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

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

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 6: By Mr. Johnson—Proposed amendment to Article VI, section 1a of the Constitution, relative to the Judicial Council.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 7: By Messrs Voigt, Meehan, Tenney, Cassidy, and Laughlin—Proposed amendment to Article IV, section 26, of the Constitution, relative to State lotteries.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 6: By Mr. Patterson—Relative to memorializing the President and Congress to enact legislation furnishing aid in the construction of check dams in the Salinas River Valley.

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 7: By Mr. Voigt—Relative to memorializing Congress to appropriate additional funds to expedite the completion of the Central Valley Project of the California State Water Plan.

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 8: By Mr. Heisinger—Relative to memorializing the President and Congress to set up a Farm Productions Board or Commission to regulate production and distribution of farm products and to adopt necessary legislation therefor.

Introduced, and referred to Committee on Federal Relations.

Adjournment.

At five o'clock and thirty-five minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock and fifty-five minutes a.m., Friday, January 8, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY
FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, FRIDAY, January 8, 1937.

At eleven o'clock and fifty-five minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk

Roll Call.

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

Andreas, Bayham, Boyle, Burns, Michael J., Cassidy, Clark, Cunningham, Daley, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, King, Latham, Lore, Lyon, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, Weber, Welsh, Yorty, and Mr Speaker—47.

Quorum present.

Prayer.

Prayer was offered by Rev William F Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Turner, the further reading of the Journal of Thursday, January 7, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr Beene, on motion of Mr O'Donnell
Mr. Breed, on motion of Mr. O'Donnell
Mr Burns, Hugh M., on motion of Mr O'Donnell.
Mr Call, on motion of Mr. O'Donnell
Mr. Corwin, on motion of Mr O'Donnell
Mr Cottrell, on motion of Mr O'Donnell
Mr Cronin, on motion of Mr O'Donnell
Mr Crowley, on motion of Mr O'Donnell
Mr Dannenbrink, on motion of Mr. O'Donnell
Mr. Dawson, on motion of Mr O'Donnell
Mr Field, on motion of Mr O'Donnell
Mr Gannon, on motion of Mr O'Donnell
Mr Garland, on motion of Mr. O'Donnell.
Mr Gilbert, on motion of Mr O'Donnell
Mr Glick, on motion of Mr. O Donnell.

Mr. Johnson, on motion of Mr. O'Donnell.
Mr. Kepple, on motion of Mr. O'Donnell.
Mr. Kuchel, on motion of Mr. O'Donnell.
Mr. Laughlin, on motion of Mr. O'Donnell.
Mr. Leonard, on motion of Mr. O'Donnell
Mr. Levey, on motion of Mr. O'Donnell.
Mr. Maloney, on motion of Mr. O'Donnell
Mr. Martin, on motion of Mr. O'Donnell
Mr. Mayo, on motion of Mr. O'Donnell.
Mr. Muldoon, on motion of Mr O'Donnell.
Mr. Peek, on motion of Mr. O'Donnell.
Mr. Peyser, on motion of Mr. O'Donnell
Mr. Redwine, on motion of Mr. O'Donnell
Mr Sawallisch, on motion of Mr. O'Donnell
Mr. Sheehan, on motion of Mr. O'Donnell
Mr. Walker, on motion of Mr. O'Donnell.
Mr Williamson, on motion of Mr. O'Donnell.
Miss Miller, on motion of Mr. O'Donnell.

Assistant Chief Clerk Greenburg Reading.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 209: By Messrs. Hunt, and Lyon—An act to amend section 314 of the Vehicle Code, and to add Chapter 4a, embracing sections 318 to 318.9, inclusive, 319, 320, 320.1, and 320.2 to Division IV thereof, relating to licenses and insignia issued to constant violators of rules governing the operation of motor vehicles

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

Assembly Bill No. 210: By Mr. Lyon—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to have Assembly Bill No. 210 placed upon the calendar without reference to committee.

Assembly Bill No. 210 ordered to print, and placed upon the second reading calendar.

Assembly Bill No. 211: By Mr. Morgan—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers.

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

Assembly Bill No. 212: By Mr. Andreas—An act to provide for the construction and operation of a State college to be located in the district between Pomona and San Bernardino, and providing the sum of $800,000 for the construction and operation thereof.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 213: By Mr. Andreas—An act to add Article 2 to Chapter 8 of Division V of the Agricultural Code, relating to eggs.

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

Assembly Bill No. 214: By Mr. Stream—An act to amend section 20 of an act entitled "An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner within the Department of Professional and Vocational Standards; and to provide for the enforcement of said act and penalties for the violation thereof," approved July 20, 1935, relating to the suspension and revocation of licenses.

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

Assembly Bill No. 215: By Mr. Stream—An act to amend section 1 of an act entitled "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motor boat regulation.

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

Assembly Bill No. 216: By Mr. Stream—An act to amend section 1103 of the Fish and Game Code, relating to the registration of vessels.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 217: By Mr. Stream—An act to amend sections 1, 2, and 3 of an act entitled "An act relating to the registration of vessels and requiring a tax clearance as the prerequisite for registration," approved June 1, 1935, relating to the registration of vessels.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 218: By Mr. Heisinger—An act to amend section 487 of the Penal Code, relating to grand theft

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

Assembly Bill No. 219: By Mr. Donihue—An act to amend an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the administration of the act.

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

Assembly Bill No. 220: By Mr. Donihue—An act to amend the Alcoholic Beverage Control Act, relating to the administration of the act.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 221: By Mr. Donihue—An act to amend the Retail Sales Tax Act of 1933, relating to the administration of the act.

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

Assembly Bill No. 222: By Mr. Donihue—An act to amend the Use Tax Act of 1935, relating to the administration of the act.

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

Assembly Bill No. 223: By Mr. Donihue—An act to amend the Motor Vehicle Fuel License Tax Act, relating to the administration of the act

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

Assembly Bill No. 224: By Mr. Donihue—An act to amend sections 3, 5, 6, 7, 8, 11 and 12 of the Motor Vehicle Fuel License Tax Act, relating to the assessment and collection of taxes

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

Assembly Bill No. 225: By Mr. Donihue—An act relating to the acquisition of Carquinez Toll Bridge.

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

Assembly Bill No. 226: By Mr. Donihue—An act to amend sections 3, 5, 6, 7, 8, 11 and 12 of the Motor Vehicle Fuel License Tax Act, relating to the assessment and collection of taxes

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

Assembly Bill No. 227: By Mr. Donnelly—An act prohibiting any bank, trust company and affiliated corporation from selling stock to employees or depositors and providing penalties for the violation thereof.

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

Assembly Bill No. 228: By Mr. Yorty—An act to amend section 2 of the Personal Property Brokers Act, relating to the definitions of terms used in the act.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 229: By Mr. Patterson—An act to amend sections 2 and 3 of, and to add section 25 to, the Old Age Security Act of the State of California, relating to aid to aged persons.

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

Assembly Bill No. 230: By Mr. Patterson—An act to amend sections 1, 10, 12, 21, 22, 23, 24 and 25 of the "Direct Primary Law," relating to nonpartisan offices.

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

Assembly Bill No. 231: By Mr. Patterson—An act to amend section 797 of the Fish and Game Code, relating to abalones.

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

Assembly Bill No. 232: By Mr. Patterson—An act to amend sections _____ of the Agricultural Code, relating to _____.

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

Assembly Bill No. 233: By Mr. Patterson—An act to amend sections _____ of the Agricultural Code, relating to _____.

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

Assembly Bill No. 234: By Mr. Welsh—An act to amend section 24 of, and to add sections 24.1 to 24.5, inclusive, to the State Bar Act, relating to admissions to the State Bar.

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

Assembly Bill No. 235: By Mr. Donnelly—An act to amend section 10 of an act entitled "An act to license and regulate the business of private detectives, investigators, and detective agencies," approved June 3, 1927, to exempt insurance adjusters from the provisions of said act.

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

Assembly Joint Resolution No. 9: By Mr. Heisinger—Relative to memorializing the President and Congress to set up a Central Valley Project Authority, and to adopt necessary legislation therefor.

Introduced, and referred to Committee on Federal Relations.

Resolution.

The following resolution was offered:

By Mr. Voigt:

House Resolution No. 22.

WHEREAS, City and county government is that part of the government most vitally concerned with the daily life of our citizens; and

WHEREAS, Such government is disintegrated, indirect, over-elaborate, unduly expensive, its methods obsolete, crude and extravagant and its functions largely removed from popular criticism and control; and

WHEREAS, It is necessary to correct this deplorable condition, and to propose legislation to correct inefficiency, extravagance and wastefulness, and to provide for the coordination of functions and the elimination of duplication; and

WHEREAS, Reliable and dependable information concerning such city and county government, their activities, cost of administration, methods of law enforcement and other things connected therewith, is necessary in order to propose such needed legislation; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on Local Governmental Organization to consist of five members of the Assembly appointed by the Speaker; and be it further

Resolved, That such committee is hereby authorized and directed to study and investigate the organization, functions, law enforcement and administration of city, city and county, and county government for the purpose of recommending changes and proposing legislation to remove the chaotic condition therein existing, to provide for the consolidation of functions and removal of duplication between such units of government, to increase the efficiency and effectiveness thereof, and to do any and all things necessary and proper in connection therewith to enable it to exercise the powers and perform the duties granted to it or imposed upon it by this resolution; and be it further

Resolved, That such committee may appoint a secretary and may employ such clerical and technical assistants and adopt such rules as it, in its discretion, deems necessary and proper to enable it to carry out in full force and effect the powers granted and the duties imposed herein; and be it further

Resolved, That the officers and employees of such governmental units shall give and furnish to such committee upon request such information, records and documents as the committee deems necessary or proper for the achievement of the purposes for which it was created; and be it further

Resolved, That such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description; to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; and be it further

Resolved, That the members of such committee are, and that each of them is hereby authorized and empowered to administer oaths, and that all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly is hereby directed to serve any and all subpenas, orders and other process that may be issued by such committee, when directed so to do by the committee or by the chairman thereof, and to do and perform any other service required of him by such committee or the chairman thereof; and be it further

Resolved, That such committee may exercise its powers and perform its duties during the sessions of the Assembly, between sessions thereof, during the constitutional recess, and after its adjournment, at such times and places as the committee determines; and be it further

Resolved, That such committee is authorized to hold hearings at any and all places in the State of California, at which hearings the people shall have opportunity to be present and present their views to such committee; and be it further

Resolved, That such committee shall file its report with the Assembly upon the convening of the fifty-third session of the Legislature, and that together with such report there shall be filed its findings and recommendations concerning legislation upon the subjects which it is authorized to investigate hereby; and be it further

Resolved, That for the purpose of paying the expenses of such committee and its necessary assistants, there is hereby appropriated from the contingent fund of the Assembly the sum of $10,000, to be disbursed after certification by the chairman upon warrants drawn by the Controller upon the State Treasurer.

House Resolution No. 22 read, and referred to Committee on Governmental Efficiency and Economy.

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 8, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended:

Assembly Concurrent Resolution No. 6.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.

The above reported bill ordered on unfinished business calendar.

Adjournment.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Hunt, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, January 11, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY
EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 11, 1937.

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

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

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

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Rosenthal, the further reading of the Journal of Friday, January 8, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leave of absence for the day:

Mr. Cottrell, on motion of Mr. Beene.

Mr. Cronin, on motion of Mr. Dawson.

Mr. Peyser, on motion of Mr. Dawson.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Charles Norman.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. I. M. Golden, guest of the San Francisco delegation.

On request of Mr. Burns, Michael J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John F. Roberts of Eureka.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Perry E. Seely of Los Angeles, and Mrs Cora Dahm of Sacramento.

On request of Mr. Baynham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. C. B. Offerbaugh of Pomona.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to his granddaughter, Miss Dorothy Elise Fox, laboratory technician at Sutter Hospital.

Communication.

The following communication was received and read.

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, CALIFORNIA, January 11, 1937.

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

The California Informant—Norman B. Hall.
The West Coast Brewer—Frank X. Flynn.
Stockton Record—C. Verne Scoggins.
On With Roosevelt News—Larry Gross.
Sportsman's Review—Carl F. Johnson.
Sportsman's Review—John P. Cassidy.
Sportsman's Review—L. I. Herrington
San Francisco Argonaut—John A Henshall.

JAMES G. SMYTH, Chief Clerk of Assembly.

Assistant Chief Clerk Greenburg Reading.

Resolution.

The following resolution was offered:

By the Committee on Attaches:

House Resolution No. 23.

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

Commencing January 11, 1937	*Per day*
Minna Laughlin, Stenographer	$5 00
Jane Caminetti, Stenographer	5 00
Agnes Shearer, Stenographer	5 00

Resolved further, That the compensation of the above named attaches shall be on a six-day per week basis.

Resolved further, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly to take effect on completion of the work, January 9, 1937:

	Per day
Elberta Elliott, Stenographer	$5 00
Correne Cordoni, Stenographer	5 00
Olga Clayton, Stenographer	5 00
Marion Hendricks, Stenographer	5 00
Jeanne Caire, Stenographer	5 00

House Resolution No 23 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M, Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson Yorty, and Mr. Speaker—71.

NOES—None

Proposed Amendments to Standing Rules.

The following proposed amendments to the Standing Rules of the Assembly were received and read:

By Messrs Peek, Boyle, Clark, and Hornblower

Amendment No. 1.

Rule 54 of the Standing Rules of the Assembly is amended to read as follows, to wit

"*Resolutions.*

54. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly. All Assembly resolutions shall be referred to the appropriate committee."

Amendment No. 2.

Rule 58 of the Standing Rules of the Assembly is amended to read as follows, to wit

'*Motion to Withdraw and Recall Bills*

58. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference

In the event a bill or resolution has been heard in committee and not reported favorably, a motion to withdraw the same shall not be in order except upon one day notice thereof."

Amendments read, and referred to Committee on Rules.

Resolutions.

The following resolutions were offered:

By Mr. Patterson:

House Resolution No. 24.

Relative to memorializing the President and the Congress of the United States to enact legislation providing for a maximum working day and week and minimum wages.

WHEREAS, The severe financial and economic depression for several years past has resulted in widespread unemployment among persons residing in the United States, and a vast increase in the number of persons required to be maintained through public relief agencies, which, by reason of the depression are unable to bear the financial burden thereby imposed, with the result that large numbers of persons are in distress and want, and

WHEREAS, The number of persons unemployed can be reduced and their condition of want and distress ameliorated by spreading the existing amount of work available among a greater number of individuals by limiting the hours of service in public and private employment; and

WHEREAS, The spreading of employment among a greater number of individuals through limitation of hours of service will be economically useless and socially harmful if wages are at the same time lowered to a point where a decent and appropriate standard of living for the American people can not be maintained, and

WHEREAS, The problem of working hours and wages is not confined to any one State, but exists in a greater or lesser degree in all of the States of the Union, and it is apparent that the legislative bodies of the various States feel a varying degree of responsibility for the improvement of the condition of the working people of their State, so that it is improbable that the various States will enact legislation with uniformly high standards; now, therefore, be it

Resolved by the Assembly of the State of California, That this body respectfully requests and memorializes the President and the Congress of the United States to enact appropriate legislation to shorten the work day and the work week sufficiently to absorb the greater number of the unemployed, and to provide for wages at a level sufficient to enable the people to live in appropriate comfort and decency, and if it be found impossible to do this under the present form and interpretation of the Constitution of the United States, that the President and the Congress of the United States take appropriate steps leading to the necessary amendments to the Constitution, and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and the members of the house of the Senate of the State of California

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up House Resolution No. 24, at this time, without reference to committee.

House Resolution No. 24 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

By Messrs. Tenney, Yorty, Richie, and Clark:

House Resolution No. 25.

WHEREAS, On August 9, 1935, eight members of Pacific Coast maritime labor unions, to wit, Robert J. Fitzgerald, Reuel Stanfield, Victor H. Johnson, Patsy Ciambrelli, John Sousa, John Rodger, Henry Silva and John Burrows, commonly referred to as the "Modesto Defendants," were convicted by a Stanislaus County superior court jury of charges of reckless possession of explosives in consequence of incidents arising out of the so-called "tanker strike" of the spring of 1936; and,

WHEREAS, The Board of Prison Terms and Paroles set sentences for the "Modesto Defendants" ranging from the maximum of five years for three of the men, four years for two others and three and one-half years for the remaining two, despite the jury's recommendation of leniency; and,

WHEREAS, It is claimed that the defendants were convicted largely through the testimony of one James Scrudder; and,

WHEREAS, It is alleged that on December 1, 1936, the aforementioned James Scrudder confessed that the convictions were secured on "framed" testimony given by him; and,

WHEREAS, It is further alleged that he had committed perjury on the witness stand at the instance of certain persons; and,

WHEREAS, Said charges of perjury are asserted to be substantiated by 18 dictaphone records of admissions made by the said James Scrudder and the affidavits of five witnesses who heard the admissions; and,

WHEREAS, The fifty-sixth annual convention of the American Federation of Labor on November 24, 1936, unanimously passed a resolution introduced by John O'Connell, delegate of the San Francisco Labor Council, urging the release of the "Modesto Defendants"; and,

WHEREAS, The San Francisco Labor Council on December 11, 1936, unanimously passed a resolution demanding immediate pardons for the "Modesto Defendants" and an investigation into the circumstances surrounding their conviction; and,

WHEREAS, The executive committee of the California State Federation of Labor on December 20, 1936, unanimously indorsed the resolution adopted by the San Francisco Labor Council demanding pardons for the "Modesto Defendants"; and,

WHEREAS, In the interest of justice and equity, and to maintain the confidence of the people of the State of California in the honesty and integrity of our courts and their officers, it should be determined whether there is any basis for the serious charges cited above; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly committee to consist of five members to be appointed by the Speaker of the Assembly, to make a special investigation to determine whether perjury and subornation of perjury were committed in connection with the conviction of said "Modesto Defendants"; and be it further

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

Resolved, That the sum of $1500, or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of defraying the expenses of the committee and of said investigation and for the employment of such clerical

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

House Resolution No. 25 read.

Motion to Refer House Resolution No. 25.

Mr. Dawson moved that House Resolution No 25 be referred to the Committee on Rules.

Request for Roll Call.

On request of Messrs. Hawkins, Pelletier and Flint, the Speaker ordered a roll call taken on the motion to refer.

The roll was called, and House Resolution No. 25 referred to the Committee on Rules by the following vote:

AYES—Baynham, Beene, Breed, Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Redwine, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, and Yorty—55.

NOES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Hawkins, Hunt, Meehan, Miller, George P., Patterson, Peek, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, and Mr. Speaker—17.

By Mr. Patterson:

House Resolution No. 26.

Relative to unfair and sub-standard wages paid to heavy truck drivers and highway equipment operators-laborers employed in the civil service of the State of California.

WHEREAS, There are many heavy truck drivers and highway equipment operators-laborers, members of the Civil Service system of the State of California, working for the Department of Public Works, Division of Highways, receiving only 62 cents per hour for a so-called eight-hour day, which in many instances stretches into nine, or nine and one-half hours, without pay for extra time; and in Monterey County, in particular, where such employees are employed at that wage the recognized unions of employees of a similar degree of skill, and doing similar work, receive a minimum wage for truck drivers and equipment operators of 75 cents per hour for an eight-hour day, with time and a half for overtime, and double time on Sundays and holidays; and

WHEREAS, While 62 cents per hour might be a proper wage for the probationary period in the Civil Service, most of the employees here concerned are far past their probationary periods, and some of them have worked at this minimum wage for many years; and

WHEREAS, The cost of living has continued to rise during the period of service of these employees, and many of them are under the necessity of maintaining homes for their families elsewhere than at the construction camps where they are employed; and

WHEREAS, It is highly unethical and against the public welfare for the State of California to compel its Civil Service employees to serve the State at a wage lower than that paid to union members doing similar work; now, therefore, be it

Resolved by the Assembly of the State of California, That, this body does hereby urge the appointing authorities of the State Civil Service system, the State Personnel Board, and the Director of Finance to take all necessary and proper steps in order that the Civil Service employees of the State of California shall not be compelled to serve the State at less than union wages and that due promotion and salary and wage increases be given in the Civil Service system in accordance with efficiency and length of service, and that copies of this resolution be transmitted to the Governor of the State of California, the Department of Public Works, to the Director of Finance, to each member of the State Personnel Board, and to the Executive Officer of the State Personnel Board.

House Resolution No 26 read, and adopted

Consideration of Senate Amendments to Assembly Concurrent Resolution No. 6.

Assembly Concurrent Resolution No. 6—Relative to the setting of a time and place of permitting Gavin W. Craig an opportunity of being heard in his defense of a complaint requesting his removal from office as an Associate Justice of the District Court of Appeal, Second Appellate District, Division Two

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 6?

Amendment No. 1.

In line 2, following the heading, strike out "fifth", and insert in lieu thereof the word "sixth".

Amendment No. 2.

On page 2, line 3, of the third paragraph, strike out "three", and insert in lieu thereof the word "five".

Amendment No. 3.

On page 2, line 3, of the fourth paragraph, strike out "House", and insert in lieu thereof the word "Assembly".

The roll was called, and Senate amendments to Assembly Concurrent Resolution No. 6 were concurred in by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—73.

NOES—None.

Assembly Concurrent Resolution No. 6 ordered to enrollment

Resolution.

The following resolution was offered:

By Mr. Redwine:

House Resolution No. 27.

Resolved by the Assembly of the State of California, That a copy of Assembly Concurrent Resolution No. 6 as adopted and a copy of the complaint of the State Bar of California requesting the removal of Gavin W. Craig filed with the Assembly be served personally upon the said Gavin W. Craig by the Sergeant-at-Arms of the Assembly; and that said service be made within the time set forth in said resolution and as directed by the Constitution of the State of California

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up House Resolution No. 27, at this time, without reference to committee.

House Resolution No. 27 read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—73

NOES—None

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Bill No. 236: By Mr. Hornblower—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

Bill read first time.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 236, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 236.

Message from the Governor.

The following message from the Governor was received and read.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 11, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

Assembly Bill No. 236—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

In my opinion said Assembly Bill No. 236 constitutes an urgency bill within the meaning of that term as used in section 4 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 236 as such an emergency measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Case of Urgency.

The following resolution was offered:

By Mr. Hornblower:

Resolved, That Assembly Bill No. 236 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Yorty, and Mr. Speaker—74

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 236.

Second Reading of Assembly Bill No. 236.

Assembly Bill No. 236—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—74.

NOES—None.

Third Reading of Assembly Bill No. 236.

Assembly Bill No. 236—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring

the urgency hereof, and providing that this act shall go into immediate effect.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 236.

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 236 was this day passed.

Second Reading of Assembly Bills.

Assembly Bill No. 193—An act to amend sections 2, 4, 5, 7, 9, 10, 14, 15, 19 and 25 of Mortgage and Trust Deed Moratorium of 1935, approved June 21, 1935, relating to the relief of debtors and guarantors; declaring the urgency hereof and providing that it shall take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 210—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Bill read second time, and ordered to engrossment.

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 11, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 7.

Senate Concurrent Resolution No. 2—Relative to Joint Rules of the Senate and Assembly.

J. A. BEEK, Secretary of Senate.

Assembly Concurrent Resolution No. 7 ordered to enrollment.

Senate Concurrent Resolution No. 2 read, and referred to Committee on Rules.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 3.

Assembly Concurrent Resolution No. 4.

Assembly Concurrent Resolution No. 5.

And reports the same correctly enrolled, and presented to the Governor on this eighth day of January, 1937, at eleven o'clock and thirty minutes a.m.

JAMES G SMYTH, Chief Clerk of Assembly.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 237: By Mr. Flint—An act to repeal an act entitled "An act to provide for the acquisition of the Sears Point Toll

Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor," approved May 16, 1933.

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

Assembly Bill No. 238: By Mr. Miller—An act to amend section 1032 of the Military and Veterans Code, relating to the Veterans Home of California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 239: By Mr. Lore—An act to amend section 580b of the Code of Civil Procedure and to repeal section 2924½ of the Civil Code, relating to deficiency judgments.

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

Assembly Bill No. 240: By Mr. Kepple—An act to amend section 206 of the Civil Code, relating to reciprocal duties of parents and children to maintain each other.

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

Assembly Bill No. 241: By Mr. Patterson—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

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

Assembly Bill No. 242: By Mr. Patterson—An act to add a new section to be numbered section 29½ to the Public Utilities Act, approved April 23, 1915, relating to reports of salaries and expenses of officers and employees of public utilities, and determination of rates.

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

Assembly Bill No. 243: By Messrs. Reaves, and Flint—An act to add a new section to the Political Code, to be numbered 3627b, relating to taxation, for State purposes, of vessels which are exempt from taxation except for State purposes, and providing for the assessment, levy, collection and enforcement thereof.

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

Assembly Bill No. 244: By Mr. Reaves—An act to impose a tax on the transfer of shares or certificates of stock, certificates of rights to stock, or certificates of deposits of stock, or bonds, and to provide for the collection thereof, to take effect immediately.

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

Assembly Bill No. 245: By Mr. Latham—An act to amend sections 12, 13 and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

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

Assembly Bill No. 246: By Mr. Patterson—An act to amend section 1197 of the Political Code, relating to election ballots.

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

Assembly Bill No. 247: By Mr. Patterson—An act relating to State lands, providing for the extraction of oil and gas therefrom by the State and for the sale of such oil and gas, and providing for the disposition of the proceeds thereof.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 248: By Mr. Patterson—An act levying a tax upon the privilege of severing, processing, or severing and processing all natural resources from the soil or water, including all forms of timber and other forest products, minerals, and oil and gas.

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

Assembly Bill No. 249: By Mr. Dannenbrink—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands

Assembly Bill No. 250: By Mr. Maloney—An act to amend sections 12 and 14 of an act entitled, "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

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

Assembly Bill No. 251: By Mr. Tenney—An act to add section 417 to the Vehicle Code, to require insurance against personal injury and property damage to be carried by commercial vehicles.

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

Assembly Bill No. 252: By Messrs. Maloney, Sheehan, Dawson, Hornblower, McMurray, Cronin, Williamson, Peyser, and Levey—An act providing for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939, providing for the construction of a State Building therefor and the gardening and improvement of its surrounding grounds, creating a California Commission for the Golden Gate International Exposition to have charge and control of said State Exhibit and Building, defining its powers and duties and making an appropriation therefor.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 253: By Messrs Maloney, Sheehan, Dawson, Hornblower, McMurray, Cronin, Williamson, Peyser, and Levy—An act to amend an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering of the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the pro-

visions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, by adding a new section thereto to be known as section 13.1 thereof relating to appropriations out of the fair and exposition fund to supplement other appropriations for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California in 1939.

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

Assembly Bill No. 254: By Mr. Lore—An act to amend sections_____ of the Agricultural Code, relating to plant and animal industry.

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

Assembly Bill No. 255: By Mr. Lore—An act to amend sections _____ of the Agricultural Code, relating to plant and animal industry.

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

Assembly Bill No 256: By Mr. Lore—An act to amend section 925 of the Penal Code, relating to legal and clerical assistance to the grand jury.

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

Assembly Bill No. 257: By Mr. Cassidy—An act to amend section 688 of the Political Code, relating to claims against the State of California.

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

Assembly Bill No. 258: By Mr. Yorty—An act to add section 12 (a) to the Personal Property Brokers Act, relating to regulation of the contracts of personal property brokers.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 259: By Mr. Yorty—An act to add four new sections to the Civil Code to be numbered 2981, 2982, 2983, and 2984, relating to conditional sale or lease contracts.

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

Assembly Bill No. 260: By Messrs. Burns, Michael J., and Dannenbrink—An act to amend section 4300g of the Political Code, relating to witness fees.

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

Assembly Bill No. 261: By Messrs. Williamson, Peyser, Cronin, Levey, McMurray, Dawson, Sheehan, Maloney, Hornblower, Weber, Breed, Johnson, Donihue, Cassidy, Dannenbrink, Meehan, Miller, Crowley, and Sawallisch—An act to add section 7 to The Retail Sales Tax Act of 1933, relating to exemption of vessels

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

Assembly Bill No. 262: By Mr. Williamson—An act to amend section 3 of the "Retail Sales Tax Act of 1933," relating to the levy of sales taxes.

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

Assembly Bill No. 263: By Mr. Williamson—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under

State authority, and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provision of this act, and to make an appropriation therefor," approved June 16, 1913, relating to the powers of the State Civil Service Commission.

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

Assembly Bill No. 264: By Mr. Williamson (By request)—An act to amend section 777 of the Vehicle Code and to add section 777.5 thereto, relating to the allocation of moneys out of the motor vehicle fund.

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

Assembly Bill No. 265: By Mr. Johnson—An act to amend section 1970 of the Civil Code, relating to the responsibility of employers for injury to or death of employees.

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

Assembly Bill No. 266: By Mr. Johnson—An act to amend sections 376 and 377 of, and to add section 377.5 to, the Code of Civil Procedure, all relating to actions for wrongful death.

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

Assembly Bill No. 267: By Mr. Boyle—An act to amend section 675 of the Political Code, relating to the Department of Finance.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 268: By Mr. Boyle—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions.

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

Assembly Bill No. 269: By Messrs. Hawkins, and Miller—An act to add to the Labor Code sections 1120 and 1121 to be known as Chapter 7 of Part 3 of Division II, relating to the disciplining or discharging of any employee upon a report by a special agent, detective or so-called spotter, and repealing an act relating to the same subject.

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

Assembly Bill No. 270: By Mr. Hawkins—An act to amend section 4452 of the Political Code, relating to liabilities of counties and cities for deaths and injuries to persons or property by mobs or riots.

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

Assembly Bill No. 271: By Mr. Boyle—An act to amend section 4225a of the Political Code, relating to cities of first and one-half class.

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

Assembly Bill No. 272: By Mr. Andreas—An act to appropriate $800,000 for flood control, including conservation and the relief of unemployment, in San Bernardino County and the Santa Ana River Basin.

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

Assembly Bill No. 273: By Mr. Cunningham—An act to amend sections 5, 6, 7, 8, 10, and 11 of, and to add section 13 to an act entitled "An act providing for the sale of certain State lands," approved May 19, 1915, as amended, relating to State lands, and declaring the urgency thereof, to take effect immediately.

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

Assembly Bill No. 274: By Mr. Voigt—An act to add a new section to the Streets and Highways Code, to be numbered 616, relating to State highways

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

Assembly Bill No. 275: By Mr. Andreas—An act to repeal section 588 of the Vehicle Code, relating to parking.

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

Assembly Bill No. 276: By Mr. Johnson—An act to amend sections 49 and 1624 of, add sections 43.5, 1590, 1606.5, and 1624.5 to, and to repeal section 3319 of, the Civil Code, all relating to causes of action based upon criminal conversation, seduction, alienation of affections and breach of promise.

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

Assembly Bill No. 277: By Mr. Johnson—An act to amend section 1418 of the Penal Code, relating to reprieves, commutations, and pardons.

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

Assembly Bill No. 278: By Mr Johnson—An act to amend sections 125, 374, 375, 1881, and 1973 of, and to add sections 341.5 and 1973.5 to, the Code of Civil Procedure, relating to causes of action for seduction, criminal conversation, alienation of affections, or breach of promise of marriage.

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

Assembly Bill No. 279: By Mr. Gannon—An act to amend section 978a of the Code of Civil Procedure, relating to undertakings on appeal.

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

Assembly Bill No. 280: By Mr. Gannon—An act to amend section 1197 of the Political Code, relating to election ballots.

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

Assembly Bill No. 281: By Mr. Reaves—An act to add a new section to the Streets and Highways Code to be numbered 144, relating to maintenance of street lighting systems on State highways.

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

Assembly Bill No. 282: By Mr. Maloney—An act to amend section 5 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results

thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

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

Assembly Bill No. 283: By Mr. Latham—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry.

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

Assembly Bill No. 284: By Messrs Tenney, and Yorty—An act to amend sections 131 and 132 of the Civil Code, relating to interlocutory and final decrees of divorce.

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

Assembly Bill No. 285: By Messrs Tenney, and Yorty—An act to amend section 92 of, and to add sections 108 and 109 to the Civil Code, relating to grounds of divorce.

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

Assembly Bill No. 286: By Mr. Miller—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

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

Assembly Bill No. 287: By Mr. Miller—An act to amend section 2349 of the Political Code, relating to navigable streams and public waterways.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 288: By Mr Gilbert—An act to add section 654d to the Penal Code, relating to false advertising by radio, and providing penalties for the violation thereof.

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

Assembly Bill No. 289: By Mr. Latham—An act to add a new section to the Political Code, to be numbered 4076a, relating to procedure for audit, allowance and payment or rejection of claims in counties governed by freeholders' charters.

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

Assembly Bill No. 290: By Mr Latham—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by amending sections 2, 3, 4 and 16 and by adding thereto certain new sections to be designated sections 2a, 2b, 2c, 2d, 2e, and 2f, respectively, relating to and providing for a civil service system for said district.

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

Assembly Bill No. 291: By Mr. Dilworth—An act to add section 1201.5 to the Penal Code, relating to motions after judgment.

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

Assembly Bill No. 292: By Mr. Stream—An act relating to the State prisons and the care and maintenance of prisoners therein; and to

provide for the reimbursement of the State on account thereof in certain cases.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 293: By Mr. Desmond—An act to amend section 3½ of the Contractor's License Law, relating to exemptions therefrom.

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

Assembly Bill No. 294: By Mr. Desmond—An act to add Title II, comprising sections 1804, 1805, 1806 and 1807, to Part IV of Division III of the Civil Code, relating to conditional sales.

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

Assembly Bill No. 295: By Mr. Desmond—An act to amend section 7 of the Alcoholic Beverage Control Act, relating to licenses.

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

Assembly Bill No. 296: By Burns, Michael J.—An act to add section 650.6 to the Fish and Game Code, relating to the manner of taking salmon in Districts 1½, 5, and the Klamath River District.

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

Assembly Bill No. 297: By Mr. Leonard—An act to amend section 4316 of the Political Code, relating to the privileges of public officers.

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

Assembly Bill No. 298: By Mr. Fulcher—An act to amend section 1 of an act entitled "An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State," approved June 25, 1935, relating to limitations on expenditures under said act.

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

Assembly Bill No. 299: By Mr. Desmond—An act to amend sections 8 and 10 of the Alcoholic Beverage Control Act, relating to licenses.

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

Assembly Bill No. 300: By Mr. Desmond—An act to add section 7.5 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages.

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

Assembly Bill No. 301: By Mr. Desmond—An act to amend section 51 of the Alcoholic Beverage Control Act, relating to the possession of alcoholic beverages.

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

Assembly Bill No. 302: By Messrs. Gilbert, and Hunt—An act to amend section 642 of the Streets and Highways Code relating to secondary State highways.

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

Assembly Bill No. 303: By Mr. Welsh—An act to amend section 3653.5, Political Code, relating to records of the assessor being open to inspection.

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

Assembly Bill No. 304: By Mr. Flint—An act to be known as the "Bookmakers' License Act," defining "bookmakers" and providing for licensing, bonding, regulating and supervising the activities of the same; providing for the enforcement of this act and prescribing penalties for the violation of the provisions hereof.

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

Assembly Bill No. 305: By Mr. Johnson—An act to repeal section 2.2140 of the School Code and to amend sections 2.2143 and 2.2145 thereof, all relating to the supervision of instruction in unified school districts, declaring the urgency thereof and providing that this act shall take effect immediately.

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

Assembly Bill No. 306: By Mr. Scudder—An act to amend section 811 of the Fish and Game Code, relating to cockles.

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

Assembly Bill No. 307: By Mr. Scudder—An act to amend section 7 of the California Nautical School Act, relating to admission fees.

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

Assembly Bill No. 308: By Mr. Gilbert—An act to amend section 171a of the Penal Code, relating to the conduct of prisons, jails, and reformatories.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 309: By Mr. Voigt—An act to amend section 335 of the Penal Code, relating to the duties of the Attorney General, district attorneys, sheriffs, constables, and police officers.

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

Assembly Bill No. 310: By Mr. Voigt—An act to add section 335a to the Penal Code, relating to prosecutions of public officers by the Attorney General.

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

Assembly Bill No. 311: By Messrs. Richie, Tenney, Hawkins, Lore, Clark, Pelletier, Yorty, King, Voigt, Gilbert, Rosenthal, Hunt, Reaves, Meehan, Cassidy, Miller, Flint, Laughlin, Welsh, Patterson, Donihue, Peek, and Maloney—An act to repeal "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919.

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

Assembly Bill No. 312: By Mr. Heisinger—An act to amend section 372 of the Vehicle Code, relating to registration of certain vehicles used for the transportation of persons or property in this State.

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

Assembly Bill No. 313: By Mr. Waters—An act to amend section 4307 of the Political Code, relating to county charges.

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

Assembly Constitutional Amendment No. 8: By Messrs. Maloney, Sheehan, Dawson, Hornblower, McMurray, Cronin, Williamson, Peyser, and Levey—Proposed amendment to Article XIII of the Constitution,

by adding section 1c thereto, relative to the San Francisco Bay Exposition.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 9: By Mr. Lore—Proposed amendment to Article XIII of the Constitution, by adding section 1d thereto, relative to exemption of property from taxation for local purposes by a county, city and county, or city.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 10: By Mr. Lore—Proposed amendment to Article XIII, section 14 of the Constitution, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 11: By Messrs. Williamson, Johnson, and Morgan—Proposed amendment to Article XX of the Constitution, repealing section 22, thereof relative to the rate of interest.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 12: By Messrs. Williamson, Johnson, and Morgan—Proposed amendment to Article XX of the Constitution, adding section 23 relative to the legal rate of interest.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 13: By Messrs Tenney, and Lore—Proposed amendment to Article IX of the Constitution, by adding section 9½ thereto, relative to the University of California.

Introduced, and referred to Committee on Constitutional Amendments.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 2.

Respectfully reports the same back with the recommendation: Be adopted

PEEK, Chairman.

The above reported bill ordered on third reading calendar.

Motion to Withdraw Complaint and Letter of Transmittal.

On motion of Mr. Redwine, the complaint and letter of transmittal relative to Gavin W. Craig was withdrawn from the Committee on Rules by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Motion to Print Complaint and Letter of Transmittal in Journal.

On motion of Mr. Redwine, the complaint and letter of transmittal relative to Gavin W Craig, was printed in the Journal by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—73.

NOES—None.

COMPLAINT AND LETTER OF TRANSMITTAL.

SAN FRANCISCO, January 4, 1937.

Hon. Wm. Moseley Jones, Spcaker of Assembly.
State Building, Sacramento, California.

DEAR MR. JONES: On November 20, 1936, the Board of Governors of the State Bar of California unanimously adopted a resolution urging that appropriate action be taken by the fifty-second session of the Legislature of the State of California to remove Gavin W. Craig from his office as Associate Justice of the District Court of Appeal of this State under the provisions of section 10 of Article VI of the Constitution.

Accordingly I am presenting herewith a complaint on behalf of the State Bar against Judge Craig which prays for his removal from this office

Respectfully yours,

CLAUDE MINARD,
Secretary of State Bar of California

Before the Legislature of the State of California, Fifty-second Session.

IN THE MATTER OF THE PROCEEDING FOR THE REMOVAL OF GAVIN W. CRAIG AS AN ASSOCIATE JUSTICE OF THE DISTRICT COURT OF APPEAL OF THE STATE OF CALIFORNIA, UNDER AND PURSUANT TO THE PROVISIONS OF SECTION 10, ARTICLE VI OF THE CONSTITUTION OF THE STATE OF CALIFORNIA.

Complaint.

Comes now the State Bar of California, and complains against Gavin W. Craig, and for cause of complaint respectfully represents and alleges as follows.

I.

That the State Bar of California is a public corporation having power to aid in the advance of the science of jurisprudence and in the improvement of the administration of justice.

II.

That at the primary election held on the twenty-eighth day of August, 1928, Gavin W. Craig was elected an Associate Justice of Division Two of the Second Appellate District of the District Court of Appeal of the State of California.

III.

That thereafter said Gavin W. Craig took the oath and assumed the office of said Associate Justice of said court, and now is, and at all times herein mentioned has been a judge of said court.

IV.

That on or about the fourteenth day of March, 1935, an indictment was returned by the Grand Jurors for the United States of America, impanelled and sworn, in the Central Division of the Southern District of California, and inquiring for the Southern District of California, to the District Court of the United States, in and for the Southern District of California, Central Division, charging Gavin W. Craig with a violation of section 88, Title 18, of the United States Code, charging specifically that said Gavin W. Craig, together with others, with full knowledge and notice that an indictment and criminal prosecution was pending and undetermined in the United States District Court for the Central Division of the Southern District of California, did, wilfully, unlawfully, corruptly and feloniously conspire, combine, confederate, arrange and agree together and with each other, and with divers other persons, to corruptly endeavor to influence, obstruct, impede, hinder and to corruptly influence, obstruct, impede, hinder and embarrass the due administration of justice in said criminal proceeding pending in said court and district aforesaid.

That thereafter and on the eighth day of May, 1935, after the trial of Gavin W. Craig in the District Court of the United States, in and for the Central Division of the Southern District of California, under said indictment, the same being

Criminal No 12337-H, the jury impanelled therein returned a verdict finding the defendant Gavin W. Craig guilty, as charged in the first count of the indictment, the same being a violation of section 88, Title 18, of the United States Code, as hereinbefore described. Thereafter, and on the tenth day of May, 1935, a motion for a new trial was made and argued on behalf of the defendant Gavin W. Craig and was denied by the court, thereafter, and on the same day a motion in arrest of judgment was made on behalf of said defendant and denied, and the judgment of the court was pronounced that the said Gavin W. Craig be assessed a fine of $1,000 and committed to the custody of the Attorney General of the United States for confinement in a jail for a period of one year Thereafter, a notice of appeal was given on behalf of said defendant and an appeal taken to the United States Circuit Court of Appeals for the Ninth Circuit.

That on the tenth day of February, 1936, the judgment of the District Court of the United States, in and for the Southern District of California, Central Division, was affirmed by the United States Circuit Court of Appeals for the Ninth Circuit.

Thereafter, an appeal was taken on behalf of said defendant to the Supreme Court of the United States, and on the twelfth day of November, 1936, the Mandate of the Supreme Court of the United States was issued, affirming the judgment of the District Court of the United States for the Southern District of California, Central Division.

V.

That the said judgment of conviction conclusively establishes that said Gavin W. Craig has been and is guilty of an offense involving moral turpitude, to wit, conspiracy to obstruct justice.

That the said Gavin W. Craig will be unable during the period of his confinement in the said jail to exercise the powers and duties of his office.

That the said Gavin W. Craig, as a result of the matters herein set forth, has completely lost his usefulness as a judicial officer; that his continuance in judicial office serves to seriously affect the administration of justice, detracts from the respect due courts and judicial officers, and constitutes a serious reflection upon the judiciary as a whole.

WHEREFORE, The said State Bar of California respectfully requests the Legislature of the State of California to remove Gavin W. Craig from office as a Justice of the District Court of Appeal of the State of California in accordance with the procedure provided in section 10 of Article VI of the Constitution of the State of California.

Dated, January 5, 1937. THE STATE BAR OF CALIFORNIA,
By CLAUDE MINARD, Secretary.

Adjournment.

At twelve o'clock and fifty-five minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until ten o'clock a m., Tuesday, January 12, 1937.

DAVID V OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY
NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 12, 1937.

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

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

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

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—80

Quorum present.

Prayer.

Upon invitation of the Speaker, prayer was offered by Miss Eleanor Miller, member of the Assembly from the Forty-seventh District.

Reading of the Journal Dispensed With.

On motion of Mr. Morgan, the further reading of the Journal of Monday, January 11, 1937, was dispensed with.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Joseph A. Brown, President of the Apartment House Association of California; Mr. Frank Helbing, Secretary of the Apartment House Association of California; and Mr. Oscar Curtaz, President of the Owners and Lessees Apartment House Association, Incorporated, all of San Francisco.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1937.

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 193. Assembly Bill No. 210. And reports the same correctly engrossed.

JAMES G. SMYTH, Chief Clerk of Assembly.

The above reported bills ordered on third reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined **Assembly Concurrent Resolution No. 1.**

And reports the same correctly enrolled, and presented to the Governor on this eleventh day of January, 1937, at four o'clock and fifteen minutes p.m.

JAMES G. SMYTH, Chief Clerk of Assembly.

Resolutions.

The following resolutions were offered:

By the Committee on Attaches:

House Resolution No. 28.

Resolved, That the following named person be stricken from the list of Assembly attaches, and her name be stricken from the pay roll of the Assembly to take effect on completion of the work, January 9, 1937

	Per day
Flora Rusich, Stenographer	$5 00

House Resolution No. 28 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Crowley, Daley, Dannenbrink, Desmond, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—64.

NOES—Williamson—1.

By Mr. Yorty:

House Resolution No. 29.

WHEREAS, The Honorable John Steven McGroarty has directed the attention of this body to the fact that "Only six years from now California will come upon the one shining milestone in her glamorous history, that anyone living in the present hour will see—the four hundredth anniversary of her discovery by Juan Rodriguez Cabrillo"; and

WHEREAS, It is fitting and proper that plans be now formulated for the celebration of this historic occasion; now, therefore, be it

Resolved, That a Special Committee of Five be appointed by the Speaker of the Assembly to consider methods of arranging for such celebration; and be it further

Resolved, That said committee shall meet during this first part of the session, or during the constitutional recess, and report its findings to this body not less than 30 days before the end of this fifty-second session of the California Legislature

House Resolution No. 29 read, and adopted.

By Mr Welsh:

House Resolution No. 30.

Resolved, That the mailing list of all bills, resolutions and Histories which the Chief Clerk is authorized to receive from members of the Assembly, as provided by a resolution adopted by the Assembly on January 4 1937, may include individuals and also court officers and employees This resolution amends and supplements said resolution of January 4, 1937, but the provisions thereof are not otherwise affected except as herein expressly provided.

House Resolution No 30 read, and adopted

By Mr. Boyle:

House Resolution No. 31.

WHEREAS, The Third General Assembly of the Council of State Governments will be held at the Mayflower Hotel, Washington, D. C., Thursday, Friday, Saturday, and Sunday, January 21-24, 1937, to deliberate upon important interstate problems requiring cooperative action by the States with each other, and with the Federal Government, and

WHEREAS, To such Third General Assembly will report the following interstate commissions and National associations:

Interstate Commission on Conflicting Taxation
Tax Revision Council
Interstate Commission on Crime
Interstate Commission on Social Security
Interstate Commission on the Delaware River Basin
Interstate Commission on Council Development
Interstate Commission on Conservation

American Legislators' Association
National Association of Attorneys General
National Association of Secretaries of State, and

WHEREAS, The aforesaid affiliates of the Council of State Governments are ready to present tangible recommendations, some in the form of model legislative measures, based on their studies during the interim since the Assembly of 1935, and

WHEREAS, The Third General Assembly offers an opportunity through section meetings for the consideration by the delegates of other matters requiring cooperative action, and

WHEREAS, It is believed that substantial benefits would result from this State's representation at the Third General Assembly, and that such Assembly offers a means of surmounting obvious difficulties arising in governmental activities due to the absence of facilities for conference between governmental units, and

WHEREAS, The Assembly of this State is invited to send a delegate to this Assembly; therefore, be it

Resolved, That the Assembly of the State of California hereby authorizes and instructs the Speaker of the Assembly to appoint a delegate to the Third General Assembly of the Council of State Governments, which convenes in Washington, D. C., on January 21, 1937 Such delegate shall be and is hereby instructed to return to this body and report the definite recommendations of the Third General Assembly; and be it further

Resolved, That the State Controller be and he is hereby directed to draw his warrant for the sum of $500 from the contingent fund of the Assembly, for the purpose of paying the expenses of the delegate to this Assembly appointed pursuant to the terms of this resolution The sum so drawn shall be subject to audit by the Controller of the State of California.

House Resolution No. 31 read.

Motion to Refer House Resolution No. 31.

Mr. Heisinger moved that House Resolution No. 31 be referred to the Committee on Rules

Motion lost.

Motion to Amend House Resolution No. 31.

Mr. Turner moved to amend House Resolution No. 31, by striking out the appropriation

Request for Roll Call.

On request of Messrs Heisinger, Flint, and Turner, the Speaker ordered a roll call taken on the motion to amend House Resolution No. 31.

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

AYES—Burns, Hugh M., Burns Michael J., Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, O'Donnell, Redwine Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, and Welsh—32.

NOES—Andreas, Beene, Boyle, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Desmond, Donihue, Flint, Fulcher, Glick, Hawkins, Hunt, King, Laughlin, Leonard, Levey, Lore, McMurray, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Stream, Tenney, Waters, Watson, Weber Williamson, Yorty, and Mr. Speaker—41.

The roll was called, and House Resolution No 31 adopted by the following vote:

AYES—Andreas Beene, Boyle Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Donihue, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—65

NOES—Burns, Michael J., Dannenbrink, Dilworth, Donnelly, Garland, Heisinger, Johnson, Richie, and Turner—9.

Reconsideration of Assembly Bill No. 236.

In compliance with a notice given on a previous day, Mr. Desmond moved that the vote whereby Assembly Bill No. 236 was passed be reconsidered.

The roll was called, and Assembly Bill No. 236 reconsidered by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65.

NOES—Breed, Call, Field, Hornblower, Kepple, Latham, Levey, Lyon, Morgan, Redwine, Waters, and Williamson—12.

Consideration of Assembly Bill No. 236.

Assembly Bill No. 236—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect

Special Order Set for Assembly Bill No. 236.

On motion of Mr. Desmond, the further consideration of Assembly Bill No. 236 was made a special order of business for Thursday, January 14, 1937, at eleven o'clock a.m.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 314: By Mr. Baynham—An act to amend "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering of the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

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

Assembly Bill No. 315: By Mr. Baynham—An act to amend section 80 and section 92 of the Agricultural Code, relating to county and district agricultural fairs.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 316: By Mrs. Daley—An act to amend section 1197a of, and to add a new section, to be numbered 1197d, to the Political Code, relating to initiative and referendum measures.

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

Assembly Bill No. 317: By Mrs. Daley—An act to amend sections 7, 23, 24 and 25 of, and to add a new section to be numbered 5.6 to, the Direct Primary Law, relating to candidates.

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

Assembly Bill No. 318: By Mrs. Daley—An act to add sections 410.5 and 410.6 to the Vehicle Code, and to amend sections 11731, 11732, 11738, 11739, 11740, 11770, 11778, 11784, 11820 and 11840 of, and to add section 11736.5 to, the Insurance Code, all relating to compulsory liability insurance on motor vehicles.

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

Assembly Bill No. 319: By Mrs. Daley—An act to amend section 3 of, and to add section 25 to, the Old Age Security Act of the State of California, relating to aid to the aged.

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

Assembly Bill No. 320: By Mrs. Daley—An act to amend section 5 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to the needy blind.

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

Assembly Bill No. 321: By Mr. Latham—An act relating to fees and taxes for and upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

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

Assembly Bill No. 322: By Messrs. Peek, and Reaves—An act granting to the city of Los Angeles and the city of Long Beach the right to adjust and straighten, and to survey, locate and establish dividing lines and property lines between tidelands and submerged lands heretofore granted to said cities and the lands abutting thereon, and to release certain lands from all tideland trusts.

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

Assembly Bill No. 323: By Mr. Pelletier—An act to amend Chapter 34, Statutes of 1927, entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said act," approved March 31, 1927, by adding a new section thereto to be known as 47a,

forbidding any member of the State Bar from practicing law in any other than his own name or jointly with other active members of the State Bar; and repealing all laws and parts of acts and laws in conflict therewith, and providing penalty for the violation thereof.

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

Assembly Bill No. 324: By Mr. Pelletier—An act to amend section 2924 of the Civil Code, relating to mortgages and trust deeds.

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

Assembly Bill No. 325: By Mr. Pelletier—An act to repeal the "Retail Sales Tax Act of 1933."

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

Assembly Bill No. 326: By Mr. Pelletier—An act to add new sections to the Civil Code to be numbered 2981 and 2982, relating to conditional sales of personal property.

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

Assembly Bill No. 327: By Mr. Pelletier—An act to amend sections 7, 23, 24 and 25 of, and to add a new section to be numbered 5.5 to, the Direct Primary Law, relating to candidates.

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 328: By Mr. Pelletier—An act relating to compulsory military training in the colleges and universities of the State of California.

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

Assembly Bill No. 329: By Mr. Pelletier—An act to add section 653h to the Penal Code, relating to installation of dictographs.

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

Assembly Bill No. 330: By Mr. Donnelly—An act to amend section 12907 of the Insurance Code, relating to the bond of the Insurance Commissioner.

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

Assembly Constitutional Amendment No. 14: By Mrs. Daley—Proposed amendment to Article XIII of the Constitution, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Bill No. 331: By Mr. King—An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up Assembly Bill No. 331, at this time, without reference to print, committee or calendar, and that the same be considered engrossed

Consideration of Assembly Bill No. 331.

Case of Urgency.

The following resolution was offered:

By Mr. King:

Resolved, That Assembly Bill No. 331 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is

hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—74.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 331, at this time.

Second Reading of Assembly Bill No. 331.

Assembly Bill No. 331—An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Third Reading of Assembly Bill No. 331.

Assembly Bill No. 331—An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 12, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on on this day passed:

Senate Bill No. 6—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs, declaring the urgency hereof, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 6 read first time.

Request for Unanimous Consent.

Mr. Scudder asked for unanimous consent to take up Senate Bill No. 6, at this time, without reference to committee or calendar.

Mr. Voigt withheld his consent.

Senate Bill No. 6 referred to Committee on Exhibitions and Fairs.

Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration

Consideration of Assembly Bill No. 193.

Assembly Bill No. 193—An act to amend sections 2, 4, 5, 7, 9, 10, 14, 15, 19 and 25 of Mortgage and Trust Deed Moratorium of 1935, approved June 21, 1935, relating to the relief of debtors and guarantors; declaring the urgency hereof and providing that it shall take effect immediately.

Special Order Set for Assembly Bill No. 193.

On motion of Mr. Rosenthal, the further consideration of Assembly Bill No. 193 was made a special order of business for Thursday, January 14, 1937, at ten o'clock and thirty minutes a.m.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 332: By Mr. Hawkins—An act to add a new section to be numbered 161 to the Streets and Highways Code, relating to traffic lanes.

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

Assembly Bill No. 333: By Mr. Maloney—An act to add a new section to the Civil Code to be numbered section 2301, relating to the liability of natural persons or corporations hiring, securing the appointment of, or supervising a patrolman, policeman, sheriff, or deputy sheriff.

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

Assembly Bill No. 334: By Messrs. Rosenthal, Peyser, Dawson, Clark, Peek, Garibaldi, and Watson—An act to amend sections 2, 4, 5, 7, 9, 10, 14, 15, 19 and 25 of Mortgage and Trust Deed Moratorium of 1935, approved June 21, 1935, relating to the relief of debtors and guarantors; declaring the urgency hereof and providing that it shall take effect immediately.

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

Assembly Bill No. 335: By Mr. Rosenthal—An act to amend sections 2 and 3 of the Old Age Security Act of the State of California, relating to aid to the aged.

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

Assembly Bill No. 336: By Mr. Rosenthal—An act to amend sections 2020 and 2160 of the Welfare and Institutions Code, relating to aid to the aged.

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

Assembly Bill No. 337: By Mr. Rosenthal—An act to amend section 2924 of the Civil Code, relating to transfers of property as security for the performance of another act.

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

Assembly Bill No. 338: By Mr. Rosenthal—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus.

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

Assembly Bill No. 339: By Mr. Rosenthal—An act to amend section 581 of the Code of Civil Procedure, relating to the dismissal of civil actions.

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

Assembly Bill No. 340: By Mr. Rosenthal—An act relating to compulsory military training in the colleges and universities of the State of California.

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

Assembly Bill No. 341: By Mr. Rosenthal—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial.

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

Assembly Bill No. 342: By Mr. Rosenthal—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing, to take effect immediately.

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

Assembly Bill No. 343: By Messrs. Williamson, Johnson, and Morgan—An act, to be known as the Usury Law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, and providing penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 344: By Mr. Tenney—An act to amend section 588 of the Vehicle Code, relating to standing or parking on State highways.

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

Assembly Bill No. 345: By Mr. Cottrell—An act to amend section 36 of the Civil Code, relating to contracts of minors.

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

Assembly Bill No. 346: By Mr. Peyser (By request)—An act to amend section 542 of the Code of Civil Procedure, relating to attachments.

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

Assembly Bill No. 347: By Mr. Peyser—An act to amend section 663 of the Probate Code, relating to vesting of homestead.

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

Assembly Bill No. 348: By Mr. Burns, Michael J.—An act to amend section 1015 of the Fish and Game Code, relating to packing and reduction licenses.

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

Assembly Bill No. 349: By Mr. Garibaldi—An act to amend section 2 of the "Alcoholic Beverage Control Act," relating to definitions.

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

Assembly Bill No. 350: By Messrs. Clark, Waters, and Peek—An act to amend section 608 of the Probate Code, relating to appraisements.

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

Assembly Bill No. 351: By Messrs Clark, Lore, Peek, and Rosenthal—An act relating to and providing for the calling and holding of a convention to revise the Constitution of this State, including the election of delegates, the proceedings, powers, and duties of the convention and the delegates, and the submission to the people of the Constitution that may be agreed upon by the convention, and making an appropriation therefor.

Bill read first time, and referred to Committee on Constitutional Amendments.

Assembly Bill No. 352: By Messrs. Clark, and Peek—An act to add a new section to the Civil Code, to be numbered 137.5, relating to attorney's fees granted in actions for divorce or separate maintenance.

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

Assembly Bill No. 353: By Messrs. Clark, and Peek—An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the District Courts of Appeal and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges.

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

Assembly Bill No. 354: By Messrs. Clark, Waters, and Peek—An act to amend section 18 of the Inheritance Tax Act of 1935, relating to the levying of inheritance taxes.

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

Assembly Bill No. 355: By Mr. Latham—An act to amend section 16 09 of the Building and Loan Association Act, relating to building and loan associations, to take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr Latham asked for unanimous consent to take up Assembly Bill No. 355, at this time, without reference to print, committee or file, and that the same be considered engrossed.

Mr. Johnson withheld his consent

Assembly Bill No. 355 referred to Committee on Building and Loan Associations.

Assembly Bill No. 356: By Mr. Patterson—An act to amend section 1197 of the Political Code, relating to election ballots.

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

Assembly Bill No. 357: By Mr. Patterson—An act to amend sections 10, 12, 21, 22, 23, 24 and 25 of the Direct Primary Law, relating to nonpartisan offices.

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

Assembly Bill No. 358: By Mr. Lore—An act to amend sections ------ of the School Code, relating to the establishment, government, maintenance and operation of the public school system.

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

Assembly Bill No. 359: By Mr. Lore—An act to amend sections ------ of the Old Age Security Act of the State of California, relating to aid to the aged.

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

Assembly Bill No. 360: By Mr. Lore—An act to amend sections ------ of "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to aid to indigents.

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

Assembly Bill No. 361: By Mr. Lore—An act to amend sections ------ of the Welfare and Institutions Code, relating to aid to the aged.

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

Assembly Bill No. 362: By Mr. Lore—An act to create State Housing Authorities to engage in slum clearance and projects to provide dwelling accommodations for families of low income, to permit State Housing Authorities to cooperate and contract with Federal agencies.

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

Assembly Bill No. 363: By Mr. Lore—An act to amend sections ------ of the Welfare and Institutions Code, relating to aid to indigents.

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

Assembly Bill No. 364: By Mr. Lore—An act to amend sections ------ of the Vehicle Code, relating to motor vehicles.

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

Assembly Bill No. 365: By Mr. Lore—An act to amend sections ------ of the Vehicle Code, relating to motor vehicles.

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

Assembly Bill No. 366: By Mr. Lore—An act to amend sections ------of the Streets and Highways Code, relating to public ways.

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

Assembly Bill No. 367: By Mr. Lore—An act to amend sections ------ of the Streets and Highways Code, relating to public ways.

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

Assembly Bill No. 368: By Mr. Lore—An act to amend sections ------ of "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to unemployment reserves.

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

Assembly Bill No. 369: By Messrs. Pelletier, and Hawkins—An act to amend section 56 of the Labor Code and to add Chapter 6, consisting of sections 150, 151, 152, and 153 to Division I of the Labor Code, relating to the creation within the Department of Industrial Relations of a Division of the Deaf and Deafened, to provide for the appointment as chief of a competent deaf person, to define his duties and authority, and to provide for compensations and the necessary funds for the maintenance of the division.

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

Assembly Bill No. 370: By Messrs. Pelletier, and Hawkins—An act to amend section 364a of the Political Code and to add sections 364k, 364*l*, 364m, and 364n thereto, relating to the creation within the Department of Industrial Relations of a Division of the Deaf and Deafened, to provide for the appointment as chief of a competent deaf person, to define his duties and authority, and to provide for compensations and the necessary funds for the maintenance of the division.

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

Assembly Bill No. 371: By Messrs. Pelletier, and Hawkins—An act requiring public officials to exercise tolerance in their dealing with the public and providing for their dismissal if they do not, and prescribing instruction in the public schools as to the necessity of tolerance under the constitutional guarantees of equal privileges and immunities and equal protection of the laws.

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

Assembly Bill No. 372: By Mr. Turner—An act to provide for deductions of pensions from the salaries of public employees.

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

Assembly Bill No. 373: By Mr. Gilbert—An act to amend sections 2 and 3 of the Old Age Security Act of the State of California, relating to aid to the aged.

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

Assembly Bill No. 374: By Mr. Gilbert—An act to amend sections 2020 and 2160 of the Welfare and Institutions Code, relating to aid to the aged.

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

Assembly Concurrent Resolution No. 9: By Messrs. Garibaldi, Burns, Hugh M., and Sheehan—Relative to the death of the son of Senator William Gibbs McAdoo.

Request for Unanimous Consent.

Mr Garibaldi asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 9, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 9.

Assembly Concurrent Resolution No. 9—Relative to the death of the son of Senator William Gibbs McAdoo

Assembly Concurrent Resolution No 9 read, and unanimously adopted.

Title read and approved. Assembly Concurrent Resolution No. 9 ordered to print, and transmitted to the Senate.

Assembly Concurrent Resolution No. 9.

Relative to the death of the son of Senator William Gibbs McAdoo.

WHEREAS, The members of the Assembly and the Senate of the State of California have learned with profound sorrow of the passing of the son of William Gibbs McAdoo, Democratic Senator from California; and

WHEREAS, We know that the death of this devoted son has brought sorrow to Senator McAdoo and the immediate members of his family; and

WHEREAS, It is God's wisdom that he be taken from this earth, and be given his just reward in the life beyond for the many kind deeds he has rendered to humanity during his lifetime, and

WHEREAS, His loss will not only be a loss to the immediate members of his family but a loss to those who knew him while he was living, now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That when the Legislature adjourns this day, it do so out of respect to the memory of the late Robert N. McAdoo, son of William Gibbs McAdoo; and be it further

Resolved, That the Chief Clerk be and is hereby instructed to have prepared a suitable memorial resolution properly engrossed and mailed to the family of the deceased.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred the following proposed amendments to the Standing Rules of the Assembly, as printed in the Assembly Journal of Monday, January 11, 1937:

Amendment No. 1.

Rule 54 of the Standing Rules of the Assembly is amended to read as follows, to wit:

"*Resolutions.*

54. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly All Assembly resolutions shall be referred to the appropriate committee"

Amendment No. 2.

Rule 58 of the Standing Rules of the Assembly is amended to read as follows, to wit:

"*Motion to Withdraw and Recall Bills.*

58. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business A motion to re-refer shall only be debatable as to the propriety of such reference.

In the event a bill or resolution has been heard in committee and not reported favorably, a motion to withdraw the same shall not be in order except upon one day notice thereof."

Respectfully reports the same back with the recommendation: Be adopted.

PEEK, Chairman.

Consideration of Proposed Amendments to Standing Rules.

The roll was called, and the proposed amendments to the Standing Rules of the Assembly adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Danneubrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 12, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 2.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

Request.

On request of Mr. Williamson, the presence in the Assembly of Lieutenant Governor Geo. J. Hatfield and President pro tempore of the Senate Wm. P. Rich was noted in the Journal.

Adjournment.

At twelve o'clock and fifty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, January 13, 1937, out of respect to the memory of the late Robert N. McAdoo, son of United States Senator William Gibbs McAdoo.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY
TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 13, 1937.

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

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

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

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—80

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Pelletier, the further reading of the Journal of Tuesday, January 12, 1937, was dispensed with.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Corwin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. David Wayne Richards and Mr. Arthur J. Brown, all from San Bernardino.

Assistant Chief Clerk Greenburg Reading.

Reports of Standing Committees.

The following report of standing committee was received and read

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Concurrent Resolution No. 6.
Assembly Concurrent Resolution No. 7.
And reports the same correctly enrolled, and presented to the Governor on this twelfth day of January, 1937, at two o'clock p.m.

JAMES G. SMYTH, Chief Clerk of Assembly.

Appointment of Standing Committees.

The Speaker announced the appointment of the following standing committees:

Agriculture (17)—O'Donnell (Chairman), Andreas, Baynham, Desmond, Donnelly, Garibaldi, Garland, Heisinger, Lore, Millington, Muldoon, Watson, Burns, Hugh M., Corwin, Thorp, Walker, and Kepple

Attaches (7)—Voigt (Chairman), Flint, Lyon, McMurray, Meehan, Pelletier, and Richie.

Aviation and Aircraft (11)—Glick (Chairman), Morgan, Williamson, Hawkins, Hornblower, Hunt, Maloney, Patterson, Richie, Tenney, and Sawallisch.

Banking (9)—Williamson (Chairman), Crowley, Flint, Levey, Lyon, Meehan, Sheehan, Yorty, and Beene.

Building and Construction (7)—Tenney (Chairman), Leonard, Cottrell, Corwin, Cunningham, Peyser, and Mayo.

Building and Loan Associations (7)—Garibaldi (Chairman), Boyle, Hawkins, Reaves, Muldoon, King, and Lore.

Civil Service (9)—Crowley (Chairman), Cronin, Gannon, Johnson, Meehan, Thorp, Watson, Maloney, and Dannenbrink.

Commerce and Navigation (9)—Maloney (Chairman), Hornblower, McMurray, Miller, George P., Peek, Leonard, Richie, Peyser, and Breed.

Conservation (9)—Andreas (Chairman), Donihue, Garland, Lore, Patterson, Redwine, Stream, Mayo, and Miller, Eleanor.

Constitutional Amendments (13)—Hunt (Chairman), Crowley, Breed, Cunningham, Desmond, Latham, Rosenthal, Gannon, Tenney, Waters, Peyser, Kepple, and Watson.

Contested Elections (5)—Leonard (Chairman), Cronin, Flint, Andreas, and Dawson.

Contingent Expenses (5)—Levey (Chairman), Field, Daley, Donihue, and Gannon.

County Government (15)—Laughlin (Chairman), Boyle, Sawallisch, Weber, Dilworth, Burns, Michael J., Call, Fulcher, Gannon, Gilbert, Latham, Morgan, Kuchel, Cunningham, and Levey.

Corporations (9)—McMurray (Chairman), Beene, Clark, Dannenbrink, Muldoon, Williamson, Hunt, Kepple, and Field.

Crime Problems (7)—Richie (Chairman), Cottrell, Dannenbrink, Johnson, Miller, Eleanor, Peyser, and Walker.

Direct Legislation (7)—Watson (Chairman), Cronin, Voigt, Levey, Redwine, Cunningham, and Richie.

Drainage, Swamp and Overflowed Lands (13)—Millington (Chairman), Reaves, Weber, Voigt, Scudder, Robertson, Cottrell, Fulcher, Andreas, Laughlin, Maloney, Martin, and Morgan.

Elections (11)—Gilbert (Chairman), Call, Burns, Hugh M., Burns, Michael J., Daley, Cassidy, Dilworth, Glick, Hornblower, Hawkins, and Peek.

Engrossment and Enrollment (5)—Cunningham (Chairman), Dilworth, Patterson, Kepple, and Heisinger.

Education (13)—Clark (Chairman), Dannenbrink, Donnelly, Garland, Gilbert, Johnson, Muldoon, O'Donnell, Patterson, Rosenthal, Williamson, Miller, Eleanor; and Morgan.

Exhibitions and Fairs (7)—Miller, George P. (Chairman), Baynham, Donnelly, Leonard, Thorp, Walker, and Heisinger.

Federal Relations (7)—Heisinger (Chairman), Cassidy, Cottrell, Donihue, Gannon, Dilworth, and Waters.

Financial Institutions (7)—Lyon (Chairman), Boyle, Cronin, Hawkins, Turner, Kuchel, and Rosenthal.

Fish and Game (15)—Patterson (Chairman), Andreas, Cassidy, Fulcher, Glick, Hawkins, Hornblower, King, Laughlin, Lyon, Reeves, Sheehan, Voigt, Hunt, and Redwine.

Governmental Efficiency and Economy (11)—Donihue (Chairman), Clark, Crowley, Daley, Kepple, Levey, Watson, Robertson, Latham, Martin, and Miller, Eleanor.

Governmental Revenues and Expenditures (5)—Sheehan (Chairman), Stream, Waters, Weber, and Watson.

Hospitals and Asylums (11)—Cassidy (Chairman), Daley, McMurray, Reaves, Beene, Cronin, Crowley, Dawson, Fields, Redwine, and Stream.

Insurance (11)—Sawallisch (Chairman), Peek, Desmond, Fulcher, Garibaldi, Maloney, Meehan, Miller, George P., Pelletier, Scudder, and Welsh.

Introduction of Bills (5)—Call (Chairman), Peyser, Kepple, Scudder, and Dilworth

Irrigation (17)—*Garland (Chairman), Burns, Hugh M., Desmond, Donnelly,* Garibaldi, Millington, O'Donnell, Corwin, Watson, Walker, Thorp, Leonard, Daley, Baynham, Kuchel, Mayo, and Stream.

Judiciary Codes (15)—Desmond (Chairman), Clark, Gannon, Hornblower, Kuchel, Levey, Call, Millington, O'Donnell, Peyser, Dannenbrink, Williamson, Muldoon, Pelletier, and Yorty.

Judiciary General (15)—Rosenthal (Chairman), Garibaldi, Welsh, Richie, Sawallisch, Tenney, Patterson, Peek, Cunningham, Dawson, Johnson, Lyon, Cronin, Redwine, and Waters.

Labor and Capital (13)—Flint (Chairman), Gilbert, Lore, Maloney, Miller, George P., O'Donnell, Pelletier, Rosenthal, Yorty, Burns, Michael J., Dilworth, Breed, and Beene

Libraries (5)—Johnson (Chairman), Reaves, Laughlin, Rosenthal, and Clark.

Manufactures (7)—Daley (Chairman), Waters, Stream, Scudder, Heisinger, Cottrell, and Miller, Eleanor.

Live Stock and Dairies (9)—Donnelly (Chairman), Burns, Michael J., Cassidy, Desmond, Garibaldi, Garland, Heisinger, Thorp, and Sawallisch.

Medical and Dental Laws (9)—Cronin (Chairman), Boyle, Clark, Flint, King, Pelletier, Turner, Welsh, and Corwin.

Military Affairs (9)—Dawson (Chairman), Millington, Miller, George P., Redwine, Mayo, Levey, Corwin, Burns, Michael J., and Scudder.

Mines and Mining (9)—Fulcher (Chairman), Glick, Latham, Mayo, Millington, Peek, Dilworth, Scudder, and Williamson.

Mileage (5)—Martin (Chairman), Beene, Dilworth, Kuchel, and Leonard.

Motor Vehicles (15)—Hornblower (Chairman), Andreas, Fulcher, Garibaldi, Reaves, Heisinger, Laughlin, Lore, Lyon, McMurray, Meehan, Sawallisch, Sheehan, Turner, and Field.

Municipal Corporations (13)—King (Chairman), Yorty, Welsh, Tenney, Kepple, Glick, Cassidy, Hunt, Waters, Robertson, Kuchel, Latham, and Breed.

Oil Industries (9)—Welsh (Chairman), O'Donnell, Field, Glick, Kuchel, Muldoon, Corwin, Sawallisch, and Turner.

Prisons and Reformatories (11)—Reaves (Chairman), Cassidy, Clark, King, Martin, McMurray, Richie, Morgan, Miller, Eleanor, Cottrell, and Levey.

Public Charities and Corrections (9)—Pelletier (Chairman), Miller, Eleanor; Walker, Leonard, Sheehan, Call, Field, Kuchel, and Beene.

Public Health and Quarantine (9)—Muldoon (Chairman), Baynham, Burns, Hugh M., Field, Sheehan, Tenney, Watson, Peek, and Peyser.

Public Morals (11)—Turner (Chairman), Desmond, Fulcher, Garibaldi, Glick, Laughlin, Lore, Mayo, McMurray, Scudder, and Welsh.

Public Utilities (11)—Baynham (Chairman), Dannenbrink, Dawson, Gilbert, Martin, Millington, Muldoon, Redwine, Robertson, Welsh, and Yorty.

Revenue and Taxation (15)—Boyle (Chairman), Dawson, Donihue, Garland, Gilbert, Flint, Hunt, Lyon, Latham, Rosenthal, Tenney, Voigt, Yorty, Williamson, and Cunningham.

Roads and Highways (15)—Meehan (Chairman), Andreas, Baynham, Breed, Corwin, Crowley, Dawson, Laughlin, McMurray, O'Donnell, Pelletier, Stream, Turner, Voigt, and Weber.

Rules (6)—Peek (Chairman), Dawson, King, Lyon, Meehan, and Welsh

Social Service and Welfare (9)—Lore (Chairman), Donnelly, Hornblower, *Johnson, Morgan, Thorp, Patterson, Tenney, and Watson.*

Soldiers and Sailors Affairs (13)—Gannon (Chairman), Thorp, Walker, Weber, Johnson, Cronin, Boyle, Baynham, Donnelly, Beene, Leonard, Breed, and Call.

State Grounds and Parks (7)—Yorty (Chairman), Walker, Weber, Stream, Miller, Eleanor; Latham, and Gannon.

State Colleges (7)—Burns, Hugh M. (Chairman), Burns, Michael J., Robertson, Daley, Waters, Sheehan, and Cottrell.

Unemployment (7)—Hawkins (Chairman), Martin, Miller, George P., Reaves, Donihue, Maloney, and Call.

Universities (7)—Dannenbrink (Chairman), Burns, Hugh M., Breed, Clark, Johnson, Morgan, and Weber.

Ways and Means (21)—Robertson (Chairman), Boyle, Burns, Hugh M., Crowley, Daley, O'Donnell, Donihue, Flint, Garland, Gilbert, Hunt, Lore, Hawkins, Turner, Voigt, Miller, George P., Cottrell, Martin, Fields, Burns, Michael J., and Mayo.

Resolution.

The following resolution was offered:

By Mr. Heisinger:

House Resolution No. 32.

WHEREAS, The fish and game within this State constitutes one of its greatest resources, and this resource is gradually being depleted through the depredations of predatory birds and animals, through the depredations of man, and by other means, the nature and extent of which are not definitely known; and

WHEREAS, The conservation and preservation of fish and game are matters of vital interest to the people of this State, and it is necessary and desirable that the Assembly be informed as to all pertinent facts in relation to fish and game and the effect, operation, administration and enforcement of the laws relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members shall be appointed by the Speaker from the membership of the Assembly to make an investigation concerning all phases of the fish and game resources of the State of California and the administration of the laws in relation thereto, and to investigate the laws of the several States and of foreign countries in relation to fish and game; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, documents, and papers of every kind and description; to issue subpenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under the provisions of this resolution; and be it further

Resolved, That the sum of $3000 is hereby appropriated from the contingent fund of the Assembly, said fund to be expended for the expenses of the committee. The said committee shall report its findings of fact and make such recommendations as it deems necessary to the Assembly immediately upon its organization in January, 1939.

House Resolution No. 32 read, and referred to Committee on Fish and Game.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 375: By Mr. Turner—An act to amend the title of and to add a new section, to be numbered 12a, to an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," relating to the definition and licensing of wholesale lubricating oil dealers.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 376: By Mr. Turner—An act to amend the title of, and to add a new section to be numbered _____ to, an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the

powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to "motor oil," and prescribing specifications for products sold or offered for sale as motor oil.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 377: By Mr. Turner—An act to amend section 3 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to labels for reclaimed oil.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 378: By Mr. Cottrell—An act to amend section 400 of the Vehicle Code, relating to negligence, upon the part of officers, agents, and employees of the State, counties cities and counties, municipal corporations, school districts, irrigation districts, districts established by law, and political subdivisions of the State, and authorizing suits relative thereto and providing the place of trial of such actions and prescribing the period of time within which such actions may be commenced.

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

Assembly Bill No. 379: By Messrs. Stream and Richie, and Mrs. Daley—An act to amend and renumber section 2610 of the Political Code, as added thereto by Chapter 992 of the Statutes of 1933, relating to the powers of the Board of State Harbor Commissioners for the Bay of San Diego

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 380: By Messrs. Stream and Richie, and Mrs. Daley—An act to amend section 3559 of the Harbors and Navigation Code, relating to the powers of the State Board of Harbor Commissioners for the Bay of San Diego.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 381: By Mrs. Daley—An act to add section 421.5 to the Fish and Game Code, relating to ocean fishing.

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

Assembly Bill No. 382: By Messrs. Voigt, Meehan, Laughlin, Richie, Tenney, Peek, Watson, Gilbert, Cassidy and Fulcher, and Mrs. Daley—An act to amend section 5 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meet-

ings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the California Horse Racing Board.

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

Assembly Bill No. 383: By Messrs. Clark, Peek, Cronin, and Scudder—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 384: By Messrs. Clark, Lore, Peek, Hawkins, Hornblower, and Pelletier—An act to add section 4055.5 to the Labor Code, relating to records of persons receiving compensation thereunder.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 385: By Messrs. Clark, Peek, Hornblower, Hawkins, Lore, Pelletier, and Rosenthal—An act to add section 10½ to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to records of persons receiving compensation thereunder.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 386: By Mr. Sawallisch—An act to amend section 224 of the Civil Code, relating to the adoption of children.

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

Assembly Bill No. 387: By Mr. Sawallisch—An act to amend section 737g, of the Political Code, relating to the compensation of the judges of the superior court in and for the county of Contra Costa.

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

Assembly Bill No. 388: By Mr. Peyser (By request)—An act to amend section 26½ of the Retail Sales Tax Act of 1933, relating to the priority of taxes.

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

Assembly Bill No. 389: By Mr. Peyser—An act to amend section 2 of the Alcoholic Beverage Control Act, relating to the definition of terms used in the act and beverages subject to the act.

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

Assembly Bill No. 390: By Mr. Peyser (By request)—An act to amend section 689b of the Code of Civil Procedure, relating to selling personal property under execution.

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

Assembly Bill No. 391: By Mr. Peyser (By request)—An act to amend section 725a of the Code of Civil Procedure, relating to foreclosure of deeds of trust and other instruments by which real property is hypothecated.

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

Assembly Bill No. 392: By Mr. Peyser (By request)—An act to add section 580d to the Code of Civil Procedure, prohibiting deficiency judgments.

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

Assembly Bill No. 393: By Mr. Peyser—An act to amend the Alcoholic Beverage Control Act, relating to alcoholic beverages.

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

Assembly Bill No. 394: By Mr. Peyser—An act to amend section 5 of the Alcoholic Beverage Control Act, relating to license fees.

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

Assembly Bill No. 395: By Mr. Peyser (By request)—An act to amend section 537e of the Penal Code, relating to the purchase or sale of manufactured articles from which identification marks have been removed.

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

Assembly Bill No. 396: By Mr. Peyser (By request)—An act to add section 3308 to the Civil Code, relating to the measure of damages on the termination of a lease

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

Assembly Bill No. 397: By Mr. Peyser—An act making an appropriation to pay the claim of the Chamberlin Metal Weather Strip Company against the State of California.

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

Assembly Bill No. 398: By Mr. Peyser—An act to amend section 23 of the Alcoholic Beverage Act, relating to excise taxes.

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

Assembly Bill No. 399: By Mr. Thorp—An act to amend section 1261 of the Agricultural Code, relating to produce dealers.

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

Assembly Bill No. 400: By Mr. Donihue—An act making an appropriation to pay the claim of Dan Campbell against the State of California.

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

Assembly Bill No. 401: By Messrs. Redwine, Cunningham, Clark, Kepple, Tenney, Peek, Welsh, Waters, Rosenthal, and Lyon—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners.

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

Assembly Bill No. 402: By Mr. Meehan—An act to repeal Article III of Chapter I of Part V of Division II of the School Code and to add to Chapter I of Part V of Division II of the School Code a new article to be known as Article III, all relating to conventions of county, city and district superintendents of schools.

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

Assembly Bill No. 403: By Mr. Boyle—An act to add sections 5.630, 5.631, 5 632, 5.633 and 5 634 to the School Code, all relating to conventions of secondary school principals.

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

Assembly Bill No. 404: By Mr. Boyle—An act to prohibit unfair methods of competition in commerce, creating the California Trade Commission to carry out the provisions of this act, defining its powers and duties, declaring certain unfair trade practices to constitute unfair methods of competition, providing for the issuance of certificates to trade associations, and making an appropriation for the purposes hereof.

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

Assembly Bill No. 405: By Mr. Gilbert—An act to amend section 5 of the Personal Income Tax Act of 1935, relating to the rate of taxation.

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

Assembly Joint Resolution No. 10: By Mrs. Daley—Relative to memorializing the Congress of the United States to designate Armistice Day as a holiday.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 10, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 10.

Assembly Joint Resolution No. 10—Relative to memorializing the Congress of the United States to designate Armistice Day as a holiday.

Assembly Joint Resolution No. 10 read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Assembly Joint Resolution No. 10 ordered to print, and transmitted to the Senate.

Special Order.

The hour of ten o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 193.

Assembly Bill No. 193—An act to amend sections 2, 4, 5, 7, 9, 10, 14, 15, 19 and 25 of Mortgage and Trust Deed Moratorium of 1935, approved June 21, 1935, relating to the relief of debtors and guarantors; declaring the urgency hereof and providing that it shall take effect immediately.

Special Order Set for Assembly Bill No. 193.

On motion of Mr. Rosenthal, the further consideration of Assembly Bill No. 193 was made a special order of business for Monday, January 18, 1937, at eleven o'clock and thirty minutes a.m.

Appointment of Special Committee.

The Speaker announced the appointment of Mr. Boyle to represent the Assembly at the Third General Assembly of the Council of State Governments, pursuant to the terms of House Resolution No. 31, adopted January 12, 1937.

Adjournment.

At ten o'clock and forty-five minutes a.m., on motion of Mr. Gilbert, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, January 14, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY
ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 14, 1937.

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

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

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

Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Reaves, the further reading of the Journal of Wednesday, January 13, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Williamson, on motion of Mr. McMurray.

Mr. Crowley, on motion of Mr. Call

Mr. Andreas, on motion of Mr. Field

Guests Extended Privilege of Assembly Floor.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hartley Russell, Tax Attorney and Grand President Native Sons of the Golden West, guest of the San Francisco delegation.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Anson Ford.

On request of Mr. McMurray and the San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unani-

mously extended to Joseph J. McShane, attorney at law and Legislative Representative of City and County of San Francisco and Second Grand Vice President of the Native Sons of the Golden West.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mona Christiansen, Assistant Probation Officer, of San Mateo County.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Grace Nebel.

On request of Mr. Garibaldi, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mike Schino, Chief of Internal Revenue.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Newel Perry and Miss Annette Williams.

Assistant Clerk Berry Reading.

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 13, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 3.
Assembly Concurrent Resolution No. 9.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Concurrent Resolution No. 10: By Mr. Scudder—Relative to approving a certain amendment to the charter of the city of Petaluma, a municipal corporation in the county of Sonoma, State of California, duly voted for and ratified by the qualified electors of said city at an election held therein on the eleventh day of June, 1935.

Request For Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 10.

Assembly Concurrent Resolution No. 10—Relative to approving a certain amendment to the charter of the city of Petaluma, a municipal corporation in the county of Sonoma, State of California, duly voted for and ratified by the qualified electors of said city at an election held therein on the eleventh day of June, 1935.

Assembly Concurrent Resolution No. 10 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine,

Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Assembly Concurrent Resolution No. 10 ordered to print, and transmitted to the Senate.

Assembly Joint Resolution No. 11: By Mr. Breed—Relative to the relief of transients problem.

Request For Unanimous Consent.

Mr. Breed asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 11, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 11.

Assembly Joint Resolution No. 11—Relative to the relief of transients problem.

Assembly Joint Resolution No. 11 ordered to print, and placed upon third reading calendar.

Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 236.

Assembly Bill No. 236—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

Motion to Amend Assembly Bill No. 236.

The following amendments were submitted by Mr. Desmond, and ordered voted upon separately.

Amendment No. 1.

On page 2, line 19, of the printed bill, strike out "upon vehicles which cease to be exempt from the pay-", and strike out all of lines 20, 21 and 22; and in line 23 strike out "exempt during such year.", and insert in lieu thereof the following:

"In the event any vehicle which is exempt under the last sentence of section 1 hereof ceases to be so exempt after the beginning of any registration year, by reason of change of ownership, the fee imposed for such year shall be reduced one-twelfth for each month which has elapsed while such vehicle was exempt during such year."

Amendment adopted.

Amendment No. 2.

On page 2, line 31, of the printed bill, strike out the words "licenses and".

Amendment adopted.

Amendment No. 3.

On page 3 of the printed bill, strike out all of lines 42 to 44, both inclusive, and insert in lieu thereof the following:

"(a) There shall be first appropriated from such fund for the use of the Department of Motor Vehicles such amount as the Department of Finance shall determine, and shall so certify to the State Controller, is necessary for the enforcement of the provisions of this act, the total of which amount shall in no event exceed 3 per cent of the moneys paid into said fund."

Motion to Amend Amendment No. 3.

Mr. Johnson moved to amend Amendment No. 3 by striking out the entire amendment, and inserting in lieu thereof the following:

"No portion of said moneys shall be expended by the Department of Motor Vehicles for any purpose other than the enforcement of the provisions of this act and any unexpended portion of said funds shall be disbursed as provided hereafter in this act."

Amendment to Amendment No. 3 refused adoption.

The question being on the adoption of Amendment No. 3.

Amendment No. 3 adopted.

Amendment No. 4.

On page 3, line 46, of the printed bill, strike out "each", and in line 47, strike out "fiscal year", and insert in lieu thereof the following: "the eighty-ninth and ninetieth fiscal years,".

Amendment adopted.

Amendment No. 5.

On page 4, line 12, of the printed bill, strike out "each fiscal year", and insert in lieu thereof the following: "the eighty-ninth and ninetieth fiscal years".

Amendment adopted.

Amendment No. 6.

On page 4, line 25, of the printed bill, strike out "each fiscal year", and insert in lieu thereof the following: "the eighty-ninth and ninetieth fiscal years".

Amendment adopted.

Amendment No. 7.

On page 4 of the printed bill, strike out all of lines 39 to 41, both inclusive, and insert in lieu thereof the following:

"SEC. 7. Second section 9 of said act is hereby renumbered to be section 10 and is amended to read as follows

Sec 10 The license fees provided for by this act shall not be imposed on and after December 31, 1939; provided, however, that the term of this act shall continue in full force and effect with respect to all license fees due thereunder and penalties on account of operations of vehicles subject thereto to the end that the State may take any and all steps necessary to collect the amount of such license fees and penalties."

Amendment adopted.

Amendment No. 8

On page 4, line 43, of the printed bill, strike out "10", and insert in lieu thereof the numeral "11".

Amendment adopted.

Amendment No. 9.

On page 4, line 45, of the printed bill, strike out "10", and insert in lieu thereof the numeral "11".

Amendment adopted.

Amendment No. 10.

On page 5, line 10, of the printed bill, strike out the first "as", and insert in lieu thereof "are".

Amendment adopted.

Request for Unanimous Consent.

Mr Hornblower asked for, and was granted, unanimous consent to consider all additional amendments to Assembly Bill No 236, at this time, without reference to reprint or re-engrossment

Consideration of Assembly Bill No. 236, As Amended.

Assembly Bill No. 236, as amended, read third time

Motion to Amend Assembly Bill No. 236, as Amended.

The following amendments were submitted by Mr. Heisinger, and ordered voted upon separately:

Amendment No. 1.

On page 3, line 47, of the printed bill, after the word "year", strike out "twenty-five", and insert in lieu thereof the word "thirty."

Amendment refused adoption.

Amendment No. 2.

On page 4, line 10, of the printed bill, strike out "twelve and one-half", and insert in lieu thereof the word "thirty."

Amendment refused adoption.

Motion to Amend Assembly Bill No. 236, as Amended.

The following amendments were submitted by Mr. Yorty, and ordered voted upon separately:

Amendment No. 1.

On page 2, line 45, of the printed bill, after the word "to", insert the following: "one-half".

Amendment adopted.

Amendment No. 2.

On page 3, line 2, of the printed bill, after the comma, insert the following: "after reducing such fee one-twelfth for each month of nonoperation as set forth in such affidavit,".

Request for Roll Call.

On request of Messrs. Flint, Yorty, and Muldoon, the Speaker ordered a roll call taken on the adoption of Amendment No. 2.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Gilbert, Heisinger, Patterson, Pelletier, Richie, and Yorty—6.

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Waters, Watson, Weber, Welsh, and Mr. Speaker—65.

Motion to Amend Assembly Bill No. 236, as Amended.

The following amendment was submitted by Mr. Scudder:

Amendment No. 1.

On page 4, line 10, of the printed bill, strike out "Twelve and one-half", and insert in lieu thereof the following: "Twenty-five".

Request for Roll Call.

On request of Messrs. Scudder, Desmond, and Burns, Michael J., the Speaker ordered a roll call taken on the adoption of Amendment No. 1.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Boyle, Burns, Michael J., Desmond, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Glick, Heisinger, Mayo, O'Donnell, Patterson, Richie, Sawallisch, Scudder, Thorp, Turner, Walker, and Watson—20.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Field, Flint, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sheehan, Stream, Tenney, Voigt, Waters, Weber, Welsh, Yorty, and Mr. Speaker—55

Third Reading of Assembly Bill No. 236, as Amended.

Assembly Bill No. 236—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemp-

tion of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

Assembly Bill No. 236, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawtillisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—71.

NOES—Dilworth, Garland, Tenney, and Turner—4.

Amendment to Title.

The following amendment was submitted by Mr. Desmond:

Amendment No. 1.

On page 1 of the printed bill, in the title thereof, strike out all of lines 11 and 12, and insert in lieu thereof the following: "by amending second section 9 thereof and renumbering said section to be section 10, and by renumbering third section 9 thereof to be section 11; and to repeal an".

Amendment adopted.

Title, as amended, read and approved. Bill ordered to reprint, and transmitted to the Senate

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 406: By Mr. Peyser—An act to amend section 5 of the Alcoholic Beverage Control Act, relating to license fees, declaring the urgency hereof, and providing that this act shall take effect immediately.

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

Assembly Bill No. 407: By Mr. Peyser—An act to amend section 542a of the Code of Civil Procedure, relating to attachment liens.

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

Assembly Bill No. 408: By Mr. Peyser—An act to create a State Board of Mediation and Conciliation, to provide for arbitration, mediation and conciliation in labor disputes and making an appropriation to carry out the purposes of this act.

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

Assembly Bill No. 409: By Mr. Peyser—An act relating to trade practices and unfair discrimination.

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

Assembly Bill No. 410: By Mr. Peyser—An act making an appropriation to pay the claim of Maurice Moskowitz against the State of California.

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

Assembly Bill No. 411: By Mr Dilworth—An act to amend section 588 of the Vehicle Code, relating to parking.

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

Assembly Bill No. 412: By Mr. Kuchel—An act to amend the Penal Code by adding a new section thereto to be numbered 608d, relating to the operation of vessels at excessive rates of speed or in such manner as to cause injury or damage to other vessels, and prescribing the penalty for violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 413: By Mr Kuchel—An act to amend the Penal Code by adding a new section thereto, to be numbered 608j, relating to the lowering of lifeboats on vessels once a week, and prescribing a penalty for the violation of the provisions thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 414: By Mr Kuchel—An act to amend the Penal Code by adding a new section thereto, to be numbered 608h, prohibiting the operation of vessels at excessive rates of speed while passing other vessels, and prescribing the penalty for violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 415: By Mr Kuchel—An act to amend the Penal Code by adding a new section thereto, to be numbered 608g, relating to the operation of vessels going in or out of harbors of this State at night time or in a fog, mist or rain, providing for the maintenance of lookouts thereon and prohibiting the allowing of passengers within 100 feet of such lookout, and prescribing a penalty for violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 416: By Mr Kuchel—An act to amend the Penal Code by adding a new section thereto, to be numbered 608f, relating to the operation of vessels at excessive rates of speed within three miles of Santa Catalina Island, and prescribing the penalty for violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 417: By Mr Kuchel—An act to amend the Penal Code by adding a new section thereto, to be numbered 608e, relating to the operation of vessels at excessive rates of speed in fog, mist or rain, and prescribing the penalty for violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 418: By Mr Robertson—An act to amend the Civil Code by adding thereto a new section to be numbered 975, relating to the providing of hospital, medical and nursing facilities for passengers on vessels over 1000 gross tons, operating solely between ports in this State, and prescribing the penalty for violation thereof

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 419: By Mr Robertson—An act to amend section 970 of the Civil Code, relating to the rules of navigation.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 420: By Mr. Robertson—An act to amend the Civil Code by adding a new section thereto, to be numbered 974. relating to liability for damages by a vessel, or its owner, when said vessel is operated at an excessive rate of speed, or in such manner as to cause damage or injury to other vessels or the contents, furnishings or fixtures thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 421: By Mr. Robertson—An act to amend the Civil Code by adding a new section thereto, to be numbered 976, relating to lifeboat drills on vessels of 500 gross tons or over, providing for suitable life preservers and instructions for passengers, the rendering of reports by masters of vessels certifying compliance with the provisions of this section, and prescribing the penalty for violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 422: By Mr. Robertson—An act to amend the Civil Code by adding a new section thereto, to be numbered 977, relating to the speed of vessels of 1000 gross tons or more, when moving through a fog, mist or rain, and to the payment of damages to other vessels or persons where the provisions of this section are violated.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 423: By Mr. Robertson—An act to amend the Civil Code by adding a new section thereto, to be numbered 978, relating to the speed of vessels of 500 tons or more gross tonnage, while travelling within three miles of Santa Catalina Island, and fixing liability for damages resulting from the violation of the provisions of this section.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 424: By Mr. Dannenbrink—An act to amend section 1329 of the Penal Code, relating to the fees of witnesses in criminal cases.

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

Assembly Bill No. 425: By Mr. Boyle—An act to amend an act entitled "Los Angeles County Flood Control Act", approved June 12, 1915, as amended, by amending section 12 thereof, relating to flood control bonds.

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

Assembly Bill No. 426: By Mr. Boyle—An act to amend the Alcoholic Beverage Control Act by adding section 16a to said act, relating to alcoholic beverages.

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

Assembly Bill No. 427: By Mr. Burns, Hugh M.—An act relating to the acquisition by the State of a site or sites in the city of Fresno, the erection thereon of a building or buildings to house all State offices and agencies, maintaining headquarters in that city, and making an appropriation therefor.

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

Assembly Bill No. 428: By Mr Burns, Hugh M —An act to add a new section to the School Code to be numbered 4.192, relating to the insuring of employees of county superintendents of schools against liabilities imposed by law.

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

Assembly Bill No. 429: By Mr. Burns, Hugh M.—An act to amend sections 5.210 and 5.212 of the School Code relating to examinations by county boards of education of applicants for elementary teaching certificates.

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

Assembly Bill No. 430: By Mr Richie—An act to amend section 6.750 of the School Code, relating to the use of school buildings as civic centers.

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

Assembly Bill No. 431: By Mr. Richie—An act to amend section 8 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, relating to fingerprinting persons arrested or convicted of criminal offenses.

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

Assembly Bill No. 432: By Mr Richie—An act to add a new section to the Penal Code to be numbered 146.1, relating to taking, possession or use of fingerprints or copies thereof, and prescribing penalties for violation of the provisions thereof.

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

Assembly Bill No. 433: By Mr Fulcher—An act to add section 620 to the Streets and Highways Code, establishing a secondary State highway.

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

Assembly Bill No. 434: By Mr Thorp—An act making an appropriation to the State Agricultural Society for the purpose of conducting a National Dairy Show.

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

Assembly Bill No. 435: By Mr. Thorp—An act making an appropriation to the State Agricultural Society for the purpose of conducting a National Swine Show.

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

Assembly Bill No. 436: By Mr. Gannon—An act to add a new section to the Civil Code, to be numbered 3052a, relating to jewelers' liens.

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

Assembly Bill No. 437: By Mr Voigt—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

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

Assembly Bill No. 438: By Mr. Robertson—An act to amend section 5090 of the Insurance Code relating to county mutual fire insurers.

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

Assembly Bill No. 439: By Mr. Robertson—An act to amend section 690.10 of the Political Code of the State of California, relating to the construction and maintenance of groynes.

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

Assembly Bill No. 440: By Mr. King—An act to repeal sections 5.741, 5.742, 5.743, 5 744 and 5 745 of the School Code and to add thereto three new sections to be numbered 5.741, 5.742 and 5.743, all relating to the payment of salaries of persons employed by school districts in positions requiring certification qualifications.

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

Assembly Bill No. 441: By Mr. King—An act to amend the title of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds," approved May 11, 1923, Statutes 1923, page 308, as amended, and to add section 6, relating to the reassessment, refunding, repayment or adjustment of assessments or bonds and the contribution of public funds therefor.

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

Assembly Bill No. 442: By Mr. King—An act to amend the title of an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties, and upon property and rights of way owned by counties, and for establishing and changing the grades of any such highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and provid-

ing a method for the payment of such bonds," approved June 3, 1921, Statutes 1921, page 1658, as amended, and to add section 12, relating to the reassessment, refunding, repayment or adjustment of assessments or bonds and the contribution of public funds therefor.

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

Assembly Bill No. 443: By Mr. Yorty—An act to amend sections 1, 2, and 4 of the "Chattel Mortgage Moratorium of 1935" relating to the relief of chattel mortgage debtors; declaring the urgency thereof and providing that it shall take effect immediately.

Bill read first time.

Special Order Set for Assembly Bill No. 443 by Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to have the consideration of Assembly Bill No 443 made a special order of business for Monday, January 18, 1937, at eleven o'clock and thirty minutes a.m., without reference to committee.

Assembly Bill No. 443 ordered to print, and on second reading calendar.

Assembly Bill No. 444: By Mr. Field—An act to amend the Political Code of the State of California by amending section 1142 thereof; by adding a new section to be designated section 1142b to provide for the publication of the designated polling places in a newspaper of general circulation or in one or more newspapers of general circulation at various places in the county, and by amending section 4058 to provide for publication of the notice of election in the same manner.

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

Assembly Bill No. 445: By Mr. Redwine—An act to amend section 284 of the Code of Civil Procedure, relating to substitution of attorneys and fees of same.

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

Assembly Bill No. 446: By Mr. Redwine—An act to amend section 6 of an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county and municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, relating to penalties for delinquent taxes.

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

Assembly Bill No. 447: By Mr. Redwine—An act to amend section 476a of the Penal Code, relating to checks, orders and drafts.

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

Assembly Bill No. 448: By Mr. Redwine—An act to amend section 1124 of the Probate Code of the State of California, and to add a new section thereto to be known as section 1125.1, relating to testamentary trustees.

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

Assembly Bill No. 449: By Mr. Redwine—An act to amend section 1593 of the Probate Code, relating to the discharge of guardians.

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

Assembly Bill No. 450: By Mr. Redwine—An act to add a new section to the Probate Code of the State of California, to be known as section 1028, relating to the ratable, partial, and final distribution of estates of deceased persons.

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

Assembly Bill No. 451: By Mr. Lyon—An act to amend section 3719 of the Political Code, relating to the temporary borrowing of money by counties, cities and school districts.

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

Assembly Bill No. 452: By Mr. Lyon—An act to amend section 3804a of the Political Code, relating to cancellation of taxes.

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

Assembly Bill No. 453: By Mr. Lyon—An act to authorize the establishment of retirement systems in counties, for county employees.

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

Assembly Bill No. 454: By Mr Lyon—An act to amend sections ------ of an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919 (Statutes 1919, p. 782), relating to county retirement systems.

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

Assembly Bill No. 455: By Messrs Lyon and Baynham—An act to amend section 92 of the Agricultural Code, relating to county and district agricultural fairs.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 456: By Messrs. Lyon, and Baynham—An act to amend "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

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

Assembly Bill No. 457: By Messrs Lyon, and Baynham—An act to add section 13 6 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions,"

approved June 5, 1933, relating to horse racing, declaring the urgency hereof, to take effect immediately.

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

Assembly Bill No. 458: By Mr. Latham—An act providing for transfers from the State highway fund to the general fund in the State Treasury of an amount equal to that paid or that necessary to be paid during the eighty-ninth and ninetieth fiscal years for the principal and interest upon certain State bonds for highway purposes, to take effect immediately.

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

Assembly Bill No. 459: By Mr Reaves—An act defining "slot machines" and requiring the regulation. supervision, and licensing thereof, and providing for the enforcement of this act, and providing penalties for the violations of the provisions hereof.

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

Assembly Bill No. 460: By Mr Donnelly—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto. and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, and to repeal an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921.

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

Assembly Bill No. 461: By Mr Latham—An act to amend section 3 of the "Motor Vehicle Fuel License Tax Act," relating to license taxes.

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

Assembly Bill No. 462: By Messrs Boyle. Tenney. Reaves. and Hunt—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read first time.

Request For Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 462, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 462.

Case of Urgency.

The following resolution was offered:

By Mr. Reaves:

Resolved, That Assembly Bill No. 462 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house

is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Muldoon, Patterson Peek, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—71.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 462, at this time.

Second Reading of Assembly Bill No. 462

Assembly Bill No. 462—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr Speaker—72.

NOES—None.

Third Reading of Assembly Bill No. 462.

Assembly Bill No. 462—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 462.

Mr. Cottrell gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 462 was this day passed.

Announcement of Change in Assembly Committee Personnel.

The Speaker announced the following changes in membership of the standing committees of the Assembly:

Building and Loan Association—Mr. Williamson in place of Mr. Reaves.
Aviation and Aircraft—Mr. Reaves in place of Mr. Williamson.
Motor Vehicles—Mr. Breed in place of Mr Reaves.
Labor and Capital—Mr. Reaves in place of Mr. Breed.
Public Morals—Mr. Dawson in place of Mr Mayo.
Roads and Highways—Mr. Mayo in place of Mr Dawson.
Universities—Mr. Richie in place of Mr Weber
Commerce and Navigation—Mr. Weber in place of Mr. Richie.

Recess.

At twelve o'clock m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

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

Speaker Jones in the chair.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 463: By Mr. Welsh—An act to amend sections 172b, 172c, and 172d of the Civil Code, relative to the management, control and disposition of community property.

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

Assembly Bill No. 464: By Mr. Welsh—An act to amend section 1200 of the Probate Code, relating to mode of giving notice in certain instances, and where not otherwise prescribed.

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

Assembly Bill No. 465: By Mr Welsh—An act to amend section 422 of the Probate Code, relating to the right of certain persons to appointment as administrator.

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

Assembly Bill No. 466: By Mr. Peyser—An act to amend section 1015 of the Fish and Game Code, relating to packing and reduction licenses.

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

Assembly Bill No. 467: By Messrs Laughlin, and Glick—An act to provide for the maintenance of storm drain improvements, and of other water courses or drainage channels; the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts; defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 468: By Messrs. Peyser, Hornblower, Dawson, Levey, Cronin, Williamson, McMurray, Maloney, and Sheehan—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor, providing for the continuation in service of employees and entitling them to the benefits of the civil service provisions of the charter of the City and County of San Francisco; providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respec-

tive terms as members of the State Board of Harbor Commissioners shall expire.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 469: By Mr Gannon—An act to amend section 710 of the Code of Civil Procedure, relating to execution on moneys due from a governmental agency to a judgment debtor.

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

Assembly Bill No. 470: By Mr. Voigt—An act relating to the punishment of kidnaping and to repeal section 209 of the Penal Code, relating thereto.

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

Assembly Bill No. 471: By Mr Hornblower—An act making an appropriation to meet a deficiency in an appropriation for the support of the Department of Motor Vehicles, and providing that this act shall take effect immediately.

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

Assembly Bill No. 472: By Mr. Tenney—An act to amend section 1500 of the Civil Code, relating to the extinction of pecuniary obligations.

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

Assembly Bill No. 473: By Mr Peyser (By request)—An act to amend section 658 of the Fish and Game Code, relating to salmon.

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

Assembly Bill No. 474: By Mr Clark—An act to amend section 2160 of the Welfare and Institutions Code, relating to aid to the aged.

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

Assembly Bill No. 475: By Mr. Clark—An act to amend section 3 of the Old Age Security Act of the State of California, relating to aid to the aged.

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

Assembly Bill No. 476: By Mr Clark—An act to amend section 2 of the Old Age Security Act of the State of California, relating to persons eligible for aid.

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

Assembly Bill No. 477: By Mr. Clark—An act to amend section 337 of the Code of Civil Procedure, relating to the periods prescribed for the commencement of actions.

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

Assembly Bill No. 478: By Mr Clark—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relative to and defining employees.

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

Assembly Bill No. 479: By Messrs Clark, and Peek—An act to amend sections 1281a, 1305, and 1310 of the Penal Code and to add a

new section to that code to be numbered 1280c, all relating to the powers and duties of a court, judge or magistrate regarding bail.

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

Assembly Bill No. 480: By Mr Robertson—An act to amend section 645 of the Probate Code, relating to the assignment of estates of a net value of not more than $2,500 to the widow or minor children.

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

Assembly Bill No. 481: By Mr Robertson—An act to amend the Inheritance Tax Act of 1935 to insert between sections numbered 18 and 19 a section to be numbered '18a,' relating to the determination of the priority of the tax lien."

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

Assembly Bill No. 482: By Mr Robertson—An act to amend the Inheritance Tax Act of 1935 by adding a new section thereto to be known as 'section 17a,' relating to the adjustment and settlement of inheritance taxes."

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

Assembly Bill No. 483: By Mr. Robertson—An act to amend sections, 3, 8, and 9 of the Inheritance Tax Act of 1935, relating to the lien of inheritance taxes."

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

Assembly Bill No. 484: By Mr Robertson—An act to amend the Inheritance Tax Act of 1935 to insert between sections numbered 18 and 19 a section to be numbered '18b,' relating to the determination of the amount of inheritance tax due or the fact that no inheritance tax is due."

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

Assembly Bill No. 485: By Mr Boyle—An act to amend sections ---------- of an act entitled "An act to establish a system of unemployment reserves for this State and making an appropriation therefor," approved June 25, 1935, relating to unemployment reserves.

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

Assembly Bill No. 486: By Mr. Boyle—An act to amend an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies.

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

Assembly Bill No. 487: By Mr Boyle—An act to amend Division IV of the Labor Code, relating to workmen's compensation and insurance.

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

Assembly Bill No. 488: By Mr Boyle—An act to amend sections ---------- of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to medical treatment.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 489: By Mr Boyle—An act to amend Chapter 3 of the Business and Professions Code, relating to dentistry and dental hygiene.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 490: By Messrs. Peyser, Burns, Hugh M., and Miller—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans.

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

Assembly Bill No. 491: By Messrs Peyser, Burns, Hugh M, and Miller—An act to amend section 1507 of the Welfare and Institutions Code, relating to needy children.

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

Assembly Bill No. 492: By Miss Miller—An act to amend sections 5.401 and 5.501 of the School Code, relating to employment of teachers.

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

Assembly Bill No. 493: By Mr Boyle—An act to amend the Dental Practice Act, relating to dentistry and dental hygiene.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 494: By Mr. Boyle—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick and the afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 495: By Mr. Boyle—An act to amend Chapter 5 of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick and the afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 496: By Mr. Boyle—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the practice of pharmacy and the sale of drugs.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 497: By Mr Boyle—An act to amend sections _____ of an act entitled "An act to establish a system of unemployment reserves for this State and making an appropriation therefor," approved June 25, 1935, relating to unemployment reserves.

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

Assembly Bill No. 498: By Mr. Boyle—An act to amend Chapter 9 of the Business and Professions Code, relating to the practice of pharmacy and the sale of drugs.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 499: By Mr Baynham—An act to amend section 4041k of the Political Code of the State of California, relating to the vacation of easements.

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

Recess.

At two o'clock and thirty minutes p.m., on motion of Mr. King, the Assembly was declared at recess to meet with the Senate in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 14, 1937.

At two o'clock and thirty minutes p.m., the Senate and Assembly met in Joint Convention.

Hon. William Moseley Jones, Speaker of the Assembly, directed that Hon. Henry Meehan, Speaker pro tempore of the Assembly, escort Hon. William P. Rich, President pro tempore of the Senate, to the chair.

Senate Roll Call.

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

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

Senators Allen, Biggar, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Garrison, Gordon, Hays, Hollister, Holohan, Jespersen, Knowland, Law, McBride, McColl, McCormack, McGovern, Metzger, Mixter, Nielsen, Olson, Parkman, Phillips, Pierovich, Powers, Quinn, Rich, Schottky, Seawell, Swing, Tickle, Wagy, Williams, and Young—36.

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

Assembly Roll Call.

Hon. William Moseley Jones, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

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

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—74.

The Speaker declared a quorum of the Assembly present.

Appointment of Joint Committee of Escort.

The Speaker announced that the next order of business was the appointment of a Joint Committee of Escort to wait upon His Excellency, Governor Frank F. Merriam, and inform him that the Joint Convention is now in session, and to escort him to the convention

Appointment of Senate Committee of Escort.

The President of the Senate, Hon George J. Hatfield, announced the appointment of the following Senate Committee of Escort: Senators Rich, Slater, and Schottky.

Appointment of Assembly Committee of Escort.

The Speaker of the Assembly, Hon. William Moseley Jones, announced the appointment of the following Assembly Committee of Escort: Messrs. Lyon, Levey, Maloney, Turner, and Clark.

Report of Joint Committee of Escort.

The Senate and Assembly Joint Committee of Escort announced the presence of His Excellency, Frank F. Merriam, Governor of the State of California.

Introduction of Governor Frank F. Merriam.

Hon. George J. Hatfield, President of the Senate, presented Governor Frank F. Merriam to the Joint Convention.

The Governor then delivered the following Budget Message:

BUDGET MESSAGE OF GOVERNOR FRANK F. MERRIAM AS DELIVERED TO THE SENATE AND ASSEMBLY OF CALIFORNIA IN JOINT CONVENTION AT SACRAMENTO, THURSDAY, JANUARY 14, 1937.

To the Members of the California Senate and Assembly.

It is my pleasant duty again to welcome the Legislature to Sacramento, and again to extend with hearty good wishes the full cooperation of my office in your service to the people of California

Two years have passed since the State Legislature convened here in regular session; two years of progress and constructive accomplishment; two years that have witnessed a steady advance from conditions of deep economic depression.

When the Legislature met here two years ago our main purpose not only was to provide for the ordinary and regular needs of the State, but was to discover and apply workable methods for meeting an economic emergency.

At this time, our common endeavors should principally be directed to the preservation and extension of benefits derived from the administrative program submitted and approved two years ago.

As a result of the operation of that program to date I am happy to report the following outstanding facts

First. The State Government of California is operating on a balanced budget that includes all items for the regular functions of State Government, and also embraces an appropriation of $48,000,000 for unemployment relief. The expenditures of all State agencies have been maintained within the limits of State income.

Second. The 1935-37 deficit, which was estimated as high as $77,000,000 when the Legislature adjourned two years ago, and which included such items as $19,000,000 inherited from the preceding biennium, and $48,000,000 for unemployment relief, has been reduced to a total approximating $18,000,000. In other words, this administration has avoided a deficit on its own account and has reduced by about $1,000,000 the carry-over deficit.

Third. My budget recommendations for the biennium of 1937-1939 are based on the needs of the State and the prospective revenues for the two-year period, and they contemplate the wiping out of the present deficit within two years.

Fourth. If the Legislature does not approve expenditures and appropriations in excess of budgeted items, the people of California two years hence not only will have a State Government operating well within governmental income, but will have a substantial surplus which we now estimate will exceed $21,000,000.

Fifth. When the existing tax schedules and revenue measures were laid before the Legislature during the session of 1935, it was assumed, on the basis of information then available, that the program recommended would be adequate to meet all ordinary and necessary expenses of government. Experience has shown that our estimates of probable revenue were, in most cases, conservative, and that such estimates have been under actual returns occasioned by a general and consistent recovery of agricultural, business and industrial operations in California and elsewhere in the Nation.

No New Taxes.

Sixth. That this fortunate trend will continue without undue abatement we have strong reason to believe and I, therefore, recommend that no new taxes be assessed, and that the existing tax program and schedules be retained unchanged for another two years. To abandon a program that has, on the whole, proven equitable, sound and satisfactory, and adopt a new plan at this time might completely reverse the excellent situation now existing and again precipitate State finances into a perplexing and costly muddle.

All groups in our population will welcome a guarantee that no new taxes will be levied by the State It is a guarantee which could not be made two years ago.

Its ratification by the Legislature at this session will constitute definite and positive evidence both of the progress of economic recovery and of the economical management of State affairs.

Accomplishment of the excellent condition of the State's finances has been made possible by two fundamental factors, the first being the rapid improvement in business, and the second to constant exercise of rigid economy in every branch of the government to which the administration's policies could be extended. Needless to explain, except for the loyal and self-sacrificing cooperation of State officers and employees, this policy could not have been carried out with any degree of success

Economy, during the last two years, has been an ever-present necessity—a necessity which continues, despite improving prospects. Furthermore, should our improving economic situation encourage us to even greater optimism with regard to expanding business conditions and a subsequent increase in revenue beyond present estimates, I regard governmental economy as a virtue to be practiced at all times in order that the taxpayer may be saved any and all unnecessary burdens and costs

By spending less than we collect, by saving all that we can, by increasing efficiency without unnecessarily adding to expenses, we shall eventually take the next great step in a return to the normal functions of good government—a reduction in taxation.

Budget Kept to Minimum.

Examination of budgeted items recommended for the next biennium will show that with very few exceptions the recommended appropriations subject to the Governor's authority do not exceed amounts appropriated for the present biennium. Such increases as do appear are for the most part determined by fixed charges and by recurring outlays of public moneys.

The tasks which the Legislature and the Governor are required jointly to perform afford no occasion for the injection of political partisanship, or for any objective other than the advancement of general public welfare.

It is upon such a premise that I submit this budget and ask your consideration of the recommendations contained therein. You may rely upon my ready assistance in any matter which members individually, or the legislative bodies themselves, may bring to my attention.

Appropriations for the various State institutions have proved adequate for minimum requirements in most instances But it should be borne in mind that while the State has not neglected its charges, the need for additional housing facilities, and for other accommodations, remains a vital and pressing problem.

It has been necessary to provide additional support for some institutions, notably for State hospitals, where the inmate population has increased. It is estimated that this increase for the ensuing biennium will be not less than 7½ per cent

State Building Program.

At the Veteran's Home the increase in population will bring the membership to a maximum capacity of 1500 An appropriation of $449,000 for major construction at the Veteran's Home is recommended This building program, among other things, will permit the replacement of one of the old and unsafe barracks building

The construction program proposed for all institutions in this biennium is embodied in recommendations for a total appropriation of $6,201,000 for major construction For such construction during the current biennium an appropriation of $4,095,750 was made available

In 1935 there was presented to the people a bond issue for the construction of State hospital buildings and additions to State Capitol and State office buildings Refusal of the voters to approve this bond issue despite the imperative need for new buildings and betterments, and in the face of extremely deplorable conditions in many of our institutions, may be interpreted for the time, at least, as indicating that the people prefer a "pay-as-you-go" plan in the construction of needed State buildings.

Construction of two steel and concrete, four-story buildings on sites at the intersection of Twelfth and N Streets Sacramento, has been made possible from funds of the Department of Public Works and the Department of Motor Vehicles The cost of each building will be amortized over a period of years through rentals which each department would have been required to pay to private owners to meet present and expanding needs At the end of five years both structures will have returned to the respective fund the moneys advanced for construction purposes In each case the rental is computed at a lower rate per square foot than is otherwise available.

New State Prison.

In keeping with the Legislature's authorization for purchase of a site for construction of a prison in southern California for certain types of offenders, condemnation proceedings for the acquisition of a tract of land near Chino, in San Bernardino County, have been instituted by the Attorney General.

The site selected was chosen after a careful survey of many locations. It was not offered for sale by the owners, and in subsequent negotiations looking to purchase of the property it was decided that the best interests of the State would be served by condemnation proceedings.

The Federal Government has been asked to contribute funds for the construction of this new prison, and it is probable that a Federal grant will be given the State of California. If such Federal funds are granted during the present session of the Legislature I shall ask for the appropriation of a necessary sum from State revenues.

Budget recommendations for maintenance of existing prisons are not increased over appropriations for the present biennium.

Unemployment Relief.

The unemployment relief program adopted by the State of California and carried out in harmonious cooperation with the Federal Government has demonstrated its sound value. There are indications that assimilation of unemployed men and women by private business will progressively increase during the coming biennium, but the necessity for providing against a slowing down in this gradual return to normal conditions impels me to recommend an appropriation of $48,000,000 to meet the unemployment situation in California for the period ending June 30, 1939. It is hoped that conditions will be such that the expenditure of this entire sum will not be required.

Because it is evident that the movement of unemployed and indigent transients into this State will not materially decrease during the next two years, and as it is likewise evident that the interstate migrations of such persons is essentially a national and not a State problem, the Legislature of California has been requested to ask the President and the Congress to make provision for reimbursing the States for the care of such transients. It is desirable from the standpoint of efficient administration that the National Government take over this problem and administer it exclusively as a Federal responsibility.

Briefly, the history of unemployment relief in California began with a work program provided by the counties and operated with funds supplied both from local sources and from the Reconstruction Finance Corporation

In June, 1933, the people approved a bond issue of $20,000,000 as submitted by the Legislature. This money was loaned to the several counties under supervision of the State Emergency Relief Administration.

During a period of months extending from November, 1933, to March, 1934, the Federal Civil Works Administration provided employment for 160,000 persons in California, and the State Relief Administration confined its activites to residue and special functions.

Between March and December, 1934, the State Emergency Relief Administration developed a work relief program as an operating responsibility and activity of the State. During this time, only a portion of the unemployed could be provided with work relief, and the balance was given direct relief by the counties with the aid of Federal grants made through the State of California from the Federal Emergency Relief Administration upon application by the Governor.

The $20,000,000 bond issue was exhausted during 1934, and at a special session of the Legislature in September, 1934, a $24,000,000 bond issue, to be a direct charge against State revenues, was submitted to and approved by the electorate in November, 1934. By December 1, 1934, the State Emergency Relief Administration had assumed the full responsibility for care of all of the employable unemployed. From this point on, the cost of this activity was borne directly by the State with the assistance of Federal grants and without any financial participation by county or other local governments.

General Description of Activities.

From December 1, 1934, to December 31, 1935, the Relief Administration received substantial grants of Federal funds and operated under Federal policy and regulation. Although the Federal grants were made to the Governor and mixed with State funds in the State Treasury, the State of California cooperated fully with the Federal Government and wholeheartedly followed the policies and procedures of the Federal Emergency Relief Administration.

The number of persons working out their relief on projects sponsored by various governmental agencies reached a total of approximately 185,000 in March, 1935. The portion of the caseload which could not be provided with work received direct relief and during the time of the operation of the work program an average of approximately half of the relief recipients was provided with project employment.

At the end of February, 1935, the number of families and single persons receiving relief reached a peak of 275,000, or a total of approximately 875,000 persons.

The organization of the Federal Works Progress Administration as a separate Federal employment activity was commenced in July, 1935. Employment under this program began in the latter part of August and by the end of February, 1936, WPA and other special security wage employment activities of the Federal Government reached a peak employment of 160,000 persons. Since then, the number employed has been gradually reduced and on December 1, 1936, approximately

130,000 former relief recipients were employed on all of the Federal work programs. The WPA quota had been reduced to 104,450 and the number employed under this major security wage activity was approximately 101,000.

Federal grants to the State of California for unemployment relief were discontinued effective December 31, 1935, by reason of the direct operation of the Federal work program. An original WPA quota of between 170,000 and 180,000 was expected. The program was reduced, however, without the anticipated number being employed and for this reason, a direct relief caseload remained as the responsibility of the State through the Relief Administration.

Since the discontinuance of the work program of the Relief Administration in August, 1935, because of the inauguration of the employment program of the Works Progress Administration, the principal activity of the administration has been the disbursing of direct relief to needy employable families and single persons. An effort has been made to extend the most adequate relief possible compatible with the resources of the State and at the same time to perfect methods of operation which would insure the extension of relief only on the basis of absolute need and unquestioned eligibility.

In 1933, eighteen states provided more liberal relief budgets than California. In 1935 only New York State provided a higher family budget than California.

Total relief administration expenditures of both the Federal and State funds for the most recent 24 months ending November 30, 1936, are as follows:

	12 mos. ending Nov. 30, 1935	*12 mos. ending Nov. 30, 1936*	*Total*
Relief	$108,315,028	$22,022,799	$130,337,827
Project supervision, materials and supplies	8,100,354	111,346	8,211,700
Administration	15,547,180	4,719,844	20,267,024
Total cost	$131,962,562	$26,853,989	$158,816.551

At the present time, the average expenditure for relief and administration per case per month is between $39 and $40. The administrative expense of this activity including certification work for the Works Progress Administration and the handling of relief applications was 16 per cent for November. Even though the active caseload under care by the relief administration on November 30th was 39,053, intake and service responsibilities of various kinds extended to the entire employable unemployed load of approximately 160,000 under public care.

In a number of counties a few of those receiving relief are employed to earn their budgets on useful work carried on by the counties. Such activities are without additional cost to the relief administration. A general work program, if operated on a sound basis, costs from $6,000 to $9,000 per month per thousand persons employed for administration and supervision, exclusive of materials. Although work in return for relief is desirable and rehabilitation types of employment are sound, the State does not have the funds with which to go beyond reasonably adequate direct relief.

The Federal Government is diminishing its security wage program and the Works Progress Administration quota has been reduced to 100,000 effective January 1st and there is some doubt as to whether there will be sufficient money available to employ this number until Congress has acted to provide additional funds. If the Works Progress Administration employs 100,000 persons during January, February and March, the estimated Relief Administration caseload is 65,000 on January 31st, 65,000 on February 28th and 53,000 on March 31st. If the Works Progress Administration maintains 100,000 persons in employment to June 30th, the $14,000,000 available to the State Relief Administration on January 1st will be sufficient.

Aid for the Aged, Blind, Children.

Detailed figures setting forth the State's payments to the needy aged, the blind, and for the support of needy children, show that California is well towards the top in all of these divisions of public support.

Including contributions by the State of California, the Federal Government, and the 58 counties of this State, more than $71,000,000 will be disbursed in this State under the Old Age Security Act during the biennium of 1937–1939. This sum, when compared with the total of $9,100,000 paid under the act by the State and counties during the period from July 1, 1933, to June 30, 1935, indicates the tremendous increase in such aid to men and women of advancing years in California.

Liberalization of the California Old Age Security Act has increased the State's payments for aid to the needy aged by roughly $15,000,000 in three biennial periods. This amount is entirely exclusive of old age payments which the State will disburse as an agent of the Federal Government under Title I of the Social Security Act. During the 1933–1935 biennium the State contributed $4,550,000 to the support of an average of 18,000 persons who were 70 years of age or over and who had resided in this State at least 15 years. During the 1937–1939 biennium the State Government alone will pay approximately $19,700,000 to an estimated average of 100,000 needy aged who have reached the age of 65 and have been in California at least five years. A similar contribution will be made by California's 58 counties, while

$31,960,000 will be added by the Federal Government on the basis of present legislation

The latest available report from the Federal Social Security Board, corrected to November 25, 1936, relative to old age assistance in the various States, reveals that California heads the list of all the States in its payments for aid to the needy aged. The average payment per recipient for California is $31.45 per month, while the average for the Nation is $18 50

While the State Government will pay more in aid to aged during the coming biennium than during the present period, the contributions in support of needy blind and children will drop $220.000 as a result of Federal participation in this field of governmental activity During 1937–1939 the State will assist an average of 5000 needy blind persons with an estimated total of $1,275,000. It will provide further assistance for over 26,000 orphans and other needy children with an expenditure of $4,618,000 In each case an additional payment will be made by the counties, and Federal Government. California's needy blind will receive a total of $4,260 000 in assistance from the Government during the next biennium, as compared with $3,485,000 in 1935–37, and $2,400,000 in the 1933–1935 biennium Similarly, needy children will be supported with governmental assistance of approximately $9,000,000 during the coming biennium, as compared with $8,000,000 this biennial period, and $7,200,000 in 1933–1935

Department of Employment.

The 1935 session of the Legislature enacted the California Unemployment Reserves Act and created the State Department of Employment. The primary objective of the law is to make California "a part of a National plan of unemployment reserves and social security, and for the purpose of assisting in the stabilization of unemployment conditions"

Beginning January 1, 1936, the statute requires employers and employees within specified brackets to pay a percentage of all subject wages into a trust fund for creation of a reserve out of which unemployment benefits will be paid to qualified employees who may become unemployed after January 1, 1938 The contribution rates are as follows:

	Employee		*Employer*	
1936	.45		.90	
1937	.90	on wages received	1 80	on wages paid
1938 (and thereafter)	1.00		2.70	

During 1936, 17,000 employers have been registered subject to the California law, having in their employ 1,200,000 wage earners. The combined contributions of these employers and employees during 1936 will approximate $15,000,000 Already $11,000,000 has been received by the department, $8,000,000 of which has been deposited with the unemployment trust fund in the United States Treasury It is expected that $30,000,000 will accrue to the fund during 1937 and $50,000,000 during 1938.

The payment of benefits to employees out of the fund is predicated on a ratio of one week of benefit for each four weeks of wage contributions into the reserve trust fund The scale of benefits to be paid ranges from $7 to $15 per week

NOT ONE CENT OF MONEYS ACCRUING TO THE FUND IN CALIFORNIA CAN BE USED FOR ANY PURPOSE EXCEPT THE PAYMENT OF BENEFITS IN CALIFORNIA.

The department is divided into two field functional divisions—

1 Unemployment Compensation.

2. Employment Placement Service.

The Employment Placement Service is financed from two sources: Legislative appropriation made available by the State, and by Federal moneys provided through terms of the Wagner-Peyser Act This law passed by the Congress of the United States, is entitled, "An act to provide for the establishment of a National employment system and for cooperation with the States in the promotion of such system * * *" Accordingly the United States Employment Service matches each dollar California provides for this purpose. The budget proposed for this function during the ensuing biennium contemplates a service in keeping with the National standards. The achievement record of the service clearly indicates that it has paid substantial dividends to our State during the current biennium

During the calendar year of 1936 alone, 249,593 persons have been placed in employment in this State as a direct result of the activities of this service This figure does not include placements on relief work projects which amounted to more than 80,000. The placements during 1936 exceeded those of 1935 by 89.4 per cent. Registration of applicants for 1936 reached a total of 281,466. The current active file, representing qualified persons who have been vocationally classified, embraces 170,741 applicants as of December 31, 1936. The placements of our service in California have consistently led the Nation.

All other administrative expenses of the Department of Employment are borne by the Federal Government through direct grants from the Social Security Board. In this respect the department is a self-supporting agency. The budget submitted by the commission in this connection can only be approximate as no precedent exists for comparison in its making.

The Social Security Board grants administrative allotments on a quarterly basis in accordance with approved operating needs and subject to the control procedure and constitutional provisions of California.

After one year of careful observation and study of procedure, the California Unemployment Reserves Commission, the administrative authority for the State Department of Employment, has prepared amendments to the act having for their purpose simplicity and economy of operations.

Highways.

The development of the highway transportation system of the State in which are included all public roads and particularly the State highways, because they constitute the major portion of the main traffic arteries, has contributed immensely to the welfare and progress of the State. Since the beginning in 1912 of active improvement, the State highway system has grown and has been developed into a vast network of improved highways covering all parts of the State, giving access to the communities and to the developed agricultural and recreational areas.

This has required large expenditures. It has meant the undertaking of large projects costing millions of dollars; such projects as the Feather River Highway, the Carmel-San Simeon Highway, the Coast Road from Santa Monica to Oxnard, the Ridge Route from Los Angeles to Bakersfield and many others.

However, we are still faced with a serious problem in highway construction Hundreds of miles of our main trunk lines must be modernized, expanded in capacity and further improved to meet the requirements of the ever increasing traffic volume.

The secondary roads leading to recreational areas, serving many smaller communities and providing more adequate means of access to areas devoted to agriculture and development of natural resources, should be improved.

Additional safety should be built into our highways to reduce the mounting number of accidents. Divided roadways, separation of railroads and important road intersections, lighting and wider pavement lanes are means of achieving additional protection against hazard to the road user.

The improvement of our primary and secondary State highways and the construction of safety measures requires all of the funds which are contributed by the road user. It means a continued conservation of the gas tax funds for highway purposes.

The Bay Bridges.

The San Francisco-Oakland Bay Bridge has been completed, opened for traffic and is in successful operation, thus bringing to conclusion one of the greatest engineering and construction projects in history. The approaches to this structure have been financed at a cost of $6,600,000 from funds derived from gasoline taxes.

The Golden Gate Bridge, now nearing completion, will be opened to traffic within a few months. Construction of approaches to this structure are likewise being financed from gasoline tax funds.

Central Valley Water Project.

The Central Valley Water Project is the most important single enterprise under way at the present time. It is a vital necessity not only to the great Sacramento and San Joaquin valleys and the upper San Francisco Bay area, but to the entire State and to the Nation as well. Through this project the waters of the Sacramento and San Joaquin rivers will be regulated and controlled and made useful for many purposes Flood waters now wasting unused into the ocean and causing ruinous destruction to the fertile valley lands enroute will be controlled and utilized so that our present developed lands facing destruction through water shortage can continue to produce bounteous crops of high value, so that the fertile delta lands will be no longer menaced by the incursion of salt water from the bay. Industrial and urban centers and agricultural lands as well will no longer be faced with loss and retrogression due to water shortage. The area to be directly benefited by the project is some 500 miles long by 40 miles wide, stretching from Redding on the north to Bakersfield on the south. Nearly a million population and a highly developed civilization with cities and towns are directly related to and dependent upon the continuation of agricultural and industrial production and prosperity.

The furtherance of this project has received earnest attention and endeavors throughout my administration. My efforts and those of the State officials—particularly the Water Project Authority of the State of California which is the administrative agency in charge of the Central Valley Water Project—have been directed chiefly to obtaining the cooperation and financial assistance of the Federal Government with the result that it has assumed the entire responsibility for the project. It is gratifying to report that initial allocations and appropriations of sufficient funds to start construction have been made. Efforts will be continued for the purpose of securing additional appropriations and authorizations by Congress at the present session so that the construction of the project can be consummated at the earliest possible date.

San Francisco Harbor.

With respect to the administrative operations by the State Board of Harbor Commissioners, it has been possible, in addition to the payment of all other expenses, including bond interest, and despite the loss occasioned by the strike, amounting to $2,000 a day, to deposit $660,000 in the sinking fund account for the purpose of retiring the funded debt.

Operating economies instituted by the board resulted in a decrease of $305,000 in expenditures for the fiscal year ending June 30, 1936, as compared with the previous fiscal year.

The average number of employees on the pay roll of the Board of State Harbor Commissioners for the fiscal year ending June 30, 1936, was 459, which was 106 less than the number on the pay roll for the previous fiscal year. This resulted in a reduction of $165,000 in the annual pay roll.

The cash balance in the San Francisco Harbor improvement fund available for the replacement and rehabilitation of the facilities of the port, amounted to $1,576,000 on June 30, 1936, or an increase of $295,000 over the amount in this fund on June 30, 1935.

Architecture.

The Division of Architecture, functioning since 1907, cares for all construction work at the various State institutions; also regulates, inspects and supervises the construction of public buildings in the State.

During this biennium the division will have completed or have under contract building construction amounting to approximately $6,875,000, the major portion of which is for State hospitalization.

The division during the last four years also has approved plans and specifications for 1887 school construction projects, having an estimated construction cost of $84,000,000. In addition, examination and reports have been made and completed on 969 existing school projects.

Civil Service.

The State Personnel Board was created two years ago by an initiative constitutional amendment which strengthened the merit system and extended it to include under Civil Service some 5000 positions previously exempt. The total number of persons under Civil Service is approximately 20,000. This enlarged scope of activity and increased opportunities for Civil Service employment have combined to increase the work of the State Personnel Board. Additional responsibilities incidental to the classification of positions, the holding of examinations, and more recently meeting problems of turnover due to improved economic conditions, have caused expansion in the staff.

Since the Constitution limits to six months the time during which positions may be filled by non-Civil Service employees, it is imperative that eligible lists be maintained for all classes to prevent the stoppage of essential public functions.

Even if it were not necessary that the personnel agency be adequately financed as a matter of legal necessity, I would still recommend such support because I am convinced that a proper personnel program based upon the merit principle is an effective force for economy and efficiency.

The personnel agency, through cooperation with budget authorities, may do much to eliminate useless expenditures. The examination process measures the qualifications of the candidates for employment and affords a method of selection that has proved more effective than other methods. As a result, we have better morale, which in itself is valuable.

The task of the personnel agency can be measured by the fact that in the last biennium about 200,000 applicants have been examined, and the certifying of eligibles to vacancies has increased to the point where former peak loads are now regarded as normal. This condition will continue and be magnified because the salary advantages offered by private employment have begun to draw many workers from the service.

Much administrative confusion and expensive litigation has resulted from the inadequacies and ambiguities of the Civil Service Act. I recommend a revision of the law to correct this condition.

We note that in the record of public administration, the California State personnel agency is regarded as one of the three outstanding in the Nation.

Salary Increases for State Personnel.

Attention has been given to the general subject of salary ratings for all personnel in the State service, resulting in adjustments which have brought more 1000 State workers into the minimum salary brackets. In some departments not having revenues sufficient to justify increases, approximately 100 workers continue to receive less than the minimum salary provided in their classifications.

Adjustments also have been made in most cases where inequities exist, and further studies are being made for the purpose of determining the need for additional increases, particular attention being given to those in the lower salary brackets

Audit of State Agencies.

For more than a decade, due to a number of causes, principally insufficient revenues, appropriations have not been sufficient for an auditing staff adequate to carry out requirements of the law providing for annual audit of every State agency. The general fund deficit in 1935 was such that funds necessary to proper auditing of State departments were not provided.

I am happy to report, however, that we found it possible to make funds available to the Department of Finance from the emergency fund and that as a result o the increased auditing work thus undertaken the requirements of the law have been more nearly met during the last year than at any time during the last 20 years. An amount sufficient to provide complete annual audits for 1937 and 1938 has been included in the budget.

In addition, when the Assembly Interim Committee on Auditing discovered that lack of funds threatened to handicap or terminate the committee's investigations, $20,000 was made available to the committee from the Governor's secret service fund.

Constitutional Convention.

By concurrent resolution in 1933, the Legislature submitted to the people a proposal calling for a convention to revise the California State Constitution. The question appeared on the ballot at the general election held November 6, 1934, and was approved by the electorate. The vote was, "Yes," 705,915, and "NO," 668,080.

Carrying out provisions of the measure as approved by the people, I issued on January 14, 1935, a proclamation announcing that such convention had been authorized.

Bills providing machinery for calling and holding the convention were introduced at the 1935 session both in the Assembly, where a proposed measure by Assemblyman Latham failed of passage, and in the Senate, where a companion measure sponsored by Senators Deuel, Slater, Snyder, Stow, Pierovich, Sharkey, Parkman, and Reindollar, was not acted upon

This matter is again called to the attention of the Legislature for consideration and disposition

Interstate Cooperation

Growing out of mutual problems and needs, some of the States in the Union have entered into compacts between themselves, and for this purpose have created Commissions on Interstate Cooperation.

Such State agencies have been established principally to aid the States in the prevention, control and punishment of crime. An interstate compact has been entered into, subject to approval by the several Legislatures, by the States of Kansas, New Mexico, Wyoming, and Colorado, and I shall make available to the Legislature of California a copy of the compact under which such cooperative action is proposed, together with a copy of an act of Congress granting consent to the States to enter into common agreements

It is my conviction that public welfare would be greatly served through the adoption of an interstate compact between California and neighboring States, particularly between this State and Washington, Oregon, Idaho, Wyoming, Utah, Colorado, Nevada, and Arizona, such compact to govern certain activities relating to the application of criminal law

Through such reciprocity between the States, criminal activity may be definitely curtailed, and the apprehension, prosecution and punishment of criminals can be made more expeditious and certain.

In Lieu Tax.

Experience having proven the greater efficiency of collection by the State of the in lieu tax on motor vehicles over the previous method of local assessment and collection, reenactment of this law is recommended.

The record shows not only that a greater amount has been paid under the registration system maintained by the State, but that motor vehicle owners have benefited by a reduction in taxation on this type of property.

State Oil Drilling Leases.

Favorable action by the Senate and Assembly is recommended in the matter of proposed legislation to enable the people of California to protect their state-owned oil deposits.

Under adequate safeguards that will permit the Director of Finance to adopt a program assuring the highest returns to the State, it is proposed that the State of California grant oil-drilling leases to private companies under a system of competitive bidding, or, if such bids prove unsatisfactory, that the State itself may proceed to drill wells. Estimates of the value of oil deposits off Huntington Beach vary, but the Huntington Field is a proven one and the income to be derived by the State from proposed operations probably would amount to many millions of dollars for a period of years.

The people themselves rejected at the 1936 general election a proposal for private drilling in the state-owned oil pool in the Huntington Beach area. This action by the voters undoubtedly was caused by the small royalties that would have accrued to the State Treasury. Under the terms of the program submitted for your consideration, returns to the State will be on a basis commensurate with the value of the oil deposits involved.

Special Messages.

There are many other questions and problems affecting the State Government and the people of California which are not discussed in this Budget Message. As occasion arises I shall send additional messages to the Legislature with such recommendations or comments as may be deemed advisable.

Department of Finance.

It is appropriate in this message particularly to call attention to the exceptional efficiency of the Department of Finance under Director Arlin E. Stockburger, whose outstanding accomplishments in budgetary administration has won National recognition and commendation. The budget herewith presented is the most comprehensive ever submitted to a California Legislature. It shows a more detailed analysis of departmental finances than heretofore submitted and is more readily interpreted through the introduction of a large number of charts and graphs.

Budget In Two Volumes.

The budget for the ensuing biennium is presented in two volumes; the State budget is not alone a program of expenditures for State purposes. It also includes disbursements for, or payments to, local municipal and county governments.

More than 52 per cent of the budget submitted herewith, a total sum in excess of $233,000,000, is allocated to counties, cities and other local districts. Hence, expenditures for essentially State purposes are presented in one volume, and payments to local governments in a second volume.

Volume I of the budget contains the detailed expenditure program of all State departments, commissions, and other State governmental activities. It also contains tables and statements summarizing all revenues and expenses of the State

Volume II contains summaries and detailed statements of payments and grants to local governments.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Reading and Approval of Minutes.

On motion of Senator Slater, the minutes of the Joint Convention were approved as read.

Adjournment of Joint Convention.

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

IN ASSEMBLY.

At three o'clock and thirty-seven minutes p.m., the Assembly reconvened.

Speaker Jones in the chair.

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 14, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

J. A. BEEK, Secretary of Senate.

By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Robertson asked for unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, without reference to committee or calendar.

Mr Hornblower withheld his consent.

Motion For Temporary Suspension of Rule No. 82.

Mr. Robertson moved that Assembly Rule No. 82 be temporarily suspended for the purpose of considering Senate Concurrent Resolution No. 5, at this time.

The roll was called, and Rule No. 82 temporarily suspended by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Yorty, and Mr. Speaker—56.

NOES—Dawson, Heisinger, Hornblower, Hunt, O'Donnell, and Weber—6.

Consideration of Senate Concurrent Resolution No. 5.

Senate Concurrent Resolution No. 5—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Senate Concurrent Resolution No 5 read.

Communication.

During the consideration of Senate Concurrent Resolution No. 5, the following communication was read, and ordered printed in the Journal

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,
SACRAMENTO, CALIFORNIA, January 13, 1937.

Honorable William Moseley Jones, Speaker of the Assembly,
Speaker's Office, State Capitol, Sacramento, California

MR SPEAKER Pursuant to your request of today as to the number of legislative measures which we now have in this office in course of preparation, we wish to report the following.

The only guide we have as to the number of legislative measures in course of preparation is the number of "requests" for the preparation of legislation which we have on hand, the measures requested not having been delivered.

As of twelve o'clock noon today, we have 447 such requests.

Of these, 209 are requests which we have received since eight o'clock a m Monday morning, January 11, 1937

We intend and expect to have ready for delivery to the members of the Legislature at eight o'clock a m. Monday morning next, all requests received by this office to and including twelve o'clock noon of Friday, January 15, 1937, so that as of eight o'clock a.m., Monday morning next, we will have on hand and unfinished only those requests which have been received by this office between noon on Friday of this week and eight o'clock a m next Monday.

If this does not give you all of the information you desire, we will appreciate an opportunity to supplement it.

Respectfully submitted.

FRED B. WOOD, Legislative Counsel.
By C. H. LANGSTAFF, Chief Deputy.

The question being on the adoption of Senate Concurrent Resolution No. 5.

Senate Concurrent Resolution No. 5 read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Glick Hawkins, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp Turner, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—58.

NOES—Call, Cassidy, Garland, Heisinger, Hornblower, Hunt, O'Donnell, and Richie—8.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: **Assembly Joint Resolution No. 2.**

And reports the same correctly enrolled, and presented to the Governor on this fourteenth day of January, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1937.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred: **Senate Bill No. 6.**

Respectfully reports the same back with the recommendation: Do pass as amended.

MILLER, GEORGE P., Chairman.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Bill No. 6, at this time, without reference to calendar.

Consideration of Senate Bill No. 6.

Message From the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 11, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

Senate Bill No. 6—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs, declaring the urgency hereof, to take effect immediately.

In my opinion said Senate Bill No. 6 constitutes an urgency bill within the meaning of that term as used in section 4 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 6 as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Case of Urgency.

The following resolution was offered:

By Mr. Scudder:

Resolved, That Senate Bill No. 6 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 6, at this time

Second Reading of Senate Bill No. 6.

Senate Bill No. 6—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs, declaring the urgency hereof, to take effect immediately.

Committee Amendments to Senate Bill No. 6.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, after the word "including", insert the following: "purchase of land,".

Amendment No. 2.

On page 1, line 17, of the printed bill, as amended, after the first word "fair", insert a comma and the following: "which expenditures shall be exempt from the provisions of section 4041.18 of the Political Code".

Amendments adopted. Bill read second time

Request For Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Bill No. 6, as amended, without reference to reprint

Consideration of Senate Bill No. 6, as Amended.

Senate Bill No. 6—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs, declaring the urgency hereof, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—64

NOES—None.

Senate Bill No. 6 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 14, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 4—Relative to the appointment of a Commission to Foster Better Race Relations and the designation of a Better Race Relations Day.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 4, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 4.

Senate Concurrent Resolution No. 4—Relative to the appointment of a commission to foster better race relations and the designation of a Better Race Relations Day.

Senate Concurrent Resolution No. 4 read, and adopted by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 462 Waived.

Mr. Cottrell waived his notice to reconsider the vote whereby Assembly Bill No. 462 was this day passed.

Assembly Bill No. 462 ordered to print, and transmitted to the Senate.

Request For Unanimous Consent.

Mr. Breed asked for, and was granted, unanimous consent to take up the further consideration of Assembly Joint Resolution No. 11, at this time.

Further Consideration of Assembly Joint Resolution No. 11.

Assembly Joint Resolution No. 11—Relative to the relief of transients problem.

Assembly Joint Resolution No. 11 read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Resolutions.

The following resolutions were offered:

By Mr. Glick:

House Resolution No. 33.

WHEREAS, Section 3 of Article XIV of the Constitution of this State declares that the general welfare of this State requires that the water resources of this State be put to beneficial use to the fullest extent of which they are capable; and

WHEREAS, Said section of the Constitution further declares that the waste or unreasonable use or unreasonable method of use of water shall be prevented; and

WHEREAS, Divers petitions have been handed to members of this Assembly declaring that waters of this State are being polluted by mines, mining corporations, municipalities and others, through the deposit in such waters, of mine tailings, garbage, sewage and other debris; and

WHEREAS, The pollution of the waters of this State constitutes a nuisance and is detrimental to the health and welfare of the citizens of this State; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Investigating Committee on Water Pollution to consist of five members of the Assembly, to be appointed by the Speaker; and be it further

Resolved, That such committee shall investigate and make a thorough study of all instances of pollution of the waters of this State, called to its attention with a view to recommending legislation appropriately to curb the pollution of said waters, and be it further

Resolved, That such committee may appoint a secretary and may employ such clerical and technical assistants and adopt such rules as it, in its discretion, deems necessary and proper to enable it to carry out in full force and effect the powers granted and the duties imposed herein; and be it further

Resolved, That such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description; to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; and be it further

Resolved, That the members of such committee are, and that each of them is hereby authorized and empowered to administer oaths, and that all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly is hereby directed to serve any and all subpenas, orders and other process that may be issued by such committee, when directed so to do by the committee or by the chairman thereof, and to do and perform any other service required of him by such committee or the chairman thereof; and be it further

Resolved, That such committee is authorized to hold hearings at any and all places in the State of California, at which hearings the people shall have opportunity to be present and present their views to such committee; and be it further

Resolved, That such committee may exercise and perform its duties during the present session of this Legislature, before, during, and after the constitutional recess, at such times and places as the committee determines; and be it further

Resolved, That such committee shall file its report with the Assembly within 30 days after its reconvening after the constitutional recess, and that together with its report there shall be filed its findings and recommendations concerning legislation upon the subjects which it is authorized to investigate hereby; and be it further

Resolved, That for the purpose of paying the expenses of such committee and its necessary assistants, there is hereby appropriated from the contingent fund of the Assembly the sum of $500, to be disbursed after certification by the chairman upon warrants drawn by the Controller upon the State Treasurer.

House Resolution No. 33 read, and referred to Committee on Conservation.

By Mr. Heisinger:

House Resolution No. 34.

WHEREAS, It is rumored and charged that the Southern Pacific Company and the Key Transportation System are endeavoring to sell to the State or to the Federal Government all their ferry boats operating between San Francisco and other bay points; and

WHEREAS, It has been publicly stated that the proposed price would be six million dollars ($6,000,000); and

WHEREAS, It has also been publicly stated that the said companies have in the past years written off to depreciation all the value of the ferries, which, if true, means that the people of California have already paid for the ferries; and

WHEREAS, The Legislature is not sufficiently informed relative to these matters to act intelligently thereon; and

WHEREAS, This move by these transportation systems should be investigated so the Legislature could know the true status of the proposed transaction; therefore, be it

Resolved by the Assembly, That an investigating committee composed of three members of the Assembly be appointed by the Speaker to make an investigation of all matters pertaining to transportation of persons and property across the bay bridge and by ferry boats, and also any proposed sale of the ferry boats to the State or to the Federal Government;

Resolved Further, That the committee shall begin its work immediately and may make preliminary reports from time to time but shall make a complete report to the Assembly after reconvening but not later than March 10th.

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation in the matter herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas, and to compel the attendance of witnesses and production of testimony.

Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The Assembly Investigation Committee shall report to the Legislature with all convenient speed, but not later than the tenth of March, 1937, the result of its investigations and studies, with legislative proposals which recommends, and said Assembly Investigation Committee may also report from time to time such results of its investigations and studies as it may deem necessary for the action and advice of the Legislature; and be it further

Resolved, That the sum of $750, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, which may have been heretofore or may hereafter be appropriated for the contingent expenses of the Assembly at this session of the Legislature for the purpose of paying the expenses incurred by the Assembly Investigation Committee hereby created, and for the purposes herein set out, such payments to be disbursed from time to time by Controller's warrants, to be drawn against such contingent fund upon the written orders of the Chairman of said Assembly Investigation Committee, and the said Treasurer is hereby authorized and directed to pay the same.

House Resolution No. 34 read, and referred to Committee on Public Utilities.

By Messrs. Field, Lyon, and Levey:

House Resolution No. 35.

Mr. Speaker and Members: Your committee, appointed to prepare a resolution expressing an appreciation of the past services of Fred J. Desch as Assistant Chief Clerk, present the following and ask its adoption and further ask that it be printed in the Journal.

WHEREAS, Fred J. Desch, Assistant Chief Clerk of the Assembly for the forty-eighth, forty-ninth, fiftieth and fifty-first sessions of the California Legislature has conducted his office with ability and uniform courtesy to every member; and

WHEREAS, Fred J Desch by efficiency and competency, and knowledge of legislative rules and parliamentary procedure has been of invaluable assistance to the Speakers and members of former sessions, now, therefore, be it

Resolved, That the Assembly of the State of California, in this resolution expresses its appreciative recognition of his services and tenders to him its cordial thanks and best wishes; and be it further

Resolved, That a copy of this resolution be suitably engrossed and illuminated and presented to Fred J. Desch.

Request For Unanimous Consent.

Mr Field asked for, and was granted, unanimous consent to take up House Resolution No. 35, at this time, without reference to committee or calendar.

House Resolution No. 35 read, and on motion of Mr Field, unanimously adopted.

Leaves of Absence.

Mr. Morgan was granted leave of absence for the balance of this legislative day, on motion of Miss Miller.

Mr. Kuchel was granted leave of absence for the balance of this legislative day, on motion of Mr. Kepple

Mr. Welsh was granted leave of absence for the balance of this legislative day, on motion of Mr. Hunt.

Introduction and Reference of Bills.—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 500: By Mr. Robertson—An act making an appropriation for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election

held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

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

Assembly Bill No. 501: By Mr Baynham—An act to amend section 954 of the Streets and Highways Code of the State of California, relating to the abandonment of highways.

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

Assembly Bill No. 502: By Mr. Glick—An act making an appropriation to pay the claim of C. B. Paul against the State of California.

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

Assembly Bill No. 503: By Mr. Sawallisch—An act to amend sections 4242.1 and 4242.2 of the Political Code, relating to the compensation of county officers in counties of the thirteenth class.

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

Assembly Bill No. 504: By Mr. Redwine—An act to amend section 1203 of the Penal Code, relating to the determination of probation.

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

Assembly Bill No. 505: By Mr Cronin—An act to repeal section 2 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the continued existence of said act.

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

Assembly Bill No. 506: By Mr Cronin—An act to amend section 9 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the definition of the term "employer."

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

Assembly Bill No. 507: By Messrs Hawkins, and Miller—An act relating to the disciplining or discharging of any employee upon a report by a special agent, detective or so-called spotter, and repealing an act relating to the same subject.

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

Assembly Bill No. 508: By Messrs Hawkins, and Miller—An act to add to the Labor Code sections 860, 861, 862, and 863, to be known as Chapter 7 of Part 2 of Division II thereof, relating to hours of labor of persons employed as personal or domestic workers and providing penalties

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

Assembly Bill No. 509: By Messrs Cunningham, and Waters—An act to amend section 1 of an act entitled "An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately," approved February 1, 1935,

relating to the foreclosure of special assessment bonds, declaring the urgency hereof, and providing that it shall take effect immediately.

Bill read first time.

Request For Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to have Assembly Bill No. 509 placed upon the second reading calendar without reference to committee.

Assembly Bill No. 509 ordered to print, and placed upon the second reading calendar.

Assembly Bill No. 510: By Mr. Maloney—An act to amend section 368 of the Streets and Highways Code, relating to State Highway Route 68.

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

Assembly Bill No. 511: By Mr. Cronin—An act to establish an unpaid Commission on Intergovernmental Cooperation.

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

Assembly Bill No. 512: By Mr. Field—An act to add section 636 to the Streets and Highways Code, establishing an additional secondary State highway.

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

Assembly Constitutional Amendment No. 15: By Mr. Hunt—Proposed amendment to Article XIII of the Constitution by amending section 1a, relative to exemption of educational institutions from taxation.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 16: By Messrs. Voigt, Laughlin, Lore, Meehan, and Tenney—Proposed amendment to Article I of the Constitution, by adding section 14¾ thereto, relative to the taking of property by eminent domain for the purpose of developing natural resources belonging to the State.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 11: By Mr. Weber—Relative to approving two certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 8, 1935.

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 11, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 11.

Assembly Concurrent Resolution No. 11—Relative to approving two certain amendments to the charter of the city of Stockton, State of

California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 8, 1935.

Assembly Concurrent Resolution No. 11 read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Assembly Concurrent Resolution No 11 ordered to print, and transmitted to the Senate

Motion to Print Daily History.

On motion of Mr. Johnson, the Chief Clerk was instructed to have a Daily Supplemental History compiled and printed during the week starting January 18, 1937, and any rule in conflict with this order was temporarily suspended.

Adjournment.

At four o'clock and thirty-five minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Friday, January 15, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TENTH LEGISLATIVE DAY
TWELFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 15, 1937.

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

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G Smyth at the desk.

Roll Call.

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

Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—71.

Quorum present

Prayer.

Prayer was offered by Rev. William F Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Reaves, the further reading of the Journal of Thursday, January 14, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Millington, on motion of Mr. Gannon.
Mr. Sawallisch, on motion of Mr. Hugh M. Burns
Mr. Garibaldi, on motion of Mr. Call.
Mr. Williamson, on motion of Mr. Maloney.
Mr. Levey, on motion of Mr. Maloney.
Mr. Peyser, on motion of Mr. Maloney.
Mr. Boyle, on motion of Mr. Field.
Mr. Cottrell, on motion of Mr. Scudder.
Mr. Beene, on motion of Mr. Scudder.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fred S. Alword, Lieutenant Governor of the State of Nevada.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr

Arthur W. Osburn, the Democratic Mayor of Haight Street, San Francisco, and Mr. Otto Brugge, one of Mayor Osburn's constituents.

On request of Mr Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ralph W. Evans of Los Angeles, former member of Legislature.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Elton Wells of Burbank, Worthy Vice President of Glendale Aerie, Fraternal Order of Eagles and Chairman of Old Age Pension Committee.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. W. C. Moore, Chairman of Board of Supervisors, Riverside County, Mr. Robert Dillon of Beaumont, and Mr. Walter Pittman, Supervisor of Riverside County.

On request of Mr. Richie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Royal C. Stephens of San Diego, President of San Diego branch of National Club of America for Americans.

On request of Mr. Peek, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Edward Pollock and Mrs. Francis Pollock.

On request of Mr Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank J. Waters, Jr., son of Assemblyman Frank J. Waters, Sr.

On request of Mr Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Sherman Hoyt of Pasadena.

On request of Mr. Patterson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Norman B. Hall, editor and publisher of California Informant.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dewey Anderson.

On request of Mr. Hornblower, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Pierson Hall, United States Attorney, of Los Angeles.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles Eastair of State Real Estate Board, Los Angeles.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fred Dubonsky, attorney at law, of Oakland.

Assistant Chief Clerk Greenburg Reading

Reports of Standing Committees.

The following report of standing committee was received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1937

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 273.

Respectfully reports the same back with the recommendation: Do pass as amended

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

Petitions for Impeachment.

The Speaker announced the receipt of two petitions for impeachment of various judges.

Petitions referred to Committee on Judiciary General.

Leaves of Absence.

Mr. Desmond was granted leave of absence for the balance of this legislative day, on motion of Mr. Gannon.

Mr. Glick was granted leave of absence for the balance of this legislative day, on motion of Mr Flint

Mr. Millington was granted leave of absence for the balance of this legislative day, on motion of Mr. Gannon

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 513: By Mr. Burns, Michael J.—An act making an appropriation for river bank protection

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

Assembly Bill No. 514: By Mr Heisinger—An act to amend section 23 of, and to add a new section to be numbered 22a, to the Direct Primary Law relating to the nomination and election of candidates at primary elections.

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

Assembly Bill No. 515: By Mr. Heisinger—An act to amend section 1188 of the Political Code, relating to independent nominations.

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

Assembly Bill No. 516: By Mr. Reaves—An act to add section 869 to the Fish and Game Code, relating to tuna

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

Assembly Bill No. 517: By Messrs. Hawkins, and Pelletier—An act to add section 6a to the Alcoholic Beverage Control Act, relating to the sale of wine.

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

Assembly Bill No. 518: By Mr. Donihue—An act to amend sections 800, 814 and 815 of the Military and Veterans Code, relating to veterans.

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

Assembly Bill No. 519: By Mr. Morgan—An act to amend the Vehicle Code (Chapter 27, Statutes of 1935 as amended) by adding a new subdivision to subsection (b) of section 511 thereof.

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

Assembly Bill No. 520: By Mr. Morgan—An act to add a new section, to be numbered 13b, to the Street Lighting Act of 1919 (Statutes of 1919, p. 612), relating to collection of municipal assessments by the county.

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

Assembly Bill No. 521: By Mr. Morgan—An act to add a new section, to be numbered 8a, to the Street Lighting Act of 1931 (Statutes of

1931, p. 1324), relating to collection of municipal assessments by the county.

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

Assembly Bill No. 522: By Mr. Morgan—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, relating to special assessment taxes.

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

Assembly Bill No. 523: By Mr Lore—An act to add section 33.5 to the Public Utilities Act, relating to public utilities.

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

Assembly Bill No. 524: By Mr. Lore—An act to amend section 4 of the Old Age Security Act of the State of California, approved May 28, 1929, as amended, relating to the signing of notices of aid which are to be recorded as liens.

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

Assembly Bill No. 525: By Mr. Andreas—An act to amend the Fish and Game Code, relating to fish and game and other wild life.

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

Assembly Bill No. 526: By Messrs. Meehan, and Miller—An act to add a new section to be numbered section 2 to Chapter 621 of the Statutes of 1931 entitled "An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof," approved June 5, 1931, relating to the grant of lands to said city.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 527: By Mr. Meehan—An act to amend sections 339 and 340 of the Code of Civil Procedure, relating to limitations of actions.

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

Assembly Bill No. 528: By Mr. Rosenthal—An act to add section 862b to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to fire protection in cities of the sixth class.

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

Assembly Bill No. 529: By Mr Pelletier—An act to repeal section 44 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to employee contributions.

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

Assembly Bill No. 530: By Mr. Martin—An act to amend section 5 of and to add section 5b to, an act entitled "An act to provide for the

formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, providing for the adoption of the merit system by the governing boards of such districts

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

Assembly Bill No. 531: By Mr Clark—An act to amend section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

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

Assembly Bill No. 532: By Mr. Flint—An act to amend section 3366 of the Political Code and to add sections 3367 and 3368 thereto, relating to licensing of circuses, carnivals, and similar traveling shows.

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

Assembly Bill No. 533: By Mr. Flint—An act to add section 374¾ to the Penal Code, relating to poisonous metallic substances in motor fuel, and providing a penalty for the violation of the provisions thereof.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 534: By Messrs. Pelletier, Andreas, Boyle, Clark, Donihue, Flint, Gilbert, Hawkins, Laughlin, Lore, Meehan, Patterson, Peek, Reaves, Richie, Robertson, Tenney, Voigt, Rosenthal, McMurray, Meehan, Watson, and Heisinger, and Mrs. Daley—An act to amend sections 2, 3, 4 and 21 of the Old Age Security Act of the State of California, relating to aid to the aged.

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

Assembly Bill No. 535: By Mr. Miller—An act to amend sections 1217 and 1218 and to repeal section 1222 of the Code of Civil Procedure, relating to contempt.

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

Assembly Bill No. 536: By Mr. Miller—An act to amend sections 11 and 166 of the Penal Code, relating to contempt of court.

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

Assembly Bill No. 537: By Mr. Andreas—An act to amend the Fish and Game Code, relating to fish and game and other wild life.

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

Assembly Bill No. 538: By Mr. Yorty—An act to diminish the causes of labor disputes injuriously affecting the welfare of the people of this State; to encourage the practice of collective bargaining between employers and representative employee groups; to insure to employees the right of self organization, including representation of employees and holding of elections among them; to define and prohibit unfair labor practices; to provide for the establishment of a California Labor Relations Board, including provisions defining its duties and powers, for administration and assistance therein, and for enforcement and review of its findings and orders, and to provide for enforcement of this act and penalties for its violation

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

Assembly Bill No. 539: By Mr. Miller—An act to amend section 1209 of the Code of Civil Procedure, relating to contempt of court.

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

Assembly Bill No. 540: By Mr. Miller—An act to amend section 4468 of the Political Code, relating to contempt of court.

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

Assembly Bill No. 541: By Mr. Miller—An act to add a new section to the Political Code, to be numbered section 1143, relating to boards of election.

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

Assembly Bill No. 542: By Messrs. Pelletier, Andreas, Boyle, Clark, Flint, Gilbert, Hawkins, Laughlin, Lore, Meehan, Patterson, Peek, Reaves, Richie, Robertson, Tenney, Rosenthal, McMurray, Meehan, Watson, Heisinger, Donihue, and Voigt, and Mrs. Daley—An act to amend sections 2020, 2021 and 2160 and to repeal sections 2224 and 2225 of the Welfare and Institutions Code, relating to aid to the aged

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

Assembly Bill No. 543: By Messrs. Rosenthal, and Clark—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts.

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

Assembly Bill No. 544: By Mr. Rosenthal—An act to amend "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

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

Assembly Bill No. 545: By Mr Andreas—An act to add Article 2 to Chapter 8 of Division V of the Agricultural Code, relating to eggs.

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

Assembly Bill No. 546: By Mr. Donnelly—An act to add section 1034 to the Political Code, relating to elective officers.

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

Assembly Bill No. 547: By Mr. Donnelly—An act to amend Chapter 4 of Part 2 of Division 2 of the Insurance Code, relating to disability insurance.

Bill read first time, referred to Committee on Insurance.

Assembly Bill No. 548: By Mr. Donnelly—An act to amend section 23 of the "District Investigation Act of 1933" relating to districts for special taxes and assessments.

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

Assembly Bill No. 549: By Mr. Thorp—An act to add section 13a to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering

thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

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

Assembly Bill No. 550: By Mr Thorp—An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewage matter, the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts.

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

Assembly Bill No. 551: By Messrs. Clark, and Patterson—An act to amend sections 3 and 33 of "The Personal Income Tax Act of 1935," relating to income tax returns of public officers and employees.

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

Assembly Bill No. 552: By Mr. Hunt—An act making an appropriation to pay the claim of Searl A Bender against the State of California.

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

Assembly Bill No. 553: By Mr. Cronin—An act adding a new section, to be numbered section 1b, to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor, and providing penalties", approved June 10, 1913, Statutes 1913, page 508; amendment approved July 15, 1935, Statutes 1935, page 1550.

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

Assembly Bill No. 554: By Mr. Cronin—An act adding a new section, to be numbered section 5a, 5b, 5c, 5d, to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor, and providing penalties", approved June 10, 1913, Statutes 1913, page 508; amendment approved July 15, 1935, Statutes 1935, page 1550.

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

Assembly Bill No. 555: By Mr. Cronin—An act to amend sections 7 and 16 of an act entitled "An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately." Approved June 13, 1935.

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

Assembly Bill No. 556: By Mr. Cronin—An act to amend section 2 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

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

Assembly Bill No. 557: By Mr. Cronin—An act to amend sections 114, 115 and 123 of the Vehicle Code, relating to the appointment, qualification, and assignments of members of the California Highway Patrol.

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

Assembly Bill No. 558: By Mr. Fulcher—An act to add section 610 to the Streets and Highways Code, relating to State highways.

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

Assembly Joint Resolution No. 12: By Mr. Pelletier—Relative to memorializing the President and Congress to enact legislation providing for a 30-Hour Week Labor Law.

Request For Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 12, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 12.

Assembly Joint Resolution No. 12—Relative to memorializing the President and Congress to enact legislation providing for a 30-Hour Week Labor Law.

Assembly Joint Resolution No. 12 read, and adopted by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin McMurray, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Assembly Joint Resolution No. 12 ordered to print, and transmitted to the Senate

Assembly Joint Resolution No. 13: By Mr. Andreas—Relative to memorializing the President of the United States and the Congress of the United States to negotiate reciprocal trade agreements permitting cyanide of potassium to enter the United States free of duty.

Request For Unanimous Consent.

Mr. Andreas asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 13, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 13.

Assembly Joint Resolution No. 13—Relative to memorializing the President of the United States and the Congress of the United States to negotiate reciprocal trade agreements permitting cyanide of potassium to enter the United States free of duty.

Assembly Joint Resolution No. 13 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, McMurray, Meehan, Miller, George P. Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Assembly Joint Resolution No. 13 ordered to print, and transmitted to the Senate

Assembly Joint Resolution No. 14: By Mr. Voigt—Relative to memorializing Congress to develop a harbor at Playa Del Rey, Venice, California, for use as a submarine and destroyer base.

Request For Unanimous Consent.

Mr Voigt asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 14, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 14.

Assembly Joint Resolution No. 14—Relative to memorializing Congress to develop a harbor at Playa Del Rey, Venice, California, for use as a submarine and destroyer base.

Assembly Joint Resolution No. 14 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Yorty, and Mr. Speaker—57.

NOES—Reaves—1

Title read and approved. Assembly Joint Resolution No 14 ordered to print, and transmitted to the Senate.

Assembly Joint Resolution No. 15: By Mr. Scudder—Relative to memorializing the President to use his good offices to persuade the States that have not thus far ratified the Child Labor Amendment to the United States Constitution to do so.

Request For Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 15, at this time, without reference

to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 15.

Assembly Joint Resolution No. 15—Relative to memorializing the President to use his good offices to persuade the States that have not thus far ratified the Child Labor amendment to the United States Constitution to do so.

Assembly Joint Resolution No. 15 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, **Donihue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert,** Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved Assembly Joint Resolution No. 15 ordered to print, and transmitted to the Senate.

Assembly Bill No. 559: By Mr. Cassidy—An act to add section 7 to the Retail Sales Tax Act of 1933 and to add section 4a to the Use Tax Act of 1935, all relating to the exemption both from the sales tax and the use tax of the sale or use of caskets and other tangible personal property utilized in the burial of a deceased person

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

Assembly Bill No. 560: By Mr. Lore—An act to amend section 76a of the Improvement Act of 1911, relating to foreclosure of bonds

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

Assembly Bill No. 561: By Mr. Lore—An act to add sections 195.5 and 1623.5 to the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties

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

Assembly Bill No. 562: By Mr. Redwine—An act to add section 948a to the Code of Civil Procedure, relating to bonds or undertakings required by law or order of the court.

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

Assembly Bill No. 563: By Mr. Redwine—An act to renumber section 1482 of the Probate Code, relating to additional bond required of guardians upon the sale or mortgaging of real property of the ward.

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

Assembly Bill No. 564: By Mr. Redwine—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry.

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

Assembly Constitutional Amendment No. 17: By Mr. Miller—Proposed amendment to Article I, section 9, of the Constitution, relative to contempt of court.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 18: By Mr. Miller—Proposed amendment by adding a new section to be numbered 27, to Article I of the Constitution, relative to contempt of court.

Introduced, and referred to Committee on Constitutional Amendments

Request for Unanimous Consent.

Mr Peek asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time without reference to calendar

Consideration of Senate Concurrent Resolution No. 2

Senate Concurrent Resolution No. 2—Relative to Joint Rules of the Senate and Assembly.

Senate Concurrent Resolution No 2 read

Committee Amendments to Senate Concurrent Resolution No. 2.

The following amendments were submitted by the committee:

Amendment No. 1.

Strike out the first sentence of Rule No. 12, and insert in lieu thereof the following

"All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in type bearing a horizontal line through the center and commonly known as 'strikeout' type."

Amendment No. 2.

Strike out brackets in sentence number four of Rule No. 12, and insert in lieu thereof "strikeout type."

Amendments adopted.

Request For Unanimous Consent.

Mr. Peek asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 2, as amended, at this time, without reference to reprint.

Consideration of Senate Concurrent Resolution No. 2, as Amended.

Senate Concurrent Resolution No. 2—Relative to the Joint Rules of the Senate and Assembly.

Senate Concurrent Resolution No. 2 read

Motion to Amend Senate Concurrent Resolution No. 2, as Amended.

The following amendment was submitted by Mr. Peek:

Amendment No. 1.

On page 4, line 33 of Rule No. 13, thereof, after the word "shall", insert the words "more than five", and strike out the word "single".

Amendment adopted.

Request For Unanimous Consent.

Mr. Peek asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 2, as amended, at this time, without reference to reprint.

Consideration of Senate Concurrent Resolution No. 2, as Amended.

Senate Concurrent Resolution No. 2—Relative to Joint Rules of the Senate and Assembly.

Senate Concurrent Resolution No 2, as amended, read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dil-

worth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Yorty, and Mr. Speaker—61.

NOES—Hunt—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Resolutions.

The following resolutions were offered

By Mr. Redwine.

House Resolution No. 36.

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the contingent fund of the Assembly in favor of Delwin Smith, Sergeant-at-Arms of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of $29.40, said amount being for the travelling expenses necessarily incurred by said Delwin Smith in serving process and notices of the Assembly on Gavin W. Craig, as heretofore directed.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up House Resolution No. 36, at this time, without reference to committee or calendar.

Consideration of House Resolution No. 36.

House Resolution No. 36 read, and adopted by the following vote

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Yorty, and Mr. Speaker—69.

NOES—None.

By Mr. Pelletier:

House Resolution No. 37.

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

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

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

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

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

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

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up House Resolution No. 37, at this time, without reference to committee or calendar.

House Resolution No 37 read, and adopted

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 565: By Mr. King—An act to amend section 3681a of the Political Code, relating to the correction of errors in the assessment of real estate or in any subsequent step in the collection of the taxes thereon and for the reassessment of real estate when on account of error a delinquent tax thereon can not be enforced or when an assessment of property may have been adjudged to be invalid for error of assessment, or in the acts therein, or later.

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

Assembly Bill No. 566: By Mr. King—An act to amend the title, and sections 1, 2, 3 and 5, and to repeal section 4, of an act entitled "An act authorizing and providing for suits for the collection of delinquent taxes due upon personal property," approved March 13, 1903, as amended, to provide for suits for the collection of delinquent taxes and assessments due upon all property not a lien on real property, or not a lien on real property sufficient to secure payment thereof, together with all penalties thereon.

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

Assembly Bill No. 567: By Mr. Yorty—An act to add section 589 to the Vehicle Code, prescribing a rule of evidence establishing a prima facie presumption of guilt of the registered owner of any vehicle illegally parked on any public street or highway in the State of California; prescribing a procedure that must be followed in order that such presumption be invoked and limiting the application of such presumption in certain cases.

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

Assembly Bill No. 568: By Mr Yorty—An act to amend section 10111 of the Insurance Code, relating to measure of liability under policies of insurance, and to provide for attorney's fees in actions thereon in certain cases.

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

Assembly Bill No. 569: By Mr. Yorty—An act to amend section 10113 of the Insurance Code, relating to statements made by the insured and the policy as the entire contract.

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

Assembly Bill No. 570: By Mr. Yorty—An act to add section 10155 to the Insurance Code, relating to forfeitures of policies without notice.

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

Assembly Bill No. 571: By Mr. Yorty—An act to add section 10156 to the Insurance Code, relating to incontestable clauses.

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

Assembly Bill No. 572: By Mr. Yorty—An act to add section 10157 to the Insurance Code, relating to settlement of claims.

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

Assembly Bill No. 573: By Mr. Yorty—An act to amend section 10380 of the Insurance Code, relating to false application statements.

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

Second Reading of Assembly Bills.

Assembly Bill No. 443—An act to amend sections 1, 2, and 4 of the "Chattel Mortgage Moratorium of 1935", relating to the relief of chattel mortgage debtors; declaring the urgency thereof and providing that it shall take effect immediately.

Bill read second time, and ordered to engrossment

Assembly Bill No. 509—An act to amend section 1 of an act entitled "An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately," approved February 1, 1935, relating to the foreclosure of special assessment bonds, declaring the urgency hereof, and providing that it shall take effect immediately.

Bill read second time, and ordered to engrossment.

Appointment of Special Committees.

The Speaker announced the appointment of Messrs. Redwine, Rosenthal and Desmond as special prosecutors for the Assembly in re Gavin W. Craig, pursuant to Assembly Concurrent Resolution No 6.

The Speaker announced the appointment of Messrs. Yorty, Lyon, Hornblower, Millington, and Patterson to serve as members of the Special Assembly Committee on the Celebration of the Discovery of California, pursuant to House Resolution No. 29.

Motion to Appoint Special Committee.

Mr. Voigt moved that the Speaker appoint a Special Committee of Three members of the Assembly to arrange appropriate ceremonies in the Assembly Chamber respecting the inauguration of President Franklin D. Roosevelt on Wednesday, January 20, 1937.

Motion carried.

Appointment of Special Committee.

The Speaker announced the appointment of Messrs. Voigt, Morgan and McMurray as members of the Special Assembly Committee, pursuant to the above motion by Mr. Voigt.

Motion to Inform Senate.

On motion of Mr. Lyon, the Special Assembly Committee appointed to prepare the inauguration ceremonies was instructed to inform the Senate of such action, and to invite the members of the Senate to participate in the ceremonies

Announcement of Change in Assembly Committee Personnel.

The Speaker announced the following change in membership of the standing committees of the Assembly:

Prisons and Reformatories—Mr. Andreas in place of Mr. King.

Senate Message.

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

SENATE CHAMBER, SACRAMENTO, January 15, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency:

Assembly Bill No. 331.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 331 ordered to enrollment.

Adjournment.

At twelve o'clock and thirty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, January 18, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY
FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 18, 1937.

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

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

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

Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine Robertson Rosenthal Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—73.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Glick, the further reading of the Journal of Friday, January 15, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leave of absence for the day:

Mr Burns, Michael J, on motion of Mr. Robertson.
Mr Boyle, on motion of Mr. Field.
Mr Sheehan, on motion of Mr. Maloney.
Mr. Levey, on motion of Mr. Maloney.
Mr. Kuchel, on motion of Mr. Welsh.
Mr Beene, on motion of Mr. Cottrell.
Mr Richie, on motion of Mr. Pelletier.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Stanley A. Burgraff, Regional Director, Membership Enrollment Department, Loyal Order of Moose, San Francisco

On request of Mr Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George H. Allen, First Vice President of the Central Council of Civic Clubs of San Francisco.

On request of Mr Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Charles J. Wagner, former member of the Assembly for the Fourteenth District, Alameda County.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Thomas Crowley of Oakland.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. H. G. Larrick, Business Manager of Salona Beach, California; Capt. W. C. Crandall, Director of Twenty-second Agricultural District, San Diego, and Mr. Harry E. Strasse, Secretary-Treasurer of the California State Firemen's Association, San Diego.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Thomas Maloney, guest of the San Francisco Delegation, and Mrs. A. Sherman Hoyt of Pasadena

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Laura Barnes, editor and owner of the East Bay Reporter, Oakland, and secretary of the Progressive Party.

Assistant Chief Clerk Greenburg Reading.

Reports of Standing Committees.

The following report of standing committee was received and read.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1937.

MR. SPEAKER. Your committee on Engrossment and Enrollment has examined: **Assembly Bill No. 443.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

Special Order.

The hour of eleven o'clock having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 193.

Assembly Bill No. 193—An act to amend sections 2, 4, 5, 7, 9, 10, 14, 15, 19 and 25 of Mortgage and Trust Deed Moratorium of 1935, approved June 21, 1935, relating to the relief of debtors and guarantors, declaring the urgency hereof and providing that it shall take effect immediately.

Motion to Amend Assembly Bill No. 193.

Mr. Rosenthal moved to amend Assembly Bill No. 193 as follows, and requested that the amendments be voted upon separately:

Amendment No. 1.

On page 1, line 2 of title of the printed bill, after the first word "of", insert the following: ", and to add section 32 to, the".

Amendment adopted.

Amendment No. 2.

On page 1, lines 6 and 7, of the printed bill, strike out "April 15, 1937", and insert in lieu thereof the following: "June 1, 1937"

Amendment adopted

Amendment No. 3.

On page 2, line 9, of the printed bill, strike out "May 15, 1937", and insert in lieu thereof the following: "July 1, 1937".

Amendment adopted.

Amendment No. 4.

On page 2, line 16, of the printed bill, strike out "May 15, 1937", and insert in lieu thereof the following: "July 1, 1937".

Amendment adopted

Amendment No. 5.

On page 2, line 38, of the printed bill, strike out "April 15, 1937", and insert in lieu thereof the following: "June 1, 1937".

Amendment adopted.

Amendment No. 6.

On page 3, line 4, of the printed bill, strike out "May 15, 1937", and insert in lieu thereof the following: "July 1, 1937".

Amendment adopted

Amendment No. 7.

On page 3, line 11, of the printed bill, strike out "May 15, 1937", and insert in lieu thereof the following: "July 1, 1937".

Amendment adopted.

Amendment No. 8.

On page 3, line 35, of the printed bill, strike out "February 1, 1937", and insert in lieu thereof the following: "July 1, 1937".

Amendment adopted.

Amendment No. 9.

On page 4, line 7, of the printed bill, strike out "May 15, 1937", and insert in lieu thereof the following: "July 1, 1937".

Amendment adopted.

Amendment No. 10.

On page 4, line 10, of the printed bill, strike out "May 15, 1937", and insert in lieu thereof the following: "July 1, 1937".

Amendment adopted.

Amendment No. 11.

On page 4, line 22, of the printed bill, strike out "May 15, 1937", and insert in lieu thereof the following: "July 1, 1937".

Amendment adopted.

Amendment No. 12.

On page 4, line 41, of the printed bill, strike out "May 15, 1937", and insert in lieu thereof the following: "July 1, 1937".

Amendment adopted.

Amendment No. 13.

On page 5 of the printed bill, between lines 2 and 3, insert the following.

"SEC. 11. A new section to be numbered 32 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 32. If in any proceedings under this act the court has ordered that the time of sale under any deed of trust upon real property, or upon chattels attached to real property, or under any mortgage upon real property, or upon chattels attached to real property, be postponed to February 1, 1937, the court shall, upon its own motion, or upon the motion of the petitioner and after such notice to all interested parties as the court shall reasonably prescribe, order that such sale shall not be held until after such date as the court considers just and equitable, but in no event shall such date be beyond July 1, 1937. In any case where a sale has been postponed under the provisions of this act to February 1, 1937, and such sale is held after February 1, 1937, but prior to the time in which a motion to further postpone the time of such sale can reasonably be made and notice thereof given to all interested parties, the court shall, upon its own motion, or upon the motion of the petitioner and after such notice to all interested parties as the court shall reasonably prescribe, have jurisdiction to order that such sale be set aside and to order that no other sale of that property shall be held until after such date as the court considers just and equitable but in no event shall such date be beyond July 1, 1937."

Amendment adopted.

Amendment No. 14.

On page 5, line 3, of the printed bill, strike out "Sec. 11", and insert in lieu thereof the following: "Sec. 12".

Amendment adopted.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 193, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 193, as Amended.

Assembly Bill No. 193—An act to amend sections 2, 4, 5, 7, 9, 10, 14, 15, 19 and 25 of Mortgage and Trust Deed Moratorium of 1935, approved June 21, 1935, relating to the relief of debtors and guarantors; declaring the urgency hereof and providing that it shall take effect immediately.

Urgency clause read, and adopted by the following vote.

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 193 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Motion for Rush Order on Printing.

On motion of Mr. Rosenthal, Assembly Bill No. 193 was sent to reprint with a rush order.

Special Order.

The hour of eleven o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 443.

Assembly Bill No. 443—An act to amend sections 1, 2, and 4 of the "Chattel Mortgage Moratorium of 1935," relating to the relief of chattel mortgage debtors; declaring the urgency thereof and providing that it shall take effect immediately.

Motion to Amend Assembly Bill No. 443.

Mr. Yorty moved to amend Assembly Bill No. 443 as follows:

Amendment No. 1.

On page 2, line 2, of the printed bill, strike out "October", and insert in lieu thereof: "December".

Amendment No. 2.

On page 2, line 7, of the printed bill, strike out "May 15", and insert in lieu thereof: "July 1".

Amendments adopted.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to take up Assembly Bill No. 443, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 443, as Amended.

Assembly Bill No. 443—An act to amend sections 1, 2, and 4 of the "Chattel Mortgage Moratorium of 1935," relating to the relief of chattel mortgage debtors; declaring the urgency thereof and providing that it shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 443 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Second Reading of Assembly Bills.

Assembly Bill No. 273—An act to amend sections 5, 6, 7, 8, 10 and 11 of, and to add section 13 to, an act entitled "An act providing for the sale of certain State lands," approved May 19, 1915, as amended, relating to State lands, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Committee Amendments to Assembly Bill No. 273.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 13, of the printed bill, strike out "1934", and insert in lieu thereof the following: "1937".

Amendment No. 2.

On page 1, line 19, of the printed bill, strike out "1939", and insert in lieu thereof the following: "1943".

Amendment No. 3.

On page 1, line 21, of the printed bill, strike out "1939", and insert in lieu thereof the following: "1943".

Amendment No. 4.

On page 2, line 7, of the printed bill, strike out "1939", and insert in lieu thereof the following: "1943".

Amendment No. 5.

On page 2, line 10, of the printed bill, strike out "1939", and insert in lieu thereof the following: "1943".

Amendment No. 6.

On page 2, line 17, of the printed bill, strike out "1939", and insert in lieu thereof the following: "1943".

Amendment No. 7.

On page 2, line 19, of the printed bill, strike out "1939", and insert in lieu thereof the following: "1943".

Amendment No. 8.

On page 2, line 34, of the printed bill, strike out "1939", and insert in lieu thereof the following: "1943".

Amendment No. 9.

On page 2, line 45, of the printed bill, strike out "1939", and insert in lieu thereof the following: "1943".

Amendment No. 10.

On page 3, line 13, of the printed bill, strike out "1939", and insert in lieu thereof the following: "1943".

Amendment No. 11.

On page 3, line 28, of the printed bill, strike out "1937", and insert in lieu thereof the following: "1938".

Amendment No. 12.

On page 3 of the printed bill, between lines 32 and 33, insert the following:

"Sec. 8. On and after the first day of January, 1938, the rate of interest on all outstanding contracts for the sale of school lands which are not suitable for cultivation is hereby reduced to five per cent per annum."

Amendment No. 13.

On page 3, line 33, of the printed bill, strike out "8", and insert in lieu thereof the following: "9".

Amendments adopted

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 273, as amended, at this time, without reference to reprint or calendar, and that the same be considered engrossed

Consideration of Assembly Bill No. 273, as Amended.

Case of Urgency.

The following resolution was offered:

By Mr. Cunningham:

Resolved, That Assembly Bill No. 273 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, Assembly Bill No. 273, at this time

Third Reading of Assembly Bill No. 273.

Assembly Bill No. 273—An act to amend sections 5, 6, 7, 8, 10 and 11 of, and to add section 13 to, an act entitled "An act providing for

the sale of certain State lands," approved May 19, 1915, as amended, relating to State lands, and declaring the urgency thereof, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 273 read third time, and passed by the following vote:

AYES—Andreas, Baynhan, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Bill No. 574: By Messrs. Cunningham, Corwin, and Fulcher—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 574, at this time, without reference to committee, print, or calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 574.

Case of Urgency.

The following resolution was offered

By Mr. Cunningham:

Resolved, That Assembly Bill No 574 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Robertson,

Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 574, at this time.

Second Reading of Assembly Bill No. 574.

Assembly Bill No. 574—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof to take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67

NOES—None.

Third Reading of Assembly Bill No. 574.

Assembly Bill No. 574—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—67.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Bill No. 575: By Messrs. Gannon, O'Donnell, and Desmond—An act to amend section 14 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests." approved by the electors November 4, 1924, relating to amateur boxing, sparring and wrestling matches and exhibitions, to take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Gannon asked for unanimous consent to take up Assembly Bill No. 575, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Mr. Hunt withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Gannon moved that the Rules be temporarily suspended for the consideration of Assembly Bill No. 575, at this time

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—Hunt, and Latham—2.

Consideration of Assembly Bill No. 575.

Case of Urgency.

The following resolution was offered:

By Mr. Gannon:

Resolved, That Assembly Bill No. 575 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—Hunt—1.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, Assembly Bill No. 575, at this time

Second Reading of Assembly Bill No. 575.

Assembly Bill No. 575—An act to amend section 14 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by the electors November 4, 1924, relating to amateur boxing, sparring and wrestling matches and exhibitions, to take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64

NOES—Hunt—1.

Third Reading of Assembly Bill No. 575.

Assembly Bill No. 575—An act to amend section 14 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued on contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by the electors November 4, 1924, relating to amateur boxing, sparring and wrestling matches and exhibitions, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—Hunt—1.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Bill No. 576: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 304 and 307 of the Vehicle Code, relating to operator's and chauffeur's licenses, and declaring the urgency hereof.

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

Assembly Bill No. 577: By Mr. Hornblower—An act to amend section 791 of the Political Code, relating to notaries public

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

Assembly Bill No. 578: By Mr. Hornblower—An act to add section 16½ to, and to amend sections 9, 12, 19, 20, 30, 65, and 67 of, the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to compensation and insurance of workmen.

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

Assembly Bill No. 579: By Mr. Hornblower—An act to amend sections 4, 5, 6, and 12 of the Direct Primary Law, relating to primary elections.

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

Assembly Bill No. 580: By Mr. Sawallisch—An act to amend section 44 of the Vehicle Code, relating to emergency vehicles.

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

Assembly Bill No. 581: By Mr. Thorp—An act to add section 326 to the Agricultural Code, relating to the labeling of meat and meat food products.

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

Assembly Bill No. 582: By Mr. Thorp—An act to amend section 305 of the Agricultural Code, relating to meat inspection.

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

Assembly Bill No. 583: By Mr. Thorp—An act to add section 325 to the Agricultural Code, relating to uninspected meat and meat food products.

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

Assembly Bill No. 584: By Messrs. Heisinger, and Richie—An act to amend section 1197 of the Political Code, relating to election ballots.

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

Assembly Bill No. 585: By Messrs. McMurray, Dawson, and Williamson—An act creating the "Divisional Highway" in the City and County of San Francisco, and making it a part of the secondary highway system in this State.

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

Assembly Bill No. 586: By Messrs. Williamson, Cronin, Peyser, Maloney, McMurray, Dawson, Hornblower, Sheehan, and Levey—An act to provide additional land and buildings for the use of the San Francisco State College and making an appropriation therefor.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 587: By Mr. Pelletier—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts.

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

Assembly Bill No. 588: By Mr. Pelletier—An act to amend sections 4251 and 4256 of the Business and Professions Code, relating to the renewal of certificates of registration to practice pharmacy and the fees connected with such practice.

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 589: By Mr Pelletier—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the renewal of registration and the fees connected therewith.

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 590: By Mr. Dawson—An act to amend the Fish and Game Code, relating to fish.

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

Assembly Bill No. 591: By Mr. Dawson—An act to amend the Fish and Game Code, relating to fish.

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

Assembly Bill No. 592: By Mr. Dawson—An act to amend the Fish and Game Code, relating to game.

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

Assembly Bill No. 593: By Mr. Dawson—An act to amend the Fish and Game Code, relating to game

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

Assembly Bill No. 594: By Mr. Dawson—An act to amend the Building and Loan Association Act, relating to building and loan associations.

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

Assembly Bill No. 595: By Mr. Dawson—An act to amend the Building and Loan Association Act, relating to building and loan associations.

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

Assembly Bill No. 596: By Mr. Dawson—An act to amend the Building and Loan Association Act, relating to building and loan associations.

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

Assembly Bill No. 597: By Mr. Dawson—An act to amend the Building and Loan Association Act, relating to building and loan associations.

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

Assembly Bill No. 598: By Mr. Dawson—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 599: By Mr. Dawson—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 600: By Mr. Field—An act to amend section 28a of the Improvement Act of 1911, relating to reassessment procedure and relief from special assessments.

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

Assembly Bill No. 601: By Mr. Field—An act to add section 654d to the Penal Code, relating to advertising by jewelers.

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

Assembly Bill No. 602: By Mr. Field—An act to amend the Political Code by adding thereto a new section to be numbered 4049b, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

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

Assembly Bill No. 603: By Mr. Dawson—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 604: By Mr. Dawson—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 605: By Mr. Dawson—An act to amend Chapter 5 in Division II of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 606: By Mr. Dawson—An act to amend Chapter 5 in Division II of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 607: By Mr. Dawson—An act to amend Chapter 5 in Division II of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 608: By Mr. Dawson—An act to amend Chapter 5 in Division II of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 609: By Mr. Dawson—An act to amend Chapter 4 in Division II of the Business and Professions Code, relating to the practice of dentistry and dental hygiene.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 610: By Mr. Dawson—An act to amend Chapter 4 in Division II of the Business and Professions Code, relating to the practice of dentistry and dental hygiene.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 611: By Mr. Dawson—An act to amend Chapter 4 in Division II of the Business and Professions Code, relating to the practice of dentistry and dental hygiene.

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 612: By Mr. Dawson—An act to amend Chapter 4 in Division II of the Business and Professions Code, relating to the practice of dentistry and dental hygiene.

Bill read first time and referred to Committee on Medical and Dental Laws

Recess.

At twelve o'clock m., on motion of Mr King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

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

Speaker Jones in the chair.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1937.

MR. SPEAKER. Your committee on Engrossment and Enrollment has examined: **Assembly Bill No. 509.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 613: By Messrs. Clark, Peek, Rosenthal, Welsh, Cassidy, Flint, Garland, Gilbert, Glick, Hawkins, Laughlin, Lore, Pelletier, Reaves, Tenney, Voigt Watson, and Yorty—An act to amend section 12 of the Direct Primary Law, relating to ballots at primary elections.

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

Assembly Bill No. 614: By Mr. Burns, Hugh M.—An act to authorize the purchase of certain real property for Fresno State College and making an appropriation therefor.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 615: By Mr. Johnson—An act to amend sections 1245, 1246, 1248, 1249, 1254 and 1255 of the Code of Civil Procedure, and to add new sections to be numbered 1244.1, 1245.2, 1246.1, 1246.3, 1248.1, 1248.2, 1254.1, 1254.2 and 1254.3 to the Code of Civil Procedure, relating to eminent domain.

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

Assembly Bill No. 616: By Mr. Yorty—An act to amend section 3 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provision of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to wagering and to the powers of the California Horse Racing Board, and declaring the urgency hereof.

Bill read first time

Motion to Set Assembly Bill No. 616 as Special Order.

Mr Yorty moved that the consideration of Assembly Bill No. 616 be made a special order of business for Tuesday, January 19, 1937, at eleven o'clock a.m.

The roll was called, and the motion to set as special order lost by the following vote:

AYES—Cassidy, Cunningham, Donihue, Flint, Hunt, King, Latham, Meehan, Miller, George P., Patterson, Peek, Tenney, Yorty, and Mr. Speaker—14

NOES—Burns, Hugh M., Call, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garland, Gilbert, Heisinger, Kepple, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Waters, Watson, Weber, and Welsh—36.

Motion to Set Assembly Bill No. 616 as Special Order.

Mr. Yorty moved that the consideration of Assembly Bill No. 616 be made a special order of business for Wednesday, January 20, 1937, at eleven o'clock a.m.

The roll was called, and the motion to set as a special order lost by the following vote:

AYES—Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Flint, Gannon, Gilbert, Hunt, King, Latham, McMurray, Meehan, Patterson, Peek, Rosenthal, Tenney, Thorp, Waters, and Yorty—23.

NOES—Andreas, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Cronin, Crowley, Dawson, Desmond, Donnelly, Fulcher, Garland, Glick, Hawkins, Heisinger, Kepple, Leonard, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Muldoon, Redwine, Robertson, Sawallisch, Scudder, Stream, Turner, Voigt, Watson, Weber, Welsh, and Mr. Speaker—36.

Assembly Bill No. 616 referred to Committee on Public Morals.

Assembly Bill No. 617: By Mr. Lyon—An act to amend section 8 of the Retail Sales Tax Act of 1933 and section 6 of the Use Tax Act of 1935, relating to advertising and requiring posted or advertised sales prices to be exclusive of the retail sales tax or the use tax.

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

Assembly Bill No. 618: By Mr. Lyon—An act to amend sections 117g, 117i, 117j, 117*l*, of the Code of Civil Procedure, relating to small claims courts.

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

Assembly Bill No. 619: By Mr. Lyon—An act to add a new section to the Political Code of the State of California to be designated section 2168a, relating to the arrest and detention of persons believed to be insane, for a period of not exceeding 48 hours, without warrant of the court.

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

Assembly Bill No. 620: By Messrs. Lyon, and Latham—An act to amend an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring and improving said land." approved April 22, 1909, by adding thereto a new section to be numbered section 25a relating to reassessments.

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

Assembly Bill No. 621: By Messrs. Cassidy, and Miller—An act to amend section 5 of an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray expenses thereof," approved May 23, 1923, relating to county fire protection districts.

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

Assembly Bill No. 622: By Mr. Cassidy—An act to amend section 692 of the Code of Civil Procedure relating to notice of sales of real property under execution or under power of sale in deeds of trust.

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

Assembly Bill No. 623: By Mr. Fulcher—An act to amend section 573 and to repeal section 574 of the Probate Code, relating to actions by and against the personal representative of a deceased person and providing for the survival of actions, rights of action and causes of action.

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

Assembly Bill No. 624: By Mr. Fulcher—An act to add a new section to the Code of Civil Procedure, to be numbered 374a, providing that a married woman shall have a cause of action for consequential damages suffered by her as a result of personal injuries suffered by her husband caused by the wrongful act of another, and for a joinder of such action with an action by her husband.

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

Assembly Bill No. 625: By Mr. Fulcher—An act to amend section 657 of the Code of Civil Procedure, relating to new trials.

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

Assembly Bill No. 626: By Mr. Fulcher—An act to amend section 726 of the Code of Civil Procedure, relating to actions foreclosing mortgages or deeds of trust and prohibiting deficiency judgments.

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

Assembly Bill No. 627: By Mr. Fulcher—An act to amend section 580a of the Code of Civil Procedure, relating to and prohibiting deficiency judgments after sale under power of sale in deed of trust and mortgage.

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

Assembly Bill No. 628: By Mr. Fulcher—An act to amend section 216 of the Vehicle Code, relating to registration of motor vehicles.

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

Assembly Bill No. 629: By Mr. Fulcher—An act to add section 985 to the Streets and Highways Code, relating to cattle guards.

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

Assembly Bill No. 630: By Mr. Andreas—An act to amend section 786 of the Fish and Game Code, relating to lobsters.

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

Assembly Bill No. 631: By Mr. Call—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings.

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

Assembly Bill No. 632: By Mr. Miller—An act to amend section 7 of, and to add section 15 to, the California Air Navigation Act, relating to rules and regulations and their enforcement.

Bill read first time, and referred to Committee on Aviation and Aircraft.

Assembly Bill No. 633: By Mr. Miller—An act to amend section ------ of the Streets and Highways Code, relating to underpasses.

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

Assembly Bill No. 634: By Mr. Miller—An act to amend section ____ of the Streets and Highways Code, relating to overpasses.

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

Assembly Bill No. 635: By Mr. Miller—An act to amend section ____ of the Streets and Highways Code, relating to State highways.

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

Assembly Bill No. 636: By Mr. Cronin—An act to amend sections 2, 3, 4, 7, 9, 11, 17, 22 and 23, and to add sections 24a and 24b to an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

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

Assembly Bill No. 637: By Mr. Cronin—An act making an appropriation to pay the claim of Meta B. Roettig against the State of California.

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

Assembly Bill No. 638: By Mr. Cronin—An act making an appropriation to pay the claim of George A. Sturtevant against the State of California.

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

Assembly Bill No. 639: By Mr. Cronin—An act to add section 685 to the Vehicle Code, relating to inspection of motor vehicles.

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

Assembly Bill No. 640: By Mr. Cronin—An act relating to the inspection of motor vehicles by counties, cities and counties, and cities of this State.

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

Assembly Bill No. 641: By Messrs. Lore, and Glick—An act providing for and requiring that a record be made of the ownership of street improvement bonds, fixing the time within which such recording should be made, and providing for the effect of failure to so record.

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

Assembly Bill No. 642: By Mr. Laughlin—An act to amend section 4041.21 of the Political Code, relating to the powers of boards of supervisors to buy, sell and rent property.

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

Assembly Bill No. 643: By Mr. Clark—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the right of an employee to select anyone licensed to treat the type of injury he has sustained.

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

Assembly Bill No. 644: By Mr. Clark—An act to repeal sections 4601, 4602, and 4603 of, and to add section 4601 to, the Labor Code, relating to Workmen's Compensation.

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

Assembly Bill No. 645: By Mr. Rosenthal—An act to amend sections 20 and 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to awards and disposition thereof.

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

Assembly Bill No. 646: By Mr. Rosenthal—An act to amend section 1031 of the Code of Civil Procedure, relating to costs in municipal courts and justices courts.

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

Assembly Bill No. 647: By Mr. Rosenthal—An act to amend section 9 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the definition of employers and employees subject to the act.

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

Assembly Bill No. 648: By Mr. Rosenthal—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing, to take effect immediately.

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

Assembly Bill No. 649: By Mr. Rosenthal—An act to amend sections 4903 and 5801 of the Labor Code, relative to awards and the disposition thereof.

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

Assembly Bill No. 650: By Mr. Tenney—An act to add section 136½ to the Penal Code, relating to bribing or offering to bribe witnesses.

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

Assembly Bill No. 651: By Mr. Tenney—An act to amend section 1027 of the Penal Code, relating to alienists.

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

Assembly Bill No. 652: By Mr. Tenney—An act to amend section 666 of the Penal Code, relating to sentences and terms of imprisonment.

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

Assembly Bill No. 653: By Mr. Tenney—An act to amend section 2.2140 of the School Code, relating to unified school districts.

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

Assembly Bill No. 654: By Mr. Tenney—An act to amend section 2.2134 of the School Code, relating to taxation in unified school districts.

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

Assembly Bill No. 655: By Mr. Tenney—An act to add section 4.5 to an act entitled "An act to define personal property brokers and

regulate their charges and business," approved April 16, 1909, relating to interest and charges

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 656: By Mr. Tenney—An act to add section 4455.5 to the Labor Code, relating to computation of average weekly earnings.

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

Assembly Bill No. 657: By Mr. Tenney—An act to add section 12¼ to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the computation of average weekly earnings.

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

Assembly Bill No. 658: By Mr. Tenney—An act relating to rates of interest.

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

Assembly Bill No. 659: By Mr. Tenney—An act to amend section 647 of the Penal Code, relating to vagrancy.

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

Assembly Bill No. 660: By Mr. Tenney—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, defining relief workers, and persons receiving sustenance from religious, charitable or relief organizations as employees.

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

Assembly Bill No. 661: By Mr. Tenney—An act to amend sections 3351 and 3352 of the Labor Code, relating to relief workers

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

Assembly Bill No. 662: By Mr. Crowley—An act to amend section 80 of the Agricultural Code, relating to agricultural districts.

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

Assembly Bill No. 663: By Mr. Crowley—An act to add section 538c to the Penal Code relating to poppies, badges, labels, and insignia of veterans' organizations.

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

Assembly Bill No. 664: By Messrs. Voigt, Meehan, Laughlin, Crowley, Andreas, Tenney, McMurray, Pelletier, Turner, and O'Donnell—An act to amend section 463 of the Streets and Highways Code, relating to State Highways

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

Assembly Bill No. 665: By Mr. Cottrell—An act to amend sections 2 and 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled "An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of

said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office," approved March 20, 1905," approved May 31, 1917, as amended, relating to the organization of said bureau and defining its powers and duties.

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

Assembly Bill No. 666: By Mr. Cottrell—An act making an appropriation to pay the claim of W. R. Burchill against the State of California.

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

Assembly Bill No. 667: By Mr. Cottrell—An act making an appropriation to pay the claim of William Giacomazzi against the State of California.

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

Assembly Bill No. 668: By Mr. Cottrell—An act making an appropriation to pay the claim of P. Earl Stuart against the State of California.

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

Assembly Bill No. 669: By Mr. Glick—An act to amend the Direct Primary Law, approved June 16, 1913, as amended, by amending section 22 thereof to provide for the canvass of the returns of primary elections by the registrar of voters or county clerk of a county when directed so to do by the board of supervisors of said county.

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 670: By Mr. Glick—An act to amend sections 1278, 1280, 1281a and 1282 of the Political Code of the State of California to authorize the canvass of the returns of any election held throughout the county by the registrar of voters or the county clerk of the county whenever the board of supervisors of a county shall determine that the returns shall be canvassed in that manner, and providing for the declaration of the result by the board of supervisors of the canvass of returns.

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

Assembly Bill No. 671: By Mr. Glick—An act for the relief of special assessment districts and for the adjustment, refunding or cancellation of the bonded indebtedness of such districts, and for the purpose of empowering the legislative bodies having jurisdiction over such districts to adjust, refund or cancel such indebtedness and to make available to such districts the provisions of the Federal Bankruptcy Laws and any Federal laws pertaining to special assessment relief, and any laws of the State of California for the relief of special assessment districts.

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

Assembly Bill No. 672: By Mr. Glick—An act to amend section 1626 of the Streets and Highways Code.

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

Assembly Bill No. 673: By Mr. Glick—An act to amend an act known and designated as "Assessment Bond Refunding Act of 1933."

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

Assembly Bill No. 674: By Messrs. Hawkins, Pelletier, Rosenthal, McMurray, and Clark—An act relating to municipal corporations to be known as housing authorities to engage in slum clearance and housing projects; to provide for the creation of such housing projects; to provide for the creation of such housing authorities; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for the making of grants and the lending of money to housing authorities by cities and by cities and counties of the first, second and third classes; and to declare the urgency thereof.

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

Assembly Bill No. 675: By Mr. Hawkins—An act to add section ____ to the "State Civil Service Act," relating to civil service.

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

Assembly Bill No. 676: By Mr. Hawkins—An act to add section ____ to the "State Civil Service Act," relating to civil service.

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

Assembly Bill No. 677: By Mr. Hawkins—An act defining securities, regulating the issuance and sale thereof, and for the regulation and supervision of companies, brokers, agents and all persons dealing in securities, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Securities Department and the office of Commissioner of Securities.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 678: By Mr. Hawkins—An act to amend section 675.1 of the Political Code, relating to the approval of salaries by the Department of Finance.

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

Assembly Bill No. 679: By Mr. Hawkins—An act to amend sections ____ of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment

Assembly Bill No. 680: By Mr. Flint—An act to amend section 995 of the Penal Code, relating to grand jury indictments.

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

Assembly Bill No. 681: By Mr. Flint—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

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

Assembly Bill No. 682: By Mr. Flint—An act to amend section 894 of the Penal Code, relating to the acceptance of grand jurors.

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

Assembly Bill No. 683: By Mrs. Daley—An act to add sections 145.5, 825.5 and 825.6 to the Penal Code, relating to the right of arrested persons to communicate with relatives and attorneys.

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

Assembly Bill No. 684: By Mrs. Daley—An act to amend section 5.190 of the School Code, relating to health and development certificates.

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

Assembly Bill No. 685: By Mrs. Daley (By request)—An act to amend section 942 of the Code of Civil Procedure, relating to undertakings on appeal.

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

Assembly Bill No. 686: By Mrs. Daley (By request—An act to amend section 1986 of the Code of Civil Procedure, relating to issuance of subpenas and subpenas to take depositions.

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

Assembly Bill No. 687: By Mrs Daley (By request)—An act to amend section 601 of the Code of Civil Procedure, relating to peremptory challenges in civil cases.

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

Assembly Bill No. 688: By Mrs. Daley (By request)—An act to amend section 657 of the Code of Civil Procedure, relating to grounds for new trials.

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

Assembly Bill No. 689: By Mrs. Daley (By request)—An act to add section 650a to the Code of Civil Procedure, relating to statements on appeal.

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

Assembly Bill No. 690: By Mr. Hornblower—An act to amend section 1068 of the Fish and Game Code, relating to fish.

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

Assembly Bill No. 691: By Mr. Desmond—An act to amend section 80 of the Agricultural Code, relating to agricultural districts.

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

Assembly Bill No. 692: By Messrs. Gannon, and Desmond—An act to amend section 7 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts

amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, as amended, relating to the office of the State Mineralogist.

Bill read first time, and referred to Committee on Mines and Mining.

Assembly Bill No. 693: By Mr. Desmond—An act to amend section 1147 of the Probate Code, relating to the handling of decedent's money by the public administrator.

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

Assembly Bill No. 694: By Messrs. Desmond, and Gannon—An act to amend section 737hh of the Political Code, relating to compensation of the judges of the superior court in and for the county of Sacramento.

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

Assembly Bill No. 695: By Messrs. Gilbert, Clark, Laughlin, Rosenthal, and Dannenbrink—An act to amend section 1.513 of the School Code, relating to punishment for failure to report deaf children.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 696: By Messrs. Gilbert, Rosenthal, Laughlin, Clark, and Dannenbrink—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 697: By Messrs. Gilbert, Rosenthal, Laughlin, Clark, and Dannenbrink—An act to amend section 56 of the Labor Code and to add to Division I thereof Chapter 6, consisting of sections 150, 151 and 152, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 698: By Messrs. Kepple, and Kuchel—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read first time.

Request for Unanimous Consent.

Mr. Kepple asked for, and was granted, unanimous consent to take up Assembly Bill No 698, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 698.

Case of Urgency.

The following resolution was offered:

By Mr. Kepple:

Resolved, That Assembly Bill No. 698 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham,

Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr Speaker—65.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, Assembly Bill No 698, at this time.

Second Reading of Assembly Bill No. 698.

Assembly Bill No. 698—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65.

NOES—None.

Third Reading of Assembly Bill No. 698.

Assembly Bill No. 698—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Redwine, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Leave of Absence.

Mr. Reaves was granted leave of absence for the balance of this legislative day, on motion of Mr Laughlin.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 699: By Mr. Garibaldi—An act to amend section 422 of the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways

Assembly Bill No. 700: By Mr. Garibaldi—An act to amend section 18 of the California Irrigation District Act, relating to the distribution of water

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 701: By Mr. Garibaldi—An act to add section 48b to "The California Irrigation District Act," relating to the dis-

charge, compromise, and purchase of overlapping tax or assessment liens and titles on district-owned property.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 702: By Mr. Crowley—An act to amend section 19x24 of the Juvenile Court Law, relating to the probation officer.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 703: By Mr. Flint—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or wholesale distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or wholesale distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or wholesale distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for violation thereof.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 704: By Mr. Flint—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, relating to candidates on more than one party ticket

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 705: By Mr. Rosenthal—An act to amend section 3 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing ways and means for the enforcement and providing penalties for violations"

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 706: By Mr. Flint—An act to amend sections 1, 2, 3, 4, 5 and 7, of the act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire

Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations."

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 707: By Mr. Flint—An act to repeal an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging and/or pressing establishments or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations."

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 708: By Mr. Flint—An act to amend section 11 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith."

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 709: By Mr. Flint—An act to amend sections 18 and 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 710: By Mr. Flint—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act."

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 711: By Mr. Flint—An act to add a new section to the Penal Code to be numbered section 1306a, relating to forfeiture of bail bond.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 712: By Mr. Turner—An act to add section 626 to the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 713: By Mr. Turner—An act to amend section 4095 of the Political Code, relating to warrants.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 714: By Messrs. Flint, and Reaves—An act to promote the safety of employees and the traveling public upon railroads

by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains; and repealing the act entitled "An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, except in such cases or classes of cases as may be permitted by the Railroad Commission," approved May 24, 1915.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 715: By Mr. Johnson—An act to add four new sections, to be numbered 1000a, 1000b, 1000c and 1000d to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 716: By Mr. Patterson—An act to amend section 2 of an act, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, relating to license fees.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 717: By Mr. Desmond—An act to amend sections 667 and 688 of the Political Code, relating to claims and actions against the State.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 718: By Mr. Garibaldi—An act to amend section 35 of the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 719: By Mr. Garibaldi—An act to amend sections 39 and 40 of the Alcoholic Beverage Control Act, relating to issuance and revocation of licenses.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 720: By Mr. Garibaldi—An act to amend section 23 of the Alcoholic Beverage Control Act, relating to excise taxes.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 721: By Mr. Garibaldi—An act to amend sections 5 and 6 of the Alcoholic Beverage Control Act, relating to licenses.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 722: By Mr. Weber—An act to add sections 21, 22, 23, 24 and 25 to, to amend sections 13, 14, 14a, and 14b of, and to repeal sections 15 and 16 of, the Planning Act, relating to State, regional, county and city planning.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 723: By Mr. Weber—An act to add section 1238.5 to the Code of Civil Procedure, relating to eminent domain.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 724: By Mr. Dawson—An act to amend the Dental Practice Act, relating to the practice of dentistry and dental hygiene.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 725: By Mr. Dawson—An act to amend the Dental Practice Act, relating to the practice of dentistry and dental hygiene.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 726: By Mr. Dawson—An act to amend the Dental Practice Act, relating to the practice of dentistry and dental hygiene.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 727: By Mr. Dawson—An act to amend the Dental Practice Act, relating to the practice of dentistry and dental hygiene.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 728: By Messrs. Welsh, Lore, Pelletier, Lyon, Flint, Laughlin, and Reaves—An act to add a new section to be numbered 1685 to the Streets and Highways Code, relating to the allocation and expenditure of motor vehicle fuel license tax moneys by boards of supervisors of counties having a registration therein of more than 750,000 motor vehicles.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 729: By Mr. Welsh—An act to amend sections ---------- and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; and to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral or adjacent lands into State lands

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 730: By Mr. Welsh—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights, to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith, providing for an appropria-

tion to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral or adjacent lands into State lands

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 731: By Mr. Welsh—An act to amend sections ---------- and to repeal section 24 of "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights, to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral or adjacent lands into State lands.

Bill read first time, and referred to Committee on Oil Industries

Assembly Bill No. 732: By Mr. Welsh—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral or adjacent lands into State lands.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 733: By Mr. Welsh—An act to amend sections ---------- of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, relating to private employment agencies.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 734: By Mr. Welsh—An act to amend sections ---------- of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refund-

ing of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, relating to private employment agencies.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 735: By Mr. Welsh—An act to amend Chapter 1 of Part 6 in Division II of the Labor Code, relating to private employment agencies.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 736: By Mr. Welsh—An act to amend Chapter 1 of Part 6 in Division II of the Labor Code, relating to private employment agencies.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 737: By Mr. Sawallisch—An act to amend section 4004 of the Political Code, relating to county assistance to special districts.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 738: By Mr. Flint—An act to amend section 131 of the Code of Civil Procedure and to add to said code six new sections to be numbered 131.1, 131.2, 131.3, 131.4, 131.5 and 131.6, relating to probation.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 739: By Mr. Flint—An act to amend sections 8 and 19w of the Juvenile Court Law, relating to payment of certain expenses.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 740: By Mr. Flint—An act to amend section 1203.7 of the Penal Code, relating to salaries and expenses of probation officers.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 741: By Mr. Johnson—An act to regulate the practice of horology.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 742: By Mr. Fulcher—An act to add section 608 to the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 743: By Mr. Fulcher—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 744: By Mr. Fulcher—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of

the Business and Professions Code, relating to license fees on itinerant vendors.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 745: By Mr. Meehan—An act to add sections 57.2 and 57.3 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 746: By Mr. Meehan—An act to add section 683 to the Vehicle Code, relating to equipment.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 747: By Mr. Waters—An act to amend section 18a of the Street Opening Act of 1903, relating to reassessment procedure and relief from special assessments.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 748: By Mr. Glick—An act to provide a system of State controlled game management.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 749: By Mr. Glick—An act to provide for cooperation between hunters and farmers, under State supervision, for the purpose of establishing game management units.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 750: By Mr. Glick—An act to add Chapter 5 to Division I of the Fish and Game Code, relating to cooperation between hunters and agriculturists in relation to game propagation and preservation.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 751: By Mr. Boyle—An act to amend the School Code by adding thereto three new sections, to be numbered 2.972, 2.973 and 2.974, relating to the election and recall of members of city boards of education, the cost and expense of such elections, and for the consolidation of such elections

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 752: By Mr. Laughlin—An act to add section 59.5 to the Alcoholic Beverage Control Act, and to repeal section 397c of the Penal Code, relating to the hours of sale of alcoholic beverages.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 753: By Mr. Laughlin—An act to amend sections 92 and 139 of the Civil Code, and to add thereto a new section numbered 108, relating to divorce.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 754: By Mr. Flint—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 755: By Messrs. Cunningham, Flint, and Rosenthal—An act to amend section 2.970 and to add section 2.973 to the School Code of the State of California, relating to the election of members of boards of education.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 756: By Mr. Stream—An act to add section 3a to an act entitled "An act to provide for the organization and creation of improvement districts within irrigation districts organized under the California Irrigation District Act; to provide for the acquisition, construction, operation, maintenance and repair of improvements therein, and for the levy of assessments on the lands of such improvement districts," approved May 25, 1927, to provide for an alternative method of instituting the formation of a special assessment district within an irrigation district to provide for the construction and maintenance of improvements therein.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 757: By Mr. Stream—An act to amend section 384 of the Penal Code, relating to fires.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 758: By Mr. Stream—An act making an appropriation to pay the claim of Charles and Alex Villalvazo against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 759: By Mr. Stream—An act making an appropriation to pay the claim of Joel Garcia against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 760: By Mr. Leonard—An act to amend section 737rr of the Political Code, relating to the salary of the judge of the superior court in and for the county of Santa Cruz.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 761: By Mr. Millington—An act to amend sections 8, 9, 12 and 14 of an act entitled "An act to promote drainage," approved March 18, 1885, relating to drainage districts and to the manner of levying and collecting district assessments therein.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 762: By Mr. Millington—An act authorizing suits against the State to quiet title against it to swamp and overflowed lands by certain persons entitled to the benefits of an act entitled "An act for the protection of settlers on public lands claimed by the State," approved March 10, 1874.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 763: By Mr. Millington—An act to add a new section to the Political Code, to be numbered 3454½, relating to actions by or against reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 764: By Mr. Millington—An act to amend section 3466b of the Political Code, relating to invalid reclamation district assessments.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 765: By Mr Millington—An act to amend section 3480 of the Political Code, relating to special bond elections in reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 766: By Mr. Millington—An act to amend section 3466a of the Political Code, relating to lands sold for delinquent reclamation district assessments

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 767: By Mr. Voigt—An act to amend _____ of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to regulation of outdoor advertising

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 768: By Mr. Voigt—An act for the raising of revenue to meet the expenditures of this State not otherwise provided for, pursuant to the provisions of the first paragraph of section 15 of Article XIII of the Constitution, and adding section 3664a-3 to the Political Code, relating to the taxation of operators of pipe lines used in the transportation of gas between points in this State, except common carriers, including tax delinquencies, tax penalties and costs, tax liens, remedies for unauthorized taxation, and defining the duties of operators of such pipe lines, and prescribing penalties for violations of the act.

Bill read first time, and referred to Committee on Revenue and Taxation

Assembly Bill No. 769: By Mr. Voigt—An act to amend sections 115, 123, 596 and 598 of the Vehicle Code, relating to vehicle and vehicular traffic

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 770: By Mr. Voigt—An act defining unlawful gas, prohibiting dealing in and transporting by pipe unlawful gas, requiring certain corporations, individuals and associations of individuals engaged in the business of buying lawful gas and transporting the same by pipe line to be common purchasers of such gas, and fixing penalties for violations of the act

Bill read first time, and referred to Committee on Oil Industries

Assembly Bill No. 771: By Mr. Latham—An act relating to the exemption of household goods and personal property from taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 772: By Messrs Latham, and Lyon—An act to amend section 10 of the State Civil Service Act, relating to lists of preliminary requirements for eligibility for examination

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 773: By Messrs. Latham, and Lyon—An act to amend sections 26 and 26a of the State Civil Service Act, relating to proof of status by veterans.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 774: By Mr Scudder—An act to add section 1011 5 to the Fish and Game Code, relating to fish meal.

Bill read first time, and referred to Committee on Fish and Game

Assembly Bill No. 775: By Mr. Scudder—An act to amend section 809 of the Fish and Game Code, relating to clams.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 776: By Mr Scudder—An act to add section 604 to the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 777: By Mr Scudder—An act to amend section 3a of an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to the formation of such districts.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 778: By Mr. Scudder—An act to amend section 5 of the act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to compensation and expenses of officers of such districts.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 779: By Mr. Garibaldi—An act to add section 3817ee to the Political Code, relating to suits by public agency to quiet title.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 780: By Mr. Garibaldi—An act relating to the redemption of property sold to irrigation districts for delinquent assessments.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 781: By Mr. Garibaldi—An act to amend sections ------ and ------ of, and to add section ------ to "The California Irrigation District Act," relating to the acquisition and construction of works and distribution of water for irrigation purposes.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 782: By Mr. Garibaldi—An act to amend sections ------ and ------ of, and to add section ------ to "The California Irrigation District Act," relating to the acquisition and construction of works and distribution of water for irrigation purposes.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 783: By Mr. Gilbert—An act to amend section 108 of, and to add sections 110.5, 110.6 and 804, and Division IVa, comprising sections 345.4 to 345.94, inclusive, to the Vehicle Code, relating to the creation of the Division of Motor Vehicle Insurance, the creation of a State motor vehicle insurance fund, providing for insurance of motor vehicles by said fund.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 784: By Mr. Gilbert—An act to amend the "Mortgage and Trust Deed Moratorium of 1935," relating to the relief of debtors.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 785: By Mr. Gilbert—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 786: By Mr. Desmond—An act to add a new section to the School Code to be numbered 2.75, relating to the bonded indebtedness of high school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 787: By Mr. Desmond—An act to amend sections 301 to 318, inclusive, of the Agricultural Code, relating to meat inspection.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 788: By Mr. Desmond—An act to amend Division III of the Agricultural Code, relating to slaughtered animals.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 789: By Mr. Desmond—An act to amend sections 331 to 378, inclusive, of the Agricultural Code, relating to marks and brands.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 790: By Mr. Desmond—An act to amend sections 321 to 324, inclusive, of the Agricultural Code, relating to cold storage meat.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 791: By Mr. Redwine—An act to amend section 2167b of the Political Code, relating to the residence of psychopathic parole patients, liability of estate of such patients or his relatives to city and county or county furnishing maintenance, reimbursement, security and liens to city and county or county furnishing such main-

tenance and guardianship of estates of such patients for purposes of reimbursement to city and county or county.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 792: By Mr Redwine—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, of and to add new sections to be numbered 17, 18, 19, 20, 21, to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 793: By Mr. Redwine—An act to provide for the installation of highway illumination and maintenance thereof, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 794: By Mr. Redwine—An act to amend sections 61, 90, 91, 128, 131 and 132 of the Civil Code, relating to divorce.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 795: By Mr. Williamson—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 49a and 57 thereof, relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

Assembly Bill No. 796: By Mr. Williamson—An act to amend sections 29 and 31 of the act entitled 'An act to carry into effect the provisions of sections 14 and 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes,' approved March 1, 1929, Statutes 1929, p. 19, as amended, relating to the lien of such taxes."

Bill read first time, and referred to Committee on Banking.

Assembly Bill No. 797: By Mr Williamson—An act to amend an act entitled "An act to define the liability of stockholders in California State banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," approved April 24, 1931, by amending section 1 thereof and adding a new section, to be numbered section 1.1, thereto.

Bill read first time, and referred to Committee on Banking.

Assembly Bill No. 798: By Mr. Williamson—An act to amend sections 681 to 713½ inclusive of the Code of Civil Procedure, relating to execution and attachment.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 799: By Mr. Williamson—An act to amend section 4157 of the Political Code, relating to the duties of the sheriff.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 800: By Mr. Williamson—An act to add two new sections to the School Code to be numbered 3.352a and 4.930, relating to junior colleges maintained by high school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 801: By Messrs. Reaves, and Patterson—An act to amend sections 990, 991 and 993 of the Fish and Game Code, relating to commercial fishing.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 802: By Messrs Reaves, and Hunt—An act to add section 929 to the Fish and Game Code, relating to and regulating the subject of fishing within the jurisdiction of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 803: By Mr. Gannon—An act to amend section 7 of the "Vital Statistics Registration Act," relating to death certificates.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 804: By Messrs, Williamson, Maloney, Hornblower, Dawson, McMurray, Sheehan, Cronin, Peyser, and Levey—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing, to take effect immediately.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 805: By Mr. Thorp—An act to amend sections 5.401 and 5.501 of the School Code, relating to employment of teachers.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 806: By Mr. Dannenbrink—An act to amend section 1151 of the Political Code, relating to boards of election within municipalities.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 807: By Mr. Dannenbrink—An act to add sections 1167.1, 1167.2, 1167.3 and 1167.4 to the Code of Civil Procedure, relating to possession of real property prior to judgment in any action for the recovery of possession of such real property.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 808: By Mr. Dannenbrink—An act to amend sections 105 and 107 of the Civil Code, relating to divorce.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 809: By Mr. Dannenbrink—An act to amend section 3819 of the Political Code, relating to an action to recover a tax paid under protest.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 810: By Mr. Miller—An act to amend section 1142 of the Political Code, relating to elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 811: By Mr. Miller—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 812: By Miss Miller—An act to add sections 1.120a and 2.1443a to the School Code, relating to tests of sight and hearing and providing for the establishment of a Bureau of Health Inspection of Exceptional Children in the Division of Special Education.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 813: By Miss Miller—An act to amend sections 2, 3, 9, 12, 14, 15, 18, 19, and 24 of the "Act Concerning Cosmetology," relating to the practice of cosmetology.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 814: By Mr. Yorty—An act to regulate hours of labor, and to provide penalties for violation hereof.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 815: By Mr. Donnelly—An act to amend sections 62, 67, and 698 of and to add sections 98 and 98.5 to the Fish and Game Code, relating to bass and creating two new districts for the purpose of regulating the taking of bass therein.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 816: By Mr. Donnelly—An act to add section 682 to the Vehicle Code, relating to the equipment of motor vehicles and trailers.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 817: By Mr. Morgan—An act relating to the installation of concession stands in the public buildings of this State, and providing for their operation by licensed blind persons, and making an appropriation therefor.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 818: By Mr. Lore—An act to repeal certain sections of the Insurance Code, hereinafter specifically referred to, relating to minimum rates for workmen's compensation insurance.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 819: By Mr. Lore—An act to add section 12.5 to the Public Utilities Act, relating to public utilities.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 820: By Mr. King—An act regulating the practice of architecture, civil engineering, and land surveying by officers, or employees, of the State of California, or of any county, city and county, city, town, school district, road district, drainage district, levee district, bridge district, sanitary district, water district, irrigation district, utility district, or other improvement district of any kind, thereof, or any other political division thereof, or of any public corporation thereof which has the right to levy taxes, or assessments which may be col-

lected as taxes, or of any public corporation thereof whose revenue is derived either in whole or in part from public funds which have been collected as taxes.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 821: By Mr. King—An act to amend section 800 of the Military and Veterans Code, relating to veterans.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 822: By Mr. Lyon—An act to amend section 1153 of the Fish and Game Code, relating to guns.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 823: By Mr. Lyon—An act prohibiting the sale and distribution of firearms and ammunition therefor to minors within this State.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 824: By Mr. Sawallisch—An act to repeal section 2.2102 of the School Code and to amend section 5.667 thereof, relating to persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof and providing that this act shall go into immediate effect.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 825: By Messrs. Breed, Hornblower, and Laughlin—An act to amend section 136 of the Vehicle Code, relating to the authority of certain officers and employees of the Department of Motor Vehicles.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Constitutional Amendment No. 19: By Miss Miller—Proposed amendment to Article XX of the Constitution, by repealing section 22 thereof and adding section 23 thereto, relating to alcoholic beverages.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 20: By Mr. Gilbert—Proposed amendment to Article XIII of the Constitution, by adding a new section numbered 1¼a, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 21: By Messrs. Donihue, Meehan, Williamson, Hunt, Dannenbrink, Desmond, Watson, Gannon, and Breed—Proposed amendment to Article XI, section 12 and Article IV, section 31 of the Constitution, relative to the powers of the State Legislature to levy taxes for county, city and other municipal purposes, and the making of gifts to counties, cities and other municipal corporations.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 22: By Mr. Stream—Proposed amendment to Article XIII of the Constitution, by adding sections 1.1 and 1.2 thereto, relative to limitation of tax rates.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 16: By Messrs. Latham, and Lyon—Relative to memorializing the President and the Congress of the United States to repeal the Federal gasoline tax.

Request for Unanimous Consent.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 16, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 16.

Assembly Joint Resolution No. 16—Relative to memorializing the President and the Congress of the United States to repeal the Federal gasoline tax.

Assembly Joint Resolution No. 16 read, and refused adoption by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Clark, Corwin, Crowley, Cunningham, Dilworth, Donihue, Donnelly, Field, Hawkins, Heisinger, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Miller, Eleanor; Patterson, Peek, Pelletier, Redwine, Rosenthal, Scudder, Stream, Walker, Waters, Watson, Yorty, and Mr. Speaker—34.

NOES—Call, Cassidy, Dannenbrink, Dawson, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hunt, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Tenney, Turner, Voigt, and Welsh—25.

Assembly Joint Resolution No. 16 ordered to print.

Assembly Concurrent Resolution No. 12: By Mr. King—Relative to granting leave of absence to Honorable James J Boyle, member of the Assembly, to leave the State from January 16, 1937, to March 1, 1937

Request for Unanimous Consent.

Mr King asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 12, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 12.

Assembly Concurrent Resolution No. 12—Relative to granting leave of absence to Honorable James J Boyle, member of the Assembly, to leave the State from January 16, 1937, to March 1, 1937

Assembly Concurrent Resolution No 12 read, and unanimously adopted.

Title read and approved Bill ordered to print, and transmitted to the Senate

Assembly Concurrent Resolution No. 13: By Messrs. Gilbert, Rosenthal, Clark, Dannenbrink, and Laughlin—Relative to urging that a suitable part of public employment be given to the deaf citizens of the State.

Request for Unanimous Consent.

Mr. Gilbert asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 13. at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 13.

Assembly Concurrent Resolution No. 13—Relative to urging that a suitable part of public employment be given to the deaf citizens of the State.

Assembly Concurrent Resolution No. 13 read, and unanimously adopted.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Concurrent Resolution No. 14: By Messrs. Desmond, and Gannon—Relative to approving certain amendments to the charter of the county of Sacramento, State of California, submitted to, voted for, and ratified by the electors of said county at a special election held in said county for that purpose on the twenty-fifth day of August, 1936.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 14, at this time, without reference to committee, print, or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 14.

Assembly Concurrent Resolution No. 14—Relative to approving certain amendments to the charter of the county of Sacramento, State of California, submitted to, voted for, and ratified by the electors of said county at a special election held in said county for that purpose on the twenty-fifth day of August, 1936.

Assembly Concurrent Resolution No. 14 read, and adopted by the following vote:

AYES—*Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Corwin,* Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Redwine, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—66

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate

Resolutions.

The following resolutions were offered:

By Mr. Heisinger:

House Resolution No. 38.

WHEREAS, The dairy industry is one of the basic industries of this State, and the prosperity and happiness of all the people of this State are dependent thereon; and

WHEREAS, There is a variety of local dairy inspection legislation among the counties, cities and counties, and cities of this State; and also efforts to control transportation and distribution; and

WHEREAS, There are frequent complaints that such diversity of legislation is burdensome and is forcing many dairymen out of business; and

WHEREAS, It is rumored that this situation has been created by the machinations of certain interests who desire to acquire a monopolistic control of the dairy industry; and

WHEREAS, It is the duty of the Legislature to protect the dairy industry from any manipulations that are detrimental to the best interests of the people of the State of California; and

WHEREAS, The Legislature does not possess sufficient knowledge whereon to establish beneficial legislation of a general character; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a committee of three members to make an investigation during the constitutional recess of all the matters hereinabove referred to; and be it further

Resolved, That said committee shall be and is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matter above referred to in order to enable the Assembly to act judiciously and advisedly upon such matters, and the said committee shall hereby be empowered to summon and subpena witnesses, require the production of persons, books, accounts, reports and records of every kind, and take all necessary means to compel the attendance of witnesses and to procure testimony; the members of such committee are, and each of them is, hereby authorized to administer oaths; all of the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committee thereof, shall apply to the committee appointed under this resolution, and said committee shall have the power therein specified; the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof, and do and perform any other service required of him by said committee; that said committee be and it is given leave to sit during the recess, at such times, place or places, as the committee may determine; such committee may, at its discretion, hold public or executive meetings, as it shall deem necessary or desirable; and be it further

Resolved, That the committee shall render its written report at the reassembling of the Legislature in March of this year; and be it further

Resolved, That for the purpose of paying expenses of said committee in connection with the duties imposed by this resolution and for the purpose of paying the expenses of the necessary assistants of said committee, there hereby is appropriated out of the contingent fund of the Assembly the sum of $1,500, and the State Controller shall, upon the certification of the chairman of said committee, draw his warrant upon, and the State Treasurer shall pay, all sums so drawn from the contingent fund of the Assembly of the State of California; and be it further

Resolved, That the Legislative Counsel Bureau shall, at the request of the committee, cooperate with and aid the committee in the investigation.

Request for Unanimous Consent.

Mr. Heisinger asked for, and was granted, unanimous consent to take up House Resolution No. 38, at this time, without reference to committee or calendar.

House Resolution No. 38 read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Laughlin, Leonard, Lore, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—61.

NOES—Dannenbrink, Hunt, Latham, Lyon, Mayo, and Redwine—6.

By Mr. Donihue:

House Resolution No. 39.

WHEREAS, The budget recommended by His Excellency, the Governor, for the next biennium shows an increase over the budget for the present biennium of $27,059,626, and

WHEREAS, The budget for the present biennium contained a large increase over the budget for the 1933-1935 biennium, and

WHEREAS, The natural tendency of our government is to expand and increase in both its functions and expenses, and

WHEREAS, In this growing process it very often happens that unnecessary functions, overlapping of duties, improper or lack of consolidation and organization in departments, and generally unnecessary expenses, are permitted to exist and are carried along without correction, and

WHEREAS, Continued vigilance on the part of the Legislature is necessary to eliminate and correct these matters to the end that efficient government may be maintained at a minimum of expense, and

WHEREAS, A program of governmental reorganization was inaugurated in 1927, which program was further developed and extended by the Legislature in 1929 and 1931, and

WHEREAS, It will be necessary for the Legislature of the State of California and the Assembly thereof to have before it reliable and dependable information concerning each and all of the various departments of the State, their activities, cost of administration, and other things connected therewith, in order to act advisedly and judiciously concerning the aforesaid matters, and upon various bills and measures which are or will be before the Legislature touching such matters; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Committee on State Governmental Organization to consist of nine members of the Assembly appointed by the Speaker; and be it further

Resolved, That such committee is hereby authorized and directed to completely study and investigate, accurately and in detail, the organization, functions and administration of the State Government and of any department, agency or subdivision thereof, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and the removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the State Government and the agencies and subdivisions thereof; and be it further

Resolved, That such committee upon the appointment of its members shall organize, and that such committee may appoint a secretary and may employ such clerical, legal and technical assistance and adopt such rules as it in its discretion deems necessary and proper to enable it to carry out to full force and effect the powers granted and the duties imposed herein; and be it further

Resolved, That all officers of this State and the heads of each and every department, agency, and subdivision thereof, and all employees of such departments, agencies and subdivisions and all other persons whether connected with the State Government or not, shall give and furnish to such committee upon request, such information, records and documents as the committee deems necessary or proper for the achievement of the purposes for which it was created; and be it further

Resolved, That such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description; to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; and be it further

Resolved, That the members of such committee are, and that each of them is hereby authorized and empowered to administer oaths, and that all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly is hereby directed to serve any and all subpenas, orders and other process that may be issued by such committee, when directed so to do by the committee or by the chairman thereof, and to do and perform any other service required of him by such committee or the chairman thereof; and be it further

Resolved, That such committee is hereby authorized and empowered to make a complete investigation and study of all the matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary and proper in connection therewith, and to do and perform each and all of the things necessary or convenient to enable it to exercise the powers and perform the duties heretofore granted to it or imposed upon it; and be it further

Resolved, That such committee may exercise its powers and perform its duties during the session of the Assembly, between sessions thereof, and during the constitutional recess, at such times and places as the committee determines; and be it further

Resolved, That such committee shall make a preliminary report of the results of its study and investigation, together with its preliminary recommendation for proposed legislation to the Assembly upon its reconvening after the constitutional recess, or as soon thereafter as possible, and that such committee shall make a final report of the results of its study and investigation and of its recommendations for proposed legislation to the fifty-third session of the Legislature; and be it further

Resolved, That for the purpose of paying the expenses of such committee, in connection with the powers granted and the duties imposed by this resolution, and for the paying of the expenses of the necessary assistants of such committee, there is hereby appropriated from the contingent fund of the Assembly the sum of $10,000, to be disbursed after certification by the chairman upon warrants drawn by the Controller upon the State Treasurer.

House Resolution No. 39 read, and referred to Committee on Rules.

By Miss Miller and Messrs. Redwine, Lyon, and Cunningham:

House Resolution No. 40.

WHEREAS, ARTHUR A. OHNIMUS, Through 22 years of devoted, efficient service to this Assembly and its members as Chief Clerk, Parliamentarian, Counsellor and Guide, has endeared himself to all who have come to know him; and

WHEREAS,

"Friendship is the one unselfish love of the human heart;
It gives willingly and asks nothing in return,"

and

WHEREAS, Few men have better exemplified the truth of this statement than the said Arthur A. Ohnimus, whose sterling worth, unfailing courtesy, high sense of duty and faithful devotion to the work of his office, have been a constant source of inspiration to the members of this Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That we do hereby express our heartfelt appreciation of his genuine character, his faithful service and his unswerving loyalty and devotion to his fellowman; and be it further

Resolved, That we extend to the said Arthur A. Ohnimus our earnest assurance of deep friendship and affectionate regard, and our best wishes for his continued health, happiness and success; and be it further

Resolved, That this resolution be printed in the Journal of this Assembly and that a copy of the same be suitably engrossed and presented to Arthur A. Ohnimus and his family.

Eleanor Miller.
Charles W. Lyon.
Kent H. Redwine.
Thomas J. Cunningham.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up House Resolution No. 40, at this time, without reference to committee or calendar.

House Resolution No. 40 read, and unanimously adopted.

By Mr. Cronin:

House Resolution No. 41.

WHEREAS, On the sixteenth day of June, 1935, the Assembly adopted a resolution authorizing the Speaker of the Assembly to appoint a committee to make a full and complete investigation of all matters and subjects relating to or in anywise pertaining to the manufacture and sale of intoxicating liquor, which resolution is set out in full on page 113 of the Assembly Daily Journal dated June 16, 1935; and

WHEREAS, Pursuant thereto the Speaker of the Assembly appointed Assemblymen James J. Boyle, Melvyn I. Cronin, Charles W. Lyon, Harry B. Riley, and Hubert B. Scudder as the committee provided for in said resolution; and

WHEREAS, Said committee has conducted investigations as authorized in and by said resolution and has made a report to the Assembly; and

WHEREAS, Said committee recommends that it be continued with the same powers and authority set forth in said resolution, until it completes the work assigned it in and by said resolution; and

WHEREAS, One of the members of said committee has ceased to be a member of the Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That the remaining members of said committee, to wit Assemblymen James J. Boyle, Melvyn I. Cronin, Charles W. Lyon, and Hubert B. Scudder, be continued as such committee with all the powers and authorities set forth in this resolution, and that the Speaker of the Assembly immediately appoint a member of this Assembly to act on said committee in place and instead of Assemblyman Harry B. Riley; and be it further

Resolved, That said committee be and it is hereby authorized and empowered to make a full and complete investigation of all the matters and subjects hereinbefore referred to and relating thereto and to do any and all things necessary or proper in connection therewith and to do and perform each and all of the things necessary or convenient to enable said committee to prepare and submit at the next session of the Legislature such additional legislation and recommendations as said committee shall deem necessary for properly and satisfactorily regulating the manufacturing, use and sale of intoxicating liquors within the State of California; and be it further

Resolved, That the officers of this State and the heads of each and every department and the employees of such departments as have charge of the enforcement of such law and the levy and collection of the license fees and taxes imposed in and by said Assembly law shall give and furnish to such committee, upon request, such information, records and documents as said committee shall deem necessary or proper for the purposes aforesaid. Said committee shall have power to engage such

necessary assistance as it shall deem necessary or proper in connection with the aforesaid matters; and is authorized and empowered to summon and subpena witnesses, require the production of persons, books, accounts, reports, documents, records and papers of every kind; to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; the members of said committee are, and each of them is, hereby authorized to administer oaths; all of the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of this State, relative to the attendance and examination of witnesses, before the Legislature and committees thereof, shall apply to the committee appointed under this resolution, and said committee shall have the power therein specified; the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof, and do and perform any other service required of him by said committee; that said committee be and it is given leave to sit during the sessions of the Assembly, and/or during recess, at such times, place or places as the committee may determine; such committee may, at its discretion, hold public or executive meetings, as it shall deem necessary or desirable; and be it further

Resolved, That said committee report to the Assembly during the present regular session of the Legislature its findings and recommendations concerning the matters which it is by this resolution authorized to consider; and be it further

Resolved, That the sum of $1,000 be and the same is hereby made available for the purpose of defraying the expenses of such committee, other than that required by law to be paid from the legislative help fund. Said sum to be paid from the contingent fund of the Assembly, and the State Controller is hereby authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Request for Unanimous Consent.

Mr. Cronin asked for unanimous consent to take up House Resolution No. 41, at this time, without reference to committee or calendar.

Mr Laughlin withheld his consent

Motion for Temporary Suspension of the Rules.

Mr. Cronin moved that the Rules be temporarily suspended for the consideration of House Resolution No. 41, at this time.

The roll was called, and motion for temporary suspension of the Rules lost by the following vote:

AYES—Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Dilworth, Donihue, Field, Gannon, Garibaldi, Heisinger, Lyon, Maloney, Martin, Mayo, Millington, O'Donnell, Scudder, Stream, Thorp, Walker, Waters, Weber, and Welsh—26.

NOES—Andreas, Baynham, Burns, Hugh M., Daley, Dannenbrink, Dawson, Donnelly, Flint, Fulcher, Garland, Gilbert, Gluck, Hawkins, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Lore, McMurray, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Robertson, Rosenthal, Sawallisch, Tenney, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—37.

House Resolution No. 41 referred to Committee on Public Morals.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 15, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 3—Directing an investigation and report upon acquisition of the toll bridge across Carquinez Straits.

Senate Concurrent Resolution No. 6—Relative to granting leave of absence to the Honorable John B. McColl, member of the Senate of the fifty-second session of the Legislature of the State of California.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 3.

Senate Concurrent Resolution No. 3—Directing an investigation and report upon acquisition of the toll bridge across Carquinez Straits.

Senate Concurrent Resolution No. 3 read, and adopted.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Fulcher asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 6.

Senate Concurrent Resolution No. 6—Relative to granting leave of absence to the Honorable John B. McColl, member of the Senate of the fifty-second session of the Legislature of the State of California.

Senate Concurrent Resolution No. 6 read, and adopted.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 18, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 7—Relative to approving six certain amendments to the charter of the city of Redwood City, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eleventh day of June, 1936

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Call asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 7, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 7.

Senate Concurrent Resolution No. 7—Relative to approving six certain amendments to the charter of the city of Redwood City, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eleventh day of June, 1936.

Senate Concurrent Resolution No 7 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, January 18, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 10.
Assembly Concurrent Resolution No. 11.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

Motion to Print Report in Journal.

On motion of Mr. Donihue, the Report on the Administration of the California Horse Racing Act of 1935 by the Special Interim Committee on State Auditing and Finance was ordered printed in the Journal.

REPORT OF SPECIAL ASSEMBLY INTERIM COMMITTEE ON STATE AUDITING AND FINANCE ON THE ADMINISTRATION OF THE CALIFORNIA HORSE RACING ACT OF 1933.

To the Speaker and Members of the Assembly:

The above mentioned committee was appointed pursuant to a resolution of your honorable body adopted June 12, 1935, copy of said resolution being annexed hereto and made part of this report, for the purpose of investigating and studying matters pertaining to State auditing and State finances and then reporting its findings and recommendations to your Honorable Body

Among the various matters given attention by your committee was the administration of the California Horse Racing Act of 1933. Those engaged in the operation of horse race tracks were handling millions of dollars of the public's money in which the State had a direct interest through the provision of the law levying a tax of 4 per cent on said money. It seemed to your committee that enough time and experience had been provided to test the operation of the law and that to a business of such magnitude and of such great public interest the committee might well give attention It further appeared to your committee that your Honorable Body would undoubtedly be called upon to deal with some phases of the subject in this session of the Legislature and therefore your committee would be rendering a service of value in making this investigation and report.

Your committee feels that in view of the possibility that emergency legislation effective immediately may be called for in the horse racing situation, it should make its report on that subject at once and not wait until the committee can make a complete report on all its activities during the interim.

At the date hereof, there is in progress at the Santa Anita Track a 52-day racing meet extending into the month of March this year Last year during a 58-day meet at this track, $25,251,933 was bet through the pari mutuel machines and it is conservatively estimated that during the present meet a total sum substantially larger will be wagered. If the Legislature should see fit to change either the "take" of the track or the "take" of the State, it might deem it advisable to make the change effective immediately so as to apply to the present meet.

No doubt the illegal operations of handbookmakers as reported herein will present to the minds of many a situation calling for emergency treatment

In addition to the foregoing the following matters are pending: The issue which has developed in Los Angeles County over whether or not a second track should be permitted there; the question of whether or not the board membership should be increased from three to five; and charges on file with His Excellency, Governor Frank F. Merriam seeking the removal of certain members of the Racing Board. The committee anticipates that its report is being awaited by many interested in any one or more of these matters.

Mention should here be made of the fact that this particular investigation and much of the other work of the committee would have been impossible had not His Excellency, the Governor, provided the necessary finances out of his secret service fund

After the necessary preliminary investigation work had been done, the committee held an open hearing in Los Angeles beginning on December 9th and ending on December 18, 1936. Twenty-nine witnesses testified before your committee. They were the following:

Carleton W. Burke, Chairman of the California Horse Racing Board; John A. McNaughton, member of the board, and W C. Buchanan, secretary of the board. Hal E. Roach, President of the Los Angeles Turf Club (Santa Anita); Dr. Charles W. Strub, Vice President and General Manager, Los Angeles Turf Club; Hugh Blue, secretary, and Robert E. King, comptroller, same club.

Norman W Church and Charles E. Cooper, prominent California horse breeders; J B. Patterson Past President of the Western Thoroughbred Horsemen's Association; A T. Jergens and Robert Muckler, former applicants for a track permit in Los Angeles County; John S Berger, former applicant for a track permit in Orange County; Stephen W. Cunningham, member Los Angeles City Council; Charles W. Ostrum and Ray Kleinberger, members Los Angeles City Police Commission.

Gene Normile, Southern California Manager Nation-Wide News Service; V. A. Le Sieur, of the Southern California Telephone Company; Dr. John R. Lechner, minister and Chairman of the Inglewood Forward Committee; Nathan Newby and Dr. Robert P. Shuler, representing the Church Brotherhood and Church Federation of Los Angeles; William R Elam, city attorney of Arcadia.

Claud B. Andrews, attorney; Maurice E. McLaughlin, secretary; Jack L. Maddux, official; and Maury I. Diggs, architect, all of the Hollywood Turf Club; Neil S. McCarthy, California horse breeder; O. Nicholas Gabriel, land agent; S. W. Blankenship, former censor at Santa Anita.

Full transcript of their testimony is being filed herewith.

The "Outs" Money.

The "outs" money is that money won by those who bet and then fail to present their winning tickets and receive what they have won. The "outs" money for the two meets that have been held at Santa Anita amounts to $47,501. The figures for the other tracks in the State have not been obtained. How long should the track be required to hold this money for its rightful owners and what disposition should be made of the balance unclaimed? Santa Anita has adopted a policy of considering this money as its own, recognizing a liability for it, however, and setting up on its books a reserve fund to cover that liability. To cover the liability of $47,501 a $4,000 reserve fund is carried.

Your committee believes it extremely unlikely that any winning tickets, not presented for payment within a year after the race, will ever be presented, and that under the circumstances requiring detailed bookkeeping it is unreasonable to continue the liability for longer than that period of time. Your committee accordingly recommends that the Statute of Limitations be amended to specifically bar the filing of a complaint for the recovery of such money after one year from the day the race is run.

Your committee recommends that the Horse Racing Act be amended so as to require that the "outs" money be paid over to the State within one year and 30 days after the close of every racing meet along with a detailed report, showing the races and sums unclaimed on each, to completely account for the total remitted.

After collection is barred, this "outs" money rightfully belongs to people who will never receive it. It seems fairer to the committee that the State use this money which, in fact, will redound to the benefit of the people at large, than that it go to the profits of private enterprise. Viewing the matter from a strictly legislative standpoint and without imputing wrongdoing to anyone, your committee believes that system unwise which permits the track to keep what it should make every reasonable effort to pay to others. This system certainly offers no incentive to the track to be helpful to a winning but misguided bettor. In fact this system tends to encourage a track to bring about as many failures in the presentation of winning tickets as possible. It is wrong in principle and the foregoing change is therefore recommended.

Along with testimony concerning the "outs" money, the committee heard testimony to the effect that the Santa Anita Track had donated forty-five thousand dollars ($45,000) two years ago and sixty thousand dollars ($60,000) last year, to charity. The payments were made in equal amounts to five Los Angeles daily newspapers each year with the understanding that the newspapers would apply the funds to such charities as they might select. The inference was that the track was not keeping the "outs" money for itself but was donating it to charity. Assuming the inference to be true, the committee still does not believe that the track should be free to dispose of the money as it may please in charitable channels or otherwise. But, the committee, in fact, sees no reasonable connection between the "outs" money and the charitable donations. It could be said with equal truthfulness that the track does not keep all the money it receives from its several other sources because of these donations. The committee does not wish to appear unmindful of the generosity of these donations. Neither does the committee wish to appear unmindful of the business judgment used in the manner of their distribution. The committee, however, has been so impressed by the enormous profits in the business that it is clearly of the opinion that the giving has not yet reached the point where it hurts.

"Breakage."

The Horse Racing Act provides in substance that the track operator may deduct for itself not more than 8 per cent of all the money bet in the pari mutuel system plus that excess remaining after distributing the pool to the winning betters, and further provides that in distributing the pool to the winning betters the track operator need not pay out to the penny but may pay to each winner the sum next lowest to the amount otherwise due him which is a multiple of ten. The practice is this: If a division of the pool showed $1.87 for each $1 bet, the payment would be $1.80 and the operator would get the 7 cents. This is commonly called the "breakage." Under this practice if the bet were $10 the payment would figure $18 70, but the payment actually made would be only $18. The present wording of the law on this point would indicate that the payment in this example should be $18.70 since that figure is a multiple of ten. To eliminate any question on this point, your committee recommends that the law be amended so as to clearly authorize the practice now in effect i.e., to figure what is due to each $1 bet—reduce that

figure to the next lowest multiple of ten and then multiply that figure by the number of dollars in each separate bet to ascertain the various amounts to be paid.

The "breakage" at the Santa Anita Track for the meet a year ago amounted to $409,747.40. There was testimony that it amounted to 1.68 per cent of the total bet at one Santa Anita meeting and 1.62 at another. There was also testimony that the practice of breaking to a dime is generally accepted as a taking of 1¾ per cent out of the pool. The difference between 1.68 or 1.62 per cent and 1.75 per cent is so small as to be of no importance in the committee's treatment of the subject and for convenience the committee will use the figure 1.75 per cent. At first impression it may seem to some that the breakage is too high and that the tracks should be required to break to a nickel as they do at a few tracks in some other States in the Union. It will be seen, however, that the breakage is just part of the total taken out of the pool by the track—the total being, 8 per cent of 1.75 per cent, or 9.75 per cent. Now then, if the breakage is too high, the simple remedy would be to reduce the 8 per cent figure by the desired amount, and not complicate the method of distribution by changing the breakage practice now in effect. For this reason only, your committee recommends clear authorization of the present breakage practice

The "Take" of the Track and the "Take" of the State.

In addition to the total "take" of 9¾ per cent by the track, the State takes 4 per cent out of the same pool which results in $13.75 being taken out of every $100 bet in the pari-mutuel system.

If a person starts out with a betting capital of, say $10, and he is fortunate enough to continue winning so that he can bet $10 on each of the eight races in an afternoon of racing, the track and State together take 8 x 13.75 per cent or 110 per cent of his original betting capital. Those who pay attention to the "take" and bet in large amounts prefer to place their bets with a hand bookmaker who exacts no such toll. The innocent member of the public comes in and donates even if he wins.

How much should these "takes" be? The "take" of the track should be sufficient to pay not only fair but handsome dividends commensurate with the hazard involved in the nature of the investment.

No doubt 8 per cent plus breakage for the track seemed necessary when the law was enacted but with the experience now before us, that appears entirely too high. That it is too high was conceded at the hearing by all those connected with horse racing. Santa Anita voluntarily reduced the 8 per cent to 6 per cent about the last two weeks of its first meet in 1935. The reduction in the "take", was more than offset by an increase in the volume of betting thereafter so that the track's profits were not lessened.

For the fiscal year ending June 30, 1935, the net profit realized by Santa Anita was $847,088.53 and for the fiscal year ending June 30, 1936, the net profit figure was $1,077,562.90. The total of both years was $1,924,571 43 or 192 45 per cent return on the capitalization of $1,000,000. These net profit figures are the balances remaining after payment of all expenses and the setting up of the usual reserves for taxes, etc. One of the items deducted as an administrative expense is the payment to Dr. Strub, the general manager, of a bonus equal to 10 per cent of the net income in accordance with a contract he secured in the promotional stages of the venture. In addition to his salary of $12,000 a year he has been paid a total of $231,430 51 on this contract. If we add this payment to the net profits for the two years we have a total for the two years well over $2,000,000 which in turn means that Santa Anita operations show a net profit of over 100 per cent annually for the two racing meets they have completed in the past two fiscal years. Dividends actually paid to stockholders have totaled 135 per cent.

Mr. Hal E. Roach, President of the Los Angeles Turf Club (the Santa Anita Track) testified that in his opinion a fair return would be 10 per cent per annum if continued for ten years. The track has already earned 200 per cent which is the equivalent of 10 per cent for 20 years or 20 per cent for ten years. The stockholders in this venture have therefore already received a fair return on their investment for the next ten to 20 years.

The "take" is not the only source of revenue for the track. There is income from the auto parking, the gate receipts, the various concessions, etc. It is interesting to note that on the day of the $100,000 handicap last year at Santa Anita, the gate receipts alone exceeded the amount of the purse. Gross income from other than pari-mutuel operations for the year ended June 30, 1935, was $919,806.10—for the year ended June 30, 1936—$1,203,972 35.

A reduction in the "take" would, of course, have no effect directly upon these other sources of income. Therefore, in considering a reduction in the "take" that will still leave a fair return to the track, it is important to bear in mind the total earnings and dividends paid, and not merely the amount of the "take."

We have seen in the case of Santa Anita that a reduction in the "take" from 8 to 6 per cent did not reduce the earnings at all. A further reduction appears to be in order there, but in amending the law for that purpose, a reduction should not be made that will be disastrous to the other two tracks in the north at which the volume of betting done is less than one-third of that done at Santa Anita.

It seems to your committee that a graduated scale of rates is the best solution to the problem and the committee therefore recommends the following:

"Take" for the Track in addition to breakage:

Six per cent on first $7,500,000 00 bet in pari-mutuel system during each fiscal year of a track's operation

Three per cent on next $2,500,000 bet in pari-mutuel system during each fiscal year of a track's operation.

Two per cent on all over $10,000,000 bet in pari-mutuel system during each fiscal year of a track's operation.

Your committee believes that a "take" of not more than the above schedule will assure all tracks of a fair and ample return. While the same schedule applies to all tracks, as a practical matter Santa Anita is the only track where the business done at present is of a volume that will be materially affected by the higher bracket. The Horse Racing Act was never intended to set up a gigantic gambling machine which would make millions of dollars for a comparatively few individuals. Your committee therefore feels that the higher bracket is justified but wishes to point out also that the schedule is so generous that if the annual racing meet at Santa Anita was shared by a second track in Los Angeles County, still the "take" for both tracks would be ample, assuming the original capitalization of each to be $1,000.000 as it was at Santa Anita.

We now come to the question of what the State's "take" should be. Your committee does not take the view that the Horse Racing Act put the State into the gambling business for it to derive therefrom all possible revenue. To the contrary your committee is mindful of the purpose expressed in the law itself, namely, to promote horse breeding and thereby benefit agriculture. The "take" of the State is purely incidental to that primary purpose and is probably based on the premise that those who can afford to bet on the horses are more able to pay taxes than others and therefore should be required to pay a special tax.

It seems clear that this special tax should be fixed in conjunction with the "take" of the track, and be limited so that the total cost of betting does not become unreasonable or prohibitive. What is reasonable under these circumstances is something over which the committee recognizes different minds may reasonably differ, but in the opinion of the committee 13.75 per cent is too much to extract from each bet made. It is prohibitive to the informed gambler and unfair to the average unsuspecting better.

At the present time under the law the percentage "take" of the track is 8 and the State 4, making 12 together. The committee recommends a reduction of this total to 9 per cent and further recommends that the State's "take" be adjusted to the take of the track as follows:

Take of Track	*Take of State*	
6%	3%	on first $7,500,000 bet in pari-mutuel system during each fiscal year of a track's operation.
3%	6%	on next $2,500,000 bet in pari-mutuel system during each fiscal year of a track's operation.
2%	7%	on all over $10,000,000 bet in pari-mutuel system during each fiscal year of a track's operation.

Although the percentages vary with the size of the accumulated "handle", from the better's standpoint all pools will be subject to the same deduction of 9 per cent plus breakage. With breakage of 1¾ per cent the total take will be 10¾ per cent invariably.

Your committee does not recommend any changes for the racing at State and county fairs, but, to the contrary, excepts such racing from its discussion here and recommends that the present basis be continued for State and county fair racing.

For its last fiscal year the "handle" at Santa Anita was $25,251,933, at Bay Meadows $7,902,064, at Tanforan $7,464,019. Applying the above schedule to these figures, it will be seen that the State's "take" will be larger to a very great extent than it is at the present straight 4 per cent rate. The fact that it is so much larger under this schedule is due to the concentration of volume at Santa Anita. This schedule has been prepared and is recommended with the possibility in mind that a second track in Los Angeles County may cut the volume at Santa Anita approximately in half. Assuming two tracks in Los Angeles County sharing the present volume at Santa Anita equally, it will be seen that under this schedule the "take" for the State would be approximately the same as it is at present, and, with the increase in volume now taking place, it would be substantially larger than at present and all that conditions call for in the opinion of this committee.

The committee has used figures of the past records at the various tracks to be conservative. For the first 11 days of the present meet at Santa Anita the volume has been $4,015,275 or $1,010,764 more than it was for the first 11 days of the meet a year ago. The committee is of the opinion that a reduction in the total "take" as above recommended will result in a further increase in volume at all tracks and provide more income for the State than the figures used herein indicate.

In dealing with this problem the committee does not wish to appear unmindful of the views of those who believe that gambling is wrong and that the State should

take no revenue from it, and of the views of those others who believe that gambling is wrong and, therefore, should be taxed to the unbearable point.

The Horse Racing Act was ratified by a vote of the people of this State. The will of the people is supreme when so expressed, and the committee has therefore deemed itself precluded from considering the moral issue involved. Whether right or wrong, good or bad, the people may have it if they want it. In the provision in the act permitting amendment by the Legislature we see an intention to have the Legislature make such corrections as time and experience indicate are necessary or proper, but we see no intention to have the Legislature destroy the entire plan and purpose of the act.

Illegal Betting.

No investigation and study of the horse racing business would be complete without some attention being given the handbookmakers, commonly called "bookies."

The committee was fortunate in securing the testimony of Gene Normile who is probably as well qualified to testify on the subject as any man in the State of California. In addition to having a life long experience in horse racing and betting matters, he is now the manager of the Nation Wide News Service for the district south of Bakersfield. The Nation Wide News Service supplies the racing information to the "bookie joints" which is necessary to their operation and existence. From Mr. Normile and a representative of the telephone company, this picture is pieced together. From some high point near the Santa Anita Track, presumably a sheltered observation platform in a tree, the races are observed through powerful glasses and as they are run off the observer "calls" the race somewhat in the manner of a radio broadcast. The "call" however goes over a wire to the office of the News Service in Los Angeles and into a switchboard there where it is hooked up to a wire leading to the place of business of each subscriber for the service. At the "bookie joint" the end of the wire may be fitted with a loud speaker equipment or just a telephone. Teletype service is sold and rendered in the same manner. Wires from each track in the United States bring the information on each race as it is run.

Mr. Normile estimated that there were about 400 "bookie" establishments so hooked up in the State of California and that a great many of them had branches, agents and runners so that it was impossible to estimate the number of places or people taking bets. He further estimated that each of the 400 handled bets totaling approximately $10,000 weekly, making a weekly total of $4,000,000 and an annual sum of approximately $200,000,000.

Mr. Normile's testimony was supplemented by that of an official of the telephone company who produced records showing 250 extensions from Mr. Normile's switchboard to points in the city of Los Angeles and 29 more in the county outside of the city of Los Angeles and some teletype installations. The records produced also showed the names and addresses and type of equipment installed in connection with each extension.

Mr. Normile pointed out that if horse racing were stopped in California still illegal betting would continue because of the information coming from other tracks. In his opinion the "bookie" can not be eliminated and he advises licensing them for $1500 a year plus 5 per cent of their "handle".

Mr. Nathan Newby and Dr. Robert P. Shuler representing the Church Brotherhood expressed their opposition to the licensing plan and to gambling in any form, any place.

The two Los Angeles City police commissioners who appeared before the committee testified that they had not been informed of the prevailing "bookie" condition and that the commission had not considered the problem. Previous to the publicity given to the testimony before the committee on this subject, your committee believes the condition prevailing in the city and county of Los Angeles was typical of that throughout the State. The lack of law enforcement is due to the personnel of local law enforcement agencies, control over which lies with the people themselves through their voting power. Due to the fact that in some quarters there seemed to be the impression that this committee should enforce the law, the committee makes the statement that the Legislature of which this committee is part, is only a law enacting body and neither this committee nor the Legislature itself has any power to enforce the law. The committee interested itself in ascertaining the facts primarily. If arrests and prosecutions followed, they were incidental to the committee's main purpose.

There was some testimony to the effect that it is difficult to secure evidence that will convict under the present law. If the Legislature in its own wisdom should wish to eliminate the "bookies" the committee points out that the law would be much easier of enforcement if it were amended to prohibit the conducting of the business of accepting bets outside the enclosure for transmittal to the enclosure or otherwise. This provision would still permit a person to send a bet along to the track with a friend who would take it as a favor and not as part of his business.

Your committee believes that the question of whether or not the "bookies" should be recognized as a legitimate business should be left to the people themselves. To legalize numerous betting establishments throughout the State would be a decided and momentous change in the policy of this State. The question to a large extent involves the citizen's private morals and there is no better way to ascertain his wishes than to give him an opportunity to vote on the proposition. The issue was

not presented in the campaign of any of the members of the Legislature—they are uninstructed and even uninformed by their electorate. So far as your committee has observed, there are many good and sincere citizens whose opinions and judgment are entitled to weight, on both sides of the question. The question of horse racing and betting at the track was submitted to the people and your committee believes it the duty of the Legislature to leave the disposition of this related problem to the vote of the people themselves.

The Santa Anita Monopoly.

In the San Francisco Bay region are located two horse race tracks. In Los Angeles County where the population is much greater, there is only one. There have been many applicants for a license to build and operate a second track in Los Angeles County, some for winter racing and some for summer racing. All have been denied.

Many of these applicants testified before this committee and complained of unfair treatment at the hands of the California Horse Racing Board and particularly did they each complain that Mr. Carleton F Burke, chairman of that board, had encouraged and misled them into believing they would receive a permit, only to have their application denied after spending substantial sums of money in preliminary work.

The latest applicant to experience this treatment was the Hollywood Turf Club. This organization was granted a permit to build a track for summer racing in Inglewood, a growing, modern, enterprising city of the best standards, which adjoins Los Angeles City on the southwest. The permit called for the club to fulfill a list of conditions. The club undertook to perform, and spent substantial sums of money in so doing. A Corporation Commissioner's permit was issued authorizing the sale of stock, following which approximately $750,000 worth of stock was subscribed or purchased so that the club received approximately $350,000. A large part of this money was spent in acquiring land, starting improvements thereon, etc. About 87 days after issuing the racing permit, the Racing Board rescinded its action in granting the permit, Mr. Burke and Mr. Roth voting for rescision and Mr. McNaughton against rescision. At that time, Mr. Burke and Mr. Roth refused to point out to the club any matter in the permit which they deemed not performed satisfactorily by the club At the hearing of your committee, it developed that Mr. Burke had changed his mind about the second track in Los Angeles County because he came to the conclusion, after the permit had been issued, that public sentiment was against a second track, and he therefore felt impelled to find such defect in the performance of the conditions as would give him legal grounds to rescind and cancel the permit. Although the committee realizes that there was some opposition to a second track, the committee does not agree with Mr. Burke's opinion of his ability to gage public sentiment. A plebescite of the registered voters of the city of Inglewood showed a vote of approximately four to one in favor of the second track. As to the nonperformance of the conditions of the permit, it appears that the Hollywood Turf Club would have willingly complied with all Mr Burke could have reasonably demanded had he given voice to his objections. Mr. Burke's position obviously was that he had predetermined not to grant the final permit and did not propose to give the club an opportunity to correct any matter which might conceivably furnish an excuse for his action.

Mr. Burke testified that he is now opposed to a second track being built in Los Angeles County either for summer or winter racing. He is opposed to any racing plant being built there inferior to the Santa Anita Track and he does not believe that any plant can be built as good as the Santa Anita Track.

Asked the direct question why he thought racing in Los Angeles County should be confined to one institution, Santa Anita, Mr. Burke said: "If we could have something better than Santa Anita, then I would say that sounds pretty good. I just can't picture anything else as good."

"How about another plant that would be as good?" he was asked

"That's an impractical question to me because I can't see any," was his reply

"Your personal vision of the thing is that nothing could be as good as Santa Anita?"

"Not in this county, no, sir. In the first place, there is the old Lucky Baldwin Ranch, with all the tradition and romance of horse racing and breeding behind it. It is a beautiful setting."

In view of the purpose and plan of the law itself, these reasons for maintaining a monopoly appear to the committee to be so absurd that they require no discussion.

The Horse Racing Law is intended to promote horse breeding in this State and, at the same time, furnish to the public which supplies the finances facilities for its entertainment In Los Angeles County the public is spending enough money at Santa Anita to generously support two tracks. The winter race meet in Los Angeles County could be divided between two tracks and still Santa Anita could earn 50 per cent annually on its capitalization, based on its own figures for the past two meets, and after making effective the "take" hereinbefore recom-

mended. Another race track would not necessarily mean more days of racing It would mean, however, more facilities for both the horse breeders and the public, and competition which would tend to give all interests the most for the money received by the tracks In the opinion of your committee, it is a perversion of the purpose of the law, and an injustice to all the interests involved, to aim the administration of the law at making millions of dollars for one group of individuals.

The remedy for this condition is, however, already provided in the Horse Racing Act itself. The act provides: "The Governor may remove any board member for cause, giving him a copy of the charges against him and an opportunity to be heard."

This committee has been informed that, while its hearing was in progress, charges were filed with the Governor seeking the removal from the Racing Board of Mr. Burke and Mr. Roth. This committee would like it clearly understood that those charges were not considered by this committee at all, and it makes no findings concerning them. Neither the accusers nor the accused appeared before the committee in connection with the charges. As a matter of fact, Mr Roth did not appear before the committee at all The hearing on those charges is a matter for the Governor and the committee assumes that he will conduct a full hearing thereon independently of this investigation.

Your committee has gone into the Santa Anita monopoly as part of its investigation into the general administration of the horse racing law to report the facts and make such recommendations to the Legislature as may seem proper. The facts are here reported, and for the present the committee recommends no change in the law on this subject.

The Number of Commissioners on the Racing Board.

At present the number of commissioners on the California Horse Racing Board is three. Your committee recommends that it be changed to five. There may be those who will see in this change merely a device to over rule Mr. Burke and Mr. Roth. Your committee does not recommend it as such. If, upon the hearing of the charges on file with the Governor, it is shown that just cause exists why Mr. Burke and Mr. Roth should be removed, then they should not continue on the Board even though the number be changed to five.

Your committee believes that a membership of five will tend to give an administration of this important law that is more representative of the people of the State. A board of five may be more evenly balanced as to representation of the interests involved. It is not so likely to place the domination of this enormous enterprise in one or two people. It would tend to operate more efficiently as a board.

In 1935, Mr. Roth attended one of nine meetings. In 1936, up to May 26th, he attended two of six meetings. From the time of his appointment to May 26, 1936, he attended 14 of 33 meetings. While it should not be presumed that a member will be absent so often, certainly a larger board will not feel an absence as severely as it does with a three-member board.

On the whole your committee feels that a business of such importance, handling 25 to 50 millions of dollars of the public's money each year, deserves the supervision of more than three men.

Respectfully submitted.

SPECIAL ASSEMBLY INTERIM COMMITTEE ON STATE AUDITING AND FINANCE.

LEON M. DONIHUE, Chairman.
C. C. COTTRELL.
RALPH W. EVANS.

Assembly Resolution.

WHEREAS, The subject of finances is at the present time one of the most important subjects confronting the State; and

WHEREAS, A check on the expenditure of State money is equally as important as the raising of State money; and

WHEREAS, The State auditing is now done by the Department of Finance and the head of that department is appointed by the Governor; and

WHEREAS, The heads of the various departments to be audited also are appointed by the Governor with the result that the Auditing Department is directly under the control of the executive who, through his appointive powers, is responsible for the administration of the various departments to be audited; and

WHEREAS, It is generally recognized and conceded that every audit in private as well as State business should be absolutely independent and free from any superior control or influence; and further

WHEREAS, Under the system now in effect auditing of some of the departments of the State is done only after intervals of two to six years time, which is a condition that should be changed; now, therefore, be it

Resolved by the Assembly, That a Special Assembly Committee on Auditing, consisting of five members of the Assembly, be appointed by the Speaker to study the financial affairs and auditing systems and conditions of the State and its

various departments and to report thereon to the Legislature at its fifty-second regular session; and be it further

Resolved, That the committee upon appointment shall elect a secretary and appoint such other clerical and technical assistants, including auditors, as it may deem necessary; and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, information and access to records as the committee request; and be it further

Resolved, That the committee is authorized to do all things necessary to make a complete investigation of the matters herein referred to and to require the production of, and access to, books, documents, reports, accounts, and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article XIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and the committee is hereby authorized to sit during the session of the Legislature and during the interval between sessions, at such places in the State as the committee shall from time to time determine; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $5,000, or so much thereof as may be necessary is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments to be made by warrants of the State Controller drawn against the contingent fund upon written order of the chairman of the committee.

Request for Additional Printing.

Mr. Donihue requested that 5,000 additional copies of the above Report of the Assembly Interim Committee on Auditing and Finance be printed as a separate document.

Request referred to the Committee on Rules

Third Reading of Assembly Bills.

Assembly Bill No. 509—An act to amend section 1 of an act entitled "An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately," approved February 1, 1935, relating to the foreclosure of special assessment bonds, declaring the urgency hereof, and providing that it shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 509 read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1937.

MR SPEAKER: Your Committee on Federal Relations, to which was referred
Assembly Joint Resolution No. 1.
Assembly Joint Resolution No. 8.
Respectfully reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman

Request for Unanimous Consent.

Mr. Heisinger asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 1, at this time, without reference to calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 1.

Assembly Joint Resolution No. 1—Relative to memorializing Congress to initiate an amendment to the Constitution of the United States to provide that the electoral college be abolished and that the President and Vice President be elected by a direct vote of the people.

Assembly Joint Resolution No. 1 read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—52.

NOES—Breed, Cottrell, Field, Lyon, Mayo, Miller, Eleanor, and Scudder—7

Title read and approved Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Heisinger asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 8, at this time, without reference to calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 8.

Assembly Joint Resolution No. 8—Relative to memorializing the President and Congress to set up a Farm Productions Board or Commission to regulate production and distribution of farm products and to adopt necessary legislation therefor

Assembly Joint Resolution No. 8 read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 826: By Mr. Johnson—An act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, now known as the Embarcadero, from Pacific Street to Market

Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property, and to ratify and confirm action taken by the Board of State Harbor Commissioners in said matters.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 827: By Messrs. Pelletier, and Hawkins—An act to amend sections 510, 551, 552 and 1810 of the Labor Code and to add a new Chapter 2a, Part 2 of Division II, of the said codes, consisting of sections 620 to 623, inclusive, relating to hours of labor.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 828: By Messrs. Pelletier, Watson, Andreas, and Voigt—An act to amend section 642 of the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 829: By Messrs. Pelletier, and Hawkins—An act to add sections 3246a and 3246b, and to amend sections 3244, 3245, and 3246 of the Political Code, and to amend section 3247 as added by Chapter 85, Statutes of 1887, renumbering said section to be section 3246c, all relating to hours of labor and wages.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 830: By Mr. Johnson—An act to add section 956 to the Civil Code, relating to survival of things in action.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 831: By Mr. Johnson—An act to add section 3333.5 to the Civil Code, relating to damages.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 832: By Mr. Johnson—An act to amend section 954 of the Civil Code, relating to things in action.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 833: By Mr. Johnson—An act to add section 607b to the Code of Civil Procedure, relating to instructions to juries.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 834: By Messrs. Donnelly, Burns, Hugh M., Fulcher, Burns, Michael J., Patterson, Heisinger, Weber, Thorp, Turner, Cassidy, Lore, Clark, Peek, Miller, Dannenbrink, O'Donnell, Richie, and Yorty—An act to authorize the creation and establishment of a public utilities commission within any city, city and county, county, local governmental agency, society, association, authority or entity rendering service to the public, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs of construction or acquisition of public utilities and extensions, repairs, replacements and improvements to public utilities; for the acquisition, production, purchase, sale and distribution of products, commodities, energy or services of such public utilities; and providing for the payment of such bonds and the interest thereon.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 835: By Mr. Laughlin—An act to amend section 141 of and to add section 40.5 to the Vehicle Code, relating to vehicles and vehicular traffic.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 836: By Mr. Crowley—An act to add two new sections to the Political Code, to be numbered 3667a and 3667b and to amend section 3669 of said Code, all relating to the taxation of insurance companies under the provisions of section 14 of Article XIII of the Constitution of this State, and providing that this act shall take effect immediately under the provisions of section 1 of Article IV of said Constitution.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 837: By Mr. Cronin—An act to regulate the hours during which uncooked or uncured meat may be sold or offered for sale at retail and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 838: By Mr. Cronin—An act to regulate delivery of uncooked or uncured meat to any establishment for resale at retail, and providing a penalty for the violation hereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 839: By Mr. Welsh—An act to add section 12a to an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners," approved March 4, 1881, as amended, relating to the furnishing of water to such towns and villages.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 840: By Mr Welsh—An act to add section 8a to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, as amended, relating to the furnishing of water to such districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 841: By Mr. Welsh—An act to add section 5b to, and to amend section 5 of an act entitled "An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, providing for the adoption of the merit system by the governing boards of such districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 842: By Mr. Welsh—An act to amend section 23 of an act entitled "An act to provide for a preliminary investigation report and hearing upon the organization of the special tax and assessment districts and providing certain restrictions and limitations upon the organization of same and providing for the termination of proceedings for the organization thereof by protest of the owners of a majority of the property subject to assessment for district purposes," approved June 10, 1933, relating to the districts to which said act applies.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 843: By Mr. Williamson—An act to amend section 836 of the Penal Code, relating to arrests by peace officers.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 844: By Mr. Williamson—An act to amend section 3773 of the Political Code, relating to lands sold to the State for delinquent taxes, the possession, rental and appraisal thereof, creating the tax deeded land rental fund, making an appropriation in relation thereto, and declaring the urgency thereof.

Bill read first time.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to have Assembly Bill No. 844 placed upon the second reading calendar without reference to committee, and the bill sent to print with a rush order.

Assembly Bill No. 845: By Mr. Cassidy—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Joint Resolution No. 17: By Mr. Pelletier—Relative to memorializing Congress to enact legislation providing that patented inventions which are not commercially developed within two years after the issuance of the patents shall become the property of the United State Government.

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 18: By Mr. Miller—Relative to memorializing the President and the Congress of the United States to amend the Social Security Act so as to enable such States as may desire to do so to bring the employees of such State and the employees of its counties, cities and other political subdivisions within the provisions of such act relating to Old Age Benefits

Introduced, and referred to Committee on Federal Relations.

Assembly Concurrent Resolution No. 15: By Messrs. Cunningham, Millington, Desmond, Garibaldi, McMurray, Lyon, Scudder, Maloney, Breed, Thorpe, Williamson, Hornblower, Cronin, and Gannon—Relative to the celebration of Admission Day as a legal holiday.

Introduced, and referred to Committee on Contingent Expenses.

Withdrawal and Re-reference of Assembly Bill No. 76.

On motion of Mr. Thorp, Assembly Bill No. 76 was withdrawn from the Committee on Agriculture, and re-referred to the Committee on Live Stock and Dairies.

Notice of Motion to Withdraw Assembly Joint Resolution No. 5.

Mr. Heisinger gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Joint Resolution No. 5 from the Committee on Labor and Capital, and have it placed upon the calendar.

Announcement of Change in Assembly Committee Personnel.

The Speaker announced the following changes in membership of the standing committees of the Assembly

Labor and Capital—Mr. Hunt in place of Mr. O'Donnell
Aviation and Aircraft—Mr. O'Donnell in place of Mr. Hunt

Adjournment.

At four o'clock and forty minutes p.m., on motion of Mr King, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, January 19, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWELFTH LEGISLATIVE DAY
SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 19, 1937.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed with.

On motion of Mr. Robertson, the further reading of the Journal of Monday, January 18, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Levey, on motion of Mr. Cronin.

Mr. Laughlin, on motion of Mr. Flint.

Mr. Kuchel, on motion of Mr. Robertson.

Mr. Beene, on motion of Mr. Cottrell.

Mr. Boyle, on motion of Mr. Sawallisch.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. George Scott, Superintendent of Schools, Blythe, Riverside County

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred: **Assembly Bill No. 457.**

Respectfully reports the same back with the recommendation. Do pass as amended, and be re-referred to Committee on Ways and Means.

TURNER, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1937.

MR SPEAKER: Your Committee on Conservation, to which was referred **House Resolution No. 33.**

Respectfully reports the same back with the recommendation: Be adopted

ANDREAS, Chairman.

Consideration of House Resolution No. 33.

House Resolution No. 33—Creating Assembly Water Pollution Investigating Committee

Motion to Amend House Resolution No. 33.

Mr Flint moved to amend House Resolution No 33 as follows:

Amendment No. 1.

Strike out "committee of five", and insert in lieu thereof "committee of three".

Amendment refused adoption.

Motion to Re-refer House Resolution No. 33.

Mr. Millington moved that House Resolution No 33 be re-referred to the Committee on Mines and Mining.

Motion to Amend Motion to Re-refer.

Mr. Welsh moved that the motion to re-refer be amended to re-refer House Resolution No 33 to the Committee on Rules

The roll was called, and the amendment to the motion to re-refer lost by the following vote:

AYES—Baynham, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Donnelly, Flint, Gilbert, Glick, Hawkins, Hunt, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Turner, Watson, Weber, Welsh, and Yorty—33.

NOES—Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cottrell, Cronin, Dawson, Dilworth, Field, Fulcher, Gannon, Garibaldi, Hornblower, Johnson, Kepple, Latham, Leonard, Lore, Lyon, Maloney, Mayo, Miller, George P., Millington, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Waters, Williamson, and Mr. Speaker—35

Motion to Expunge Record and Rescind Action on House Resolution No. 33.

Mr Glick moved to expunge the record and rescind the action whereby the amendment by Mr Welsh to the motion to re-refer was refused adoption

Request for Roll Call.

On request of Messrs Flint, Welsh and Glick, the Speaker ordered a roll call taken on the motion to expunge the record.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Baynham, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Donnelly, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hunt, Johnson, Lore Martin McMurray, Meehan, Miller Eleanor; Miller George P., Morgan,

Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Waters, Watson, Weber, Welsh, Yorty, and Mr Speaker—41.

NOES—Breed, Burns, Michael J., Call, Corwin, Cottrell, Dawson, Dilworth, Field, Fulcher, Gannon, Hornblower, Kepple, Latham, Leonard, Lyon, Maloney, Mayo, Millington, Redwine, Robertson, Scudder, Sheehan, Stream, Thorp, Walker, and Williamson—26.

The question being on the motion by Mr Welsh to amend the motion to re-refer House Resolution No 33

Mr. Welsh withdrew his amendment

The question being on the motion by Mr Millington to re-refer House Resolution No. 33 to the Committee on Mines and Mining.

Request for Roll Call.

On request of Messrs Yorty, Welsh and Flint, the Speaker ordered a roll call taken on the motion to re-refer the resolution to the Committee on Mines and Mining.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Dannenbrink, Dawson, Dilworth, Field, Fulcher, Gannon, Hornblower, Kepple, Latham, Leonard, Lyon, Maloney, Martin, Mayo, Meehan, Millington, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, and Williamson—31.

NOES—Baynham, Cassidy, Clark, Crowley, Cunningham, Daley, Desmond, Donnelly, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hunt, Johnson, Lore, McMurray, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Tenney, Turner, Waters, Weber, Welsh, Yorty, and Mr. Speaker—36

Special Order Set for House Resolution No. 33.

On motion of Mr. Glick, the further consideration of House Resolution No. 33 was made a special order of business for Wednesday, January 20, 1937, at eleven o'clock and thirty minutes a.m.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER SACRAMENTO, January 18, 1937.

MR SPEAKER Your Committee on Rules, to which was referred:

House Resolution No. 39.

Respectfully reports the same back with the recommendation: Be adopted.

PEEK, Chairman.

House Resolution No 39 ordered placed upon third reading calendar

Withdrawal and Re-reference of Assembly Bill No. 757.

On motion of Mr. Stream, Assembly Bill No. 757 was withdrawn from the Committee on Crime Problems, and re-referred to the Committee on Agriculture.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 846: By Mr. Lore—An act relating to public corporations, to be known as housing authorities to engage in slum clearance and housing projects; to provide for the creation of such housing authorities; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for the making of grants and the lending of money to housing authorities by counties, and by cities and cities and coun-

ties of the first, second and third classes, and to declare the urgency thereof.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 847: By Mr. Lore—An act to amend sections 12 and 23 of the Direct Primary Law, relating to elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 848: By Messrs. Cottrell, and Beene—An act making an appropriation for the purchase of real property for the San Jose State College.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 849: By Messrs. Cottrell, and Beene—An act making an appropriation for the purchase of land for the Agnews State Hospital in Santa Clara County.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 850: By Messrs. Cottrell, and Beene—An act making an appropriation for the purchase and improvement of land for Agnews State Hospital in Santa Clara County.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 851: By Messrs. Cottrell, and Beene—An act making an appropriation for the purchase of real property for the San Jose State College.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 852: By Mr. Hornblower—An act to amend section 675 of the Political Code, referring to the general powers of the Director of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 853: By Mr. Hornblower—An act to amend and to add certain sections to "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 854: By Mr. Thorp—An act to add section 14b to the State Civil Service Act, relating to rehearing after decision by the State Personnel Board or the Civil Service Commission.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 855: By Mr. Thorp—An act to restore Bailey G. Gipner to the State Civil Service and to the position of branch manager of the State Employment Service, together with the right to com-

pensation from and after the date of his removal from such position in 1934.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 856: By Mr. Thorp—An act to amend section 672 of the Agricultural Code relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 857: By Mr. Thorp—An act to amend section 480 of the Agricultural Code relating to market milk.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 858: By Mr. Thorp—An act to amend section 504 of the Agricultural Code relating to cheese.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 859: By Mr. Thorp—An act to amend section 582 of the Agricultural Code relating to labels.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 860: By Mr. Thorp—An act to amend sections 484 and 485 of the Agricultural Code relating to certified milk.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 861: By Mr. Thorp—An act to amend section 533 of the Agricultural Code relating to imitation cream.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 862: By Mr. Thorp—An act to amend section 488 of the Agricultural Code relating to Grade "A" milk

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 863: By Mr. Thorp—An act to amend section 482 of the Agricultural Code relating to market milk.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 864: By Mr. Thorp—An act to amend section 673 of the Agricultural Code, relating to dairy equipment.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 865: By Mr. Thorp—An act to repeal section 1084 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 866: By Mr. Thorp—An act to amend section 1152 of the Agricultural Code, pertaining to marketing.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 867: By Mr. Tenney—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 868: By Mr. Tenney—An act to amend section 2.807 of the School Code relating to personal liability of members of the governing board of school districts.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 869: By Mr. Tenney—An act to amend section 6.471 of the School Code, relating to powers and duties of board of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 870: By Mr. Reaves—An act to amend section 11½ and section 11 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relative to limitations on fees charged, and to the provisions of receipts or contracts issued by such agencies.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 871: By Mr. Cronin—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, Statutes 1933, page 2599; amended 1935, Chapter 355, Statutes 1935, relating to rate of tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 872: By Mr. Donihue—An act making an appropriation to pay the claim of Kathleen A. Tobin against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 873: By Mr. Welsh—An act to amend section 26 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, relating to subrogation procedure

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 874: By Mr. Welsh—An act to amend section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the compensation of judges of municipal courts in cities of the first and one-half class

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 875: By Mr. Welsh—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 876: By Mr. Miller—An act to add section ____ to the Streets and Highways Code, relating to the establishment of a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 877: By Mr. Miller—An act to add section ____ to the Streets and Highways Code, establishing a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 878: By Mr. Laughlin—An act to amend sections ____ of the Streets and Highways Code, relating to public ways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 879: By Mr. Laughlin—An act to amend sections ____ of the Streets and Highways Code, relating to public ways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 880: By Mr. Gannon—An act to establish a Business and Professions Code, thereby consolidating and revising the law regulating and protecting private business and licensed professions and callings and penalizing violations thereof, and to repeal acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 881: By Mr. Robertson—An act to amend section 6049 of the Insurance Code, relating to county mutual fire insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 882: By Mr. Robertson—An act to amend sections 6070 and 6072 of the Insurance Code, all relating to county mutual fire insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 883: By Mr. Robertson—An act to amend section 5090 of the Insurance Code, relating to county mutual fire insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 884: By Mr. Robertson—An act to provide a system of reciprocal economy cooperatives.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 885: By Mr. Flint—An act to amend section 1607 of the Penal Code, relative to removal of prisoners from county

jails in case of fire, and relating to medical attention for prisoners in county jails and city jails, and removal to county hospitals for treatment.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 886: By Mr. Flint—An act to add section 2.56 to the School Code, relating to elections in city school districts.

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 887: By Mr. Crowley—An act to provide that insurance companies shall be credited upon forthcoming taxes in the respective sums heretofore collected from them under an erroneous construction of the provisions of section 14 of Article XIII of the Constitution and of the legislation enacted in pursuance thereof, prescribing certain duties of the Insurance Commissioner and the Board of Equalization with respect to such credits.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 888: By Messrs. Lyon, and Baynham—An act to amend section 80 of the Agricultural Code, relating to district agricultural fairs.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 889: By Messrs. Flint, Reaves, and McMurray—An act to provide for a day of rest from labor in private employment in certain trades and industries within this State and providing for penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 890: By Mr. Cunningham—An act to amend section 1 of an act entitled "An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately," approved February 1, 1935, relating to the foreclosure of special assessment bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 891: By Mr. Cunningham—An act to amend section 5 of and to add a new section to be numbered 5½ to, the Direct Primary Law relating to candidates at primary elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 892: By Mr. Williamson—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 893: By Mr. Williamson—An act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof, within municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 894: By Mr. Williamson—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 895: By Mr. Williamson—An act to legalize refunding bonds heretofore issued or sold or to be issued and sold by municipalities, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 896: By Mr. Williamson—An act to validate the organization and existence of municipal improvement districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 897: By Mr. Williamson—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 898: By Mr. Williamson—An act to legalize bonds heretofore issued and sold or to be issued and sold by port districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such port districts voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 899: By Mr. Williamson—An act to legalize revenue bonds heretofore issued or sold or to be issued and sold by port districts, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 900: By Mr. Williamson—An act to validate the organization and existence of public utility districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 901: By Mr. Williamson—An act to legalize bonds heretofore issued and sold or to be issued and sold by public utility districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 902: By Mr. Williamson—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 903: By Mr. Williamson—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 904: By Mr. Williamson—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 905: By Mr. Williamson—An act to validate bonds of flood control districts, including refunding bonds, and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 906: By Mr. Williamson—An act to amend section 23 of the District Investigation Act of 1933 so as to exclude sanitary districts from the operation of said act.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 907: By Mr. Williamson—An act to amend section 366a of the Code of Civil Procedure, relating to limitations of actions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 908: By Mr. Williamson—An act confirming and validating the formation or organization and existence of sanitary districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 909: By Mr. Williamson—An act to amend section 2957 of the Civil Code, relating to mortgages of personal property and crops.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 910: By Mr. Williamson—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 911: By Mr. Williamson—An act to confirm and validate the boundaries of municipal utility districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 912: By Mr. Williamson—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any municipal utility district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 913: By Mr. Williamson—An act confirming and validating the formation or organization and existence of irrigation districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 914: By Mr. Williamson—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 915: By Mr. Williamson—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 916: By Mr. Williamson—An act to legalize bonds heretofore issued and sold or to be issued and sold by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 917: By Mr. Williamson—An act to legalize refunding bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such refunding bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 918: By Mr. Williamson—An act to validate the organization and existence of water conservation districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 919: By Mr. Williamson—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy

and collection of a tax sufficient to pay the principal and interest thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 920: By Mr. Williamson—An act to legalize bonds heretofore issued and sold or to be issued and sold by bridge and highway districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 921: By Mr. Williamson—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any municipal water district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read first time, and referred to Committee on Municipal Corporations

Assembly Bill No. 922: By Mr. Williamson—An act to validate the organization and existence of county water districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 923: By Mr. Williamson—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any joint highway district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 924: By Mr. Williamson—An act to validate the organization and existence of municipal water districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 925: By Mr. Voigt—An act to amend section 28 of the "Weights and Measures Act," approved June 16, 1913, relating to inspection of meters or instruments for measurement of services sold by public utilities excepting municipally-owned public utilities.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 926: By Mr. Voigt—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 927: By Mr. Voigt—An act to amend sections 4, 5, 6, 6¾ of the Inheritance Tax Act, relating to exemptions and rates of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 928: By Mr. Dannenbrink—An act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 929: By Mr. Dannenbrink—An act to add a new section to the Civil Code, to be numbered 137.5, relating to attorney's fees granted in actions for divorce or separate maintenance.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 930: By Mr. Dannenbrink—An act to amend section 2189 of the Political Code, relating to the discharge of patients from State institutions

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 931: By Mr. Dannenbrink—An act to amend section 396b of the Code of Civil Procedure, relating to transfer of civil actions.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 932: By Mr. Voigt—An act to provide for aid to children where income of parent or parents is insufficient to provide proper food and shelter.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 933: By Mr. Welsh—An act to add a new section to the Labor Code, to be numbered 3862, relating to employer's writ of execution as lien claimant

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 934: By Mr. Cronin—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 935: By Mr. Cronin—An act to create a Retail Meat Board, define its powers and duties, provide for its employees and their compensation, define certain terms used in advertising of meat and prohibit their use otherwise, define and prohibit certain unfair trade practices, provide for competence examinations for all persons engaging in the retailing of meat, fixing fees for the maintenance of the Retail Meat Board, and providing penalties for violations hereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 936: By Mr. Cronin—An act to add Chapter 15 to Part 2 of Division 2 of the Insurance Code, relating to nonprofit hospital service insurance.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 937: By Mr. Cronin—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 938: By Mr. Cronin—An act to amend sections 1, 1a, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of an act entitled "An act for the regulation and control of corporations organized for the purpose of

operating nonprofit hospital service plans," approved July 5, 1935, relating to nonprofit hospital service plans.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 939: By Mr. Hornblower—An act to amend sections 9c and 9d of, and to add sections 9e and 9f to, the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to workmen's compensation.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 940: By Mr. Burns, Michael J.—An act to amend section 661 of the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 941: By Mr. Garibaldi—An act to amend section 11 of the California Districts Securities Commission Act, relating to the levy of annual assessments by irrigation districts, providing that said section shall remain in effect until November 1, 1939, declaring this act an emergency measure enacted under the police power, providing that this act shall not apply to refunding bonds of irrigation districts issued pursuant to a plan or readjustment confirmed in any proceedings under the Federal Bankruptcy Act, and authorizing a levy of assessments in accordance with the terms of such bonds.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 942: By Mr. Garibaldi—An act to amend section 3897d of the Political Code, relating to lands sold to the State for delinquent taxes

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 943: By Mr. Burns, Michael J.—An act to amend the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 944: By Mr. Burns, Michael J.—An act to amend sections 787, 788, 789, 790, 791.5 and 791.6 of the Fish and Game Code, relating to crabs.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 945: By Mr. Burns, Michael J.—An act to amend sections 611.6, 612, and 613 of the Fish and Game Code, relating to steelhead trout.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 946: By Mr. Waters—An act to amend the title to Article IV, Chapter XIV, Division III of the Probate Code and to amend sections 541.5, 645, 646, 752, 770, 772, 780, 830, 860, 1480, 1482, 1531, 1532, and 1533 of the Probate Code, to repeal section 930.5 of the Probate Code, and to add sections 578a, 1518, and 1519 to the Probate Code, all relating to the estates of deceased persons, incompetent persons, and minors.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 947: By Mr. Waters—An act to amend sections _____ of the Probate Code, and to add sections _____ to the Probate Code, relating to the estates of deceased persons and of incompetent persons and minors.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 948: By Messrs. Yorty, Morgan, Waters, Cunningham, Tenney, King, Flint, Glick, Baynham, Kepple, Hawkins, Pelletier, Clark, Peek, Laughlin, Rosenthal, Gilbert, Hunt, Latham, Lyon, Redwine, Voigt, Martin, Welsh, Lore, Jones, Field, and Reaves, and Miss Miller—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 3886, relating to the validation of certain tax levies, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to take up Assembly Bill No. 948, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 948.

Case of Urgency.

The following resolution was offered:

By Mr. Yorty:

Resolved, That Assembly Bill No. 948 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of consider-Assembly Bill No 948, at this time.

Second Reading of Assembly Bill No. 948.

Assembly Bill No. 948—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 3886, relating to the validation of certain tax levies, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Third Reading of Assembly Bill No. 948.

Assembly Bill No. 948—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 3886, relating to the validation of certain tax levies, to declare the

urgency thereof, and to provide that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate

Motion for Rush Order on Printing of Assembly Bill No. 948.

On motion of Mr. Yorty, Assembly Bill No. 948 was sent to print with a rush order.

Assembly Bill No. 949: By Mr. Gannon—An act to provide for a State Treasury Building and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means

Assembly Concurrent Resolution No. 16: By Mr. Sawallisch—Relative to directing an investigation and report as to the practicability of eliminating tolls on San Francisco-Oakland Bay Bridge.

Introduced, and referred to Committee on Roads and Highways.

Assembly Constitutional Amendment No. 23: By Mr. Cunningham—Proposed amendment to Article XI of the Constitution, by adding sections 4 and 7¼ thereto, relative to the consolidation of counties, cities and counties, and cities.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 24: By Mr. Tenney—Proposed amendment to Article XIII of the Constitution, by adding section 1e thereto relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 25: By Mr. Voigt—Proposed amendment to Article IV, section 23a of the Constitution, relative to expenses of the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 26: By Mr. Latham—Proposed amendment to the Constitution, by adding Article XXV, embracing sections 1 to 17, inclusive, thereto, relative to the creation of the State Department of Revenue and prescribing its powers and duties.

Introduced, and referred to Committee on Constitutional Amendments.

Resolution.

The following resolution was offered:

By Mr. Cronin:

House Resolution No. 42.

WHEREAS, It is reported that large sums were expended by chain stores and chain store interests to influence the electorate at the general election held November 3, 1936, to vote against Proposition No. 22; and,

WHEREAS, Though the existing laws provide for the reporting and accounting of funds contributed and expended in connection with the carrying on of campaigns of

that character, that nevertheless circumventions, evasions and violations have been reported against the chain store interests during and since the conclusion of the campaign referred to, and

WHEREAS, Such conduct and action, if true, unquestionably prevented the electorate from securing full and complete information as to the contribution, distribution and use of such funds in said campaign, and

WHEREAS, Though the reports on file now indicate that those opposed to said proposition expended a sum in excess of $1,200,000 to defeat this measure; that nevertheless the records do not disclose the filing of complete statements of funds so disbursed by all the individuals, groups, associations, organizations and corporations which were actively engaged in carrying on this campaign in behalf of the chain store interests, and

WHEREAS, There is no greater menace in the government or political life of California than the influencing of legislation through the hidden, secret and concealed expenditures of large sums of money, and

WHEREAS, It is the desire and right of the citizens of the State to know what associations, organizations, persons and agencies influence the passage or defeat of direct legislation by means of the expenditure of money, and

WHEREAS, It is reported that large sums were so expended by said groups as campaign expenses, which are not returned, reported or accounted for to the Secretary of State, and

WHEREAS, Reports have been circulated that large sums were issued to unduly influence the endorsement of the chain stores' attitude on Proposition 22 by certain farm groups, certain community and civic organizations, certain chambers of commerce, certain labor leaders and other associations and individuals in positions of leadership in their respective localities and organizations, and

WHEREAS, Such practices are inimical to public interest and designed to mislead the voters in voting intelligently, and legislation should be adopted to curtail the same and supplement the requirements of the existing law; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly committee to consist of five members to be appointed by the Speaker of the Assembly, to immediately make a special study and investigation of the campaign expenses made and campaign methods used by the opponents of Proposition No. 22 on the ballot of the general election of November 3, 1936, and to report thereon together with its recommendations as to needed changes in the law as soon as possible after the Legislature is convened for the second half of the current session thereof, and be it further

Resolved, That the committee as soon as it is appointed shall organize and select a chairman from its membership and appoint a secretary; and be it further

Resolved, That the committee is hereby authorized to hold public hearings at any place in the State of California, and be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and to require the production of books, agreements, documents, reports, accounts, and papers of every kind, to make its own rules of procedure, and to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee created by this resolution, and said committee is hereby given leave to sit during the session of the Legislature and during the constitutional recess of the Legislature and to report back to the Assembly with recommendations at the reconvening thereof or as soon thereafter as possible; and be it further

Resolved, That the sum of $2,500 or so much thereof as may be necessary and the same is hereby appropriated for the purpose of defraying the expenses of the committee and of said investigation and for the employment of such clerical and other assistance as may be necessary fully to carry out its functions, said sum to be paid from the contingent fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the claim.

Request for Unanimous Consent.

Mr Cronin asked for unanimous consent to take up House Resolution No 42, at this time, without reference to committee or calendar

Mr Dawson withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Cronin moved that the Rules be temporarily suspended for the consideration of House Resolution No. 42, at this time.

Request for Roll Call.

On request of Messrs. Yorty, Welsh and Flint, the Speaker ordered a roll call taken on the motion for temporary suspension of the Rules.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cronin, Donnelly, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Hunt, Johnson, Maloney, Miller, Eleanor; Morgan, O'Donnell, Scudder, Sheehan, Weber, Williamson, and Yorty—22.

NOES—Baynham, Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donahue, Field, Flint, Fulcher, Glick, Hawkins, Kepple, King, Latham, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Tenney, Thorp, Voigt, Walker, Waters, Watson, Welsh, and Mr. Speaker—44.

House Resolution No. 42 referred to Committee on Judiciary General

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 950: By Mr. Redwine—An act to amend the title of and sections 2, 3, 4, 7 and 9, and to add sections 14 and 15 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents and the recovery of reimbursement therefor.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 951: By Mr. Williamson—An act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, now known as the Embarcadero, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property, and to ratify and confirm action taken by the Board of State Harbor Commissioners in said matters.

Bill read first time, and referred to Committee on Commerce and Navigation

Assembly Bill No. 952: By Mr. Latham—An act to add Article IIa to Chapter III of Title I of Part III of the Political Code, embracing sections 360 to 360m, inclusive, relating to the creation of the State Department of Revenue and prescribing its powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 953: By Mr. Field—An act to add section 1626.5 to the Streets and Highways Code and to amend sections 1627 and 1628 thereof, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fuel fund or from moneys received by the counties for vehicle registration license fees, and authorizing the refunding, repayment and adjustment of direct assessments levied for the acquisition, construction, maintenance, improvement or repair of public highways, bridges or culverts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 954: By Mr. Welsh—An act to amend section 4.974 of the School Code of the State of California, relating to the expenses for the issuance of school bonds.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 955: By Mr. Welsh—An act to amend section 4041.20 of the Political Code, relating to insurance by counties.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 956: By Messrs. Richie, and Heisinger—An act to amend sections 1315, 1317, and 1321 and to repeal sections 1310, 1311 and 1312 of the Political Code, relating to electors of President and Vice President of the United States.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 957: By Messrs. Richie, and Heisinger—An act to amend section 1321 of the Political Code, relating to presidential electors.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 958: By Mr. Richie—An act making an appropriation to pay the claim of Fred Froehlinger against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 959: By Mr. Call—An act to amend sections 89 and 112 of the Code of Civil Procedure, relating to courts of justice.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 960: By Mr. Call—An act to amend sections 395, 396, 426, 561, 581, 581a, 667a, 683, 687, 689 and 953a of the Code of Civil Procedure and to add section 684a to the Code of Civil Procedure, all relating to civil actions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 961: By Mr. Call—An act to add section 250.5 to the Fish and Game Code, relating to hunting near refuges.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 962: By Mr. Call—An act to amend section 1193 of the Penal Code, relating to pronouncement of judgment.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 963: By Mr. Call—An act to amend section 1227 of the Penal Code, relating to a judgment of death remaining in force unexecuted

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 964: By Mr. Call—An act to amend sections 1000, 1001 and 1010 of the Probate Code, relating to partial and ratable distribution of the estates of decedents.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 965: By Mr. King—An act to add a new section to be known as section 16a to "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act" approved June 3, 1913, as amended

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 966: By Mr. Rosenthal—An act to add a new section to the Code of Civil Procedure, to be numbered 605, relating to fees and mileage of jurors.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 967: By Mr. Rosenthal—An act to amend section 4300f of the Political Code, relating to fees and mileage of jurors

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 968: By Mr. Rosenthal—An act to amend section 1143 of the Penal Code, relating to fees and mileage of jurors.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 969: By Mr. Rosenthal—An act to repeal section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, and to repeal section 22 of an act entitled "An act to regulate fees and salaries in the county of Los Angeles." approved March 27, 1878, relating to fees and mileage of jurors.

Bill read first time, and referred to Committee on Judiciary Codes

Second Reading of Assembly Bills.

Assembly Bill No. 844—An act to amend section 3773 of the Political Code, relating to lands sold to the State for delinquent taxes, the possession, rental and appraisal thereof, creating the tax deeded land rental fund, making an appropriation in relation thereto, and declaring the urgency thereof.

Bill read second time, and ordered to engrossment.

Communications.

The following communications were received, and ordered printed in the Journal:

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, CALIFORNIA, January 18, 1937

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials, and are duly recognized as representatives of the newspapers set opposite their names

California Grange News—Franklin Hichborn.
The California Informant—Mrs Cora Dahm
Motor Land—Edwin S. Moore, and Clark C Cottrell
Municipal Utilities—C. R. Reid
Colusa Daily Times—W. P. Dwyer.
State News Syndicate—William Conlin, and E. G Desimone
National Petroleum News—J. Norman Westsmith.
Mining and Industrial News—Claude M Chaplin
Commercial News—David G. Shearer.

By the Division of State Lands of the Department of Finance

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE
DIVISION OF STATE LANDS, SACRAMENTO, January 19, 1937.

To the Assembly of the State of California.

Pursuant to the provisions of Chapter 800, Statutes of California, 1917, I respectfully report that, according to advices received, certificates of title have been issued to August 1, 1936, by the registrars of land titles under the Torrens Law in 17 of the 58 counties, as follows:

Alameda	167
Fresno	47
Humboldt	296
Imperial	479
Kern	139
Los Angeles	86,111
Orange	7,544
Riverside	272
San Bernardino	5,185
San Diego	4,980

San Francisco	6
San Luis Obispo	4
Santa Barbara	684
Santa Cruz	95
Sonoma	503
Tulare	66
Ventura	3

The Torrens Act provides that upon the original registration of any land, a sum equal to one-tenth of one per cent of the assessed value of the land including permanent improvements thereon as the same were valued for county taxation the last time said land and permanent improvements or either thereof were assessed for county taxes next preceding the filing of the petition shall be collected by the registrar and paid to the State Treasurer to be credited to the "Torrens title assurance fund." The books of the State Treasurer show that on December 31, 1936, the "Torrens title assurance fund" had a cash balance of $829 99 and an investment of $39,000 in bonds.

Respectfully submitted.

CARL B. STURZENACKER,
Chief of the Division of State Lands of the Department of Finance.
By A P. IRELAND, Chief Clerk.

Motion to Change Printing of Daily History.

Mr. Johnson moved that prior to the constitutional recess, the Assembly Daily History carry only those bill titles as have been acted upon or introduced on such day.

Motion carried.

Adjournment.

At twelve o'clock and ten minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until ten o'clock a m., Wednesday, January 20, 1937

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY
SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 20, 1937.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—75.

Quorum present.

Prayer.

Prayer was offered by Rev William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Sawallisch, the further reading of the Journal of Tuesday, January 19, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Kuchel, on motion of Mr. Redwine
Mr. Morgan, on motion of Miss Miller
Mr Laughlin, on motion of Mr. Reaves.
Mr. Beene, on motion of Mr. Cottrell

Guests Extended Privilege of Assembly Floor.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Lyle Pressey and Karnig Kenchelian, Mrs John J. Bray, Mrs. Marchie Haines, and Mrs. Evan Robertson, all of San Francisco.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr James Wilson, Postmaster of the city of Sacramento.

On request of Messrs Donnelly, Miller, and the San Francisco delegation, the privilege of the floor of the Assembly Chamber for this

day was unanimously extended to Mrs. Agnes O. Lennon, teacher, and the following pupils of the Modesto High School: Margaret Andrews, Louise Arroquy, Nadean Barrett, Kathleen Beaty, Lena Bellaman, Pearl Boyd, Grace Brown, Maxine Byers, Joyce Collison, Janet Cook, Dolores Duckart, Myrtle Frazier, Frank Frery, Florence Geller, Sarah Grossman, Anna Hansen, Ella Hansen, Samantha Henderson, Evelyn Horne, Betty Leech, Emilie Lentz, Mila Littrell, Betty Jo Marshall, Chyrl Mickel, June Niemeyer, Elva Outland, Matilda Parker, Mary Pelucca, Evelyn Peterson, Margaret Phoenix, Lucille Ransom, Helen Renwick, Teresa Schenone, Frances Simi, Winifred Spoon, Marion Wallis, Clara Belle Weeks, Helen Williams, Jean Williams, Mary Winfield, and Ruth Zeitlen.

On request of Mr. Kepple and Speaker Jones, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Judge E. P Woods, and Dr. L. L. Chessney, both of Los Angeles

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Donald H. Biery, Superintendent of Sherman Institute, U. S. Indian Service, Riverside.

On request of Messrs. Cassidy and Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Warren Reed of Sacramento.

On request of Messrs Cassidy and Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Chris. Runckel of Berkeley.

On request of Mr Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Mabel B. Herrick and Dean N Herrick of Stockton.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. O W. Murrell of Oakland.

Assistant Chief Clerk Greenburg Reading.

Resolution.

The following resolution was offered.

By Mr. Muldoon:

House Resolution No. 43.

Relative to conveying felicitations to the President of the United States on his inauguration

WHEREAS, Franklin Delano Roosevelt has been President of the United States these past four years, and has brought great credit upon the institution of democratic government by his administration of that high office; and

WHEREAS, He has successfully brought this country through one of the greatest depressions in its history; and

WHEREAS, He has been re-elected by an overwhelming majority to the office of the President of the United States and has been inaugurated into his second term in that office on this January 20, 1937; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California does hereby extend its sincere felicitations to Franklin Delano Roosevelt upon his second inauguration as President of the United States; and be it further

Resolved, That a copy of this resolution be suitably engrossed and forwarded to the President of the United States and to each of the Senators and Representatives in Congress from the State of California.

Request for Unanimous Consent.

Mr. Muldoon asked for, and was granted, unanimous consent to take up House Resolution No. 43, at this time, without reference to committee or calendar.

House Resolution No. 43 read, and unanimously adopted.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 9.
Assembly Joint Resolution No. 3.
Assembly Bill No. 331.
Reports the same correctly enrolled, and presented to the Governor on this nineteenth day of January, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 844.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

Special Order.

The hour of eleven o'clock and thirty minutes having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of House Resolution No. 33.

House Resolution No. 33—Creating Assembly Water Pollution Investigating Committee.

Special Order Set for House Resolution No. 33.

On motion of Mr. Glick, the further consideration of House Resolution No. 33 was made a special order of business for Friday, January 22, 1937, at two o'clock p.m.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 970: By Mr. Burns, Michael J.—An act to amend section 1 of an act entitled "An act to provide for the formation, government, operation, and dissolution of pest abatement districts, for the assessment, levy, collection, and disbursement of taxes therein, to declare the urgency hereof, and to provide that this act take effect immediately," approved February 2, 1935.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 971: By Mr. Burns, Michael J.—An act to provide for the payment of the proportionate share of bonded indebtedness levied against property subsequently acquired by the State or a political subdivision thereof for public purposes.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 972: By Mr. Baynham—An act to amend section 2.2140 of the School Code, relating to apportionment of funds to school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 973: By Mr. Clark—An act to amend section 690.11 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 974: By Mr. Patterson—An act to amend sections 5.500 and 5.502 of, and to repeal and add section 5.501 to the School Code, relating to employees of school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 975: By Mr. Patterson—An act to amend sections 5.401 and 5.501 of the School Code, relating to employment of teachers.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 976: By Mr. Patterson—An act to add two new sections to the School Code, to be numbered 6.752 and 6.753, and to amend sections 6.762 and 6.772 of the said code, all relating to the conducting of community recreational activities by governing boards of school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 977: By Mr. Patterson—An act to repeal section 2 1209 of the School Code, relating to the grading of schools by county superintendents of schools.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 978: By Mr. Patterson—An act to amend sections 2.879 and 2 880 of the School Code, relating to elections for members of governing boards of school districts.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 979: By Mr. Patterson—An act creating county educational commissions composed of the county superintendent of schools and five members appointed by the county superintendent of schools, two thereof being certificated school employees; the others laymen, qualified electors of the county, such commission having for its chief duty the formulating of plans for reorganizing the school system of the county. Creates State commission composed of members of the county commissions to formulate plan for reorganizing the State school system, including employees' tenure. Directs submission of State plan, and county plans to State and county voters, respectively at the general election in 1938; majority approving, State plan becomes law; and every county plan of districting which meets the approval of a majority of the voters of each new community district shall become the form of organization for those districts which cast a majority of votes in its favor; existing school laws applying until the new plans are adopted.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 980: By Mr. Patterson—An act to establish a State Board of Industrial Relations, to provide for the selection of members thereof and setting forth their powers and duties; to provide for the establishment of county industrial relations boards by the State Board of Industrial Relations, to provide for the selection of members of county industrial relations boards and to set forth their powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 981: By Mr. Patterson—An act to provide for a Legislative-Executive Advisory Committee and the creation of a secretariat therefor, prescribing the powers and duties of such

Advisory Committee and its secretariat, and making an appropriation for the support thereof.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 982: By Mr. Cunningham—An act to amend sections 5.502, 5.654 and 5.681 of the School Code, all relating to the classification and dismissal of persons employed by school districts in positions requiring certification qualifications.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 983: By Mr. Turner—An act to repeal Article II of Chapter II of Part II of Division II of the School Code, relating to the governing board of a newly organized school district.

Bill read first time, and referred to Committee on Education

Assembly Bill No. 984: By Mr. Turner—An act to repeal section 4.788 of the School Code and to add a new chapter to Part II of Division IV of said code to be known as Chapter IIa, relating to county elementary school supervision funds.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 985: By Mr. Turner—An act to repeal Article X of Chapter I of Part I of Division II of the School Code and to add to Chapter I of Part I of Division II of the School Code a new article to be known as Article VIIIa, all relating to the formation, annexation, uniting and changing of boundaries of school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 986: By Mr. Turner—An act to amend section 4.360 of the School Code, relating to the preparation and submission of school district budgets.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 987: By Mr. Turner—An act to repeal Chapters II, III and IV and Articles II and III of Chapter V, all of Part II of Division V of the School Code; to repeal sections 5.341, 5.342, 5.343, 5.360, 5.361, 5.362, 5.363 and 5.540 of the said code; to amend sections 5.263, 5.313, 5.314 and 5.315 of said code; and to add to Part II of Division V of said code a new chapter to be known as Chapter II, all relating to certificates and credentials for employment in the public school system.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 988: By Mr. McMurray—An act to add a new section to the School Code to be known as section 2.992, relating to gifts, donations, bequests and devises to school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 989: By Mr. Kepple—An act to amend the Direct Primary Law, approved June 16, 1913, as amended, by adding thereto a new section to be designated section 22a, to authorize the board of supervisors, canvassing board or election commission to recount the voted ballots in precincts where the precinct returns show a total of votes cast for all candidates for an office, or a total of votes cast for and against any proposition, in excess of the number of votes cast in the precinct, and providing that the board or commission may in its discretion appoint a special recounting board for this purpose.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 990: By Mr. Kepple—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 991: By Mr. Kepple—An act to amend the Political Code of the State of California by amending section 1281a and by adding thereto a new section to be designated 1281b, to authorize the board of supervisors, canvassing board or election commission to recount the voted ballots in precincts where the precinct returns show a total of votes cast for all candidates for an office, or a total of votes cast for and against any proposition, in excess of the number of votes cast in the precinct, and providing that the board or commission may in its discretion appoint a special recounting board for this purpose.

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 992: By Mr. Flint—An act to amend section 2 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing for other penalties for violation of the provisions thereof" Approved May 25, 1931 relating to publication of notices calling for bids.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 993: By Mr. Andreas—An act relating to alcoholic beverages, providing for the creation of the California Liquor Commission, granting said commission the sole right to sell alcoholic beverages other than malt liquors to retailers, and providing for the disposition of funds derived from the sale of alcoholic beverages, prescribing penalties, and making an appropriation for the purposes of this act.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 994: By Mr. Andreas—An act appropriating moneys to the use of the California Liquor Commission fund.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 995: By Messrs. Latham, and Lyon—An act to amend section 168 of the Civil Code respecting liability of wife's earnings for husband's debts.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 996: By Mr. Latham—An act to amend section 1861a of the Civil Code respecting liens upon and sale of baggage and other property of tenants of furnished apartment houses, etc.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 997: By Mr. Cunningham—An act to prohibit the use of official stationery of any officer of the State, county or municipal governments by any unauthorized person, and declaring such use to be a misdemeanor.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 998: By Mr. Robertson—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 999: By Mr. Gilbert—An act to amend section 1142 of the Political Code to authorize precinct election boards consisting of four members only where not more than one tally book is used at the elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1000: By Mr. Gilbert—An act to amend section 1103 of the Political Code to permit the registrar of voters or county clerk of any county to destroy all canceled original and canceled duplicate affidavits of registration after each general election.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1001: By Mr. Gilbert—An act to amend the Political Code of the State of California by adding thereto two new sections to be designated sections 1174b and 1174c, and by amending sections 1258 and 1261, to authorize the use of one tally book only in each election precinct, and providing for the oath of the respective election precinct officers and for certification in said tally book, in any county wherein the board of supervisors or board of election commissioners shall authorize the use of one tally book only in each precinct for any general, primary or special election held throughout the county.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1002: By Mr. Johnson—An act to add section 781 to the Political Code, relating to the reports of the Supreme Court and the District Courts of Appeal.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1003: By Mr. Johnson—An act to repeal Articles IV and V of Chapter II, Part III of Division III of the School Code, to add to said code two new sections to be numbered 3.251 and 3.252 and to amend sections 3.222, 4.871 and 4.884 of said code, all relating to attendance upon high schools and apportionments to high school districts by the State on account of such attendance.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1004: By Mr. Gannon—An act to amend section 2380 of the Business and Professions Code, relating to unprofessional conduct within the chapter on medicine.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1005: By Mr. Gannon—An act to amend section 581 of the Business and Professions Code, relating to the unlawful use of any diploma, certificate or transcript necessary for the practice of a healing art.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1006: By Mr. Gannon—An act to add section 2013 to the Business and Professions Code, relating to the forms of certificates issued under the chapter on medicine thereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1007: By Mr. Dilworth—An act to add section 11743 to the Insurance Code, relating to workmen's compensation insurance premiums.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1008: By Mr. Gannon—An act to amend section 8 of the State Medical Practice Act, relating to certificates licensing the practice of the healing arts.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1009: By Mr. Boyle—An act to safeguard the public health, to regulate the use of X-rays and X-ray appliances in connection with the diagnosis and treatment of human ailments and to regulate the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine, prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1010: By Mr. Boyle—An act to amend an act entitled "An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the people in the practice of structural pest control," approved July 20, 1935, relating to structural pest control.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1011: By Mr Gannon—An act to amend section 14 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to exemptions.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 1012: By Mr. Lyon—An act to amend an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to the pension of county and township peace officers.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1013: By Mr. Lyon—An act making an appropriation to pay the claim of Bernard Sargen, against the State of California.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 1014: By Mr. Lyon—An act to amend section 4 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, as amended, to delete the provision declaring artificially colored canned tomatoes or tomato products adulterated, this act to take effect immediately.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1015: By Mr. Lyon (By request)—An act to amend section 12 of the State Medical Practice Act, relating to commissioned officers and contract surgeons in the Medical Corps of the Army, Navy and Public Health Service of the United States.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 1016: By Mr. Lyon (By request)—An act to repeal section 2213 of the Business and Professional Code, relating to contract surgeons and reserve officers in the Army, Navy or Public Health Service.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 1017: By Messrs. Lyon, and Tenney—An act to add a new section numbered 4041 26 to the Political Code, relating to jurisdiction, powers and duties of county boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1018: By Mr. Robertson—An act to add section 170.5 to the Code of Civil Procedure, relating to peremptory challenges of judges

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1019: By Mr. Hunt—An act to amend section 10 of an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for the violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved November 2, 1920, relating to conspiracy to effect illegal transfer.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1020: By Mr. Hunt—An act to amend section 797 of the Fish and Game Code, relating to abalone.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1021: By Mr. Hunt—An act to add sections 56.4 and 56.6 to the Alcoholic Beverage Control Act, relating to bartenders.

Bill read first time and referred to Committee on Public Morals.

Assembly Bill No. 1022: By Mr. Hunt—An act to amend sections 576, 602, 625, 693, and 702 of the Vehicle Code, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 1023: By Mr. Dannenbrink—An act to add a new section to be numbered 605e½ to the Civil Code, relating to the liability of members of unincorporated nonprofit associations.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1024: By Mr. Dannenbrink—An act to add section 171b to the Civil Code, relating to the separate property of the wife.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1025: By Mr. Tenney—An act to amend section 1368 of the Penal Code, relating to the sanity of the defendant in a criminal prosecution.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1026: By Mr. Tenney—An act to amend sections 2.2030 and 2.2032 of the School Code, relating to unified school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1027: By Mr. Tenney—An act to add section 1182.5 to the Penal Code, relating to evidence on motion for new trial.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1028: By Mr. Tenney—An act to add sections 1183, 1183.1 and 1183.2 to the Penal Code, relating to the writ of error coram nobis.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1029: By Mr. Tenney—An act to amend section 995 of the Penal Code, relating to indictments and informations.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1030: By Mr. Tenney—An act to add section 643 to Streets and Highways Code, establishing an additional State highway.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1031: By Mr. Tenney—An act to amend section 821 of the Penal Code, relating to persons under arrest.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1032: By Mr. Tenney—An act to amend section 581 of the Code of Civil Procedure, relating to dismissal of actions and judgments of nonsuit.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1033: By Mr. Tenney—An act to amend section 790 of the Penal Code, relating to the jurisdiction of criminal actions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1034: By Mr. Tenney—An act to add a new article to Chapter I of Part I of Division I of the School Code, to be

known as Article VII, embracing section 1.55, relating to the participation of pupils in public exhibitions.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1035: By Mr Tenney—An act to amend section 518 of the Penal Code, relating to extortion.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1036: By Mr. Tenney—An act to amend section 2047 of the Code of Civil Procedure, relating to witnesses.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1037: By Mr Tenney—An act to amend section 1127 of the Penal Code, relating to instructions and comment in criminal cases.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1038: By Mr. Tenney—An act to add section 18b to the Penal Code, relating to the punishment of certain felonies.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1039: By Mr Tenney—An act to amend section 520 of the Penal Code, relating to the punishment of extortion in certain cases.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1040: By Mr. Tenney—An act to amend section 1182 of the Penal Code, relating to new trials.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1041: By Mr. Welsh—An act to amend section 1322 of the Penal Code, relating to husband and wife.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1042: By Mr. Welsh—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1043: By Mr. Welsh—An act to amend section 1089 of the Penal Code, relating to the selection of alternate jurors and the rights and duties of alternate jurors.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1044: By Mr. Welsh—An act to amend section 1 of "An act providing for the disposition of exhibits filed with the court in criminal cases," approved May 24, 1921, relating to exhibits in criminal cases.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1045: By Mr. Welsh—An act to amend section 1026 of the Penal Code, relating to procedure in the trial and release of the criminally insane.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1046: By Mr. Welsh—An act to amend section 1016 of the Penal Code, relating to the kinds of pleas to an indictment or information.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1047: By Mr. Welsh—An act to amend section 1881 of the Code of Civil Procedure, relating to the privileged communications.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1048: By Mr. Welsh—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1049: By Mr Welsh—An act providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1050: By Mr. Welsh—An act to add section ____ to an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the transportation of certain flammable liquids over highways with the State of California

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1051: By Mr Welsh—An act to add a new section ____ to the Vehicle Code, relating to the transportation of certain inflammable liquids over highways within the State of California.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1052: By Mr Sawallisch—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof." approved May 25, 1931, relative to the definition of public contract work and payment of the prevailing rate therefor.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 1053: By Mr. Williamson—An act to amend sections 1, 2, 3, 5, 6, 11, 12 and 17 of, and to add section 24 to, an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all

acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising and the regulation thereof.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1054: By Mr. Williamson—An act to amend sections 2, 3, 6, 13 and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, as amended, relating to horse race meetings, wagering on the results thereof, the disposition and use of moneys received under the act, and defining the powers and duties of the board, its officers and employees.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 1055: By Mr. Williamson—An act to amend section 53 of the Civil Code, relating to admittance to places of amusement or entertainment.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1056: By Messrs Voigt, and Tenney (By request)—An act to prohibit the trade practices known as "compulsory block-booking" and "blind selling" in the leasing of motion picture films.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1057: By Mr. Lyon—An act to amend section 1 of an act entitled "An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available," approved June 7, 1935, relating to city treasurers.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1058: By Mr. Lyon—An act to amend section 401 of the Vehicle Code, relating to the nonliability of members of police and fire departments for the operation in line of duty of authorized emergency vehicles.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1059: By Mr. Stream—An act to amend sections 100.5, 117, 130, 185, 188, 202, 673, 680, 720, 722, 730, 761, 825, 1622 and 1624 of the Streets and Highways Code, and to add new sections, to be numbered 103.5, 140 5 and 823.5, to said code, all relating to public highways and to the acquisition of rights of way for the administration, control, construction, and regulation thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1060: By Messrs. Tenney, and Stream—An act to amend sections 1295, 1297, 1298, 1300 and 1301 of the Penal Code, all relating to bail.

Bill read first time, and referred to Committee on Crime Problems

Assembly Bill No. 1061: By Messrs Clark, Peek, and Glick—An act to amend sections 117, 117a, 117b, 117c, 117e, 117ha, and 117i, of

the Code of Civil Procedure and to add thereto a new section to be numbered 117ba, relating to small claims court and actions of forcible entry, forcible detainer and unlawful detainer therein.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1062: By Mr. Garibaldi—An act to amend sections 20 and 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to awards and disposition thereof.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1063: By Mr. Reaves—An act authorizing the removal of the Stephen M. White statue from the city of Los Angeles to the city of San Pedro.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1064: By Mr. Williamson (By request)—An act to amend sections 1, 6, 7, 10, 13, 16 and 17 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act.", approved May 15, 1933.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1065: By Mr Yorty—An act to establish a California Agricultural Labor Relations Board, to provide machinery for the mediation and arbitration of agricultural labor disputes and for ancillary purposes.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1066: By Mr. Tenney—An act to amend section 1065 of the Fish and Game Code, relating to sardines and the seasons thereof.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1067: By Mr. Tenney—An act to amend section 1067 and repeal sections 1066 and 1068 of the Fish and Game Code, relating to the reduction of fish.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1068: By Mr. Tenney—An act to amend section 1064 of the Fish and Game Code, relating to conservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1069: By Mr. Stream—An act to add section 3658b to the Political Code, relating to county maps for tax purposes.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1070: By Messrs. Dannenbrink, Gilbert, and Clark—An act to amend section 2237 of the Political Code, relating to the establishment of an advanced vocational school in conjunction

with the California School for the Deaf at Berkeley and making an appropriation therefor.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1071: By Messrs. Dannenbrink, Gilbert, and Clark—An act making an appropriation for major construction and equipment at California School for the Deaf at Berkeley

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1072: By Mr. Martin—An act to amend section 9 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, to provide for the inclusion of officers and employees in any county forester's or county fire warden's department within such retirement and pension system.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1073: By Mr Rosenthal—An act to amend section 437c of the Code of Civil Procedure, relating to summary judgments.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1074: By Mr. Rosenthal—An act to amend section 1916 of the Code of Civil Procedure of the State of California.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1075: By Mr. Rosenthal—An act to add sections 1861b and 1947.5 to the Civil Code, relating to liens for rent on any form of property or income.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1076: By Mr. Rosenthal—An act to amend sections 117i, 117j, 117k, and 117*l* of the Code of Civil Procedure, relating to appeals from small claims court.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1077: By Mr. Rosenthal—An act to amend section 9 of the Retail Sales Tax Act of 1933, and section 7 of the Use Tax Act of 1935, relating to the payment of tax where the sale or purchase is by conditional sales contract

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1078: By Mr. Miller—An act granting certain salt marsh, tide and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1079: By Mr. Meehan—An act to amend section 2.1204 of the School Code, relating to the powers and duty of the county superintendents of the schools of California.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1080: By Mr Dannenbrink—An act to amend sections 2334 and 2335 of the Civil Code, relating to agency.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1081: By Mr. McMurray—An act to amend section 10 of the State Civil Service Act, relating to examinations.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1082: By Mr. Andreas—An act to provide for the refunding, repayment or adjustment, from public funds raised or appropriated for street and highway improvement purposes, of assessments or bonds levied or issued for such improvements which have become of more than local benefit.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1083: By Mr. Andreas—An act to provide for the relief of special assessment districts in the manner authorized by section 31c of Article IV of the California Constitution.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1084: By Mr O'Donnell—An act to amend section 751a of the Code of Civil Procedure, relating to the adjudication of the identity of persons executing instruments relating to real property by a name other than that by which they acquired title.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1085: By Mr. Williamson (By request)—An act to amend section 7 of the Direct Primary Law, relating to filing fees of candidates at primary elections.

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 1086: By Mr. O'Donnell—An act to amend section 3716 of the Political Code, relating to the lien of taxes on real and personal property and providing that such lien shall cease to exist after 30 years.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1087: By Mr. Donihue—An act to add section 3a to the "Unfair Practices Act," to be numbered 3a, relating to unfair trade practice and creating a presumption as to the cost to the vendor.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1088: By Mr. Robertson (By request)—An act to add section 13 5 to the Alcoholic Beverage Control Act, relating to power of board to prohibit sale of alcoholic beverages on Sunday in accordance with local ordinances.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1089: By Messrs Beene, Cottrell, Boyle, Morgan, Turner, Welsh, Patterson, Cronin, Robertson, Dawson, Maloney, Clark, Peek, McMurray, and Hunt—An act to provide for the control, prevention, and cure of venereal diseases; providing for the establishment of a State Bureau of Venereal Diseases under the direction of the State Board of Health and defining its powers and duties; and providing for the granting of State financial aid for the control, preven-

tion, and care of venereal diseases, and making an appropriation therefor.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1090: By Mr. Waters—An act to amend section 68 of the Agricultural Code, relating to the duties of county live stock inspector.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1091: By Mr. Waters—An act to amend section 65 of the Agricultural Code, relating to the duties of county agricultural commissioner.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1092: By Messrs Yorty, and Patterson—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of the Unfair Practices Act to add sections 16, 17, 18, 19 and 20 thereto, declaring unlawful discrimination, unfair methods of competition, unfair practices and sales at less than cost unlawful, and providing methods for establishing prevailing minimum wages, prevailing maximum hours, and prevailing minimum costs and for prohibiting child labor, providing for enforcement thereof, providing for the establishment of administrative authorities in connection with such enforcement, making the violation of the provisions of this act a misdemeanor, providing a penalty and declaring the urgency thereof to take effect immediately.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1093: By Mr. Burns, Hugh M.—An act to create a State university to be known as the University of Central California and to provide for the government, management and control thereof, and a site therefor.

Bill read first time, and referred to Committee on Universities

Assembly Bill No. 1094: By Mr Watson—An act to amend section 487 of the Penal Code, relating to grand theft.

Bill read first time, and referred to Committee on Crime Problems

Assembly Bill No. 1095: By Mr Watson—An act to add section 1223 to the Code of Civil Procedure, relating to the punishment for contempt of court in the violation of an injunction or temporary restraining order issued in a case involving or growing out of a labor dispute.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1096: By Mr Watson—An act authorizing the survey, location, and establishment of the high water mark, bordering upon tidewater of the Pacific Ocean, between the northerly boundary line of the city of Santa Barbara and the southerly boundary line of the State of California.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1097: By Mr. Watson—An act to repeal section 488a of the Penal Code, relating to theft of avocados, citrus or deciduous fruit.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1098: By Mr. Donihue—An act imposing an excise tax measured by gross receipts, providing for the collection of such tax and the allocation of the proceeds thereof, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1099: By Mr. Donihue—An act to provide for the raising of public revenue by imposing a tax upon the receipt of gross income, providing for the collection, administration and enforcement of the tax, prescribing penalties for the violation of the provisions of this act, and making an appropriation for the enforcement hereof

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1100: By Mr Donihue—An act imposing an excise tax measured by gross receipts, providing for the registration of taxpayers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration of this act, prescribing penalties for the violations of the provisions of this act, repealing the Retail Sales Tax Act of 1933 and providing this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1101: By Mr Williamson—An act to amend section 447 and section 448 of the Code of Civil Procedure, relating to pleading of written instruments.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1102: By Mr Williamson—An act to amend section 454 of the Code of Civil Procedure, relating to a bill of particulars.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1103: By Mr. Williamson—An act to amend section 454 of the Code of Civil Procedure, relating to a bill of particulars

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1104: By Mr. Williamson—An act to amend section 409 of the Political Code, relating to the fees of the Secretary of State.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1105: By Messrs. Welsh, Rosenthal, Tenney, Peek, Flint, Glick, Cunningham, Martin, Redwine, Waters, Field, Lyon, Hunt, Gilbert, Clark, Hawkins, Pelletier, and Baynham, and Miss Miller—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other

attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts as amended.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1106: By Mr. Levey—An act to amend section 3 of the Unfair Practices Act, relating to unfair discriminations and practices.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1107: By Mr. Levey—An act making unlawful certain discriminations in price, in services or facilities furnished, or in payment for services or facilities to be rendered, in connection with the sale of commodities in the course of trade or commerce, and providing certain remedies for violation.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1108: By Mr. Levey—An act to amend section 1 of the Fair Trade Act, relating to trade practices.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1109: By Mr Levey—An act to add sections 1a, 6a, 6b, 10a, and 11a to, and to amend sections, 1, 2, 3, 4, 5, 6, 7, 10, and 13 of, the Unfair Practices Act, relating to unfair discriminations and practices.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1110: By Mr Levey (By request)—An act making an appropriation for the construction or completion of a building or buildings for the use of Number 1-A District Agricultural Association and the improvement of its grounds for any or all of said purposes.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1111: By Mr. Levey (By request)—An act to empower the City and County of San Fracisco to appropriate and pay over to Number 1-A District Agricultural Association for its general use such sums of money as said city and county may from time to time determine.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1112: By Mr. Gilbert—An act to amend sections 4 and 5 of the "Inheritance Tax Act of 1935," relating to the rate of taxation

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1113: By Mr. Gilbert—An act to repeal section ____ of the Streets and Highways Code, relating to State highways

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1114: By Mr. Gilbert—An act to provide for the protection, welfare and assistance of needy persons who are permanently incapable of earning a living by reason of physical disability,

providing the method therefor, making an appropriation therefor, and prescribing penalties for the violation of the provisions of this act

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1115: By Mr. Gilbert—An act to add Part II and Chapter I thereof, comprising sections 4000 to 4021, to Division V of the Welfare and Institutions Code, relating to State aid for persons who are permanently incapable of earning a living by reason of physical disability.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1116: By Mr. McMurray—An act to add a new section to the Civil Code, to be numbered 1980a, relating to personal service option contracts, and making the same voidable at the election of the employee where such option contracts extend beyond three years.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1117: By Messrs. Richie, and Stream, and Mrs Daley—An act establishing municipal courts in cities and cities and counties of the second and one-fourth class, prescribing a constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1118: By Messrs. Richie, and Stream, and Mrs Daley—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1119: By Mr. Richie—An act to amend section 1 of an act entitled "To provide for a day of rest from labor," approved February 27, 1893, relating to days of rest.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1120: By Mr. Richie—An act to amend section 552 of the Labor Code, relating to days of rest.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1121: By Mr. Turner—An act to amend section 737o of the Political Code, relating to the salary of the judges of Kern County.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1122: By Mr. Thorp—An act to amend section 6040 of the Insurance Code, relating to county mutual fire insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1123: By Mr. Walker—An act to amend section 3.331 of the School Code, relating to high school students residing in this State and attending high school in an adjoining State.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1124: By Mr. Walker (By request)—An act to amend section 2.465 of the School Code, relating to the disposition of taxes levied on elementary school districts for high school districts.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1125: By Mr Walker—An act making an appropriation to pay the claim of Hugh Isom against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1126: By Mr Walker—An act to provide for the development of electric power by irrigation districts and providing for the acquisition, construction, maintenance and operation of electric power plants and providing for the levying of assessments and the collection of funds, for the issuance and sale of bonds, and providing for the control and distribution of electric energy.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1127: By Mr. Walker—An act to extend to irrigation districts organized and existing under the California Irrigation District Act, the power and privilege to develop hydroelectrical power and to acquire equipment, including stand-by plants, for development and distribution of electrical energy and creating of irrigation district power districts to be managed, operated and controlled under the provisions of the California Irrigation District Act.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1128: By Mr. Walker—An act to amend the California Irrigation District Act by adding a new section thereto, to be known as section 15½, authorizing irrigation districts, heretofore or hereafter organized and existing under and by virtue of the provisions of the California Irrigation District Act, or any act amendatory thereof, or supplemental thereto, to develop and distribute electrical power or energy by the use of any waters under the control of such district and by contract to acquire and maintain any necessary equipment therefor and to provide for the management of such operations and the financing thereof.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1129: By Mr Walker—An act to add a new section numbered section 6 to an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price for the sale of jute bags.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1130: By Mr. Walker—An act to add section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1131: By Mr. Tenney—An act to add section 5.265 to the School Code, relating to life diplomas.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1132: By Mr. Cronin—An act for the regulation and control of corporations organized for the purpose of operating non-profit hospital service plans, and of hospitals rendering services under any such hospital service plans.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1133: By Mr. Cronin—An act to add section 690.49 to the Code of Civil Procedure, relating to exemptions from execution.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1134: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to add a new section to the School Code to be numbered 2 996, relating to the educational exhibits of school districts.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1135: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to add a new section to the School Code to be numbered 5.589, relating to the holding of institutes.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1136: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to add a new section to the School Code to be numbered 4 735, relating to the attendance of pupils.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1137: By Messrs. Cronin and Boyle—An act to add Chapter 7, comprising sections 3000 to 3152, inclusive, to Division II and to add section 30005 to Division XXX of the Business and Professions Code, relating to the practice of optometry and repealing acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1138: By Messrs. Cronin, and Boyle—An act to amend sections 4 and 6 of, and to add section 11.5 to, the Optometry Law, relating to the practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1139: By Messrs Cronin, and Boyle—An act to amend section 10½ of the Optometry Law, relating to the unlawful practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1140: By Messrs. Cronin, and Boyle—An act to amend section 11 of the Optometry Law, relating to the suspension and revocation of certificates.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1141: By Messrs Cronin, and Boyle—An act to amend sections 3016, 3017 and 3052 of, and to add section 3119 to, the Business and Professions Code, relating to the practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1142: By Messrs. Cronin, and Boyle—An act to add section 3129 to the Business and Professions Code, relating to the unlawful practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1143: By Messrs Cronin, and Boyle—An act to amend sections 3098 and 3103 of the Business and Professions Code, relating to the suspension and revocation of certificates to practice optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1144: By Mr. Garland (By request)—An act to add sections 3.310 to the School Code, relating to attendance of pupils in high schools outside the district in which they reside

Bill read first time, and referred to Committee on Education

Assembly Bill No. 1145: By Mr. Garland (By request)—An act to amend sections 690 4 and 690 7 of the Code of Civil Procedure, relating to personal property exempt from attachment or execution.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1146: By Mr. Garland (By request)—An act to repeal section 2.123 of the School Code and to add a new section thereto to be numbered 4.192, both relating to the furnishing of facilities and services by county superintendents of schools for the education of pupils.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1147: By Mr. Garland—An act to amend section 6.30 of the School Code, relating to letting of contracts to lowest responsible bidder.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1148: By Mr. Garland—An act to add section 5 to the Old Age Security Act of the State of California, relating to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1149: By Mr. Garland—An act to repeal section 5 500 of the School Code, relating to classification as permanent employees of persons in positions requiring certification qualifications.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1150: By Mr. Garland—An act to repeal sections 6 530, 6 531, 6.532, 6.533, 6.534 and 6.535 of the School Code, and to add sections 6.536 and 6.537 thereto, relating to libraries.

Bill read first time, and referred to Committee on Libraries.

Assembly Bill No. 1151: By Mr. Lyon—An act to amend section 76 of the Improvement Act of 1911, relating to the treasurer's list of

bonds upon which payments have not been made and to notice of delinquency.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1152: By Mr. Lyon—An act to amend section 3747a of the Political Code, relating to segregation of valuation of property on the assessment roll.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1153: By Mr. Lyon—An act to amend the title and section 1 of an act entitled "An act requiring the treasurer of any municipality, county, or city and county to maintain a record of the names and addresses of holders of ad valorem special assessment district bonds when so directed by the legislative body of said municipality, county, or city and county," approved May 7, 1935 (Statutes 1935, p. 783), relating to maintenance of record of names and addresses of holders of ad valorem special assessment district bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1154: By Mr. Lyon—An act to amend section 3738, 3821 and 3831 of the Political Code and to add to said code a new section to be numbered 3832, relating to the collection of unsecured taxes.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1155: By Mr. Latham—An act to amend sections 12 and 19 of the Direct Primary Law, relating to primary elections

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 1156: By Mr. Latham—An act to amend sections 1197 and 1205 of the Political Code, relating to election ballots and voting.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1157: By Mr. Donnelly—An act to amend the Palo Verde Irrigation District Act, relating to irrigation districts.

Bill read first time, and referred to Committee on Irrigation

Assembly Bill No. 1158: By Mr. Donnelly—An act to amend the California Irrigation District Act, relating to irrigation districts.

Bill read first time, and referred to Committee on Irrigation

Assembly Bill No. 1159: By Mr. Donnelly—An act to amend section 19 of the California Irrigation District Act, relating to election of irrigation district officials.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1160: By Mr. Muldoon—An act to amend section 1.91 of the School Code, relating to school buses.

Bill read first time, and referred to Committee on Education

Assembly Bill No. 1161: By Mr. Muldoon—An act to amend section 2.2140 of the School Code, relating to unified school districts

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1162: By Mr. Hornblower (By request)—An act to amend section 1191 of the Penal Code, relating to time for pronouncement of judgment.

Bill read first time, and referred to Committee on Crime Problems

Assembly Bill No. 1163: By Mr. Hornblower (By request)—An act to amend section 489 of the Penal Code, relating to grand theft.

Bill read first time, and referred to Committee on Crime Problems

Assembly Bill No. 1164: By Mr. Hornblower (By request)—An act to amend sections 1203.1 and 1203.3 of the Penal Code, relating to power of the court to fix conditions of probation.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1165: By Mr. Hornblower (By request)—An act to amend section 213 of the Penal Code, relating to punishment for robbery.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1166: By Mr. Hornblower—An act to amend section 1066 of the Fish and Game Code, relating to the reduction of sardines.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1167: By Mr. Scudder—An act to validate certain tax sales, tax certificates, tax deeds and tax conveyances limiting time for attach thereon.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1168: By Messrs. Scudder, and Donnelly—An act to amend sections 3h, 5, 9c, 10, 12, 12a, and 18 of and to add two new sections to the California Real Estate Act to be numbered 10a, 10b, and 10c, respectively, relating to the regulation and licensing of real estate brokers and salesmen, and to the disposition of money in the real estate fund.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1169: By Mr Robertson—An act to add sections 2 and 3 to an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately

Bill read first time.

Request for Unanimous Consent.

Mr Robertson *asked for, and was granted, unanimous consent* to take up Assembly Bill No 1169, at this time, without reference to committee, print or calander, and that the same be considered engrossed.

Consideration of Assembly Bill No. 1169.
Case of Urgency.

The following resolution was offered:

By Mr. Robertson:

Resolved, That Assembly Bill No 1169 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is

hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 1169, at this time.

Second Reading of Assembly Bill No. 1169.

Assembly Bill No. 1169—An act to add sections 2 and 3 to an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Third Reading of Assembly Bill No. 1169.

Assembly Bill No. 1169: An act to add sections 2 and 3 to an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Mr. Speaker—65.

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1937.

MR SPEAKER: Your Committee on Ways and Means, to which was referred: **Assembly Bill No. 457.**

Respectfully reports the same back, with the recommendation: Do pass as amended.

ROBERTSON, Chairman.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 457, at this time, without reference to calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 457.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 18, 1937.

To the Honorable Members of the Assembly.
Sacramento, California.

Assembly Bill No. 457—An act to add section 13.6 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions" approved June 5, 1933, relating to horse racing, declaring the urgency hereof, to take effect immediately.

In my opinion said Assembly Bill No. 457 constitutes an urgency bill within the meaning of that term as used in section 4 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 457 as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Case of Urgency.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No. 457 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr Speaker—68.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15, of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 457, at this time.

Second Reading of Assembly Bill No. 457.

Assembly Bill No. 457—An act to add section 13.6 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and

supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions'' approved June 5, 1933, relating to horse racing, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Committee Amendments to Assembly Bill No. 457.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, after the word "including", insert the following: "purchase of land,".

Amendment No. 2.

On page 1, lines 8 and 9, of the printed bill, strike out "The provisions of section 4041.18 of the Political Code not be applicable to such expenditures."

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 457, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 457, as Amended.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr Speaker—67.

NOES—None.

Third Reading of Assembly Bill No. 457.

Assembly Bill No. 457—An act to add section 13 6 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions'' approved June 5, 1933, relating to horse racing, declaring the urgency hereof, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate

Motion for Rush Order on Printing of Assembly Bill No. 457.

On motion of Mr. Lyon, Assembly Bill No. 457 was sent to reprint with a rush order

Recess.

At twelve o'clock m., on the motion of Mr. King, the Assembly was declared at recess until two o'clock p.m

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Assistant Clerk Berry Reading.

Appointment of Special Committee.

The Speaker announced the appointment of the following members on the Committee to Investigate Dairy Inspection: Heisinger, Chairman, Voigt, and Garibaldi, pursuant to House Resolution No 38.

Request to Print Proceedings and Speeches in Journal.

On request of Mr Williamson, the proceedings in the Assembly Chamber, as prepared and presented by the Assembly Committee appointed for the observance of the presidential inauguration, and the speeches of Hon. Clifford C. Anglim and Hon. Geoffrey F Morgan were ordered printed in the Journal.

Communications.

The following communications were received, and ordered printed in the Journal:

By Mr. Speaker:

WORKS PROGRESS ADMINISTRATION, CALIFORNIA,
FEDERAL MUSIC PROJECT NO. 4676-1, SACRAMENTO, CALIFORNIA, January 14, 1937.

Hon. William Mosely Jones, Speaker of the Assembly,
Capitol Building, Sacramento, California.

HON. MR. JONES: We cordially extend to you and the members of the Assembly an invitation to attend a concert by the symphony orchestra of the Federal Music Project, District 2 in Sacramento, under the direction of Leslie Hodge, to be held from twelve o'clock to 12 o'clock and thirty minutes p.m. on Thursday, January 21, 1937, in the rotunda of the Capitol Building.

Yours truly, PHYLLIS ASHMUN, Acting Supervisor.

Hon. Wm. Moseley Jones, Speaker of the Assembly of the State of California,
Assembly Chambers, Sacramento, California.

DEAR SIR: I attach hereto an affidavit setting forth certain facts in re the hearing of the charge against me contained in the joint resolution to remove me from my office.

I am confident that no member of the Legislature can wish to be compelled to vote on this resolution and the charge contained in it with an entire lack of knowledge of facts vitally material to the issues involved.

Based upon that belief and the facts stated in my affidavit I make the following request:

That a sufficient sum of money be appropriated to provide for the preparation of my defense, including a fair sum for the fees of attorneys to act in preparing, and in presenting such defense at the hearing before the Legislature;

That such provision be made for the expenditure of said money as the Legislature may deem right, to the end that it be not improperly spent, and, also, that the use thereof may not be hampered and the purpose of its appropriation be destroyed by unnecessary red tape, since its use is, obviously an immediate need

If attorneys in charge of the preparation of my defense are provided with funds for investigation purposes at once the number of witnesses will surely be much reduced, because it is believed that certain relevant, competent and material facts are within the knowledge of a number of persons, and it is not my purpose to unnecessarily produce cumulative evidence or to improvidently expend the State's money. Again, some persons whom there is reason to believe have knowledge of such facts may be found not to have such knowledge.

The State has no public defender; and as far as I know, there is no public officer charged with the duty of defending a citizen, who is without funds, against charges preferred under the circumstances here present.

Being in jail, it is apparent that I can not possibly prepare my own defense. Able counsel have been appointed to prepare and present the case against me. In spite of the verdict of the jury in my case in the Federal Court, it would seem that my unblemished record of 25 years in judicial office should suggest that my averment that I have a substantial defense is worthy of provision being made for a reasonable investigation of the merit of that claim before any judicial body should be willing to penalize me by removal from office. It would seem that the accused should be permitted to select his attorneys, and that they should use the money appropriated, subject to a rigid accounting for the same.

Respectfully,

GAVIN W. CRAIG.

STATE OF CALIFORNIA, } ss.
COUNTY OF VENTURA }

Affidavit.

GAVIN W. CRAIG, being duly sworn, deposes and says: That he is the Gavin W. Craig who is a Justice of the District Court of Appeal of the State of California and who is named in a joint resolution of the Senate and Assembly of the State of California, which said joint resolution sets forth a certain charge as a reason for the removal of affiant from his said office; and that the hearing of said charge, as affiant has been notified, is set for the eighth day of March, 1937;

That affiant is confined as a prisoner in the county jail at Ventura, California, for a term of one year, which does not expire until November 15, 1937;

That affiant has no funds, or any means of securing funds, with which to prepare his defense to the charge set forth in said resolutions for his removal from office, or to employ counsel to conduct such preparation for him, or to present his defense at said hearing;

That because of being confined in jail affiant can do little toward the preparation of his defense;

That affiant has been informed by competent lawyers, that he has a good and sufficient defense to said charges, and that he verily believes that he has such good defense;

That affiant is informed by said lawyers, and that he believes, that the facts which he desires to, and if permitted, will prove at said hearing, are relevant, competent and material to the issues presented by said charge;

That affiant has reason to believe, and does believe, that there are 70, or more, persons now in California, each one of whom has personal knowledge of one or more of the aforesaid facts;

That in addition to the said witnesses, several documents, of which some are voluminous, are, so affiant is informed by said lawyers, and so affiant believes, competent, relevant and material evidence in defense of said charges;

That it will be necessary to the proper presentation of affiant's said defense, to be made at said hearing, that each of said documents be copied and the copies certified, and the necessary expense of making said copies and the certification thereof will be approximately $1000, unless said expense is reduced by possible stipulation;

That if all of said witnesses are subpenaed and transported from their respective residences to Sacramento, and maintained near the place of said hearing until the testimony of such witnesses has been given, affiant is informed and believes and therefore states that the entire expense thereof will amount to several thousands of dollars; however, the exact amount of such expense is unknown to affiant;

That affiant is informed that the Legislature of California has appointed and will employ three, perhaps six, lawyers to prepare and present the case against the affiant at said hearing; and affiant says that to properly prepare and present affiant's said defense, affiant is informed and believes and therefore states that the services of three attorneys will be needed for much of the time from this date until the conclusion of said hearing,—for all of the time during said hearing, and that the duration of said hearing may be as long as four weeks.

GAVIN W. CRAIG

Subscribed and sworn to before me this nineteenth day of January, 1937.

J. C. P. MOORE, Notary Public.

My Commission Expires October 30, 1938.

[SEAL]

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1170: By Mr. Gannon—An act to amend section 1414 of the Fish and Game Code, relating to forfeiture of guns, nets, etc.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1171: By Mr. Gannon—An act to add section 2409 to the Business and Professions Code, relating to unprofessional conduct in the practice of chiropody.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1172: By Mr. Gannon—An act to amend sections 702 and 708 of the Fish and Game Code, relating to seasons on Calico bass and crappie.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1173: By Mr. Gannon—An act to add section 14.3 to the State Medical Practice Act, relating to unprofessional conduct in the practice of chiropody.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1174: By Mr. Cottrell—An act to amend section 5.94 of the School Code relating to State college summer sessions.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 1175: By Mr. Cottrell—An act to amend sections 2 876 and 2.877 of the School Code, relating to school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1176: By Mr. Redwine—An act to amend section 1286 of the Fish and Game Code relating to transporting deer into a closed district.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1177: By Messrs. Meehan, Andreas, Crowley, Flint, Corwin, Stream, Sawallisch, Scudder, Desmond, Fulcher, Baynham, Pelletier, Watson, Welsh, Patterson, Heisinger, Garland, and Miller—An act to amend the title of and sections 1, 2, 3, 4, 7, 9, and 10 and to add sections 7A, 7B, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1178: By Mr. King—An act to add a new section to "An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1179: By Mr. Burns, Michael J. (By request)—An act to amend section 432.5 of the Fish and Game Code, relating to fee for boat owners transporting fishermen.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1180: By Mr. Thorp—An act to amend sections 471, 478 and 480 of the Agricultural Code relating to milk.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1181: By Mr. Heisinger (By request)—An act to amend section 1 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately"; approved May 26, 1933.

Bill read first time, and referred to Committee on Buildings and Construction.

Assembly Bill No. 1182: By Mr. Heisinger (By request)—An act to amend section 3 of "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933.

Bill read first time, and referred to Committee on Buildings and Construction.

Assembly Bill No. 1183: By Mr. Heisinger (By request)—An act to amend section 5 of "An act to regulate the practice of architecture"; approved 1901.

Bill read first time, and referred to Committee on Building and Construction.

Assembly Bill No. 1184: By Messrs. Glick, Lore, Pelletier, Hornblower, Clark, Peek, and Lyon—An act to provide for the permanent relief and rehabilitation of the indigent and unemployed families of the State of California by the removal of such families to new rural communities to be located upon large tracts of good agricultural land, and providing for loans by the State Department of Social Welfare to a nonprofit, cooperative agricultural association created to carry out such purpose, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1185: By Mr. Robertson—An act to make an appropriation to meet a deficiency in the appropriation for the support of the California Nautical School for the eighty-seventh and eighty-eighth fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1186: By Mr. Patterson—An act to amend sections 6.762 and 6.772 of the School Code and to add to said code two new sections to be numbered 6.752 and 6.763, all relating to the powers

and duties of governing boards of school districts in connection with the use of school grounds and buildings.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1187: By Mr. Voigt—An act to be known as the Home Loan Revenue Bond Act and to provide for State aid in the financing of the construction of homes for citizens; to aid in the financial and business recovery of the State and to promote legitimate building and construction; providing for the creation of a Home Loan Authority and Bond Financing Committee and for the issuance of revenue bonds by the authority and for the application of such funds in the financing of the building of homes.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1188: By Mr. Johnson—An act to amend section 2931a of the Civil Code to authorize making the State a party to certain actions relating to real estate.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1189: By Messrs. Williamson, Peyser, Cronin, Levey, McMurray, Dawson, Sheehan, Maloney, Hornblower, Weber, Breed, Johnson, Donihue, Cassidy, Dannenbrink, Meehan, Miller, George P., Crowley, and Sawallisch—An act to amend section 5 of the Retail Sales Tax Act of 1933, as amended in 1935, relating to the exemption of vessels.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1190: By Messrs. Williamson, Peyser, Cronin, Levey, McMurray, Dawson, Sheehan, Maloney, Hornblower, Weber, Breed, Johnson, Donihue, Cassidy, Dannenbrink, Meehan, Miller, George P., Crowley, and Sawallisch—An act to amend section 4 of the Use Tax Act of 1935.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1191: By Mr. Johnson—An act to amend sections 4, 4d, 6, 15, 17b, and 20 of the Juvenile Court Law, relating to the provision of care, custody and maintenance for minor persons, through or under the supervision of the juvenile court.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1192: By Mr. Johnson—An act to amend section 604, 638, 643, 701, 726, 825, 826, 827 of the Welfare and Institutions Code, relating to the Juvenile Court Law.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1193: By Mr. Welsh—An act to amend an act entitled "Los Angeles County Flood Control Act" approved June 12, 1915, as amended, by adding thereto a new section, No. 3a, relating to the use of reservoirs and adjacent land for recreational purposes.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1194: By Mr. Breed—An act to amend section 1097 of the Political Code, relating to registration of electors.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1195: By Messrs. Clark, Glick, and Peek—An act to repeal an act entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special

classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929, to repeal an act entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of the State and educational institutions supported in whole or in part by the State," approved June 19, 1929, to repeal Part IV of Division V of the School Code, and to add to said Division V of said School Code, a new part to be known as Part IV, all relating to a retirement system for persons serving the State, counties and school districts in teaching and other positions, and for the superintending, administration and supervision of colleges, schools and classes maintained by the State and for the schools thereof, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1196: By Mr. Turner—An act to amend section 4223 of the Political Code, relating to county, city, or city and county hospitals.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1197: By Mr. Maloney—An act to regulate the manufacture, repair, renovating, sterilizing and sale of upholstered furniture and bedding, to provide for the labeling thereof, and to repeal acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1198: By Mr. Miller—An act to amend sections 3 and 6 of an act entitled, "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled, 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933, relating to land surveyors.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1199: By Messrs. Hornblower, Breed, and Laughlin—An act to amend section 111 of the Vehicle Code, relating to the Chief of the California Highway Patrol.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1200: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 112, 115, 116, 121, and 123 of the Vehicle Code, and to repeal sections 114 and 118 thereof, relating to the California Highway Patrol.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1201: By Messrs. Hornblower, Breed, and Laughlin—An act making an appropriation to the Department of Motor Vehicles to pay claims against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1202: By Messrs. Hornblower, Breed, and Laughlin—An act to amend section 6 of, and to add section 6a to, an act entitled "An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term 'caravaning' and pro-

viding for the licensing of motor vehicles in caravan and imposing penalties for violation thereof," approved July 6, 1935, relating to fees.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1203: By Messrs. Hornblower, Breed, and Laughlin—An act to regulate the business of selling used motor vehicles by dealers not residing in or having a permanent place of business in this State, and by resident dealers purchasing, handling and selling used motor vehicles received or acquired from nonresident dealers; requiring the registration of all used cars brought into this State for the purpose of sale to be registered with the Department of Motor Vehicles, and requiring all such dealers to execute and deliver to each purchaser of each used motor vehicle a bond indemnifying the purchaser against failure of title or breach of warranty or fraudulent misrepresentations; requiring the delivery of a certificate of title to the vendee; defining the term dealer and vendor, and providing penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1204: By Messrs. Hornblower, Breed, and Laughlin—An act to amend section 384 of the Penal Code, relating to fires.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1205: By Messrs. Hornblower, Breed, and Laughlin—An act to repeal an act entitled "An act to amend section 1 of 'An act regulating the hours of labor of the operators of certain motor vehicles,' approved June 10, 1933, relating to operators of vehicles," approved July 5, 1935.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 1206: By Messrs. Hornblower, Breed, and Laughlin—An act to add sections 34.5, 50, 51, 145.1, 604.1, 604.2, 604.3, 604.4, 682 and 682.1 to the Vehicle Code, relating to the transportation of certain flammable liquids upon highways in this State.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1207: By Messrs. Hornblower, Breed, and Laughlin—An act to amend section 647 of the Vehicle Code, relating to tests of lamps or devices.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1208: By Messrs. Hornblower, Breed, and Laughlin—An act to add section 607.7 to the Vehicle Code, relating to authorized emergency vehicles on vehicular crossings.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 1209: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 770 and 777 of the Vehicle Code, relating to the disposition of fees, fines, and forfeitures.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1210: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 215 and 216 of the Vehicle Code, and to add thereto section 217, relating to the registration of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1211: By Messrs. Hornblower, Breed, and Laughlin—An act to amend the Vehicle Code by amending sections 34, 36,

37, 38, 49, 66 and 67 thereof, and by adding thereto sections 32.5, 50 and 82.5, relating to definitions of words and phrases.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1212: By Messrs. Hornblower, Breed, and Laughlin—An act to add section 130 1 to the Vehicle Code, relating to automobile registration service.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1213: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 140, 211, and 225 of the Vehicle Code, and to add thereto sections 143.5 and 164 5, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1214: By Messrs. Hornblower, Breed, and Laughlin—An act to amend section 44 of the Vehicle Code, relating to authorized emergency vehicles

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1215: By Messrs. Hornblower, Breed, and Laughlin—An act to amend section 134 of the Vehicle Code, relating to motor vehicle publications

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1216: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 146 and 146.5 of the Vehicle Code, and to repeal section 180.5 thereof, relating to the registration of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1217: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 158, 371 5, 374, 379 and 384 of, and to add section 162 to the Vehicle Code, relating to the registration of vehicles and fees therefor.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1218: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 372, 702, 703, 704, and 705 of the Vehicle Code, relating to fees and weights of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1219: By Messrs. Hornblower, Breed, and Laughlin—An act to amend section 375 of the Vehicle Code, relating to fees for special plates.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1220: By Messrs. Hornblower, Breed, and Laughlin—An act to add section 76 to, and to amend sections 425, 426 and 438 of, the Vehicle Code, relating to garages and repair shops and the rights thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1221: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 453, 541, 554, 633, and 671 of the Vehicle Code, to add thereto section 454, and to repeal section 517 thereof, relating to authorized emergency vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1222: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 471, 516, and 715 of the Vehicle Code, relating to highways, including bridges and structures, and the regulation and control of vehicles thereon.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1223: By Messrs. Hornblower, Breed, and Laughlin—An act to amend sections 81, 504, 511, 525, 550, 576, 590 and 602 of, and to add sections 512 and 596.5 to, the Vehicle Code, relating to vehicles, the operation and equipment thereof, and certain crimes in relation thereto.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1224: By Messrs. Hornblower, Breed, and Laughlin—An act to amend section 109 of the Code of Civil Procedure, relating to justices of the peace.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1225: By Messrs. Hornblower, Breed, and Laughlin—An act to add section 53 to the Vehicle Code, and to amend section 372 thereof, relating to weight fees for commercial vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1226: By Messrs. Garibaldi, and Maloney—An act regulating booking agents and booking agencies; providing for the licensing thereof, fixing the fee therefor, and relating to the manner in which such businesses shall be conducted and carried on.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1227: By Mr. Thorp—An act making an appropriation to pay the claim of C. C. Woodworth against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1228: By Mr. Thorp—An act to amend sections 510, 511, 512, 513, 515 and 593 of the Agricultural Code, relating to ice cream and similar frozen products.

Bill read first time, and referred to Committee on Manufactures.

Assembly Bill No. 1229: By Mr. Thorp—An act to amend section 673 of the Agricultural Code, relating to dairy containers.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1230: By Mr. Thorp—An act to amend section 508 of the Agricultural Code, relating to cheese standards.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1231: By Mr. Thorp—An act to amend section 621 of the Agricultural Code, relating to factory licenses.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1232: By Mr. Thorp—An act to amend section 483 of the Agricultural Code, relating to the serving of milk.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1233: By Mr. Thorp—An act to amend section 473 of the Agricultural Code, relating to milk drinks.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1234: By Mr. Desmond—An act to add section 3066 to the Civil Code, relating to lien of a vendor of farm products.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1235: By Mr. Desmond—An act to amend section 7 of, and to add section 7.5 to, the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1236: By Messrs. Gannon, Patterson, Millington, Dawson, Cottrell, Welsh, Cronin, Voigt, Dilworth, Walker, Corwin, Stream, Scudder, O'Donnell, Tenney, Call, Williamson, Desmond, Clark, and Miller—An act to amend the title and sections 1, 2, 3, 4, 5, 7, 8, and 11 of, and to add sections 12, 13, and 14 to, an act entitled "An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters; authorizing the Department of Public Works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers, and agencies, and political subdivisions, municipalities, and public districts," approved July 9, 1935, and making an appropriation therefor.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1237: By Messrs. Gannon, Patterson, Millington, Tenney, Welsh, Cottrell, Scudder, Dilworth, Voigt, Walker, Stream, Corwin, Redwine, Latham, Dawson, Cronin, Call, Miller, Clark, Desmond, and Williamson—An act to amend section 7 of the "Vital Statistics Registration Act," relating to death certificates.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1238: By Messrs. Gannon, Millington, Miller, Cottrell, Scudder, Dilworth, O'Donnell, Corwin, Stream, Walker, Latham, Dawson, Cronin, Call, Williamson, Desmond, and Redwine—An act to amend sections 5.10, 5.42, 5.60 and 5.84 of the School Code of the State of California, relating to the establishment of R.O.T.C. units in State colleges and the teaching courses in military science and tactics in connection therewith.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 1239: By Messrs. Gannon, Patterson, Millington, Cronin, Dilworth, Tenney, Walker, Call, Miller, Geo. P., Desmond, Dawson, and Williamson—An act to amend section 3612 of the Political Code, relating to exemptions under section 1¼ of Article XIII of the Constitution.

Bill read first time, and referred to Committee on Revenue and Taxation.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 20, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Concurrent Resolution No. 12. **Assembly Bill No. 698.**
Assembly Concurrent Resolution No. 14. **Assembly Bill No. 948.**
Assembly Bill No. 575.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, January 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 2.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, January 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 4—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending sections 8 and 28o thereof, by amending and reenacting sections 68 and 69 and repealing section 28½h thereof and by adding to said act as amended new sections to be numbered and providing as follows, to wit: Section 28½h, relating to segregation of items of property on the assessment roll; section 28⅝o, relating to proceeds of tax-deeded lands; section 28⅝o, relating to quieting title to tax-deeded lands; section 28⅝o, relating to acquisition of claims to property owned or claimed by the district; section 28½t, relating to proceeds of rentals of tax-deeded lands; section 70, relating to statute of limitations on tax deeds to the district; section 71, relating to the statute of limitations on disposal of tax-deeded lands; declaring the legislative intention as to unconstitutionality and declaring the urgency of this act.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 4 read first time

Request for Unanimous Consent.

Mr. Dilworth asked for, and was granted, unanimous consent to take up Senate Bill No. 4, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 4.
Case of Urgency.

The following resolution was offered:

By Mr. Dilworth:

Resolved, That Senate Bill No. 4 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Love, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 4, at this time.

Second Reading of Senate Bill No. 4.

Senate Bill No. 4—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending

sections 8 and 28o thereof, by amending and reenacting sections 68 and 69 and repealing section 28½h thereof and by adding to said act as amended new sections to be numbered and providing as follows, to wit: Section 28½h, relating to segregation of items of property on the assessment roll; section 28⅝o, relating to proceeds of tax-deeded lands; section 28⅝o, relating to quieting title to tax-deeded lands, section 28¾o, relating to acquisition of claims to property owned or claimed by the district; section 28½t, relating to proceeds of rentals of tax-deed lands; section 70, relating to statute of limitations on tax deeds to the district; section 71, relating to statute of limitations on disposal of tax-deeded lands; declaring the legislative intention as to unconstitutionality and declaring the urgency of this act.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Williamson, Yorty, and Mr. Speaker—59.

NOES—None

Third Reading of Senate Bill No. 4.

Senate Bill No. 4—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending sections 8 and 28o thereof, by amending and reenacting sections 68 and 69 and repealing section 28½h thereof and by adding to said act as amended new sections to be numbered and providing as follows, to wit: Section 28½h, relating to segregation of items of property on the assessment roll; section 28⅝o, relating to proceeds of tax-deeded lands; section 28⅝o, relating to quieting title to tax-deeded lands; section 28¾o, relating to acquisition of claims to property owned or claimed by the district; section 28½t, relating to proceeds of rentals of tax-deed lands; section 70, relating to statute of limitations on tax deeds to the district; section 71, relating to statute of limitations on disposal of tax-deeded lands; declaring the legislative intention as to unconstitutionality and declaring the urgency of this act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Williamson, Yorty, and Mr. Speaker—59

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion for Committee of the Whole.

On motion of Mr. Clark, the Assembly resolved itself into a Committee of the Whole for the purpose of hearing from Mr. Fred B. Wood, Legislative Counsel relative to skeleton bills.

IN COMMITTEE OF THE WHOLE.

Speaker Jones in the chair.

Mr Fred B. Wood addressed the Committee of the Whole

On motion of Mr. Clark, the committee did arise, and report back to the Assembly.

IN ASSEMBLY.

Speaker Jones in the chair.

Resolutions.

The following resolutions were offered:

By Messrs. Andreas, Watson, and Garland:

House Resolution No. 44.

WHEREAS, Many sections of the State of California have been visited with severe cold weather, resulting in damage to a number of agricultural crops including citrus fruits; and

WHEREAS, Because of the irregular spreading of cold air, many spots hitherto considered protected were visited by damage, and in spite of the valiant efforts of citrus growers to prevent damage through intensive orchard heating, numerous areas in the citrus producing sections have frost damage in the citrus crop varying up to 20 per cent; and

WHEREAS, Any shipments of frosted fruits will be harmful to the agricultural industry of the State and particularly to the citrus industry if such fruits reach consuming markets both in California and in other States; therefore, be it

Resolved by the Assembly of the State of California, That the Director of the California State Department of Agriculture be requested to render the closest possible supervision over the shipping of citrus fruits to prevent movements injurious to the welfare of the citrus industry of such frosted fruits, and that he further be requested to enforce strictly the standardization provisions of the Agricultural Code relating to frosted citrus fruits through the enforcing officers under his direction and the county agricultural commissioners.

House Resolution No. 44 read, and referred to Committee on Agriculture.

By Messrs. Waters, Clark, Patterson, and O'Donnell:

House Resolution No. 45.

Relative to appointment of Assembly Committee to Study Oil Drilling on State Lands

WHEREAS, One of the most important matters pending before the fifty-second session of the California Legislature is that of determining the most advantageous way for this State to develop its oil-bearing lands; and

WHEREAS, It must be determined what are the minimum amounts which the State should receive in the event it is determined to lease all or part of these oil-bearing lands; and

WHEREAS, One of the problems most difficult of solution in connection with the development of these oil-bearing State-owned lands is that of preventing the pollution of beaches and waters, and

WHEREAS, With several measures dealing with this problem already introduced it is imperative that the Assembly have available when it reconvenes after the constitutional recess the most accurate, complete and up-to-date information it is possible to gather with reference to this matter; now, therefore, be it

Resolved by the Assembly of the State of California, That a "Special Assembly Committee on State Land Oil Drilling" composed of five Assemblymen be appointed by the Speaker of the Assembly to make a full and complete investigation of any and every matter bearing on or having relation to the matter of oil drilling on State lands and the terms and conditions under which such drilling should be conducted, and be it further

Resolved, That said Special Assembly Committee shall proceed to organize by the election of one of its members as chairman and one as secretary, and be it further

Resolved, That said Special Assembly Committee is hereby authorized to hold public meetings at any place in the State of California; and be it further

Resolved, That said special committee in making said investigation is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind and description; to issue subpenas to compel the attendance of witnesses and the production of testimony, and to do any and all things necessary to make a full and complete investigation of the matters herein mentioned. Each member of said special committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to said special committee. Said committee is authorized to report back to the Assembly with recommendations as soon as possible after reconvening following the constitutional recess in 1937; and be it further

Resolved, That the sum of two thousand five hundred dollars ($2,500), or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of this investigation, is hereby made available and appropriated out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Treasurer is hereby authorized and directed to pay the same.

Request for Unanimous Consent.

Mr. Waters asked for unanimous consent to take up House Resolution No. 45, at this time, without reference to committee.

Mr. Welsh withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Waters moved that the Rules be temporarily suspended for the consideration of House Resolution No. 45, at this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hunt, Johnson, Kepple, King, Latham, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Patterson, Peek, Pelletier, Reaves, Stream, Tenney, Thorp, Walker, Waters, Weber, Yorty, and Mr. Speaker—43.

NOES—Breed, Burns, Hugh M., Call, Cottrell, Dannenbrink, Dawson, Field, Flint, Gluck, Heisinger, Leonard, Levey, Lore, Maloney, Mayo, Muldoon, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Turner, Voigt, Watson, Welsh, and Williamson—26.

Notice of Reconsideration.

Mr. Waters gave notice that on the next legislative day he would move to reconsider the vote whereby his motion for temporary suspension of the Rules for the consideration of House Resolution No. 45 was this day lost.

Motion to Correct Journal.

On motion of Mr. Field, the Report of the Special Assembly Interim Committee on State Auditing and Finance, as printed in the Assembly Journal of Monday, January 18, 1937, was ordered corrected to show only the names of Messrs. Donihue, Cottrell and Evans, Ralph W., as signing the report.

Motion to Print Report in Journal.

On motion of Mr. Field, the Minority Report of the Special Assembly Interim Committee on State Auditing and Finance on the Administration of the California Horse Racing Act of 1933 was ordered printed in the Journal.

MINORITY REPORT OF SPECIAL ASSEMBLY INTERIM COMMITTEE ON STATE AUDITING AND FINANCE ON THE ADMINISTRATION OF THE CALIFORNIA HORSE RACING ACT OF 1933.

Mr. Speaker and Members of the Assembly.

Herewith is submitted a minority view of the subjects covered in a report signed by three members of the above-mentioned committee, which was submitted and printed in the Assembly Journal, Monday, January 18, 1937.

This minority report is in agreement with the majority view with respect to disposition of the so-called "outs money," to wit: That this money, representing sums won by bettors who fail to collect their winnings, be paid to the State within a period of one year, and 30 days instead of being retained by the track.

Agreement is also expressed on the subject of "breakage" as defined and provided for in the Horse Racing Act, and outlined in the majority report.

While agreeing with the majority conclusion that illegal betting conditions in the State of California are deplorable and should be corrected, the minority of the committee feels that so-called "bookies" and "bookmaking" should not be legalized, and that proper legislation should be enacted which will require local law enforcement officers to arrest and prosecute any person or persons guilty of illegal betting.

It is recommended that the Legislature adopt laws which will prohibit any person or persons from making or accepting a bet outside of the enclosure of a race track. The minority feels that bookmaking, as such, should be opposed in principle and not supported as a dubious revenue-producing source.

On the subject of the "take" of the State and the "take" of the track, the minority feels that the view of the majority is fundamentally wrong, as, under no circumstances, should the returns to the State be reduced.

On the contrary, it is the minority view that the "take" of the State should be increased, and that the "take" of the track should be decreased.

The minority of the committee believes that this entire subject should be fully considered by the Legislature, and that the law be amended in accordance with the facts as they be brought out in hearings by legislative committees.

As an instance of the need for more careful consideration of this phase of the subject, it should be pointed out that in the report submitted by the majority members of the committee, and the schedule contained therein, the revenue to the State based upon the last fiscal year in so far as Tanforan is concerned, would be reduced 25 per cent, or approximately $75,000 per year, and in so far as Bay Meadows is concerned the schedule submitted by the majority report would reduce the Bay Meadows payment to the State approximately $67,000 for that year.

Primarily, it is the conviction of the minority that the question of whether there should be one, two or more racing tracks located within one county, or within any particular geographical area in the State, is a subject wholly within the jurisdiction of the California Horse Racing Board.

In going into this matter the majority went beyond the scope of the committee's authorization, and to some extent made itself party to one side of a controversy now raging in southern California concerning the advisability of constructing a second race track in Los Angeles County.

The minority feels that this question is one not to be determined either by the committee or by legislative action, but should be left to the discretion of the properly constituted administrative body as provided for in the California Horse Racing Act.

Upon the assumption of the majority that construction of a second track in Los Angeles County is a virtual certainty that the volume at Santa Anita would be cut approximately in half, it is evident that such a development would, according to the majority's own figures, result in a decrease in revenue to the State of California of approximately $34,000 a year.

Furthermore, and wholly aside from a question of so-called monopoly or of potential revenue, the question of constructing additional race tracks must be regarded by the Racing Board itself from the broader standpoint of public welfare and opinion.

On this point, as having a direct bearing on this particular subject and its handling by the Racing Board, the following list of persons and organizations protesting a second track in Los Angeles County is presented:

Individual Protests, 393

Los Angeles High School, signed by E. W. Oliver, principal.
Young People of First Christian Church, signed by 29 persons
Men's Bible Class of First Christian Church, Inglewood, signed by three persons.
Inglewood High School, signed by Stella A. Chappell
Lincoln Heights W.C.T.U., signed by Fannie Brooks.
Chautauqua Circles of Southern California, signed by Mrs. Frances M. Hawley.
David Starr Jordan High School, signed by Francis L. Daugherty
Church of the Open Door, signed by Louis T. Talbot, pastor.
Women's Christian Temperance Union, signed by five persons
The School of Evangelism, signed by Joseph P. Kicks.
Los Angeles 10th District California Congress of Parents and Teachers signed by Mrs. W. R. Goddar, president 272 Associations, 73,584 members.
First Baptist Church, signed by C. G. Emanuel, minister.
L. A. County Christian Endeavor Union, 14,000 members
The Midtown Association, signed by A. L. Benshimol.
Bible School Board of the Angeles Mesa Presbyterian Church, signed by 11 persons.
Bob Shuler
Prohibition County Central Committee signed by B. F. Adams
Churches of the Foursquare Gospel, signed by Guy H. Tobey, district superintendent (two separate letters)
First Christian Church, signed by G. F. Hoy, 700 members.
First Presbyterian Church of Hollywood, signed by 3,000 members, Stewart P. MacLennan, pastor
Presbyterian Church
Occidental College.
Hollenbeck Home, signed by William S. Young
Group, signed by 23 persons.

Grace Methodist Episcopal Church, signed by C. A. Brown, 2,000 members
Group, telegram signed by three persons, 200 persons.
Ministers Union of Inglewood, signed by Reverend Edward Campbell
Centinela Valley Church Brotherhoods, signed by Thomas D. Basher.
Federation of Protestant Churches of Los Angeles, representing 350 churches, signed by R Ernest Lamb, president
Gertrude H. Rounsavelle—Los Angeles City, 75,000, County, 48,000—123,000 members.
Federation of Protestant Churches of Los Angeles, signed by Nathan Newby, chairman, 150,000 members.
Ministerial Association of Inglewood, signed by Reverend Edward Campbell.
California Congress of Parents and Teachers, signed by Roxie S. Jones. 48,000 members.
Letitia J. Lytle, first vice president of State P.T.A., 218,000 members
First District California Congress of Parents and Teachers, signed by Norma H. Goodhue, 48,000 members.
Los Angeles County Fair, signed by two persons.
Western Fairs Association, signed by E. G. Vollman, chairman.
Federated Church Brotherhoods Board of Directors, 700 churches, 130,000 members.
University of Southern California, signed by R. B. von KleinSmid.
Mitchell Realty Company, signed by Glen H Mitchell.
Oak Street P T.A., signed by Mrs. J. B Summerfelt.
Inglewood High School P T.A., signed by Mrs. C. A. Raub.
Daniel Freeman P.T.A , signed by Hazel E. Garbett.
Kelso P.T.A., signed by Mrs. Byron L. Kimball.
Centinela P.T.A , signed by Ella M. Friend.
Highland P T A , signed by Mrs Winifred V. Warm
George W. Crozier, P.T.A., signed by Mrs. A W. Baum.
Inglewood Council P.T.A., signed by Mrs. Herbert W. Sunday
Senior High School Council of Tenth District P T.A , 6,933 members, signed by two members.
Centinela Valley District Brotherhoods, signed by R. E. Blakeman, president.
Compton Union High School and Junior College Districts, 65,000 members.
Braun Corporation, signed by J. A. Hartley.
J. W. Robinson Company, signed by J. W. Schneider.
Arthur V. Brown.
Bullock's, signed by president of company.
A. C. Vroman, signed by A. D. Sheldon.
New York Life Insurance Company, signed by Clark E. Bell
American Women Incorporated, signed by Mrs. Charles S. McKelvey.
Mrs. Louise Ward Watkins, The Maccenas Club.
Woman's Christian Temperance Union, signed by Mrs. Nancie Bassett.
The Aryan Society, signed by Katharine Merrill.
Hulme, Hastings and Bartlett, signed by James Neil Hastings.
The Full Gospel Assembly, signed by Homer W. Snook.
Allan E. Morphy.
Wegge-Pelton Motor Company, signed by W. A. Wegge.
Chapman College, signed by C. F. Cheverton.
San Joaquin County Fair, signed by E. G. Vollmann.
Metropolitan Federated Church, signed by Martin Luther Thomas.
First Methodist Episcopal Church, signed by Gerald B. Harvey, associate pastor.
Los Angeles Graded Union of Church Schools, signed by Mrs. W. B. Hutchinson.
Women's Auxiliary of the First Presbyterian Church, signed by Nettie Gault.
Los Angeles Baptist Association, signed by Gilbert Brink, 22,000 members.
Los Angeles County Board of Education, signed by Robert H Kee.
Sunnyside Methodist Episcopal Church, signed by John B. Soules.
First Methodist Episcopal Church, signed by Roy O. Smith, pastor, 5000 members.
Petition signed by 39 people.
Los Angeles County C. E. Union, signed by Spencer Jewell, president, 14,000 members.
American Baptist Foreign Mission Society, signed by Jesse R Wilson
Southwest Council P. T. A., signed by Mrs. R Fenton Taylor, 5000 members.
Methodist Episcopal Church, signed by Leonard Oechsli, district superintendent (representing 57 ministers), 30,000 members.
Pomona Chamber of Commerce, signed by Edw. B. Kennedy, executive secretary.
First District California Congress of P. T. A., signed by Mrs. R. T. Goodhue and Mrs. George W. Blount, representing 42,716 members.

G. Sherman Clark, M. D. G. M.
First Methodist Episcopal Church, signed by Glenn R. Phillips.
Christ Church, signed by Lyman R. Bayard, minister.
First Congregational Church of Los Angeles, signed by James W. Fifield, minister.
Vermont Square Methodist Episcopal Church, signed by Russell E. Clay, minister.
Broadway Department Store, Incorporated, signed by Thomas J. Madden.
Barber Brothers, signed by Paul Quattlander, president.
First Baptist Church, signed by H. H. Foucar, pastor.
St. Paul's Cathedral, signed by Harry Beal, dean of St. Paul's Cathedral.
Horace Mann Junior High School P. T. A., signed by Mrs. Forrest J. Young, president.
The Baptist Ministers' Conference of Los Angeles, signed by Rev. Theodore C. Neufeld, secretary.
Pacific Palisades Woman's Club, signed by Mrs. R. J. Morrison, president. and Mrs. J. Fuller.
Chesterfield Square Methodist Church, signed by William McKinley Walker, pastor, also signed by 58 names.
Willard L. Johnson Company, signed by Willard L. Johnson.
Mitchel Realty Company, signed by Glen H. Mitchel.
Rivera Baptist Church, signed by Reverend Carlton Sayrwell, pastor
Oak Lodge, signed by Joel F. Wood.
Glendale Presbyterian Church, signed by Reverend Walter E. Edmonds, D D
Bethel Methodist Episcopal Church, signed by Reverend Walter E Edmonds.
W. C. T. U. signed by Eva G. Wheeler, president, Anna B. Hail, secretary, and Hattie C. Young.
Smither Building and Investment Company, signed by C. C. Smither.
Epworth League and Young People's Work, signed by Janet Davis, secretary.
Los Angeles District, California Federation Business and Professional Women's Clubs, signed by Madeline E. Woodbury, secretary.

Inclusion of the foregoing list of protestants by the minority is for the information of the Legislature and does not reflect any opinion of the minority favoring or opposing construction of a second track.

On the question of enlarging the present three-man board to a board of five members, the minority recommends that this matter be more fully explored by the Legislature.

On the basis of the facts thus touched upon and submitted, the minority sees no reason for rushing through emergency legislation without due consideration being given the subject matters contained both herein and in the majority report.

Respectfully submitted.

C. DON FIELD,
FORD A. CHATTERS,
Minority Members, Special Assembly Interim Committee on State Auditing and Finance.

Request to Print Report as Separate Document.

Mr. Field requested that 5000 copies of the Minority Report by the Assembly Interim Committee on Auditing and Finance be printed as a separate document.

Request referred to the Committee on Rules

Resolutions.

The following resolutions were offered:

By Mr. Voigt:

House Resolution No. 46.

WHEREAS, The Student Band of the Grant Union High School has assembled this day and journeyed to the Assembly Chamber of the State Capitol, Sacramento, for the purpose of rendering patriotic musical numbers on the occasion of the ceremonies in connection with the inauguration of Franklin Delano Roosevelt as President of these United States, and

WHEREAS, This generous patriotic gesture on the part of the Grant Union High School, its teachers and its student musicians, has given pleasure to the members of the California Legislature and its guests, and

WHEREAS, The program of the broadcasted inaugural ceremony in Washington, D C., has been greatly enhanced through the generous efforts and outstanding musical ability of the young members of the Grant Union High School Band, as displayed in their renditions, therefore, be it

Resolved by the Assembly of the State of California, That it hereby expresses its deep appreciation of the merit of its talent to the Grant Union High School Band, and be it further

Resolved, That the Assembly hereby expresses its sincere thanks to the members of the Grant Union High School for the musical service rendered, and be it further

Resolved, That this resolution be printed in the Journal of this Assembly, and a copy forwarded to the Grant Union High School Band

VOIGT, Chairman.
McMURRAY.
MORGAN.

Committee on Observance of Inaugural Ceremonies.

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up House Resolution No. 46, at this time, without reference to committee or calendar.

House Resolution No. 46 read, and unanimously adopted.

By Mr. Voigt:

House Resolution No. 47.

WHEREAS, The courtesy and efficiency of Bee Radio Station KFBK, its operators and technicians, has added immeasurably to the interest and enjoyment of the inaugural ceremony inducting Franklin Delano Roosevelt into office as President of these United States this twentieth day of January, 1937, and

WHEREAS, The facilities of the Bee Radio Station KFBK proved the means whereby the members of the California Legislature and their guests were enabled to assemble in the Assembly Chamber, State Capitol, in a group, all of which added materially to their comfort and enjoyment of the ceremonial program as made available to all through the facilities and the courtesy of Bee Radio Station KFBK; now, therefore, be it

Resolved by the Assembly of the State of California, That it do express its deep appreciation to Bee Radio Station KFBK, its operators and technicians, for their splendid cooperation and efficiency in the installing of the necessary equipment making possible the enjoyment of the inaugural program, and, be it further

Resolved, That this resolution be printed in the Journal of this Assembly, and that a copy of the same be presented to Bee Radio Station KFBK.

VOIGT, Chairman.
McMURRAY.
MORGAN.

Committee on Observance of Inaugural Ceremonies.

Request for Unanimous Consent.

Mr Voigt asked for, and was granted, unanimous consent to take up House Resolution No. 47, at this time, without reference to committee or calendar

House Resolution No 47 read, and unanimously adopted.

By Mr. Voigt:

House Resolution No. 48.

WHEREAS, The courtesy and cooperation of the Sacramento Convention Bureau have made possible the enjoyment of the inaugural ceremony inducting Franklin Delano Roosevelt into office as President of these United States, this twentieth day of January, 1937, and

WHEREAS, It has been through the courteous efforts of the Sacramento Convention Bureau that the Assembly members and their guests were enabled to enjoy the rendition of a patriotic number by Mrs. Irma Sheehan and Mrs. Hazel Quinn, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby express its deep appreciation to the Sacramento Convention Bureau and to Mrs. Irma Sheehan and to Mrs. Hazel Quinn for their generous courtesy and cooperation, and be it further

Resolved, That this resolution be printed in the Journal of the Assembly, and that a copy of same be presented to the Sacramento Convention Bureau.

VOIGT, Chairman.
McMURRAY.
MORGAN

Committee on Observance of Inaugural Ceremonies

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up House Resolution No. 48, at this time, without reference to committee or calendar.

House Resolution No. 48 read, and unanimously adopted

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1240: By Mr. Donnelly—An act to add section 32b to "An act creating a State Land Settlement Board, and defining its powers and duties, and making an appropriation in aid of its operations," approved June 1, 1917, as amended, and to ratify and confirm certain acts of the Director of Finance with respect to the disposition of properties at the Delhi State Land Settlement and Durham State Land Settlement.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1241: By Messrs. Williamson, and McMurray—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of interest in property.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1242: By Messrs. Williamson, and McMurray—An act to amend sections 1 to 38, both inclusive, of the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1243: By Messrs. Williamson, and McMurray—An act to provide for the levy and collection of a tax upon the income of corporations and to provide for the disposition of revenues therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1244: By Messrs Williamson, and McMurray—An act to amend sections 2, 3, 4, 7, 8, 9, 10, 12, 18, 19, 20, 21, 23, 25, 26, 27, 32 and 34 of "The Personal Income Tax Act of 1935."

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1245: By Messrs. Williamson, and McMurray—An act to amend sections 4, 6, 8, 9, 12, 13, 14, 19, 20, 21, 23, 25, 27, 30 and 32 of, and to add a new section to be numbered 13 (a) to, the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1246: By Messrs. Williamson, and McMurray—An act to amend sections 1 to 36, both inclusive, of the Personal Income Tax Act of 1935, relating to taxes upon incomes of individuals, estates and trusts.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Constitutional Amendment No. 27: By Mr. Rosenthal—Proposed amendment to Article VI, section 19, of the Constitution, relative to trial by jury.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 28: By Mr. Heisinger—Proposed amendment to Article IV, sections 1 to 10, 12 to 17, 19, 23a and 34 of the Constitution, relative to a single house Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 29: By Mr. Voigt—Proposed amendment to Article XIII of the Constitution, by adding section 5 thereto, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 30: By Messrs. Robertson, Welsh, Redwine, Tenney, Clark, Gannon, Cottrell, and Dannenbrink—Proposed amendment to Article IV, sections 2, 4, 4a, 4b and 4c, of the Constitution, relative to the Supreme Court and the District Courts of Appeal.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 17: By Miss Miller—Relative to granting the Pasadena Community Playhouse the honorary title of the State Theater of California.

Introduced, and referred to Committee on Judiciary General.

Assembly Concurrent Resolution No. 18: By Messrs. Richie, Reaves, Yorty, Patterson, Maloney, Voigt, Pelletier, Peek, Hunt, Hornblower, Burns, Michael J., Meehan, Flint, Hawkins, Rosenthal, Gilbert, Lore, McMurray, Andreas, Clark, Miller, Welsh, Glick, Tenney, King, Laughlin, and Sawallisch—Relative to granting a full and complete pardon to Thomas J. Mooney.

Introduced, and referred to Committee on Rules.

Assembly Joint Resolution No. 19: By Messrs. Gannon, Patterson, Scudder, Millington, Desmond, O'Donnell, Dilworth, Walker, Stream, Corwin, Hunt, Latham, Dawson, Call, Miller, Williamson, Clark, Tenney, Cottrell, Welsh, Cronin, and Redwine—Relative to memorializing Congress to enact legislation relating to disabled veterans.

Introduced, and referred to Committee on Federal Relations.

Assembly Constitutional Amendment No. 31: By Messrs. Gannon, Dawson, Patterson, Millington, Williamson, Desmond, Clark, Hunt, Latham, Redwine, Stream, Tenney, Cronin, Miller, Call, Scudder, Walker, Corwin, Voigt, and Dilworth—Proposed amendment to Article XIII, section 1¼ of the Constitution, relative to exemptions of property on account of military service.

Introduced, and referred to Committee on Constitutional Amendments

Resolution.

The following resolution was offered.

By Mr. Yorty:

House Resolution No. 49.

WHEREAS, There exists in California a legal body known as the Railroad Commission, whose duty is in part to regulate the activities and fix rates of private utilities operating under State monopolistic or semimonopolistic franchises, and,

WHEREAS, The Railroad Commission has in its possession, or has the power and facilities to secure, information of great value to the Legislature in determining its policies and enacting laws concerning these public utilities, and,

WHEREAS, The Railroad Commission did furnish, pursuant to a resolution of this body at the fifty-first session of the Legislature, most important information concerning the salaries, contributions, and attorneys' fees paid by these utilities out of their company treasuries during the fiscal year 1934-1935, said information being contained in 132 pages of the Assembly Journal of March 9, 1935, and,

WHEREAS, It appears from a summary of these data that the 75 publicly regulated private utilities made 3430 different contributions during the year under review, totaling $682,179, all of which sum came out of their treasuries and was charged in their rate base as part of the cost paid by consumers for transportation, communication, heating, lighting, and water facilities, and,

WHEREAS, An analysis of these contributions discloses the fact that rate payers were paying contributions for which the utility corporations took credit, and which were used to further the interest of these private corporations regardless of whether such activities were favorable to the public interest, said contributions for the single year 1934-1935 being as follows:

Type of Contribution.	*Number of:*	*Amount of:*
Offensive-defensive trade alliances	728	$235.389 58
Chambers of Commerce (National, State, local)	911	162,963 85
Charity and welfare	675	137,874 45
Industrial Association of San Francisco	17	61,408 75
California Taxpayers' Association	22	37,216 83
Service Clubs—membership fees of corporation officers	598	21.694 57
Good-will organizations	357	12,609 29
Social club dues for corporation officers	59	6,551 50
Research agencies	5	2.984 37
Direct contributions for political campaign	4	500 00
Employees' associations	23	472 50
Direct advertising	12	303 00
Athletic funds	18	25 24
Total	3430	$682,179 30

And,

WHEREAS, The same body of data submitted by the Railroad Commission revealed that these publicly regulated private utilities listed in the salaries paid their officials 59 persons receiving from $10,000 to $14,000; 35 receiving from $15,000 to $19,000; 14 receiving from $20,000 to $30,000; and 7 receiving in excess of $40,000 in that depression year when thousands of our citizens were destitute and near starvation, and,

WHEREAS, There is evidenced a growing practice on the part of these corporations to enlist the services of prominent local attorneys to assist their own legal departments in securing local "good will" and in defending these corporations, the facts for the year 1934-1935 as assembled from the Journal of this House of March 9, 1935, for the 75 utility corporations being as follows:

	Number	*Amount*
Corporations paying fees to private law firms	69	
Corporations paying no such fees	6	
Fees paid to private attorneys	358	$807,375 71
Largest Fees		
Pacific Gas & Electric Co.	29	119,212 75
Pacific Lines of the Southern Pacific Railroad	40	97,938 34
San Diego Consolidated Gas & Electric Co	4	69.427 84
Pacific Tel. & Tel. Co.	19	44.776 67
Santa Fe Railroad Co.	10	40,875 46
California-Oregon Power Co	20	34.780 08
Southern California Edison Co.	16	20,404 29

And,

WHEREAS, The facts concerning these matters for the fiscal year 1935-1936 not being available to the Assembly for use in its deliberations during the present session, therefore, be it

Resolved, That the Assembly of the State of California does hereby respectfully request the Railroad Commission of the State of California to assemble and present

to this body under headings similar to those used in summarizing the data here presented, an itemized statement of the salaries of $5,000 or more, the contributions, and attorneys' fees of each corporation operating under State franchise and subject to the regulations of the Railroad Commission; said material to be available to the Assembly of the California Legislature upon the reconvening of this body immediately following the constitutional recess of the regular fifty-second session

Request for Unanimous Consent.

Mr. Yorty asked for unanimous consent to take up House Resolution No. 49, at this time, without reference to committee or calendar

Mr. Field withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr Yorty moved that the Rules be temporarily suspended for the consideration of House Resolution No. 49, at this time.

The roll was called, and the motion for the temporary suspension of the rules lost by the following vote

AYES—Andreas, Burns, Hugh M, Burns, Michael J, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Lore, Maloney, Mayo, McMurray, Miller, Eleanor; Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Waters, Watson, and Yorty—42.

NOES—Baynham, Breed, Call, Corwin, Cottrell, Dawson, Field, Glick, Hunt, Kepple, Latham, Leonard, Levey, Lyon, Martin, Millington, Muldoon, Redwine, Scudder, Stream, Thorp, Walker, Weber, Welsh, Williamson, and Mr. Speaker—26

Notice of Reconsideration.

Mr. Yorty gave notice that on the next legislative day he would move to reconsider the vote whereby his motion for temporary suspension of the Rules, for consideration of House Resolution No 49, was this day lost.

Unfinished Business.

Consideration of House Resolution No. 39.

House Resolution No. 39—Creating Assembly Interim Committee on State Governmental Organization.

Demand for Previous Question.

Messrs. Flint, Miller, Gannon, Mayo, and Glick demanded the previous question.

The question being: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 39.

The roll was called, and House Resolution No. 39 adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—62.

NOES—Dilworth, Field, and Williamson—3.

Resolution.

The following resolution was offered:

By Mr. King:

House Resolution No. 50.

Resolved by the Assembly of the State of California, That the Honorable Hubert B. Scudder, member thereof, is hereby granted leave of absence and is excused from attending any of the meetings or sessions of the Assembly during

the fifty-second session of the Legislature for the period from the first day of March, 1937, to the fourth day of March, 1937, inclusive.

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up House Resolution No. 50, at this time, without reference to committee or calendar

House Resolution No. 50 read, and unanimously adopted.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1247: By Messrs. McMurray, and Williamson—An act to add a new chapter to Part I of Division IV of the School Code to be known as Chapter IV, to add to Chapter II of Part IV of Division IV of said code a new article to be known as Article IIa and to add to said code two new sections to be numbered 2.1224 and 4.766-1, all relating to the creation of a State kindergarten fund, the apportionment thereof and the use of apportionments therefrom.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1248: By Messrs Williamson, and McMurray—An act to repeal section 2.2135 of the School Code and to amend section 2 2134 thereof, relating to tax rates for unified school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1249: By Mr. O'Donnell—An act to amend section 6 2 of the School Code, relating to powers of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1250: By Mr. King—An act to establish a Department of Unemployed Cooperative Reciprocal Economy.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1251: By Mr. Tenney—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1252: By Mr. Tenney—An act to amend sections 1, 2 and 4 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health."

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1253: By Mr. Tenney—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 13, 15, 19, and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale, or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs, and devices and to the powers of the State Board of Public Health in relation thereto

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1254: By Mr. Latham—An act to amend sections 4 and 7 of the Presidential Primary Act, relating to ballots at presidential primaries.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1255: By Mr. Flint—An act to amend section 3 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, as amended.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1256: By Mr. Flint—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or wholesale distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or wholesale distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or wholesale distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1257: By Mr. Flint—An act to amend sections 18 and 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1258: By Mr. Cronin—An act to amend section 1678 of the Business and Professions Code, relating to the suspension and revocation of dental licenses.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1259: By Mr. Cronin—An act to amend section 1748 of the Business and Professions Code, relating to dental hygienists.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1260: By Mr. Cronin—An act to amend sections 1626 and 1635 of the Business and Professions Code, relating to the practice of dentistry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1261: By Mr. Cronin—An act to amend sections 1650, 1651, 1654, and 1655, and repealing sections 1656 and 1657, of the Business and Professions Code, relating to registration of licenses with county clerks.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1262: By Mr. Cronin—An act to amend sections 372 of the Political Code, relating to the State Board of Public Health.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1263: By Mr. Waters—An act to amend section 61 of the "Bank Act" relating to legal investments for savings banks.

Bill read first time, and referred to Committee on Banking.

Assembly Bill No. 1264: By Mr. Corwin—An act to add Chapter 11, comprising sections 4800 to 4897, inclusive, to Division II and to add section 30008 to Division XXX of the Business and Professions Code, relating to the practice of veterinary medicine and surgery and repealing acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1265: By Mr. Corwin—An act to revise an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, as amended, relating to the practice of veterinary medicine and surgery, and repealing acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1266: By Mr. Corwin—An act to revise Chapter 11 in Division II of the Business and Professions Code, relating to the practice of veterinary medicine and surgery.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1267: By Mr. Corwin—An act to add section 795.5 to the Agricultural Code, relating to orange field boxes.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1268: By Mr. Martin—An act to amend section 3 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1269: By Mr. Gilbert—An act making an appropriation for the purchase of Arroyo Seco Parks Nos. 1 and 2 in Los Angeles County, to be used as State parks, and authorizing the purchase thereof.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 1270: By Mr. Gilbert—An act providing for a legal interest rate.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1271: By Mr. Garibaldi—An act to add two new sections to the Insurance Code, to be numbered 11665 and 11666, relating to requirements that all licensed employers be insured for workmen's compensation.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1272: By Mr. Garibaldi—An act to amend section 11657 of the Insurance Code, relating to workmen's compensation policies.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1273: By Mr. Garibaldi—An act to add section 20.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to termination of liability.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1274: By Mr. Garibaldi—An act to add section 5803.5 to the Labor Code, relating to termination of liability for workmen's compensation benefits.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1275: By Mr. Maloney—An act to amend the title of and section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities, and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous conditions on public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi

public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, extending the provisions of the act to liability in damages of school districts in the case of injuries to persons arising because of the negligence of the district, or its officers or employees.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1276: By Mr. Maloney—An act to amend section 2.801 of the School Code, relating to liability in damages of school districts.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1277: By Mr. Maloney—An act to amend the title of an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, and approved as amended June 10, 1933, extending the provisions of the act to liability in damages of such officers in the case of injuries to persons arising because of the negligence of the district, or its officers or employees.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1278: By Messrs. Desmond, and Gannon—An act to create and establish in the city of Sacramento a college of vocational and technical training to be known as the California College of Vocational Arts; providing for its government curricula and control, and authorizing the use of the buildings, grounds and facilities of the Sacramento Junior College District by said vocational college upon such terms and conditions as may be agreed upon.

Bill read first time, and referred to Committee on Universities.

Assembly Bill No. 1279: By Mr. Gannon (By request)—An act to amend section 890 of the Military and Veterans Code, relating to veterans.

Bill read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 1280: By Mr. Robertson—An act to add section 139.5 to the Agricultural Code, relating to the suppression of rodents, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1281: By Mr. Voigt (By request)—An act to add sections 2057 and 2058 to the Insurance Code, relating to fire insurance.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1282: By Mr. Voigt—An act for the raising of revenue to meet the expenditures of this State, not otherwise provided for, pursuant to the provisions of the first paragraph of section 15 of Article XIII of the Constitution, and adding section 3664a2 to the Political Code, relating to the taxation of operators of pipe lines used in the transportation of oil between points in this State, except common

carriers, including tax delinquencies, tax penalties and costs, tax liens, remedies for unauthorized taxation, and defining the duties of operators of pipe lines, and prescribing penalties for violations of the act.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1283: By Mr. Welsh—An act to amend section 100 of, and to add section 122 to, the Insurance Code, and to add Chapter 14 to Part 2 of Division 2 of said Code, providing for the regulation of insurance against the need for medical and hospital services, defining such services, providing standard provisions for such insurance, maintenance of reserves for the protection of insureds under such insurance providing for the licensing of persons entering into such contracts and rendering such services and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1284: By Mr. Cunningham—An act to amend section 4.345 of the School Code relating to the approval of requisitions and orders drawn on school district funds.

Bill read first time, and referred to Committee on Education

Assembly Bill No. 1285: By Mr. Lyon—An act to add a new section to the School Code to be numbered 4.1014 and to add a new article to Chapter I of Part V of Division IV of the School Code to be known as Article X, relating to bonds issued by school districts.

Bill read first time, and referred to Committee on Education

Assembly Bill No. 1286: By Messrs. Flint, Hawkins, and Reaves—An act to amend section 10 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, as amended, relating to classification of counties for the purposes of the act, and to the number of racing days allowable in the several classes of counties

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1287: By Mr. Desmond—An act to add section 736.3a to the Agricultural Code, relating to retail prices for fluid milk.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1288: By Mr. Desmond—An act to add section 1299 1a to the Agricultural Code, relating to the sale of market milk.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1289: By Mr. Desmond—An act making certain unfair and discriminating practices unlawful; defining the duty of the Attorney General in regard thereto; establishing minimum prices for fluid milk sold to consumers; providing for enjoining sales of fluid milk at less than the prices prescribed herein and for enjoining

unfair competition and for the recovery of damages incident thereto; repealing Chapter 8 of Division VI of the Agricultural Code.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1290: By Mr. Desmond—An act to add three new sections to the Political Code, to be numbered 4041.30, 4041.31 and 4041.32, relating to sale of lands dedicated for public parks.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 1291: By Mr. Turner—An act relating to attachments by collection agencies.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1292: By Mr. Turner—An act to amend section 473 of the Code of Civil Procedure, relating to default judgments.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1293: By Mr. Turner—An act to amend section 690.11 of the Code of Civil Procedure, relating to judgment debtors.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1294: By Mr. Leonard—An act to amend section 23 of the Alcoholic Beverage Control Act, relating to excise tax on beers and wines.

Bill read first time, and referred to Committee on Public Morals.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1937.

MR. SPEAKER: Your Committee on Corporations, to which was referred:
Assembly Bill No. 227.
Respectfully reports the same back without recommendation, as amended.

McMURRAY, Chairman

Second Reading of Assembly Bill No. 227.

Assembly Bill No. 227—An act prohibiting any bank, trust company and affiliated corporation from selling stock to employees or depositors and providing penalties for the violation thereof.

Committee Amendment to Assembly Bill No. 227.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "unless, as a part of the sale, the seller agrees to buy it back at cost to the employee"

Amendment adopted.

Bill read second time, ordered to reprint, and engrossment

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 20, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Assembly Joint Resolution No. 11.
Assembly Bill No. 1169.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, January 20, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 236.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 236 ordered on unfinished business calendar.

Notice of Motion to Withdraw Assembly Joint Resolution No. 5 Waived.

Mr. Heisinger waived his notice of motion to withdraw Assembly Joint Resolution No 5 from the Committee on Federal Relations.

Adjournment.

At eight o'clock and fifty minutes p.m., on motion of Mr. Williamson, the Speaker declared the Assembly adjourned this day until ten o'clock a m., Thursday, January 21, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY
EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 21, 1937.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Call, the further reading of the Journal of Wednesday, January 20, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Kuchel, on motion of Mr. Kepple.

Mr. Laughlin, on motion of Mr. Reaves.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Harney Blair of Oakland.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Karlton I. Pidgeon of Los Angeles.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Major N. W. Armstrong and Mr. Paul Goldsmith of Oakland, and Mr. Hans Vyby of Hayward.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Albert R. Arledge, Assistant Civil Engineer, Bureau of Power and Light, Department of Water and Power, city of Los Angeles.

On request of Mr. Richie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Francis R. Gleeson of San Diego.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Mathew Murphy, Consul of the Irish Free State; Hon. Jerome Politzer, Treasurer of the Democratic State Central Committee, and Mr. Gerald Haggerty, member of the Democratic State Central Committee, from San Francisco.

On request of Mr. Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William Tupper, Assistant District Attorney, Fresno, and Mr. Martin Winkler of Los Angeles.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Barbara Russell and Theodore Clack of San Francisco, Mrs. Hugh Burns of Fresno, Harold McLaughlin, Dan McLaughlin, and John Coghlan of San Francisco.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Charles de B. Haseltine of Pacific Stevedoring and Ballasting Company, San Francisco.

On request of Mr. Levey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harry A. J. Wolch of Los Angeles.

On request of Mr. Dannenbrink, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank L. Dodd.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Harry F. Morrison, former Assemblyman from San Francisco, and Mrs. Harry Morrison.

On request of Mr Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Phyllis Eshmann of Sacramento, District Superintendent of Federal Music Projects, comprising ten counties

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Garalde W. Parker of Oakland.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Walter Mails of Marin County, California

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. David Bernstein of Los Angeles.

Assistant Clerk Berry Reading.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 20, 1937.

To the Members of the Senate and Assembly, State of California, Sacramento, California.

GENTLEMEN: In accordance with the provisions of section 1 of Article VII of the Constitution of California, I hereby transmit to you a copy of the cases of pardon, commutation of sentence, restoration of citizenship and reprieve issued by me from January 7, 1935, to January 4, 1937.

Very sincerely yours,

FRANK F. MERRIAM, Governor of California

ACTS OF EXECUTIVE CLEMENCY OF CALIFORNIA GRANTED FOR PERIOD 1935–1937.

Reprieves.

HARRY C. BROOKS, San Quentin No. 55775. Convicted in Los Angeles of the crime of Kidnaping for the Purpose of Robbery, sentenced to be executed August 23, 1935. William E. Tanner convicted of the same crime was given a reprieve; therefore, this reprieve was granted to extend the date of execution to the same date in order to allow a consideration of both cases at the conclusion of the investigation of the district attorney. Reprieved from August 23, 1935, to November 15, 1935. Dated August 19, 1935.

HARRY C. BROOKS, San Quentin No. 55775. Convicted in Los Angeles County of the crime of Kidnaping for the Purpose of Robbery, sentenced to be executed November 15, 1935. Reprieved to January 10, 1936, in order to allow additional time in which to complete the investigation of the case. Dated November 13, 1935.

TONY CABRERA, San Quentin No. 57767. Convicted in San Bernardino County of the crime of Murder, First Degree, sentenced to be executed June 26, 1936. The Supreme Court suggested a reprieve in order that a final decision could be reached on an appeal that had just been filed with the court. Reprieved to July 24, 1936. Dated June 25, 1936.

CLARENCE DEMOSS, San Quentin No. 57320. Convicted in Merced County of the crime of Murder, First Degree, sentenced to be executed January 3, 1936. Reprieved to March 27, 1936, in order to allow the courts time in which to determine the appeal from the order setting a new day of execution. Dated January 2, 1936.

ELLIS J. LATONA, San Quentin No. 54766. Convicted in Los Angeles County of the crime of Murder, First Degree, sentenced to be executed July 26, 1935. Hon. V. Manzini, Consul General of Italy, requested thirty days in which to complete the evidence accompanying the application for executive clemency. Reprieved from July 26, 1935, to August 30, 1935. Dated July 25, 1935.

ELLIS J. LATONA, San Quentin No. 54766. Convicted in Los Angeles County of the crime of Murder, First Degree, sentenced to be executed August 30, 1935. James B. Holohan, Warden at San Quentin, requested a further reprieve in order to allow additional time in which the doctors may complete a full investigation of the mental condition of Ellis J. Latona. Reprieved from August 30, 1935, to October 18, 1935. Dated August 27, 1935.

ELLIS J. LATONA, San Quentin No. 54766. Convicted in Los Angeles County of the crime of Murder, First Degree, sentenced to be executed October 18, 1935. Warden of San Quentin requested a further reprieve to allow Drs. C. A. Johnson and F. O. Butler to complete their examination of Ellis J. Latona. Reprieved from October 18, 1935, to December 6, 1935. Dated October 7, 1935.

ALEXANDER MACKAY, San Quentin No. 50005A, and JOE KRISTY, San Quentin No. 50321A. Convicted in Marin County of the crime of Kidnaping, sentenced to be executed February 28, 1936. Reprieved to April 24, 1936, to allow time in which to reach a decision on the application for certiorari before the United States Supreme Court, and the application for executive clemency before the State Supreme Court. Dated February 24, 1936.

ALEXANDER MACKAY, San Quentin No. 50005A, and JOE KRISTY, San Quentin No. 50321A. Convicted in Marin County of the crime of Kidnaping, sentenced to be executed April 24, 1936. On the morning of the scheduled execution a telegram was received from Hon. Cordell Hull, Secretary of State, in which he requested a further reprieve to allow the British Government to complete its investigation of the case of its National. Reprieved to May 22, 1936. Dated April 24, 1936.

TELLIE MCQUATE, Folsom No. 19166. Convicted in San Diego County for crime of Murder, First Degree, sentenced to be executed April 19, 1935. Supreme Court of California requested a reprieve of one month to permit further consideration of the application for executive clemency before them. Reprieved from April 19, 1935, to May 24, 1935. Dated April 16, 1935.

JUSTO RAMIREZ San Quentin No. 55123 Convicted in Los Angeles County for crime of Murder, First Degree, and sentenced to be hanged January 25, 1935. Reprieved from January 25, 1935, to March 29, 1935, at the request of the attorney representing Justo Ramirez Dated January 23, 1935.

HUGH G. SMITH, No 58168, and ALFRED PAINE, No. 58167, sentenced to be executed at San Quentin November 6, 1936 A reprieve granted to both men extending the date of execution to February 19, 1937, in order to give sufficient time in which a complete investigation could be made of the voluminous record that was presented in connection with their applications for executive clemency. Dated November 5, 1936.

CHARLES P STEVENS, San Quentin No. 57844. Convicted in Los Angeles County of the crime of Murder, First Degree, sentenced to be executed March 20, 1936. Hon. Warren V. Tyron, Judge of the superior court, who presided at the trial of Charles P. Stevens, requested a reprieve in order to allow him time in which he could properly place his views of this case before the Governor. Reprieved to May 8, 1936 Dated March 6, 1936

CHARLES P STEVENS, San Quentin No. 57844. Convicted in Los Angeles County of the crime of Murder, First Degree, sentenced to be executed May 8, 1936. Reprieved to July 10, 1936, in order to allow sufficient time in which to investigate the facts and circumstances referred to in the letter from the Trial Judge which was received May 6, 1936 Dated May 7, 1936.

WILLIAM E TANNER, Folsom No. 19005 Convicted in Los Angeles of the crime of *Kidnaping for the Purpose of Robbery, sentenced to be executed* August 23, 1935. Office of the District Attorney, Los Angeles County, requested a reprieve of ninety days in order to give then office sufficient time in which to complete a further investigation of the case. Reprieved from August 23, 1935, to November 15, 1935 Dated August 19, 1935.

WILLIAM E TANNER, Folsom No 19005 Convicted in Los Angeles County of the crime of Kidnaping for the Purpose of Robbery, sentenced to be executed November 15, 1935 Reprieved to January 10, 1936, in order to complete the study of the recommendations of the Trial Judge and the District Attorney of Los Angeles County. Dated November 13, 1935.

WILLIAM ZIRBES, San Quentin No 57914 Convicted in Sacramento County of the crime of Murder, First Degree, sentenced to be executed September 25, 1936. Hon. Martin Welsh, Judge of the Superior Court, who presided at the trial recommended that a reprieve be granted in order to determine the genuineness of the affidavits that were filed in connection with the application for executive clemency. Reprieved to December 4, 1936. Dated September 24, 1936.

WILLIAM ZIRBES, San Quentin No. 57914. Convicted in Sacramento County of the crime of Murder, First Degree, sentenced to be executed December 4, 1936. On the afternoon of December 2, 1936, Mulatt W. Hedge and Amelia E Hedge, appeared before the Governor and for the third time changed the story of the homicide as they had told it during the trial of Zirbes. Further reprieve granted to February 5, 1937, *to provide ample time in which every possible means may be* exhausted to determine the real truth of the homicide Dated December 3, 1936

Pardons.

H R. ADLER, San Quentin No 44522. Convicted in Alameda County of the crime of Forgery, December 23, 1927 Released on parole April 9, 1929. Pardon recommended by Advisory Pardon Board: Hon Earl Warren, District Attorney of Alameda County, and Ed. H Whyte, State Parole Officer. Pardon granted December 21, 1935.

EDWIN S. ALLEN, San Quentin No 36396. Convicted in Orange County of the crime of Rape, May 2, 1922 Released on parole April 10, 1926. Pardon recommended by Advisory Pardon Board Pardon granted December 18, 1935.

THELMA CORTEZ ALLEY, San Quentin No. 56795. Convicted in Los Angeles County of the crime of Manslaughter, October 17, 1934. Released on parole November 30, 1935. Pardon recommended by Advisory Pardon Board and Hon. J. M Futrell, Governor of the State of Arkansas Pardon granted December 18, 1936.

SETH T BAILEY, San Quentin No 55083. Convicted in Los Angeles County of the crime of Forgery, November 26, 1933. Pardon recommended by a majority of the Justices of the Supreme Court Pardon granted March 5, 1936.

CHARLES ESMOND BARNUM, San Quentin No 40525. Convicted in Fresno County of the crime of Embezzlement, March 2, 1925 Released on parole November 24, 1926 *Recommended by the Advisory Pardon Board, Hon Dan F. Conway,* District Attorney of Fresno County, and Charles C Coxe, State Parole Officer Pardon granted April 19, 1935.

BURTON F. BECKER, San Quentin No. 48814. Convicted in Alameda County of the crime of Conspiracy to Violate Section 68 of the Penal Code, July 14, 1930.

Released on parole April 20, 1932. Pardon recommended by Advisory Pardon Board; Hon. Emmet Seawell, Justice of the Supreme Court, and Charles C. Coxe, State Parole Officer Pardon granted December 14, 1936.

MAX BECKER, convicted in Los Angeles County on April 16, 1934, of the crime of violating Sections 288a, 288 and 286 of the Penal Code Pardon recommended by Advisory Pardon Board and Hon. B Rey Schauer, Judge of the Superior Court who presided at the trial Pardon granted March 28, 1935.

OTIS B BERRY, San Quentin No 38031. Convicted in Los Angeles County of the crime of Grand Larceny, during the month of May, 1921. Released on parole June 30, 1924. Pardon recommended by the Advisory Pardon Board and Ed. H. Whyte, State Parole Officer Pardon granted December 18, 1935.

HARRY BLOCKER, San Quentin No 39711 Convicted in Riverside County of the crime of Rape, July 22, 1924. Released on parole October 8, 1925. Pardon recommended by Advisory Pardon Board; Hon Earl Redwine, District Attorney of Riverside County, and Chas C Coxe, State Parole Officer Pardon granted December 18, 1936.

FRANK BRAY, San Quentin No. 48681. Convicted in Stanislaus County of the crime of Violation of Section 476a of the Penal Code, June 15, 1930 Released on parole October 17, 1931. Pardon recommended by Advisory Pardon Board and Leslie A Cleary, District Attorney of Stanislaus County. Pardon granted December 14, 1936

FRIEDA B. COLLINS BREEDING, San Quentin No 49997. Convicted in Los Angeles County of the crime of Forgery, two counts, January 26, 1931. Released on parole August 4, 1932 Pardon recommended by Advisory Pardon Board and Robert A Heinze, Deputy State Parole Officer Pardon granted December 21, 1935.

TED BROXMEIR, Folsom No 18906. Convicted in Santa Clara County of the crime of Robbery, First Degree, January 8, 1934 Pardon recommended by a majority of the Justices of the Supreme Court of California and Hon. William F James, Judge of the Superior Court of Santa Clara County, who presided at the trial of Ted Broxmeir. Pardon granted March 28, 1935.

EARL BUTCHER San Quentin No 29293. Convicted in Los Angeles County of the crime of Burglary, First Degree, January 18, 1916. Released on parole, May 12, 1917. Pardon recommended by Advisory Pardon Board. Pardon granted December 20, 1935.

CARL A. CALVERT, San Quentin No 45900. Convicted in Solano County of the crime of Possession of a Still, September 4, 1928. Released on parole November 5, 1929 Pardon recommended by the Advisory Pardon Board; Hon. P. W. Lynch, District Attorney of Solano County, and Ed H. Whyte, State Parole Officer. Pardon granted August 8, 1935.

JOHN C. CALVERT, San Quentin No 37594. Convicted in El Dorado County of the crime of Conspiracy to Bribe on or about May 10, 1922. Released on parole March 27, 1924. Pardon recommended by Advisory Pardon Board and Ed. H. Whyte, State Parole Officer. Pardon granted December 21, 1935

MARY M CAMPBELL, San Quentin No. 35521. Convicted in Orange County of the crime of Manslaughter, October 31, 1921. Released on parole November 17, 1927 Pardon recommended by Advisory Pardon Board; Hon. S. B. Kaufman, District Attorney of Orange County, and Robert A Heinze, Deputy State Parole Officer. Pardon granted December 21, 1935.

JOHN CHIMES, San Quentin No. 35359. Convicted in Los Angeles County of the crime of Assault With a Deadly Weapon, January 27, 1921. Discharged from the penitentiary December 22, 1922 Pardon recommended by Advisory Pardon Board. Pardon granted December 21, 1935.

PAUL H CLARK, San Quentin No 33195 Convicted in San Diego County of the crime of Grand Larceny, November 20, 1919. Released on parole January 6, 1921. Pardon recommended by Advisory Pardon Board and Charles C Coxe, State Parole Officer. Pardon granted December 22, 1936.

WILLIAM C. COONEY, San Quentin No 46682 Convicted in Alameda County of the crime of Burglary, First Degree, February 26, 1929. Released on parole October 27, 1931. Pardon recommended by Advisory Pardon Board, Hon Homer R. Spence, the Judge who presided at the trial, and Charles C Coxe, State Parole Officer. Pardon granted December 14, 1936

HARRY B CRANDALL, San Quentin No 47677 Convicted in Los Angeles County of the crime of Manslaughter, March 5, 1929. Released on parole May 17, 1932. Pardon recommended by Advisory Pardon Board and Charles C Coxe, State Parole Officer. Pardon granted December 18, 1936.

HENRY P. DALTON, San Quentin No. 25091. Convicted in Alameda County of the crime of Bribery, July 24, 1911 Released on parole July 27, 1914. Pardon recommended by the Advisory Pardon Board; Hon Earl Warren, District Attorney

of Alameda County, Hon. Fred V. Wood, Judge of the Superior Court of Alameda County, and Ed. H. Whyte, State Parole Officer. Dated April 19, 1935.

JERRY DESMOND, San Quentin No. 15318. Convicted in Santa Barbara County of the crime of Murder, March 28, 1893. Released on parole July 6, 1920. Pardon recommended by Advisory Pardon Board and Ed. H. Whyte, State Parole Officer. Pardon granted December 21, 1935.

VON D. DOWNS, San Quentin No. 38953. Convicted in Alameda County of the crime of Seduction February 1, 1924. Released on parole December 22, 1925. Pardon recommended by Advisory Pardon Board, Hon. Earl Warren, District Attorney of Alameda County, and Charles C. Coxe, State Parole Officer. Pardon granted December 18, 1936.

WILLIAM O. DULIN, San Quentin No. 54155. Convicted in Los Angeles County of the crime of Murder, First Degree, May 8, 1933. An investigation subsequent to the trial by Deputy District Attorneys Vernon Ferguson, Harry C. Johnstone and Deputy Sheriffs Virgil P. Gray and Willard L. Killion, disclosed that William O. Dulin was innocent of the crime of which he was convicted. Pardon recommended by the Advisory Pardon Board, Deputy District Attorneys Vernon Ferguson, Harry C. Johnstone, Deputy Sheriffs Virgil P. Gray and Willard L. Killion and Hon. Isaac Pacht, Judge of the Superior Court, all of Los Angeles County. Pardon granted August 12, 1936.

ROSCOE C. EADS, San Quentin No. 43249. Convicted in Contra Costa County of the crime of Burglary, First Degree, February 7, 1927. Released on parole October 21, 1931. Pardon recommended by Advisory Pardon Board; Hon. James F. Hoey, District Attorney of Contra Costa County, and Charles C. Coxe, State Parole Officer. Pardon granted December 18, 1936.

JOSEPH FELD, San Quentin No. 21995. Convicted in San Francisco County of the crime of Murder, First Degree, January 5, 1907. Released on parole December 21, 1920. Pardon recommended by Advisory Pardon Board; Hon. Matthew Brady, District Attorney of San Francisco County, and Charles C. Coxe, State Parole Officer. Pardon granted December 21, 1935.

MARLEY FISHER, San Quentin No. 41391. Convicted in Tulare County of the crime of Embezzlement, October 21, 1925. Released on parole April 16, 1927. Pardon recommended by Advisory Pardon Board and Charles C. Coxe, State Parole Officer. Pardon granted December 23, 1935.

HARRY A. GABRIEL, San Quentin No. 31135. Convicted in Los Angeles County of the crime of Murder, First Degree, November 27, 1917. Released on parole November 28, 1927. Pardon recommended by Advisory Pardon Board and Charles C. Coxe, State Parole Officer. Pardon granted December 21, 1935.

JOHN HENRY GARLOUGH, San Quentin No. 26301. Convicted in Sacramento County of the crime of Embezzlement, February 8, 1913. Released on parole April 1, 1915. Pardon recommended by Advisory Pardon Board and Charles C. Coxe, State Parole Officer. Pardon granted December 22, 1936.

LARRY GOULD, Folsom No. 18152. Convicted in Tuolumne County of the crime of Burglary, Second Degree, October 25, 1932. Pardon recommended by a majority of the Justices of the Supreme Court, dated December 16, 1935.

WALTER GRAVIER, San Quentin No. 19069. Convicted in Mendocino County of the crime of Attempted Bribery, June 29, 1901. Discharged from San Quentin Penitentiary February 16, 1903. Pardon recommended by Advisory Pardon Board and Hon. Lilburn Gibson, District Attorney of Mendocino County. Pardon granted December 21, 1935.

MARY A. GREGSON, San Quentin No. 34341. Convicted in San Joaquin County of the crime of Murder, Second Degree, during the month of December, 1919. Released from the penitentiary by a commutation of sentence, September 21, 1921. Pardon recommended by the Advisory Pardon Board, Hon. J. A. Plummer, who presided at the trial and Hon. George E. Frioux, Justice of the Peace of the City of Stockton. Pardon granted April 19, 1935.

EMERSON B. HARTMAN, San Quentin No. 30060. Convicted in San Joaquin County of the crime of Murder, First Degree, November 2, 1916. Released on parole February 5, 1923. Pardon recommended by Advisory Pardon Board and Charles C. Coxe, State Parole Officer. Pardon granted December 22, 1936.

FOREST C. HILL, who was convicted in Sacramento County on February 14, 1934, of the crime of Grand Theft. Pardon recommended by the Sacramento County Grand Jury, which returned the indictment against him; Hon. Neil R. McAllister, District Attorney who prosecuted the case; and five of the members of the trial jury. Pardon granted February 16, 1934.

I. I. IRWIN, San Quentin No. 49989. Convicted in San Diego County of the crime of Grand Theft, April 1, 1931. Released on parole January 16, 1933. Pardon recommended by Advisory Pardon Board; Hon. Clarence Harden, Judge of the

Superior Court of San Diego County, and Charles C Coxe, State Parole Officer. Pardon granted December 21, 1936.

LUTHER C. JOHNSON, San Quentin No. 48630. Convicted in Los Angeles County of the crime of Violation of Section 146 California Vehicle Act, May 13, 1930. Released on parole July 6, 1932. Pardon recommended by Advisory Pardon Board. Pardon granted December 23, 1935.

ALBERT E. JUDD, San Quentin No 46702. Convicted in Alameda County of the crime of Manslaughter and Violation of Section 141 of the Motor Vehicle Act, March 2, 1929. Released on parole May 25, 1931. Pardon recommended by Advisory Pardon Board and Hon. Georgia P. Bullock Judge of the Superior Court of Los Angeles County. Pardon granted July 3, 1936.

SPEROS KASOLAS, San Quentin No 31655. Convicted in Solano County of the crime of Murder, April 30, 1918. Released on parole August 9, 1923. Pardon recommended by Advisory Pardon Board and Hon. W. T. O'Donnell, Judge of the Superior Court of Solano County. Pardon granted December 22, 1936.

GEORGE KELLER, San Quentin No. 46685. Convicted in Alameda County of the crime of Burglary, First Degree, February 26, 1929. Released on parole October 28, 1931. Pardon recommended by Advisory Pardon Board and Hon. Homer R. Spence, Judge, who presided at the trial. Pardon granted December 14, 1936.

J. J. KELLY, San Quentin No. 41089 Convicted in Los Angeles County of the crime of Manslaughter, June 3, 1924 Released on parole July 19, 1926. Pardon recommended by Advisory Pardon Board and Charles C Coxe, State Parole Officer. Pardon granted December 18, 1936.

JOSEPH P. LACEY, San Quentin No. 49718 Convicted in Alameda County of the crime of Grand Theft, two counts, February 17, 1931 Released on parole September 6, 1932. Pardon recommended by Advisory Pardon Board. Pardon granted May 27, 1936.

RAYMOND G. LAMBERSON, San Quentin No 48541. Convicted in Alameda County of the crime of Involuntary Manslaughter May 17, 1930. Released on parole August 24, 1931. Pardon recommended by Advisory Pardon Board; Ed. H. Whyte, State Parole Officer, and Earl Warren, District Attorney of Alameda County. Pardon granted March 28, 1935.

LLOYD A. LANDON, San Quentin No. 42345. Convicted in Los Angeles County of the crime of Embezzlement on June 17, 1926. Released on parole December 19, 1927. Pardon recommended by Advisory Pardon Board and Charles C Coxe, State Parole Officer. Pardon granted August 8, 1935.

PAUL LIGUORI, Folsom No. 7324. Convicted in Santa Clara County of the crime of Receiving Stolen Property, May 27, 1909. Released on parole July 1, 1910. Pardon recommended by Advisory Pardon Board and Ed. H. Whyte, State Parole Officer. Pardon granted December 18, 1935.

PETER MCANDREWS, San Quentin No 44886 Convicted in San Joaquin County of the crime of Falsifying Bank Records, February 17, 1928. Released on parole September 23, 1929. Pardon recommended by the Advisory Pardon Board; Hon Guard Darrah, District Attorney of San Joaquin County, and Charles C Coxe, State Parole Officer. Pardon granted December 18, 1935.

JAMES MCCANN, San Quentin No 41352 Convicted in San Francisco County of the crime of Robbery, Second Degree, October 13, 1925. Discharged from the penitentiary September 3, 1928. Pardon recommended by the Advisory Pardon Board and Hon. Pat R Parker, Judge of the Superior Court, who presided at the trial. Pardon granted April 19, 1935.

HARRY MCCOY, San Quentin No. 37181. Convicted in the county of Imperial of the crime of Grand Larceny, December 11, 1922 Released on parole, January 7, 1924 Pardon recommended by the Advisory Pardon Board, Hon. Elmer W. Heald, District Attorney of Imperial County, and Robert A. Hienze, Deputy State Parole Officer. Pardon granted April 19, 1935.

KENNETH WARD MCKINNEY, convicted in Los Angeles County June 18, 1935, of the crime of Violation of Chapter 339, Statutes 1933, or Section 1, Act 1970, General Laws. Pardon recommended by the Advisory Pardon Board, Hon. Reuben Schmidt, Judge of the Superior Court of Los Angeles County, and Hon. Daniel Beecher, Deputy District Attorney of Los Angeles County. Pardon granted March 5, 1936

J. C. MCPHAIL, San Quentin No 20409 Convicted in San Joaquin County of the crime of Assault With Deadly Weapon, April 1, 1916 Released on parole June 2, 1917. Pardon recommended by Advisory Pardon Board and Ed. H Whyte, State Parole Officer. Pardon granted December 18, 1935

EARL MELLER, San Quentin No 46705 Convicted in Humboldt County of the crime of Robbery, First Degree, February 28, 1929. Released on parole, September 2, 1932. Pardon recommended by Hon Harry W Falk, Hon A. A Ross, Sheriff

of Humboldt County; and Hon J T Fraser, District Attorney of Humboldt County. Pardon granted April 19, 1935

CONRAD METZLER, San Quentin No. 26436. Convicted in Fresno County of the crime of Subornation of Perjury, June 17, 1912 Released on parole December 30, 1915 Pardon recommended by Advisory Pardon Board and Dan F. Conway, District Attorney of Fresno County. Pardon granted December 20, 1935.

SHERMAN A. MOORE, Folsom No 18163. Convicted in Humboldt County of the crime of Forgery, November 9, 1932. Pardon recommended by a majority of the Justices of the Supreme Court upon condition that he be released to relatives and be taken to a Veterans' hospital in the State of Oregon. Pardon granted October 30, 1935, and Sherman A Moore was placed in the custody of his sister, Mrs. Ernest Smith, who made a sworn statement that he would be placed in a Veterans' hospital in Oregon.

LLOYD E. MUNGER, San Quentin No 29208 Convicted in Los Angeles County of the crime of Grand Larceny, January 13, 1916. Released on parole February 28, 1918. Pardon recommended by Advisory Pardon Board and Charles C Coxe, State Parole Officer. Pardon granted December 14, 1936.

GORDON OLSON, San Quentin No. 52546. Convicted in San Luis Obispo County of the crime of Burglary, Second Degree, July 18, 1932. Released on parole July 19, 1934 Pardon recommended by a majority of the Justices of the Supreme Court and A. H Brazil, District Attorney of San Luis Obispo County at the time of conviction. Pardon granted December 16, 1935.

WILLIAM A. PINER, San Quentin No. 24001. Convicted in Lake County of the crime of Grand Larceny, February 27, 1909 Released on parole February 1, 1911 Pardon recommended by Advisory Pardon Board and Chas. C. Coxe, State Parole Officer. Pardon granted December 23, 1935.

ANDREW RAYMOND, Folsom No 12466 Convicted in Alameda County of the crime of Robbery, November 20, 1911. Released on parole June 3, 1924. Pardon recommended by the Advisory Pardon Board and Earl Warren, District Attorney of Alameda County Pardon granted December 20, 1935.

LEONARD E REDMAN, San Quentin No. 32704. Convicted in Orange County of the crime of Burglary, Second Degree, August 8, 1918. Discharged from the penitentiary December 18, 1919 Pardon recommended by the Advisory Pardon Board Dated March 28, 1935

EUGENE I ROBERTS, San Quentin No. 42065 Convicted in Humboldt County of the crime of Manslaughter, April 13, 1926 Discharged from the Penitentiary June 12, 1931. Pardon recommended by Advisory Pardon Board and J. F. Fraser, District Attorney of Humboldt County. Pardon granted December 20, 1935.

W. M. ROBERTS, San Quentin No 43454. Convicted in Placer County of the crime of Embezzlement, April 3, 1927. Released on parole January 18, 1929. Pardon recommended by Advisory Pardon Board; Hon. J. B. Landis, Judge of the Superior Court of Placer County and Hon Lowell Sparks, District Attorney. Pardon granted July 6, 1936.

CURTIS SHACKELFORD, San Quentin No. 55395. Convicted in Los Angeles County of the crime of Manslaughter, December 15, 1933 Released on parole March 27, 1935. Pardon recommended by Advisory Pardon Board and Charles C. Coxe, State Parole Officer Pardon granted December 16, 1935.

EDWARD SHAPIRO, San Quentin No. 33772. Convicted in San Francisco County of the crime of Grand Larceny, May 22, 1920 Released on parole November 29, 1922 Pardon recommended by the Advisory Pardon Board; Louis H Ward, Judge of the Superior Court, and Hon Matthew Brady, District Attorney of San Francisco County. Pardon granted August 8, 1935.

SALEM SHEHADEY, San Quentin No 24255 Convicted in Mariposa County of the crime of Murder, First Degree, April 21, 1910. Released on parole, April 21, 1920. Pardon recommended by the Advisory Pardon Board, Hon. J. J. Trabucco, Judge of the Superior Court, who presided at the trial; Louis T. Milburn, District Attorney of Mariposa County, and Ed H Whyte, State Parole Officer Pardon granted April 19, 1935.

DAVID SOBEL, San Quentin No 33360 Convicted in Los Angeles County of the crime of Grand Larceny, January 15, 1920 Released on parole August 23, 1921 Pardon recommended by Advisory Pardon Board and Charles C Coxe, State Parole Officer. Pardon granted December 14, 1936

IRVING SOLOMON, San Quentin No 42925. Convicted in San Diego County of the crime of Grand Larceny, October 5, 1926 Released on parole March 1, 1928 Pardon recommended by Advisory Pardon Board; Hon. Thomas Whelan, District Attorney of San Diego County, and Charles C Coxe, State Parole Officer. Pardon granted December 23, 1935.

LOUIS M. STOLL, San Quentin No 43945 Convicted in San Diego County of the crime of Incest, October 26, 1926 Released on parole November 6, 1934 Pardon recommended by Advisory Pardon Board Pardon granted December 18, 1936.

CAROL H SWEARS. Convicted in Los Angeles County on September 12, 1934, of the crime of Violation of the Corporate Securities Act. Paroled from the Los Angeles County Jail November 11, 1934. Pardon recommended by the Advisory Pardon Board. Pardon granted December 18, 1935.

ARCHIE P. THATCHER, San Quentin No 50814 Convicted in Mariposa County of the crime of Rape, September 5, 1931. Released on parole November 16, 1932 Pardon recommended by Advisory Pardon Board; Hon. J J. Trabucco, Judge of the Superior Court, and Ed H. Whyte, State Parole Officer. Pardon granted December 18, 1935.

CHARLES C. THOMPSON, San Quentin No 24207. Convicted in Kern County of the crime of Murder, March 23, 1910. Released on parole March 30, 1920 Pardon recommended by Advisory Pardon Board and Charles C Coxe, State Parole Officer Pardon granted December 20, 1935

JOHN F. TURNER, San Quentin No 28503. Convicted in Alameda County of the crime of Murder, First Degree, May 11, 1915 Released on parole May 11, 1926 Pardon recommended by the Advisory Pardon Board; Hon Earl Warren, District Attorney of Alameda County, and Ed H Whyte, State Parole Officer Pardon granted December 16, 1935.

FRANK VACARELLA, Folsom No 13052 Convicted in Santa Cruz County of the crime of Murder in the First Degree, June 23 1922 Released on parole December 19, 1932 Pardon recommended by the Advisory Pardon Board; Hon. Fred L. Thomas, District Attorney of Santa Clara County, and George W Lyle, Sheriff, and Charles C. Coxe, State Parole Officer Pardon granted August 8, 1935

ROBERT J WALSH, San Quentin No 38540 Convicted in San Diego County of the crime of Arson, Second Degree, October 20, 1923. Released on parole October 30, 1925. Pardon recommended by Advisory Pardon Board and Charles C Coxe, State Parole Officer Pardon granted December 20, 1935

G. E WARDWELL, San Quentin No 40499 Convicted in Lassen County of the crime of Embezzlement, February 14, 1925 Released on parole February 28, 1927. Pardon recommended by the Advisory Pardon Board and Ed. H Whyte, State Parole Officer. Pardon granted March 28, 1935

RANDEL S WEEKS, San Quentin No 43080. Convicted in Inyo County of the crime of Grand Larceny, January 7, 1927 Released on parole February 16, 1928. Pardon recommended by Advisory Pardon Board and Hon William D Daly, Judge of the Superior Court of Inyo County Pardon granted December 23, 1935

Commutations of Sentence.

HARRY C BROOKS, San Quentin No 55775 Convicted jointly with William E. Tanner and James J. Hill in Los Angeles County of the crime of Kidnaping for the Purpose of Robbery, March 5, 1934 Commutation of sentence to life without possibility of parole was recommended by Hon Buron Fitts, District Attorney of Los Angeles County Sentence commuted to life imprisonment upon the condition that Harry C Brooks remain in the penitentiary for the rest of his natural life without possibility of parole on January 7, 1936

ANTONE BRUZZONE, San Quentin No 36113 Convicted in Alameda County of the crime of Murder, First Degree, on March 8, 1922 Released on parole May 9, 1935 Commutation of sentence recommended by Advisory Pardon Board; Hon Lincoln Church, Judge of the Superior Court of Alameda County, who presided at the trial; Hon. Earl Warren, District Attorney of Alameda County, and James B. Holohan, Warden of San Quentin Penitentiary Sentence commuted to time already served July 2, 1936.

KENNETH COWLES, San Quentin No 50648 Convicted in Los Angeles County of the crime of Robbery, First Degree, on August 6, 1931. Released on parole November 8, 1933 Commutation of sentence recommended by a majority of the Justices of the Supreme Court Sentence commuted to time served on December 16, 1935

JOSE GONZALES, San Quentin No 58500 Convicted in San Diego County of the crime of Murder, First Degree. Sentence to be executed on October 9, 1936 Commutation of sentence recommended by Hon Thomas Whelan, District Attorney of San Diego County, and each member of the jury who participated in the trial of Jose Gonzales. Sentence commuted from death to life imprisonment September 29, 1936

PETE GRIVON, Folsom No 18371. Convicted in Sonoma County of the crime of Perjury. Commutation of sentence to three years recommended by a majority of the Justices of the Supreme Court, the State Board of Prison Directors and Hon Donald Geary, Judge of the Superior Court of Sonoma County, who presided at the trial of Pete Grivon Sentence commuted from life imprisonment to three years on April 3, 1936.

JOAQUIN HIGUERA, Folsom No 7494 Convicted in Santa Clara County of the crime of Highway Robbery on January 10, 1910 Released on parole July 16, 1920

Commutation of sentence recommended by a majority of the Justices of the Supreme Court Sentence commuted to time served on December 23, 1935.

NELLIE MAY MADISON, San Quentin No. 56387. Convicted in Los Angeles County of the crime of Murder, First Degree, on July 5, 1934. Scheduled to be executed October 4, 1935 Commutation of sentence was recommended by each member of the jury and the two alternate jurors who participated in the trial of Nellie May Madison Evidence accompanied the application which was not introduced at the trial, which indicated that the person she killed was guilty of many aggravating acts and misconduct which might well have been considered in her defense Sentence commuted from death to life imprisonment on September 19, 1935.

JOHN J McFADDEN, Folsom No 19474 Convicted in Los Angeles County of the crime of Violating Section 288a of the Penal Code, August 29, 1934 Commutation of sentence recommended by a majority of the Justices of the Supreme Court Sentence commuted to time served on December 16, 1935.

JUSTO RAMIREZ, San Quentin No 55123 Convicted in Los Angeles County of the crime of Murder, First Degree. Scheduled to be executed March 29, 1935 Commutation of sentence was recommended by Hon Fletcher Bowron, Judge of the Superior Court of Los Angeles County, who presided at the trial Sentence was commuted from death to life imprisonment on March 27, 1935

GILMAN D. RANKIN, San Quentin No 45193 Convicted in Los Angeles County of the crime of Robbery, First Degree, during the month of March, 1928 Released on parole June 12, 1934 Commutation of sentence was recommended by Advisory Pardon Board; ten members of the jury who found Gilman D. Rankin guilty and Hon. William T. Aggeler, Judge of the Superior Court of Los Angeles County who presided at the trial. Sentence commuted to time served on March 28, 1935.

CHARLES P STEVENS, San Quentin No. 57844 Convicted in Los Angeles County of the crime of Murder, First Degree, on February 13, 1935, and sentenced to be executed July 10, 1936 Commutation of sentence to life imprisonment recommended by Hon Warren V Tyron, Judge of the Superior Court, who presided at the trial, and Eugene D Williams, Deputy District Attorney of Los Angeles County, who was in charge of the prosecution of Charles P Stevens. Justice Langdon of the Supreme Court wrote a dissenting opinion in the case of Charles P Stevens, which was concurred in by Chief Justice Waste which in part states that a new trial should have been granted Charles P. Stevens or that the trial judge should have exercised the power conferred upon him by section 1181 of the Penal Code and modified to judgment from death to life imprisonment. Sentence commuted from death to life imprisonment July 8, 1936

WILLIAM E TANNER, Folsom No 19005. Convicted jointly with Harry C. Brooks and James J Hill in Los Angeles County of the crime of Kidnaping for the Purpose of Robbery, March 5, 1934, and scheduled to be executed at Folsom Penitentiary January 10, 1936 Commutation of sentence to life imprisonment was recommended by a majority of the Justices of the Supreme Court; Hon Buron Fitts, District Attorney of Los Angeles County, Hon. Charles W. Fricke, Judge of the Superior Court who presided at the trial, and Hon. George Rochester, foreman of the Grand Jury of Los Angeles County Sentence commuted to life imprisonment upon the condition that William E. Tanner remain in the penitentiary for the rest of his natural life without possibility of parole on January 7, 1936

DONALD VREDENBURG, San Quentin No 57142 Convicted in Alameda County of the crime of Robbery, First Degree, on January 10, 1935 Commutation of sentence recommended by the Advisory Pardon Board; Hon Fred V. Wood, Judge of the Superior Court of Alameda County, who presided at the trial, and Hon. Earl Warren, District Attorney of Alameda County. Sentence commuted to time already served July 21 1936

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 20, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 9—Relative to approving a certain amendment to the charter of the city of Richmond, a municipal corporation in the county of Contra Costa, State of California, duly voted for and ratified by the qualified electors thereof at an election held therein on the third day of November, 1936

J. A BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Request for Unanimous Consent.

Mr Sawallisch asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 9, at this time, without reference to committee or calendar

Consideration of Senate Concurrent Resolution No. 9.

Senate Concurrent Resolution No. 9—Relative to approving a certain amendment to the charter of the city of Richmond, a municipal corporation in the county of Contra Costa, State of California, duly voted for and ratified by the qualified electors thereof at an election held therein on the third day of November, 1936

Senate Concurrent Resolution No 9 read, and adopted by the following vote·

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Clark, Corwin, Cottrell, Cunningham, Dannenbrink, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Stream, Tenney, Walker, Waters, Watson, Welsh, Yorty, and Mr. Speaker—55

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, January 20, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 263—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs, declaring the urgency hereof, to take effect immediately.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 263 read first time

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Bill No. 263, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 263.

Message from the Governor.

The following message from the Governor was received and read.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 19, 1937

To the Honorable Members of the Assembly,
Sacramento, California.

Senate Bill No. 263—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs, declaring the urgency hereof, to take effect immediately.

In my opinion said Senate Bill No 263 constitutes an urgency bill within the meaning of that term as used in section 4 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 263 as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Case of Urgency.

The following resolution was offered:

By Mr. Scudder:

Resolved, That Senate Bill No 263 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt,

Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 263, at this time

Second Reading of Senate Bill No. 263.

Senate Bill No. 263—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Tenney, Thorp, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Third Reading of Senate Bill No. 263.

Senate Bill No. 263—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs, declaring the urgency hereof, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred the request of Mr. Field that five thousand (5,000) copies of the minority report by the Assembly Interim Committee on Auditing and Finance be printed as a separate document, Respectfully reports the same back with the recommendation that the request be granted. PEEK, Chairman.

Report read, and adopted

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1295: By Mr. Lyon (By request)—An act to regulate the rug cleaning business and to create a Rug Renovation Board, prescribing the powers and duties thereof; providing for the licensing of persons engaged in conducting rug cleaning establishments and providing for the enforcement of the act by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Voca-

tional Standards, for the protection of the public health and persons engaged in the practice of rug cleaning.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1296: By Mr. Miller—An act to add section 612 to the Streets and Highways Code, relating to the establishment of a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1297: By Mr. Miller—An act authorizing, empowering and directing the Department of Public Works to construct a grade "separation" on Twenty-Third Avenue in the city of Oakland.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1298: By Mr. Miller—An act to add section 2283a to the Political Code, relating to the support and maintenance of orphans, half-orphans and other needy children.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1299: By Messrs. Crowley, and Thorp—An act to add a new article to be numbered Article 6 to Chapter 1 of Division III of the Agricultural Code, relating to the registration of stallions and jacks and the service thereof.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1300: By Mr. Crowley—An act making an appropriation to provide land and water supply for the Napa State Hospital

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1301: By Mr. Crowley—An act to add section 690.25 to the Code of Civil Procedure, relating to the levy of execution on interests in estates.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1302: By Mr. Dilworth—An act to add section 629 to the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1303: By Mr. Fulcher—An act to amend sections 2 and 4 of an act entitled "An act to carry into effect the provisions of section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof," approved July 15, 1935, relating to pawnbrokers.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 1304: By Mr. Fulcher—An act to add sections 2a and 23a to an act entitled "An act to define personal property brok-

ers and regulate their charges and business," approved April 16, 1909, relating to compensation and charges.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 1305: By Mr. Fulcher—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1306: By Mr. Morgan (By request)—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1307: By Mr. Sawallisch—An act making an appropriation to pay the claim of William O. Dulin.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1308: By Mr. Laughlin—An act to amend sections 2979b and 2979c of the Political Code, relating to the duties of the State Board of Health respecting physically defective, undernourished or handicapped children.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1309: By Mr. Laughlin—An act to amend sections 92 and 139 of the Civil Code and to add thereto a new section, numbered 108, relating to the causes of divorce

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1310: By Mr. Hawkins—An act to amend section 4140 of the Political Code, authorizing notations of revenue stamps by county recorder and the affixing of said stamps by registrar of land titles.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1311: By Mr. Hawkins—An act to add a new section to the Political Code to be numbered 4138a, relating to the filing and recording of instruments, documents and notices pertaining to registered lands.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1312: By Mr. Richie—An act to promote unlimited freedom of political and economic discussion and to restrain all limitations on the free discussion of political and economic questions.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1313: By Mr. Richie—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to election of city attorney of cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1314: By Mr. Richie—An act to amend section 1218 of the Code of Civil Procedure, relating to punishment of contempt.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1315: By Mr. Richie—An act to add a new section to the Code of Civil Procedure, to be numbered 34a, relating to suits in pauper's form.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1316: By Mr. Richie—An act making an appropriation to pay the claim of Charles R. Parsell against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1317: By Mr. Martin—An act to amend sections 506, 608, and 609 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1318: By Mr. Robertson—An act to amend section 814 of the Agricultural Code, relating to the standardization of lettuce.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1319: By Mr. Gannon—An act to amend section 1 of an act entitled "An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act," approved April 7, 1927, relating to the unlawful use of degrees, certificates or transcripts necessary for the practice of a healing art.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1320: By Mr. Gannon—An act to add section 14.5 to the State Medical Practice Act, relating to unprofessional conduct.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1321: By Mr. Robertson—An act to add a new section numbered 289b to the Harbors and Navigation Code, relating to the speed of vessels of 500 tons or more gross tonnage while traveling within three miles of Santa Catalina Island, and fixing liability for damages resulting from violations of the provisions of this section.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1322: By Mr. Robertson—An act to add a new section numbered 289a to the Harbors and Navigation Code, relating to the speed of vessels of 1000 gross tons or more when moving through

a fog, mist, or rain and to the payment of damages to other vessels and other persons where the provisions of this section are violated.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1323: By Mr. Robertson—An act to add a new section numbered 289 to the Harbors and Navigation Code, relating to lifeboat drills on vessels of 500 gross tons or over and prescribing penalties for the violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1324: By Mr. Robertson—An act to add a new section numbered 288 to the Harbors and Navigation Code, relating to liability and damages for the negligent operation of vessels.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1325: By Mr. Robertson—An act to amend section 287 of the Harbors and Navigation Code, relating to rules of navigation.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1326: By Mr. Robertson—An act to add a new section numbered 286 to the Harbors and Navigation Code, relating to medical and hospital facilities on vessels over 1000 gross tons and prescribing penalties for the violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1327: By Mr. Kuchel—An act to add a new section numbered 298 to the Harbors and Navigation Code, relating to the operation of vessels at excessive rates of speed in fog, mist, or rain, and prescribing the penalties for violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1328: By Mr. Kuchel—An act to add a new section numbered 297 to the Harbors and Navigation Code, relating to the operation of vessels at excessive rates of speed within three miles of Santa Catalina Island, and prescribing the penalty for violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1329: By Mr. Kuchel—An act to add a new section to be number 296 to the Harbors and Navigation Code, relating to the operation of vessels going in or out of harbors of this State at night time or in a fog, mist, or rain, providing for the maintenance of lookouts thereon, and prohibiting the allowing of passengers within 100 feet of such lookout, and prescribing penalties for violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1330: By Mr. Kuchel—An act to add a new section numbered 295 to the Harbors and Navigation Code, prohibiting

the operation of vessels, at excessive rates of speed while passing other vessels, and prescribing the penalty for violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1331: By Mr. Kuchel—An act to add a new section numbered 294 to the Harbors and Navigation Code, relating to lifeboat drills on vessels, and prescribing a penalty for the violation of the provisions thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1332: By Mr. Kuchel—An act to add a new section numbered 293 to the Harbors and Navigation Code, relating to the negligent operation of vessels and prescribing penalties for the violation thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1333: By Mr. Muldoon—An act for the prevention of the manufacture, advertising, sale or transportation of adulterated, mislabeled or misbranded cosmetics, regulating the traffic in cosmetics and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Manufactures.

Assembly Bill No. 1334: By Mr. Muldoon—An act to amend sections 3, 4, and 11 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs, and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulterating, mislabeling, misbranding, false advertising, and sale of foods and the powers of the State Board of Public Health in relation thereto.

Bill read first time, and referred to Committee on Manufactures.

Assembly Bill No. 1335: By Mr. Thorp—An act to add section 813.5 to the Agricultural Code, relating to celery.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1336: By Mr. Cottrell—An act to add a new article to Chapter 3 of Title 1 of Part 3 of the Political Code, to be numbered Article 11o, embracing sections 378 to 378h, both inclusive, relating to a Department of Revenue.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1337: By Mr. Williamson—An act to provide for an Aviation Division as a part of and under the control of the Department of Public Works; to provide for the office of Chief of Aviation Division and its employees thereof; to provide for the revenue of the operation and maintenance of said Aviation Division and the manner of collecting same; to provide construction, care and maintenance of airports and landing fields throughout the State in the manner of providing revenue for same; to provide for the organization, powers and duties for the maintenance of the Aviation Division; to provide for the carrying out of the objects of this act; to provide for the

time this act shall go into effect and to repeal all acts and parts of acts in conflict with this act; to provide for the enforcement of this act and the penalty for violations thereof.

Bill read first time, and referred to Committee on Aviation and Aircraft.

Assembly Bill No. 1338: By Mr. Williamson—An act to amend sections 1, 2, 3, 5, 6, 11, 12, 17, and 18 of, to repeal section 13 of, and to add section 24 to, an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties, and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising and the regulation thereof.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1339: By Mr. Williamson—An act to amend section 26½ of the "Retail Sales Tax Act of 1933," relating to the preference of claims for personal services over claims for sales tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1340: By Mr. Williamson—An act to amend sections 1 and 2 of an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for the violation thereof," approved February 28, 1905, as amended

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1341: By Mr. Watson—An act to amend section 1550 of the Streets and Highways Code, relating to county road taxes.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1342: By Mr. Cunningham—An act to amend section 52 of the Public Utilities Act.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1343: By Messrs. Cunningham, Corwin, and Fulcher—An act relating to State lands, making demand for payment of the balance due on the purchase price of certain lands, providing for the forfeiture of such lands for failure to make such payment, and reducing the rate of interest on all contracts for the sale of school lands.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 1344: By Mr. Kuchel—An act making an appropriation to pay the claim of the firm of Wells and Bressler against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1345: By Messrs. Dannenbrink, and Miller—An act granting certain salt marsh, tide, overflowed and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1346: By Mr. Dannenbrink—An act to amend section 690.23 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1347: By Mr. Dannenbrink—An act to amend sections 658, 658 5, 659, 660, 661½, 663, 664, 664a, 665, 666, 667, 668, 669, 670, 674a, 676, 677, 678, 679, 680, 688 and 695 of the Political Code, relating to and creating a State Board of Control providing for the organization of such board, defining its powers, duties, accounting and supervising functions, specifying certain positions thereunder and enacting that said sections shall be known as Article XIX of Chapter III of Title I of Part III of the Political Code, and providing a title for said article.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1348: By Mr. Dannenbrink—An act to add a new section, to be numbered section 10a, to the State Civil Service Act, relating to taking of civil service examinations by employees of the State.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1349: By Mr. Dannenbrink—An act to amend sections 655, 657 and 681 of the Political Code, relating to the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1350: By Mr. Dannenbrink—An act to add a new section to the State Civil Service Act, to be numbered 13a, relating to position of State civil service employees operating machinery displaced or supplemented by new, different or additional machinery.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1351: By Mr. Dannenbrink—An act to amend section 707 of the Code of Civil Procedure relating to the payment of the rents and profits of property sold on execution by a tenant in possession pending redemption.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1352: By Messrs. Call, Hornblower, Cottrell, and Beene—An act making an appropriation for the construction, installation and maintenance of highway lighting on the Bay Shore Highway in San Mateo and Santa Clara Counties.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1353: By Mr. Welsh—An act to amend section 471 of the Vehicle Code relating to boulevard stop signs and traffic signals.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1354: By Mr. Welsh—An act to amend section 459 of the Vehicle Code relating to the powers of local authorities.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1355: By Mr. Patterson—An act to add a new section to the School Code to be numbered 5.452, relating to the employment of teachers.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1356: By Mr. Turner—An act to amend section 1 of the Motor Vehicle Fuel License Tax Act, relating to motor vehicle fuel.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1357: By Mr. Levey—An act to add section 371.5 to the Political Code, to abolish the State Relief Commission and the State Relief Administrator and to transfer their property, powers, duties, purposes, responsibilities and jurisdiction to the State Department of Social Welfare.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1358: By Messrs. Cottrell, Stream, and Field, and Mrs. Daley—An act to repeal Chapters III, IV and V of Part VI of Division II of the School Code and to add to said part a new chapter to be known as Chapter III, all relating to governing boards of unified school districts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1358, at this time, without reference to committee, print or calendar, and that the same be considered engrossed

Consideration of Assembly Bill No. 1358.

Case of Urgency.

The following resolution was offered:

By Mr. Cottrell:

Resolved, That Assembly Bill No. 1358 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, Assembly Bill No. 1358, at this time

Second Reading of Assembly Bill No. 1358.

Assembly Bill No. 1358—An act to repeal Chapters III, IV and V of Part VI of Division II of the School Code and to add to said part a new chapter to be known as Chapter III, all relating to governing boards of unified school districts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Third Reading of Assembly Bill No. 1358.

Assembly Bill No. 1358—An act to repeal Chapters III, IV and V of Part VI of Division II of the School Code and to add to said part a new chapter to be known as Chapter III, all relating to governing boards of unified school districts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved Bill ordered to print and transmitted to the Senate.

Motion for Rush Order on Printing of Assembly Bill No. 1358

On motion of Mr. Cottrell, Assembly Bill No 1358 was sent to print with a rush order

Recess.

At eleven o'clock and thirty-five minutes a.m., the Speaker declared a recess to hear from Hon. Mathew Murphy, Consul of the Irish Free State and Jerome Politzer, Treasurer of the Democratic State Central Committee

Reassembled.

At eleven o'clock and forty minutes a.m., the Assembly reconvened. Speaker Jones in the chair.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1359: By Mr. Miller—An act to add Article IIk to Chapter III of Title I of Part III of the Political Code, embracing sections 374 to 374r, inclusive, relating to the creation of a State

department and local boards of public assistance, and prescribing their powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1360: By Mr. Peek—An act to amend section 47 of the California Irrigation District Act, relating to certificates of sale, redemption therefrom, issuance of deeds and fee for recording certificates of redemption.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1361: By Messrs. Lore, Rosenthal, Pelletier, Clark, Flint, Gilbert, Glick, Hawkins, Miller, Patterson, Reaves, Richie, Tenney, Yorty, Garland, Dannenbrink, Peek, Hunt, King, Voigt, and McMurray, and Mrs. Daley—An act to furnish financial assistance to the needy youth of this State, and to provide educational and vocational opportunities for such youth, setting forth the powers and duties of the California Youth Commission in regard thereto, and making an appropriation for the purposes thereof.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1362: By Mr. Peek—An act to amend section 4 of an act entitled "An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor," approved June 22, 1923.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1363: By Mr. Peek—An act to amend section 4088 of the Political Code relative to the call and redemption of county bonds.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1364: By Mr. Peek—An act to amend section 8a of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, (Statutes 1895, p. 219) relating to manner of making redemption of property sold to cities for nonpayment of taxes.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1365: By Mr. Peek—An act to amend section 3819a of the Political Code, relating to duties of tax collector in counties of the first and second class

Bill read first time, and referred to Committee on County Government

Assembly Bill No. 1366: By Messrs. Clark, Scudder, and Peek—An act to amend section 1192a of the Penal Code, relating to the inquiry as to the causes of criminal conduct.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1367: By Messrs. Clark, Scudder, and Peek—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonment and parole of prisoners

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1368: By Messrs. Clark, Scudder, and Peek—An act to provide for the special treatment of insane and feeble-minded prisoners, for the construction of special housing and medical facilities, and making an appropriation therefor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1369: By Messrs. Clark, Scudder, and Peek—An act to provide for the temporary segregation of prisoners received at the State Prison at San Quentin, for examinations and investigations as a basis for classification, for the construction of housing facilities and making an appropriation therefor

Bill read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1370: By Mr. Leonard—An act to add a new section to the Agricultural Code, to be numbered 810 6, relating to the standardization of brussels sprouts.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1371: By Mr. Hornblower—An act to add section 765 to the Vehicle Code, relating to violations thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1372: By Mr. Dannenbrink—An act to add section 613 to the Streets and Highways Code, relating to the establishment of a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1373: By Mr. Dannenbrink—An act to provide for the acquisition of land and the construction and equipment of buildings for the California School for the Deaf at Berkeley and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1374: By Mr. Dannenbrink—An act to amend section 5 of the Alcoholic Beverage Act, to increase the license fees on-sale and off-sale licenses.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1375: By Mr. Dannenbrink—An act to amend sections 23 and 24 of the Alcoholic Beverage Control Act, to increase the excise taxes on beverages subject thereto.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1376: By Mr. Dannenbrink—An act to add section 5.5 to the Retail Sales Tax Act of 1933, to exempt alcoholic beverages from the provision thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1377: By Mr. Dannenbrink—An act to amend section 5 of the Alcoholic Beverage Control Act to exempt persons selling wine and beer from the licensing provisions thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1378: By Mr. Cottrell—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1379: By Mr. Voigt (By request)—An act making an appropriation to pay the claim of Edward Lavelle against the State of California.

Bill read first time, referred to Committee on Ways and Means.

Assembly Bill No. 1380: By Mr. Voigt—An act to amend sections 4 and 5 of the Bank and Corporation Franchise Tax Act relating to taxes of banks, corporations, and public service companies, including the rates thereof and the extension thereof to companies other than insurance companies specified in section 14 of Article XIII of the Constitution of this State.

Bill read first time, referred to Committee on Revenue and Taxation.

Assembly Bill No. 1381: By Mr. Voigt—An act to preserve the natural resources of the State of California which may be severed from the earth or from the waters thereof, and to levy a tax upon such natural resources upon their severance from the soil or from the waters, and to levy a tax upon the manufacture of such natural resources.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1382: By Mr. Voigt—An act to repeal an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all

acts or parts of acts in conflict with this act," approved May 15, 1933, relating to advertising.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1383: By Mr. Burns, Hugh M.—An act to amend section 115 of the Penal Code, relating to the filing of false documents.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1384: By Mr. Tenney—An act to amend section 377 of the Code of Civil Procedure relating to recovering damages for wrongful death of an adult.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1385: By Mr. Tenney—An act to amend section 376 of the Code of Civil Procedure, relating to recovering damages for wrongful death.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1386: By Mr. Tenney—An act to amend section 1218 of the Code of Civil Procedure, relating to the limit of punishment for contempts.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1387: By Mr. Tenney—An act to add section 350½ to the Code of Civil Procedure, relating to the time within which actions must be brought.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1388: By Mr. Tenney—An act to amend section 45 of the Civil Code, relating to libel.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1389: By Mr. Tenney—An act to amend section 1217 of the Code of Civil Procedure, relating to the trial for contempt.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1390: By Mr. Tenney—An act to repeal an act entitled "An act concerning actions for libel and slander," approved March 25, 1872.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1391: By Mr. Morgan—An act to add a new article to Chapter 1, Part III, Division IV of the School Code to be known as Article IVa, relating to the cancellation of school district warrants.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1392: By Mr. Flint—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, relating to the determination of the operation of auto trucks by transportation companies.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1393: By Mr. Turner—An act to amend section 6.531 of the School Code relating to the operation of school district libraries as branch county libraries.

Bill read first time, and referred to Committee on Libraries.

Assembly Bill No. 1394: By Mr. Sawallisch—An act to amend section 3817d of the Political Code, relating to sales of property for tax delinquency.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1395: By Mr. Donihue—An act to provide for the raising of public revenue by imposing a tax upon the gross receipts, to provide for the ascertainment, assessment, and collection of said tax, to provide for the creation of a State Department of Revenue to be charged with the administration of this act, to provide penalties for the violations of the terms of this act, and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1396: By Mr. Donihue—An act to provide for the raising of public revenue by imposing a tax upon the gross receipts, to provide for the ascertainment, assessment, and collection of said tax, to provide for the creation of a State Department of Revenue to be charged with the administration of this act, to provide penalties for the violation of the terms of this act, and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1397: By Mr. Donihue—An act to provide for the raising of public revenue by imposing a tax upon gross receipts, to provide for the ascertainment, assessment, and collection of said tax, to provide for the creation of a State Department of Revenue to be charged with the administration of this act, to provide penalties for the violations of the terms of this act, and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1398: By Messrs. Cottrell, and Andreas—An act to amend an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous conditions of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasipublic corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, by amending the title and sections 1, 2, 3 and 4 thereof, and adding a new section 6 thereto, providing for a uniform procedure of presentation of and suit upon claims applying to all existing tort liabilities

of public functionaries defined therein, of the State Government and its subdivisions and agencies.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1399: By Mr. Welsh—An act to amend section 763 of the Insurance Code relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1400: By Mr. Welsh—An act to amend section 11526 and 11528 of the Insurance Code relating to voluntary mutualization of incorporated insurers or departments thereof.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1401: By Mr. Welsh—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act." approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral or adjacent lands into State lands.

Bill read first time, and referred to Committee on Mines and Mining.

Assembly Bill No. 1402: By Mr. Welsh—An act to amend sections 1101, 1102, 1103, 1104 and 1106 of the Insurance Code, relating to transactions between an insurer and its officers, directors, trustees and other persons.

Bill read first time, and referred to Committee on Insurance.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 20, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency:

Senate Bill No. 100—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12 and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4 and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 100 read first time.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Senate Bill No. 100, at this time, without reference to committee or calendar

Consideration of Senate Bill No. 100.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 20, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

Senate Bill No. 100—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12.

and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4 and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately.

In my opinion said Senate Bill No. 100 constitutes an urgency bill within the meaning of that term as used in section 4 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 100 as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Case of Urgency.

The following resolution was offered:

By Mr. Desmond:

Resolved, That Senate Bill No. 100 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Welsh, Williamson, and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, Senate Bill No. 100, at this time.

Second Reading of Senate Bill No. 100.

Senate Bill No. 100—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4 and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, and Mr. Speaker—67.

NOES—None.

Third Reading of Senate Bill No. 100.

Senate Bill No. 100—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4 and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to mar-

keting of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1403: By Mr. Millington—An act to amend section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1404: By Mr. Donnelly—An act to add section 52¼ to the "Public Utilities Act," relating to the sale of stocks and other securities to employees.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1405: By Mr. Donnelly—An act to add section 682 to the Vehicle Code, relating to the equipment of motor vehicles and trailers.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1406: By Mr. Donnelly—An act to amend sections 1 and 2 of an act entitled "An act establishing and standardizing the weight of loaves of bread and regulating the sale thereof," approved June 3, 1921, relating to weights of bread.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1407: By Mr. Donnelly—An act to add a new section to be numbered 32b to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1408: By Mr. Donnelly—An act to amend section 16a of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1409: By Mr. Donnelly—An act to add a new section to be numbered 11a to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures, to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to qualifications of county sealer of weights and measures.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1410: By Mr. Donnelly—An act to amend sections 2, 6 and 10 of an act entitled "An act to provide for the indicating of the net quantity of food stuffs and stuffs intended to be used or prepared for use as food for human beings, and medicines, and other commodities when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, as amended, relating to net containers

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1411: By Mr. Donnelly—An act to amend section 6 and to add a new section to be numbered section 7, to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices, providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1412: By Mr. Donnelly—An act to amend sections 1, 3, 4, 6, and 8 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, relating to public weighmasters.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1413: By Mr. Donnelly—An act to add section 92.5 to the Penal Code, relating to gifts to jurors.

Bill read first time, and referred to Committee on Crime Problems

Assembly Bill No. 1414: By Messrs. Clark, and Johnson—An act to amend section 2.1380 of the School Code relating to compensation to be paid to members of the State Board of Education while on official business and for their actual and necessary traveling expenses

Bill read first time, and referred to Committee on Education

Assembly Bill No. 1415: By Messrs. Tenney, Rosenthal, Welsh, Cunningham, Clark, Waters, Peek, Hornblower, and Millington—An act to amend section 15 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to suits on assigned claims.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1416: By Messrs. Tenney, and Glick—An act to amend sections 851, 852 and 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to city officers

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1417: By Messrs. Flint, and Glick—An act to provide for carrying out the provisions of subdivision 5 of section 8½ of Article XI of the Constitution, relating to the calling of elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1418: By Mr. Welsh—An act to secure revenues for the State from certain natural resources, one-half of such revenues to be devoted to acquiring, improving and maintaining beaches and parks, all without pollution or contamination of the ocean or tidelands and without interference with bathing, fishing or navigation, by authorizing subsurface leases to extract oil, gas and other hydrocarbons from beneath the surface of tidelands, submerged and overflowed lands by wells slanted from the uplands; prohibiting drilling for oil from the surface of tide, submerged and overflowed lands not heretofore leased or allocated; repealing all acts and parts of acts conflicting herewith.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1419: By Mr. Welsh—An act to amend section 690.19 of the Code of Civil Procedure, relating to exemption of life insurance benefits from execution or attachment.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1420: By Mr. Welsh—An act to amend section 10151 of the Insurance Code, relating to policy provisions required in life insurance policies.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1421: By Mr. Boyle—An act to amend an act entitled "An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the people in the practice of structural pest control," approved July 20, 1935, relating to structural pest control.

Bill read first time, and referred to Committee on Buildings and Construction.

Assembly Bill No. 1422: By Mr. Turner—An act to amend section 1 of and to add sections 3.5 and 6.5 to "An act to authorize boxing and wresting contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests." Submitted by initiative and approved by the electors November 4, 1924, relating to boxing and wrestling.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 1423: By Mr. Hunt—An act prescribing certain terms and conditions under which used motor vehicles shall be sold.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 1424: By Mr. Hunt—An act to amend section 6 of the Alcoholic Beverage Control Act, relating to rights and privileges under licenses.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1425: By Mr. Hunt—An act to amend section 4295 of the Political Code.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1426: By Mr. Hunt—An act relating to the contents of soft drinks.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1427: By Messrs. Hunt, and Rosenthal—An act to add section 135.8 to the Vehicle Code, relating to the California Highway Patrol.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1428: By Mr. Turner—An act to add section 22.10 to an act entitled "An act to define personal property brokers and to regulate their charges and business, approved April 16, 1909, relating to personal property brokers.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 1429: By Mr. Welsh—An act further postponing sales under deeds of trust and mortgages in cases in which sales have been postponed under the Mortgage and Trust Deed Moratorium Act of 1935, and authorizing the superior court, upon the filing of an appropriate supplemental petition, to order the further postponement of such sales on account of existing defaults in the payment of principal sums or installments thereof and authorizing the court to order the payment of such sums at such times and in such amounts as to the court may seem equitable; delaying actions against guarantors and extending the statute of limitations in certain cases; postponing sales and foreclosure decrees in other cases for failure to pay installments of principal falling due during the period of the Mortgage and Trust Deed Moratorium Act of 1935; declaring the urgency hereof and that this act shall take effect immediately.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1430: By Mr. Fulcher—An act to add section 60½ to the Alcoholic Beverage Control Act, relating to hours of sale, purchase and disposition of alcoholic beverages.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1431: By Messrs. Cunningham, and Garland—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved June 8, 1936; entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1432: By Mr. Williamson—An act to amend sections 7, 8, 18 and 20 of the "Inheritance Tax Act of 1935," relating to inheritance taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1433: By Mr. Williamson—An act to amend section 15 of the Bank Act, relating to the escheat of bank deposits unclaimed for more than 20 years, and requiring the deposit thereof and the increase and proceeds thereof, with the State Treasurer and providing a penalty for failure to make such deposits.

Bill read first time, and referred to Committee on Banking.

Assembly Bill No. 1434: By Mr. Williamson—An act to amend section 1024 of the Probate Code, relating to the payment of inheritance and personal property taxes before distribution.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1435: By Mr. Williamson—An act to amend section 445 of the Political Code, relating to the salaries of the Inheritance Tax Attorney and five assistant inheritance tax attorneys.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1436: By Mr. Redwine—An act to amend section 422 of the Fish and Game Code, relating to the distribution of licenses.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1437: By Mr. Redwine—An act to amend section 10434 of the Insurance Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1438: By Mr. Yorty—An act to amend sections 510 and 511 of the Vehicle Code, relating to speed laws.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1439: By Mr. Desmond—An act making an appropriation to pay the claim of O'Neil Brothers against the State of California

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 1440: By Mr. Lore—An act to amend sections 2 and 3 of an act entitled "An act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1441: By Mr. Lore—An act to repeal an act entitled "An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness," approved by the Governor April 26, 1935.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1442: By Mr. Lore—An act to repeal an act entitled "An act requiring the compilation and publication of reports

relative to the financial condition of the municipal corporations within the State," approved by the Governor July 11, 1935.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1443: By Mr. Lore—An act to amend sections 770 and 771 of the Vehicle Code, relating to the disposition of fines and forfeitures.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1444: By Mr. Lyon—An act to amend sections 147 and 150 of the Code of Civil Procedure, relating to court seals.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1445: By Mr. Lyon—An act to amend section 4300f of the Political Code, relating to jurors' fees.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1446: By Mr. Lyon—An act to amend section 882 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1447: By Messrs. Gannon, Millington, Call, Dawson, Patterson, Scudder, Tenney, Stream, Corwin, Cronin, Walker, Cottrell, Dilworth, Voigt, and Miller—An act making an appropriation to be used in the construction of a neuro-psychopathic hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1448: By Mr. Garibaldi—An act to amend sections 143, 185, 215, 377, and 378 of the Vehicle Code, relating to the registration of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1449: By Mr. Watson—An act to amend section 886 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to contracts and prohibiting officers of cities to be interested therein.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1450: By Mr. Yorty—An act substituting new Articles III and IV for the existing Articles III and IV of Chapter I of Title III of Part I of the Code of Civil Procedure, relating to grand and trial jurors.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1451: By Mr. Flint—An act providing for the construction, equipment and furnishing of a residence of the Governor of the State of California making an appropriation therefor, and authorizing the disposal of the present Gubernatorial Mansion property.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1452: By Messrs. Flint, and McMurray—An act to amend sections 93 and 94 of an act entitled "An act to establish a

system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to acceptance of the provisions of the Wagner-Peyser Act, designating the Division of State Employment Agencies in the Department of Employment as the agency of this State for the purposes of said Wagner-Peyser Act and defining the powers and duties of said division.

Bill read first time, and referred to Committee on Unemployment.

Assembly Joint Resolution No. 20: By Mr. Miller—Relative to memorializing the President and the Congress of the United States to amend the Social Security Act so as to enable such States as may desire to do so to bring the employees of such State and the employees of its counties, cities and other political subdivisions within the provisions of such act relating to old age benefits.

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 21: By Messrs. Gannon, Millington, Call, Latham, Patterson, Voigt, Scudder, Tenney, Dawson, Cronin, Stream, Corwin, Hunt, Dilworth, Cottrell, Walker, and Miller—Relative to memorializing the President and Congress of the United States to enact legislation that would result in financial aid in the construction of a neuro-psychopathic hospital for veterans of the World War.

Introduced, and referred to Committee on Federal Relations.

Assembly Bill No. 1453: By Messrs. Flint, and McMurray—An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to accept the provisions of an act of the Congress of the United States effected June 6, 1933, entitled 'An act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes,' " approved June 1, 1935, relating to acceptance of the provisions of said Congressional act, the designation of a State agency to cooperate with the United States Employment Service and defining the powers and duties of such agency.

Bill read first time, and referred to Committee on Unemployment.

Consideration of Senate Amendments to Assembly Bill No. 236.

Assembly Bill No. 236—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No 236?

Amendment No. 1.

On page 1, in the title of the printed bill, as amended, strike out lines 11 to 16, inclusive, and insert in lieu thereof the following: "by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal".

Amendment No. 2.

On page 4, line 5, of the printed bill, as amended, strike out "the eighty-ninth and ninetieth fiscal years", and insert in lieu thereof the following "each fiscal year"

Amendment No. 3.

On page 4, line 23, of the printed bill, as amended, strike out "the eighty-ninth and ninetieth fiscal years", and insert in lieu thereof the following: "each fiscal year"

Amendment No. 4.

On page 4, line 35, of the printed bill, as amended, strike out "the eighty-ninth and ninetieth fiscal years", and insert in lieu thereof the following: "each fiscal year".

Amendment No. 5.

On page 4, lines 49 and 50, of the printed bill, as amended, insert the following: "SEC. 8. Second section 9 of said act, relating to the termination of said act, is hereby repealed"

Amendment No. 6.

On page 4 of the printed bill, as amended, strike out lines 51 and 52, and on page 5, strike out lines 1 to 8, inclusive.

Amendment No. 7.

On page 5, line 10, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

Amendment No. 8.

On page 5, line 11, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

Amendment No. 9.

On page 3, line 4, of the printed bill, as amended, after "affidavit," insert the following: "executed by a person having knowledge of such fact".

Amendment No. 10.

On page 3, line 10, of the printed bill, as amended, strike out "the same are properly executed", and insert in lieu thereof the following: "of first operation during the current year".

Amendment No. 11.

On page 4, line 3, of the printed bill, as amended, after the period, insert the following "The appropriation hereby made for the use of the Department of Motor Vehicles shall be effective as of January 1, 1937.

The roll was called, and Senate amendments to Assembly Bill No. 236 were refused concurrence by the following vote:

AYES—Beene, Breed, Call, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Kepple, Latham, Leonard, Levey, Lyon, Maloney, Meehan, Morgan, Stream, Waters, and Williamson—21.

NOES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Crowley, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Lore, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—52.

Explanation of Vote.

I accidentally struck the "Aye" button instead of the "No" in voting on Assembly Bill No. 236 concurrence. I wished to vote "No."

H. P. MEEHAN.

Notice of Motion to Reconsider Assembly Bill No. 236.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate amendments to Assembly Bill No. 236 were this day refused concurrence

Recess.

At twelve o'clock m., on the motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Withdrawal and Re-reference of Assembly Bills.

On motion of Mr. Glick, Assembly Bill No. 1184 was withdrawn from the Committee on Public Charities and Corrections, and re-referred to the Committee on Social Service and Welfare.

On motion of Mr. Cronin, Assembly Bill No. 1089 was withdrawn from the Committee on Medical and Dental Laws, and re-referred to the Committee on Public Health and Quarantine.

On motion of Mr. Walker, Assembly Bills Nos. 1126, 1127 and 1128 were withdrawn from the Committee on Public Utilities, and re-referred to the Committee on Irrigation.

Notice of Motion to Reconsider Refusal to Concur in Senate Amendments to Assembly Bill No. 236 Withdrawn.

Mr. Williamson withdrew his notice of motion to reconsider the vote whereby the Assembly refused to concur in Senate amendments to Assembly Bill No 236.

Notice of Motion to Reconsider Motion to Suspend Rules for Consideration of House Resolution No. 49 Continued.

On motion of Mr. Yorty, his notice of motion to reconsider the vote whereby the motion for temporary suspension of the Rules for the purpose of considering House Resolution No 49 was lost, was continued until Friday, January 22, 1937.

Request for Additional Printing of Assembly Bill No. 1089.

Mr. Cottrell requested that 5000 additional copies of Assembly Bill No. 1089 be printed.

Request referred to the Committee on Rules

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1454: By Mr. Stream—An act to add section 653.1 to the Penal Code, relating to parking.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1455: By Mr. Welsh—An act authorizing the Director of Finance, upon behalf of the State, to prospect for, drill for, develop, extract, take and remove or dispose of, and to grant leases and easements for taking or extraction of, oil, gas or other hydrocarbons, or other minerals, of whatsoever kind, within and from certain lands belonging to the State; to acquire by purchase, eminent domain or otherwise, real property or interests therein necessary for the purposes of this act; providing for the disposition of all funds received pursuant to the provisions hereof; repealing all acts or parts of acts inconsistent or in conflict with this act, and making an appropriation for the purpose of carrying out the provisions of this act.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 1456: By Mr Richie—An act to repeal sections 4, 5 and 6 of the City Carriers' Act, relating to transportation by motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1457: By Mr. Richie—An act to repeal the City Carriers' Act, relating to transportation by motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1458: By Mr. Richie—An act to amend section 1 of an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893, relating to maximum working days per week.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1459: By Mr. Richie—An act to amend section 552 of the Labor Code.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1460: By Mr. Richie—An act limiting the hours of labor of personal and domestic employees and providing a penalty for failure, or neglect, and providing penalties.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1461: By Messrs Sawallisch, Burns, Hugh M., McMurray, and Dannenbrink—An act to authorize cities, cities and counties, towns, counties, and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks playgrounds, streets, and other improvements and facilities, by exercising certain other powers and by making agreements relating to such aid; to authorize cities, cities and counties, towns, counties and other political subdivisions to contract with respect to the sums to be paid them for improvements, services and facilities to be provided for the benefit of housing projects; to require certain cities, cities and counties, and counties to make an appropriation for the first year's administrative expenses of housing authorities; to authorize certain cities, cities and counties, towns and counties, to pay moneys to housing authorities; and to declare an emergency.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1462: By Messrs Sawallisch, Burns, Hugh M., McMurray, and Dannenbrink—An act validating, ratifying, approving, and confirming bonds and other instruments or obligations heretofore issued for public works projects and validating, ratifying, approving and confirming certain proceedings heretofore taken in connection with public works projects, by certain public bodies.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1463: By Mr. Cassidy—An act to amend the title of and sections 1, 3 and 6 and to add section 7 to, an act entitled, "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation hereof," approved June 19, 1931, relating to motor boat regulation

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1464: By Mr. Latham—An act to amend sections 749 and 750 of the Code of Civil Procedure, relating to actions to determine adverse claims to and clouds upon titles to real property.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1465: By Mr. Latham—An act to amend sections 2.876, 2.877, 2.878, 2.885, 2.890, 2.891 and to repeal section 2.886 of the School Code, relating to school district elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1466: By Mr. Latham—An act to amend section 1973 of the Code of Civil Procedure, relating to agreements required to be in writing and to be subscribed by the party to be charged.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1467: By Mr. Latham—An act to amend sections 4.962, 4.963, 4.964, 4.1010, and to add two new sections to be numbered 4.967 and 4.968, of the School Code, relating to school district bonds.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1468: By Mr. Latham—An act to amend section 1058 of the Code of Civil Procedure, relating to bonds when State is a party.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1469: By Mr. Latham—An act to repeal sections 2.1223 and 6.523 of the School Code, relating to reports of books purchased for any school district.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1470: By Mr. Field—An act to amend section 16 of the "Act Concerning Cosmetology," relating to exemptions.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1471: By Mr. Field—An act to amend the "Act Concerning Cosmetology," relating to cosmetology.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1472: By Mr. Pelletier—An act to regulate the practice of naturopathy; to create and appoint a self-sustaining Board of Naturopathic Examiners; to prescribe their tenure of office, powers, duties, compensation, etc.; to require and regulate the issuance of licenses to practice; to establish and collect fees for the examination of applicants and for the issuance and renewal of licenses; to define naturopathy; to define and qualify naturopathic colleges; to provide for the taking of examinations by qualified applicants; to segregate naturopaths from the State Medical Act; to provide for the assessment and collection of penalties for the violation of this act; and to provide for the handling, custody, and disbursement of all funds collected under this act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1473: By Mr. Cottrell—An act to amend section 330a of the Penal Code, relating to gambling by use of slot machines and other devices.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1474: By Mr. Cottrell—An act to add section 335a to the Penal Code, relating to the seizure and destruction of machines or devices prohibited by the lottery and gambling laws.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1475: By Mr. Cottrell—An act to amend the title to and section 1 of an act entitled, "An act declaring all buildings and places nuisances, wherein or upon which any spirituous, vinous, malt or other alcoholic liquor is unlawfully sold, served or given away, or which are used for the purpose of unlawfully selling, serving or giving away such liquors; and providing for the abatement of such nuisances," approved April 28, 1915.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1476: By Mr. Gannon—An act to amend sections 233, 236, and 239 of the Vehicle Code, and to add thereto section 240, relating to offenses against registration laws.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1477: By Mr. Kepple—An act to amend section 341a of the Code of Civil Procedure, respecting period of limitation for commencement of certain actions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1478: By Mr. Kepple—An act to amend section 1861 of the Civil Code, relating to liens.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1479: By Mr. Kepple—An act to amend section 981a of the Code of Civil Procedure, respecting dismissal of appeals from justice court.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1480: By Mr. Kepple—An act to amend section 976 of the Code of Civil Procedure, respecting appeal on questions of fact, or law and fact.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1481: By Mr. Kepple—An act to amend section 975 of the Code of Civil Procedure, respecting appeals from justice's or police courts on questions of law.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1482: By Mr. Kepple—An act to amend section 981 of the Code of Civil Procedure, respecting filing fee on appeal.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1483: By Mr. Kepple—An act to amend section 980 of the Code of Civil Procedure, respecting powers of superior court on appeal.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1484: By Mr. Kepple—An act to amend section 978 of the Code of Civil Procedure, respecting appeal bonds.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1485: By Mr. Kepple—An act to add a new section to the Penal Code, to be numbered 1094a, relating to the exclusion of witnesses at a trial.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1486: By Mr. Cunningham—An act to amend section 536 of the Civil Code of the State of California relative to the use of streets by public utilities and liabilities therefor.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1487: By Messrs. Cunningham, King, and Williamson—An act to add section 3366a to the Political Code, relating to license taxes

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1488: By Mr. Williamson—An act to amend section 1440 of the Probate Code, relating to the appointment of guardians.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1489: By Mr. Williamson—An act to add section 163.5 to the Civil Code, relating to the property of husband and wife.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1490: By Mr. Burns, Hugh M—An act to amend section 1 of an act entitled "An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the protection of the public in the practice of structural pest control," approved July 20, 1935, relating to structural pest control.

Bill read first time, and referred to Committee on Building and Construction.

Assembly Bill No. 1491: By Messrs. Cronin, McMurray, and Boyle—An act to add Chapter 11B to part 2 of Division 2 of the Insurance Code, authorizing the creation, organization and government, and providing for the regulation of public associations to be known as medical service associations, defining medical service contracts, providing standard provisions for such contracts, providing for the deposit of security by medical service associations, providing for certificates of authority for associations entering into medical service contracts, and rendering through members medical services and providing for the powers and liabilities of medical service associations.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1492: By Mr. Cronin—An act to amend section 274 of the Code of Civil Procedure, relating to court reporters fees per diem and for transcripts.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1493: By Messrs. Redwine, Field, Glick, and King—An act amending an act entitled "An act to provide emergency unemployment relief through State loans in aid of counties and municipalities administering such relief; providing for the issue of bonds, and making appropriations for such purposes and declaring the urgency thereof," approved April 29, 1933, by adding thereto one new section, to be section 23½ thereof.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1494: By Messrs. Cronin, and Cottrell—An act to amend section 2 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation

therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1495: By Mr. Corwin—An act to add section 391.5 to the Agricultural Code, relating to straying animals.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1496: By Messrs. Corwin, Lore, and Garland—An act to amend an act entitled "An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-Third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately," approved June 11, 1935, by amending each section of said act, to add new sections to be numbered 22, 23 and 24, and to repeal sections 3a, 6a, 15a, 16a and 20a of said act and to provide for the execution of marketing agreements and the issuance of licenses by the Director of Agriculture regulating the handling of agricultural commodities in intrastate commerce, and to declare the urgency of this act, and that this act shall take effect immediately.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1497: By Mr. Voigt—An act to prevent the ownership, control or operation of motion picture theatres by producers or distributors of motion picture films.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1498: By Messrs. Miller, and Cottrell—An act to amend section 76 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1499: By Mr. Lore—An act to amend section 73 of the Vehicle Code and to add thereto section 73.3 relating to definitions.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1500: By Messrs. Hawkins, Pelletier, Andreas, Tenney, King, Richie, Yorty, Martin, Reaves, Hunt, Watson, Welsh, Clark, McMurray, Lore, Rosenthal, Flint, Glick, and Peek, and Mrs. Daley—An act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such housing authorities in cities, and cities and counties, having a population of more than 15,000 and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for a certification of the bonds by the Attorney General; to confer remedies on obligees of housing authorities; and to declare an emergency.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1501: By Messrs. Hawkins, Pelletier, Tenney, King, Richie, Yorty, Martin, Reaves, Hunt, Andreas, Watson, Welsh, Clark, McMurray, Lore, Rosenthal, Flint, Glick, and Peek, and Mrs. Daley—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain and to provide that this shall take effect immediately.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1502: By Mr. Hawkins—An act to amend section 3 of "An act declaring the conditions upon which an irrigation district may be dissolved, prescribing the procedure therefor and the winding up of the affairs of the district when dissolved," approved May 18, 1919, relating to irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1503: By Mr. Hawkins—An act to amend sections 1 and 14 of the California Barber Law, relating to registration of barbers.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1504: By Mr. Hawkins—An act to amend section 675.1 of the Political Code, relating to the approval of salaries by the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1505: By Mr. Hawkins—An act to amend sections _____ of "An act to provide for the establishment, maintenance and operation of unemployment relief camps," approved June 15, relating to unemployment relief camps.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1506: By Mr. Hawkins—An act to amend sections _____ of "An act relating to the relief of hardships and destitution due to and caused by unemployment, set forth the powers and duties of the Relief Commission and the Relief Administrator, and making an appropriation for the purposes thereof and providing for the expenditure of unexpended balances heretofore appropriated for such purpose, setting forth certain acts to be misdemeanors and providing for the punishment and penalties therefor," approved June 6, 1935, relating to the Relief Commission.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1507: By Mr. Hawkins—An act to repeal section 710 of the Code of Civil Procedure, relating to collection of judgments obtained against employees of the State, counties and cities thereof.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1508: By Mr. Hawkins—An act to amend section 675.1 of the Political Code, relating to the approval of salaries by the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1509: By Messrs. Hawkins, Lore, and Morgan—An act to amend section 1.177 of the School Code, relating to employment of minors and permits to work.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1510: By Messrs. Hawkins, Lore, and Morgan—An act to amend section 3½ of the Child Labor Law, relating to unemployment of minors.

Bill read first time, and referred to Committee on Social Service and Welfare.

Reconsideration of Motion to Suspend Rules for Consideration of House Resolution No. 45.

In compliance with his notice given on a previous day, Mr. Waters moved that the vote whereby his motion for temporary suspension of the Rules for the purpose of considering House Resolution No 45 was lost, be reconsidered

Request for Roll Call.

On request of Messrs. Martin, Dawson, Hunt, Cunningham, and Waters, the Speaker ordered a roll call taken on the motion to reconsider

The roll was called, and the motion for temporary suspension of the Rules was reconsidered by the following vote:

AYES—Andreas, Burns, Hugh M., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dilworth, Donihue, Donelly, Gannon, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Turner, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—43.

NOES—Baynham, Beene, Breed, Call, Corwin, Cottrell, Dannenbrink, Dawson, Field, Flint, Fulcher, Garland, Glick, Heisigner, Leonard, Levey, Maloney, Mayo, Meehan, Millington, Muldoon, Redwine, Robertson, Sawallisch, Scudder, Thorp, Welsh, and Williamson—28

The question being on the motion by Mr. Waters that the Rules be temporarily suspended for the purpose of considering House Resolution No. 45, at this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Andreas, Cassidy, Clark, Cronin, Cunningham, Daley, Dilworth, Donahue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Turner, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—43.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Crowley, Dannenbrink, Dawson, Field, Flint, Fulcher, Glick, Heisigner, Leonard, Levey, Maloney, Mayo, Millington, Muldoon, Robertson, Sawallisch, Scudder, Thorp, Voigt, Welsh, and Williamson—28.

House Resolution No. 45 referred to Committee on Rules.

Request for Unanimous Consent for Temporary Suspension of the Rules.

Mr Peek asked for, and was granted, unanimous consent to have the Rules temporarily suspended for the consideration of amendments to the Standing Rules of the Assembly, at this time.

Motion to Amend Standing Rules.

Mr. Peek moved that the Standing Rules of the Assembly be amended as follows:

Amendment No. 1.

Rule 75 of the Standing Rules of the Assembly is amended to read as follows, to wit:

"*Standing Committees*—75."

In line 31 thereof, strike out the figures '15", and insert in lieu thereof the figures "17".

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Waters, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68

NOES—None.

Announcement of Committee Appointments.

The Speaker announced the appointment of Messrs. Beene and Kepple to the Assembly Standing Committee on Judiciary Codes, in accordance with the amendment to the Standing Rules of the Assembly previously adopted.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred

House Resolution No. 25.

Respectfully reports the same back, with the recommendation Be adopted

PEEK, Chairman.

Consideration of House Resolution No. 25.

House Resolution No. 25—Creating Assembly Committee to Investigate "Modesto Defendants" Case.

Motion to Amend House Resolution No. 25.

The following amendment was offered by Mr. Garibaldi

Amendment No. 1.

"WHEREAS, Although the Legislature of the State of California and all the parties interested in the said trial are agreed that the Honorable Judge Roy B. Maxey, the trial judge in this case, presided in a fair and impartial manner in all particulars; but if all or any part of the allegations herein contained are true, serious crimes against public justice and against the court have been committed, and it is to the interest of society, the State and the courts that inquiry be made to determine whether or not there is any basis for such charges, or any thereof; now, therefore, be it."

Amendment adopted.

The question being on the adoption of House Resolution No. 25, as amended.

Motion for Committee of the Whole.

On motion of Mr. Donnelly, the Assembly resolved itself into a Committee of the Whole to hear from Mr. Leslie A. Cleary, District Attorney of Stanislaus County, Herman Stuveylaar, representative of Longshoremen's Association and Secretary of Modesto Defense Committee; and Edward D. Vandeleur, Secretary of California State Federation of Labor.

IN COMMITTEE OF THE WHOLE.

Speaker Jones in the chair.

Messrs. Leslie A. Cleary, Herman Stuveylaar and Edward Vandeleur addressed the Committee of the Whole.

On motion of Mr Donnelly, the committee did arise, and report back to the Assembly.

IN ASSEMBLY.

Speaker Jones in the chair.

Further Consideration of House Resolution No. 25, as Amended.

House Resolution No. 25, as Amended.

WHEREAS, On August 9, 1935, eight members of Pacific Coast maritime labor unions, to wit, Robert J. Fitzgerald, Reuel Stanfield, Victor H. Johnson, Patsy Ciambrelli, John Sousa, John Rodger, Henry Silva and John Burrows, commonly referred to as the "Modesto Defendants," were convicted by a Stanislaus County superior court jury of charges of reckless possession of explosives in consequence of incidents arising out of the so-called "tanker strike" of the spring of 1936, and,

WHEREAS, The Board of Prison Terms and Paroles set sentences for the "Modesto Defendants" ranging from the maximum of five years for three of the men four years for two others and three and one-half years for the remaining two, despite the jury's recommendation of leniency; and,

WHEREAS, It is claimed that the defendants were convicted largely through the testimony of one James Scrudder; and,

WHEREAS, It is alleged that on December 1, 1936, the aforementioned James Scrudder confessed that the convictions were secured on "framed" testimony given by him; and,

WHEREAS, It is further alleged that he had committed perjury on the witness stand at the instance of certain persons; and,

WHEREAS, Said charges of perjury are asserted to be substantiated by 18 dictaphone records of admissions made by the said James Scrudder and the affidavits of five witnesses who heard the admissions; and,

WHEREAS, The fifty-sixth annual convention of the American Federation of Labor on November 24, 1936, unanimously passed a resolution introduced by John O'Connell, delegate of the San Francisco Labor Council, urging the release of the "Modesto Defendants"; and,

WHEREAS, The San Francisco Labor Council on December 11, 1936, unanimously passed a resolution demanding immediate pardons for the "Modesto Defendants" and an investigation into the circumstances surrounding their conviction; and,

WHEREAS, The executive committee of the California State Federation of Labor on December 20, 1936, unanimously indorsed the resolution adopted by the San Francisco Labor Council demanding pardons for the "Modesto Defendants"; and,

Resolved by the Assembly of the State of California, That there is hereby created an Assembly committee to consist of five members to be appointed by the Speaker of the Assembly, to make a special investigation to determine whether perjury and subornation of perjury were committed in connection with the conviction of said "Modesto Defendants"; and be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses, and the production of testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The committee is authorized to sit during the constitutional recess of the Legislature, and to report back to the Assembly with recommendations at the reconvening thereof; and be it further

Resolved, That the sum of $1,500, or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of defraying the expenses of the committee and of said investigation and for the employment of such clerical and other assistance as may be necessary fully to carry out its functions, said sum to be paid from the contingent fund of the Assembly, and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the claim.

WHEREAS, Although the Legislature of the State of California and all the parties interested in the said trial are agreed that the Honorable Judge Roy B Maxy, the trial judge in this case, presided in a fair and impartial manner in all particulars; but if all or any part of the allegations herein contained are true, serious crimes against public justice and against the court have been committed, and it is to the interest of society, the State and the courts that inquiry be made to determine whether or not there is any basis for such charges, or any thereof; now therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly committee to consist of five members to be appointed by the Speaker of the Assembly, to make a special investigation to determine whether perjury and subornation of perjury were committed in connection with the conviction of said "Modesto Defendants"; and be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses, and the production of testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The committee is authorized to sit during the constitutional recess of the Legislature, and to report back to the Assembly with recommendations at the reconvening thereof; and be it further

Resolved, That the sum of $1,500, or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of defraying the expenses of the committee and of said investigation and for the employment of such clerical and other assistance as may be necessary fully to carry out its functions, said sum to be paid from the contingent fund of the Assembly, and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the claim.

House Resolution No. 25, as amended, read, and adopted by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Donahue, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—46.

NOES—Baynham, Beene, Breed, Call, Corwin, Cottrell, Crowley, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Johnson, Kepple, Latham, Lyon, Mayo, Millington, Muldoon, Redwine, Stream, Thorp, and Walker—25

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 21, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 15.

J. A. BEEK, Secretary of Senate.

Assembly Joint Resolution No 15 ordered to enrollment

SENATE CHAMBER, SACRAMENTO, January 21, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 4—Relative to memorializing and petitioning the President and the Congress of the United States to include the Central Valley Project in the National Program of Work Relief.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Senate Joint Resolution No 4 read, and referred to Committee on Federal Relations.

SENATE CHAMBER, SACRAMENTO, January 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to

Assembly Bill No. 236—And appointed Senators Knowland, Hays, and Wagy, as a Committee on Free Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of Senate.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 236.

The Speaker announced the appointment of Messrs. Hornblower, Desmond and Clerk as a Committee on Free Conference concerning Assembly Bill No 236

SENATE CHAMBER, SACRAMENTO, January 21, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 5—*Relative to memorializing and petitioning the* Congress to enact legislation distributing the revenues obtained from Naval Petroleum Reserves on the same basis as the revenues from other public lands leased under the provisions of the Mineral Leasing Act.

Senate Concurrent Resolution No. 10—Relative to approving amendments to the charter of the county of Fresno, State of California, which were submitted to the qualified electors of said county and voted on and ratified by them at the general election held therein on November 3, 1936

J. A BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 5, at this time, without reference to committee or calendar.

Consideration of Senate Joint Resolution No. 5.

Senate Joint Resolution No. 5—Relative to memorializing and petitioning the Congress to enact legislation distributing the revenues obtained from Naval Petroleum Reserves on the same basis as the revenues from other public lands leased under the provisions of the Mineral Leasing Act.

Senate Joint Resolution No. 5 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Richie,

Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, and Mr. Speaker—60.

NOES—Hunt—1.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Burns, Hugh M., asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 10.

Senate Concurrent Resolution No. 10—Relative to approving amendments to the charter of the county of Fresno, State of California, which were submitted to the qualified electors of said county and voted on and ratified by them at the general election held therein on November 3, 1936.

Senate Concurrent Resolution No. 10 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Mr Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, January 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 329—An act to add section 612 to the Streets and Highways Code, establishing certain additional State highways, this act to take effect immediately and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 329 read first time.

Request for Unanimous Consent.

Mr. Corwin asked for, and was granted, unanimous consent to take up Senate Bill No. 329, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 329.

Case of Urgency.

The following resolution was offered:

By Mr. Corwin:

Resolved, That Senate Bill No. 329 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Richie, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson Weber, Welsh, Williamson, and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No 329, at this time

Second Reading of Senate Bill No. 329.

Senate Bill No. 329—An act to add section 612 to the Streets and Highways Code, establishing certain additional State highways, this act to take effect immediately and declaring the urgency thereof.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levy, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Redwine, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Third Reading of Senate Bill No. 329.

Senate Bill No. 329—An act to add section 612 to the Streets and Highways Code, establishing certain additional State highways, this act to take effect immediately and declaring the urgency thereof.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Redwine, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, January 21, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 334—An act to amend an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create board of fire commissioners," approved March 4, 1881, by adding a new section thereto numbered 24a, relating to fire protection, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 334 read first time.

Request for Unanimous Consent.

Mr. Call asked for, and was granted, unanimous consent to take up Senate Bill No. 334, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 334.

Case of Urgency.

The following resolution was offered:

By Mr. Call:

Resolved, That Senate Bill No. 334 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that sec-

tion requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 334, at this time.

Second Reading of Senate Bill No. 334.

Senate Bill No. 334—An act to amend an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create board of fire commissioners," approved March 4, 1881, by adding a new section thereto numbered 24a, relating to fire protection, to take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Third Reading of Senate Bill No. 334.

Senate Bill No. 334—An act to amend an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create board of fire commissioners," approved March 4, 1881, by adding a new section thereto numbered 24a, relating to fire protection, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Williamson—62.

NOES—King, Miller, George P., and Mr. Speaker—3.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, January 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency the following:

Assembly Bill No. 273.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.

By F. ALFRED BLATZ, Assistant Secretary.

Consideration of Senate Amendments to Assembly Bill No. 273.

Assembly Bill No. 273—An act to amend sections 5, 6, 7, 8, 10 and 11 of, and to add section 13 to, an act entitled "An act providing for the sale of certain State lands," approved May 19, 1915, as amended, relating to State lands, and declaring the urgency thereof, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 273?

Amendment No. 1.

On page 3, line 26, of the printed bill, as amended January 18, strike out "1938", and insert in lieu thereof "1939."

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, strike out "1937", and insert in lieu thereof "1938".

The roll was called, and Senate amendments to Assembly Bill No. 273 were concurred in by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, and Mr. Speaker—63.

NOES—None.

Assembly Bill No 273 ordered to enrollment.

Resolutions.

The following resolutions were offered:

By Mr. Voigt:

House Resolution No. 51.

Resolved, That the Chief Clerk of the Assembly be and he is hereby ordered and directed to prepare, during the constitutional recess, for use of the members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of State officers, members and officers of both houses of the Legislature, list of committees and Rules of both houses and Joint Rules, together with indexes to the same, and such other information as he may deem useful; also to prepare for the use of members of the Legislature a Semifinal Calendar containing a history of all bills introduced to date, together with a complete index and cross index to the same, to be printed and distributed during the constitutional recess, and the Chief Clerk is hereby empowered to employ such expert assistants, indexers, etc., as he may find necessary, and the Controller is hereby ordered and directed to draw his warrant on the contingent fund of the Assembly in favor of the Chief Clerk of the Assembly in the sum of $750 to pay for such services, and the Treasurer is hereby ordered and directed to pay the same. The Chief Clerk of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above, during the said constitutional recess.

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up House Resolution No 51, at this time, without reference to committee or calendar.

House Resolution No. 51 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

By Mr. Voigt:

House Resolution No. 52.

WHEREAS, Various members of the Assembly will desire to have shipped to their various places of residence their bill files and other printed matter for use during the constitutional recess; therefore, be it

Resolved, That the Sergeant-at-Arms, Delwin W Smith, be authorized to procure such boxes, packing and other material as is necessary for the purpose of shipping same properly packed to said members, and the State Controller is hereby authorized to draw his warrant on the contingent expense fund of the Assembly in favor of Delwin W. Smith, Sergeant-at-Arms, in an amount not to exceed $350, and the State Treasurer is hereby authorized to pay the same.

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up House Resolution No. 52, at this time, without reference to committee or calendar.

House Resolution No. 52 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Leaves of Absence.

Messrs. O'Donnell and Garland were granted leaves of absence for the balance of this legislative day, on motion of Mr Turner

Mr Sheehan was granted leave of absence for the balance of this legislative day, on motion of Mr. Hornblower

Resolution.

The following resolution was offered:

By Mr Cronin:

House Resolution No. 53.

WHEREAS, It is desirable that the Assembly of the State of California do its part in forming a more perfect union among the various governments in the United States and in developing the Council of State Governments for that purpose; now, therefore, be it

Resolved, That there be established a standing committee of the Assembly, to be officially known as the Assembly Committee on Intergovernmental Cooperation, and to consist of five members of the Assembly. The members and the chairman of this committee shall be designated in the same manner as is customary in the case of members and chairmen of other standing committees of the Assembly In addition to the regular members, the Speaker of the Assembly shall be ex officio an honorary member of this committee.

This committee shall function during the regular sessions of the Legislature and also during the interim periods between such sessions; the members shall serve until their successors are designated; and they shall constitute for this State the House Council of the American Legislators Association.

It shall be the function of this committee:

1 To carry forward the participation of this State as a member of the Council of State Governments.

2 To encourage and assist the legislative, executive, administrative and judicial officials and employees of this State to develop and maintain friendly contact by correspondence, by conference, and otherwise, with officials and employees of the other States, of the Federal Government, and of local units of government.

3 To endeavor to advance cooperation between this State and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating,

(a) The adoption of compacts,

(b) The enactment of uniform or reciprocal statutes,

(c) The adoption of uniform or reciprocal administrative rules and regulations,

(d) The informal cooperation of governmental offices with one another,

(e) The personal cooperation of governmental officials and employees with one another, individually,

(f) The interchange and clearness of research and information, and

(g) Any other suitable process.

In short, to do all such acts as will, in the opinion of this committee, enable this State to do its part—or more than its part in forming a more perfect union among the various governments in the United States and in developing the Council of State Governments for that purpose.

The committee shall report to the Assembly within 15 days after the convening of each regular legislative session, and at such other times as it deems appropriate

House Resolution No. 53 read, and referred to Committee on Rules

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1937.

MR SPEAKER: Your Committee on Rules, to which was referred the request by Mr. Cottrell that 5000 extra copies of Assembly Bill No. 1089 be printed: Respectfully reports the same back, with the recommendation that the request be granted.

PEEK, Chairman.

Report read and adopted.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, Janury 21, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred

House Resolution No. 44.

Respectfully reports the same back with the recommendation: Be adopted

O'DONNELL, Chairman.

Request for Unanimous Consent.

Mr. Andreas asked for, and was granted, unanimous consent to take up House Resolution No. 44, at this time, without reference to calendar.

House Resolution No. 44 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Waters, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Resolution.

The following resolution was offered:

By Mr. Yorty:

House Resolution No. 54.

WHEREAS, The problem of adequate regulation of private utilities enjoying assured profits under monopolistic powers granted them by State franchises is of primary concern to the citizens of this State and to their elected representatives in the Assembly of the California Legislature, and,

WHEREAS, There is widespread dissemination of information from publicity departments of these private utilities concerning the alleged ownership of their stock and bond holdings, said information being designed to induce the citizens to believe that such corporations are owned primarily by Californians who benefit by their business profits, and,

WHEREAS, The paid insertion appearing in the Pasadena Independent, a public newspaper, in its issue of May 9, 1935, over the signature of the president of the Southern California Edison Company, Ltd. reads as follows:

"WHO OWNS THE EDISON COMPANY?"

"Who owns the California Edison Company?

This is a fair question to ask and a simple one to answer.

Southern California Edison Company was founded 42 years ago by southern California citizens. Ever since then it has remained a home company, managed and largely owned by southern California residents. It has no affiliation with any holding company.

There are today more than 121,000 stockholders, the majority of whom live in southern California. More than 88,000 of them have an average investment of less than $500, the modest savings of people of moderate means In a very real sense this company is a publicly owned utility. It is a community enterprise It has grown as the community has grown, and as always, will meet and anticipate the assured growth which lies ahead for southern California.

Signed. HARRIS J BAUER, President,
Southern California Edison Company, Ltd."

While the Southern California Edison Company's annual report delivered under oath to the California Railroad Commission covering the fiscal year 1934 shows the 20 leading owners of common stock to be 16 foreign or out of State institutions and four institutions with headquarters in California, and, of these 20 heaviest stockholders, three were holding companies, 14 were financial institutions, three were estates, and not one was an individual, and,

WHEREAS, These conditions are not isolated, as evidenced by the following facts concerning the ownership of the voting stock of the Pacific Gas and Electric Company, delivered under oath to the California Railroad Commission for the year 1934, to wit:

Twenty corporations hold 3,067,267 shares of the 6,278,847 shares of the company's common stock, which control the voting power and therefore shape the utility's public policy. Of the first 20 owners of common voting stock, all but three are resident outside California; nine are holding companies, nine are investment companies, one is an estate, and one is an individual resident in New York.

And,

WHEREAS, The ownership of the majority stock of these public utilities which enjoy monopoly advantages under State law should be known by the general public and the representatives of the people, now therefore, be it

Resolved by the Assembly of the State of California. That the California Railroad Commission be respectfully requested to collect and deliver to the Assembly immediately following the constitutional recess, itemized statements concerning the names, residences, and number of voting shares owned by the heaviest stockholders which in total amount to over 50 per cent of the voting stock of each corporation

House Resolution No. 54 read, and referred to Committee on Public Utilities.

Motion to Print Report in Journal.

On motion of Mr Redwine the following report was ordered printed in the Journal:

REPORT OF JOINT COMMITTEE OF THE SENATE AND ASSEMBLY OF THE STATE OF CALIFORNIA, CREATED BY 1937 ASSEMBLY CONCURRENT RESOLUTION No. 6.

The Joint Committee created and appointed under the provisions of 1937 Assembly Concurrent resolution No 6 adopted January 11, 1937, to consist of three members appointed by the President of the Senate and three members appointed by the Speaker of the Assembly to determine upon and establish rules of procedure for the convention for the hearing of the complaint for the removal of Gavin W. Craig, Associate Justice of the District Court of Appeal of the State of California and the defense thereto reports said committee has determined upon and established the following rules, and submits the same to the Senate and Assembly of the State of California for approval

RICH
HAYS.
OLSON.
DESMOND
ROSENTHAL.
REDWINE

Rules of the Joint Convention of the Legislature Governing Procedure of the Senate and Assembly of the State of California in Joint Convention for Hearing Complaint for Removal of Judicial Officer.

I

Subpenas shall be issued by the Secretary of the Senate or the Chief Clerk of the Assembly, or both, for witnesses on the part of the complainant or on the part of the Joint Committee of the Senate and the Assembly, upon the certificate of the

President of the Senate or the Speaker of the Assembly that the same are necessary and proper witnesses upon the hearing of said complaint. Upon request of the judicial officer sought to be removed, or his representative or counsel, the Secretary or the Chief Clerk shall issue subpenas in blank.

II.

The hearing of the complaint shall be held in the Assembly Chamber of the State Capitol, and the President of the Senate, with the concurrence of the Speaker of the Assembly, shall direct all necessary preparations in the Assembly Chamber and all proceedings while the Joint Convention is sitting, for the purpose of hearing said complaint, except as otherwise specifically directed by the Senate and the Assembly.

III.

At the time fixed in the notice for the hearing of the judicial officer complained of, the judicial officer complained of shall be called to appear and answer the complaint against him. If he appears, or any person appears for him, the appearance shall be recorded, stating particularly if by himself or by agent or attorney, naming the person appearing and the capacity in which he appears. If he does not appear, either personally or by agent or attorney, the same shall be recorded, and such proceedings taken as provided by the Constitution and by law.

IV.

At ten o'clock a.m., of the day appointed for the hearing of said complaint, the Legislature and executive business of the Senate and the Assembly shall be suspended, except as otherwise ordered by the Senate and the Assembly. The President of the Senate shall preside, or if he be not present, the Speaker of the Assembly shall preside.

V.

The Secretary of the Senate shall then give notice to the members of the Senate and the Chief Clerk of the Assembly shall give notice to the members of the Assembly that the Joint Convention of the Legislature is organized and is ready to proceed upon the hearing of the complaint against Gavin W. Craig in the Assembly Chamber.

VI.

On the hearing of the complaint the State shall be presented by the Attorney General and such additional counsel as he may designate, who shall present to the Joint Convention the complaint and the testimony in support of the same; the judicial officer complained of may appear in proper person, or by counsel, or both.

VII.

All motions or objections to evidence made by the parties or their counsel shall be addressed to the presiding officer and shall be decided by him. If any five members of the Senate or of the Assembly demand a decision of the Joint Convention upon any motion or objection to evidence or any matter relating to the admission of evidence, or proceeding which shall arise, such decision shall be taken without further argument and decided by a majority of the members of the Senate and of the Assembly present. No evidence or testimony shall be admissible which does not tend to prove or disprove the allegations of the complaint. The rules of each house of the Joint Convention, with respect to a call of the house, shall apply to the proceedings in Joint Convention.

VIII.

All witnesses shall be examined by the party producing them, and then cross-examined in the usual form. Any members of the Senate or the Assembly desiring to ask a question of the witness shall submit the same to the presiding officer in writing, and if approved by him, he shall propound it to the witness.

IX.

Before any witness shall give his testimony, the Secretary of the Senate or the Chief Clerk of the Assembly shall administer the following oath:

"You do solemnly swear that the evidence you shall give in the matter of the complaint for the removal of Gavin W. Craig from his office shall be the truth, the whole truth, and nothing but the truth, so help you God."

X.

The law of evidence and rules of practice governing the trial of criminal cases in the superior court of the State of California shall govern the introduction and admission of evidence in the hearing of the complaint, except as otherwise provided herein; provided, however, that the deposition of any person without the jurisdiction of the State of California may be taken by oral examination or written interrogatories upon request of either party, before any person authorized to administer oaths, upon order of the President of the Senate, satisfactory showing of the materiality of the testimony to be given, and such notice of the time and place of taking such deposition shall be given to the opposite party as the President shall

prescribe. Either party may attend the examination and put such questions direct and cross as may be proper. The deposition when completed must be carefully read to the witness and corrected by him or her in any particular, if desired; it must then be subscribed by the witness, certified by the judge or officer taking the deposition, enclosed in any envelope or wrapper, sealed, and directed to the Secretary of the Senate of the State of California, at Sacramento, State of California, and either delivered by the officer of the Secretary of the Senate, or transmitted through the mail; and thereupon such deposition may be used by either party upon the trial against any party given or receiving the notice, subject to all legal exceptions; but if the parties attend the examination, no exceptions to the form of an interrogatory shall be made at the trial, unless the same is stated at the time of the examination.

XI.

At all times while the Joint Convention is sitting upon the hearing of the complaint, the doors of the Assembly Chamber shall be kept open, except upon a call of the house; provided, however, that no person not connected with said hearing shall be admitted within the bar of the Assembly during such hearing, except upon a card of admission issued by the presiding officer, and in no event shall any person be permitted to sit at the desk of any member of the Senate or Assembly while the hearing is in progress.

XII.

No smoking shall be allowed within the Assembly Chamber and gallery during said hearing.

XIII.

During the hearing of the complaint the Sergeant-at-Arms of the Assembly, or, in his absence, an assistant, shall serve as bailiff of the Joint Convention and shall perform the duties prescribed in the Rules of the Joint Convention, and shall bring before the Joint Convention, at the direction thereof, or at the direction of the presiding officer, any witness or any member

XIV.

No argument relating to the admission of evidence on behalf of the complainant or the State or the judicial officer complained against shall be allowed to exceed five minutes; provided, however, that the presiding officer may, in his discretion, extend the time.

XV.

At the conclusion of the testimony, the presiding officer shall fix the time limit for final argument of the respective parties to the proceeding

XVI.

After date, the Joint Convention shall be in session from ten a.m., to twelve m., and from one o'clock and thirty minutes p.m., until five o'clock and thirty minutes p.m., each day, except Sundays and holidays, unless otherwise ordered by a majority of the members of the Joint Convention.

XVII.

Except as otherwise provided herein, the proceedings shall be governed by Mason's Manual of Legislative Procedure.

XVIII

The Joint Committee of the Senate and the Assembly is hereby authorized to provide for a stenographic report of the proceedings, to be paid for one-half each out of the contingent funds of the Senate and the Assembly, respectively

XIX.

The Secretary of the Senate, or in his absence the Chief Clerk of the Assembly, or in their absence a deputy of either, shall serve as Clerk of the Joint Convention, and shall administer the oath to all witnesses and perform all other duties usually performed by a clerk of a court of record in this State.

XX.

The law of evidence shall govern as to the introduction of the testimony of character witnesses and not more than five such witnesses shall be allowed on behalf of either party.

XXI

At the conclusion of the testimony and following the argument the Joint Convention shall adjourn.

XXII.

The foregoing rules may be changed by a two-thirds vote of the Joint Convention

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, the following:

Assembly Bill No. 574.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate

By F. ALFRED BLATZ, Assistant Secretary.

Consideration of Senate Amendment to Assembly Bill No. 574.

Assembly Bill No. 574—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 574?

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "1938", and insert in lieu thereof "1939".

The roll was called and Senate amendment to Assembly Bill No. 574 was concurred in by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Welsh, Williamson, and Yorty—60.

NOES—None

Assembly Bill No. 574 ordered to enrollment.

Introduction and Reference of Bills—(Resumed.)

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1511: By Mr. Williamson—An act to repeal an act entitled "An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness," approved April 26, 1935, relating to bonded indebtedness reports to the State Department of Finance.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1512: By Mr. Williamson—An act to amend sections 19, 20 and 21 of the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1513: By Mr. Donihue—An act to amend sections 12 and 14 of "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933,

relating to horse racing, declaring the urgency of this act to take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Donihue asked for unanimous consent to take up Assembly Bill No. 1513, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Mr. Field withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr Donihue moved that the Rules be temporarily suspended for the consideration of Assembly Bill No 1513, at this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote

AYES—Burns, Michael J., Cottrell, Crowley, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Flint, Johnson, King, Lore, Miller, George P. Peek, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Waters, Yorty, and Mr. Speaker—22.

NOES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Cronin, Cunningham, Dawson, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, and Williamson—42

Assembly Bill No. 1513 referred to Committee on Public Morals.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following

Senate Bill No. 159—An act to amend section 4 of the act entitled "Old Age Security Act," approved May 28, 1929, relating to liens for aid granted, declaring the urgency hereof to take effect immediately.

J. A BEEK, Secretary of Senate.

Senate Bill No. 159 read first time.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No. 159, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 159.

Case of Urgency.

The following resolution was offered:

By Mr. Hornblower

Resolved, That Senate Bill No. 159 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No 159, at this time.

Second Reading of Senate Bill No. 159.

Senate Bill No. 159—An act to amend section 4 of the act entitled "Old Age Security Act," approved May 28, 1929, relating to liens for aid granted, declaring the urgency hereof to take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Third Reading of Senate Bill No. 159.

Senate Bill No. 159—An act to amend section 4 of the act entitled "Old Age Security Act," approved May 28, 1929, relating to liens for aid granted, declaring the urgency hereof to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Concurrent Resolution No. 19: By Mr. Dawson—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans.

Request for Unanimous Consent.

Mr. Dawson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 19, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 19.

Assembly Concurrent Resolution No. 19—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans.

Assembly Concurrent Resolution No 19 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Recess.

At five o'clock and forty minutes p.m., on the motion of Mr. King, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Third Reading of Assembly Bills.

Assembly Bill No. 844—An act to amend section 3773 of the Political Code, relating to lands sold to the State for delinquent taxes, the possession, rental and appraisal thereof, creating the tax deeded land rental fund, making an appropriation in relation thereto, and declaring the urgency thereof.

Motion to Amend Assembly Bill No. 844.

Mr. Williamson moved to amend Assembly Bill No. 844 as follows.

Amendment No. 1.

On page 4, lines 26, 27, 28, 29, 30 and 31, of the printed bill, strike out the paragraph beginning with the word "Whenever", and ending with the word "determine".

Amendment adopted

Assembly Bill No. 844 ordered to reprint and re-engrossment.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1514: By Messrs. Crowley, and Meehan—An act relating to the State Civil Service, including the adaptation thereof to Article XXIV of the State Constitution and providing for reports in regard to personnel by other officers and employees of the State.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1515: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to add sections 3, 101.5 and 101.6 to, amend sections 61, 65, 66, 67, 68, 69, 70, 71, 96 and 100 of, and to repeal section 50 of Article 5 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1516: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to add section 6.5 to, and amend sections 7 and 8 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1517: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to add Article 11, comprising sections 600 to 900, inclusive, to an act entitled "An act to establish a

system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1518: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to add section 56.5 to, and to amend sections 13 and 56 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1519: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, King, and Welsh—An act to amend sections 22 and 23 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment

Assembly Bill No. 1520: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to amend section 41 of, and to repeal section 59 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1521: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to amend section 44 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1522: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to amend section 51 of Article 4 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1523: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to amend section 55 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1524: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to amend section 60 of an act

entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to part-time workers.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1525: By Messrs. Cottrell, Boyle, Cronin, Call, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to amend sections 90 and 91 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1526: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to amend section 93 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to the Division of State Employment Agencies.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1527: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, Leonard, Maloney, McMurray, Miller, Patterson, Welsh, and King—An act to amend section 28 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1528: By Mr. Patterson—An act regulating the business of maintaining and operating commercial laundries in the State of California with strict regard to cleanliness and the protection of public health; providing for the manner of handling, transport, collection and delivery of soiled and clean clothes, linen or other washable articles; providing for the inspection of the premises, equipment, articles handled and personnel, by local health officers or departments under rules and regulations of the State Board of Health; providing penalties for the violation of provisions of this act, and for the enforcement thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1529: By Mr. Patterson—An act to amend section 312 of the Agricultural Code, relating to meat inspection.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1530: By Mr. Dilworth—An act to amend section 161 of the Fish and Game Code, relating to Game Refuge 4B.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1531: By Mr. Corwin (By request)—An act to amend section 2 of the Corporate Securities Act, relating to corporate securities.

Bill read first time, and referred to Committee on Corporations.

Assembly Bill No. 1532: By Messrs. Martin, Morgan, and Baynham—An act to amend section 384 of the Penal Code of the State of California amending subdivision 11 thereof, relating to the refusal of

a person summoned to render assistance in combating forest, brush, or grass fires when ordered so to do by certain county officers.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1533: By Messrs. Martin, Morgan, and Baynham—An act to amend the Political Code of the State of California by adding thereto a new section to be designated section 3346, to authorize county fire wardens, county officers charged with the duty of preventing or combating forest, brush or grass fires, or any officers of a county fire protection district, to summon any able-bodied person within the county, or within the fire protection district, to assist in combating a forest, brush or grass fire.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1534: By Mr. Lyon—An act to add section 1a to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from the tax.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1535: By Mr. Reaves—An act to amend sections 691, 692, 693, 694, 695, 696, and 697.5 of the Fish and Game Code, relating to striped bass.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1536: By Mr. McMurray—An act to add sections 3756, 5710, and 5801.5 to the Labor Code, relating to workmen's compensation

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1537: By Mr. McMurray—An act to add section 19.5 to, and to amend sections 20 and 30 of, the Workmen's Compensation Insurance and Safety Act of 1917, relating to workmen's compensation.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1538: By Messrs. Hornblower, Dawson, Meehan, Glick, and Tenney—An act to amend "An act known as the 'Retail Sales Tax Act of 1933' " by adding section 6.5 thereto relating to exemptions.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1539: By Messrs. Rosenthal, King, and Hawkins —An act to amend section 634 of the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1540: By Mr. Rosenthal—An act to amend section 6624 of the Welfare and Institutions Code, relating to the sterilization of inmates of State hospitals for the insane.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1541: By Mr. Flint—An act to amend section 1 of the Motor Vehicle Fuel License Tax Act, relating to diesel fuel.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 1542: By Mr. Flint—An act to amend section 13 of, and to add new sections to be numbered 9a, 9b, 9c, 9d, and 9e to an act entitled "An act to define collection agencies; to provide for the regulation, bonding supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1543: By Mr. Flint—An act to amend section 367 of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1544: By Mr. Flint—An act to amend section 2 of an act entitled "An act regulating the sanitation and ventilation in and at camps where five or more persons are employed: And providing a penalty for the violation thereof," approved May 29, 1913, as amended May 18, 1915, May 5, 1919 and June 3, 1921; requiring the furnishing without cost or charge of sufficient blankets, quilts, comforters, or other bedding to employees occupying a bunkhouse, tent or other sleeping place in such camp.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1545: By Mr. Flint—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or wholesale distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or wholesale distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1546: By Mr. Flint—An act to add a new section to the Code of Civil Procedure to be numbered 535 and to amend section 3423 of the Civil Code, relating to the issuance of restraining orders, temporary injunctions, and permanent injunctions; the procedure in granting the same; the duration and expiration of the same; and other matters regarding the same cases involving or growing out of labor disputes or matters related to employment relations.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 1547: By Mr. Crowley—An act to amend section 14a of the "State Civil Service Act," relating to lay offs in the State civil service.

Bill read first time, and referred to Committee on Civil Service

Assembly Bill No. 1548: By Mr. Crowley—An act to amend section 14 of the "State Civil Service Act," relating to dismissals in the State civil service.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1549: By Mr. Crowley—An act to amend section 13 of the "State Civil Service Act," relating to promotions in the State civil service.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1550: By Mr. Crowley—An act to amend section 10 of the "State Civil Service Act," relating to civil service examinations.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1551: By Mr. Crowley—An act to amend section 9 of the "State Civil Service Act," relating to appointments in the State civil service.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1552: By Mr. Crowley—An act to amend section 5 of the "State Civil Service Act," relating to the powers of the Civil Service Commission and State Personnel Board.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1553: By Mr. Call—An act to amend section 2439 of the Civil Code, relating to deceased partners and estates of deceased partners.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1554: By Mr. Turner—An act to amend section 777 of the Vehicle Code, relating to the appropriation for the maintenance of the Department of Motor Vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1555: By Mr. Voigt—An act to amend section 777 of the Vehicle Code, relating to the appropriation for the maintenance of the Department of Motor Vehicles.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 1556: By Messrs. Turner, Lore, Lyon, Fields, Tenney, King, Muldoon, Baynham, Glick, Hunt, Morgan, and Rosenthal—An act making an appropriation to pay the claim of William E. Laney against the State of California

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1557: By Messrs. Turner, Lore, Lyon, Fields, Tenney, King, Muldoon, Baynham, Glick, Hunt, Morgan, and Rosenthal—An act making an appropriation to pay the claim of William E. Laney against the State of California

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 1558: By Mr. Field—An act to amend section 3816 of the Political Code, relating to distribution of moneys received on account of redemption or purchase of lands sold to the State for nonpayment of taxes.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1559: By Mr. Field—An act to repeal section 3897 of the Political Code and to add to said code a new section to be numbered 3897 relating to the sale of property deeded to the State for delinquent taxes.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1560: By Messrs. Tenney, Lore, Hawkins, Richie, and Patterson—An act to amend sections 2, 3, 4, 10, 14, 18½, and 21

of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1561: By Mr. Desmond—An act making an appropriation for the purchase of an automobile by the State Printer.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1562: By Mr. Lore—An act to add section 535a to the Political Code, relating to State printing.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1563: By Mr. Voigt—An act making an appropriation to pay the expenses of electors of President and Vice President of the United States of America.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1564: By Mr. Breed—An act adding a new section to be numbered section 3.2 to an act entitled "An act requiring the recording of maps of subdivisions of land in certain cases; prescribing the conditions on which such maps may be recorded; authorizing the execution of contracts secured by bond for the placing of improvements on streets, highways, and ways dedicated thereby; authorizing cities, cities and counties and counties to adopt by ordinance subdivision regulations in addition to those provided hereby; prohibiting any attempt to place other requirements for the recording of such maps; prohibiting the selling, or offering or contracting to sell any subdivisions or portion thereof by reference to any map other than a recorded map; making certain acts misdemeanors; and repealing earlier acts in conflict therewith", relating to real estate subdivisions.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1565: By Mr. Breed—An act adding a new section to be numbered section 3.1 to an act entitled "An act requiring the recording of maps of subdivisions of land in certain cases; prescribing the conditions on which such maps may be recorded; authorizing the execution of contracts secured by bond for the placing of improvements on streets, highways, and ways dedicated thereby; authorizing cities, cities and counties and counties to adopt by ordinance subdivision regulations in addition to those provided hereby; prohibiting any attempt to place other requirements for the recording of such maps; prohibiting the selling, or offering or contracting to sell any subdivisions or portion thereof by reference to any map other than a recorded map; making certain acts misdemeanors; and repealing earlier acts in conflict therewith", relating to real estate subdivisions.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1566: By Mr. Breed—An act adding a new section to be numbered section 41 to an act entitled "An act requiring the recording of maps of subdivisions of land in certain cases; prescribing the conditions on which such maps may be recorded; authorizing the executions of contracts secured by bond for the placing of improvements on streets, highways, and ways dedicated thereby, authorizing cities, cities and counties and counties to adopt by ordinance subdi-

vision regulations in addition to those provided hereby, prohibiting any attempt to place other requirements for the recording of such maps; prohibiting the selling, or offering or contracting to sell any subdivisions or portion thereof by reference to any map other than a recorded map; making certain acts misdemeanors; and repealing earlier acts in conflict therewith," relating to real estate subdivisions.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1567: By Mr. Stream—An act to add a new section to the Street and Highways Code to be numbered 123.5, relating to Chapter 29 Street and Highways Code.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1568: By Mr. Gannon—An act to amend section 3596 of the Political Code, relating to the State Burying Ground

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 1569: By Messrs. Peek, and Watson—An act to permit the State, counties, cities and counties, and cities to do work and expend funds to protect the beaches from erosion or the effects of erosion and to permit cooperation with other governmental agencies.

Bill read first time, and referred to Committee on Municipal Corporations

Assembly Bill No. 1570: By Messrs. Peek, Watson, and Clark—An act to amend section 4041.6 of the Political Code, relating to the appropriation and expenditure of funds by boards of supervisors.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1571: By Mr. Cottrell—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1572: By Mr. Cottrell (By request)—An act to add section 5.406a to the School Code, relating to the employment of teachers and principals.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1573: By Messrs. King, McMurray, Meehan, Clark, Welsh, and Dannenbrink—An act to authorize cities, cities and counties, towns, counties, and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks, playgrounds, streets, and other improvements and facilities, by exercising certain other powers and by making agreements relating to such aid; to authorize cities, cities and counties, towns, counties and other political subdivisions to contract with respect to the sums to be paid them for improvements, services and facilities to be provided for the benefit of housing projects; to require certain cities, cities and counties, and counties to make an appropriation for the first year's administrative expenses of housing authorities, to authorize certain cities, cities and counties, towns and counties to pay moneys to housing authorities; and to declare an emergency.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1574: By Mr. Dannenbrink—An act to amend section 359c of the Political Code, relating to vacations for State officers and employees.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1575: By Mr. Crowley—An act making an appropriation to meet a deficiency in the appropriation for support of the Veterans' Home of California for the eighty-seventh and eighty-eighth fiscal years and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1576: By Mr. Donihue—An act relating to disposition of funds in the hands of the fiscal agent of the State.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1577: By Mr. Donihue—An act authorizing the State Treasurer to pay certain coupons of bonds issued by the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1578: By Mr. Donihue—An act making an appropriation to pay the claim of the State Treasurer against the State of California.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 1579: By Mr. Donihue—An act to amend section 452 of the Political Code, relating to the duties of the State Treasurer.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1580: By Mr. Donihue—An act to amend an act entitled "An act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation," approved April 14, 1913, by adding a new section thereto relating to disposition of fees received by the State Treasurer.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1581: By Mr. Lyon—An act to add a new section to the Political Code to be numbered 696, relating to a Fact Finding Bureau in the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1582: By Mr. Lyon—An act to pay the claim of Joseph Mesmer against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1583: By Messrs. Pelletier, and Hawkins—An act relating to aid for the blind in securing employment, creating the California Employment Bureau for the Blind for the purposes hereof, and making an appropriation for the purposes hereof

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1584: By Mr Pelletier—An act to amend sections 4 and 6 of an act entitled, "An act to define collection agencies; to

provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1585: By Mr. Pelletier—An act to add a new section to the Civil Code to be numbered section 2301, relating to the liability of natural persons or corporations hiring, securing the appointment of, or supervising a patrolman, policeman, sheriff, deputy sheriff, or peace officer, or special peace officer.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1586: By Messrs. Pelletier, and Hawkins—An act to add a new section to the State Bar Act, to be numbered section 29a, providing against the disbarment, suspension, or discipline of a member of the State Bar for statements concerning a judge during an election campaign.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1587: By Mr. Pelletier—An act to amend sections 224m, 226, and 227a of the Civil Code, relating to adoption of children.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1588: By Mr. Glick—An act for the relief of special assessment districts and for the adjustment, refunding, repayment, reassessment or cancellation of the assessments or bonded indebtedness of such districts and for the purpose of empowering legislative bodies of such districts to reassess, readjust, repay, refund or cancel all or any portion of such bonds or assessments and to permit proceedings to be conducted for such purposes under this and one or more other acts having a similar purpose.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1589: By Mr. Glick—An act to enable counties, cities and counties, cities and special improvement districts the bonds of which are payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands or from special assessments which are a lien upon particular parcels of land to take proceedings under bankruptcy or insolvency laws, either State or Federal, and to provide for the use of Federal Bankruptcy Courts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1590: By Mr. Latham—An act making an appropriation to pay the claim of J. B. Case against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1591: By Mr. Boyle—An act to amend the Military and Veterans Code. (Statutes of 1935, Chapter 389)

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 1592: By Mr. Field—An act making appropriation for auditing of the State Relief Administration accounts, declaring

the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1593: By Mr. Weber—An act to amend an act entitled "An act to be known as the 'Water Conservation Act of 1929' and to provide for the organization and government of water conservation districts for the purpose of conserving and storing the waters of any stream of water or unnavigable river by spreading and sinking such waters, and for the purpose of construction or acquiring sinking basins, sinking wells, spreading basins, and other works and property; and for the purpose of appropriating, acquiring and conserving water and water rights, and taking any and all actions and proceedings that may be necessary or advisable to conserve and protect the waters or water rights within the district used or useful for any purpose of the district, or of benefit to the lands situated therein, and to prevent interference with or diminution of the natural flow of any stream or unnavigable river, including the natural subterranean supply of waters therefrom; to provide for the levying and collecting of assessments and special assessments to pay the costs and expenses incurred in relation thereto; to prohibit any director of a district from being interested in any contract with the district of which he is a director and making a violation of such provision a misdemeanor; and to provide a method of dissolving such districts," approved April 27, 1929, as amended, by amending sections 1, 3 and 6 thereof, relating to qualifications of petitioners and electors in water conservation districts.

Bill read first time, and referred to Committee on Conservation

Assembly Bill No. 1594: By Mr. Weber—An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and containing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, as amended, by amending sections 1, 3 and 6 thereof, relating to qualifications of petitioners and electors in water conservation districts.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1595: By Mr. Weber—An act to amend an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of

dissolving such districts," approved May 16, 1919, as amended, by amending sections 3 and 6 thereof, relating to qualifications of petitioners and electors in conservancy districts.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1596: By Mr. Scudder—An act to repeal sections 12900, 12901 and 12902 of the Insurance Code and to add new sections 12900, 12901, 12908 and 12909 thereto, relating to the officer enforcing insurance laws.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1597: By Mr. Scudder—An act to amend section 420 of the Fish and Game Code, relating to licenses.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1598: By Mr. Scudder—An act to add section 1154.5 to the Fish and Game Code, relating to trap guns.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1599: By Mr. Scudder—An act authorizing the Division of State Lands to grant, convey and sell by deed, or any other proper legal conveyance, all the right, title and interest of the State of California in and to certain tide, overflowed and submerged lands described herein.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1600: By Messrs. Maloney, Sheehan, Dawson, Hornblower, McMurray, Cronin, Williamson, Peyser, and Levy—An act to amend an act entitled "Act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island", approved June 13, 1933, by adding to said act a new section numbered section 5 thereof permitting the City and County of San Francisco, by action of its board of supervisors, to grant to the Government of the United States for the use of the Navy Department certain portions of the tidelands described in the above mentioned act.

Bill read first time, and referred to Committee on Aviation and Aircraft.

Assembly Bill No. 1601: By Mr. Thorp—An act to add a new section to be numbered 302 5 to the Agricultural Code, relating to meat inspection.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1602: By Mr. Patterson—An act making an appropriation for minor construction and repair at the California Polytechnic School.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1603: By Mr. Patterson—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the

regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing, to take effect immediately.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1604: By Mr. Robertson—An act to provide for the transfer to the general fund of moneys in special funds collected pursuant to the provisions of repealed statutes, and to provide for the abolition of such special funds.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1605: By Mr. Robertson—An act to amend the title and section 1 of an act entitled "An act appropriating money to create a revolving fund for the State Purchasing Department and repealing an act entitled 'An act appropriating money to create a revolving fund for the State Purchasing Department,' approved May 15, 1917," approved May 22, 1919, relating to the revolving fund for State purchases

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1606: By Mr. Robertson—An act to abolish the licensed surveyors fund and to transfer the money remaining to the civil engineers fund.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1607: By Mr. Robertson—An act to amend section 716 of the Political Code, relating to State buildings and grounds

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 1608: By Mr. Robertson—An act making an appropriation to meet a deficiency in the appropriation for printing constitutional amendments, Secretary of State's Office, for the eighty-seventh and eighty-eighth fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 1609: By Mr. Robertson—An act to add section 37 5 to the Alcoholic Beverage Control Act, relating to moneys heretofore appropriated for administration and enforcement.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1610: By Mr. McMurray—An act to add sections 5 and 6 and to amend the title of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions," approved April 11, 1935, relating to civil service for cities and counties.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1611: By Mr. McMurray—An act making an appropriation to pay the claim of the National Surety Corporation against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1612: By Mr. McMurray—An act to amend sections 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, and 3091 of the Labor Code, relating to master and apprentice.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1613: By Messrs. McMurray, Dawson, Burns, Hugh M., Flint, Rosenthal, and Williamson—An act to amend section 1 and section 14 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927, relating to admissions to practice.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1614: By Mr. McMurray—An act to amend sections 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, and 276 of the Civil Code, relating to master and apprentice.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1615: By Mr. Fulcher—An act to amend sections 10 and 12 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties: providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Mines and Mining.

Assembly Bill No. 1616: By Mr. Laughlin—An act to authorize cities, counties, or county fire protection districts to perform services for each other in extinguishing fires and providing for the payment therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1617: By Mr. Johnson—An act to amend sections 595, 596 and 605e of the Civil Code, relating to nonprofit corporations.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1618: By Mr. Johnson—An act to amend section 361a of the Civil Code, relating to the merger and consolidation of corporations.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1619: By Mr. Johnson—An act to amend section 362a of the Civil Code, relating to the amendment of articles of incorporation.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1620: By Mr. Maloney—An act to amend section 439 of the Political Code, relating to employees in the Controller's Office.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1621: By Mr. Johnson—An act to add a new section to the Fish and Game Code, numbered 461, relating to hunting.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1622: By Messrs. Desmond, Scudder, Fulcher, Welsh, Corwin, and Walker—An act to amend section 3773 of the Political Code relating to the management and leasing of property which has been sold to the State

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1623: By Messrs. Desmond, Scudder, Fulcher, Welsh, Corwin, and Walker—An act to amend section 3897 of the Political Code, relating to the sale of tax deeded lands.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1624: By Mr. McMurray—An act to amend section 3.220 of the School Code, relating to the system of public instruction.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1625: By Mr. McMurray—An act to amend section 1.2 of the School Code, relating to pupils in the public schools.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1626: By Mr. McMurray—An act to amend section 5.124 of the School Code, relating to the teaching force of the public schools.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1627: By Mr. McMurray—An act to amend section 2.980 of the School Code, relating to the administrative organization of school districts.

Bill read first time, and referred to Committee on Education

Assembly Bill No. 1628: By Mr. McMurray—An act to amend section 4.780 of the School Code, relating to the financial support of the public school system.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1629: By Miss Miller—An act to add a new section to the School Code to be numbered 3 362 and to amend sections 3.291, 3.400 and 3.411 of said code, all relating to junior colleges maintained by junior college districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1630: By Mr. Laughlin—An act to amend section 1.120 of the School Code, relating to physical examination of pupils.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1631: By Mr. Cronin—An act to amend that certain act entitled "Credit unions" being Act 1887—An act defining credit unions, providing for their incorporation, powers, management and supervision, as approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330; amended May 27, 1935, Statutes 1935, page 889

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 1632: By Mr. Cronin—An act to amend that certain act entitled "Credit unions" being Act 1887—An act defining credit unions, providing for their incorporation, powers, management and supervision, as approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931, amended March 27, 1933, Statutes 1933, page 330, amended May 27, 1935, Statutes 1935, page 889.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 1633: By Mr. Cronin—An act to amend that certain act entitled "Credit unions," being Act 1887—An act defining credit unions, providing for their incorporation, powers, management and supervision, as approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933 Statutes 1933, page 330; amended May 27, 1935, Statutes 1935, page 889.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 1634: By Mr. Cronin—An act to amend that certain act entitled "Credit unions," being Act 1887—An act defining credit unions, providing for their incorporation, powers, management, and supervision, as approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330; amended May 27, 1935, Statutes 1935, page 889.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 1635: By Mr. Baynham—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1636: By Messrs. Lore, Thorp, Patterson, Baynham, Kepple, Welsh, McMurray Walker, Watson, Corwin, and Clark—An act to add section 11a to an act entitled "An act to provide for the regulations and licensing of horse racing, horse race meetings, and

the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to licenses.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1637: By Mr. Robertson—An act making an appropriation to pay the claim of the Atchison, Topeka and Santa Fe Railway Company against the State of California

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1638: By Mr. Robertson—An act relating to and prescribing a five and one-half day week in retail establishments in California, and providing penalties for the enforcement of its provisions.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1639: By Mr. Muldoon—An act making an appropriation to meet a deficiency in the appropriation for the support of the Railroad Commission and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 1640: By Mr. Gannon—An act to repeal Chapter 386, Statutes of 1935, entitled "An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans," approved July 5, 1935, relating to providing hospital care.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1641: By Mr. Gannon—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1642: By Mr. King—An act to amend the Political Code by adding thereto a new section, to be numbered 404ln, relating to the leasing of public parks acquired by special assessment, for the production of oil and gas and for the application of royalty payments to the retirement of bonds issued to acquire such parks and for the other disposition of such royalty.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 1643: By Messrs. King, and Morgan—An act making an appropriation to pay the claim of Clyde C. Shoemaker against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1644: By Mr. Williamson—An act to add a new section to the Civil Code of California to be numbered 400½, authorizing the dissolution of a corporation by order of the superior court of the county wherein its principal place of business is located, upon petition of a stockholder or stockholders of such corporation, whenever its board of directors are equally divided with respect to questions of corporate management or policy, or dissention exists among the

directors or between sets of stockholders each owning an equal amount of stock, which prevents the corporation from carrying on its business with advantage to its stockholders, providing for notice to the corporation of the filing of such petition, and authorizing the court to appoint a receiver for the corporation pending the hearing and determination of the petition, if it shall have reason to believe that the interests of the corporation and its stockholders may suffer unless a receiver be appointed pending the hearing and determination of said petition.

Bill read first time, and referred to Committee on Corporations

Assembly Bill No. 1645: By Mr. Williamson—An act to amend section 400 of the Civil Code of California relating to the voluntary winding up and dissolution of corporations.

Bill read first time, and referred to Committee on Corporations

Assembly Bill No. 1646: By Mr. Williamson—An act to amend section 404 of the Civil Code, relating to the involuntary winding up and dissolution of corporation and appointment of provisional director thereof.

Bill read first time, and referred to Committee on Corporations.

Assembly Bill No. 1647: By Mr. Williamson—An act to amend section 135d of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Bill read first time, and referred to Committee on Banking.

Assembly Bill No. 1648: By Mr Williamson—An act to provide for and to regulate the certification of librarians.

Bill read first time, and referred to Committee on Libraries.

Assembly Bill No. 1649: By Mr. Williamson—An act to amend section 396b of the Code of Civil Procedure, relating to transfer of actions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1650: By Mr. Lyon—An act to amend section 1027 of the Probate Code, relating to the time within which distribution shall be made to the State of California of property to which there are no known heirs or persons entitled to succeed thereto, providing for reports to the State Controller by executors and administrators in estates of deceased persons where there are no known heirs or persons entitled to succeed to such estates, and providing that failure to report shall be cause for revocation of letters.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1651: By Mr Lyon—An act to amend section 1274 of the Code of Civil Procedure, relating to sales by the State Controller of escheated property received by the State Treasurer in cases where the owners are unknown or can not be found, or where such property has finally escheated to the State of California.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1652: By Mr Lyon—An act to amend section 1274a of the Code of Civil Procedure, relating to the transmittal to the Controller by the county treasurers of schedules of amounts deposited in the county treasuries to the credit of estates, wherein

there are no known heirs or persons entitled to succeed, or where the heirs, legatees, devisees or distributees, can not be found, or where distribution has been made to the State, together with a copy of each decree of distribution in such estates and providing for custody escheat and notification to the Attorney General of the lapsing of five year periods of such deposits.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1653: By Mr. Lyon—An act to add a new section to be numbered 1268 to Part III, Title VIII, of the Code of Civil Procedure, relating to escheat of money and property deposited with or received by the State Treasurer in cases where the owners are unknown or can not be ascertained or found, where the same remains unclaimed for five years or more, and authorizing the State Controller to commence actions concerning such moneys and property to determine the ownership thereof, awarding the same to the persons entitled thereto, providing for the escheat of such moneys and property to the State and providing the procedure in such actions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1654: By Mr. Lyon—An act to amend section 1273 of the Code of Civil Procedure, relating to the escheat of unclaimed bank deposits which have been deposited with the State Treasurer, and providing for actions by the Attorney General concerning the same, and providing for the procedure in such actions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1655: By Mr. O'Donnell—An act to amend sections 1 and 2 of an act entitled "An act imposing license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, as amended, by amending sections 1 and 2, relating to definitions and license fees of carriers.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1656: By Mr. Miller—An act to repeal "An act authorizing municipal corporations to expend money for advertising or publicity purposes," approved April 5, 1927.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1657: By Mr. Miller—An act to repeal "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, and/or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1658: By Mr. O'Donnell—An act to amend sections 4.347 and 4.349 of the School Code and to add a new section to

said code to be numbered 4.348, all relating to the manner of disbursing funds of school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1659: By Mr. Morgan—An act to amend sections 272 and 278 of the Vehicle Code, entitled "An act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein," approved March 25, 1935.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1660: By Mr. Robertson—An act to amend section 175 of the Civil Code, relating to liability of husband for support of wife.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1661: By Mr. Robertson—An act to amend section 3440 of the Civil Code, providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1662: By Mr. Robertson—An act to amend section 441 of the Probate Code, relating to notice of application for letters of administration.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1663: By Mr. Robertson—An act to amend section 1542 of the Civil Code, relating to claims affected by general release.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1664: By Mr. Robertson—An act authorizing and directing the Division of Water Resources of the Department of Public Works to make an investigation of the water resources of Santa Barbara County, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 1665: By Mr. Hunt (By request)—An act to add a new section to the Penal Code to be numbered 347b, (prohibiting the manufacture, storage, sale, service, gift, or importation for use within this State of the substance named coca cola, and prescribing penalties for violations hereof.)

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1666: By Messrs. Dannenbrink and Miller—An act to amend sections 2906, 2907, 2908, 2910, 2911, 2914, 2915, 2917, 2919 and 2920 of the Political Code, and repealing sections 2916 and 2918, relating to franchises to construct and maintain public and private wharves, chutes, piers and slips.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1667: By Messrs. Dannenbrink, and Miller—An act to amend section 1 of an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises

by legislative or other governing bodies, and repealing conflicting acts," approved March 22, 1905, relating to the granting of franchises.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1668: By Mr. Donihue—An act to amend sections 980, 981, 1024, 1025, and 1029, and to repeal sections 1020, 1021, 1022, 1023, 1026, and 1028 of the Streets and Highways Code, relating to the county road districts, their administration, and their special funds.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1669: By Mr. Donihue—An act to add section 4291.5 to the Political Code, relating to the remuneration of members of the boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1670: By Mr. Donihue—An act to amend sections 4041.13 and 4041.18 of the Political Code, relating to county purchases of personal property and services.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1671: By Mr. Johnson—An act to amend sections 2.114, 2.472, 2.597 and 6.50 of the School Code and to repeal section 6.82 thereof, all relating to the public school system.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1672: By Mr. Redwine—An act to amend section 52 of the Civil Code, by eliminating therefrom the provision for recovery of minimum damages.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1673: By Mr. Redwine—An act to renumber section 1482 of the Probate Code, relating to additional bond required of guardians upon the sale or mortgaging of real property of the ward.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1674: By Mr. Redwine—An act to amend sections 1170, 1172, 1173, 1174, 1175, 1178, 1191, 1192, 1196, 1200 and 1201 of the Insurance Code, and to add section 1180 thereto, all relating to investments by insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1675: By Mr. Waters—An act to add a new part to Division II of the School Code to be known as Part VII, relating to the formation, government, support, control and administration of unified school districts created from school districts not coterminous and not having governing boards of identical personnel.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1676: By Miss Miller—An act to add three new sections to the School Code to be numbered 1.120a, 5.64 and 5.95, and to add to Chapter II of Part IV of Division II of the School Code a new article to be known as Article VIII, relating to the testing of hearing and sight of pupils in the schools of the public school system

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1677: By Mr. Breed—An act declaring an emergency, stating a policy with reference to labor disputes, and conferring upon the District Courts of Appeal jurisdiction to hear such disputes.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1678: By Messrs. Sawallisch, Meehan, Clark, King, McMurray, Welsh, Dannenbrink, and Miller—An act to provide that the property and bonds of housing authorities shall be exempt from taxation and assessments; to authorize certain payments in lieu of such taxes and assessments; and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1679: By Messrs. Dannenbrink, Meehan, McMurray, King, Miller, Clark, Welsh, and Sawallisch—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds in civil actions or proceedings.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1680: By Messrs. Clark, Dannenbrink, Meehan, McMurray, Miller, King, and Sawallisch—An act to add a new section to the Probate Code to be numbered 1530a, relating to compromise of claim against estate of ward.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1681: By Messrs. McMurray, Meehan, Dannenbrink, King, Miller, Clark, Welsh, and Sawallisch—An act to amend section 4 of the act entitled "Old Age Security Act," approved May 28, 1929, Statutes 1929, page 914, as amended by Statutes 1935, page 1767, relating to liens for aid granted

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1682: By Messrs. Meehan, McMurray, King, Welsh, Clark, Sawallisch, Dannenbrink, and Miller—An act to amend section 566 of the Code of Civil Procedure, relating to restrictions on appointment of receiver.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1683: By Mr. Dannenbrink—An act to add section 2263 to the Political Code, relating to courses in social service in the California School for the Blind.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1684: By Mr. Dannenbrink—An act to amend section 607.1 of the Vehicle Code, relating to vehicles liable for toll charges.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1685: By Messrs. Dannenbrink, and Johnson—An act to amend sections 4, 8, 9, 12, 25, 33, 38a, 39, 42, 49, 67, 78, 83, 85a, 86 and 108 of, and to add sections 3a, 33a, 75a and 83b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor" approved

June 9, 1931, relating to retirement of employees of the University of California.

Bill read first time, and referred to Committee on Universities.

Assembly Bill No. 1686: By Messrs. Redwine, Field, Glick, and King—An act entitled "An act to provide emergency unemployment relief through State loans in aid of counties and municipalities administering such relief; providing for the issue of bonds, and making appropriations for such purposes and declaring the emergency thereof," approved April 29, 1933, by adding thereto one new section, to be section 26½ thereof.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1687: By Messrs. Dawson, and McMurray—An act to amend Penal Code section 654a relating to false and misleading advertising.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1688: By Messrs. Dawson (By request)—An act to add a new section to the Code of Civil Procedure, to be numbered 1166a, relating to unlawful detainer.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1689: By Mr. Dawson (By request)—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1690: By Mr. Tenney (By request)—An act to amend section 1463 of the Penal Code, relating to disposition of fines collected in municipal courts.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1691: By Mr. Tenney (By request)—An act to amend section 273h of the Penal Code, relating to the place of incarceration of prisoners and the cost of payments to the dependents of such prisoners.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1692: By Mr. Tenney (By request)—An act to amend section 19 of the Penal Code, relating to place of imprisonment for misdemeanor.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1693: By Mr. Turner—An act to add section 12.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the licensing of horse racing.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 1694: By Mr. Turner—An act to add section 11820a to the Insurance Code, relating to rates charged by the State Compensation Insurance Fund on mines and mining property.

Bill read first time, and referred to Committee on Insurance

Assembly Bill No. 1695: By Mr. Turner—An act to add section 4223a to the Political Code, relating to county hospitals.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1696: By Mr. Cronin—An act to add section 751 to, and to amend sections 880 and 882 of, the Welfare and Institutions Code, relating to juvenile courts.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1697: By Messrs. Richie, and Stream, and Mrs. Daley—An act making an appropriation for the support of San Diego State College.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 1698: By Mrs. Daley, and Mr Stream—An act to amend section 737kk of Political Code, relating to the salary of judges of the superior court, in and for the county of San Diego.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1699: By Mr. Garibaldi—An act to amend section 404 of the Fish and Game Code, relating to licenses.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1700: By Mr. Garibaldi—An act to amend section 700 of the Fish and Game Code, relating to black bass.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1701: By Mr. Garibaldi—An act to regulate persons engaged in the operation of stationary machinery.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1702: By Mr. Morgan (By request)—An act to add section 631 to the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1703: By Mr. Robertson—An act to add section 4245a to the Political Code, relating to the salary of the public defender in counties of the sixteenth class

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1704: By Mr. Robertson—An act to amend section 42 of the Probate Code, relating to bequests and devises.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1705: By Mr. Burns, Michael J.—An act to amend section 4251 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-second class.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1706: By Mr. Burns, Michael J.—An act to amend section 737*l* of the Political Code, relating to salaries of the judges of Humboldt County.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1707: By Mr. Johnson—An act to amend section 670 of the Code of Civil Procedure, relating to the judgment roll.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1708: By Mr. Johnson—An act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1709: By Mr. Johnson—An act to amend section 255 of the Probate Code, relating to children born illegitimate.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1710: By Mr. O'Donnell—An act to amend section 637 of the Vehicle Code, and to add thereto section 673.5, relating to signal lamps and mechanical signal devices.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1711: By Messrs. Cottrell, and Williamson—An act creating a special fund to be known as the "Judges' retirement fund," providing for disbursements therefrom, and to make appropriations therefor.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1712: By Mr. Cottrell—An act making an appropriation to pay the claim of the Chief Disbursing Officer of the Department of Finance against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1713: By Messrs. Cottrell, and Williamson—An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the District Court of Appeal, and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1714: By Mr. Cottrell—An act to regulate the issuance, execution, and enforcement of mortgage bonds.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1715: By Mr. Lyon—An act to amend section 3773 of the Political Code relating to lands sold for taxes and making an appropriation in relation thereto.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1716: By Mr. Lyon—An act to amend section 3804a of the Political Code, relating to cancellation of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1717: By Mr. Meehan—An act to amend sections 2 and 3 of the "Old Age Security Act of the State of Califor-

nia," approved May 28, 1929, as amended, relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1718: By Mr. Meehan—An act to amend section 9.04 of the Building and Loan Association Act, so as to enable building and loan associations to sell mortgages insured by the Federal Housing Administrator without the approval of the Building and Loan Commissioner.

Bill read first time, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 1719: By Mr. Meehan—An act to amend an act entitled, "An act authorizing savings banks, commercial banks, insurance companies, personal finance companies, mortgage companies, mortgage insurance companies, building and loan associations, trust companies, or fiduciaries or fiduciary institutions, or agencies, public or private, to make in certain cases loans, or advances of credit, which are insured pursuant to the provisions of the National Housing Act, and to invest in, or purchase, insured mortgages and obligations of National mortgage associations or similar credit institutions, the act to take effect immediately," approved January 30, 1935, by amending sections 1, 2, 3, and 4, thereof and by adding a new section thereto to be known as section 5-A, so as to make notes and bonds secured by mortgages insured, and debentures issued, by the Federal Housing Administrator, and obligations of National mortgage associations eligible for deposit where securities must be deposited pursuant to any law of the State of California; and for clarification purposes.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1720: By Mr. Redwine—An act to amend section 493.5 of the Fish and Game Code, relating to chumming in District 20.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1721: By Mr. Boyle—An act relating to the sale, disposition of, advertising, and control through licensing and otherwise, of prophylactics and contraceptives.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1722: By Mr. Latham—An act to amend sections 1620, 1621, 1622, 1623 and 1624 of the Streets and Highways Code, relating to the use of road funds by counties and authorizing the acquisition of rights of way by purchase or condemnation.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1723: By Messrs. Latham, and Hunt—An act to amend section 632 of the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1724: By Mr. Latham—An act to amend section 633 of the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1725: By Mr. Glick—An act to amend sections 1, 2, 3, 4, 5, 6, 7, and 8, of an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal Bankruptcy Courts therein," approved June 5, 1933.

Bill read first time, and referred to Committee on Municipal Corporations

Assembly Bill No. 1726: By Mr. Glick—An act to amend section 1151 of the Political Code, relating to election officers in cities.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1727: By Mr. Glick—An act to amend section 1357 of the Political Code, relating to absent voters ballots

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 1728: By Mr. Glick—An act to amend section 8 and to repeal sections 4, 33, and 34 of "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, relating to elections in cities of the fifth and sixth class.

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 1729: By Mr. Glick—An act to amend section 1205 of the Political Code, relating to polling places

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 1730: By Mr. Leonard—An act to amend sections 220 and 222 of the Vehicle Code, relating to reports of stolen vehicles

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1731: By Mr. Pelletier—An act to establish a permissive pension plan for employees and officers of cities of the fifth and sixth class, providing for contributions from employees and from public funds, and providing for the administration of such pension plan

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1732: By Mr. Pelletier—An act to amend sections 40 and 41 of Article 2 of Chapter 1 of Division I of the Agricultural Code, relating to the State Board of Agriculture

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1733: By Mr. Tenney—An act to amend sections 2 2134 and 4 375 of, to repeal section 2.2135 of, and to add a new section

to be numbered 4 379½ to, the School Code, relating to school district taxes.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1734: By Messrs. Peek, and Clark—An act to amend section 261a of the Code of Civil Procedure of the State of California, to authorize the appointment of two additional assistant secretaries, one additional stenographic secretary, a phonographic reporter to assist the superior court in any county, or city and county having a population of 900,000 inhabitants or over, and fixing the compensation therefor, and authorizing mileage for such employees under certain circumstances.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1735: By Messrs. Peek, and Clark—An act to amend an act entitled "An act authorizing the judges of the superior court in all counties, and cities and counties, having a population of 200,000 inhabitants and over, to appoint a secretary," approved March 26, 1895, as amended, by adding thereto a new section to be designated section 3, providing for the compensation for the secretary in counties, or cities and counties, having a population of 900,000 inhabitants or over.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1736: By Messrs. Peek, and Clark—An act to amend section 4178 of the Political Code, providing that the county clerk, acting as clerk of the superior court, shall assist the judges and commissioners of such court in the transaction of judicial business

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1737: By Messrs. Peek, and Clark—An act to amend section 204a of the Code of Civil Procedure of the State of California, relating to the salary of the jury commissioner for the superior court in counties, or cities and counties having a population of 900,000 inhabitants or more.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1738: By Messrs. Peek, and Clark—An act granting to the city of Long Beach all minerals, oil, gas and other hydrocarbons in the tidelands and submerged lands heretofore granted to said city by the State of California; authorizing the sale and disposal of such minerals, oil, gas and other hydrocarbons, and providing for the disposition of the revenues derived therefrom.

Bill read first time, and referred to Committee on Oil Industries

Assembly Bill No. 1739: By Mr. Weber—An act to amend section 1031 of the Code of Civil Procedure, relating to costs in municipal courts and justices' courts

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1740: By Mr. Weber—An act to amend section 718 of the Code of Civil Procedure, relating to witnesses.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1741: By Mr. Weber—An act to amend sections 6010 and 7015 of the Insurance Code, both relating to county mutual fire insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1742: By Mr. Streâm—An act to add section 786.5 to the Fish and Game Code, relating to the sale of cooked lobsters and shellfish.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1743: By Messrs. King, and Lyon—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, as amended, relating to horse racing and the funds derived therefrom.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1744: By Mr. Waters—An act to amend section 1173 of the Insurance Code of the State of California, relating to legal investments for domestic incorporated insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1745: By Messrs. Clark, Patterson, and Peek—An act to add a new section to the School Code to be numbered 5.855, relating to the public school teachers permanent fund.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1746: By Mr. McMurray—An act to amend section 55 of an act entitled "Alcoholic Beverage Control Act," approved June 13, 1935, as amended.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1747: By Mr. Donnelly—An act to add section 691.5 to the Agricultural Code, relating to dairies.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1748: By Mr. Donnelly—An act to amend section 490 of, and to add section 490.5 to, the Agricultural Code, relating to graded market milk.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1749: By Mr. Dilworth—An act to amend sections 1263 and 1267 of the Civil Code, relating to homesteads.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Constitutional Amendment No. 32: By Messrs. Latham, and Lyon—Proposed amendment to Article XIII of the Constitution, relative to boards of equalization.

Introduced, and referred to Committee on Constitutional Amendments.

Adjournment.

At eight o'clock and forty-five minutes p.m., on motion of Mr. Pelletier, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, January 22, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY
NINETEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 22, 1937.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair
Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domiue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Flint, the further reading of the Journal of Thursday, January 21, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leave of absence for the day:

Mr. Kuchel, on motion of Mr. Kepple.

Mr. Sheehan, on motion of Mr. Maloney.

Guests Extended Privilege of Assembly Floor.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John T. Rudder, attorney-at-law, of San Francisco, and James E. Power, Jr., of San Francisco.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Cecelia Cravens and Miss Jane Cravens of Riverside.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Wakefield, Mrs. Garland, and Mr. Arthur W. McNamara, of Woodlake.

On request of Mr Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Betty Tobin of San Francisco

On request of Mr O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. G. Allee and Mrs A. Merwin, teachers, and the following pupils of Clarksburg Grammar School: Louis Baliel, Virginia Updegraff, Helen Rudkin, Genevieve Valine, Mutsuko Sakai, Frances MacFarlane, Jeanette Pelz, Clara Faye Ruhe, Howard Aldrich, Robert Kirtlan, Jean Zacharias, Allen Zacharias, Eugene Valine, Loring Soto, Richard Cumbra, George Ishimoto, Yoshio Koyosako, Lowell Rose, Lois Merwin, Lee Matthews, Kiyoko Koyosako, and Harold Allen

Assistant Chief Clerk Greenburg Reading.

Motion to Expunge Record and Rescind Action on Senate Bill No. 329.

Mr. Corwin moved to expunge the record and rescind the action whereby the Assembly on January 21, 1937, passed Senate Bill No. 329 and that the bill be further considered, at this time.

The roll was called, and the record expunged, and the action rescinded, by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Daley, Dawson, Desmond, Dilworth, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Stream, Thorp, Turner, Walker, Waters, Watson, Welsh, Yorty, and Mr Speaker—52.

NOES—None

Further Consideration of Senate Bill No. 329.

Senate Bill No. 329—An act to add section 612 to the Streets and Highways Code, establishing certain additional State highways, this act to take effect immediately and declaring the urgency thereof.

Motion to Amend Senate Bill No. 329.

Mr. Cronin moved to amend Senate Bill No. 329 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "(a) "

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 9, all of line 10, and all of line 11.

Amendments adopted.

Request for Unanimous Consent.

Mr. Corwin asked for, and was granted, unanimous consent to take up Senate Bill No. 329, as amended, at this time, without reference to reprint or calendar

Third Reading of Senate Bill No. 329, As Amended.

Senate Bill No. 329—An act to add section 612 to the Streets and Highways Code, establishing certain additional State highways, this act to take effect immediately and declaring the urgency thereof.

Senate Bill No. 329, as amended, read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Daley, Dawson, Desmond, Dilworth, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie,

Rosenthal, Stream, Thorp, Walker, Waters, Watson, Welsh, Yorty, and Mr. Speaker—51.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 10.

Assembly Concurrent Resolution No. 11.

And reports the same correctly enrolled, and presented to the Governor on the twenty-first day of January, 1937, at two o'clock p m

THOMAS J. CUNNINGHAM, Chairman.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1750: By Messrs. Meehan and Clark—An act to amend section 5 of, and to add sections 2.1 and 10.1 to, the Personal Income Tax Act of 1935, relating to taxation and providing for the rates of taxation and earned income credits.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1751: By Mr. Meehan—An act to add section 10885a to the Insurance Code, relating to conservation certificates.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1752: By Mr. Meehan—An act to repeal sections 1013, 1014 and 1015 of the Insurance Code, relating to proceedings in cases of insolvency and delinquency of insurance companies.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1753: By Mr. Meehan—An act to repeal section 10880 of the Insurance Code, and to add a new section to be known as section 10880, relating to the conversion of mutual companies to legal reserve companies.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1754: By Mr. Latham—An act to regulate persons engaged in determining the value of real estate.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1755: By Mr. Laughlin—An act to add section 7.2 to the Alcoholic Beverage Control Act, relating to licenses.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1756: By Mr. Laughlin—An act to add section 54.2 to the Alcoholic Beverage Control Act, relating to licenses.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1757: By Mr. Laughlin—An act to regulate the operation, conduct, sanitation, use and maintenance of trailer camps and trailer coaches.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1758: By Mr. Laughlin—An act to add section 1917 to the Civil Code, relating to loan of money including interest rates and fees, bonuses, commissions, discounts, or other compen-

sation therewith, and prescribing means for the enforcement of its provisions.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 1759: By Mr. Desmond—An act amending section 111 of the Penal Code, relating to expense of trial of convicts.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1760: By Mr. Desmond—An act to amend section 627 of the Penal Code, relating to trespass on real property.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1761: By Mr. Desmond—An act to amend section 3817a of the Political Code, relating to extending the period of redemption.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1762: By Mr. Desmond—An act to amend section 3818 of the Political Code, relating to segregation of property on the assessment rolls.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1763: By Mr. Desmond—An act to amend section 535 of the Political Code, relating to State Printer.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1764: By Mr. Welsh—An act to amend sections 16, 71, 72, 73, 74 and 75 of the "Improvement Act of 1911," approved April 7, 1911, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1765: By Mr. Dawson—An act to add section 5.4 to the Retail Sales Tax Act of 1933, relating to exemptions from taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1766: By Mr. Redwine—An act to amend sections 536.5 and 536.8 of the Fish and Game Code, relating to the installation of fish screens.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1767: By Mr. Turner—An act relating to freightage.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1768: By Mr. Turner—An act relating to freightage.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1769: By Mr. Turner—An act to amend section 19 of the "City Carriers' Act," relating to the transportation of property on the highways.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 1770: By Mr. Turner—An act to amend section 20 of the "Highway Carriers' Act," relating to the transportation of property on the highways.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 1771: By Mr. Turner—An act to add section 133 to the Streets and Highways Code, relating to the Department of Public Works.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1772: By Mr. Turner—An act to add sections 3372, 3373 and 3374 to the Political Code relating to licensing of slot or card machines and similar gambling devices, and repealing section 330a of the Penal Code.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1773: By Mr. Turner—An act to provide for the licensing and regulation of establishments for wagering upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1774: By Messrs. Flint, and Glick—An act to regulate assayers.

Bill read first time, and referred to Committee on Mines and Mining

Assembly Bill No. 1775: By Mr. Stream—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1776: By Mr. Maloney—An act to amend section 2527a of the Political Code, relating to the extensions of wharfs and piers to islands under the jurisdiction of the State Board of Harbor Commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1777: By Mr. Maloney—An act to repeal section 274d of the Code of Civil Procedure, relating to phonographic reporters

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 1778: By Mr. Robertson—An act to amend the Personal Income Tax Act of 1935, relating to taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1779: By Mr Robertson—An act making an appropriation for the support of the Sales Tax Division of the Board of Equalization during the eighty-eighth fiscal year and to take effect immediately.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 1780: By Mr. Robertson—An act making an appropriation of money to be used by the Attorney General in the payment of expenses in the proceedings brought by the Attorney General in the Court of Claims of the United States in behalf of the

Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, Chapter 643.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 1781: By Mr Kuchel—An act to amend section 737dd of the Political Code, relating to salaries of judges of the superior court in and for the county of Orange.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1782: By Mr. Kuchel—An act to add section 2 801a to the School Code, relating to the liability of school boards and school teachers.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1783: By Mr. Gannon—An act to add section 114 to the Business and Professions Code, relating to injunctions.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1784: By Mr. Walker—An act to amend section 32e of the California Irrigation District Act relating to the irrevocable allocation of proceeds of contract to payment of principal or interest on bonds and to revenue bonds.

Bill read first time, and referred to Committee on Irrigation

Assembly Bill No. 1785: By Mr. Walker—An act to amend section 32d of the California Irrigation District Act relating to the payment of principal or interest on funding or refunding bonds.

Bill read first time, and referred to Committee on Irrigation

Assembly Bill No. 1786: By Mr. Walker—An act to amend section 170 of the Code of Civil Procedure by adding a new subsection thereto to be known as subsection 7, relating to disqualification of judges in actions or proceedings by or against the Reclamation Bureau of the State of California or any irrigation, reclamation, levee, swamp land or drainage district, or any public agency or trustee, officer, or employee thereof

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1787: By Mr Walker—An act to amend section 15 of the California Irrigation District Act, relating to the powers and duties of the board of directors

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1788: By Mr Walker—An act to amend section 45 of the California Irrigation District Act, relating to certificates of sale.

Bill read first time, and referred to Committee on Irrigation

Assembly Bill No. 1789: By Mr Walker—An act to amend section 47 of the California Irrigation District Act, relating to redemption of property sold for delinquent assessments.

Bill read first time, and referred to Committee on Irrigation

Assembly Bill No. 1790: By Mr Walker—An act to amend section 55 of the California Irrigation District Act, relating to the fixing and collecting of tolls and charges

Bill read first time, and referred to Committee on Irrigation

Assembly Bill No. 1791: By Mr Walker—An act to add section 624 to the Streets and Highways Code, relating to State highways

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1792: By Mr. Walker—An act to add section 623 to the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1793: By Mr. Leonard—An act to add a new section to be numbered 210 to the Penal Code, relating to extortion.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1794: By Mr Cunningham—An act licensing and regulating persons engaged in the business of writing, procuring and furnishing bail and bail bonds in criminal actions and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1795: By Mr. Cunningham—An act to amend section 563b of the Penal Code, relating to the circulation of false rumors regarding financial institutions.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 1796: By Mr. Flint—An act to add Article 6, consisting of section 12405, to Chapter 1 of Part 6 of Division 2 of the Insurance Code, relating to title insurance policies.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1797: By Mr. Kepple—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery fund; and making an appropriation for the payment of such rewards.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1798: By Messrs. Flint, Reaves, and Pelletier—An act to amend section 5.721 of the School Code, relating to absence from duty.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1799: By Messrs. Flint, and Reaves—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1800: By Mr. Flint—An act to amend section 5.722 of the School Code, relating to leaves of absence.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1801: By Mr Cottrell—An act making an appropriation to pay the claim of the General Accounting Officer of the Department of Finance against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1802: By Messrs. Cottrell, and Andreas—An act to add section 4 to an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trus-

tees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to the liability of counties, municipalities and school districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1803: By Mr Patterson—An act to amend sections 799 and 800 of the Fish and Game Code relating to restrictions on taking abalones in certain districts.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1804: By Mr. Patterson—An act to amend section 797 of the Fish and Game Code, relating to transportation out of the State of abalone meat or shells.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1805: By Mr. Patterson—An act to amend section 794 of the Fish and Game Code, relating to the size of abalones which may lawfully be taken or possessed.

Bill read first time, and referred to Committee on Fish and Game

Assembly Bill No. 1806: By Mr. Patterson—An act to amend section 1019 of the Fish and Game Code, relating to expenditure of fish reduction privilege tax moneys.

Bill read first time, and referred to Committee on Fish and Game

Assembly Bill No. 1807: By Mr. Patterson—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read first time, and referred to Committee on Fish and Game

Assembly Bill No. 1808: By Mr Patterson—An act to amend section 991 of the Fish and Game Code, relating to the issuance of yearly commercial fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1809: By Mr Patterson—An act to amend section 992 of the Fish and Game Code, relating to annual commercial fishing license fee.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1810: By Mr Patterson—An act to amend section 1016.5 of the Fish and Game Code, relating to use and disposition of certain fish reduction privilege tax moneys.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1811: By Mr. Patterson—An act to amend section 1015 of the Fish and Game Code, relating to fish reduction privilege tax.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1812: By Mr. Patterson—An act to amend section 993 of the Fish and Game Code, relating to forfeiture or suspension of commercial fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1813: By Mr. Muldoon—An act to amend section 762 of the Agricultural Code, relating to quality of tomatoes for canning purposes.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1814: By Mr. Muldoon—An act to repeal section 12.11 of the Building and Loan Association Act, relating to conversion of a building and loan association into a Federal Savings and Loan Association.

Bill read first time, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 1815: By Mr. Johnson—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1816: By Mr. Johnson—An act to amend sections 2 and 4 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract and providing other penalties for violation of the provisions thereof."

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 1817: By Mr. Johnson—An act relating to the State civil service and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1818: By Mr. Johnson—An act to amend section 13 of and to add section 12a to the Juvenile Court Law, relating to juveniles.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1819: By Mr. Johnson—An act to amend sections 880, 881, 882, 883, and to add a new section 884 to the Welfare and Institutions Code, relating to Juvenile Court Law.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 1820: By Mr Tenney—An act to add section 13a to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a consitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing tracks in southern California.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1821: By Mr. Levey—An act to amend section 4 of the "Act Concerning Cosmetology," relating to the State Board of Cosmetology.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1822: By Mr. Levey—An act to amend sections 2, 3, 6, 7, 8, 9, 11, 12, 12a, 13, 14, 19, and 24 of the "Act Concerning Cosmetology," relating to the practice of cosmetology and any branch thereof.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1823: By Mr. O'Donnell—An act requiring the licensing of certain vehicles used for the transportation of property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately, and to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California, and providing that this act shall take effect immediately," approved May 15, 1933.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1824: By Messrs. O'Donnell, and Corwin—An act to amend an act entitled "An act to conserve the agricultural wealth of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops, providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purpose of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, as amended, by amending sections 2, 8, 9, 10, 13, 18, 19.1, 22 and 22.5, all relating to the institution and enforcement of agricultural proration programs.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1825: By Mr. O'Donnell—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1826: By Mr. O'Donnell—An act making an appropriation for the eradication of bovine tuberculosis.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1827: By Mr. O'Donnell—An act to add section 8.5 to an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor

Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the sale, in this State, of goods produced or manufactured with child labor

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 1828: By Mr O'Donnell—An act to add section 1396.5 to the Labor Code, relating to the sale of goods made or manufactured with child labor.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1829: By Mr. Lyon—An act to amend section 17 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, relating to water districts.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1830: By Mr Lyon—An act to amend section 12490 of the Insurance Code, relating to mortgage insurers, to take effect immediately.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1831: By Mr Lyon—An act to amend sections 12422, 12489 and 12629 of the Insurance Code, all relating to mortgage insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1832: By Mr. Lyon—An act to amend sections 12421, 12428, 12484, 12486, 12488 and 12501 of the Insurance Code, all relating to mortgage insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 1833: By Mr. Lyon—An act to amend section 786 of the Fish and Game Code, relating to lobsters.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1834: By Messrs Lyon, and Latham—An act to amend section 2167b of the Political Code, relating to persons mentally disordered and bordering on insanity but not dangerously insane.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1835: By Mr. Lyon—An act to repeal an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1836: By Mr. Lyon—An act to repeal an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to incorporated towns and cities, and for the incorporation of such annexed territory in, and as a part of

such municipalities, and for the districting, government, and municipal control of annexed territory," approved March 19, 1889.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1837: By Mr. Lyon—An act to repeal an act entitled "An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of the annexed territory," approved March 2, 1899.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1838: By Mr. Lyon—An act to repeal an act entitled "An act to provide for changing the boundaries of cities and municipal corporations, and to exclude territory therefrom," approved March 19, 1889.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1839: By Mr. Lyon—An act to amend sections 2, 4 and 5 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of incorporated and unincorporated territory or incorporated or unincorporated territory to municipal corporations and for the incorporation and consolidation of such annexed territory in and as a part thereof," approved May 31, 1929, relating to the annexation of territory to municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1840: By Mr Lyon—An act to repeal "An act to provide for the sale of an excess of water when owned by a municipality and repealing an act entitled 'An act to provide for the sale of an excess of water when owned by a municipality,' approved March 27, 1897," approved April 10, 1917, and "An act relating to the acquisition, construction and operation of public utilities by municipal corporations," approved May 1, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1841: By Mr. Lyon—An act to add section 1614b to the Penal Code, relating to misdemeanors

Bill read first time, and referred to Committee on Crime Problems

Assembly Bill No. 1842: By Mr. Lyon—An act to add section 1216b to the Penal Code, relating to modification of judgments in criminal cases.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1843: By Mr. Lyon—An act to amend section 1216 of the Penal Code, relating to judgments of imprisonments.

Bill read first time, and referred to Committee on Crime Problems

Assembly Bill No. 1844: By Mr. Lyon—An act to amend sections 2167, 2167a, 2169, 2172, and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171, and 2185c,

to the Political Code, relating to persons mentally disordered or otherwise incompetent

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1845: By Mr. Lyon—An act to amend sections 12, 24 and 25 of, and to add two new sections to be numbered 24½ and 24¾ to the Direct Primary Law, relating to primary elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 1846: By Mr. Lyon—An act relating to taxation, to add section 5.2 to the Retail Sales Tax Act of 1933 and section 4.2 to the Use Tax Act of 1935, providing for exemptions.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1847: By Mr Lyon—An act to add section 9¼ to the Retail Sales Tax Act of 1933, relating to the collection and payment of the tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1848: By Mr Glick—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 20, 22, 24, 25, 26 and 29 of an act entitled "An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments, levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bond and to enforce the lien of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the Bankrupt Laws of the United States of America in any refunding," approved July 20, 1935

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1849: By Mr. Glick—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 20, 22, 24, 25, 26 and 29 of an act entitled "An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bond and to enforce the lien of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the Bankrupt Laws of the United States of America in any refunding," approved July 20, 1935, and declaring the urgency of this act.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1850: By Mr. Gluck—An act to amend section 3 of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions," approved by the Governor April 11, 1935, relating to contracts for the conducting of examinations and for the performance of other services

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 1851: By Mr. Turner—An act to add a new section to the Penal Code to be numbered 1279a, relating to regulation of bail, bail bonds and professional bondsmen.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1852: By Mr. Kuchel—An act to amend section 2.810 of the School Code, relating to contracts by governing boards of school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1853: By Mr. Tenney—An act to amend sections 4463 and 4465 of the Political Code, relating to definition of publishing and printing of newspapers of general circulation.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1854: By Mr Hawkins (By request)—An act to add section 23.5 to the Public Utilities Act, relating to sleeping conditions on dining cars.

Bill read first time, and referred to Committee on Public Utilities

Assembly Bill No. 1855: By Mr. Hawkins—An act to amend sections 7, 13, 45, 46, 47, 48, 51, 54, 56, 58, 60, 71 and 101; and to add sections 56a and 72, and to repeal sections 44 and 55, of Statutes 1935, Chapter 532, entitled "An act to establish a system of unemployment reserves for this State and making an appropriation therefor," approved June 25, 1935, relating to unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 1856: By Mr. Fulcher—An act to amend section 6 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture, and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to license fees.

Bill read first time, and referred to Committee on Public Health and Quarantine

Assembly Bill No. 1857: By Mr. Fulcher—An act to amend section 1 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection, and supervision of the construction, reconstruction or alteration of or addition to public school buildings and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act to take effect

immediately," approved April 10, 1933, as amended, relating to the buildings and work subject to the provisions of said act.

Bill read first time, and referred to Committee on Building and Construction.

Assembly Bill No. 1858: By Messrs. Fulcher, and Burns, Michael J.—*An act to repeal sections 980 and 981 and to amend section 1029 of* the Streets and Highways Code, relating to public roads and highways and the powers and duties of county boards of supervisors, county surveyors, and county road commissioners in relation thereto

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1859: By Mr. Boyle—An act to add Chapter 9, comprising sections 4000 to 4256, inclusive, to Division II and to add section 30006 to Division XXX of the Business and Professions Code, relating to the practice of pharmacy and the sale of drugs, and repealing acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1860: By Messrs Morgan, King, Field, Flint, and Watson, and Miss Miller—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 2, 5, 6, 7, 8, all relating to the composition, powers, government, and management of metropolitan water districts

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1861: By Mr Fulcher—An act for the relief of certain assessment districts and for that purpose empowering municipal corporations to render financial aid to such districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1862: By Mr. Fulcher—An act to amend section 10 of, and to add sections 10.1, 10.2, and 10 3 to, the Fish and Game Code, relating to the Fish and Game Commissioners.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1863: By Mr. Hunt—An act to amend section 337a of the Penal Code, relating to gambling.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1864: By Messrs Hunt, and Hornblower—An act to amend section 1357 of the Political Code, relating to absentee voters.

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 1865: By Mr Hunt—An act making an appropriation for the purpose of purchasing and installing machinery for the

manufacture of automobile license plates at the State Prison at Folsom, providing for the sale of such license plates and the disposition of the proceeds thereof

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1866: By Mr Robertson—An act to add section 13.6 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of this act and to provide that this act shall take effect upon the adoption of the constitutional amendment ratifying these provisions" Approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1867: By Mr. Field—An act to add section 4450 to the Political Code, relative to municipal taxation, and the cancellation of certain unpaid taxes and penalties

Bill read first time, and referred to Committee on Revenue and Taxation

Assembly Bill No. 1868: By Mr. Breed—An act to add a new article to Chapter I of Part II of Division II of the School Code to be known as Article X, relating to the attendance to school trustees at state-wide educational meetings.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1869: By Mr Breed—An act to amend the School Code by amending section 2.860, relating to the holding of trustees' meetings by the county superintendent of schools.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1870: By Mr Burns, Michael J—An act for the relief of certain assessment districts and for that purpose empowering incorporated cities to render financial aid to such districts and to declare the urgency of this act, to take effect immediately

Bill read first time, and referred to Committee on Municipal Corporations

Assembly Bill No. 1871: By Mr Burns, Michael J—An act to amend section 4282 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-third class.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1872: By Messrs. Garibaldi, Fulcher, Gannon, Garland, Burns, Hugh M., Millington, and Turner—An act to amend section 12 of the Central Valley Project Act of 1933, relating to acquisition of property by eminent domain and sale or lease of property no longer needed for the purpose of said act.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1873: By Messrs Garibaldi, Fulcher, Gannon, Garland, Burns, Hugh M., Millington, and Turner—An act to authorize and direct the Division of Water Resources of the Department of Public Works to prosecute efforts, on behalf of the Water Project Authority

of the State of California, in aid of the construction of the Central Valley Project.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1874: By Mr. Redwine—An act to appropriate $45,000 of the moneys in the fish reduction privilege tax fund created by section 1019 of the Fish and Game Code, for the purpose of instituting and carrying on laboratory and scientific investigations relating to the keeping and transportation of fish without spoiling.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1875: By Mr. Miller—An act to add section 5 5 and to amend sections 6 and 10 of "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by this State or any of its political subdivisions, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, relating to aid to the needy blind

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 1876: By Mr. Miller—An act to create a California Building Authority, to give such authority extraordinary authority for allocation of funds for building purposes, supplementing the Public Works Administration program, making an appropriation therefor, and providing for the allocation of said appropriation

Bill read first time, and referred to Committee on Building and Construction.

Assembly Bill No. 1877: By Mr. Clark—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, by amending sections 1, 2, 3, and 5 thereof, relating to the deposit of public moneys.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1878: By Mr. Clark—An act to amend sections 621, 636, 639, and 640 of the Vehicle Code, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 1879: By Messrs. Clark, Meehan, Cottrell, Peek, Miller, Williamson, and Morgan—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division I of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1880: By Mr Clark—An act to amend section 5 190 of the School Code, relating to health and development certificates.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1881: By Messrs. Clark, and Peek—An act appropriating moneys to the use of the oil drilling fund.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 1882: By Mr. Clark—An act to amend section 13 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to notices of proposed assessments.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1883: By Messrs. Clark, and Peek—An act making an appropriation to be expended by and under the direction of the Department of Finance in cooperation with the city of Long Beach for the purpose of rectifying, improving, and protecting Alamitos Bay in the county of Los Angeles.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 1884: By Messrs Clark, Peek, Rosenthal, and Glick—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817*l* and 3817m of the Political Code and to add sections 3817b5 and 3817c5 thereto, relating to taxation and assessment, including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1885: By Mr Maloney—An act to amend section 24 of the Alcoholic Beverage Control Act relating to excise tax on distilled spirits.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 1886: By Messrs Crowley, Meehan, Hawkins, Hunt, Gannon, Maloney, Hornblower, McMurray, and Desmond—An act relating to employees in the State civil service.

Bill read first time, and referred to Committee on Civil Service

Assembly Bill No. 1887: By Mr Turner—An act to amend the title of, and to add a new section, to be numbered 1a, to an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to "motor oil," and

prescribing specifications for products sold or offered for sale as motor oil.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 1888: By Mr Millington—An act to amend section 3493 of the Political Code of the State of California, relating to the dissolution of reclamation districts.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 1889: By Mr. Dawson—An act to further amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended, entitled, known and cited as "California Toll Bridge Authority Act," by adding thereto a new section numbered $22\frac{3}{4}$, relating to the powers of the California Toll Bridge Authority.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1890: By Mr. Dawson—An act to amend section 4 of and to add section 4.5 to the Use Tax Act of 1935, relating to exemptions from the tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1891: By Mr Dawson—An act to amend sections 5 and 6 of, and to add section 7 to, the Retail Sales Tax Act of 1933, relating to exemptions from the tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1892: By Mr Dawson—An act to repeal the Retail Sales Tax Act of 1933, relating to the imposition of a tax for the privilege of selling, renting or leasing tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, and the penalties for violation of the act.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1893: By Mr. Dawson—An act to repeal the Use Tax Act of 1935, relating to the imposition of an excise tax on the storage, use or other consumption in this State of tangible personal property, the registration of retailers, the levying, assessing, collecting, paying and disposing of the tax, and the penalties for violations of the act.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1894: By Mr Latham—An act relating to taxation, imposing an excise tax upon intangibles, as defined herein, prescribing the method of enforcement and penalties for violations hereof, exempting such intangibles from taxation according to value, and providing for the disposition of the proceeds of said tax

Bill read first time, and referred to Committee on Revenue and Taxation

Assembly Bill No. 1895: By Mr Cunningham—An act to add section 663 5 to the Political Code, relating to the powers of the State Board of Control.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1896: By Mr. Cunningham—An act to add a new section to the Political Code, to be known as section 443, relating to the transfer of moneys from special funds and other State accounts; the creation and reimbursement of the general cash revolving fund and the issuance of warrants against such fund: the issuance, indorsement and sale of registered warrants payable out of the general fund: providing for the obtaining of legal opinions relative to the legality of State warrants and making appropriation therefor: confirming the validity of warrants heretofore registered pursuant to section 441 of the Political Code and now outstanding, including warrants issued, registered and sold under the plan relating to such warrants provided for by resolution of the State Board of Control adopted November 24, 1936; and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1897: By Mr Thorp—An act to add section 215 to the Agricultural Code, relating to the inspection of hogs.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1898: By Mr Thorp—An act to amend section 50 of the Agricultural Code, relating to county agricultural commissioner.

Bill read first time, and referred to Committee on Agriculture

Assembly Bill No. 1899: By Mr Thorp—An act to add sections 154.1 to 154 8, inclusive, to the Agricultural Code, relating to the control of weed pests

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1900: By Mr Watson—An act to add sections 2¼ and 21¼ to and to amend sections 3, 4, 6, 7, 8, 10, 13, 14, 15, 18, 18½ and 19 of the Old Age Security Act of the State of California, approved May 28, 1929, relating to the creation and administration of a system of aid to the needy aged.

Bill read first time, and referred to Committee on Social Service and Welfare

Assembly Bill No. 1901: By Mr. Watson—An act to amend section 737dd of the Political Code, relating to salaries of the judges of the superior court.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1902: By Mr. Watson—An act to repeal an act entitled "An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions under authority of section 20 of Article XI of the Constitution of the State," approved June 25, 1935, relating to limitations on expenditures of the various political subdivisions of the State.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1903: By Mr. Watson—An act to add sections 2225 and 2226 to, and amend sections 2003, 2020, 2022, 2141, 2142, 2163 and 2181 of, and repeal section 2225 of the Welfare and Institutions Code, relating to grants of aid to aged persons

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1904: By Mr. Pelletier—An act to amend section 6 2a of the School Code, relating to insurance on school property.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1905: By Mr Cottrell—An act to amend section 146 of the Civil Code by adding a section thereto to be numbered 5, relating to homesteads on property held in joint tenancy.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1906: By Mr. Cottrell—An act to amend section 1238 of the Civil Code by adding "joint tenancy" property of the husband and wife thereto.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1907: By Mr. Robertson—An act imposing an excise tax on the use in this State of motor vehicle fuel, providing for the issuance of permits to the users of such fuel and for the levy, assessment and collection of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1908: By Mr Robertson—An act to amend sections 1, 3, 7, and 11 of the Motor Vehicle Fuel License Tax Act, relating to the definition of terms used in said act, the imposition of a license tax thereunder, the determination of taxable distributions of motor vehicle fuel, and the refund of said license tax under certain conditions.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1909: By Mr. Tenney—An act to add sections 4.192 and 4.252 of the School Code, relating to unapportioned funds.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1910: By Mr. Tenney—An act to amend sections 4.781, 4.782, 4 783, 4 784, 4.785, 4 791, 4 793, 4 794, 4 795 and 4 796 of the School Code, relating to apportionment of school funds.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 1911: By Mr Tenney—An act to amend sections 3351 and 3352 of the Labor Code, relating to definition of employee.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1912: By Messrs Tenney, Jones, and Rosenthal—An act to authorize counties to convey and transfer to flood control districts within such counties drainage systems and works constructed in drainage improvement districts organized pursuant to an act entitled "An act to promote the drainage of wet, swamp and overflow lands, and to promote the public health in the communities in which they lie," approved March 21, 1903, or pursuant to the Drainage District

Improvement Act of 1919, and prescribing the terms and conditions and the effect of such conveyance and transfer and fixing liabilities with respect to obligations of such drainage districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1913: By Messrs. Tenney, Jones, and Rosenthal—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section, to be numbered 13½, relating to the conveyance and transfer to such district of drainage systems and works of drainage improvement districts and for the assumption of liability for the payment of bonds of drainage districts issued for the construction of the drainage systems and works so conveyed and transferred.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1914: By Mr Tenney—An act to amend sections 726 and 580a of the Code of Civil Procedure, to amend section 2924½ of the Civil Code, and to add section 580d to the Code of Civil Procedure, relating to deficiency judgments.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1915: By Mr. Donnelly—An act to add section 6.53 to the School Code, relating to provision of a place for children to eat lunches brought from home.

Bill read first time, and referred to Committee on Education

Assembly Bill No. 1916: By Mr Donnelly—An act providing for the investigation, conciliation, mediation and arbitration of disputes concerning hours of labor, rates of pay and working conditions.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1917: By Messrs. Desmond, Cunningham, Rosenthal, and Garland—An act to amend sections 5, 21 and 23 of, to add a new paragraph to section 16, and to add section 18½ to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to prescribe, fix, limit and regulate the charges and interest rates of personal property brokers and brokers.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 1918: By Mr. Yorty—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1919: By Mr. Yorty—An act to add to Title VIII of Part II of the Code of Civil Procedure, a new chapter to be known as Chapter IIIA, embracing sections 597, 598 and 599, relating to civil actions and proceedings.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1920: By Mr. Yorty—An act to amend sections 426 and 659 of the Code of Civil Procedure, relative to civil actions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1921: By Mr. Yorty—An act to amend section 580a of the Code of Civil Procedure, limiting amount of deficiency judgments and the time within which actions therefor may be commenced.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1922: By Mr. Yorty—An act to amend section 6 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, relating to minimum wages for women and minors.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 1923: By Mr. Yorty—An act to amend sections 49 and 1624 of, add sections 43a, 1590, and 1606.5 and 1624.5 to, and repeal section 3319 of the Civil Code, relating to causes of action based upon breach of promise to marry.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1924: By Mr. Yorty—An act to amend section 1182 of the Labor Code, relating to minimum wages

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1925: By Mr. Garibaldi—An act to amend section 4264 of the Political Code, relating to salaries of county officers in counties of the thirty-fifth class.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1926: By Mr. Garibaldi—An act to amend section 1 of and to add sections 3.5 and 6.5 to "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1927: By Mr Garibaldi—An act to add section 954.5 to the Civil Code, relating to survival of action.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1928: By Mr Garibaldi—An act to add a new section, to be numbered 33½, to the Retail Sales Tax Act of 1933, relating to judicial review.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1929: By Mr Garibaldi—An act amending section 1603 of the Business and Professions Code, relating to appointment of members of the State Board of Dental Examiners.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1930: By Mr Crowley—An act to prohibit mining by means of dredgers or dredger operations.

Bill read first time, and referred to Committee on Mines and Mining.

Assembly Bill No. 1931: By Mr. Crowley—An act for the preservation of certain lands in the State of California for agriculture purposes, and fixing penalties for violation of the provisions thereof

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1932: By Mr Dannenbrink—An act to amend section 2185c of the Political Code, relating to the arrest and commitment of persons addicted to the intemperate use of stimulants and authorizing their confinement in private hospitals.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1933: By Mr Dannenbrink—An act to amend section 5404, 5407 and to add section 5409 to the Welfare and Institutions Code, relating to dipsomaniacs, inebriates and stimulant addicts.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1934: By Mr. Dannenbrink—An act to add section 61.1 to the Alcoholic Beverage Control Act, relating to minors.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1935: By Mr. Donnelly—An act making an appropriation for the encouragement of agriculture and the breeding of better poultry stock, and providing for the payment of premiums at the National Egg Laying Contest at Modesto, California.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 1936: By Messrs Clark, Miller, and Peek—An act to transfer the duties, powers, purposes, responsibilities, and jurisdiction of the Relief Commission and Relief Administrator to the Department of Social Welfare.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1937: By Mr. Call—An act to repeal sections 1065, 1066, 1067, 1068, 1070 and 1071 of the Fish and Game Code, relating to reduction of fish.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1938: By Mr. Call—An act to amend section 1 of an act entitled "An act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof," approved April 10, 1925.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1939: By Mr Call—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of San Mateo, State of California.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1940: By Mr. Call—An act to amend section 6d of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and relating to existing utilities therein.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1941: By Mr. Call—An act to amend section 4 of the County Water District Act, approved June 10, 1913, as amended and relating to the organization of such districts, and to the election and appointment of directors thereof.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 1942: By Mr. Call—An act to amend section 728 of the Fish and Game Code, relating to croakers.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1943: By Mr. Call—An act to amend section 602 of the Penal Code, relating to criminal trespass.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1944: By Mr Call—An act to add a new section to the Fish and Game Code to be known as section 840.5, relating to nets and lines.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1945: By Mr. Call—An act to amend section 647 of the Penal Code, relating to definitions of vagrants.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 1946: By Mr. Clark—An act providing for the extraction by the State of oil, gas and other hydrocarbons from State lands, and making an appropriation therefor.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 1947: By Mr. Sawallisch—An act to add a new article to Division III, Chapter 1, of the Agricultural Code to be numbered 1a, relating to establishments slaughtering or processing animals for purposes other than human consumption, and rendering establishments.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1948: By Mr. Sawallisch—An act to repeal sections 347 and 353, inclusive, of the Agricultural Code, relating to the licensing of persons to slaughter animals.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1949: By Mr Sawallisch—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such dis-

tricts, the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to elections of members of board and its meetings.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1950: By Mr. Sawallisch—An act to amend sections 690.2, 690.7, 690.8, 690.11, and 690.24 of the Code of Civil Procedure, relating to exemptions from executions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 1951: By Mr. Sawallisch—An act to amend section 3804a of the Political Code, relating to cancellation of taxes.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures

Resolutions.

The following resolutions were offered

By Mr. Breed:

House Resolution No. 55.

WHEREAS, A number of bills have been introduced relating to the subdivision of land and relating to the filing and recordation of maps of subdivisions of land; and

WHEREAS, These bills vitally effect one of the greatest businesses of the State of California and are of great interest and importance to the counties and the cities of the State and to many business people; now therefore, be it

Resolved, That the Speaker of the Assembly appoint a committee of three members of the Assembly to advise with all persons interested in the subdivision of real estate, and the filing and recordation of maps of subdivisions of real estate, to the end that any necessary modification or alteration of existing laws applicable thereto may be ascertained, and so that said committee may recommend legislation to the Assembly after the close of the constitutional recess; be it further

Resolved, That the sum of one hundred and fifty dollars ($150) is hereby appropriated out of the contingent expense fund of the Assembly for the purpose of paying the necessary expenses of the committee and of the members thereof in carrying out the purpose of this resolution.

Request for Unanimous Consent.

Mr. Breed asked for, and was granted, unanimous consent to take up House Resolution No. 55, at this time, without reference to committee or calendar

House Resolution No. 55 read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—66.

NOES—None.

By Mr. Hawkins:

House Resolution No. 56.

WHEREAS, The State Civil Service Act provides that the State Personnel Board shall have the power to fix salary ranges for classes of positions in the State civil service with minimum and maximum salary limits; and

WHEREAS, The State Personnel Board did pursuant to such power at its meeting held July 13, 1936, establish a salary range for janitors in the State civil service with a minimum of $100 per month; and

WHEREAS, The Attorney General of the State of California in an opinion dated December 13, 1936, addressed to the State Director of Finance, held that employees

in the State civil service were entitled as a matter of law to receive at least the minimum of the salary range for their class; and

WHEREAS, Pursuant to this opinion practically all employees in the State civil service have had their salaries revised to at least the minimum of the salary range for their class; and

WHEREAS, The salaries of many janitors in the State service have not been raised to the minimum of the salary range for their class, to which they are entitled as a matter of law; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Director of Finance is urgently requested to take the necessary steps to require appointing powers to make applications for adjustments of the salaries of janitors, and as Director of Finance to make and approve such adjustments.

House Resolution No. 56 read, and referred to Committee on Civil Service.

Motion to Adopt Report.

On motion of Mr. Redwine, the report of the Joint Committee relative to Gavin W. Craig as printed in the Assembly Journal of January 21, 1937, was adopted.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Concurrent Resolution No. 20: By Messrs. Redwine, Rosenthal, and Desmond—Relative to approving rules and procedure established upon and determined by the Joint Committee of the Senate and the Assembly for the hearing of the complaint for the removal of Gavin W. Craig, Associate Justice of the District Court of Appeal of the State of California, and the defense thereto.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 20, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 20.

Assembly Concurrent Resolution No. 20—Relative to approving rules of procedure established upon and determined by the Joint Committee of the Senate and the Assembly for the hearing of the complaint for the removal of Gavin W. Craig, Associate Justice of the District Court of Appeal of the State of California, and the defense thereto.

Assembly Concurrent Resolution No. 20 read, and adopted by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Colwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered to print and transmitted to the Senate.

Report of Special Committee.

The following report of Special Committee was received:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1937.

MR SPEAKER: Your Special Committee created by Assembly Concurrent Resolution No 6, to which was referred the following communication, to wit:

Hon. Wm. Moseley Jones, Speaker of the Assembly of the State of California, Assembly Chambers, Sacramento, California.

DEAR SIR: I attach hereto an affidavit setting forth certain facts in re the hearing of the charge against me contained in the joint resolution to remove me from my office.

I am confident that no member of the Legislature can wish to be compelled to vote on this resolution and the charge contained in it with an entire lack of knowledge of facts vitally material to the issues involved.

Based upon that belief and the facts stated in my affidavit I make the following request:

That a sufficient sum of money be appropriated to provide for the preparation of my defense, including a fair sum for the fees of attorneys to act in preparing and in presenting such defense at the hearing before the Legislature;

That such provision be made for the expenditure of said money as the Legislature may deem right, to the end that it be not improperly spent, and, also, that the use thereof may not be hampered and the purpose of its appropriation be destroyed by unnecesary red tape, since its use is, obviously an immediate need.

If attorneys in charge of the preparation of my defense are provided with funds for investigation purposes at once the number of witnesses will surely be much reduced, because it is believed that certain relevant, competent and material facts are within the knowledge of a number of persons, and it is not my purpose to unnecessarily produce cumulative evidence or to improvidently expend the State's money. Again, some persons whom there is reason to believe have knowledge of such facts may be found not to have such knowledge.

The State has no public defender; and as far as I know, there is no public officer charged with the duty of defending a citizen, who is without funds, against charges preferred under the circumstances here present.

Being in jail, it is apparent that I can not possibly prepare my own defense. Able counsel have been appointed to prepare and present the case against me. In spite of the verdict of the jury in my case in the Federal Court, it would seem that my unblemished record of 25 years in judicial office should suggest that my averment that I have a substantial defense is worthy of provision being made for a reasonable investigation of the merit of that claim before any judicial body should be willing to penalize me by removal from office. It would seem that the accused should be permitted to select his attorneys, and that they should use the money appropriated, subject to a rigid accounting for the same.

Respectfully,

GAVIN W. CRAIG.

STATE OF CALIFORNIA, } ss.
COUNTY OF VENTURA }

Affidavit.

GAVIN W CRAIG, being duly sworn, deposes and says: That he is the Gavin W. Craig who is a Justice of the District Court of Appeal of the State of California and who is named in a joint resolution of the Senate and Assembly of the State of California, which said joint resolution sets forth a certain charge as a reason for the removal of affiant from his said office; and that the hearing of said charge, as affiant has been notified, is set for the eighth day of March, 1937;

That affiant is confined as a prisoner in the county jail at Ventura, California, for a term of one year, which does not expire until November 15, 1937.

That affiant has no funds, or any means of securing funds, with which to prepare his defense to the charge set forth in said resolutions for his removal from office, or to employ counsel to conduct such preparation for him, or to present his defense at said hearing;

That because of being confined in jail affiant can do little toward the preparation of his defense;

That affiant has been informed by competent lawyers, that he has a good and sufficient defense to said charges, and that he verily believes that he has such good defense,

That affiant is informed by said lawyers, and that he believes, that the facts which he desires to, and if permitted, will prove at said hearing, are relevant, competent and material to the issues presented by said charge;

That affiant has reason to believe, and does believe, that there are 70, or more, persons now in California, each one of whom has personal knowledge of one or more of the aforesaid facts;

That in addition to the said witnesses, several documents, of which some are voluminous, are, so affiant is informed by said lawyers, and so affiant believes, competent, relevant and material evidence in defense of said charges;

That it will be necessary to the proper presentation of affiant's said defense, to be made at said hearing, that each of said documents be copied and the copies certified, and the necessary expense of making said copies and the certification thereof will be approximately $1,000, unless said expense is reduced by possible stipulation;

That if all of said witnesses are subpenaed and transported from their respective residences to Sacramento, and maintained near the place of said hearing until the testimony of such witnesses has been given, affiant is informed and believes and therefore states that the entire expense thereof will amount to several thousands of dollars; however, the exact amount of such expense is unknown to affiant;

That affiant is informed that the Legislature of California has appointed and will employ three, perhaps six, lawyers to prepare and present the case against the affiant at said hearing; and affiant says that to properly prepare and present affiant's said defense, affiant is informed and believes and therefore states that the services of three attorneys will be needed for much of the time from this date until the conclusion of said hearing,—for all of the time during said hearing, and that the duration of said hearing may be as long as four weeks.

GAVIN W. CRAIG

Subscribed and sworn to before me this nineteenth day of January, 1937.

J. C. P. MOORE, Notary Public.

My Commission Expires October 30, 1938.

[SEAL]

Receipt reports that the same has been considered by the Joint Committee created by said resolution, and such Joint Committee recommended and this committee recommends as follows, to wit:

1. That the said Gavin W. Craig be informed that he must make preparation for his own defense to the charges set forth in the complaint on file with the Legislature and that the Legislature will make no appropriations to assist the said Gavin W. Craig either in preparing his defense or hiring lawyers to represent him at the time of the hearing or in copying of documents or for any other purpose.

2. That the said Gavin W. Craig be further informed that the hearing of said complaint will be in pursuant to rules governing such hearing, as presented by the report of the Joint Committee and adopted by Assembly Concurrent Resolution No. 20.

3. That the Chief Clerk of the Assembly be and is hereby instructed to send a copy of this report and a copy of the rules hereinabove referred to to the said Gavin W. Craig.

BEN ROSENTHAL,
EARL D. DESMOND,
KENT H. REDWINE,
Members of Assembly Special Committee.

Report read, and on motion of Mr. Redwine, adopted.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Concurrent Resolution No. 21: By Messrs. Redwine, Desmond, and Rosenthal—Relative to payment of expenses of Joint Committee created by Assembly Concurrent Resolution No. 6.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 21, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Assembly Concurrent Resolution No. 21—Relative to payment of expenses of Joint Committee created by Assembly Concurrent Resolution No. 6.

Assembly Concurrent Resolution No. 21 read, and adopted by the following vote:

AYES—Baynham, Beene, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson,

Desmond, Donnelly, Flint, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—Hornblower, and Hunt—2.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 22, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 457.
Assembly Bill No. 509.
Assembly Bill No. 1358.
Assembly Concurrent Resolution No. 19.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment

Motion to Withdraw House Resolution No. 49.

Mr. Yorty moved that House Resolution No. 49 be withdrawn from the Committee on Public Utilities, and considered at this time.

Recess.

At twelve o'clock m., on the motion of Mr. King, the Assembly was declared at recess until twelve o'clock and fifteen minutes p m

Reassembled.

At twelve o'clock and fifteen minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Further Consideration of Motion to Withdraw House Resolution No. 49.

The question being on the motion by Mr. Yorty to withdraw House Resolution No. 49 from the Committee on Public Utilities.

Request to Hold Committee Meeting.

Mr. Baynham requested permission to hold a meeting of the Committee on Public Utilities, at this time

Point of Order.

Mr. Latham arose to the following point of order: That the consideration of the motion by Mr. Yorty to withdraw House Resolution No. 49 was still before the Assembly, and therefore Mr. Baynham's request was out of order.

Ruling on Point of Order.

The Speaker ruled the point of order well taken.

The question being on the motion by Mr. Yorty to withdraw House Resolution No. 49 from the Committee on Public Utilities.

Demand for Previous Question.

Messrs Morgan, Dannenbrink, Yorty, Pelletier, and Welsh demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Yorty to withdraw House Resolution No. 49 from the Committee on Public Utilities.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Yorty moved a call of the Assembly.

Request for Roll Call.

On request of Messrs Yorty, Hunt, and Welsh, the Speaker ordered a roll call taken on the motion for call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Burns, Hugh M., Clark, Crowley, Daley, Dilworth, Donihue, Donnelly, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Lore, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Thorp, Turner, Voigt, Waters, Watson, Yorty, and Mr. Speaker—37.

NOES—Baynham, Beene, Breed, Call, Cassidy, Corwin, Cottrell, Cronin, Dannenbrink, Dawson, Desmond, Field, Fulcher, Garibaldi, Garland, Hornblower, Latham, Leonard, Levey, Maloney, Martin, Millington, Muldoon, Redwine, Robertson, Sawallisch, Stream, Walker, Weber, Welsh, and Williamson—31.

Time, twelve o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 1952: By Mr. Boyle (By request)—An act to amend section 1 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy." approved March 20, 1905, relating to the sale of drugs.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1953: By Mr. Boyle (By request)—An act to amend section 1½ of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the registration of stores.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1954: By Mr. Boyle (By request)—An act to amend section 2 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as

the California State Board of Pharmacy," approved March 20, 1905, relating to registered pharmacists.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1955: By Mr. Boyle (By request)—An act to amend section 3 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to licentiates in pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1956: By Mr. Boyle (By request)—An act to amend section 4 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to registered assistant pharmacists.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1957: By Mr. Boyle (By request)—An act to amend sections 5, 6 and 8 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the Board of Pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1958: By Mr. Boyle (By request)—An act to amend sections 5, 6, and 8 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the Board of Pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1959: By Mr. Boyle (By request)—An act to amend section 7 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the powers and duties of the Board of Pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1960: By Mr. Boyle (By request)—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board

to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the annual renewal fee.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1961: By Mr. Boyle (By request)—An act to amend section 10 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to certificates of registration.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1962: By Mr. Boyle (By request)—An act to amend section 11 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to violations of the provisions of the act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1963: By Mr. Boyle (By request)—An act to amend section 12 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the practice of pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1964: By Mr. Boyle (By request)—An act to amend section 13 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to persons in charge of pharmacists.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1965: By Mr. Boyle (By request)—An act to amend section 14 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to temporary certificates.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1966: By Mr. Boyle (By request)—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board

to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to permits.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1967: By Mr. Boyle (By request)—**An act to** amend section 17 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to information necessary for the enforcement of the act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1968: By Mr. Boyle (By request)—**An act to** amend section 18 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to violations of the act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1969: By Mr. Boyle (By request)—**An act to** amend section 1 of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, relating to the sale of poisons.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1970: By Mr. Boyle (By request)—**An act to** amend section 2 of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, relating to labels.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1971: By Mr. Boyle (By request)—**An act to** amend section 3 of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, relating to schedules of antidotes.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1972: By Mr. Boyle (By request)—**An act to** amend section 4 of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, relating to the powers of the State Board of Pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1973: By Mr. Boyle (By request)—**An act to** amend section 5 of an act entitled "An act to regulate the sale and use

of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, relating to labels.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1974: By Mr. Boyle (By request)—**An act to** amend section 5a of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, relating to schedules of poisons.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1975: By Mr. Boyle (By request)—**An act to** amend section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, relating to violations of the act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1976: By Mr. Boyle (By request)—**An act to** amend section 8 of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, relating to narcotics.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1977: By Mr. Boyle (By request)—**An act to** amend section 8e of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, relating to hypodermic syringes

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 1978: By Mr. Boyle (By request)—**An act to** amend section 9 of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, relating to carbolic acid.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1979: By Mr. Boyle (By request)—**An act to** amend sections 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, and 4014 of, and to add sections 4015, 4016, and 4017 to, Chapter 9 in Division II of the Business and Professions Code, relating to the administration of the chapter on pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 1980: By Mr. Boyle (By request)—**An act to** amend sections 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, and 4014 of, and to add sections 4015, 4016, and 4017 to, Chapter 9 in Division II of the Business and Professions Code, relating to the administration of the chapter on pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 1981: By Mr. Boyle (By request)—**An act to** amend sections 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, and 4046 of, and to add sections 4047, 4048, and 4049 to, Chapter 9 in Division II of the Business and Professions Code, relating to the application of the chapter to persons and drugs.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1982: By Mr. Boyle (By request)—**An act to** amend sections 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, and 4046 of, and to add sections 4047, 4048, and 4049 to, Chapter 9 in Division II of the Business and Professions Code, relating to the application of the chapter to persons and drugs.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1983: By Mr. Boyle (By request)—**An act to** amend sections 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069, 4070, 4071, 4072, and 4073 of, and to add sections 4074, 4075, and 4076 to, Chapter 9 in Division II of the Business and Professions Code, relating to itinerant vendors

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1984: By Mr. Boyle (By request)—**An act to** amend sections 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069, 4070, 4071, 4072, and 4073 of, and to add sections 4074, 4075, and 4076 to, Chapter 9 in Division II of the Business and Professions Code, relating to itinerant vendors.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 1985: By Mr. Boyle (By request)—**An act to** amend sections 4090, 4091, 4092, 4093, 4094, 4095, 4096, 4097, and 4098 of, and to add sections 4099, 4100, and 4101 to, Chapter 9 in Division II of the Business and Professions Code, relating to certificates in pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1986: By Mr. Boyle (By request)—**An act to** amend sections 4090, 4091, 4092, 4093, 4094, 4095, 4096, 4097, and 4098 of, and to add sections 4099, 4100, and 4101 to, Chapter 9 in Division II of the Business and Professions Code, relating to certificates in pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1987: By Mr. Boyle (By request)—**An act to** amend sections 4120 and 4121 of, and to add section 4122 to, Chapter 9 in Division II of the Business and Professions Code, relating to registered pharmacists.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1988: By Mr. Boyle (By request)—**An act to** amend sections 4120 and 4121 of, and to add section 4122 to, Chapter 9,

in Division II of the Business and Professions Code, relating to registered pharmacists.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1989: By Mr. Boyle (By request)—An act to amend sections 4130, 4131, 4132, 4133, 4134, and 4135 of, and to add sections 4136, 4137, and 4138 to, Chapter 9 in Division II of the Business and Professions Code, relating to licentiates in pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1990: By Mr. Boyle (By request)—An act to amend sections 4130, 4131, 4132, 4133, 4134, and 4135 of, and to add sections 4136, 4137, and 4138 to, Chapter 9 in Division II of the Business and Professions Code, relating to licentiates in pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1991: By Mr. Boyle (By request)—An act to amend sections 4160, 4161, and 4162 of, and to add sections 4163 and 4164 to, Chapter 9 in Division II of the Business and Professions Code, relating to assistant pharmacists.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1992: By Mr. Boyle (By request)—An act to amend sections 4160, 4161, and 4162 of, and to add sections 4163 and 4164 to, Chapter 9 in Division II of the Business and Professions Code, relating to assistant pharmacists.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1993: By Mr. Boyle (By request)—An act to amend sections 4170, 4171, 4172, and 4173 of, and to add sections 4174 and 4175 to, Chapter 9 in Division II of the Business and Professions Code, relating to temporary certificates in pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1994: By Mr. Boyle (By request)—An act to amend sections 4170, 4171, 4172, and 4173 of, and to add sections 4174 and 4175 to, Chapter 9 in Division II of the Business and Professions Code, relating to temporary certificates in pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1995: By Mr. Boyle (By request)—An act to amend sections 4195, 4196, 4197, 4198, 4199, 4200, 4201, and 4202 of, and to add sections 4203, 4204, and 4205 to, Chapter 9 in Division II of the Business and Professions Code, relating to the practice of pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1996: By Mr. Boyle (By request)—An act to amend sections 4195, 4196, 4197, 4198, 4199, 4200, 4201, and 4202 of, and to add sections 4203, 4204, and 4205 to, Chapter 9 in Division II

of the Business and Professions Code, relating to the practice of pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1997: By Mr. Boyle (By request)—An act to amend sections 4210, 4211, 4212, 4213, and 4214 of, and to add sections 4215, 4216, 4217, 4218, 4219, and 4220 to, Chapter 9 in Division II of the Business and Professions Code, relating to disciplinary proceedings.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1998: By Mr. Boyle (By request)—An act to amend sections 4210, 4211, 4212, 4213, and 4214 of, and to add sections 4215, 4216, 4217, 4218, 4219, and 4220 to, Chapter 9 in Division II of the Business and Professions Code, relating to disciplinary proceedings.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1999: By Mr. Boyle (By request)—An act to amend sections 4225, 4226, 4227, 4228, 4229, 4230, 4231, 4232, and 4233 of, and to add sections 4234, 4235, and 4236 to, Chapter 9 in Division II of the Business and Professions Code, relating to offenses against the chapter.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2000: By Mr. Boyle (By request)—An act to amend sections 4225, 4226, 4227, 4228, 4229, 4230, 4231, 4232, and 4233 of, and to add sections 4234, 4235, and 4236 to, Chapter 9 in Division II of the Business and Professions Code, relating to offenses against the chapter.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2001: By Mr. Boyle (By request)—An act to amend sections 4250, 4251, 4252, 4253, 4254, 4255, and 4256 of, and to add sections 4257 and 4258 to, Chapter 9 in Division II of the Business and Professions Code, relating to the revenue provisions of the chapter.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2002: By Mr. Boyle (By request)—An act to amend sections 4250, 4251, 4252, 4253, 4254, 4255, and 4256 of, and to add sections 4257 and 4258 to, Chapter 9 in Division II of the Business and Professions Code, relating to the revenue provisions of the chapter.

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 2003: By Mr. Boyle (By request)—An act to amend section 347½ of the Penal Code, relating to the sale of drugs

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2004: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to amend section 117c of the Code of Civil Procedure, relating to filing affidavit in small claims courts.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2005: By Mr. Garibaldi—An act to amend section 33 of the Retail Sales Tax Act of 1933, relating to judicial review of acts of the Board of Equalization.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2006: By Mr. Garibaldi—An act to amend section 33 of the Retail Sales Tax Act of 1933, relating to judicial review of acts of the Board of Equalization.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2007: By Mr. Robertson—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 2008: By Mr. Dannenbrink—An act to amend section 422 of the Probate Code, relating to order of priority of right to letters of administration.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2009: By Messrs. Hunt, Cunningham, Dawson, and Tenney—An act to amend sections $2\frac{3}{4}$ and $50\frac{1}{4}$ of the Public Utilities Act, relating to highway common carriers.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2010: By Messrs. Hunt, Cunningham, Dawson, and Tenney—An act to amend sections 1, 2, 3, 4, 5, 8, 10, 11, 12, 14 and 24 of the Highway Carriers' Act, relating to highway and contract carriers.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2011: By Mr. Burns, Hugh M.—An act to amend section 4600 and to repeal sections 4601 and 4602 of, the Labor Code, relating to workmen's compensation.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2012: By Mr. Burns, Hugh M.—An act to add section 319 to the Agricultural Code, relating to the sale of animals.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2013: By Mr. Burns, Hugh M.—An act to add section 735.5 to the Vehicle Code, relating to procedure upon arrest.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2014: By Mr. Cunningham—An act to add a new section to the School Code, to be numbered 5.507, relating to employees in positions requiring certification qualifications.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2015: By Mr. King—An act to prohibit private armies, to prohibit the unauthorized wearing of uniforms in connection

with political objects, and to make provision for the preservation of public order on the occasion of public parades and meetings in public places.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2016: By Mr. King—An act to amend section 120 of the Agricultural Code, relating to nurserymen licenses.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2017: By Mr. King—An act to amend section 499 of the Penal Code, relating to the stealing of water.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 2018: By Mr. King—An act to amend section 24 of the Direct Primary Law, relating to primary conventions.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 2019: By Mr. King—An act to add a new section to be numbered 423 of the Penal Code, relating to publishing news of crime.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2020: By Mr. King—An act to add a new section to be numbered section 422 to the Penal Code, relating to false news in a newspaper or other periodical.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2021: By Mr. King—An act to amend section 1021 of the Code of Civil Procedure dealing with attorney's fees.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2022: By Mr. King—An act to amend section 209 of the Penal Code, relating to kidnaping.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2023: By Mr. Kepple—An act to amend section 4153 of the Political Code of the State of California, relating to the duties of the district attorney.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2024: By Mr. Kepple—An act to amend section 4307 of the Political Code of the State of California, relating to county charges.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2025: By Mr. Muldoon—An act to repeal section 3819a of the Political Code and to add a new section 3819a thereto, relating to redemption of property from tax sales.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 2026: By Mr. Miller—An act regulating the practice of engineering; providing for the creation and establishment of a State Board of Registration for Professional Engineers; granting certain powers to and prescribing the duties of said board; providing for the examination and registration of professional engineers, and providing penalties for the violation of this act; and repealing an act entitled "An act regulating the practice of civil engineering" approved June 14, 1929.

Bill read first time, and referred to Committee on Buildings and Construction.

Assembly Bill No. 2027: By Mr. Donihue—An act relating to the establishment and maintenance of a Bureau of Safety in the Railroad Commission of this State.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2028: By Mr. Clark—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, by amending sections 1, 2, 3 and 5 thereof, relating to the deposit of public moneys.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2029: By Mr. Fulcher—An act to amend section 3 and to add sections $9\frac{1}{2}$, $11\frac{1}{2}$ and $11\frac{3}{4}$ to the Workmen's Compensation, Insurance and Safety Act, relating to asbestosis and silicosis.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2030: By Mr. Garibaldi—An act to amend section 366 of the Code of Civil Procedure, relating to private institutions for the insane.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 2031: By Mr. Meehan—An act making it a felony to transport from one county in the State to another county persons to be employed to act as strikebreakers, or who may be employed to interfere with the right of peaceful picketing during labor controversies, and to provide penalties for the violation of this act.

Bill read first time, and referred to Committee on Crime Problems.

Request for Unanimous Consent.

Mr. Glick asked for, and was granted, unanimous consent to consider House Resolution No. 33, at this time.

Consideration of House Resolution No. 33.

House Resolution No. 33—Creating Assembly Water Pollution Investigating Committee.

Motion to Table House Resolution No. 33.

On motion of Mr. Glick, House Resolution No. 33 was tabled.

Request to Print Communication.

Mr. Glick asked for, and was granted, permission to have the following telegram printed in the Journal:

GRASS VALLEY, CALIFORNIA,

Von T. Ellsworth,
Legislative Representative, California Farm Bureau Federation,
Hotel Sacramento.

Your wire received too late, mine tailings, Glick correct, is supported by interested farmers and land owners of Nevada County Assembly investigation will do no harm and may uncover needed information. Meeting of land owners held January 10th requested above action. Wrote Deuel full particulars Letter follows.

C. J. ROLPH, JR.

Resolutions.

The following resolutions were offered:

By Mr. Levey:

House Resolution No. 57.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of James G. Smyth, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Request for Unanimous Consent.

Mr. Levey asked for, and was granted, unanimous consent to take up House Resolution No. 57, at this time, without reference to committee or calendar.

House Resolution No. 57 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

By Mr Voigt:

House Resolution No. 58.

Resolved, That the Chief Clerk be and he is hereby authorized to receipt for any warrants for members, officers, or attaches of the Assembly during constitutional recess.

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up House Resolution No. 58, at this time, without reference to committee or calendar.

House Resolution No. 58 read, and adopted by the following vote:

AYES—Baynham, Beene, Burns, Hugh M., Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Walker, Waters, Watson, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—None.

By the Committee on Attaches:

House Resolution No. 59.

WHEREAS, During the constitutional recess, services of the officers, attaches and employees of the Assembly will not be required with the exception hereinafter noted; and

WHEREAS, There is a great deal of exacting details pertaining to this session of the Legislature to be taken care of; and

WHEREAS, It will be necessary to retain a certain amount of help to assist in the performance of this work; therefore, be it

Resolved, That the name of each of the officers, attaches and employees heretofore employed by the fifty-second session of the Assembly for the positions at the per diem provided by law, be, and they are hereby stricken from the roll to begin and include the twenty-second day of January, 1937, save and except the following:

James G. Smyth, Chief Clerk—36 days at $10 per day	$360 00
Jack C. Greenburg, Assistant Chief Clerk—36 days at $9	324 00
Delwin W. Smith, Sergeant-at-Arms—31 days at $8	248 00
Juanita Dependener, Chief Stenographer—31 days at $6	186 00

House Resolution No. 59 read, and adopted by the following vote:

AYES—Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Glick, Hawkins, Heisinger

Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, and Mr. Speaker—59.

NOES—None.

By Messrs. McMurray, Crowley, Maloney, Hornblower, Dawson, Meehan, Cassidy, and Cronin:

House Resolution No. 60.

WHEREAS, Article XXIV of the State Constitution and the State Civil Service Act empowers the State Personnel Board to prescribe salary ranges for positions in the State civil service; and,

WHEREAS, Most of said salary ranges were established many years ago at a time when our living standards, costs of living, and wages and salary scales were considerably lower than they are today; and,

WHEREAS, Most of said salary ranges make impossible the payment of salaries and wages in keeping with those paid in other public employment with the result that great number of qualified and competent persons are leaving the State service and can not be replaced; and,

WHEREAS, The State of California is rapidly recovering from the effects of the depression with improved economic and financial conditions which should permit an upward adjustment of salary ranges and among other things make possible in the "lower brackets" the payment of a "living wage"; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Personnel Board is urgently requested to make a survey and study of the established salary ranges for positions in the State civil service, and to make the necessary adjustments in such ranges to the end that salaries and wages more commensurate with the present costs of living, salaries and wages paid in other public employment, and our improved economic and financial conditions may be paid

Request for Unanimous Consent.

Mr. Hornblower asked for unanimous consent to take up House Resolution No. 60, at this time, without reference to committee or calendar.

Mr. Dannenbrink withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr Crowley moved that the Rules be temporarily suspended for the consideration of House Resolution No 60, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Williamson, and Mr. Speaker—61.

NOES—Dannenbrink, and Miller, George P.—2.

House Resolution No 60 read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—Dannenbrink—1.

By Mr. Donnelly:

House Resolution No. 61.

Resolved by the Assembly of the State of California, That the names of all lobbyists and/or legislative representatives who have registered be published in the Assembly Semi Final History; and be it further

Resolved, That after the constitutional recess a list of all registered lobbyists and/or legislative representatives shall be published in each Assembly Weekly History thereafter.

Request for Unanimous Consent.

Mr. Donnelly asked for, and was granted, unanimous consent to take up House Resolution No. 61, at this time, without reference to committee or calendar.

House Resolution No 61 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Thorp, Turner, Waters, Watson, Welsh, and Mr. Speaker—46.

NOES—Call, Dawson, Dilworth, Field, Garibaldi, Hornblower, King, Latham, Redwine, Robertson, Sawallisch, Stream, and Weber—13.

Appointment of Special Committees.

The Speaker announced the appointment of Messrs. Breed, chairman, Weber, and Sheehan to serve as members of the Special Assembly Committee on Recording of Real Estate Maps, pursuant to the terms of House Resolution No. 55.

The Speaker announced the appointment of Messrs Donihue, chairman, Boyle, Patterson, O'Donnell, Cottrell, Robertson, Dawson, Turner, and Garland to serve as members of the Special Assembly Committee on State Auditing, pursuant to the terms of House Resolution No 39.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment, and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined: **Assembly Bill No. 844.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

Request for Unanimous Consent.

Mr Williamson asked for, and was granted, unanimous consent to take up Assembly Bill No. 844, at this time, without reference to calendar.

Consideration of Assembly Bill No. 844.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 21, 1937.

To the Honorable Members of the Assembly, Sacramento, California.

Assembly Bill No. 844—An act to amend section 3773 of the Political Code, relating to lands sold to the State for delinquent taxes, the possession, rental and appraisal thereof, creating the tax deeded land rental fund, making an appropriation in relation thereto, and declaring the urgency thereof

In my opinion said Assembly Bill No. 844 constitutes an urgency bill within the meaning of that term as used in section 4 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill

I therefore recommend consideration of Assembly Bill No. 844 as such an emergency measure

Respectfully submitted.

FRANK F MERRIAM, Governor of California

Third Reading of Assembly Bill No. 844.

Assembly Bill No. 844—An act to amend section 3773 of the Political Code, relating to lands sold to the State for delinquent taxes, the possession, rental and appraisal thereof, creating the tax deeded land rental fund, making an appropriation in relation thereto, and declaring the urgency thereof.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Williamson, and Mr. Speaker—63.

NOES—None

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Williamson, and Mr. Speaker—67

NOES—None

Title read and approved. Bill ordered transmitted to the Senate

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: **Assembly Bill No. 227.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

Re-reference of Assembly Bill No. 227.

On motion of Mr. Donnelly, Assembly Bill No. 227 was re-referred to the Committee on Corporations.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1937

MR. SPEAKER: Your Committee on Federal Relations, to which was referred: **Senate Joint Resolution No. 4.**

Respectfully reports the same back, with the recommendation: Be adopted.

HEISINGER, Chairman.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 4, at this time, without reference to calendar.

Consideration of Senate Joint Resolution No. 4.

Senate Joint Resolution No. 4—Relative to memorializing and petitioning the President and the Congress of the United States to include the Central Valley Project in the National Program of Work Relief.

Senate Joint Resolution No. 4 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney,

Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—68

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Motion to Withdraw Assembly Bill No. 1512.

Mr. Williamson moved to withdraw Assembly Bill No. 1512 from the Committee on Revenue and Taxation, and have it placed upon the calendar.

The roll was called, and Assembly Bill No 1512 withdrawn by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, and Mr. Speaker—63.

NOES—None.

Consideration of Assembly Bill No. 1512.

Case of Urgency.

The following resolution was offered:

By Mr. Williamson:

Resolved, That Assembly Bill No 1512 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Williamson, and Mr Speaker—65

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, Assembly Bill No. 1512 at this time.

Second Reading of Assembly Bill No. 1512.

Assembly Bill No. 1512—An act to amend sections 19, 20 and 21 of the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations and to provide that this act shall take effect immediately.

Bill read second time

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Third Reading of Assembly Bill No. 1512.

Assembly Bill No. 1512—An act to amend sections 19, 20 and 21 of the Bank and Corporation Franchise Tax Act, relating to taxes on banks

and corporations and to provide that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate:

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 11—Relative to reports of the Annual Convention of the Disabled American Veterans of the World War of the Department of California, and Department and Encampment of the Grand Army of the Republic.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Dawson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 11, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 11.

Senate Concurrent Resolution No. 11—Relative to reports of the Annual Convention of the Disabled American Veterans of the World War of the Department of California, and Department and Encampment of the Grand Army of the Republic

Senate Concurrent Resolution No. 11 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, January 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 307—An act making an appropriation to meet a deficiency in the appropriation for the support of the State Athletic Commission for the eighty-seventh and eighty-eighth fiscal years, declaring the urgency thereof; and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 307 read first time.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Senate Bill No. 307, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 307.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 19, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

Senate Bill No. 307—An act making an appropriation to meet a deficiency in the appropriation for the support of the State Athletic Commission for the eighty-seventh and eighty-eighth fiscal years, declaring the urgency thereof; and providing that this act shall take effect immediately.

In my opinion said Senate Bill No. 307 constitutes an urgency bill within the meaning of that term as used in section 4 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 307 as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Case of Urgency.

The following resolution was offered:

By Mr. Cottrell:

Resolved, That Senate Bill No. 307 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Welsh, Yorty, and Mr. Speaker—68.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 307, at this time.

Second Reading of Senate Bill No. 307.

Senate Bill No. 307—An act making an appropriation to meet a deficiency in the appropriation for the support of the State Athletic Commission for the eighty-seventh and eighty-eighth fiscal years declaring the urgency thereof; and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Third Reading of Senate Bill No. 307.

Senate Bill No. 307—An act making an appropriation to meet a deficiency in the appropriation for the support of the State Athletic Commission for the eighty-seventh and eighty-eighth fiscal years, declar-

ing the urgency thereof; and providing that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At two o'clock p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Yorty.

The roll of absentees was called, and House Resolution No. 49 withdrawn from the Committee on Public Utilities by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Desmond, Dilworth, Donnelly, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Thorp, Turner, Waters, Watson, Weber, Williamson, and Yorty—41.

NOES—Baynham, Beene, Breed, Call, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Domhue, Field, Flint, Fulcher, Garland, Glick, Hunt, Kepple, King, Latham, Laughlin, Leonard, Lyon, Martin, Millington, Muldoon, Redwine, Robertson, Sawallisch, Scudder, Stream, Voigt, Walker, Welsh, and Mr. Speaker—35

Consideration of House Resolution No. 49.

House Resolution No. 49 read, and adopted by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dilworth, Donnelly, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Levey, Lore, Maloney, Mayo, McMurray, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Stream, Tenney, Thorp, Turner, Waters, Williamson, and Yorty—38

NOES—Baynham, Beene, Breed, Call, Corwin, Dannenbrink, Dawson, Domhue, Field, Flint, Fulcher, Garland, Glick, Hunt, Kepple, King, Laughlin, Leonard, Lyon, Martin, Meehan, Millington, Muldoon, Redwine, Robertson, Sawallisch, Scudder, Watson, Weber, Welsh, and Mr. Speaker—31.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Concurrent Resolution No. 12.
Assembly Bill No. 575 **Assembly Bill No. 948.**
Assembly Bill No. 698. **Assembly Bill No. 1169.**

And reports the same correctly enrolled, and presented to the Governor on this twenty-second day of January, 1937, at two o'clock p.m.

CUNNINGHAM, *Chairman.*

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 22, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 451—An act to amend section 3669 of the Political Code, relating to assessment and levy of taxes upon insurance companies and providing the same shall take effect immediately.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 451 read first time.

Request for Unanimous Consent.

Mr Welsh asked for, and was granted, unanimous consent to take up Senate Bill No. 451, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 451.

Case of Urgency.

The following resolution was offered:

By Mr. Welsh:

Resolved, That Senate Bill No. 451 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 451, at this time

Second Reading of Senate Bill No. 451.

Senate Bill No. 451—An act to amend section 3669 of the Political Code, relating to assessment and levy of taxes upon insurance companies and providing the same shall take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Peck, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

Third Reading of Senate Bill No. 451.

Senate Bill No. 451—An act to amend section 3669 of the Political Code, relating to assessment and levy of taxes upon insurance companies and providing the same shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Walker, Waters, Welsh, Williamson, Yorty, and Mr Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, January 22, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 488—An act relating to the formation, organization and proceedings of municipal utility districts; confirming the formation, organization and existing of such districts; establishing and validating the boundaries thereof; con-

firming proceedings for the annexation of territory to, incorporation and inclusion thereof within municipal utility districts; confirming the election of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such district and authorizing such bonds to be sold and delivered, providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds, and declaring this act to be an urgency measure.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 488 read first time.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Senate Bill No. 488, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 488.
Case of Urgency.

The following resolution was offered:

By Mr. Desmond:

Resolved, That Senate Bill No. 488 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M.; Burns, Michael J.; Call, Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Weber, Welsh, and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 488, at this time

Second Reading of Senate Bill No. 488.

Senate Bill No. 488—An act relating to the formation, organization and proceedings of municipal utility districts; confirming the formation, organization and existing of such districts; establishing and validating the boundaries thereof; confirming proceedings for the annexation of territory to, incorporation and inclusion thereof within municipal utility districts, confirming the election of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such district and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds, and declaring this act to be an urgency measure.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M.; Burns, Michael J.; Cassidy, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon,

O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Third Reading of Senate Bill No. 488.

Senate Bill No. 488—An act relating to the formation, organization and proceedings of municipal utility districts; confirming the formation, organization and existing of such districts; establishing and validating the boundaries thereof, confirming proceedings for the annexation of territory to, incorporation and inclusion thereof within municipal utility districts; confirming the election of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such district and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds, and declaring this act to be an urgency measure.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Waters, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker Pro Tempore in the Chair.

At two o'clock and ten minutes p.m., Hon. Henry P. Meehan, Speaker pro tempore of the Assembly, in the chair.

Resolution.

The following resolution was offered:

By Mr. Turner:

House Resolution No. 62.

WHEREAS, Great publicity has been given in the press and over the radio to a story involving the alleged doping of a horse named Prochivity belonging to the Northway Stables owned by Norman W. Church; and

WHEREAS, The alleged doping and race which has been questioned took place at the Santa Anita Track on January 1, 1937; and

WHEREAS, The stewards of said track have had a number of hearings concerning that matter at one or more of which hearings the chemist whose report formed the basis for such charges refused to testify under oath that his examination showed that the horse had been stimulated; and

WHEREAS, The said stewards have nevertheless at different and various times said the evidence accumulated would be forwarded to the Racing Commission for its action and disposition of the case; and

WHEREAS, The Racing Commission has not yet taken jurisdiction of the case nor received the accumulated evidence; and

WHEREAS, There appears to be nothing in the rules of the said Racing Commission or the laws of this State requiring the stewards to act within a given length of time, or nothing in said rules or laws requiring the Racing Commission of this State to dispose of such matters in any given length of time; and

WHEREAS, It is obviously highly damaging, detrimental and expensive to the name and reputation of one in the position of Norman W. Church in these circumstances, and to the name and reputation of the stable which has been so reflected upon, and to the name and reputation of the trainer whose integrity has been called into question; and

WHEREAS, The Legislature will undoubtedly be called upon to pass legislation in this field that will afford protection to the track, to the public, to the owners of racing horses, and to the trainer of said horses; and

WHEREAS, It would be very desirable that the Legislature have detailed and accurate information as to the practices, customs, rules and regulations and laws concerning such matters; now, therefore, be it

Resolved, That a Special Assembly Committee on Horse Racing Rules and Regulations consisting of three members of the Assembly be appointed by the Speaker to investigate and study the rules and regulations, customs and practices of horse racing and the procedure for disqualifying or suspending horses, trainers, stables, or owners from the use and privileges of the tracks of this State, said committee to report to the Legislature as soon as possible after the constitutional recess of this session; and be it further

Resolved, That the committee upon appointment shall elect a secretary and appoint such other clerical and technical assistants as it may deem necessary; and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, information and access to records as the committee request; and be it further

Resolved, That the committee is authorized to do all things necessary to make a complete investigation of the matters herein referred to and to require the production of, and access to, books, documents, reports, accounts, and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article XIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and the committee is hereby authorized to sit during the session of the Legislature and during the interval between session, at such places in the State as the committee shall from time to time determine, and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $250, or so much thereof as may be necessary is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments to be made by warrants of the State Controller drawn against the contingent fund upon written order of the chairman of the committee.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up House Resolution No. 62, at this time, without reference to committee or calendar.

House Resolution No. 62 read

Demand for Previous Question.

Messrs. Heisinger, Hunt, Hawkins, Pelletier and Redwine moved the previous question.

The question being put: Shall the main question be now put?

Demand for previous question not sustained.

Demand for Previous Question.

Messrs. Garibaldi, Morgan, Flint, Muldoon, Hunt, and Pelletier moved the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 62

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, and Mr. Speaker—53.

NOES—Call, Cunningham, Dannenbrink, Field, Hawkins, Hunt, Latham, Lyon, McMurray, Peek, Pelletier, Redwine, Waters, and Yorty—14.

The Speaker in the Chair.

At two o'clock and twenty minutes p. m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 236.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1937

MR. SPEAKER: Your Committee on Free Conference concerning.

Assembly Bill No. 236—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

Reports that it has met a like committee of the Senate, consisting of Senators Knowland, Wagy and Hays, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 4, lines 4 and 5, of the printed bill, as amended, strike out "during each fiscal year", and insert in lieu thereof the following: "during the eighty-ninth and ninetieth fiscal years.".

Amendment No. 2.

On page 4, line 22, of the printed bill, as amended, strike out "each fiscal year", and insert in lieu thereof the following: "the eighty-ninth and ninetieth fiscal years".

Amendment No. 3.

On page 4, line 34, of the printed bill, as amended, strike out "each fiscal year", and insert in lieu thereof the following: "the eighty-ninth and ninetieth fiscal years".

Amendment No. 4.

On page 5, between lines 16 and 17, of the printed bill, as amended, insert the following:

"SEC. 9a. Section 11 is hereby added to said act, to read as follows:

Sec. 11. On and after July 1, 1939, the moneys in the motor vehicle license fee fund are hereby appropriated as follows:

(a) There shall be first appropriated from such fund for the use of the Department of Motor Vehicles such amount as the Department of Finance shall determine, and shall so certify to the State Controller, is necessary for the enforcement of the provisions of this act, the total of which amount shall in no event exceed 3 per cent of the moneys paid into said fund.

(b) On order of the State Controller there shall be transferred to the general fund and set apart sufficient moneys in the amount of the principal and interest paid or necessarily to be paid during each fiscal year on bonds of the State issued under:

(1) The "State Highways Act," approved by the Governor March 22, 1909, and by a majority of the electors at the general election held November 8, 1910;

(2) The "State Highways Act of 1915," approved by the Governor May 20, 1915, and by a majority of the electors at the general election held November 7, 1916;

(3) Section 2 of Article XVI of the Constitution as approved by a majority of the electors at a special election held July 1, 1919; and

(4) Section 3 of Article XVI of the Constitution, as approved by a majority of the electors at a general election held November 2, 1920.

(c) The balance of the moneys in said fund shall, on order of the Controller, be disbursed as follows:

(1) Twenty per cent thereof to the general fund of the State of California.

(2) Forty per cent thereof shall be paid quarterly during each fiscal year to the cities and cities and counties of this State in the proportion that the total population of each such city or city and county bears to the total population of all cities and cities and counties in this State, as certified by the department. For the purpose of this subsection, the population of each city or city and county is that determined by the last Federal Census. In the case of a city incorporated subsequent to the last Census, or in the case of an unincorporated territory being annexed to a city subsequent to the last Census, the department shall ascertain the population of the city or the annexed territory by multiplying the number of registered electors therein by three. The moneys so paid shall be expended by the cities and cities

and counties for law enforcement and the regulation and control and fire protection of highway traffic.

(3) Forty per cent thereof shall be paid quarterly during each fiscal year to the counties and cities and counties of the State in the proportion that the population of each such county or city and county bears to the total population of all the counties and cities and counties of the State, as certified by the department. For the purpose of this subsection, the population of each county or city and county is that determined by the last Federal Census."

HORNBLOWER,
Assembly Committee on Free Conference

KNOWLAND,
HAYS,
WAGY,
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Cronin, Cunningham, Daley, Dawson, Dilworth, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Miller, Eleanor: Morgan, Muldoon, Pelletier, Redwine, Robertson, Sawallisch, Scudder, Stream, Thorp, Walker, Waters, Weber, Williamson, and Yorty—43.

NOES—Cassidy, Clark, Crowley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Garland, Gilbert, Glick, Hunt, King, Lore, Mayo, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Patterson, Peek, Reaves, Richie, Rosenthal, Tenney, Turner, Voigt, Watson, Welsh, and Mr. Speaker—31

Resolution.

The following resolution was offered.

By Mr. O'Donnell:

House Resolution No. 63.

Relative to memorializing the Congress of the United States on the tariff laws relating to quarantine of live stock and meats

WHEREAS, During the years 1924 and 1929, serious outbreaks of foot and mouth disease occurred in California; and

WHEREAS, The outbreak of 1929 was traced to meat brought to the United States from Argentina; and

WHEREAS, Such foot and mouth disease outbreaks have caused serious injury to both industry and agriculture in California; and

WHEREAS, The Argentine Sanitary Convention, now pending before the Senate Foreign Relations Committee, is designed to alter the provisions of section 306-a of the Smoot-Hawley Tariff Act (effective June 17, 1930), so that, instead of forbidding importation of meat products from any country where rinderpest or foot and mouth disease exists, it would permit zoning of the Argentine and admission of such products from zones declared to be free from those plagues; and

WHEREAS, The proposed Sanitary Convention would encourage efforts to bring animals from affected areas via free zones; and

WHEREAS, The fact that so many of the outbreaks of foot and mouth disease in the United States have been traced to violation of laws of the Bureau of Animal Industry, governing the importation of meats from infected countries is sufficient reason for the tightening up of restrictions, rather than lessening such restrictions; now, therefore, be it

Resolved by the Assembly of the State of California, That it is opposed to any change or modification in the present tariff laws relating to quarantine of live stock and meats and to any plan whereby countries such as Argentina will be zoned to permit shipment of live stock or meats to the United States, and be it further

Resolved, That copies of this resolution be sent to the President of the United States, United States Senators Johnson and McAdoo, to all California Congressmen, to Secretary of State Cordell Hull, and to the Secretary of Agriculture, Henry A. Wallace.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up his resolution, at this time, without reference to committee or calendar.

House Resolution No 63 read, and adopted

Motion to Expunge Record and Rescind Action on Report of Special Assembly Committee.

Mr. Redwine moved to expunge the record, and rescind the action whereby the Assembly this day adopted the report of the Special

Assembly Committee appointed pursuant to the terms of Assembly Concurrent Resolution No. 6, and that the report be further considered at this time.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Muldoon, O'Donnell, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Consideration of Report of Special Assembly Committee.

Amendment to Rules of Procedure Submitted by Joint Committee Created by Assembly Concurrent Resolution No. 6.

The Joint Committee of the Senate and the Assembly created pursuant to Assembly Concurrent Resolution No. 6, hereby proposes and reports that paragraph VII of the Rules of Procedure heretofore submitted by said committee be and hereby are amended by inserting therein after the words "prove or disprove the," the words "issues tendered by the."

DESMOND.
ROSENTHAL.
REDWINE.
RICH.
OLSON.
HAYS.

Amendment adopted.

The question being on the adoption of the report of the Joint Committee and Rules of Procedure, as amended

Report and Rules of Procedure, as amended, adopted.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced:

Assembly Concurrent Resolution No. 22: By Mr. Redwine—Relative to approving Rules of Procedure established upon and determined by the Joint Committee of the Senate and the Assembly for the Hearing of the Complaint for the Removal of Gavin W. Craig, Associate Justice of the District Court of Appeal of the State of California, and the defense thereto.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 22, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 22.

Assembly Concurrent Resolution No. 22—Relative to approving Rules of Procedure established upon and determined by the Joint Committee of the Senate and Assembly for the Hearing of the Complaint for the Removal of Gavin W. Craig, Associate Justice of the District Court of Appeal of the State of California, and the defense thereto.

Assembly Concurrent Resolution No. 22 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller

George P., Millington, Morgan, Muldoon, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Waters, Watson, Weber, Yorty, and Mr Speaker—63.

NOES—None

Title read and approved Bill ordered to print, and transmitted to the Senate.

Assembly Concurrent Resolution No. 23: By Messrs. Redwine, Rosenthal, and Desmond—Relative to appointing and compensating counsel for the defense of Gavin W. Craig.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 23, at this time, without reference to committee, print or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 23.

Assembly Concurrent Resolution No. 23—Relative to appointing and compensating counsel for the defense of Gavin W Craig

Assembly Concurrent Resolution No. 23 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Voigt, Walker, Waters, Watson, Weber, Williamson, Yorty, and Mr Speaker—65

NOES—Hunt—1.

Title read and approved Bill ordered to print, and transmitted to the Senate

Report of Interim Committee.

The following report of the Assembly Interim Committee on the Investigation of Health and Health Insurance was received, ordered printed in the Journal, and referred to Committee on Public Health and Quarantine.

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON INVESTIGATION OF HEALTH AND HEALTH INSURANCE IN THE STATE OF CALIFORNIA.

To the Assembly of the State of California at its Fifty-second Session, January 1937.

Introduction.

Under the authority of the Assembly of the State of California and pursuant to a resolution passed by the Assembly at the fifty-first session of the California Legislature, the Assembly Interim Committee on Investigation of Health and Health Insurance in the State of California appointed by Hon. Edward Craig, Speaker of the Assembly, (See A. D. J., page 18, May 18, 1935) respectfully submits the following report

The committee was required

"to make a comprehensive investigation of the problem," and

"fact-finding studies—to promote the health and general welfare of the people of California."

In undertaking the study and investigation of health insurance your committee found a wealth of material upon the subject We found that in 1934–1935 an extensive survey was conducted in California at an approximate cost of $95,000 The California Medical Association contributed approximately $35,000, and the balance came from Federal and State funds In 1933 a Senate Interim Committee was appointed to study this subject. The committee submitted a voluminous report, based upon which Senate Bill No. 454 was introduced at the 1935 session of the California Legislature, proposing a form of compulsory health insurance The bill met with many amendments, and, after extended hearings, died in committee

Subsequent to the appointment of your committee, a question was raised by the State Controller as to the purpose for which legislative funds could be spent, which

handicapped the committee very seriously Prior to the Phillips decision this committee was unable to retain a secretary and prepare transcripts and compile memoranda and findings.

Since the committee found available much literature upon the subject, we early decided that our investigation should best turn to the practical side of health insurance.

Prior to conducting the public hearing Hon. Thomas J. Cunningham, chairman of the committee, prepared a questionnaire covering the entire phase of health insurance, which was mailed to more than 100 representative groups and individuals throughout the State The mailing list was compiled to include all groups within the State known by the committee to be interested in health insurance. It was the intent of the committee to overlook no group interested in the subject matter studied

The following is the invitation and list of questions which were sent to various medical, dental, chiropractic, osteopathic, and optometry groups; hospital and health service organizations; chambers of commerce; religious bodies; public and private utilities; merchants and manufacturers associations; life insurance companies, civic, taxpayers, fraternal, educational, civil service, teachers and employee groups, and farm bureaus:

"DEAR SIR:
AND/OR GENTLEMEN

Enclosed please find questionnaire of Assembly Interim Committee of the State Legislature, appointed to study and report on Health Insurance in the State of California.

This questionnaire has been sent to you either because of the interest you have shown in this problem, and/or the fact that the committee desires to obtain your views Please answer *all* questions applicable to you or the organization you represent

A public hearing will be held in the State Building in San Francisco, April 23d, 24th and 25th, beginning at 9:30 a.m., and in Los Angeles on May 8th and 9th You are invited to attend.

The committee will appreciate your answers to the questionnaire, typewritten on separate stationery, to be turned in at the committee hearings if possible, and not later than May 31, 1936

Answers, if mailed, should be forwarded to Hon. Ralph W. Wallace, secretary of the committee, 710 San Diego Trust & Savings Building, San Diego. Copies of questionnaire for all interested may be obtained from the secretary or chairman of the Assembly Committee

Very truly yours,
THOMAS J CUNNINGHAM,
Chairman, Assembly Health Insurance Committee"

"Questionnaire
California Assembly Committee
on
Health Insurance.

(See Accompanying Letter of Instructions.)

1 Official name of your organization?
2 Address, including street, city and county?
3 Date of organization or incorporation?
4 Number of members?
5 Number of employees?
6. Do you have dues? If so, what? (Explain)
7 Does your organization favor a system of compulsory health insurance in California? If so, with or without cash benefits?
8 Does your organization favor voluntary health insurance in the State of California? If so, with or without cash benefits?
9 What, if any, objections would your organization have to a system—
(a) of compulsory health insurance?
(b) of voluntary health insurance?
10 Does your organization provide for health services for your employees and/or members?
11. To what benefits are recipients entitled, (cash, hospital and medical care, or what)?
12. How long have you operated such plan for health benefit?
13 Is it compulsory to all alike?
14. Does each member contribute to the health services? If so, how much?
15. Does your organization contribute? If so, in what form?
16. What facilities does your organization have and/or provide for supplying health services?
17. Do any group of your employees and/or employees fully or in part participate in any kind of health insurance or health service? If so, from what organization and/or groups? (Explain.)

18. Does your organization have access, or is it associated with, any hospital associations in connection with health services for your members or employees?
19. Do you have any group of your members or employees carrying health and accident indemnity with any insurance companies? If so, please state approximately the number of them who are policy holders, rates and coverage, cost of operation and types of service rendered.
20. If your organization favors compulsory health insurance in California, how does it recommend financing same?
21. If your organization favors voluntary health insurance, how does it favor financing same?
22. If you do not believe in voluntary or compulsory health insurance, do you suggest an alternative or no plan whatever? (Answer fully and give reasons.)
23. What would each of your employees be willing to contribute of his salary to insure adequate medical care of himself and family?
24. Would your employees be willing to avail themselves of the opportunity voluntarily to provide adequate medical care for himself and family through a system of fixed periodic payments?
25. Are your members and organization discontented with the present system of providing medical care in California (i.e., the private arrangement between patient and physician, and patient and hospital)?
26. Assuming that a system of compulsory health insurance should be adopted, do you believe the State of California should enact such a law in advance of Federal legislation?"

In the preparation and sending of the questionnaire it was the committee's intent that those who received it would comply with the committee's request for an answer. There was no desire on the part of the committee to invoke its power of subpena, but merely to acquire an expression of facts from those primarily concerned with this all-important problem of health insurance.

Ready and full responses were received from medical, dental, osteopathic, chiropractic groups; and certain religious bodies; hospitals; health insurance and health benefit societies; credit unions; fraternal orders; women's clubs; employee and civil service organizations; and certain interested individuals.

Considering the importance and far-reaching aspects of this problem, and the agitation aroused when legislation is introduced on any phase of this subject, your committee was greatly disappointed at the lack of interest and poor response to the questionnaire on the part of insurance companies, organized labor, private utilities, pharmaceutical groups, and certain private-profit health insurance associations.

Hearings.

The committee held, in addition to executive sessions, two public hearings, one in the city of San Francisco and one in the city of Los Angeles.

SAN FRANCISCO

At the San Francisco meeting, held April 23 and 24, 1936, the committee had the pleasure of being addressed by Dr. T. Henshaw Kelly, M. D., representing the California Medical Association. The committee was greatly interested in his remarks and his ability in presenting the problem in behalf of the medical profession of this State. His remarks are later referred to in the body of this report. Dr. John B. Canning, Professor of Economics at Stanford University also appeared before the committee.

Dr. Canning, discussing the public health need in California stated: "There can be no informed doubt that a serious problem exists in the field of your investigation. Many premature deaths, many avoidable total disabilities and many lesser cases of preventable damage to persons occur every year by reason of inadequate preventive measures and by reason of failure to obtain timely and adequate curative services.

One need only to cite the fact that rabies is present in the coyote population; bubonic plague is at large among our rats and ground squirrels; anopheles mosquitoes bearing malaria swarm in swampy sinks of the upper San Joaquin Valley; hoof and mouth disease is carried by the deer population—one need only cite these to suggest how inadequate our facilities are, as now organized to defend the population against irreparable damage.

No one needs to argue that the actual members of the population are the fundamental resource of a State. No one will assert that any other resource has any importance at all *except as* its use aids in maintaining and securing the comfort, health, vigor, and morale of members of the population.

In the absence of intelligently concerted effort we shall fall further short of effective defense both because of the rapidity of advance in medical knowledge and because of the inevitable increase in need by those unable to defend themselves. The resumption of full time employment of all persons willing and able to work at the pace of industry will not end the human wrecking incident to the great depression. Many have become so impaired in health, morale and habits that they

can never earn money incomes sufficient to maintain them and their dependents at that level of health and decency necessary both to economic efficiency and to social and political stability. Many of these persons, though losing the status of indigents (or being too proud to claim that status), will remain unable to pay for needed services at rates which will sustain the services at an efficient level."

Professor Canning made the following recommendation to our Committee:

"I suggest, for your consideration, the desirability of the Legislature's taking a major part in such a study It would be wholly appropriate to create a study commission consisting, say, of the Insurance Commissioner, and the Director of Public Health, ex officio and of appointees by the Legislature from panels nominated by the Medical Association, the Dental Association, the State Chamber of Commerce, the California Federation of Labor, etc. Such a commission should have funds for employing a few research assistants, for travel expense, clerical expense and the like. It should be entitled to have the assistance of the Attorney General or the Legislative Counsel It should have full powers of investigation. It should be authorized to accept gifts for the furtherance of its objects and to collaborate with interested private groups in reaching its conclusions.

The type of commission I suggest, you will recognize, is analogous to the Code Commission now at work The admirable work of that body is supported by appropriations It enlists the aid of the ablest men of bench and bar and of specialists in the leading law schools The deputies of the Office of the Legislative Counsel are available as skilled draftsmen. In working out the Insurance Code, for example, some two years was taken. In addition to the staff work referred to, advice was taken from counsel representing all types of organization interested in insurance All major conflicts of interest between insurers, brokers, and insured persons were ironed out before the code was presented to the Legislature There can be do doubt that money thus spent on study before enactment results in true economy. This is true even though the whole range of legislation is old and familiar subject matter

The same Legislature that passed the Insurance Code also enacted the Unemployment Reserves Act—a piece of legislation creating an institution wholly new in this State and with but the most limited of American legislative experience to serve as a guide. To be sure, an interim committee did make some investigation For the time devoted to it, the able members of that committee did remarkably well But the time and money and personnel available, starting too late, was not enough to do a good job. The wavering of Congress over the Social Security Act hindered the Legislature also. But whatever the *cause* of the insufficient study, the *result* of the insufficiency is extremely bad. Both the Unemployment Reserves Commission and employers and employees are encountering hardships, annoyances, excessive clerical costs, insufficient definitions, etc., that could have been avoided if all interested parties had taken time to join in a thorough study of the problem and to examine critically several successive drafts of the bill before it was presented to the Legislature. The results of that fuller study, if put before the Legislature, could have saved its 120 members much effort and confusion. I venture to predict that the cost to employers, employees and the State attributable to avoidable error and badly chosen options in that bill will be a thousand times as great as the cost of avoiding them would have been

One who is fully informed of present activities throughout the State can not entertain a doubt that some form or forms of health insurance will increase rapidly. These may be local or general, private or public, compulsory or voluntary Whatever form or forms they do take, some legislation will be necessary if only to prevent serious abuses, frauds, and malpractice. I think it will prove a mistake for the Legislature to put off serious prolonged study until legislation is forced by popular uninformed demand. I think, too, that to await the sporadic development of a wide variety of ill considered schemes will only make it more difficult to reach a good result when any general legislation is proposed It is always a mistake to delay study and action until special interests become vested and intrenched."

Dr. Ernest G. Sloman, representing the California State Dental Association, also addressed the committee

He advised the committee that the Dental Association had not taken a definite stand as to whether they favored or opposed voluntary or compulsory health insurance, but, in the event any form of health insurance should be enacted that there should be included a provision for dental service.

Dr. Sloman stated "The oral health of the people of America—by all means the most important consideration in the problem of dentistry and health insurance. In America there is little enough appreciation of the manifest values of prevention

as it relates to dentistry and ultimately to medicine." He stressed the fact that in any health insurance legislation, in order for it to be adequate, preventive service must be provided.

LOS ANGELES

Following the San Francisco meeting the committee met in Los Angeles on May 8 and 9, 1936.

Of particular interest to your committee were the findings of a survey conducted under the auspices of the California Medical-Economic Survey of which Dr. Paul A. Dodd, Assistant Professor of Economics at the University of California at Los Angeles, acted as director.

This survey, at a cost of $95,000, contacted 20,000 representative homes, including approximately 65,000 persons, throughout the State, almost 3,500 doctors of medicine; 2,200 dentists, 600 osteopaths, many hospitals, clinics and public health agencies in the State were interviewed.

Dr. Dodd appearing before the committee said:

"Recent studies show that the United States has a larger proportion of licensed physicians than any other Nation in the world. In 1929 it was estimated that there were approximately 121,000 physicians in private practice and 21,000 additional in medical institutions, an average of one physician for approximately every 865 people At that time England had one doctor per 1,490 persons, France one per 1,690, and Sweden one per 2,890.

California compares favorably with this National average. Upon the basis of an estimated 1934 population of 6,151,280 people and a licensed registration of 9,083 doctors of medicine and 1,380 doctors of osteopathy, this State has approximately one licensed physician and surgeon for every 568 persons. Distribution within the counties of the State, as within the States of the Union, is quite unequal; El Dorado and Imperial counties, large and sparsely populated, have populations per physician of 2,112 and 1,924 respectively; in Los Angeles and San Francisco counties the like respective ratios are 610 and 424.

Even a wider inequality occurs in the county distribution of the dentists of California. The average population per dentist for the State is 1,085, but the ratios of individual counties range from 593 to over 5,000 population per dentist, with half of the counties each having over 1,800 persons per dentist.

When compared with the National averages, this State possesses slightly more than its proportionate share of hospitals, and other health facilities California has 6 per cent of the Nation's hospital beds with only 4.6 per cent of the Nation's population. A more detailed analysis, however, discloses the fact that these institutions are usually scattered throughout the counties and communities of the State with little recognition of comparative needs. At the present time governmental hospitals are taxed almost without exception to capacity while private institutions are staggering under financial burdens coincident with half-occupied bed facilities Add to these conditions the fact that doctors and dentists tend to locate in densely populated areas, and but little imagination is needed to envisage the nature and seriousness of some of the State's health problems

The per capita income of the people of California is fourth highest among all the States of the Union. Yet half of its population lived within families whose net incomes in 1933 were less than $1,200; three-fourths of its population during this year were in families receiving less than $2,000 net family incomes. Only four out of 100 families had incomes of more than $5,000.

Many people unfamiliar with detailed facts are under the impression that these low income figures are chiefly the result of the depression To the contrary, however, it is true that there were within the State only 5 per cent more white families with net incomes ranging between $500 and $2,500 in 1933 (the year of the depression-low) than in 1929

Approximately 4 per cent of the average family income (below $5,000) is spent for medical and dental care, one of the few absolute necessities of life. While this may appear to be a small and unimportant sum, still the people of California spend for this item approximately $150,000,000 annually. Viewed in this light the purchase and sale of medical and dental care represents a large going business in which every citizen has a vital interest and upon which each is definitely dependent

The need for both medical and dental care is greatest among low income groups and least among the high income groups Again the need for care is greatest in rural districts and the largest cities of the State, and least relatively speaking, in the medium-sized communities. That this need represents a most serious problem is suggested in the figures setting forth the estimates of those needing medical and dental care at any given time. Upon a basis of this survey, approximately 758,000 white persons report a need at any given time for some form of medical care, and another 533,000 report such a need for dental care. Of these esti-

mated numbers 658,000 have received a medical diagnosis, and 340,000 have received a dental diagnosis. But the tragic part of the story is found in these facts—that out of the 658,000 who report the receipt of a medical diagnosis which has shown the need for treatment only 440,000 are receiving medical treatment, thus leaving an estimated 218,000 persons at any given time within our State who have received a diagnosis which disclosed the need for medical treatment *but who are not receiving the treatment needed*. Similarly out of the 340,000 persons who at any given time have received a dental diagnosis which has shown a need for treatment, only 166,000 are receiving treatment, thus leaving over half—174,000 who have been told of a need for treatment by their dentists *but who are not receiving the treatment needed*. Can we talk of "too many doctors and dentists"; can we boast of our "high health standards," or can we stand by with complacence satified with our present system of private practice in full view of these conditions? Without searching further into the problem, here alone can be found some 20 or more prospective new patients for every licensed physician and surgeon, and some 35 or more new patients for every licensed dentist in the State

Why is it that these thousands of people are not receiving adequate medical and dental care? Average charges and payments are not excessive. During the year preceding September 1, 1934, average charges, including all charges for medical care, dentistry, hospitalization drugs, nursing, the fitting of glasses, etc., was only $24.33 per white person or $79.25 per white family. Actual payments during the same period were only $21.04 and $68.50 respectively.

The problem of the costs of sickness is not one of average charges or payments. The major reason (aside from indifference and the feeling that time can not be spent in gaining treatment) why these thousands go without the care which they need is due to the uncertainty and the wide variations in charges and payments. The fundamental nature of this problem is well illustrated in several significant sets of figures emphasizing the extent of the variations in charges experienced by representative families in California during the year preceding September 1, 1934. During this period 25 per cent of the people experienced no charges while the other 75 per cent experienced all the charges incurred. Again 65 per cent of the people had only 10 per cent of the charges thrust upon them; 80 per cent experienced 25 per cent of the charges, 90 per cent experienced 43 per cent of the charges while 10 per cent of the people experienced 57 per cent of the charges. *Herein is found the real problem of medical costs.*

It would be unfair to the members of the professions serving the health needs of the public if their financial plight were not properly recognized in the process of this summary. Many doctors have borne a heavy burden themselves in attempting to see that *everyone* receives the proper care which should be administered regardless of ability to pay. In spite of the noble efforts of such practitioners, the above facts have indicated that there is still a real and serious problem with which to be dealt.

Professional incomes have dropped precipitously during the depression period. The average net professional income of doctors of medicine in California was $6,657 in 1929; it was $3,572 in 1933. In the former year only 25.5 per cent of the doctors had net professional incomes of less than $3,000; in the latter year 53.6 per cent had incomes of this amount or less. In 1929 the doctor of medicine collected all but 20 per cent of his charges (many times scaling down these charges before entering them against the patient); in 1933, 26 per cent of his charges were uncollectible.

The dentist's and osteopath's average incomes have dropped during the same period. In 1929 the average net professional income of dentists was $5,095; in 1933 it was only $2,769. In the former year the dentist collected approximately 90 per cent of book charges; during the latter year he collected 88 per cent of them. In 1929 the dentist's average net professional income was $4,418; in 1933 it was $2,129. During the former year the dentist collected all but 16 per cent of his charges; during the latter year he collected all but 26 per cent of them.

Thus it is seen that a considerable financial contribution has been made by the practitioners of the State during the past few years. With the problem of reducing overhead expenses in view of declining gross revenue, the doctor has doubtless been forced to drop many practices that experience has demonstrated to be invaluable in the conduct of preventive medicine. But far more important, however, is the thought presented by the major picture—that of thousands upon thousands of needy would-be patients shut out from the empty offices of needy but *competent* practitioners by the *barrier of finances*. This is not a current problem that will pass with the depression; rather it is an old one which promises to remain to haunt economic and social progress of our State and Nation until it has been adequately and intelligently met."

Mr J R. Maloney, representing the California Manufacturers Association, presented the views of that organization to the committee

Quoting from Mr. Moloney:

"The manufacturing interests of this State feel they have a very decided interest both as citizens and employers in the subject of health insurance. They feel in the event any compulsory or voluntary system, State-wide in its application, is created by law, that they should receive due consideration in the preparation of those laws and should have a voice in the creation of them.

Industry feels that if it is to be faced with unlimited increases in this type of expenditures, a substantial part of which must come from the pay envelope, it ought to have a fair opportunity to state its position—I think industry should properly be credited with an honest desire to find a solution to this question.—Industry has expended more money and effort to find its solution, or partial solution than any other group in America.—The endorsement and purchase of group life and disability insurance, the voluntary medical care and hospitalization plans of those same industries and other welfare work undertaken by them clearly shows a constructive attitude for which industry need not apologize.

Industry does, however, want to see a solution found that will accomplish the least injury to business institutions. There is a limit to taxes that can be laid on the pay roll.

We do not feel that compulsory State-wide health insurance will furnish a cure claimed for it—compulsory health insurance as proposed must of necessity be limited to people who can pay premiums or to people for whom somebody else can pay. Of necessity this brings you down to the employed group as beneficiaries.

A vast number of persons will be unaffected by such legislation whose position will remain unchanged."

Mr. Moloney also advised the committee that any plan of health insurance must consider not only the employed class, but also the following group of unemployed:

(a) Aged and infirm.
(b) Able-bodied individuals.
(c) Criminal class.

He also warned the committee of the possibility of the plan becoming a political football of either local or State Government and its improper use by employed or employing groups for political purposes.

Von T. Ellsworth, representing the California Farm Bureau in addressing the committee in part said:

"I speak for the California farmer—those living in rural areas"

In a sense he also discussed the urgent need of preventive work and pointed out that the medical needs of the farmer not only involved his relations with his physician and hospital but also his relations with health problems in general, and went so far as to urge that the committee or any group studying the problem take the entire problem of public health on a broad and all inclusive scale. He stated "My suggestion would be that there should be a broader committee appointed coordinating the volume of work of various health offices * * *."

The committee also gave due consideration to the views of many others who appeared before us. We wish to express our appreciation to all those appearing at both hearings, including Mrs. Lutie Gray, Chairman of the Welfare and Health Committee of the Affiliated Teachers of Los Angeles; Dr. A. C. Loos of the Ross-Loos Medical Group, Dr. Edmund F. Richardson, Vice President of the California Association of Optometrists; J. Robbin French, M. D., representing all hospitals in 11 western States; Hon. Rodney Turner; Marshton A. Kimball, Chairman, Health Committee of the Los Angeles County Employees Association; Gordon Francis, Assistant Chairman, Hospitalization and General Insurance Committee of Los Angeles Water and Power Department; Dr. E. H. Crane; Dr. E. Vincent Askey, Secretary, Los Angeles County Medical Association; J. Franklin Cook, representing dentists of southern California; Dr. Glenn D. Cayler, representing California Osteopathic Association; Dr. T. F. Rattledge, California Chiropractors Association; C. G. Dauphine of Los Angeles Firemen's Relief Association; Blynn Stout, Chairman of California Credit Union League; Mrs. Harry Gebalie, Chairman of the San Francisco Public Welfare Commission for Crippled Children; Mr. Murphy, Manager of the Order of Foresters of California.

In considering the problem of health insurance your committee was presented with the many various features of health insurance. Health insurance involves hospitalization costs and professional fees; voluntary or compulsory insurance; with or without cash benefits; distribution of hospital facilities and professional services; payment of health services; class of health service; inclusion and exclusion of various groups; and administration.

It was also recommended that action by this State await the outcome of future legislation by the Federal Government or other States. This was based on the natural assumption that many mistakes and errors would occur, and that this State should base its legislation on the experience of others.

In view of the many controversial and vital features that the complex problem of health insurance presents, your committee feels that due consideration must be

given to two phases of the health insurance problem that was continuously brought to our attention:

(First) The Problem of Hospitalization. Dr. T. Henshaw Kelly, speaking in behalf of California Medical Association, at our committee hearing in San Francisco on April 23, 1936, made the following statements regarding hospitalization:

"This problem can be divided into two parts, namely: How to pay for hospital care, and how to pay for medical care. Invariably, the doctors must wait, sometimes for years, for payment Hospital bills must be paid, on account of numerous expenses, salaries, etc Practically every hospital demands payment before the patient leaves the institution

Faced with this situation, it would seem a hospital insurance plan is necessary It should be a nonprofit, mutual organization to furnish hospital care at a nominal fee A large percentage of the people in the State will avail themselves of hospital insurance.

During the meeting of the Association of Western Hospitals in the Civic Auditorium, Mr. Brisbane stated: 'Our membership has doubled in the Inter-Coast Hospitalization Insurance Association. They are receiving approximately 600 new members per month'

Sickness is capable of actuarial study. It is possible for any health insurance to fail without proper study and adequate measures taken to prevent any slip up in whatever procedure this committee might adopt"

Others appearing before our committee also pointed out that hospital costs was one of the paramount problems, and that once this was properly provided there might be cast an entirely new light on health needs of the people of this State.

The committee is also conversant with the nonprofit community service of hospitals of the East Bay District of California, and the statements to the effect that legislation will be introduced in the fifty-second session of the California Legislature proposing a hospitalization act in this State.

Such being the facts, your committee is of the opinion that any extensive legislation proposed on health insurance proper at this session of the Legislature would be premature and unwise.

(Second) Your committee was enlightened with the information presented to it at its Los Angeles hearing by Dr. H. C Loos, representing the Ross-Loos Medical Group, which is a partnership operating only in the county of Los Angeles.

The Ross-Loos services were highly recommended to the committee by various groups appearing before us that were participants of its services The committee learned that there is no legislation in California which legalizes such contract medical services. It was the recommendation of Dr. Loos, Dr. J. Rollin French and others appearing before the committee that an enabling act be enacted by the California Legislature to clarify the present Insurance Laws and officially establish rules and regulations governing and limiting contractual medical and hospital practice.

It also appearing to the committee and the committee now being informed that such an enabling act has already been introduced in the fifty-second session of the California Legislature, we feel that this serves as a second reason why any health insurance plan, other than heretofore mentioned, would be premature and unwise at this time.

Therefore, your committee recommends that the Honorable Speaker of the Assembly of the fifty-second session of the Legislature appoint three members of the Assembly; one member thereof to be designated as chairman of said committee by the Speaker, together with representatives of the healing arts, labor, industry, agriculture, fraternal and insurance groups, religious bodies, and any other interested organizations the committee deems necessary to aid in the study of the health problem and health services in the State of California, with the purpose of crystalizing the thought on this problem and submitting its conclusions and recommendations to the fifty-fourth session of the California State Legislature A secretary shall be appointed from the membership of the committee by the chairman thereof

It is further recommended that the Assembly of the fifty-second session appropriate the necessary moneys for the expenses of the Assembly members of the committee, together with whatever other sums are deemed necessary to carry out the work of the committee. It is further recommended that such committee shall be authorized to accept contributions and/or endowments from all philanthropic organizations and foundations that might desire to contribute to further and advance the studies for which the committee is created

Respectfully submitted

THOMAS J. CUNNINGHAM (Chairman)
H. DEWEY ANDERSON.
GORDON W. CORWIN
JAMES J McBRIDE.
RALPH W WALLACE

Dated January 19, 1937

Resolution.

The following resolution was offered:

By Mr. King:

House Resolution No. 64.

A resolution relative to the deplorable conditions of relief and treatment of aged in the county of Los Angeles.

WHEREAS, Applicants for relief in the county of Los Angeles are made to wait as much as several days in cold, drafty waiting rooms for required interviews; and,

WHEREAS, The visitors or investigators administering aid to the aged under State laws are apparently and openly not in sympathy with such laws; and,

WHEREAS, The heads of the department retain in the department many persons not qualified or fitted temperamentally for such important work; and,

WHEREAS, Attendants who administer relief and aid to the aged refuse to answer reasonable questions and are discourteous to applicants; and,

WHEREAS, People of 75 and 80 years of age and over, eligible under the act, are *forced to sit, or even stand, in cold waiting rooms all day long without receiving* any attention; and,

WHEREAS, Aged applicants whose applications have been approved as long as six months have not yet received pensions; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California deplores and disapproves the conditions for administering relief and aid to the aged in the county of Los Angeles.

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up House Resolution No. 64, at this time, without reference to committee or calendar.

House Resolution No. 64 read, and adopted.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 22, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, the following:

Assembly Bill No. 193.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.

By F. ALFRED BLATZ, Assistant Secretary

Consideration of Senate Amendments to Assembly Bill No. 193.

Assembly Bill No. 193—An act to amend sections 2, 4, 5, 7, 9, 10, 14, 15, 19 and 25 of and to add section 32 to, the Mortgage and Trust Deed Moratorium of 1935, approved June 21, 1935, relating to the relief of debtors and guarantors; declaring the urgency hereof and providing that it shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 193?

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended in Assembly January 15th, following the words "real property," add the following: "or of chattels necessary for the operation thereof,".

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended January 15th, following the words, "real property," add the following. "or of chattels necessary for the operation thereof,".

Amendment No. 3.

On page 2, line 34, of the printed bill, as amended January 15th, following the words, "real property," add the following: "or upon chattels necessary for the operation thereof,".

Amendment No. 4.

On page 4, line 6, of the printed bill, as amended January 15th, following the words, "real property," add the following: "or of chattels necessary for the operation thereof,".

Amendment No. 5.

On page 4, line 49, of the printed bill, as amended January 15th, following the words, "real property," add the following, "or chattels necessary for the operation thereof,".

Amendment No. 6.

On page 5, line 7, of the printed bill, as amended January 15th, following the words, "real property," add the following: "or upon chattels necessary for the operation thereof,".

Amendment No. 7.

On page 5, line 9, of the printed bill, as amended January 15th, following the words, "real property," add the following: "or upon chattels necessary for the operation thereof,".

Amendment No. 8.

On page 5, line 37, of the printed bill, as amended January 15th, following the words, "real property," add the following: "or upon chattels necessary for the operation thereof,".

The roll was called, and Senate amendments to Assembly Bill No. 193 were concurred in by the following vote

AYES—Andreas, Bayham, Beene, Breed, Burns, Hugh M. Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Rosenthal, Swallisch, Scudder, Tenney, Thorp, Walker, Waters, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None

Assembly Bill No. 193 ordered to enrollment.

Resolutions.

The following resolutions were offered:

By Mr. Patterson:

House Resolution No. 65.

WHEREAS, It is vitally essential to the welfare of the people of the State of California that the Central Valley Project and other publicly owned water and power development projects and other public efforts to develop and conserve water and power, including soil erosion protection, be completed at an early date; and,

WHEREAS, It is commonly rumored that privately owned power companies and other public utilities are actively engaged in a campaign to hinder, delay or prevent the completion of some or all of these projects; and,

WHEREAS, It appears that the activities of the interests opposed to these projects are not limited to the State of California but have also been directed toward influencing the Federal Government to withhold financial assistance in the development of these projects; and,

WHEREAS, The expenditure of moneys by the power companies and other public utilities is of necessity reflected in the cost of their services to the people; and,

WHEREAS, It is necessary and desirable that the Assembly and its members and the people of this State have accurate, detailed and complete information as to the activities of the power companies and public utilities in opposing these worthy public projects, to the end that necessary remedial action may be taken and appropriate and desirable legislation enacted; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a committee of five (5) members of the Assembly to be appointed by the Speaker of the Assembly to be known as the Water and Power Investigation Committee; and be it further

Resolved, That it shall be the duty of said committee to investigate and make a thorough study of all operations and proceedings, past and present, of any and all public officials, persons, firms, associations, or corporations, including all water, light and power corporations and all other public utilities who are or may be directly or indirectly interested in delaying or preventing the completion of the Central Valley Water Project and other public ownership water and power projects or projects for the development and conservation of water and power and to investigate any and all other matters hereinbefore set forth; and be it further

Resolved, That the committee shall have power to investigate the rates, capitalization, stock structures, cost of production, and expenditures made by power companies and other public utilities and particularly expenditures which may have been made to defeat the passage of revenue bonds or to prevent the enactment of legislation permitting the issuance of revenue bonds; and be it further

Resolved, That said committee shall have power generally to investigate all matters which they may deem proper in order to obtain additional facts necessary to enable the Legislature and the people to take such action as may be desirable in the circumstances; and be it further

Resolved, That said committee shall be and is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matter above referred to in order to enable the Assembly to act judiciously and advisedly upon such matters, and the said committee shall hereby be empowered to summon and subpena witnesses, require the production of persons, books, accounts, reports and records of every kind; to issue subpenas and take all necessary means to compel the attendance of witnesses and to procure testimony; the members of such committee are, and each of them is, hereby authorized to administer oaths; all of the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committee thereof, shall apply to the committee appointed under this resolution, and said committee shall have the power therein specified; the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof, and do and perform any other service required of him by said committee; that said committee be and it is given leave to sit during the sessions of the Assembly, between sessions of the Assembly, and during the recess, at such times, place or places, as the committee may determine; such committee may, at its discretion, hold public or executive meetings, as it shall deem necessary or desirable; and be it further

Resolved, That the committee upon appointment shall elect a secretary and that it may employ legal, clerical and technical assistance, including auditors, as it may deem necessary; and be it further

Resolved, That said committee report to the Assembly at the next regular session of the Legislature its final recommendations concerning the matters which it is by this resolution authorized to consider; and be it further

Resolved, That for the purpose of paying the expenses of said committee in connection with the duties imposed by this resolution and for the purpose of paying the expenses of the necessary assistants of said committee that there is hereby appropriated out of the contingent fund of the Assembly the sum of ten thousand dollars ($10,000), and the State Controller shall, upon the certification of the chairman of the said committee, draw his warrant upon, and the State Treasurer shall pay all sums so drawn from, the contingent fund of the Assembly of the State of California.

House Resolution No. 65 read, and referred to Committee on Public Utilities

By Mr. O'Donnell:

House Resolution No. 66.

Directing the Director of Finance and the Attorney General to take immeditae and proper action to intervene in certain lawsuits for the protection of the interests of the State.

WHEREAS, It appears from the report of the Chairman of a Special Committee of the State Senate Appointed to Investigate the Abstraction of Oil and Gas from State Lands, that actions are now pending between private owners of littoral or uplands bordering the State's tide and submerged lands in the Huntington Beach Oil Field, and operators of oil wells drilled on their privately owned uplands, involving the question of the subsurface location of wells drilled upon privately owned uplands, which wells may be found to be penetrating and bottomed within the State's tide and submerged lands and to be taking oil, gas and other hydrocarbon substances therefrom, now, therefore, be it

Resolved by the Assembly of the Legislature of California, That the Attorney General is hereby directed to intervene in such actions for and on behalf of the State of California, for the purpose of protecting the interests of the State and securing findings and judgment in all such cases where the wells involved therein are actually penetrating and taking and removing oil, gas or other hydrocarbon substances from the State lands within the tideland boundary thereof as claimed by the State, when the facts disclosed justify such findings and judgment.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up House Resolution No. 66, at this time, without reference to committee or calendar.

Mr Welsh withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. O'Donnell moved that the Rules be temporarily suspended for the consideration of House Resolution No. 66, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Domihue, Donnelly, Flint, Fulcher, Gannon, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Maloney, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, Weber, Yorty, and Mr. Speaker—51.

NOES—Beene, Breed, Call, Field, Garibaldi, Lyon, Martin, Mayo, Meehan, Muldoon, Redwine, Scudder, and Welsh—13.

House Resolution No. 66 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—Muldoon, and Welsh—2.

By Mr. Voigt:

House Resolution No. 67.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Bancroft-Whitney Co.—Codes, General Laws, Constitutions	$4,546 94
Bureau of Purchases	559 95
	$5,106 89

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up House Resolution No. 67, at this time, without reference to committee or calendar.

House Resolution No. 67 read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Waters, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

By Mr. Thorp:

House Resolution No. 68.

WHEREAS, Many public service companies in the State of California now place a so-called demand charge or service charge on electric motors; and

WHEREAS, This charge is collected every month, irrespective of whether or not the motor is in use, or whether the owner of the motor receives any benefit from the service; and

WHEREAS, This places upon the people of the State of California, and in particular upon agriculture, a harsh and undue burden; now, therefore, be it

Resolved by the Assembly of the State of California, That the Railroad Commission of the State of California be and hereby is memorialized to consider the injustice of this situation and to make appropriate orders to correct it.

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to take up House Resolution No 68, at this time, without reference to committee or calendar.

House Resolution No 68 read, and adopted

By Mr. Cassidy:

House Resolution No. 69.

WHEREAS, It will be necessary for this Legislature to act upon proposed legislation affecting State prisons, correctional schools, State hospitals and other State institutions; and

WHEREAS, It is necessary and desirable that the Assembly and its members have accurate, detailed and complete information available concerning the condition of such institutions, the methods of operation thereof, and the laws relating thereto, to the end that the Assembly and its members may act advisedly in the consideration of needed changes in said laws; now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Assembly Interim Committee on State Institutions be appointed by the Speaker of the Assembly, consisting of three (3) members selected by him from the members on the standing Committees on Prisons and Reformatories, and Hospitals and Asylums, to study, investigate and report upon the subject of this resolution during the fifty-second session of the Legislature of the State of California and particularly during the constitutional recess, and to make such report to the aforesaid standing committees and to the Legislature; and be it further

Resolved, That said committee be and it is hereby authorized and empowered to make a full and complete investigation and study of all the matters and subjects hereinbefore referred to and relating thereto, and to do any and all things necessary or proper in connection therewith to enable said committee to report as aforesaid; and be it further

Resolved, That for the purpose of paying the expenses of said committee in connection with the duties imposed by this resolution, there is hereby appropriated out of the contingent fund of the Assembly the sum of $700, and the State Controller shall, upon the certification of the chairman of said committee, draw his warrant upon, and the State Treasurer shall pay, all sums so drawn from the contingent fund of the Assembly of the State of California.

Request for Unanimous Consent.

Mr. Cassidy asked for, and was granted, unanimous consent to take up House Resolution No. 69, at this time, without reference to committee or calendar.

House Resolution No 69 read, and adopted by the following vote.

AYES—Andreas, Baynham, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Hunt, Johnson, King, Leonard, Lore, Lyon, Maloney, McMurray, Meehan, Miller, George P., Patterson, Pelletier, Reaves, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Waters, Weber, Yorty, and Mr. Speaker—41

NOES—Beene, Breed, Call, Corwin, Cottrell, Cunningham, Dilworth, Field, Garland, Kepple, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Redwine, Richie, Robertson, Scudder, Stream, and Watson—23.

By Mr. Fulcher:

House Resolution No. 70.

WHEREAS, The terrible death toll on State highways is a matter of great public concern; and,

WHEREAS, All public agencies are now exerting every possible effort to decrease deaths and injuries arising from automobile accidents; and,

WHEREAS, It appears eminently desirable that this Legislature do all in its power to assist this campaign by proposing and enacting such legislation as may be necessary, or desirable, in order to decrease the death toll from automobile accidents now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly committee consisting of five members appointed by the Speaker; and be it further

Resolved, That such committee is hereby authorized and directed to completely study and investigate and assemble information and data concerning needed legislation looking towards the reduction of the number of automobile accidents, and be it further

Resolved, That such committee, upon the appointment of its members, shall organize, and that such committee may appoint a secretary and may employ such

clerical and technical assistants, and adopt such rules as it, in its discretion, deems necessary and proper to enable it to carry out to full force and effect the powers and duties imposed herein; and be it further

Resolved, That all officers of this State, and the heads of each and every department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, shall give and furnish to such committee, upon request, such information, records and documents as the committee deems necessary for the achievement of the purposes for which it was created; and be it further

Resolved, That such committee is authorized and empowered to summon and subpena witnesses and require the production of papers, books, accounts, reports, documents and records of every kind and description, issue subpenas, and to take all necessary means to compel the attendance of witnesses, and to procure testimony; and be it further

Resolved, That the members of such committee are, and each of them is hereby authorized and empowered to administer oaths, and that all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution; and be it further

Resolved, That such committee is hereby authorized to do any and all things necessary and proper in connection with the performance of its duties, and to do and perform each and all of the things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it, or imposed upon it; and be it further

Resolved, That such committee may exercise its powers and perform its duties during the sessions of the Assembly, between sessions thereof and during the constitutional recess, at such times and places as the committee determines; and be it further

Resolved, That such committee shall make a preliminary report of the result of its study and investigation, together with its preliminary recommendation for proposed legislation to the Assembly upon it reconvening after its constitutional recess, or as soon thereafter as possible, and that such committee shall make its final report of the results of its study and investigation, and of its recommendations for proposed legislation to the fifty-third session of the Legislature; and be it further

Resolved, That for the purpose of paying the expenses of such committee, in connection with the powers granted and the duties imposed by this resolution, and for the paying of the expenses of the necessary assistants and such committee, there is hereby appropriated, from the contingent fund of the Assembly, the sum of $1,500 to be disbursed after certification by the chairman upon warrants drawn by the Controller upon the State Treasury.

Request for Unanimous Consent.

Mr. Fulcher asked for, and was granted, unanimous consent to take up House Resolution No. 70, at this time, without reference to committee or calendar.

Mr. Dawson withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Fulcher moved that the Rules be temporarily suspended for the consideration of House Resolution No. 70, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Burns, Michael J., Cassidy, Corwin, Crowley, Daley, Dannenbrink, Desmond, Donihue, Field, Fulcher, Garland, Gilbert, Hunt, King, Leonard, Lore, Lyon, McMurray, Meehan, Miller, Eleanor; Miller, George P., Patterson, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Voigt, Walker, and Mr. Speaker—33.

NOES—Baynham, Beene, Breed, Call, Cronin, Dawson, Dilworth, Donnelly, Flint, Gannon, Glick, Hornblower, Johnson, Kepple, Maloney, Martin, Mayo, Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Scudder, Watson, Weber, Williamson, and Yorty—28.

House Resolution No. 70 referred to Committee on Roads and Highways.

By Mr. Hunt:

House Resolution No. 71.

WHEREAS, It appears that certain foreign corporations doing business in the State of California are by various devices evading taxation and are not complying

with the laws of this State with reference to qualifying to do business herein and with reference to imposing taxes on such corporations; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created a committee, to be known as the Assembly Foreign Corporation Committee, consisting of three members of the Assembly appointed by the Speaker to investigate and report upon the matters hereinabove set forth, and to recommend the enactment of such laws as may be necessary to remedy the condition alleged to exist.

Request for Unanimous Consent.

Mr. Hunt asked for, and was granted, unanimous consent to take up House Resolution No. 71, at this time, without reference to committee or calendar.

House Resolution No. 71 read, and adopted.

Announcement.

The Sergeant-at-Arms announced the presence in the lobby of Honorable Frank F. Merriam, Governor of California.

Recess.

At two o'clock and thirty minutes p.m., the Speaker declared the Assembly at recess, to hear from Governor Frank F. Merriam.

Reassembled.

At two o'clock and thirty-five minutes p.m., the Assembly reconvened.

Speaker Jones in the chair.

Reports of Standing Commiteees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 14.
Assembly Joint Resolution No. 11.
Assembly Joint Resolution No. 15.
Assembly Bill No. 273.

And reports the same correctly enrolled, and presented to the Governor on this twenty-second day of January, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman

Motions to Adjourn Out of Respect.

Mr. Maloney moved that when the Assembly adjourn this day it do so out of respect to the memory of the late Harry Lehman of the San Francisco "News"

Motion unanimously adopted.

Mr. Williamson moved that when the Assembly adjourn this day it do so out of respect to the memory of the late Dudley Toffiemier, formerly connected with legislative affairs.

Motion unanimously adopted.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Joint Resolution No. 22: By Mr. Patterson—Relative to sewage disposal.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 22, at this time, without reference to committee, print, or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 22.

Assembly Joint Resolution No. 22—Relative to sewage disposal

Assembly Joint Resolution No. 22 read, and adopted by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Garland, Glick, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Maloney, Mayo, McMurray, Meehan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Richie, Rosenthal, Stream, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—43.

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate

Resolutions.

The following resolutions were offered:

By Mr. Voigt:

House Resolution No. 72.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the person or firms listed below and for the amounts of money set opposite their respective names and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same

E. H. Cox, decorating chamber, inaugural ceremonies	$72 00
KFBK broadcasting facilities, inaugural ceremonies	24 80
	$96 80

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up House Resolution No. 72, at this time, without reference to committee or calendar.

House Resolution No. 72 read, and adopted by the following vote

AYES—Andreas, Beene, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Garibaldi, Garland, Glick, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Richie, Rosenthal, Stream, Tenney, Turner, Voigt, Waters, Watson, Welsh, Yorty, and Mr. Speaker—43.

NOES—None.

By Mr. Weber:

House Resolution No. 73.

Relating to certification and appointment to positions in the State civil service

WHEREAS, Under section 9 of the State Civil Service Act any State appointing power has the right to select any one of the three persons standing highest on the eligible list for a position which is to be filled; and,

WHEREAS, There have been complaints that persons otherwise eligible have been discriminated against because of race; and,

WHEREAS, Such discrimination is irreconcilable with the avowed object of the merit system, which was inaugurated in this State for the purpose of selecting for State employment those who have demonstrated by competitive examination superior merit, efficiency and fitness; and,

WHEREAS, It is in the best interests of the State that eligibles be appointed on the basis of merit, efficiency and fitness only; now therefore be it

Resolved by the Assembly of the State of California, That this matter of discrimination be hereby directed to the particular attention of the appointing power in each department of the State Government to the end that each department will comply with the spirit as well as with the letter of the civil service requirements

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 73, at this time, without reference to committee or calendar.

House Resolution No. 73 read, and adopted.

By Mr. Turner:

House Resolution No. 74.

WHEREAS, The condition of building and loan associations within this State is a matter concerning the general welfare of the people; and

WHEREAS, It is necessary that the Legislature of this State have available for its use adequate and accurate information and data relating to such associations; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly committee to consist of five members to be appointed by the Speaker of the Assembly, to make a special study and investigation of building and loan associations; and be it further

Resolved, That the committee as soon as it is appointed shall organize and select a chairman from its membership, and appoint a secretary; and be it further

Resolved, That the committee is hereby authorized to hold public hearings at any place in the State of California, and may hold meetings outside of the State of California, if and when in the judgment of the committee the same may be of assistance to it in gathering data and information required hereby, and be it further

Resolved, That the committee shall particularly investigate the actions of building and loan associations in the matter of purchasing their own certificates and also the matter of their liquidations during the past four years; and be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses, and the production of testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The committee is authorized to sit during the constitutional recess of the Legislature, and to report back to the Assembly with recommendations at the reconvening thereof; and be it further

Resolved, That the sum of $5,000 or so much thereof as may be necessary and the same is hereby appropriated for the purpose of defraying the expenses of the committee and of said investigation and for the employment of such clerical and other assistance as may be necessary fully to carry out its functions, said sum to be paid from the contingent fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the claim.

House Resolution No. 74 read, and referred to Committee on Building and Loan Associations.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Concurrent Resolution No. 21. **Assembly Joint Resolution No. 22.**
Assembly Concurrent Resolution No. 22. **Assembly Bill No. 443.**
Assembly Concurrent Resolution No. 23. **Assembly Bill No. 1512.**

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, January 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning:

Assembly Bill No. 236.

J. A. BEEK, Secretary of Senate.

Assembly Bill No. 236 ordered to enrollment.

Appointment of Special Committee.

The Speaker announced the appointment of Messrs. Cassidy, chairman; Reaves, and McMurray to serve as members of the Special

Assembly Committee on Prisons and Reformatories, pursuant to the terms of the House Resolution No. 69.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced and referred as indicated:

Assembly Bill No. 2032: By Mr. Hunt—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2033: By Mr. Patterson—An act to add section 451.5 to the Agricultural Code, relating to dairies.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2034: By Mr. Patterson—An act to amend section 5.1004½ of the School Code, relating to contributions to pension funds by school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2035: By Mr. Patterson—An act to amend section 465 of the Vehicle Code, relating to official traffic control devices.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2036: By Mr. Patterson—An act to add section 1040 to the Code of Civil Procedure, relating to payment by the State of filing fees, jury fees, reporter's fees, and all other fees in civil cases.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2037: By Mr. Patterson—An act to create a commission for the purpose of simplifying the civil, probate, and criminal procedure of this State, providing for a chairman to be a professor of law of the University of California, and providing for the commission to act without salary.

Bill read first time, and referred to Committee on Universities.

Assembly Bill No. 2038: By Mr Patterson—An act to amend section 1393 of the Political Code and section 5.21 of the School Code, relating to fees for tuition in the University of California and State colleges

Bill read first time, and referred to Committee on Universities.

Assembly Bill No. 2039: By Mr. Hunt—An act to amend section 1414 of the Fish and Game Code, relating to the forfeiture of apparatus used to take birds, mammals or fish.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2040: By Mr McMurray—An act to amend sections 1, 3, 4, 6, 7, 8, 9 and 10 of the Unfair Practices Act, relating to unfair competition.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2041: By Mr Donnelly—An act to amend section 23 of the "District Investigation Act of 1933," relating to districts subject to said act.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2042: By Mr. Donnelly—An act to add section 15 to an act entitled "An act to provide for the organization and

government of public cemetery districts," approved June 1, 1921, relating to application of the "Districts Investigation Act of 1933" to districts formed or proposed to be formed under said act.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2043: By Mr. Tenney—An act to amend sections 2.310, 2.311, 2.312, 2.313, 2.314, 2.315, 2.316, 2.317, 2.318, 2.319, 2.330, 2.331, 2.332, 2.333, 2.480, 2.481, 2.482, 2.483, 2.484, 2.485, 2.486, 2.487, 2.488, 2.489, 2.490, 2.491, 2.492, 2.493, 2.494, 2.495, 2.496, 2.497, 2.500, 2.501, 2.502, 2.503, 2.504, 2.505, 2.506, 2.507 of the School Code relating to the annexation, consolidation, merger, uniting, formation and change of boundaries of school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2044: By Mr. Tenney—An act to amend section 2.112 of the School Code, relating to the enlargement of school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2045: By Mr. O'Donnell—An act to amend Article II of Chapter IV, Part III, Division III of the School Code, relating to the right of admission to high schools.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2046: By Mr. O'Donnell—An act to amend sections 4307 and 4308 of the Political Code, relating to county charges and the district attorney's special fund.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2047: By Mr. Burns, Hugh M.—An act making an appropriation for the support of the Twenty-first District Agricultural Association.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2048: By Mr. Burns, Hugh M.—An act to add section 538ee to the Penal Code relating to secondhand goods

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2049: By Mr. Desmond—An act to add section 620 to the Code of Civil Procedure, relating to food and lodging for jurors in civil cases.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2050: By Mr. Desmond—An act to amend an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2051: By Mr. Gannon—An act making an appropriation to the State Department of Finance for the purchase of real property, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2052: By Mr. Redwine—An act to amend section 4300b of the Political Code.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2053: By Mr. Redwine—An act to amend section 4300d of the Political Code.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2054: By Mr. Waters—An act to amend section 4300*l* of the Political Code, relating to fees.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2055: By Mr. Weber—An act relating to the making of real estate subdivisions and the making and recording of maps, and empowering cities, cities and counties, and counties in connection therewith, making certain acts misdemeanors, prescribing penalties therefor, and repealing all acts or portions of acts in conflict herewith.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2056: By Mr. Weber—An act authorizing the Director of Natural Resources to receive and hold land for forestry purposes, to enter into agreements with the Federal Government or other agencies for acquiring by lease, purchase or otherwise such lands as are desirable for State forests, to manage such land and to dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes, to make an appropriation therefor, and to repeal an act entitled "An act authorizing the Director of Natural Resources to receive and hold land for future development for forestry purposes, to manage such land and dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes," approved July 15, 1935, to declare the urgency thereof, and to provide that this act shall take immediate effect.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 2057: By Mr. Weber—An act to amend sections 794, 828 and 829 of the Agricultural Code, relating to the standardization of containers for cherries.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2058: By Mr. Scudder—An act to amend section 1144 of, and to add sections 1143a, 1145a, and 1145b to, the Agricultural Code, relating to egg products and providing for the keeping and giving of information in reference thereto, regulating the delivery thereof from public warehouses, regulating the containers in which egg products are packed providing for the seizure of egg products and food products manufactured using egg products and providing an appropriation for the enforcement of Article IV of Chapter 8 of Division V of the Agricultural Code.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2059: By Mr. Scudder—An act to amend section 265 of the Vehicle Code, relating to the fingerprinting of applicants for operators' and chauffeurs' licenses.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2060: By Messrs. Clark, Peek, and Rosenthal—An act amending sections 221, 222, 226 and 227 of the Civil Code, as amended, relating to proceedings on adoption.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2061: By Mr. Call—An act to amend section 73700 of the Political Code, relating to the salary of the judge of the superior court in and for the county of San Mateo.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2062: By Mr. Cunningham—An act to add section 2225 to the Civil Code, relating to trusts.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2063: By Messrs. Yorty, Clark, Flint, Morgan, and Meehan—An act to add Article IIa, to Chapter 3 of Title 1 of Part 3 of the Political Code, embracing sections 360 to 360h, inclusive, relating to the creation of a State Department of Highway Safety Engineering, and prescribing its powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2064: By Mr. Laughlin—An act to add section 11770.5 to the Insurance Code, to authorize the State Compensation Insurance Fund to issue policies of automobile liability insurance.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2065: By Mr Laughlin—An act to repeal section 685 of the Code of Civil Procedure, relating to executions.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2066: By Mr. Garibaldi—An act to amend Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of the Building and Loan Association Act, relating to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 2067: By Mr. Garibaldi—An act to amend Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of the Building and Loan Association Act, relating to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 2068: By Mr. Garibaldi—An act to amend Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of the Building and Loan Association Act, relating to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 2069: By Mr. Tenney—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2070: By Mr. Lyon—An act to add sections 9 and 10 to an act entitled "An act creating a Commission to Codify, Consolidate, Revise or Compile the Statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to

contract for the revision of certain laws," approved June 10, 1929, making an appropriation for said commission and adding a short title to said act.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2071: By Mr Lyon—An act to amend sections 2 to 71, inclusive, of the Alcoholic Beverage Control Act, relating to the licensing, regulating and controlling of the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages, to levying of an excise tax on the sale of alcoholic beverages, to provision for the licensing of the manufacture, distribution and sale of alcoholic beverages and to the penalties for violation of this act.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2072: By Mr. Lyon—An act to amend sections 2 to 71, inclusive, of the Alcoholic Beverage Control Act, relating to the licensing, regulating and controlling of the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages, to levying of an excise tax on the sale of alcoholic beverages, to provision for the licensing of the manufacture, distribution and sale of alcoholic beverages and to the penalties for violation of this act.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2073: By Mr. Lyon—An act to amend sections 2 to 71, inclusive, of the Alcoholic Beverage Control Act, relating to the licensing, regulating and controlling of the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages, to levying of an excise tax on the sale of alcoholic beverages, to provision for the licensing of the manufacture, distribution and sale of alcoholic beverages and to the penalties for violation of this act.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2074: By Mr. Patterson—An act to amend section 3 of "The Fish Marketing Act," approved June 10, 1933.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2075: By Mr. Donnelly—An act to add section 5 to an act entitled, "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to transportation agencies heretofore under the jurisdiction of the Railroad Commission pursuant to the provisions of the "Highway Carriers' Act," and the "City Carriers' Act," excluding said agencies from the scope of the provisions of said act of July 16, 1935.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2076: By Mr Donnelly—An act to repeal the "Highway Carriers' Act."

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2077: By Mr. Donnelly—An act to repeal the "City Carriers' Act."

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2078: By Mr Andreas—An act to add section 793 5 to the Fish and Game Code, relating to abalones and prohibiting the taking thereof at any time in Fish and Game Districts 15, 16 or 17.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2079: By Messrs Peek, and Clark—An act to amend section 73a, Code of Civil Procedure, relating to court expenses.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2080: By Messrs. Peek, and Clark—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and the selection of jurors, therein," approved May 23, 1925, relating to municipal courts and the judges and attaches thereof, in cities or cities and counties of the second and one-half class.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2081: By Messrs Peek, and Clark—An act to amend section 705 of the Code of Civil Procedure, relating to procedure in municipal courts.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2082: By Messrs. Peek, and Clark—An act to amend section 1986 of the Code of Civil Procedure, relating to municipal courts.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2083: By Messrs. Peek, and Clark—An act to add section 670.6 to the Vehicle Code, relating to equipment of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2084: By Messrs. Clark, and Peek—An act to amend section 7 of an act entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State Park System; to establish and define the State Park System; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 2085: By Messrs Clark, and Rosenthal—An act to amend section 4300f of the Political Code, relating to jurors' fees

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2086: By Mr. Call (By request)—An act to add a new section to the Penal Code, to be known as section 537i, relating to the defrauding of garage keepers.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2087: By Mr. Rosenthal—An act making it unlawful for any employer or his agent or anyone having supervision, control of any employment or the procurement of any employment to

demand or receive any portion of any wage, salary or emolument attributable to such employment and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2088: By Mr. Rosenthal—An act to add section 1653 to the Labor Code, relating to the payment of portions of any wages or salary to employers or employment agencies.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2089: By Mr. Rosenthal—An act to amend section 80 of the Agricultural Code, relating to district agricultural associations.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2090: By Mr. O'Donnell—An act relating to certain State lands and the production and disposition of oil, gas, and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in conflict therewith, and making appropriations for carrying out its purposes.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 2091: By Mr O'Donnell—An act to amend section 3491 of the Political Code, relating to reclamation districts and declaring the urgency thereof.

Bill read first time, and referred to Committee on Conservation

Assembly Bill No. 2092: By Mr. O'Donnell—An act to amend sections 2 and 3 of an act entitled "An act defining henceforth the exterior boundaries of Reclamation District No. 108; situated partly in the counties of Colusa and Yolo, and providing for the continuation in office of the present trustees of said district and for the election and qualification of their successors, and providing that the management and control of the affairs of said Reclamation District No. 108, as defined in this act, are subject to the provisions of the Political Code of the State of California and to all other laws of the State except as provided in said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district; providing also for the management, control and administration of the affairs of said district; also ratifying the incorporation of certain lands in said Reclamation District No 108, as described in certain notices filed and recorded in the office of the county recorder of the county of Colusa, State of California, and also authorizing the trustees of said Reclamation District No 108 to make an equitable settlement with the owner of such land so incorporated as to the cost of any work heretofore done by Reclamation District No 108, or its predecessors in interest, or that may be hereafter done before the going into effect of this act, and also declaring Reclamation District No. 108 as defined in this act, to be the successors in interest of Reclamation District No 108, defined in that certain act approved May 26, 1917, also that certain Reclamation District No 108, defined in that certain act approved May 18, 1915, and also that certain Reclamation District No 108, defined in that certain act approved April 23, 1913, and also directing the commissioners of assessment, heretofore

appointed by the board of supervisors of Colusa County, to include the lands in said assessment, as described in this act, in the event that said assessment is not levied before this act shall take effect," approved May 7, 1919.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 2093: By Mr. Field—An act to amend section 1269 of the Code of Civil Procedure, relating to escheat and unclaimed estates and property and to proceedings relating thereto

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2094: By Mr. Field—An act to amend section 1027 of the Probate Code, relating to the distribution of an estate where no heirs appear in the course of administration and claim the estate or some part thereof.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2095: By Mr. Field—An act to amend section 1273 of the Code of Civil Procedure, relating to escheated bank deposits.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2096: By Mr. Field—An act to amend section 1272 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2097: By Mr. Corwin—An act adding section 245 to the Fish and Game Code establishing an archery game preserve in southern California, in which preserve game may be taken only with bow and arrow.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2098: By Messrs Crowley, and Donahue—An act providing for the transfer of a tract of land known as the Napa State Farm and owned by the State of California which is situated in the county of Napa in said State to the Veterans' Home of California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 2099: By Mr. McMurray—An act to amend sections 2, 5, 6, and 23 of, and to add section 61 2 to the Alcoholic Beverage Control Act, relating to taxing and licensing the sale of alcoholic beverages.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2100: By Messrs. Maloney, and Williamson—An act to establish a Labor Code, thereby consolidating and revising the law relating to labor and employment relations, and to repeal acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 2101: By Messrs McMurray, and Dawson—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a

constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2102: By Mr. McMurray—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions." approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2103: By Mr. McMurray—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2104: By Messrs McMurray, and Dawson—An act to amend sections 1, 2, 2.1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission.

Bill read first time, and referred to Committee on Public Morals..

Assembly Bill No. 2105: By Mr McMurray—An act to amend sections 1, 2, 2 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing

contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2106: By Mr. McMurray—An act to amend sections 1, 2, 2.1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2107: By Messrs Lyon, and Dawson—An act to amend section 54 of the Alcoholic Beverage Control Act, relating to the manufacture, sale and disposition of alcoholic beverages.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2108: By Mr Flint—An act to add section 16a to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, and to create the California Horse Racing Board for the regulation thereof."

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2109: By Mr Flint—An act to add section 16a to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Racing Board for the regulation and licensing and supervision of said horse racing and wagering thereon."

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2110: By Mr Flint—An act to add subdivision 3 to section 1773 of the Civil Code, relating to unpaid sellers

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 2111: By Mr Flint—An act to add sections 25.4 and 25.6 to the Alcoholic Beverage Control Act, relating to bonds required of certain licensees.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2112: By Mr Hawkins (By request)—An act to require the equipment of common carriers and other vehicles in public use with safety devices and medical kits.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 2113: By Mr Hawkins—An act to amend section 10 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued

and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by the electors on November 4, 1924, relating to boxing and wrestling contests, matches or exhibitions.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2114: By Mr. Hawkins—An act to amend sections 2 and 3 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2115: By Mr. Redwine—An act to add section 369 to the Political Code, relating to health inspection of immigrants, and making an appropriation therefor

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2116: By Mr. Redwine—An act to add section 1872 to the Code of Civil Procedure, relating to blood grouping tests

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2117: By Mr. Welsh—An act to amend section 2 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the duties of the State Fire Marshal.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2118: By Mr. Turner—An act to amend section 9084 and to repeal section 9087 of the Insurance Code, relating to fraternal fire insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2119: By Messrs. Desmond, and Scudder—An act to amend sections 1299.18, 1300, 1300.1, 1300.2, 1300 3, 1300.4, 1300.5, and 1300.6 of the Agricultural Code, relating to processors of farm products and the licensing thereof.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2120: By Mr. Crowley—An act to amend section 5 of the State Civil Service Act, relating to civil service.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 2121: By Mr. Thorp—An act to add section 13.10 to the Public Utilities Act, relating to service charges on electric motors.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2122: By Mr. Laughlin—An act to amend sections 639, 640, 1280 and 1281 of the Code of Civil Procedure, relating to the investigation, arbitration, reference and settlement of disputes concerning boundary lines, monuments, courses, bearings, distances and calls.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2123: By Mr. Laughlin—An act to amend section 4218 of the Political Code, and to add a new section to the Political Code, to be known as section 4221a, relating to the investigation, arbitration, reference and settlement of disputes concerning boundary lines, monuments, courses, bearings, distances and calls.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2124: By Messrs. Dannenbrink, Donihue, Sawallisch, Meehan, Desmond, McMurray, Miller, Gannon, and Millington—An act relating to the acquisition or construction of a bridge connecting the State highway system across Carquinez Straits at or near Crockett, California, defining the powers and duties of the California Toll Bridge Authority and of the State Department of Public Works in relation thereto, and making moneys available therefor

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2125: By Mr. Dannenbrink—An act to add section 6½ to an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled, 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, as amended, relating to the exemption of certain schools of nursing, and of graduates thereof, conducted by certain universities or colleges, from certain provisions of said act

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2126: By Mr. Flint—An act to add section 300 to the Vehicle Code, relating to traffic violators' license plates

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2127: By Mr. Flint—An act making an appropriation to pay the claim of Canadian Rockgas Limited against the State of California.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 2128: By Messrs. Cassidy, Miller, Dannenbrink, Donihue, and Meehan—An act to amend section 10 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing, the classification of counties in connection therewith, and the number of racing days in the several classes of counties.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2129: By Mr. Latham—An act to amend sections 359c and 359d of the Political Code, relating to vacations of officers and employees of the State of California, and sick leave for such officers and employees.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2130: By Mr. Rosenthal—An act to amend sections 2 and 5a of an act entitled "An act to license and regulate the business of private detective agencies, and to repeal the act entitled 'An act to license and regulate the business of private detectives and detective agencies,' approved June 7, 1915," approved June 3, 1927, relating to the regulation of detectives, investigators and detective agencies

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2131: By Mr. Rosenthal—An act requiring payment to State employees of the prevailing wage and providing for the determination thereof at public hearings at regular intervals.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2132: By Mr. Burns, Hugh M.—An act to amend sections 1, 2, 3, 3a, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 of the "Funeral Directors and Embalmers Law," relating to the regulation of funeral directors and embalmers and the transportation of and traffic in dead human bodies, and to the State Board of Funeral Directors and Embalmers and the State Department of Professional and Vocational Standards and the powers and duties of said board and said department and each thereof in relation thereto.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2133: By Mr. Millington—An act to add section 6.482 to the School Code, prescribing an oath of allegiance to the Constitution of the United States to be taken by school children at stated intervals.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2134: By Messrs. Clark, Tenney, Hunt, Gilbert, Reaves, and Pelletier—An act to limit the hours of service of drivers of commercial motor vehicles operating over the highways of the State of California and providing penalties for violation thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2135: By Mr. Breed—An act to amend section 375 of the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2136: By Mr. Fulcher—An act to add section 240 to the Fish and Game Code, providing for and establishing a game refuge.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2137: By Mr. Fulcher—An act to add section 591 to the Vehicle Code, relating to the parking of trailer coaches or house trailers.

Bill read first time, and referred to Committeee on Motor Vehicles.

Assembly Bill No. 2138: By Mr. Fulcher—An act to add section 592 to the Vehicle Code, relating to the parking of trailer coaches or house trailers.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2139: By Mr. Fulcher—An act to amend section 4284 of the Political Code, relating to the salaries of county officers of counties of the fifty-fifth class.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2140: By Mr. Patterson—An act to amend section 2 of an act entitled "An act to provide for the proper sanitary conditions of factories and workshops, and for the preservation of the health of employees," approved February 6, 1889, relating to sanitation of work places.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2141: By Mr. Sawallisch—An act to amend sections 420 and 422 of the Probate Code, relating to the qualifications and appointment of administrators.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2142: By Mr. Turner—An act to amend section 6.07 of the "Building and Loan Association Act" approved May 5, 1931, relating to acceptance of investment certificates or shares in payment for loans or property, to take effect immediately.

Bill read first time, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 2143: By Mr. Call—An act relating to the cleansing and sterilization of cans, bottles and other containers for food products.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2144: By Mr. Donihue—An act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation, and maintenance of revenue-producing undertakings by any municipality of this State; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof, and declaring the urgency hereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2145: By Mr. Donihue—An act in furtherance of the purposes and to facilitate the operation of Article XXV of the Constitution of the State of California, the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement thereof, authorizing and directing the State Board of Equalization to receive and collect the tax imposed thereunder, prescribing such penalties for failure to pay the tax imposed thereby, prescribing penalties for violation of the provisions of this act, and making an appropriation for the enforcement hereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2146: By Mr. Donihue—An act imposing an excise tax measured by gross receipts, providing for the registration of taxpayers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, repealing the Retail Sales Tax Act of 1933, and providing this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation

Assembly Bill No. 2147: By Mr. Williamson—An act to repeal section 3 of "An act relating to persons in private psychopathic institutions," approved July 15, 1935.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 2148: By Mr. Williamson—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2149: By Messrs. O'Donnell, Peek, King, and Turner—An act to recover damages for and to defend trespasses against certain land belonging to the State situate in Orange County and to validate and ratify certain agreements of easements or permits in and to said lands granted in the name of the State of persons paying consideration therefor

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 2150: By Mr. Thorp—An act to add a new article to Chapter 1, Part 1, Division II, of the Labor Code to be known as Article 3, relating to farm labor contractors.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2151: By Mr. Meehan—An act relating to taxation, providing for the licensing of operators of marble games, and providing for the administration and enforcement thereof.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2152: By Mr. Johnson—An act to amend section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2153: By Mr. Johnson—An act to repeal section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2154: By Mr. Lyon—An act to validate bonds heretofore issued or heretofore authorized, and all proceedings relating to the authorization or issuance of bonds of public utility districts incorporated or organized under any law of the State of California

Bill read first time, and referred to Committee on Municipal Corporations

Assembly Bill No. 2155: By Mr. Lyon—An act to amend an act entitled "An act to authorize the counties of the State of California to

establish retirement systems for their employees," approved May 20, 1919; as amended, by amending section 1 thereof to extend the time for payment by an employee to the members' deposit reserve of the amount refunded to him on separation from the service, where such employee reenters the service; by amending sections 3, 4, 5, 6 and 8 of said act to provide a different basis for the employee's and the county's contribution and to change the requirement of length of service as a basis for retirement, and to provide that interest shall be credited to the annuity reserve fund under certain circumstances, and to authorize the use of different mortality and annuity tables as a basis of retirement payment, and to authorize a change in the amount of the retirement payment under certain circumstances.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2156: By Mr. King—An act to amend section 2.152 of the School Code of the State of California relating to the change of boundaries or school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2157: By Mr. Donnelly—An act to amend section 651 of the Agricultural Code, relating to daily statistics.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2158: By Mr. Sawallisch—An act to amend sec-tion 305 of the Agricultural Code, relating to the slaughter of animals.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2159: By Mr. Voigt—An act to provide for aid to those who are so physically handicapped that they are handicapped in their endeavor to provide the necessities of life for themselves.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 2160: By Mr. Voigt—An act to provide hos-pitalization and financial aid for mothers and expectant mothers, and defining the powers and duties of State and county officers, including the State Department of Social Welfare, in respect thereto.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 2161: By Mr. Donnelly—An act making an appropriation to the Thirty-Eighth District Agricultural Association

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 2162: By Mr. Donnelly—An act to add section 589 5 to the Agricultural Code, relating to labeling of dairy products

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2163: By Messrs Donihue, and Dannenbrink—An act relating to the acquisition of the Carquinez Toll Bridge and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways

Assembly Bill No. 2164: By Mr. Donihue—An act to amend sections 2, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28,

29, 30, 32, and 33 of the Retail Sales Tax Act of 1933, relating to the administration of the act.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2165: By Mr. Donihue—An act to amend sections 2, 4, 5, 7, 8, 9, 10, 11, 13, 21, 22, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 37, 38, 39, 40, 41, 42 43, 44, 45, 46, 47, 49, 50, and 51 of the Alcoholic Beverage Control Act, relating to administration of the act.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2166: By Mr. Donihue—An act to amend sections 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 30, and 32 of the Use Tax Act of 1935, relating to the administration of the act.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2167: By Mr. Donihue—An act to amend sections 2, 2a, 4, 5, 6, 7, 9, 10, 11, 12, 13, 13a, 14, and 16 of the Motor Vehicle Fuel License Tax Act, relating to the administration of the act.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2168: By Mr. Donihue—An act to repeal section 2932 of the Civil Code, relating to powers of sale conferred by a mortgage.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2169: By Mr. Donihue—An act to amend sections 2, 4, 5, 6, 7, 8, 10, 11, 12, and 13 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the administration of the act.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2170: By Mr. Reaves—An act to provide for the employment of union labor.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2171: By Messrs. Tenney, and King—An act to forbid the employment and transportation of strike breakers.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2172: By Messrs. Tenney, and King—An act to amend section 13 of the Old Age Security Act of the State of California, relating to application for aid.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2173: By Messrs. Tenney, and King—An act to amend section 10 of the Old Age Security Act of the State of California, relating to liens for aid.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2174: By Messrs. Tenney, and King—An act to amend section 2 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2175: By Mr. Latham—An act to regulate the employment of labor on public works.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2176: By Mr. Thorp—An act defining farm labor contractors, providing for the licensing thereof and for the issuance of permits to such farm labor contractors by the Division of Labor Statistics and Law Enforcement, before such farm labor contractors can contract with any crop owner to cultivate, plant, tend, irrigate, harvest, pack or process crops belonging to or in which such crop owner has any interest and providing that the violation of such act shall be a misdemeanor.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2177: By Mr. Thorp (By request)—An act to add section 581.5 to the Agricultural Code, relating to the labeling of dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2178: By Mr. Thorp—An act to amend section 632 of the Agricultural Code, relating to records.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2179: By Mr. Thorp—An act to provide for the payment of conciliation commissioners.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2180: By Messrs. Cunningham, and Kepple—An act to amend section 3804 of the Political Code and to add to said code a new section to be numbered 3804c, relating to the refund of taxes erroneously or illegally collected and to credit by offset of erroneously or illegally collected taxes against current taxes.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 2181: By Messrs Cunningham, and Kepple—An act to amend section 3804 of the Political Code, relating to time of filing claims for refund of taxes erroneously or illegally collected.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 2182: By Mr. Voigt (By request)—An act requiring the sterilization and fumigation of all containers of food or materials intended for human consumption.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2183: By Mr. Boyle—An act to amend the School Code by adding thereto three new sections, to be numbered 2.973, 2.974 and 2.975, relating to the election and recall of members of city boards of education, the cost and expense of such elections, and for the consolidation of such elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 2184: By Mr. King—An act to regulate employment contracts, employment agencies and the collection of fees in connection with the securing of employment, and prescribing penalties for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2185: By Mr. King—An act regulating employment agents, their fees and their contracts.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2186: By Mr. King—An act to amend section 713 of the Fish and Game Code, relating to taking white bass.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2187: By Mr. King—An act to amend section 717.5 of the Fish and Game Code, relating to the possession limit on boat of yellowtail, white sea bass or barracuda.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2188: By Mr. King—An act to amend section 731 of the Fish and Game Code, relating to taking barracuda.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2189: By Mr. King—An act to amend section 733.5 of the Fish and Game Code, relating to taking of yellowtail.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2190: By Mr. King—An act to amend sections 867 and 868 of the Fish and Game Code, relating to the consumption, impooling and taking of yellowtail.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2191: By Mr. King—An act to amend sections 13 and 14 of the Old Age Security Act of the State of California, relating to old age pensions.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2192: By Mr. King—An act to amend section 2181 of, and to add a new section to be numbered 2166 to the Welfare and Institutions Code, relating to pensions for aged persons.

Bill read first time, and referred to Committee on Social Service and Welfare

Assembly Bill No. 2193: By Mr. King—An act to add section 438b to the Penal Code, relating to the unlawful conveyance of financial information

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2194: By Mr. Stream—An act to amend section 4041.21 of the Political Code, relating to powers and duties of boards of supervisors and permitting boards of supervisors to rent or lease

space in county courthouses for news stand, cigar stand and lunch room purposes.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2195: By Mr. Burns, Hugh M. (By request)—An act to amend sections 500, 501, 503, 504, and 505 of the Vehicle Code, relating to felonies and other offenses.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2196: By Mr. Robertson—An act to amend sections 2, 19 and 20 of an act entitled "An act imposing a tax for the privilege of selling, renting or leasing tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 33 of said act; to renumber section 32½ of said act; relating to the taxation of the privilege of selling, renting or leasing tangible personal property.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2197: By Mr. Robertson—An act to amend sections 2, 3, 7, 11, 12 and 22 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately," approved June 25, 1935; to repeal section 32 of said act; to renumber sections 33 and 34 of said act; relating to the taxation of the storage, use or other consumption of tangible personal property.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2198: By Mr. Robertson—An act imposing a tax upon the rolling stock of car companies and car-loaning companies, providing that such tax shall be in lieu of other taxes according to value, and providing for the administration of such tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2199: By Mr. Laughlin—An act to add a new section to the School Code to be numbered 4.375-a, relating to refunds of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2200: By Mr. Laughlin—An act to amend section 2.972 of the School Code, relating to compensation for members of city boards of education in school districts situated wholly or partly within cities of the first and one-half class.

Bill read first time, and referred to Committee on Education

Assembly Bill No. 2201: By Messrs. Laughlin, and Patterson—An act to amend section 4 375 of the School Code, relating to the maximum rate of taxes which may be levied on property within school districts.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2202: By Mr. Johnson—An act adding section 3671e to the Political Code, providing for enforcing tax liabilities imposed by States extending like comity to this State and providing for bringing suit in other States to collect taxes due this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2203: By Mr. Hunt—An act to provide revenue by imposing a State tax upon the sale of tobacco products, providing permits for retail dealers, prescribing the method and manner of levying and collecting such tax, conferring powers and imposing duties on the State Board of Equalization, providing penalties for the enforcement of this act and allocating the revenue derived therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2204: By Mr. Desmond—An act to add section 5a to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to the employment of apprentices.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2205: By Mr. Miller—An act to provide for needy disabled persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act.

Bill read first time, and referred to Committee on Public Charities and Corrections

Assembly Bill No. 2206: By Mr. Williamson—An act to amend section 273c of the Penal Code, relating to fines.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2207: By Mr. Call—An act to amend sections 425 and 426 of the Vehicle Code, relating to liens on vehicles.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 2208: By Mr. Latham—An act to add section 55½ to the "Alcoholic Beverage Control Act," relating to sales of liquor to children.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2209: By Mr. Cronin—An act to add section 73.5, and to add Chapter 4a, embracing sections 209 to 209.5, inclusive, to Division III of the Vehicle Code, relating to auto wreckers.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2210: By Mr. Cronin—An act to amend section 235 of the Vehicle Code, relating to procedure on dismantling or wrecking vehicles.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 2211: By Mr. Cronin—An act to provide for the bonding of persons conducting an auto parking lot.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2212: By Mr. Cronin—An act to create the California Homestead Rehabilitation Commission for the purpose of rehabilitating agricultural homesteads, enhancing unemployment relief and eliminating congestion in metropolitan and urban areas.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2213: By Mr. Cronin—An act to amend section 627 of the Agricultural Code relating to dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies

Assembly Bill No. 2214: By Mr. Cronin—An act to amend section 18 of the "Act Concerning Cosmetology."

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2215: By Mr Gannon—An act to authorize the Department of Finance to acquire, upon behalf and in the name of the State of California, by contract to purchase or otherwise, certain real property in the city of Sacramento, and to make the same available to agencies of the State.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 2216: By Messrs. Desmond, and Gannon—An act to provide for a State Treasury and making an appropriation therefor.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 2217: By Mr. Desmond—An act to amend sections 33 and 34 of the Alcoholic Beverage Control Act, relating to distilled spirits excise stamps.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2218: By Mr Beene—An act to add a new section 1872 to the Code of Civil Procedure, relating to expert testimony.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2219: By Mr. Scudder—An act to amend sections 2, 3, 5, 6, 8, and 30 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, relating to elections in cities of the fifth and sixth class.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 2220: By Mr. Scudder—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13 and 14 of an act entitled "An act imposing a license fee or tax for the transportation of persons or

property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933; to repeal section 10 of said act; to add section 10 to said act; relating to the taxing of operators engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2221: By Mr. Scudder—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making an appropriation for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2222: By Mr. Scudder—An act amending sections 2, 3, 4, 5, 6, 7, 8, 10, 11, 14, 17, 19, 22, 23, 24, 26, 27, 30, 31, 33, 34, 35, 38, 40, 41, 45, 48, 50, 51, 52, 53, 58, 61, 65, 66, adding sections 2a, 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2i, 2j, 2k, 2l, 2m, 2n, 2o, 2p, 2q, 2r, 2s, 2t, 2u, 2v, 2w, 2x, 2y, 2z, 2aa, 2bb, 2cc, 2dd, 2ee, 2ff, 5a, 5b, 6a, 6b, 6c, 6d, 6e, 6f, 6g, 6h, 6i, 6j, 6k, 6l, 6m, 6n, 6o, 7a, 7b, 7c, 8a, 11a, 11b, 12a, 16a, 22a, 22b, 22c, 22d, 23a, 23b, 24a, 24½, 26a, 26b, 26c, 27a, 27b, 27c, 27d, 31a, 31b, 31c, 31d, 31e, 31f, 31g, 33a, 33b, 33c, 34a, 34b, 34c, 34d, 34e, 34f, 34g, 35a, 35b, 35c, 36a, 36b, 38a, 38b, 38c, 38d, 38e, 49a, 49b, 51a, 51b, 51c, 51d, 51e, 51f, 51g, 65a, 65b, 67a to and repealing section 29 of the Alcoholic Beverage Control Act, relating to licensing, regulating, and controlling the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; and levying an excise tax on the sale of alcoholic beverages.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2223: By Mr. Scudder—An act to amend section 737ww of the Political Code, relating to the salary of judges of the county of Sonoma.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2224: By Mr. Garibaldi—An act substituting new Articles III and IV for the existing Articles III and IV, Chapter I of Title III, of Part I, of the Code of Civil Procedure of the State of California.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2225: By Mr. Garibaldi—An act to amend section 451 of the Agricultural Code, relating to inspection of dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2226: By Mr. Garibaldi—An act to repeal section 403 of the Vehicle Code, relating to liability for personal injury to or death of guest.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2227: By Mr. Donihue—An act to establish civil service in cities with a full paid fire department or with a fire department having paid members.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 2228: By Messrs Cottrell, and Beene—An act to amend section 1511 of the Penal Code by adding thereto a new section to be numbered 1511c providing for the payment of fees of jurors in coroner's jury inquest.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2229: By Messrs. Robertson, Peek, Lore, Burns, Hugh M., and Dawson—An act to provide a Code of Procedures to be followed in the administration and control of the financial operations and transactions of the State.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2230: By Mr. Flint—An act to provide a system of State control of the manufacture, purchase, sale, importation, exportation, transportation, and use of alcohol and alcoholic liquors; including creation of State Alcohol Control Authority provision for the sale of alcohol and alcoholic liquors by such authority; making an appropriation therefor; and providing penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2231: By Mr. Watson—An act to add section 98 and to amend sections 87, 290, 799, 800, 802, 812, 844, 846, 847, 958, 970, 971, 972, 973, 974, 1343, of the Fish and Game Code, relating to the creation of a new fish and game district.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2232: By Mr. Miller—An act to amend section 1 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by the electors November 4, 1924, relating to the State Athletic Commission.

Bill read first time, referred to Committee on Public Morals.

Assembly Bill No. 2233: By Mr. Stream—An act to amend sections 1 and 2 of "An act authorizing the Surveyor General of the State of California to lease certain lands in the county of San Diego," relating to a lease of tidelands in the county of San Diego.

Bill read first time, referred to Committee on State Grounds and Parks.

Assembly Bill No. 2234: By Mr. Miller—An act granting certain salt marsh, tide and submerged lands of the State of California to

the city of Oakland, including the management, use and control thereof.

Bill read first time, referred to Committee on Commerce and Navigation.

Assembly Bill No. 2235: By Mr. Rosenthal—An act to amend section 37 of an act entitled "An act to establish a system of unemployment reserve for this State, and making appropriation therefor," approved June 25, 1935, relating to contributions payable thereunder.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2236: By Mr. Rosenthal—An act to add section 9.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to treatment of injuries.

Bill read first time, and referred to Committee on Insurance

Assembly Bill No. 2237: By Mr. Rosenthal—An act to amend sections 2000 to 2225, inclusive, of the Welfare and Institutions Code, relating to old age security.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2238: By Mr. Rosenthal—An act to amend section 4600 and to repeal sections 4601 and 4602 of, the Labor Code, relating to workmen's compensation.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2239: By Mr. Dilworth—An act making appropriation for the Forty-Sixth Agricultural District Association

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2240: By Mr. Donihue—An act to amend section 1036 of the Insurance Code, relating to employment of legal counsel for the commissioner

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2241: By Mr. Donihue—An act to add section 1062 to the Insurance Code, relating to liability of commissioner for malicious acts.

Bill read first time, and referred to Committee on Insurance

Assembly Bill No. 2242: By Mr. Millington—An act to add a new section to the Insurance Code, to be numbered section 11847, providing for advance deposits for policies in the State Compensation Insurance Fund, and for cancellation of such policies

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2243: By Mr. Millington—An act to amend section 11740 of the Insurance Code, relating to annual statements

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2244: By Mr. Millington—An act to amend section 11821 of the Insurance Code, relating to the compensation insurance rates for each class of business insured by the State Compensation Insurance Fund.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2245: By Mr. Hornblower—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2246: By Mr. Hornblower—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2247: By Mr. Hornblower—An act to amend sections 78 and 79 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor." approved June 9, 1931, relating to retirement of members of the California Highway Patrol

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2248: By Mr. Flint—An act to amend 2 of section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to payments of indemnity

Bill read first time, and referred to Committee on Insurance

Assembly Bill No. 2249: By Mr. Flint—An act to add paragraph (a½) to section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to medical treatment

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2250: By Mr. Flint—An act to regulate sales and special sales of goods, wares and merchandise, and the advertising of such sales, and to provide penalties for the violation thereof

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2251: By Mr. Flint—An act to add a new paragraph to section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, to be numbered (7a) of 2 of section 9, relating to minimum disability payments.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2252: By Mr. Glick—An act to reduce the hazard of life from fire or panic and to regulate the construction, maintenance and operation of places of public assemblage; providing for the examination and registration of operators of motion picture equipment within the State of California; providing for annual inspection and registration fee; establishing ways and means for enforcement by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing that it shall be the duty of the State Fire Marshal to make and enforce such rules and regulations not inconsistent with the provisions of this act for the purpose of safeguarding of life and property in places of public assemblage and providing penalties for violation thereof.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2253: By Mr. Meehan—An act to add Chapter 7, consisting of sections 1150 and 1151 to Part 3 of Division 11 of the Labor Code, relating to employment and transportation of strikebreakers.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 2254: By Mr. Hunt—An act to add section 1917 to the Civil Code relating to loan of money including interest rates and

fees, bonuses, commissions, discounts, or other compensation therewith, and prescribing means for the enforcement of its provisions.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 2255: By Mr. Hunt—An act to amend sections 990, 991, 992 and 993 of the Fish and Game Code, relating to commercial licenses

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2256: By Mr. Hunt—An act to amend sections 1010, 1011, 1012, 1013, 1014, 1015, 1016 and 1016.5 of the Fish and Game Code, relating to packing and reduction licenses.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2257: By Mr. Hunt—An act to amend sections 1060, 1061, 1062 and to add a new section numbered 1062a to the Fish and Game Code, relating to floating fish reduction plants.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2258: By Mr. Hunt—An act to amend sections 1061, 1062, 1064, 1065, 1066, 1067 and 1068 of the Fish and Game Code, relating to commercial fishing regulations.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2259: By Mr. Hunt—An act to amend sections 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, of the Streets and Highways Code, relating to gas tax allocations to cities and counties.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2260: By Mr. Hunt—An act to add section 1918 to the Civil Code, relating to maximum rates of interest, service charges which may be charged by finance companies handling automobile loans

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 2261: By Mr. Hunt—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2262: By Mr. Hunt—An act to provide for the licensing and taxing of marble machines and other types of mechanical gambling devices and prescribing a penalty for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2263: By Mr. Hunt—An act to amend section 5 of the Alcoholic Beverage Control Act, relating to license fees.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2264: By Mr. Hunt—An act to amend section 14 of the State Medical Practice Act, relating to abortions.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2265: By Mr. Hunt—An act to amend sections 2360 to 2408, inclusive, of the Business and Professions Code, relating to disciplinary proceedings within the chapter on medicine thereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2266: By Mr. Hunt—An act to amend section 12 of the Dental Practice Act, relating to unprofessional conduct.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2267: By Mr. Hunt—An act to amend section 1680 of the Business and Professions Code, relating to unprofessional conduct within the meaning of the chapter on dentistry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2268: By Mr. Hunt—An act to license and regulate the use of slot machines in the State of California and prescribing a penalty for violation hereof.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2269: By Mr. Morgan—An act to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, to repeal School Code section 6.470-3; to amend section 6.474 of the School Code; and to add to Chapter VI of Part II of Division VI of the School Code a new article to be known as Article Ia, all relating to the purchase of supplies and equipment for school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2270: By Mr. Morgan—An act to amend section 1.250 of the School Code, relating to the appointment of supervisors of attendance by county superintendents of schools.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2271: By Mr. Levey—An act to amend section 7 of an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to unfair discriminations, and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2272: By Mr. Cronin—An act adding a new section, to be numbered section 6a and 6b, to an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provision of this act a misdemeanor, and pro-

viding penalties," approved June 10, 1913, Statutes 1913, page 508; amendment approved July 15, 1935, Statutes 1935, page 1550.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2273: By Mr. Pelletier—An act to amend section 849 of the Penal Code, relating to rights of accused persons.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2274: By Mr. Pelletier—An act to amend section 825 of the Penal Code, relating to rights of defendants in criminal cases.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2275: By Mr. Pelletier—An act to amend section 145 of the Penal Code, relating to examination of arrested persons.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2276: By Mr. Pelletier—An act to amend section 150 of the Penal Code and to add section 151 to the Penal Code, both relating to posse comitatus.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2277: By Mr. Redwine—An act to amend section 1203 1 of the Penal Code, relating to probation.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2278: By Mr. Redwine—An act to amend sections 451 to 679, inclusive, of the Agricultural Code, relating to dairies.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2279: By Mr. Redwine—An act to amend section 453 of the Fish and Game Code, relating to possession after season.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2280: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to add a new section to be numbered 1464 to the Penal Code, relating to destruction of records in municipal court, justices' courts and police courts.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2281: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to amend subdivision (a) section 410 of the Vehicle Code, relating to suspension of license and registration while judgment unsatisfied and until giving proof of ability to respond in damages.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 2282: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to amend section 4295 of the Political Code, relating to official service without fee.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2283: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to amend section 4300-1 of the Political Code, relating to fees in municipal courts.

Bill read first time and referred to Committee on Judiciary General.

Assembly Bill No. 2284: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to amend section 189 of the Code of Civil Procedure, relating to destruction of records in municipal courts and justices' courts.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2285: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to amend section 586 of the Code of Civil Procedure, relating to judgment by default.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2286: By Messrs. Cronin, Dawson, Hornblower, Levey, Maloney, McMurray, Peyser, Sheehan, and Williamson—An act to add a new section to be numbered 1033½ to the Code of Civil Procedure, relating to costs in judgments by default.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2287: By Mrs. Daley—An act to license purchasers of beer, wine, and distilled spirits; to provide for the enforcement and to prescribe penalties for violations of the provisions thereof; and making an appropriation to carry the provisions thereof into effect.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2288: By Mrs. Daley—An act to add section 1.5 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to aid to the indigent.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 2289: By Mrs. Daley—An act to add section 900.5 to the Insurance Code, relating to financial statement of insurers.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2290: By Mrs. Daley—An act to amend section 1678 of the Insurance Code, relating to license fees.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2291: By Mrs. Daley—An act to amend section 21 of, and to add a new section to be numbered 25 to, the Personal Property Brokers Act, relating to personal property brokers.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 2292: By Mrs. Daley—An act to add a new section to be numbered 1918 to the Civil Code, relating to rates of interest on loans and forbearances.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 2293: By Mrs. Daley—An act to amend section 45 of the California Irrigation District Act, relating to certificates of sale.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 2294: By Mrs. Daley—An act to amend section 1298 of the Penal Code, relating to bail

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2295: By Mrs Daley, and Mr. Richie—An act to repeal sections 67 and 68 and to add section 68.5 to the Workmen's

Compensation Insurance and Safety Act of 1917, relating to review of boards by the commission and providing for a trial de novo in the superior court.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2296: By Mrs. Daley—An act to amend section 4300e of the Political Code, relating to fees.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2297: By Mrs. Daley—An act to amend section 4300d of the Political Code by adding thereto a provision specifying the mileage to be charged by constables and marshals in the service of any writ, order or paper, excepting a warrant of arrest

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 2298: By Mrs. Daley, and Messrs. Lore, Rosenthal, Andreas, Welsh, and King—An act to amend section 24 of the Direct Primary Law, relating to party conventions, membership and organization of State Central Committees and county central committees.

Bill read first time, and referred to Committee on Elections

Assembly Bill No. 2299: By Mrs. Daley (By request)—An act to amend section 849 of the Penal Code, relating to proceedings before the committing magistrate

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2300: By Mrs. Daley (By request)—An act to add section 302 to the Code of Civil Procedure, relating to attorneys at law.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2301: By Mrs. Daley (By request)—An act to amend section 1033 of the Code of Civil Procedure, relating to costs.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2302: By Mrs. Daley (By request)—An act to amend section 607 of the Code of Civil Procedure relating to the order of trial

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2303: By Mrs. Daley (By request)—An act to add section 1102.5 to the Penal Code, relating to exhibits in criminal cases; and to repeal "An act providing for the disposition of exhibits filed with the court in criminal cases," approved May 26, 1921.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2304: By Mrs. Daley (By request)—An act to amend section 1308 of the Penal Code, relating to bail.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2305: By Mrs. Daley (By request)—An act to amend section 319 of the Penal Code of the State of California relating to lotteries, gift enterprises and prize contests where the award is more by chance.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2306: By Mrs. Daley (By request)—An act to amend section 1032 of the Code of Civil Procedure, relating to costs in civil actions

Bill read first time, and referred to Committee on Judiciary Codes,

Assembly Bill No. 2307: By Mrs. Daley (By request)—An act to amend section 437c of the Code of Civil Procedure, relating to summary judgments.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2308: By Mrs. Daley (By request)—An act to amend section 953d of the Code of Civil Procedure, relating to entry judgment.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2309: By Mrs. Daley (By request)—An act to amend section 1298 of the Penal Code, relating to bail.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2310: By Mr. Welsh (By request)—An act to amend section 726 of the Code of Civil Procedure relative to the enforcement of debts secured by mortgage upon real or personal property and providing an exception from the requirements of foreclosure in case of debts for aid, assistance or relief given by any county, city and county or the State and secured by mortgage.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2311: By Mr. Maloney—An act to amend sections 54, 55, and 60 of the Alcoholic Beverage Control Act, regulating the sale of beer.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2312: By Mr. Maloney—An act to amend sections 2, 5, 6, and 23 of the Alcoholic Beverage Control Act, relating to beer and providing for the licensing and taxing of the sale thereof.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2313: By Messrs. Cunningham, Clark, and Watson, and Miss Miller—An act for the care and treatment of inebriates, providing for the maintenance of hospitals and hospital facilities and for the admission of inebriates thereto, and making an appropriation.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2314: By Mr. Scudder—An act making an appropriation out of the fish and game preservation fund for the construction of jetties at the mouth of the Russian River.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2315: By Mr. Scudder—An act making an appropriation for the dredging of a channel for a harbor for fishermen in Bodega Bay.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2316: By Mr. Maloney—An act relating to taxation, to add section 5.3 to the Retail Sales Tax Act of 1933 and section 4.3 to the Use Tax Act of 1935, providing for exemptions.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2317: By Mr. Maloney—An act relating to taxation, amending section 5 of the Retail Sales Tax Act of 1933 and section 4 of the Use Tax Act of 1935, providing for exemptions

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2318: By Mr. Maloney—An act to amend sections 4, 5, and 6 of an act entitled "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2319: By Mr. Maloney—An act to amend section 5 of the Alcoholic Beverage Control Act, relating to license fees.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2320: By Mr. Hornblower—An act to amend section 1 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to definitions.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2321: By Mr. Hornblower—An act to amend section 17 (a) of the Public Utilities Act, relating to free or reduced rate transportation for passengers.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2322: By Mr. Hornblower—An act to amend section 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to licenses.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2323: By Mr. Hornblower—An act repealing Chapter 390, Statutes of 1933, entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act," as amended by Chapter 665, Statutes of 1935.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2324: By Mr. Hornblower—An act to amend section 1 of an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act, and penalties for the violation thereof," approved May 15, 1933, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2325: By Mr. Hornblower—An act to amend section 602 of the Vehicle Code, relating to limits on driving hours for certain persons.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 2326: By Mr. Tenney—An act to amend section 1 of an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913, as amended, and to add thereto a new section to be known as section 1½ relating to advertisements or solicitation for employees while negotiations to establish working conditions or to settle labor disputes are pending, and requiring a copy of said advertisement and a statement identifying the employer concerned to be filed with the Labor Commissioner where such identity does not appear in such advertisement or solicitation.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 2327: By Mr. Field—An act to amend section 9 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicles and providing that this act shall take effect immediately," approved May 15, 1933, relative to credit and refunds.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2328: By Mr. O'Donnell—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2329: By Mr. O'Donnell—An act to amend sections 1550, 1551, 1552, 1553 and 1554 of the Streets and Highways Code, relating to taxes levied by boards of supervisors for road purposes.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2330: By Mr. Lyon—An act to amend sections 12421, 12422, 12428, 12484, 12486, 12488, 12489, 12490, 12501, and 12629, of the Insurance Code, all relating to mortgage insurance.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2331: By Mr. Lyon (By request)—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 4041.29, relating to agricultural research by counties

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2332: By Mr. Lyon—An act to amend an act entitled "An act authorizing and providing for suits for the collection of delinquent taxes due upon personal property," approved March 13, 1903 (Statutes 1903, page 130, as amended), to provide as well for suits thereunder for the collection of certain other taxes, together with all penalties, interest and costs thereon.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 2333: By Mr. Lyon—An act to amend section 3785 of the Political Code, relating to the execution in duplicate and recordation of tax deeds to the State.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2334: By Mr. Lyon—An act to amend section 3649 of the Political Code, relating to the taxation of property escaping assessment.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2335: By Mr. Glick—An act to add section 55 to the Fish and Game Code, relating to the issuance of hunting scrip.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2336: By Mr. Glick—An act to add section 50 to the Fish and Game Code, relating to the licensing of landowners to collect fees or other charges for the privilege of hunting on their land.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2337: By Mr. Muldoon—An act to amend sections 10, 11, 12, 13, 14, and 15 of an act entitled "An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor district, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts," approved June 10, 1931, as amended

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 2338: By Mr. Muldoon—An act validating the formation and existence of harbor districts of every kind and class, and validating all proceedings for the issuance of bonds of such districts and all bonds heretofore issued or sold or to be issued or sold by such districts, and authorizing the levy and collection of taxes sufficient to pay the principal and interest thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 2339: By Mr. Lore—An act to amend sections 6.274, 6.280, 6.281, 6.282, 6.283, and 6.284 of and to add sections 6.285 and 6.286 to the School Code, all relating to the printing of textbooks by the Superintendent of State Printing.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2340: By Mr. Hornblower—An act to add a new chapter to the School Code to be known as Chapter X of Part II, Division VI, comprising sections 6.734, 6.735, 6.736, 6.737, and 6.738, requiring the State Board of Education, in accordance with rules and regulations to be adopted by it, to supply to all pupils, in attendance in elementary schools in the State, other than public schools, free of cost or any charge whatever, to such pupils, all textbooks adopted for use in the day and evening elementary schools of the State, in accordance with the provisions of section 7 of Article IX of the Constitution, and all other textbooks that it may adopt for use in such schools, requiring the governing boards of all high school districts of the State, in accordance with rules and regulations to be adopted by the State Board of Education, to purchase and furnish textbooks to pupils in attendance in high schools in the State, other than public high schools,

requiring the governing boards of elementary school districts of the State to furnish to pupils attending private elementary schools in said district, free of cost or other charge to such pupils, all books adopted for supplementary use, or for use in postgraduate courses in the public elementary schools in said districts, and requiring the State Board of Education to furnish to minor children in private institutions, in this State, who are receiving instruction in elementary branches in such institutions, free of cost or charge to such minors, all textbooks (including supplementary textbooks and books for use in postgraduate courses) which are furnished to pupils attending public elementary schools of the State.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2341: By Mr. Hornblower—An act to amend section 583b of the Penal Code of the State of California, prohibiting the wearing by a person not entitled to do so of the badge, lapel button, rosette, or other recognized and established insignia of any secret society, order or organization, fraternal or religious order or denomination, or of any sect, church or religious denomination.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2342: By Mr. Hornblower—An act to amend the School Code by adding a new section thereto, to be numbered 1.92, relating to the transportation of pupils to and from elementary and secondary schools, other than public

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2343: By Mr. Hornblower—An act authorizing the erection, maintenance and operation of churches and schools in any part of a city or city and county, forbidding all cities and cities and counties from prohibiting the erection, maintenance or operation of churches or schools in any residential or other district established by a zoning or other ordinance thereof, and declaring invalid and void any provision of any zoning or other ordinance of any city or city and county which prohibits the erection, maintenance or operation of a church or school in any part of such city or city and county

Bill read first time, and referred to Committee on Municipal Corporations

Assembly Bill No. 2344: By Mr. Hornblower—An act to amend sections 9a and 9b of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to disability of members of the California Highway Patrol.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2345: By Mr. Hornblower—An act to amend section 1343 of the Fish and Game Code, relating to seals and sea lions.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2346: By Mr. Hornblower—An act making an appropriation to pay the claim of Charles F. Noack.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2347: By Mr. Hornblower—An act to amend section 789 of the Fish and Game Code, relating to crabs

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2348: By Mr O'Donnell—An act making an appropriation to pay the claim of Paul Entremont against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2349: By Mr. Reaves—An act to amend sections 1, 4, 9, 11 and 12 of the Optometry Law, relating to the practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2350: By Mr. Reaves—An act to amend sections 3024, 3027, 3040, 3090, 3091, 3098, 3102, 3103, and 3149, and to repeal section 3093 of the Business and Professions Code, relating to the practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2351: By Messrs. Tenney, and Rosenthal—An act to amend section 1 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years" et cetera, approved June 5, 1915, Statutes 1915, p. 1225, being also known as Act 3966 of Title 290, pages 2074-5, Volume Two, General Laws of 1931, and known as the "Juvenile Court Law."

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2352: By Messrs. Tenney, and Rosenthal—An act to amend sections 1, 3, 16, and 21 and to add new sections to be designated as sections 15½, 15½a, and 15½b of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years" etc., approved June 5, 1915, Statutes 1915, page 1225, being also known as Act 3966 of Title 290, pages 2074-5, Volume Two, General Laws of 1931, and known as the "Juvenile Court Law."

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2353: By Messrs. Miller, and Meehan (By request)—An act to amend section 13 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle," approved May 15, 1933, relating to the disposition of moneys received under said act.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2354: By Mr. Latham—An act to amend sections 1, 2 and 3 of and to add a new section to be numbered 4 to an act originally entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for payment of the same," approved March 9, 1897, the title of which as amended by act approved May 26, 1933, reads as follows: "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund indebtedness thereof, or of

any department, board or agency thereof, and to issue bonds therefor and to provide for the payment of the same," as amended

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2355: By Mr Latham—An act to amend sections 1, 2, 3, 4, 5, 6, 8, 9, 12, 14, 15, 17, 30, 31, 32, and 33 of an act designated as the "Assessment Bond Refunding Act of 1933," as amended, and declaring the urgency of this act

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2356: By Mr. Latham—An act validating the formation and existence of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2357: By Mr. Latham—An act to amend sections 21, 22, and 23 of an act entitled "An act to provide for a preliminary investigation report and hearing upon the organization of the special tax and assessment districts and providing certain restrictions and limitations upon the organization of same and providing for the termination of proceedings for the organization thereof by protest of the owners of a majority of the property subject to assessment for district purposes," approved June 10, 1933, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2358: By Mr. Latham—An act to amend sections 1, 2, 3, 4, and 5 of an act originally entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, the title of which as amended by act approved July 20, 1935, reads as follows: "An act to authorize municipal corporations to issue bonds for the purpose of acquiring other general obligation bonds of the municipal corporation, or bonds issued by or for districts therein or bonds issued for street work or other public improvements, and providing for acquiring such bonds, and the levy or collection of taxes and assessments to pay principal and interest of bonds acquired, the use of funds derived from bonds issued under this act or acquired under this act and the payment of bonds issued under this act," as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2359: By Mr. Cottrell—An act to amend section 957 of the Streets and Highways Code.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2360: By Messrs. Cottrell, and Beene—An act making an appropriation for the use of the San Jose State College for capital improvements.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 2361: By Mr Corwin—An act to amend section 358 of the Streets and Highways Code, relating to State Highway Route 58 and an extension therefrom, and redescribing and redefining the same.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2362: By Mr. Corwin—An act providing for the establishment, maintenance and operation of plant pest control districts for the extermination and abatement of plant pests.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2363: By Mr. Corwin—An act making an appropriation to pay the claim of Leigh G. Garnsey against the State of California.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 2364: By Mr. Corwin—An act making an appropriation for the concreting of fish pond pools of the State trout hatchery at or near Forest Home on Mill Creek, San Bernardino County.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2365: By Mr. Glick—An act to establish civil service in cities with a full paid fire department or with a fire department having paid members.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 2366: By Mr. Andreas—An act to provide for the construction and operation of a four year State college to be located in the district between Pomona and San Bernardino, and providing the sum of $800,000 for the construction and operation thereof.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 2367: By Mr. Breed—An act to amend section 1 of an act entitled "An act requiring the recording of maps of subdivisions of land in certain cases; prescribing the conditions on which such maps may be recorded; authorizing the execution of contracts secured by bond for the placing of improvements on streets, highways, and ways dedicated thereby; authorizing cities, cities and counties and counties to adopt by ordinance subdivision regulations in addition to those provided hereby; prohibiting any attempt to place other requirements for the recording of such maps; prohibiting the selling, or offering or contracting to sell any subdivision or portion thereof by reference to any map other than a recorded map; making certain acts misdemeanors; and repealing earlier acts in conflict therewith," approved June 17, 1929, relating to definition of subdivision and of sales of subdivided lands.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2368: By Mr. Breed—An act to amend sections 20a, 20b, 20c, 20d, 20e, 20f, 20h, 20i, 20j, 20k, and 20*l* of the California Real Estate Act, relating to subdivisions.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2369: By Mr. Morgan—An act to add section 3888b to the Political Code, relating to conveyance of land to a county

in payment of taxes, penalties and interest due the county from the owner of the land.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2370: By Mr Williamson—An act to repeal section 44 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to employee contributions.

Bill read first time, and referred to Committee on Unemployment

Assembly Bill No. 2371: By Mr Williamson—An act to amend Chapter 7 of Part 4 of Division IV of the Labor Code, relating to rehearings and judicial review.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2372: By Mr. Williamson—An act to amend sections 5400 and 5410 of the Labor Code, relating to statutes of limitation.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 2373: By Mr. Williamson—An act to amend the Labor Code.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 2374: By Mr. Donihue—An act to add section 663.5 to the Political Code, relating to the liability of the State Treasurer for the estates of deceased persons.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2375: By Mr. Johnson—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as subsequently amended, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 20 and 22½ thereof and by adding thereto new sections numbered 6¾ and 9¾a, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges, and providing for the authorization of the issuance and sale of revenue bonds for the purpose of retiring, paying, funding and refunding outstanding bonds on certain conditions and prescribing the form thereof and the amount for which the same may be issued, also providing for the acquisition in eminent domain of real property for the purpose of exchange of the same for real property needed for the purpose of such bridges; also providing for the acquisition of property and rights of way and for the lease, sale, exchange or other disposition of any property or interest therein not necessary for the purposes of any such bridge; and providing that this act become effective immediately.

Bill read first time, and referred to Committee on Roads and Highways

Assembly Bill No 2376: By Mr. Johnson—An act making bonds issued by California Toll Bridge Authority legal investments for certain purposes.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 2377: By Mr. Johnson—An act to amend section 7 of "An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the dispo-

sition of the revenues therefrom, and to provide that this act shall take effect immediately," approved June 13, 1935, relating to the levy and collection of a tax upon the incomes of individuals, estates and trusts.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2378: By Mr. Pelletier—An act to add section 212a to the Labor Code, relating to deductions from wages or salary of employee

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2379: By Mr. Pelletier—An act to add section 2a to an act entitled an act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing that notices as to pay days must be kept posted by the employer and making failure to keep such notices posted prima facie evidence of violation of the act, providing criminal penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys and prosecuting attorneys of cities relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner for failure to maintain regular pay days and the disposition of penalties so collected, providing a civil penalty for failure of the employer to pay discharged employees or employees who quit and permitting such employees to sue directly or through an assignee for such penalties as well as permitting the said commissioner to sue for same in such cases as he may deem proper; repealing an act entitled "An act providing for the time of payment of wages," approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled "An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act," approved June 8, 1915, relating to deductions from wages or salaries.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2380: By Mr Dilworth—An act to amend section 11.4 of an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, and to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933, relating to land surveyors.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2381: By Mr. Desmond—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the

moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6, and first section 9 thereof, by adding section 7a thereto, by amending second section 9 thereof and renumbering said section to be section 10, and by renumbering third section 9 thereof to be section 11; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2382: By Mr. Desmond—An act to regulate the business of selling tangible personal property at wholesale and retail, providing for limitations upon tied-houses, restricting and regulating the interests which wholesalers may have in retail establishments and prescribing penalties for the violation of this act.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2383: By Mr Cottrell—An act to add a new section to the Political Code to be numbered ____ to regulate the appointment of peace officers or deputies; to insure the peace and safety of the people, to promote the administration of justice; to protect the civil and constitutional rights of persons; to prevent riot or mass violence, etc., during strikes, lockouts and other labor troubles

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2384: By Messrs. Andreas, Patterson, and Pelletier—An act to amend sections 721 and 722 of the Fish and Game Code and to repeal section 724 thereof, relating to fish.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2385: By Mr. Lore—An act to repeal Articles 1, 3 and 5 and to amend Article 4 of Chapter 8, Division V of the Agricultural Code and to add a new article to be numbered 1 to Chapter 8, Division V of the Agricultural Code, all relating to eggs and egg products.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2386: By Mr. Lore—An act to add section 583.5 to the Agricultural Code, relating to the labeling of dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2387: By Mr Lore—An act to empower and authorize the institution of a suit and/or action against the people of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one Beesemeyer, and of men associated with him in the enterprise known and/or designated as the Guaranty Building and Loan Association, and/or waive the statute of limitations by the State of California.

Bill read first time, and referred to Committee on Building and Loan Associations.

Assembly Bill No. 2388: By Messrs Garibaldi, Fulcher, Gannon, Garland, Burns, Millington, Turner, and Sawallisch—An act to amend

the title of the Central Valley Project Act of 1933 and to add to said act a new section to be numbered 15a, relating to the power of the Water Project Authority of the State of California to contract with the United States of America for the construction, maintenance and operation of said project, to perform duties as may be prescribed by acts of Congress now in effect or hereafter adopted, and to otherwise cooperate with the United States of America relative to said project and to further amend the title of said act relating to payment of expenses resulting from interference with State property or State activities.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 2389: By Mr. Cronin—"An act to amend the Personal Property Brokers' Act," being an act to define personal property brokers, brokers, and employees, and regulate their charges and business; and to classify, license and regulate the business of personal property brokers.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 2390: By Mr. Cronin—An act to provide a penalty for the violation of section 22 of Article XX of the Constitution of the State of California, relating to interest.

Bill read first time, and referred to Committee on Financial Institutions.

Assembly Bill No. 2391: By Mr Turner—An act to add a new section to the School Code to be numbered 4.152, relating to transfers of funds by county superintendents of schools.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2392: By Mr. Donnelly—An act providing for the granting of franchises for transmitting electricity or gas and providing conditions for the granting of such franchises by the legislative or other governing body of such cities and for the acceptance of such franchises by the grantee thereof.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2393: By Mr. Waters (By request)—An act to amend sections 770, 771, 779, 780, and 781 of the Vehicle Code, relating to motor vehicles

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2394: By Mr. Garland—An act to amend section 1313 of the Fish and Game Code, relating to trapping bear.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2395: By Mr. Garland (By request)—An act amending section 6 471 of the School Code, relating to purchasing power of boards of school trustees and boards of education.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2396: By Mr Garland (By request)—An act to amend sections 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394 and 1395 of the Fish and Game Code, relating to domestic game breeding

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2397: By Mr. Garland (By request)—An act to amend sections 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, of the Fish and Game Code, relating to hunting clubs.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2398: By Mr. Garland (By request)—An act authorizing the State of California, cities, counties, cities and counties and other political subdivisions to sell and otherwise dispose of real property acquired on tax sale and to cancel assessments for delinquent taxes and other levies upon any sale by any other political subdivision and providing for the division of receipts from such sales.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2399: By Mr. Garland—An act to amend section 68 of the Agricultural Code, relating to county live stock inspectors.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2400: By Mr. Garland—An act to amend an act entitled "An act to carry into effect the provisions of sections 14 and 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, as amended, designated the "Bank and Corporation Franchise Tax Act," by amending section 4, relating to minimum tax on corporations.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2401: By Mr Garland—An act to repeal "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, commonly referred to as "Transportation Rate Fund Act."

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2402: By Mr. Garland—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing, to take effect immediately.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2403: By Mr. Garland—An act to amend the Central Valley Project Act of 1933, by amending section 20, relating to use of money appropriated by said act and to registration of bonds, and section 21, relating to use of money appropriated by said act.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 2404: By Mr. Garland—An act to amend the Central Valley Project Act of 1933, by amending section 3, relating to the construction of said act, and section 4, relating to project units.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 2405: By Mr Garland—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2406: By Mr. Garland—An act to add section 421.5 to the Fish and Game Code, relating to fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2407: By Mr. Garland—An act to amend section 4041 16 of the Political Code, relating to county care of indigents.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 2408: By Mr. Garland—An act to add section 11735.5 to the Insurance Code, relating to insurance rates.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2409: By Mr Garland—An act to make an appropriation for the support of the Railroad Commission of the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2410: By Mr. Garland—An act to add section 85 to the Public Utilities Act, relating to public utilities

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2411: By Mr. Garland—An act to repeal "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles, providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935, commonly referred to as the "Highway Carriers Act."

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2412: By Mr. Garland—An act to amend an act entitled "An act to provide for the taxation of Massachusetts or business trusts, and providing that this act shall take effect immediately," approved May 1, 1933, as amended, by amending section 1, relating to minimum tax on Massachusetts and business trusts.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2413: By Mr. Garland—An act to amend an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discrimination between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for com-

pensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2414: By Mr. Garland—An act to amend sections 736.3 and 737.3 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2415: By Mr. Garland (By request)—An act to amend section 735.3 of the Agricultural Code.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2416: By Mr. Redwine—An act to amend section 2957 of the Civil Code, relating to the recording of chattel mortgages and providing when the same are void as to third persons

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2417: By Mr. Voigt (By request)—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and compensation and for the selection of jurors therein," approved May 23, 1925, relating to salaries of municipal judges in cities of the first and one-half class.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2418: By Mr. Cottrell—An act to amend the Political Code by adding a new section numbered 3819b relating to the redemption of property from sale for nonpayment of taxes in counties of the third, four and fifth class.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2419: By Mr. Fulcher—An act to amend section 2 of the Fish and Game Code, relating to definitions.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2420: By Mr. Levey—An act amending section 406a of the Civil Code, relating to service of process on foreign corporations.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2421: By Mr. Thorp—An act to amend section 1299 1 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2422: By Mr. Desmond—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles II and IV of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4, and

the article heading of Article III of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Bill read first time, and referred to Committee on Live Stock and Dairies

Assembly Bill No. 2423: By Mr. Desmond—An act to amend section 4041.27 of the Political Code relating to the authorizing of county boards of supervisors to adopt a system of life, health and accident insurance for the benefit of all persons or groups of persons employed by the county and to pay from the general fund or salary fund of the county, a part of the premiums upon such insurance and to deduct from the compensation of employees a part of the premiums of such insurance.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2424: By Messrs. Robertson, Peek, Lore, Burns, Hugh M., and Dawson—An act to establish an independent office of auditor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2425: By Messrs. Robertson, Peek, Lore, Burns, Hugh M., and Dawson—An act to add a new article to Chapter III of Title I of Part III of the Political Code, to be numbered Article IIA, embracing sections 360 to 360d, both inclusive, relating to a Department of Revenue.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2426: By Mr. Glick—An act to add a new section to be numbered section 12a to an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the laying out, opening, extending, widening, straightening or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities to provide for the collection of such assessments, the sale of property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, relating to assessments and bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2427: By Mr Call—An act to repeal the Yacht and Ship Brokers Act.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2428: By Mr. Meehan—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2429: By Mr. Beene—An act to amend the preamble of an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935, relating to use of public highways to transport goods for hire.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 2430: By Mr. Beene—An act to amend the preamble of an act entitled "An act regulating the use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act," approved June 11, 1935, relating to discrimination in rates and transportation of property for compensation on the public highways.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 2431: By Mr. Beene—An act to amend sections 13½ and 32, and to repeal sections 32½ and 34 (a) of the Public Utilities Act, relating to regulation of common carriers

Bill read first time, and referred to Committee on Public Utilities

Assembly Bill No. 2432: By Mr Voigt (By request)—An act regulating the exhibition of motion pictures and motion picture films in this State, including the prohibition of any contract in relation thereto requiring the commencement or occurrence of such exhibition on a certain or specified day or days of the week, and prescribing penalties and other means for the enforcement of the provisions of this act.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2433: By Mr. Voigt (By request)—An act to add section 3640 to the Political Code, relating to reports on location of motion picture film for taxation purposes

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2434: By Mr. Gilbert—An act to amend section 206 of the Code of Civil Procedure of the State of California, to require the selecting and returning of jurors in proportion to the number of employers of labor and employees residing in the respective counties.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2435: By Mr. Gilbert—An act to add section 5½ to "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor, and fixing a penalty for violations of this act."

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2436: By Mr. Gilbert—An act to amend section 4 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2437: By Mr. Gilbert—An act to amend section 135 of the Vehicle Code, to limit the powers of the California Highway Patrol during labor disputes

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2438: By Mr. Gilbert—An act to amend section 9b (2) of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to the waiting period.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2439: By Mr. Gilbert—An act to amend section 9b (1) of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to period of disability.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2440: By Mr. Patterson—An act to amend section 4 of an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, relating to train crews.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 2441: By Mr Patterson—An act to amend section 6906 of the Labor Code, relating to train crews.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2442: By Mr Donnelly—An act to add section 39g to the California Irrigation District Act, relating to assessments by irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 2443: By Mr Donnelly—An act to amend sections 39, 39a, 39b, 39c, 39d, 39e and 39f of the California Irrigation District Act, relating to the levying and collecting of irrigation district assessments.

Bill read first time, and referred to Committee on Irrigation

Assembly Bill No. 2444: By Mr. Donnelly—An act to add section 13 to an act entitled "An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to application of the "District Investigation Act of 1933" to such districts formed or proposed

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2445: By Mr Donnelly—An act to add section 13 to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and col-

lecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to application of the "District Investigation Act of 1933" to such districts formed or proposed.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2446: By Mr Donnelly—An act to add section 31 to "An act to allow and provide for the organization, incorporation and maintenance of fire districts to be governed by board of fire commissioners; to provide for the equipment and maintenance of fire departments and the acquisition of all property necessary therefor," approved March 4, 1881, relating to the application of the "District Investigation Act of 1933" to such districts formed or proposed.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2447: By Mr. Donnelly—An act making an appropriation for the purpose of providing for a National egg laying contest.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2448: By Mr Donnelly—An act to amend section 11 of the California Districts Securities Commission Act, relating to payment of defaulted obligations of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

Assembly Bill No. 2449: By Mr. Welsh—An act authorizing cities, cities and counties, municipal utility districts, public utility districts, and irrigation districts, to acquire, construct, improve and extend within and without their limits revenue-producing enterprises and to refinance the same, and for such purposes to issue notes, bonds, or other obligations payable solely from the revenues thereof, to maintain and operate such enterprises and to prescribe, revise, and collect, fees, tolls, rates, rentals, and other charges for the services, facilities and commodities furnished thereby; regulating the issuance of such notes, bonds, or other obligations and providing for their payment and the rights and remedies of the holders thereof

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2450: By Mr. Yorty—An act to amend sections 53, 141, 284, 285, 287, 289, 290, 291, 292, 293, 296, 300, 301, and 330 of the Military and Veterans Code, to add sections 193, 296½, 302, 303, 304, 305, 306, and 307 thereto, and to repeal sections 282, 286, 288, and 295 thereof, all relating to the Naval Militia.

Bill read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 2451: By Mr. Hornblower—An act to amend section 112 of the Vehicle Code, relating to the California Highway Patrol.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2452: By Mr. McMurray—An act to amend sections 165 and 382 of the Vehicle Code, relating to duplicate plates and documents of registration.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2453: By Mr. McMurray—An act to amend section 13 of the Dental Practice Act, relating to suspension and revocation of licenses.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2454: By Mr. McMurray—An act to amend section 1680 of the Business and Professions Code, relating to the definition of unprofessional conduct.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2455: By Mr. Lyon—An act to amend section 3 of the Highway Carriers' Act, relating to the issuance of permits thereunder by the Railroad Commission.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2456: By Mr. Lyon—An act to amend section 3 of the City Carriers' Act, relating to the issuance of permits thereunder by the Railroad Commission.

Bill read first time, and referred to Committee on Public Utilities

Assembly Bill No. 2457: By Mr Lyon—An act to amend section 50¾ of the Public Utilities Act, relating to the granting of certificates of public convenience and necessity.

Bill read first time, and referred to Committee on Public Utilities

Assembly Bill No. 2458: By Mr. Latham (By request)—An act to amend the Vehicle Code by amending sections 268 and 269 thereof.

Bill read first time and referred to Committee on Motor Vehicles

Assembly Bill No. 2459: By Mr. Latham (By request)—An act to amend the Vehicle Code by amending section 128 thereof.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 2460: By Mr Kuchel—An act authorizing the Director of Finance, upon behalf of the State, to prospect for, drill for, develop, extract, take and remove or dispose of, and to grant leases and easements for taking or extraction of, oil, gas or other hydrocarbons, or other minerals, of whatsoever kind, within and from certain lands belonging to the State; to acquire by purchase, eminent domain or otherwise, real property or interests therein necessary for the purposes of this act, providing for the disposition of all funds received pursuant to the provisions hereof, repealing all acts or parts of acts inconsistent or in conflict with this act, and making an appropriation for the purpose of carrying out the provisions of this act.

Bill read first time, and referred to Committee on Oil Industries

Assembly Bill No. 2461: By Mr Kuchel—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals, to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act" approved May 25, 1921, as amended, relating to the granting of leases

and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral or adjacent lands into State lands.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 2462: By Mr Levey—An act to add section 682 to the Vehicle Code, relating to the compulsory inspection of vehicles

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2463: By Mr. King—An act to add a new section to the Public Utilities Act, to be numbered 15½, relating to telephone listings and numbers.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2464: By Mr King—An act relating to the adoption of codes of fair competition for certain trades and industries within this State

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2465: By Mr King—An act to amend section 499a of the Penal Code, relating to the stealing of electricity.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 2466: By Mr. King—An act to amend section 498 of the Penal Code, relating to illuminating or fuel gas.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2467: By Mr. Kepple—An act to amend section 1190 of the Code of Civil Procedure, relating to the time of continuance of liens.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2468: By Mr. Donnelly—An act to pay the claim of Marie Bell against the State of California

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2469: By Mr. Donnelly—An act to provide for a threshers' lien on beans.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2470: By Messrs Clark, and Peek—An act making an appropriation to be expended by and under the direction of the Department of Finance in cooperation with the Los Angeles County Flood Control District, for the purpose of rectifying, improving, and protecting Alamitos Bay in the county of Los Angeles.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2471: By Messrs. Peek, and Clark—An act to amend section 502 of the Vehicle Code, relating to driving while intoxicated.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2472: By Mr. Cottrell—An act to amend section 1431 of the Penal Code, relating to change of place of trial of criminal cases.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2473: By Mr. Cottrell—An act to amend section 1425 of the Penal Code, relating to jurisdiction of justices' courts.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2474: By Mr. Beene—An act to amend section 537 of the Code of Civil Procedure, relating to attachments

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2475: By Mr. Voigt—An act to amend section 10701, Article 6, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2476: By Mr. Voigt—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2477: By Mr. Voigt—An act to amend section 10750, Article 12, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2478: By Mr. Voigt—An act to amend section (10780) 10880, Article 14, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California.

Bill read first time, and referred to Committee on Insurance

Assembly Bill No. 2479: By Mr. Voigt—An act to amend section 3 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2480: By Mr. Voigt—An act to amend section 10723, Article 8, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2481: By Mr. Voigt—An act to amend section 10749, Article 11, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2482: By Mr. Voigt—An act to amend "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees, or applicants for employment, and to protect cash bonds and other security put up by employees, or applicants for employment, pursuant to the contract of employment, prohibiting investments and the sale of stock or an interest in a business in connection with the securing of a position and advertisements to this effect, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement of the State Department of Industrial Relations, and providing penalties for violation thereof."

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2483: By Mr. Voigt—An act to amend section 10698, Article 6, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2484: By Mr. Voigt—An act to amend Article 6, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California by adding thereto a new section to be known as section 10700a.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2485: By Mr. Voigt—An act to amend section 10711, Article 7, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2486: By Mr. Voigt—An act to amend section 10697, Article 6, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2487: By Mr. Voigt—An act to amend an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for such calendar day or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing for other penalties for violation of the provisions thereof." approved May 25, 1931, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2488: By Mr. Voigt—An act to amend section 10696, Article 6, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2489: By Mr. Meehan—An act to add section 4.5 to the "General Cemetery Act," relating to powers of cemetery associations.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2490: By Mr. Voigt—An act to amend section 10693, Article 6, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California.

Bill read first time, and referred to Committee on Insurance

Assembly Bill No. 2491: By Messrs. Meehan, and Voigt—An act making an appropriation to purchase land for the State Hospital for the Insane at Patton.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 2492: By Mr. Voigt—An act to amend section 10670, Article 4, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California.

Bill read first time, and referred to Committee on Insurance

Assembly Bill No. 2493: By Mr. Voigt—An act to amend section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2494: By Mr. Voigt—An act to amend section 10692, Article 6, Chapter 8, Part 2, Division 2, of the Insurance Code of the State of California.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2495: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, King, Leonard, Maloney, McMurray, Miller, Patterson, and Welsh—An act to amend section 46 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2496: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, King, Leonard, Maloney, McMurray, Miller, Patterson, and Welsh—An act to amend section 55 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2497: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, King, Leonard, Maloney, McMurray, Miller, Patterson, and Welsh—An act to add section 103 to an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the administration of said act and making an appropriation.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2498: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, King, Leonard, Maloney, McMurray, Miller, Patterson, and Welsh—An act to amend sections 12 and 54 of, and to repeal sections 14 and 53 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2499: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, King, Leonard, Maloney, McMurray, Miller, Patterson, and Welsh—An act to amend sections 57 and 58 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2500: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, King, Leonard, Maloney, McMurray, Miller, Patterson, and Welsh—An act to amend sections 57 and 58 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment

Assembly Bill No. 2501: By Messrs. Cottrell, Boyle, Call, Cronin, Hawkins, Hornblower, Hunt, King, Leonard, Maloney, McMurray, Miller, Patterson, and Welsh—An act to add sections 6.5, 8.5, 9.5 and

9.7 to, and amend sections 7, 8, 9, 37 and 38 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2502: By Messrs. Flint, and McMurray—An act making an appropriation for the support of a Division of State Employment Agencies in the State Department of Employment.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2503: By Mr. Hornblower—An act to add section 25a to "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the powers of the Surveyor General

Bill read first time, and referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2504: By Mr. Dilworth—An act to amend section 330a of the Penal Code, relating to gambling by use of slot machines or card dice.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2505: By Mr. Donihue—An act to amend section 1 of an act entitled "An act authorizing and requiring boards of commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations," approved March 26, 1895, relating to vacations of members of fire departments.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2506: By Mr. Donihue—An act to amend the Old Age Security Act of the State of California, relating to aged persons.

Bill read first time, and referred to Committee on Social Service and Welfare

Assembly Bill No. 2507: By Mr. Donihue—An act to amend sections 2000 to 2225, inclusive, of the Welfare and Institutions Code, relating to pensions for aged persons.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2508: By Mr. Donihue—An act to amend sections 2000 to 2225, inclusive, of the Welfare and Institutions Code, relating to pensions for aged persons

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2509: By Mr. Donihue—An act to amend the State Civil Service Act, relating to the State civil service system.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 2510: By Mr. Donihue—An act to amend the State Civil Service Act, relating to the State civil service system.

Bill read first time, and referred to Committee on Civil Service.

Assembly Bill No. 2511: By Mr. Donihue—An act to amend the Old Age Security Act of the State of California, relating to aged persons.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2512: By Mr. Donihue—An act to amend section 707 of the Vehicle Code, relating to equipment of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2513: By Mr. Donihue—An act to amend sections 8 to 16, inclusive, of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2514: By Mr. Donihue—An act to amend sections 1 to 7, inclusive, of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2515: By Mr. Donihue—An act to amend section 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2516: By Mr. Donihue—An act to add section 12.5 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meeetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act; and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2517: By Mr. Donihue—An act to amend section 5 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2518: By Mr. Donihue—An act to amend section 3a of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to Workmen's Compensation Insurance.

Bill read first time and referred to Committee on Insurance

Assembly Bill No. 2519: By Mr. Donihue—An act to amend sections 10810 to 10940, inclusive, of the Insurance Code, relating to mutual life and disability insurance on the stipulated premium plan, with provisions for assessments.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2520: By Mr. Donihue—An act to amend sections 10640 to 10780, inclusive, of the Insurance Code, relating to life insurance upon the mutual benefit assessment plan.

Bill read first time, and referred to Committee on Insurance

Assembly Bill No. 2521: By Mr. Donihue—An act to reorganize the executive government of the State of California by establishing new departments and creating new officers and abolishing certain boards, commissions and officers, and repealing all acts and parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2522: By Mr. Donihue—An act to amend sections 50, 51, 52, 53, 70, 71, 72, 73, of the Streets and Highways Code, relating to the Division of Highways, its organization, powers and functions.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2523: By Mr. Donihue—An act to amend sections 10, 11, 12, 20, 21, 21.4, 21.5, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 40, 45, 46, 47, 48, 49 and 1420 of the Fish and Game Code, relating to the Fish and Game Commission, its organization, powers and duties.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2524: By Mr. Donihue—An act to amend sections 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 150, 151, 152, 153, 154, 155, 156, 200, 201, 202, 203, and 204 of the Business and Professions Code, relating to the Department of Professional and Vocational Standards, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2525: By Mr. Donihue—An act to amend sections 377, 377a, 377b, 377c, 377d, 377e, 377f, 377g, 377h, 377i, 377j, 377j½, 377k, 377l, 377m, and 377n of the Political Code, relating to the Depart-

ment of Professional and Vocational Standards, its organization, powers and duties

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2526: By Mr. Donihue—An act to amend sections 375, 375a, 375b, 375c, and 375d of the Political Code, relating to the State Department of Investment, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2527: By Mr. Donihue—An act to amend sections 373, 373a, 373b, 373c, 373d, 373f, 373g, 373h, 373i, 373j and 373k of the Political Code, relating to the State Department of Natural Resources, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2528: By Mr. Donihue—An act to amend sections 367, 367a, 367b, 367c, 367d, 367e, 367f, 367g, 368 and 371 of the Political Code, relating to the State Department of Social Welfare, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2529: By Mr. Donihue—An act to amend sections 366, 366a, 366b, 366c, 366d and 366e of the Political Code, relating to the Department of Institutions, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2530: By Mr. Donihue—An act to amend sections 364, 364a, 364b, 364c, 364d, 364e, 364f, 364g, 364h, 364i and 364j of the Political Code, relating to the Department of Industrial Relations, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2531: By Mr. Donihue—An act to amend sections 376, 376a, 376b, 376c, 376d, 376e, and 376f, of the Political Code, relating to the Department of Penology, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2532: By Mr. Donihue—An act to amend sections 372, 372a, 372b, 372c, 372d, 372e, 372f, and 372g of the Political Code, relating to the State Department of Public Health, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2533: By Mr. Donihue—An act to amend sections 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, of the Military and Veterans Code, relating to the Department of Military and Veterans Affairs, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2534: By Mr. Donihue—An act to amend sections 363, 363a, 363b, 363c, 363d, 363e, 363f, 363g, 363h, 363i, 363j, 363l,

363n, 363p, 363s, and 363bb of the Political Code, relating to the State Department of Public Works, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2535: By Mr. Donihue—An act to amend sections 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 34.5, 40, and 41 of the Agricultural Code, relating to the State Department of Agriculture, its organization, powers, and functions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2536: By Mr. Donihue—An act to amend sections 348 to 377n, inclusive, and sections 654 to 695, inclusive, of the Political Code, relating to the administrative departments of the State, their organization, powers and functions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2537: By Mr. Donihue—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 26a, 27, 28, 29, 30, 31 and 32 of the Civil Service Act, relating to appointment and tenure in the State civil service.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2538: By Mr. Donihue—An act to amend sections 348, 349, 350, 351, 352, 353, 354, 355, 356, 356a, 357, 358, 359, 359a, 359b, of the Political Code, relating to State administrative departments and their organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2539: By Mr. Donihue—An act to amend sections 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, of the Welfare and Institutions Code, relating to the State Department of Institutions, its organization, powers and functions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2540: By Mr. Donihue—An act to amend sections 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2541: By Mr. Donihue—An act to amend sections 654, 655, 656, 657, 658, 658.5, 659, 660, 661, 661½, 662, 663, 664, 664a, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 674a, 675, 675a, 675.1, 675.2, 676, 677, 677.5, 678, 679, 680, 681, 682, 685, 686, 686a, 687, 688, 689, 689a, 690, 690a, 690b, 690c, 690d, 690.10, 691, 692, 693, 694b, 694c, 694da, 694e, 694f, 694g, 695, of the Political Code, relating to the Department of Finance, its organization, powers and functions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2542: By Mr. Donihue—An act to amend sections 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, of the Labor Code, relating to the Department of Industrial Relations, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2543: By Mr. Donihue—An act to amend sections 12900, 12901, 12902, 12903, 12904, 12905, 12906, 12907, 12920, 12921, 12922, 12923, 12924, 12925, 12926, 12927, 12928, 12929, 12930, 12940, 12950, 12951, 12952, 12953, 12954, 12955, 12970, 12971, 12972, 12973, 12974, 12975, 12976, of the Insurance Code, relating to the Insurance Commissioner, his functions, office, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2544: By Mr. Donihue—An act to amend sections 2 1320, 2.1321, 2 1330, 2.1331, 2 1332, 2.1333, 2.1334, 2.1335, 2 1336, 2.1337, 2.1338, 2 1339, 2 1340, 2 1350, 2.1351, 2 1360, 2 1361, 2.1362, 2.1363, 2.1370, 2.1371, 2.1372, 2.1373, 2.1374, 2.1375, 2.1376, 2.1377, 2.1378, 2.1379, 2.1380, 2 1381, 2.1382, 2.1383, 2 1384, 2.1385, 2 1386, 2.1387, 2.1388, 2.1389, 2.1390, 2.1399, 2.1400, 2 1401, of the School Code, relating to the State Department of Education, its organization, powers and functions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2545: By Mr. Donihue—An act to amend sections 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 128, 135.5, 136, 137, and 138 of the Vehicle Code, relating to the Department of Motor Vehicles, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2546: By Mr. Donihue—An act to amend sections 100, 100.5, 101, 101.5, 102, 103, 104, 104 5, 105, 106, 107, 108, 109, 110, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 135, 136, 136.5, 137, 138, 139, 140, 141, 142, 143, of the Streets and Highways Code, relating to the Department of Public Works, its organization, powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2547: By Mr. Scudder—An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2548: By Mr. Scudder—An act to provide for the acquisition of the Muir Wood Toll Road by the State and the inclusion thereof in the State highway system, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2549: By Mr. Desmond—An act to add a new section, to be numbered 690.25 to the Code of Civil Procedure, relating to exemptions from execution and attachment

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2550: By Mr. McMurray—An act to amend section 55 of the Alcoholic Beverage Control Act, relating to sale of beer containing more than 4 per cent of alcohol by weight.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2551: By Mr. Tenney—An act to add a new section to be numbered 6.53 to the School Code, relating to inspection of school buildings.

Bill read first time, and referred to Committee on Building and Construction.

Assembly Bill No. 2552: By Mr. Tenney—An act to amend section 36 of the Civil Code, relating to disaffirmance by minors of contract.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2553: By Messrs. Lyon, and Latham—An act to add section 61.5 to the Alcoholic Beverage Control Act, relating to minors on premises where alcoholic beverages are sold or served.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2554: By Messrs. Cunningham, Millington, Lyon, Redwine, Williamson, Cronin, McMurray, Maloney, Garibaldi, and Gannon—An act relating to the use of lands dedicated for park purposes.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2555: By Mr. Cunningham (By request)—An act to amend section 484 of the Penal Code, relating to theft of labor and property.

Bill read first time, and referred to Committee on Crime Problems

Assembly Bill No. 2556: By Mr. Laughlin—An act to amend section 6 of an act entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing that notices as to pay days must be kept posted by the employer and making failure to keep such notices posted *prima facie evidence of violation of the act, providing criminal penalties* for violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of the district attorneys and prosecuting attorneys of cities relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner for failure to maintain regular pay days and the disposition of penalties so collected, providing for a civil penalty for failure of the employer to pay discharged employees or employees who quit and permitting such employees to sue directly or through an assignee for such penalties as well as permitting the said commissioners to sue for same in such cases as he may deem proper; repealing an act entitled 'An act providing for the payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act' approved June 8, 1915," approved May 6, 1919 (Stats. 1919, Chap. 202, as amended), relating to payment of discharged employees and employees who quit

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2557: By Mr. Fulcher—An act to amend section 1431 of the Penal Code, relating to change of venue.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2558: By Mr. Reaves—An act amending sections 490 5, 492, 713, 715, 717, 717 5, 718, 720, 726, 727, 728, 730, 731, 732, 733 5, 734, 736, 738, 738 5, 740, 741, 741.5, 744, 780, 782, 783, 784, 785, 788, 789, 792, 794, 795, 796, 798, 798.6, 799, 800, 802, 811 and 813 of the Fish and Game Code, relating to the commercial taking, possession and sale of salt water fish and shellfish in the waters adjacent to the southern end of Catalina Island in District 20.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2559: By Mr. Reaves—An act to amend section 733.5 of the Fish and Game Code, relating to the taking of yellow-tail

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2560: By Mr. Reaves—An act to amend section 715 of the Fish and Game Code, relating to the bag limit of white sea bass.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2561: By Mr. Reaves—An act to amend section 958 of the Fish and Game Code, relating to drag nets in District 19.

Bill read first time, and referred to Committee on Fish and Game

Assembly Bill No. 2562: By Mr. Reaves—An act to amend section 1 of "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to hours of labor in subterranean or underground employment.

Bill read first time, and referred to Committe on Labor and Capital.

Assembly Bill No. 2563: By Mr. Reaves—An act to provide for the safety of persons employed in and about underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, and to provide for the examinations of persons seeking employment as mine, tunnel, subway or acqueduct workers and to prevent the employment of incompetent persons in such employment and to provide for the setting up of an examining board to carry out the provisions of this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2564: By Mr. Reaves—An act creating the office of State Food Administrator and defining his powers and duties, including provision for exchange of commodities and coordination of the activities of various organizations and groups to facilitate such exchange, and making an appropriation therefor

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2565: By Mr. Reaves—An act to add section 8a to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution caused by labor disputes

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2566: By Mr. Reaves—An act to create extensions to certain State highways in the San Pedro area.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2567: By Mr. Richie—An act to amend section 5.650 of the School Code, relating to grounds for dismissal of permanent employees.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2568: By Mr. Sawallisch—An act to add section 1920a to the Code of Civil Procedure, relating to evidence.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2569: By Mr. Richie—An act to provide for the total eradication from the State of California of the diseases of gonorrhea and syphilis and to promote the general health of the inhabitants of this State.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2570: By Mr. Richie—An act to amend section 7 of and act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the inclusion of employees in domestic service in said act.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2571: By Mr. Turner—An act to amend sections 12 and 14 of, and to add section 12.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2572: By Mr. Turner—An act relating to the manufacture, sale, distribution and exhibition of motion picture films, imposing a tax upon moving picture films and providing for the collection thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2573: By Mr. Turner—An act to add section 10.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to racing meets in counties of the first class.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2574: By Mr. Turner—An act to amend section 7 of the Alcoholic Beverage Control Act, relating to licenses.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2575: By Mr. Weber—An act to amend sections 1 and 8 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to the practice of civil engineering.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2576: By Mr. Weber—An act to amend section 1a of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to the definition of civil engineering.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2577: By Messrs. Weber, and Miller—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14a, 14b, 15, 16, 17, 18, 19, and 20 of and to add section 13a to "The Planning Act," relating to State, regional, county, and city planning.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2578: By Messrs. Peek, and Clark—An act making an appropriation to be expended by and under the direction of the State Park Commission for the purpose of rectifying, improving, and protecting Alamitos Bay.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2579: By Messrs. Patterson, and Clark—An act to amend sections 1, 3, 4, 5, 10 and 13 of the Direct Primary Law relating to primary elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 2580: By Mr. Patterson—An act to amend section 5.650 of the School Code, relating to the dismissal of permanent employees of school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2581: By Mr. Gannon—An act to amend sections 1 and 3 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by the electors November 4, 1924, relating to amateur boxing, sparring and wrestling matches and exhibitions.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2582: By Mr. Gannon—An act to amend section 973 of, and to add section 973.5 to, the Labor Code, relating to advertisements or solicitation for employees while negotiations to establish working conditions or to settle labor disputes are pending, and requiring a copy of said advertisement and a statement identifying the employer concerned to be filed with the Labor Commissioner where such identity does not appear in such advertisement or solicitation.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2583: By Mr. Gannon—An act to amend sections 736 and 737 of the Vehicle Code, relating to procedure upon arrest.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2584: By Messrs. Gannon, and Desmond—An act appropriating money for the repairs, improvements, equipment and furnishing of Sutter's Fort in Sacramento.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 2585: By Mr. Gannon—An act to amend section 1 of an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913, as amended, and to add thereto a new section to be known as section 1.5, relating to advertisements or solicitations for employees while negotiations to establish working conditions or to settle labor disputes are pending, and requiring a copy of said advertisement and a statement identifying the employer concerned to be filed with the Labor Commissioner where such identity does not appear in such advertisement or solicitation.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 2586: By Mr. Cronin—An act to amend section 1626 of the Business and Professions Code, relating to the practice of dentistry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2587: By Mr. Cronin—An act to repeal section 397c of the Penal Code, relating to the sale of intoxicating liquors and to enact a new section to be known as section 398 of the Penal Code, relating to the sale of alcoholic beverages, the act to take effect immediately.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2588: By Mr. Johnson—An act to amend section 483 of the Penal Code, relating to the sale of evidences of right of passage on a common carrier.

Bill read first time, and referred to Committee on Public Utilities

Assembly Bill No. 2589: By Messrs. Johnson, and Morgan—An act creating a State Board of Eugenics and defining the powers and duties thereof; and providing for the care, protection, and decrease of the State's defectives, and lowering of the expenses therefor.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2590: By Messrs Johnson, and Hornblower—An act to provide for and regulate the sterilization of inmates of State institutions, and repealing an act entitled "An act to provide for the asexualization of inmates of State hospitals for the insane, the Sonoma State Home, of convicts in the State prisons, and of idiots, and repealing an act entitled 'An act to permit asexualization of inmates of the State hospitals and the California Home for the Care and Training of Feeble-Minded Children and of convicts in the State prisons,' approved April 26, 1909," and all other laws inconsistent herewith.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 2591: By Mr. Johnson—An act to amend sections 269 and 269a of the Penal Code, relating to adultery.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2592: By Mr. Johnson—An act to amend section 49 of the Civil Code, relating to personal relations.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2593: By Mr. Johnson—An act to amend sections 5.72, 5.721 and 5.722 of the School Code, relating to leaves of absence of persons employed in school districts requiring certification requirement.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2594: By Mr. Johnson—An act to add to the School Code sections 2.310, 2.600, 2.877, 2.1021, 2.1058, 2.1061, 2.1095, 2.1111 and 2.1321; and to repeal certain acts and parts of acts specified herein, all relating to the public school system.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2595: By Mr. Johnson—An act to amend section 29 of the Use Tax Act of 1935, relating to payment under protest and procedure to recover over-payments.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 2596: By Mr. Johnson—An act to add a new section to the Code of Civil Procedure, to be numbered section 811, relating to actions against usurpers of public offices and franchises.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2597: By Mr. Johnson—An act to amend section 2274 of the Civil Code, relating to compensation of trustees.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2598: By Mr. Johnson—An act to amend sections 771, 772, 1530, 1531 and 1534 of the Probate Code, relating to sales of estate property.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2599: By Mr. Johnson—An act to add a new section to "An act to create a State Medical Library under the direction of The Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance, and support of the same, and making an appropriation therefor," relating to fixed and traveling exhibits.

Bill read first time, and referred to Committee on Libraries.

Assembly Bill No. 2600: By Mr. Johnson—An act to amend sections 11580 and 11581 of the Insurance Code, relating to insurance policies.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2601: By Mr. Johnson—An act to amend section 415 of the Vehicle Code, relating to insurance policies.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2602: By Mr. Johnson—An act to amend section 402 of the Vehicle Code, relating to liability of owners of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2603: By Mr. Laughlin—An act to amend sections 21, 26, 27 and 38 of the Alcoholic Beverage Control Act, relating to the administration of said act.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2604: By Mr. Laughlin—An act to amend sections 11 and 13 of the Dental Practice Act, relating to advertising.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2605: By Mr. Laughlin—An act to amend sections 370 and 372 of the Vehicle Code, relating to fees.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2606: By Mr. Laughlin—An act to amend section 251 of, and to add section 612 to, the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2607: By Mr. Rosenthal—An act to authorize the incorporated cities of the State of California to establish retirement systems for their policemen, firemen and other employees of said cities where there is not already established a retirement system for the said officers or employees of said cities and providing for the appointment by the Governor of a Retirement Commission for the general administration of the retirement systems established by the said incorporated cities within the State The members of the city retirement board shall serve without additional compensation.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2608: By Mr. Rosenthal—An act to amend sections 7, 28, 32, 39, 40, 41, 42, 43, 44, 45, 46, 47, and 48 of the "Alcoholic Beverage Control Act," relating to hearings and proceedings for revocation of licenses.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2609: By Mr. Williamson—An act to amend section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2610: By Mr. Williamson—An act to amend section 689 of the Code of Civil Procedure, relating to third party claims to property levied upon under writs of execution and attachment.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2611: By Mr. Williamson—An act to amend section 690.11 of the Code of Civil Procedure, relating to the exemption of the earnings of judgment debtors for their personal services from execution or attachment.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2612: By Mr. Williamson—An act to add a new section to Chapter I of Title X of Part II of the Code of Civil Procedure, to be numbered 730, and relating to sales by sheriffs under mortgage foreclosures.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2613: By Mr. Williamson—An act to add a new section to Chapter VII of Title XIV of Part II of the Code of Civil Procedure, to be numbered 1041, and relating to forms of undertaking in civil actions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2614: By Mr. Williamson—An act to amend section 1054a of the Code of Civil Procedure, relating to cash deposits in lieu of undertakings in civil actions.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2615: By Mr. Williamson—An act to amend section 1057 of the Code of Civil Procedure, relating to the requisites of and corporation sureties on undertakings and bonds authorized or required by law.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2616: By Mr. Williamson—An act to amend section 2969 of the Civil Code, relating to the levy on chattel mortgaged property under writs of attachment and execution.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2617: By Mr Williamson—An act to add three new sections to Chapter I of Title IX of Part II of the Code of Civil Procedure, to be numbered 689d, 689e, and 689f, respectively, and relating to the levy on chattel mortgaged property under writs of attachment and execution, and to repeal sections 2968, 2969 and 2970 of the Civil Code, relating to the same subject.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2618: By Messrs. Williamson, and McMurray—An act to amend section 78 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of State employees

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2619: By Messrs. Williamson, and McMurray—An act to amend section 3 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to licentiates in pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 2620: By Messrs. Williamson, and McMurray—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to annual registration fee.

Bill read first time, and referred to Committee on Medical and Dental Laws

Assembly Bill No. 2621: By Messrs. Williamson, and McMurray—An act requiring individuals, as in said act defined, to obtain a cer-

tificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds, and providing for the enforcement of said act and penalties for the violation thereof

Bill read first time, and referred to Committee on Corporations.

Assembly Bill No. 2622: By Messrs. Williamson, and McMurray—An act to define business opportunity brokers and salesmen; to provide for the regulation, supervision and licensing thereof by the State Real Estate Division and the Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2623: By Messrs. Waters, Johnson, Laughlin, and Hawkins—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5.1135, 5.1136, 5.1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered section 5.1139 to the School Code.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2624: By Mr. Robertson (By request)—An act to amend section 24 of the Direct Primary Law, relating to State Central Committees

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 2625: By Mr. Waters—An act to amend section 372 of the Vehicle Code, relating to registration fees.

Bill read first time, and referred to Committee on Motor Vehicles

Assembly Bill No. 2626: By Mr. Waters—An act to amend section 2 of the act entitled "An act to regulate the method of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election," approved May 2, 1927, relating to the method of nominating, voting for and electing candidates for judicial offices at primary and general elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 2627: By Mr. McMurray—An act for the regulation and licensing of slot machines as herein defined, defining the powers and duties of the State Department of Professional and Vocational Standards in respect thereto, and prescribing penalties for violation of the provisions hereof.

Bill read first time, and referred to Committee on Public Morals

Assembly Bill No. 2628: By Mr. Flint—An act to repeal the "Food Warehousemen Act"

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 2629: By Mr. Hawkins—An act to amend sections 2020 and 2160 of the Welfare and Institutions Code, relating to aid to the aged

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2630: By Mr. Voigt—An act to add section 281a to the Code of Civil Procedure, in relation to the unlawful practice of law by banks, banking associations, trust companies, title companies, land title associations, associations, corporations, partnerships, realtors, notaries public and other persons not admitted to the practice of law in this State.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2631: By Mr. Voigt—An act adding section 164a to the Penal Code, relating to the unlawful practice of law by banks, banking associations, trust companies, title companies, land title associations, associations, corporations, partnerships, realtors, notaries public and other persons not admitted to the practice of law in the State of California

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2632: By Mr. Laughlin—An act to add section 327 to the Penal Code, prohibiting door prizes, games of chance and gifts of money or merchandise by theatres or other places of public amusement.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2633: By Mr. King—An act to amend sections 702, 703, and 705 of the Vehicle Code, relating to motor vehicles and to gross weights of vehicles and ratio of weight to length.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2634: By Mr. King—An act to amend the title and sections 1, 2, 4, 9, 11, and 14 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," relating to the taxation of the transporation of persons or property for hire or compensation as a business on the streets or highways of the State, the definition of operators, fees, license taxes, maximum limitation of fees, and exemptions, and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2635: By Mr. King—An act to amend section 23 of the Whittier State School Act, relating to inmates of the Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 2636: By Mr. King—An act to amend sections 1175 and 1180 of the Welfare and Institutions Code, relating to State reformatory schools.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 2637: By Mr. King—An act to amend section 18 of the Preston School of Industry Act, relating to inmates of the Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 2638: By Mr. King—An act to add a new section 12a to an act entitled "An act to establish an institution for the con-

finement, care and reformation of women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929, relating to dismissals and paroles of inmates in the California Institution for Women.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 2639: By Mr. Field—An act to add section 377.1 to the Penal Code, relating to gaming.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2640: By Mr. Field—An act to amend sections 3, 12, and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse races.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2641: By Mr. O'Donnell—An act to amend sections 1238, 1239, 1240, 1241, 1242 of the Code of Civil Procedure, relating to eminent domain.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2642: By Mr. Garland—An act to amend section 640 of the Probate Code, relating to estates.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2643: By Mr. Garland—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2644: By Mr. Johnson—An act to amend section 352 of the Political Code, relating to traveling expenses of State employees and prescribing rules for the determination of the actual headquarters of such employees.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2645: By Mr. Patterson—An act to add section 5.400a to the School Code, relating to inquiry into political and economic affiliations or beliefs of applicants for teaching positions.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2646: By Mr. Patterson—An act to add section 4 of an act entitled "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, relating to free employment bureaus for teachers.

Bill read first time, and referred to Committee on Unemployment.

Assembly Bill No. 2647: By Mr. Patterson—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2648: By Mr. Patterson—An act validating the election and classification of members of the sanitary board of sanitary districts reorganized pursuant to section 31 of the act of the Legislature entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts, the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, as amended, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2649: By Mr. Patterson—An act amending sections 9 and 31 of the act of the Legislature of the State of California entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, as amended, relating to elections of sanitary boards in sanitary districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2650: By Mr. Patterson—An act to add section 5.650a to the School Code, relating to dismissal of permanent employees.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2651: By Mr. Patterson—An act to add section 5.409a to the School Code, relating to use of Division of State Employment Agencies by teachers.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2652: By Mr. Patterson—An act to amend sections 5.1040 and 5.1060 of the School Code, relating to payment of contributions to the permanent fund.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2653: By Mr. Boyle—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2654: By Mr. Boyle—An act relating to the operation of motor vehicles used in unemployment cooperative relief

work, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read first time, and referred to Committee on Unemployment

Assembly Bill No. 2655: By Mr. Desmond—An act to amend section 453 of the Agricultural Code, relating to milk inspection.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2656: By Mr. Cunningham—An act to add section 7 to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof, approved May 25, 1931, relating to uniform payment of prevailing wages and reimbursement to contractors for expenses entailed.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 2657: By Mr. Donihue—An act to repeal section 2932 of the Civil Code, relating to powers of sale conferred by a mortgage.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2658: By Mr. Leonard—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or in part by special assessments, to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments

Bill read first time, and referred to Committee on Municipal Corporations

Assembly Bill No. 2659: By Mr. Leonard—An act to amend sections 13a and 14 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or in part by special assessments; to provide a basis for valuation of property for the purpose of estab-

lishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding."

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2660: By Mr. Leonard—An act to add section 13 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933 relating to horse racing.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2661: By Mr. Leonard—An act to amend section 463 of the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2662: By Mr. Leonard—An act to amend sections 83 and 883 of the Fish and Game Code, relating to fishing in Districts 15 and 16.

Bill read first time, and referred to Committee on Fish and Game

Assembly Bill No. 2663: By Mr. Leonard—An act to add section 919 to the Fish and Game Code, relating to bait nets

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2664: By Mr. Leonard—An act to amend section 926 of the Fish and Game Code, relating to round haul nets

Bill read first time, and referred to Committee on Fish and Game

Assembly Bill No. 2665: By Mr. Meehan (By request)—An act to amend section 1264 of, and to add two new sections to be numbered 1264a and 1264b to, the Political Code, relating to the canvass of election returns.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 2666: By Mr. Meehan (By request)—An act to amend section 21 of, and to add two new sections to be numbered 21a and 21b to, the Direct Primary Law, relating to the canvass of votes at primary elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 2667: By Mr. O'Donnell—An act to amend sections 1239, 1240, 1241, and 1242 of the Code of Civil Procedure, relating to eminent domain

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2668: By Messrs. O'Donnell, and Turner—An act to amend section 2924½ of the Civil Code and section 580b of the Code of Civil Procedure, relating to deficiency judgments.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2669: By Messrs. O'Donnell, and Turner—An act to abolish deficiency judgments in all cases where a lien upon land is

created by mortgage, deed of trust, or otherwise, as security for indebtedness.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2670: By Mr. Turner—An act to amend section 2924 of the Civil Code, relating to mortgages and trust deeds.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2671: By Messrs. O'Donnell, and Turner—An act to amend sections 1, 2 and 4 of, and to add two new sections to be numbered 5 and 6 to "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2672: By Mr. Turner—An act to provide that all liens upon real estate created by mortgage, deed of trust, or otherwise, as security for indebtedness, shall be foreclosed only by action.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2673: By Mr. Weber—An act to amend section 16 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to exemptions from the provisions of the act.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2674: By Mr. Weber—An act to add section 15.5 to, and to amend section 17 of, an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to the practice of civil engineering.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2675: By Mr. Miller—An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad adequately to man their gas, gas-electric, diesel, or diesel-electric cars and locomotives.

Bill read first time, and referred to Committee on Public Utilities

Assembly Bill No. 2676: By Mr. Patterson—An act to prevent the pollution of waters in rivers, bays, lakes and oceans of the State by prohibiting the dumping or deposit of foreign substances in such waters, requiring the erection and maintenance of cities and political subdivisions of sewage disposal plants, and empowering the State Board of Health to enforce the provisions of this act, and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2677: By Mr. Turner—An act to add a new section to be numbered 4041.29 to the Political Code, relating to powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2678: By Messrs. Rosenthal, and Robertson—An act to amend section 707 of the Code of Civil Procedure, relating to rents and profits during the period of redemption.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2679: By Messrs. Rosenthal, and Robertson—An act to amend section 2898 of the Civil Code, relating to priority of mortgages for price.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2680: By Messrs. Rosenthal, and Robertson—An act to amend section 3717 of the Political Code, relating to tax on personal property a lien on real property

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2681: By Messrs. Rosenthal, and Robertson—An act to amend section 726 Code of Civil Procedure, relating to proceedings in foreclosure suits

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2682: By Messrs. Rosenthal, and Robertson—An act to amend section 702 of the Code of Civil Procedure, relating to redemption of property.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2683: By Messrs. Rosenthal, and Robertson—An act to amend section 3771-A of the Political Code, relating to sale of unredeemed property at auction.

Bill read first time, and referred to Committee on Governmental Revenue and Expenditures.

Assembly Bill No. 2684: By Mr. Rosenthal—An act relating to the relief of debtors and guarantors; permitting postponement of sales conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2685: By Mr. Rosenthal—An act to add section 178 to the Penal Code making the violation of the civil rights of citizens by reason of race, color, or religious belief a misdemeanor.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2686: By Mr. Rosenthal—An act to amend section 711 of the Civil Code, declaring void any condition, covenant, or contract restraining or limiting the occupancy, leasing, or other use of property by reason of race, creed, color, religion or sect

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2687: By Mr. Laughlin—An act to amend section 74 of the "State Housing Act," relating to keeping animals or poultry in apartment houses, hotels or dwelling houses

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2688: By Mr. Laughlin—An act to amend section 1946 of the Civil Code, relating to notices of intention to terminate hiring of real property.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2689: By Mr. Laughlin—An act to amend section 1862 of the Civil Code, relating to the sale of unclaimed baggage or other personal property in the possession of the keeper of any hotel, inn, boarding or lodging house, furnished apartment house or furnished bungalow court.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2690: By Mr. Laughlin—An act to amend section 827 of the Civil Code, relating to notice of change in terms of leases.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2691: By Mr. Laughlin—An act to amend section 1860 of the Civil Code, relating to liability of innkeeping.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2692: By Mr. Yorty—An act declaring it to be a misdemeanor for any individual person or corporation knowingly to transport or furnish transportation which brings or carries any person to or toward a place where such person is to render services formerly rendered by an employee who has ceased to render the same to or as a result of a labor dispute, unless such person has been a resident for more than one month immediately preceding the date of employment, or attempt to employ, of the county wherein he is to render services

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2693: By Mr. Yorty—An act declaring it to be a misdemeanor for any natural person or corporation to hire or employ, or procure or assist in the hiring or employment of any person to do or perform services formerly rendered by an employee who has ceased to render the same due to, or as a result of, a labor dispute unless such person has been a resident for more than one month immediately preceding the date of employment, or attempt to employ, of the county wherein he is to render services, and defining a labor dispute.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 2694: By Mr. Burns, Michael J.—An act relating to unauthorized collection of fees by employers from employees.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2695: By Mr. Burns, Michael J.—An act appropriating money to pay the claim of William K. Kaliher against the State of California.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 2696: By Mr. Richie—An act to add a new section to be numbered 1151.5 to the Penal Code, providing that the jury in misdemeanor cases shall indicate what the penalty shall be.

Bill read first time, and referred to Committee on Crime Problems

Assembly Bill No. 2697: By Mr. Richie—An act to add section 4300f1 to the Political Code, relating to the payment of jury fees by the county in which a jury case is tried.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2698: By Mr. Richie—An act to add a new section to be numbered section 1204.3 to the Penal Code, providing that the court shall fix the penalty in misdemeanor cases as indicated by the jury.

Bill read first time, and referred to Committee on Crime Problems.

Assembly Bill No. 2699: By Mr. Richie—An act authorizing a county to use persons confined in county jails for road and other work; providing for the payment of compensation for such work to the dependents of the persons performing such work.

Bill read first time, and referred to Committee on Prisons and Reformatories

Assembly Bill No. 2700: By Mr. Richie—An act to add a new section to be numbered section 349.5 to the Code of Civil Procedure, relating to the statute of limitations in actions against counties, municipalities, and other public corporations

Bill read first time, and referred to Committee on Municipal Corporations

Assembly Bill No. 2701: By Mr. Maloney—An act to amend sections 2030, 2031, 2032 and 2033 of the Harbors and Navigation Code, relating to extension of wharves in San Francisco Harbor.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 2702: By Mrs. Daley—An act to add section 37 to the Fish and Game Code, relating to the preservation of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2703: By Mrs. Daley—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2704: By Mrs. Daley—An act to amend section 367b of the Political Code, relating to the compensation of members of the Social Welfare Board.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2705: By Mrs. Daley—An act to amend section 105 of the Welfare and Institutions Code, relating to compensation of members of the Social Welfare Board.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2706: By Mrs. Daley—An act to amend sections 204, 204a, 204b, 204c, 204d, 204e, 205, 206, 208, 209, 211 of the Code of Civil Procedure, all relating to selecting and returning jurors for courts of record.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2707: By Mrs. Daley—An act to add section 652 to the Penal Code, relating to the profit of purchasers of tax liens.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2708: By Mrs. Daley—An act making an appropriation for the establishment, maintenance and support of an Industrial Workshop and Sales Room for the Adult Blind in San Diego.

Bill read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 2709: By Mrs. Daley—An act to add section 366c5 to the Political Code, relating to the Department of Institutions

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2710: By Mrs. Daley—An act to add section 6625 to the Welfare and Institutions Code, relating to uniforms of patients in State hospitals for the insane.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 2711: By Mrs. Daley—An act to add section 1251.5 to the Fish and Game Code, relating to deer.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2712: By Mrs. Daley—An act to add section 650.2 to the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2713: By Mrs. Daley—An act to amend section 4185a of the Political Code, relating to qualifications and eligibility for the office of justice of the peace.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2714: By Mrs. Daley—An act to require all applicants for construction and improvement permits to prove compliance with the "Workmen's Compensation, Insurance and Safety Act of 1917."

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2715: By Mrs. Daley—An act to amend the title and sections 2 and 3 of an act entitled "An act to provide for the protection, welfare and assistance of aged persons in need and residents in the State of California, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, relating to extending the provisions of this act to those physically handicapped in various ways.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2716: By Mrs. Daley—An act to add sections 3369, 3370, and 3371 to the Political Code, relating to pin-ball games, marble games and vending machines, and prescribing penalties for violations hereof.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2717: By Mrs. Daley—An act to license and regulate the business of bookmaking, to repeal section 337a of the Penal Code, and to provide a penalty for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2718: By Mr. Glick—An act to amend sections 2, 3, 4 and 5 of an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, relating to the pollution of waters.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2719: By Mr. Tenney—An act to add section 93 to the "Workmen's Compensation, Insurance and Safety Act," relating to and extending the provision of said act to employees on strike

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2720: By Mr. Tenney—An act to add section ------ to the Labor Code, relating to and extending the workmen's compensation provisions thereof to employees on strike

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2721: By Mr. Gannon—An act relating to taxation, adding section 6.5 to the Retail Sales Tax Act of 1933, and adding section 4.5 to the Use Tax Act of 1935, providing for the exemption of purchases of tangible personal property by the State of California.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2722: By Mr. Corwin—An act to add sections 160.1, 160.2, 160.3 and 160.4 to the Agricultural Code, relating to indemnification of owners of fruit trees destroyed by the Department of Agriculture to prevent spread of peach mosaic, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2723: By Mr. Lyon—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things, declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2724: By Mr. Lyon—An act relating to the preservation, care and display of foods.

Bill read first time, and referred to Committee on Public Health and Quarantine

Assembly Bill No. 2725: By Mr. Lyon—An act to amend sections 23 and 660 of the Streets and Highways Code, relating to the definition of highway and encroachment.

Bill read first time, and referred to Committee on Roads and Highways

Assembly Bill No. 2726: By Mr. Tenney—An act to amend sections 410, 4452, 4453, 4553, 4554, 4656, 4658, and 4702 of the Labor Code, relating to workmen's compensation.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2727: By Mr. Tenney—An act to amend sections 3, 6, 9, 12 and 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to workmen's compensation.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2728: By Messrs. Dannenbrink, Cassidy, Donihue, and McMurray—An act making an appropriation to pay for the interest and redemption requirements of bonds, issued by the California Toll Bridge Authority for the construction of the San Francisco-Oakland Bay Bridge

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2729: By Mr. Weber—An act to add section 4041 65 to the Political Code, relating to the powers and duties of boards of supervisors and authorizing boards of supervisors to accept title to real property, to permit the erection of buildings on public lands for museum and art gallery purposes, to permit such buildings to be operated, maintained and managed by the donors thereof or by boards of trustees appointed by the donors, or otherwise, and to permit the boards of supervisors to delegate authority to such boards of trustees, and to permit the boards of supervisors to appropriate money for the support of the same.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2730: By Mr. Donnelly—An act to amend section 104 of the Bank Act, relating to participation certificates.

Bill read first time, and referred to Committee on Banking

Assembly Bill No. 2731: By Mr. Reaves—An act to amend sections 3, 4, 5, 6, 7, 9, 10, 12, 16, 17, and 19 of an Initiative Act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the said Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2732: By Mr. King—An act to amend the title and sections 1, 2, 3 4, 5, 6 and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, as amended, relating to cleaning and dyeing.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 2733: By Mr. King—An act to amend the title and sections 1, 2, 3, 4, 5 and 6 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," and to add a new section numbered 7, approved June 3, 1927, as amended, relating to clothes cleaning establishments.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 2734: By Mr. Fulcher—An act to amend section 5.654 of the School Code, relating to time of trial of school employees charged with immoral or unprofessional conduct.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2735: By Mr. King—An act to amend section 372 of the Vehicle Code, relating to weight fees and other fees, licenses and taxes for commercial vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2736: By Mr. McMurray—An act to amend section 2071 of the Insurance Code, providing a standard form of fire insurance policy for use in this State, relating to arbitration of claims.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2737: By Mr. Turner—An act to require the carrying of public liability and property damage insurance by persons, firms and corporations transporting persons for hire by means of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2738: By Mr. Turner—An act to amend section 372 of the Vehicle Code, relating to registration of certain vehicles used for the transportation of persons or property in this State.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2739: By Mr. Flint—An act to amend section 14 of the Inheritance Tax Act of 1935, relating to appraisers.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2740: By Mr. Flint—An act to add section 1278a to the Code of Civil Procedure, relating to change of name.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2741: By Mr. Flint—An act to add section 3a to the Unfair Practices Act, relating to unfair trade practices.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2742: By Mr. Flint—An act to amend section 138 and to add sections 89, 108 and 109 to the Civil Code, relating to divorce, separate maintenance and the custody of children.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2743: By Mr. Dannenbrink—An act to amend section 4a of the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of

such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor.

Bill read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 2744: By Mr. Laughlin—An act to amend section 4 720 of the School Code, relating to the apportionment of money to school districts.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2745: By Mr. Laughlin—An act to add section 24 to an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to taxation of advertising signs or structures.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2746: By Mr. Clark—An act relating to contributions by counties to assist cities with reference to street and highway work.

Bill read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 2747: By Mr. Clark—An act requiring marine architects to be certified as such, specifying qualifications, rules and regulations therefor, creating a board, establishing a fund, and providing penalties.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 2748: By Mr. Muldoon—An act to amend section 1313 of the Fish and Game Code, relating to trapping of animals.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2749: By Mr. Weber—An act to add section 4041.65 to the Political Code, relating to the powers and duties of boards of supervisors and authorizing boards of supervisors to accept title to real property, to permit the erection of buildings on public lands for museum and art gallery purposes, to permit such buildings to be operated, maintained and managed by the donors thereof or by boards of trustees appointed by the donors, or otherwise, and to permit

the boards of supervisors to delegate authority to such boards of trustees, and to permit the boards of supervisors to appropriate money for the support of the same.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2750: By Mr. Weber—An act to amend section 544 of the Probate Code, relating to bonds of joint executors.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2751: By Mr. Burns, Michael J. (By request)—An act to amend section 482 of the Fish and Game Code, relating to the pollution of water.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2752: By Mr. Burns, Michael J.—An act to amend section 800 of the Fish and Game Code, relating to abalones.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2753: By Mr. Burns, Michael J.—An act relating to the development and improvement of plants, disease resistant and superior in quality, authorizing the State Director of Agriculture to enter into and perform agreements with qualified persons in respect thereto, and making the appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2754: By Mr. Burns, Michael J.—An act to amend section 788 of the Fish and Game Code, relating to crabs.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2755: By Mr. Donihue—An act to amend sections 1343 and 1345 of the Fish and Game Code, and to repeal section 1344 thereof, relating to seals and sea lions.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2756: By Mr. Robertson—An act to amend sections 10 and 11 of the Fish and Game Code, relating to the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2757: By Mr. Robertson—An act to amend section 744 of the Fish and Game Code, relating to marlin swordfish.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2758: By Mr. Crowley—An act providing for the transfer of a tract of land known as the Napa State Farm and owned by the State of California which is situated in the county of Napa in said State to the Veterans' Home of California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 2759: By Mr. Crowley—An act providing for the addition of the Napa State Farm to the Veterans' Home of California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 2760: By Mr. Garibaldi—An act to amend section 3 of an act entitled "An act to create a firemen's relief, health and life insurance and pension fund in the several counties, cities and

counties, cities, and towns of the State." approved March 20, 1905. relating to retirement pensions for firemen.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2761: By Mr. Garibaldi—An act to provide for the conditions of employment of firemen in cities, cities and counties and fire protection districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2762: By Mr. Garibaldi—An act to amend section 698 of the Fish and Game Code, relating to black bass.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2763: By Mr. Dilworth—An act to amend sections 4.873 and 4.885 of the School Code, relating to the apportionment of moneys from the State high school fund and from the general fund for high school districts and high schools.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2764: By Mr. Dilworth—An act to amend sections 4.873 and 4.885 of the School Code, relating to the apportionment of moneys from the State high school fund and from the general fund for high school districts and high schools

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2765: By Mr. Heisinger—An act to add section 1251 5 to the Fish and Game Code, relating to deer.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2766: By Mr. Heisinger—An act to amend sections 3771a, 3785 and 3787 of the Political Code, relating to taxation, providing for advertisement of sales of tax delinquent property, and requiring purchasers at tax sales to record the deeds therefor before transferring title to such property to third persons

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2767: By Mr. Heisinger—An act to amend section 5 of the Retail Sales Tax Act, reltaing to exemptions and providing for the exemption of all food stuffs and beverages other than alcoholic beverages.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2768: By Mr. Martin—An act relating to unpaid accounts due to incorporated cities for water and service supplied by such city.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2769: By Mr. Millington—An act to provide for the disincorporation of municipal corporations of the sixth class, and declaring the urgency hereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2770: By Mr. Millington—An act to add section 607ff to the Civil Code, relating to prevention of cruelty to animals.

Bill read first time, and referred to Committee on Judiciary Codes

Assembly Bill No. 2771: By Mr. Millington—An act to add section 4 to an act entitled "An act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom," approved June 11, 1913, relating to excluding uninhabited territory from cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2772: By Mr. Sawallisch—An act to add a new section to be numbered 95, to the Agricultural Code, relating to, and making an appropriation to be used by the Director of the Twenty-Third Agricultural District for the purchase of real property and construction thereon of permanent buildings to be used in the exhibition of agricultural live stock exhibits.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2773: By Mr. Scudder—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 2774: By Mr. Thorp—An act to amend sections 1299.18, 1300, 1300.3 and 1300.4 of the Agricultural Code, relating to processors of farm products.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2775: By Mr. Thorp—An act to add section 691.5 to the Agricultural Code, relating to dairies.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2776: By Mr. Thorp—An act to amend section 490 of, and to add section 490.5 to, the Agricultural Code, relating to graded market milk.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2777: By Mr. Walker—An act to amend sections 451 to 740 of the Agricultural Code, relating to dairies.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2778: By Mr. Pelletier—An act requiring licenses for the operation, maintenance or establishment of stores in this State, prescribing the license and filing fees to be paid therefor; providing for penalties for the violation of this act, providing for the enforcement of this act.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2779: By Mr. Pelletier—An act to limit the number of stores operated under the same management, supervision or ownership.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2780: By Mr. Dawson (By request)—An act to add section 96.5 to the Fish and Game Code, creating a new fish and game district.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2781: By Mr. Dawson (By request)—An act to amend section 482 of the Fish and Game Code, relating to pollution of waters.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2782: By Mr. Dawson (By request)—An act to amend sections 427 and 428 and to repeal sections 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, and 1286 of the Fish and Game Code, relating to hunting and fishing licenses and deer tags.

Bill read first time, and referred to Committee on Fish and Game

Assembly Bill No. 2783: By Mr. Dawson (By request)—An act to amend section 481 of the Fish and Game Code, relating to the pollution of State waters and providing a method of determining pollution in relation to fish and plant life.

Bill read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 2784: By Mr. Fulcher—An act relating to the formation, organization and proceedings of municipal utility districts; confirming the formation, organization and existing of such districts; establishing and validating the boundaries thereof; confirming proceedings for the annexation of territory to, incorporation and inclusion thereof within municipal utility districts; confirming the election of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such district and authorizing such bonds to be sold and delivered, providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds, and declaring this act to be an urgency measure.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2785: By Mr. Fulcher—An act relating to radio intercommunication service between the State and the several counties in the State and authorizing the State and the counties to enter into agreements in respect thereto and to defray the cost of such service.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Joint Resolution No. 23: By Mr. Glick—Relative to memorializing the President and Congress to enact legislation providing for relief to overburdened and distressed special assessment districts

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 24: By Mrs. Daley—Relative to amendment to the Constitution of the United States, requesting that the Congress of the United States call a convention for the purpose of proposing an amendment to the Constitution of the United States making it mandatory upon the Congress of the United States to provide for the general welfare by a permanent system of old age annuities to increase buying power and relieve unemployment and to provide for the financing of such a system.

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 25: By Mr. Flint—Relative to the United States constitutional amendment concerning marriage and divorce.

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 26: By Mr. Gilbert—Relative to urging that the wages of those people employed on work-relief projects have their wages raised to the extent of the average increase in the cost of living.

Introduced, and referred to Committee on Federal Relations.

Assembly Constitutional Amendment No. 33: By Mr. Voigt—Proposed amendment to Article IV of the Constitution, amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 22a, 23, 27, 34 and 34a, and to add section 34b, relating to the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 34: By Mr. Robertson—Proposed amendment to Article XI, section 18, of the Constitution, relative to the incurring of indebtedness by political subdivisions.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 35: By Mr. Reaves—Proposed amendment to Article IV of the Constitution by adding section 25¼ thereto, relative to the practice of chiropractic.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 36: By Mr. Andreas—Proposed amendment to Article IV, section 26 of the Constitution, relative to a State lottery.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 37: By Messrs. Robertson, Lore, Dawson, Burns, Hugh M., and Peek—Proposed amendment to Article XVI, section 1 of the Constitution, relative to and including a definition of the terms "debts or debt, liability or liabilities."

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 38: By Mr. Dannenbrink—Proposed amendment to Article VI, section 19, of the Constitution, relative to the salaries of the Governor, the Controller and the Treasurer.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 39: By Mr. Meehan—Proposed amendment to Article VI of the Constitution by adding section 2a thereto, relative to the duties of the Supreme Court.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 40: By Messrs. Latham, and Lyon—Proposed amendment to Article IV, section 34a, of the Constitution, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 41: By Mr. Breed—Proposed amendment to Article XX of the Constitution by adding a new section numbered 23 thereto, relative to the investigation and settlement of disputes between employer and employee.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 42: By Mr. Stream—Proposed amendment to Article VI, section 9, of the Constitution, relative to absence of judges from the State.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 43: By Mr. Redwine—Proposed amendment to Article IV of the Constitution, to amend section 25½, relative to fish and game.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 44: By Mr. Corwin—Proposed amendment to Article IV of the Constitution, by adding section 31b, relative to indemnification of deciduous fruit tree owners.

Introduced, and referred to Committee on Constitutional Amendments.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 19.	Assembly Bill No. 443.
Assembly Concurrent Resolution No. 21.	Assembly Bill No. 457.
Assembly Concurrent Resolution No. 22.	Assembly Bill No. 509.
Assembly Concurrent Resolution No. 23.	Assembly Bill No. 574.
Assembly Joint Resolution No. 22.	Assembly Bill No. 1358.
Assembly Bill No. 193.	Assembly Bill No. 1512.
Assembly Bill No. 236.	

And reports the same correctly enrolled, and presented to the Governor on this twenty-second day of January, 1937, at two o'clock p m

CUNNINGHAM, Chairman

Motion to Correct Journals.

On motion of Mr. King, the Assembly Journals of Monday, January 4, 1937; Tuesday, January 5, 1937; Wednesday, January 6, 1937, Thursday, January 7, 1937; Friday, January 8, 1937; Monday, January 11, 1937; Tuesday, January 12, 1937; Wednesday, January 13, 1937, Thursday, January 14, 1937; Friday, January 15, 1937; Monday, January 18, 1937; Tuesday, January 19, 1937; Wednesday, January 20, 1937; Thursday, January 21, 1937, and Friday, January 22, 1937, were approved as corrected by the Minute Clerk.

Resolutions.

The following resolutions were offered.

By Mr. King:

House Resolution No. 75.

Resolved, That a Committee of Three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready for the constitutional recess, and ask if the Senate has any further communication to make to the Assembly

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up House Resolution No. 75, at this time, without reference to committee or calendar.

House Resolution No 75 read, and adopted.

Appointment of Special Committee.

In accordance with House Resolution No 75, the Speaker appointed Messrs. Maloney, Lyon, and King as such Special Committee

By Mr. Rosenthal:

House Resolution No. 76.

Resolved, That the Speaker appoint a Committee of Three to wait upon His Excellency, Governor Frank F Merriam and inform His Excellency that the Assembly is ready to adjourn for the constitutional recess, and awaits his further pleasure

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 76, at this time, without reference to committee or calendar.

House Resolution No. 76 read, and adopted.

Appointment of Special Committee.

In accordance with the above resolution, the Speaker appointed Messrs. Patterson, Garland, and Martin as such Special Committee.

Report of Special Committee.

The Special Committee appointed to wait upon the Senate appeared before the bar of the Assembly and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn.

Committee from the Senate.

Senators Knowland, McBride and Nielsen appeared before the bar of the Assembly and informed the Assembly that the Senate was ready to adjourn, and asked if the Assembly had any further message to convey to the Senate.

The Speaker replied that the Assembly had concluded its labors and was ready to adjourn, and had no further communication to make to the Senate

Report of Special Committee.

The Special Committee appointed to wait upon His Excellency the Governor appeared before the bar of the Assembly and reported that it had communicated with the Governor, and that he had no further communication to make to the Assembly.

Adjournment.

At three o'clock p m., Friday, January 22, 1937, in accordance with the provisions of Senate Concurrent Resolution No. 5, Hon. William Moseley Jones, Speaker of the Assembly, announced that the time for the adjournment for the constitutional recess of the fifty-second session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned until twelve o'clock m., Monday, March 1, 1937, out of respect to the memory of the late Harry Lehman and the late Dudley Tofflemier

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY
FIFTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 1, 1937.

At twelve o'clock, m., pursuant to the requirements of section 2, Article IV of the Constitution of the State of California, and to the provisions of Senate Concurrent Resolution No. 5, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names.

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson Desmond, Dilworth, Domhue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Leaves of Absence.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr Field, on motion of Mr. Redwine.

Mr. Peek, on motion of Mr. Clark.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Burns, Michael J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. E. F. Benedict and N. A. Mortensen of Klamath, Del Norte County.

On request of Mr. Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William J. Massey of Auckland, New Zealand, and Mr and Mrs Thomas P. Cusick, Jr., of San Francisco

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edward Kleiner and Nat Cowan, University of Southern California Alumnae.

Assistant Clerk Berry Reading.

Resolutions.

The following resolutions were offered:

By Mr. Richie.

House Resolution No. 77.

Resolved, That a Committee of Five be appointed by the Speaker to wait upon His Excellency, Governor Frank F. Merriam, and inform him that the Assembly has reconvened after the constitutional recess, and awaits any communication that he may wish to make to it.

Request for Unanimous Consent.

Mr Richie asked for, and was granted, unanimous consent to take up House Resolution No. 77, at this time, without reference to committee or calendar.

House Resolution No. 77 read, and adopted.

Appointment of Select Committee.

In accordance with House Resolution No. 77, the Speaker appointed Messrs. Richie, Miller, Dannenbrink, Cronin and Latham as such Select Committee.

By Mr. Maloney:

House Resolution No. 78.

Resolved, That the Speaker appoint a Committee of Three to notify the Senate that the Assembly has reconvened pursuant to Senate Concurrent Resolution No. 5, Resolution Chapter No 11, Statutes of 1937, and is ready to proceed with the business of the State with all officers heretofore elected present, to wit:

Speaker, Hon. William Moseley Jones.
Speaker pro tempore, Henry P. Meehan.
Chief Clerk, James G. Smyth.
Minute Clerk, David V. Oliver.
Chaplain, Rev. William F. Ehmann
Sergeant-at-Arms, Delwin W. Smith

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 78, at this time, without reference to committee or calendar.

House Resolution No. 78 read, and adopted.

Appointment of Select Committee.

In accordance with House Resolution No. 78, the Speaker appointed Messrs. Maloney, Lyon and Gilbert as such Select Committee.

Committee From the Senate.

Senators Phillips, McBride and DeLap appeared before the bar of the Assembly, and informed the Assembly that, pursuant to the provisions of Senate Concurrent Resolution No 5, the Senate had reconvened, and was ready to proceed with the business of the State with all officers heretofore elected present

Presentation of Petitions.

The following petitions were presented:

By Mr Speaker:

From Social Service Curriculum of the University of California, regarding appropriation for the University of California

From State of Colorado, Senate Joint Memorial No. 1, against ratification of Argentine Sanitary Convention

From State of Idaho, Senate Joint Memorial No. 4, against ratification of Argentine Sanitary Convention.

From State of Washington, House Joint Memorial No. 5, urging permanent Federal policy of the National Reclamation Program

From State of Oregon, House Joint Memorial No. 2 for reduction of interest rate on Land Bank Commissioner mortgages

From State of Oregon, Senate Joint Memorial No 4, against ratification of Argentine Sanitary Convention.

From State of Oregon, House Joint Memorial No. 9, for use of CCC in construction of highways within irrigation, drainage, improvement or other districts.

Petition relative to selection of jurors in City and County of San Francisco.

From numerous organizations, urging pardon for Thomas J. Mooney.

Communication.

The following communication was received, read, and ordered printed in the Journal:

By the Chief Clerk:

SAN FRANCISCO, CALIFORNIA, February 27, 1937.
G. O. No. 77-A.

Mr James G. Smyth, Chief Clerk of the Assembly,
Capitol Building, Sacramento, California

DEAR SIR: We wish to advise you that we are engaged in preparing the salary, contribution and attorney fee data requested by the Assembly resolution introduced by Assemblyman Yorty. It will be several days before the data is all in typed form. We will submit the complete report as soon as it can be assembled.

We regret that we are unable to file the report within the time fixed by the resolution.

Yours truly,

RAILROAD COMMISSION, STATE OF CALIFORNIA,
By H. G MATHEWSON, Secretary

Resolution.

The following resolution was offered:

By the Committee on Mileage:

House Resolution No. 79.

Resolved, That the State Controller be and he is hereby directed to draw his warrants upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby authorized and directed to pay the same.

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312	--	--	---	624	$31 20
2	Clinton J Fulcher	Lookout, Modoc County	324	--	44	280	560	28 00
3	John H O'Donnell	Woodland, Yolo County	23	--	--	---	46	2 30
4	Seth Millington	Gridley, Butte County	86	--	14	72	144	7 20
5	Ernest C. Crowley	Suisun, Solano County	48	--	--	---	96	4 80
6	Jesse M Mayo	Angels Camp, Calaveras County	73	12	--	85	170	8 50
7	Hubert B Scudder	Sebastopol, Sonoma County	90	7	--	97	194	9 70
8	Chester F Gannon	Sacramento, Sacramento County	---	--	--	---	---	----
9	Earl D Desmond	Sacramento, Sacramento County	---	--	--	---	---	----
10	Harold F Sawallisch	Richmond, Contra Costa County	62	22	--	84	168	8 40
11	Charles M Weber	Stockton, San Joaquin County	48	--	--	---	96	4 80
12	James E Thorp	Lockeford, San Joaquin County	48	--	3	45	90	4 50
13	James M Cassidy	Oakland, Alameda County	84	--	--	---	168	8 40
14	George P Miller	Alameda, Alameda County	84	5	--	89	178	8 90
15	Leon M Donihue	Oakland, Alameda County	84	--	--	---	168	8 40
16	Arthur H Breed, Jr.	Piedmont, Alameda County	84	--	--	---	168	8 40
17	Henry P Meehan	Oakland, Alameda County	84	--	--	---	168	8 40
18	Henry A Dannenbrink	Oakland, Alameda County	84	--	--	---	168	8 40
19	Gardiner Johnson	Berkeley, Alameda County	84	--	1	83	166	8 30
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	---	180	9 00
21	Joseph Francis Sheehan	San Francisco, San Francisco County	90	--	--	---	180	9 00
22	Kennett B Dawson	San Francisco, San Francisco County	90	--	--	---	180	9 00
23	William B Hornblower	San Francisco, San Francisco County	90	--	--	---	180	9 00
24	Patrick J McMurray	San Francisco, San Francisco County	90	--	--	---	180	9 00
25	Melvyn I Cronin	San Francisco, San Francisco County	90	--	--	---	180	9 00
26	Ray Williamson	San Francisco, San Francisco County	90	--	--	---	180	9 00
27	Jefferson E Peyser	San Francisco, San Francisco County	90	--	--	---	180	9 00
28	Edgar C Levey	San Francisco, San Francisco County	90	--	--	---	180	9 00
29	Harrison W Call	So San Francisco, San Mateo County	119	--	--	---	238	11 90
30	Adron A Beene	Palo Alto, Santa Clara County	128	18	--	146	292	14 60
31	C C Cottrell	San Jose, Santa Clara County	128	--	--	---	256	12 80

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
32	Hugh P Donnelly	Turlock, Stanislaus County	77	14	--	91	182	$9 10
33	James D Garibaldi	Merced, Merced County	114	--	--	---	228	11 40
34	Jacob M Leonard	Hollister, San Benito County	173	--	--	---	346	17 30
35	Ellis E Patterson	King City, Monterey County	208	50	--	258	516	25 80
36	Hugh M Burns	Fresno, Fresno County	169	--	--	---	338	16 90
37	S L Heisinger	Fresno, Fresno County	169	--	--	---	338	16 90
38	Gordon H. Garland	Woodlake, Tulare County	206	16	--	222	444	22 20
39	Alfred W Robertson	Santa Barbara, Santa Barbara County	460	--	--	---	920	46 00
40	Fred P Muldoon	Oxnard, Ventura County	490	10	--	500	1000	50 00
41	Rodney L Turner	Delano, Kern County	278	--	30	248	496	24 80
42	Elmer E Lore	North Hollywood, Los Angeles County	447	--	--	---	894	44 70
43	C Don Field	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	John B Pelletier	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
45	Charles A Hunt	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
46	Jack B Tenney	Inglewood, Los Angeles County	447	10	--	457	914	45 70
47	Eleanor Miller	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	Frank G Martin	Altadena, Los Angeles County	447	15	--	462	924	46 20
49	Frank L Baynham	Pomona, Los Angeles County	447	32	--	479	958	47 90
50	Gerald C. Kepple	Whittier, Los Angeles County	447	15	--	462	924	46 20
51	William Moseley Jones	Montebello, Los Angeles County	447	10	--	457	914	45 70
52	Ben Rosenthal	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
53	E V Latham	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	Wilbur F Gilbert	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
55	Frank D Laughlin	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
56	Thomas J Cunningham	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
57	Kent H Redwine	Hollywood, Los Angeles County	447	--	--	---	894	44 70
58	Frank J Waters	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
59	Charles W Lyon	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
60	Geoffrey F Morgan	Santa Monica, Los Angeles County	447	22	--	469	938	46 90
61	Ernest O Voigt	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
63	Ralph Louis Welsh	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
64	Samuel W. Yorty	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
65	Gene Flint	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
66	James J Boyle	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
67	Cecil R King	Los Angeles, Los Angeles County	447	--	--	---	894	44 70
68	Fred Reaves	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Fred P Glick	South Gate, Los Angeles County	447	15	--	462	924	46 20
70	John Gee Clark	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Paul Peek	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	Godfrey A Andreas	Upland, San Bernardino County	508	22	--	530	1060	53 00
73	Gordon W Cowin	Highland, San Bernardino County	508	10	--	518	1036	51 80
74	Clyde A Watson	Orange, Orange County	481	--	--	---	962	48 10
75	Thomas H Kuchel	Anaheim, Orange County	481	7	--	488	976	48 80
76	Nelson S Dilworth	Hemet, Riverside County	512	34	--	546	1092	54 60
77	Clarence R Walker	Westmoreland, Imperial County	661	--	22	639	1278	63 90
78	Jeannette E. Daley	San Diego, San Diego County	573	--	--	---	1146	57 30
79	Paul A Richie	San Diego, San Diego County	573	--	--	---	1146	57 30
80	Charles W Stream	Palm City, San Diego County	573	13	--	586	1172	58 60

Officers.

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
	David V Oliver	Fresno, Fresno County	169	--	--	---	338	$33 80

House Resolution No 79 read, and adopted by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M, Burns, Michael J, Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dailey, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell

Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawtelle, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—71.

NOES—None.

Messages From the Governor.

The following messages from the Governor were received and read

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 29, 1937.

Honorable Members of the Assembly, Sacramento, California.

GENTLEMEN:

Assembly Bill No. 331—An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately—is herewith returned, the appropriation being reduced to $20,000, in accordance with the authority vested in me by section 34 of Article 4 of the Constitution of the State of California.

This reduction in the amount of the appropriation is made after the preparation of a careful estimate of the contingent expenses for the 1937 session of the Assembly. The $20,000 authorized in Assembly Bill No. 331 will give the 1937 Assembly slightly more funds for its usual contingent expenses than was used by the 1935 session of the Assembly.

Believing the Assembly would not wish to appropriate for its contingent expenses more than is necessary, and realizing a future appropriation may be made should an emergency arise, I am taking the action above indicated.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 1, 1937

To the Assembly of the State of California.

Pursuant to the provisions of section 312 of the Political Code of the State of California, you are hereby notified that on the thirtieth day of January, 1937, at ten o'clock and thirty minutes a.m., Assembly Bill No. 331 was returned without my approval and, together with statement of my objections thereto, was delivered to Hon. Chester F. Gannon, a member of your body.

Respectfully submitted

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 331 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 29, 1937.

Honorable Members of the Assembly, Sacramento, California.

GENTLEMEN: I am returning herewith **Assembly Bill No. 948,** without my approval, the same being:

> An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 3886, relating to the validation of certain tax levies, to declare the urgency thereof, and to provide that this act shall take effect immediately

This bill seeks to validate illegally collected taxes, and thus avoid repayments to the tax payers to whom such funds rightfully belong.

Also, the measure was passed by the Legislature without due consideration and without an opportunity for a hearing or protest. The constitutional safeguards to the enactment of hasty legislation were suspended and the bill rushed through without the usual lapse of time or reference to the proper committees.

Recognizing the expense and trouble of making the returns, I believe the observance of good faith with those who pay the taxes warrants such a course, and I am therefore withholding my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, March 1, 1937.

To the Assembly of the State of California.

Pursuant to the provisions of section 312 of the Political Code of the State of California, you are hereby notified that on the thirtieth day of January, 1937, at ten o'clock and thirty minutes a.m., Assembly Bill No. 948 was returned without my approval and, together with statement of my objections thereto, was delivered to Hon. Chester F. Gannon, a member of your body.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 948 ordered on unfinished business calendar.

Resolution.

The following resolution was offered:

By Messrs. Tenney, Hunt, Voigt, Flint, Glick, Reaves, Clark, Pelletier, Gilbert, Patterson, Meehan, Heisinger, Rosenthal, Watson, Lore, Dannenbrink, Gannon, Sawallisch, O'Donnell, Hawkins, Fulcher, Miller, Andreas, Yorty, Boyle, Laughlin, Richie, Sheehan, Jones, McMurray, Donihue, Daley, Crowley, Cassidy, King, Garland and Burns, Hugh M.:

House Resolution No. 80.

WHEREAS, The President of the United States has proposed to Congress a sound, workable, practical plan to increase the efficiency of the Federal Courts, expedite the business thereof and to promote thereby the dispensation of justice to the people of the United States; and

WHEREAS, The pressure of litigation and the number of cases pending before the Supreme Court and the Circuit Courts of Appeal and the District Courts require additional judicial officers to dispose of such cases; and

WHEREAS, Certain of the incumbent judges and justices are of such advanced age that they should be assisted or replaced by younger judges; and

WHEREAS, Superannuated judges have a tendency to be "tenacious of the appearance of adequacy"; and

WHEREAS, A retirement pension system for superannuated judges has long been recognized as necessary; and

WHEREAS, The Legislature of the State of California has before it this session and is expected to consider favorably bills to retire aged State judges and for the involuntary retirement of judges who become physically or mentally unable to perform their duties; and

WHEREAS, The President's proposal seeks to expedite justice and to insure speedy decisions on important public measures; and

WHEREAS, The present Supreme Court of the United States is said to be torn by violent internal dissension to an extent that certain of its members are thereby made incapable of considering essential public measures in a dispassionate and judicious frame of mind; and

WHEREAS, A majority of the members of the present Supreme Court of the United States by reason of its arbitrary and unfounded opposition to and its unwarranted repudiation of measures essential to the public good has lost the respect and veneration of the people to which its august position and wise and temperate judicial statesmanship should entitle it, and

WHEREAS, A member of the Supreme Court itself has warned the majority members of the court that:

> "A tortured construction of the Constitution is not to be justified by recourse to extreme examples."
>
> "It must be remembered that Legislatures are ultimate guardians of the liberties and welfare of the people in quite as great a degree as the courts."
>
> "Interpretation of our great charter of government which proceeds on any assumption that the responsibility for the preservation of our institutions is the exclusive concern of any one of the three branches of government, or that it alone can save them from destruction is far more likely, in the long run, to 'obliterate the constituent members' of 'an indestructible union of indestructible states' than the frank recognition that language, even of a constitution, may mean what it says"

and

WHEREAS, The opponents of the President's program are seeking to defeat it by means of an artificially stimulated and deceptively organized expression of protest by means of printed forms and catchword slogans having no actual bearing or accurate reference to the grave public issues involved; and

WHEREAS, The conservative press has attacked the program by identical means and identical arguments which were overwhelmingly repudiated in the presidential election of 1936, now, therefore, be it

Resolved by the Assembly of the State of California, That the President's judicial reform program is hereby emphatically endorsed and approved, and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and each Senator and member of the House of Representatives in the United States Congress from the State of California

Request for Unanimous Consent.

Mr. Tenney asked for unanimous consent to take up House Resolution No. 80, at this time, without reference to committee or calendar.

Mr. Cunningham withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Tenney moved that the Rules be temporarily suspended for the consideration of House Resolution No. 80, at this time.

Point of Order.

Mr. Cunningham arose to the following point of order: That he had delivered a joint resolution to the desk prior to the introduction of Mr. Tenney's House Resolution No. 80, and that under the regular order of business, his joint resolution should have been introduced previous to House Resolution No. 80.

Ruling by the Speaker.

The Speaker ruled the point of order well taken, and ordered Mr. Cunningham's joint resolution introduced at this time.

Introduction and Reference of Bills.

The following bill was introduced.

Assembly Joint Resolution No. 27: By Messrs. Cunningham, Kepple, Redwine, Latham, and Lyon—Relative to legislation now pending in Congress to reorganize the Supreme Court and the Federal Judiciary System.

Motion for Temporary Suspension of the Rules.

Mr Cunningham moved that the Rules be temporarily suspended for the consideration of Assembly Joint Resolution No. 27, at this time, without reference to print, committee, or calendar and that the same be considered engrossed.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Breed, Corwin, Cunningham, Dilworth, Kepple, Kuchel, Latham, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Peyser, Redwine, Richie, Stream, Walker, and Yorty—18

NOES—Andreas, Baynham, Boyle, Burns, Hugh, M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Domhue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Levey, Lore, Mayo, McMurray, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Welsh, Williamson, and Mr. Speaker—53.

Motion to Expunge Record and Rescind Action.

Mr. Cunningham moved to expunge the record and rescind the action whereby the motion to temporarily suspend the Rules was lost.

The Speaker declared the *viva voce* vote taken on the motion lost.

Appeal From Decision of the Chair.

Mr. Cunningham appealed from the decision of the Chair in declaring the motion to expunge the record lost.

Decision of Chair Sustained.

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Domhue, Donnelly, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Lore, Maloney, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, and Welsh—44

NOES—Breed, Burns, Michael J., Corwin, Cunningham, Dilworth, Gannon, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Redwine, Richie, Stream, Thorp, Walker, Williamson, and Yorty—27.

Reference of Assembly Joint Resolution No. 27.

Assembly Joint Resolution No. 27 referred to Committee on Federal Relations.

Reference of House Resolution No. 80.

House Resolution No. 80 referred to Committee on Judiciary General.

Adjournment.

At twelve o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until two o'clock p.m., Tuesday, March 2, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY
FIFTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 2, 1937.

At two o'clock p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levy, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—73.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Latham, the further reading of the Journal of Monday, March 1, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Field, on motion of Mr. Redwine.

Mr. Waters, on motion of Mr. Cunningham.

Mr. Peek, on motion of Mr. Clark.

Mr. King, on motion of Mr. Tenney.

Assistant Chief Clerk Greenburg Reading.

Presentation of Petitions.

The following petitions were received and filed.

By Mr. Speaker:

From Los Angeles Board of Supervisors, relating to public works.

From several organizations, urging pardon for Thomas J. Mooney.

Communication.

The following communication was received and read:

By Mr. Speaker:

STATE OF CALIFORNIA, LEGAL DEPARTMENT,
SAN FRANCISCO, February 26, 1937.

To the Speaker and Members of the Assembly of the State of California, State Capitol, Sacramento, California.

GENTLEMEN: On the twenty-second day of January, 1937, there was passed by the Assembly a resolution which, after recitals, reads as follows:

"*Resolved by the Assembly of the Legislature of California,* That the Attorney General is hereby directed to intervene in such actions for and on behalf of the State of California, for the purpose of protecting the interests of the State and securing findings and judgment in all such cases where the wells involved therein are actually penetrating and taking and removing oil, gas or other hydrocarbon substances from the State lands within the tideland boundary thereof as claimed by the State, when the facts disclosed justify such findings and judgment."

The resolution does not name the case or cases to which you intended to refer, but I assume that you had particular reference to the case of *Standard Oil Company* vs *Southern Drilling Company, et al*, then pending in the superior court of Orange County, and which had been set for trial on January 27, 1937, the trial of which commenced on that date and still continues

The complaint in this case alleges, in effect, that defendants had so slanted the well drilled by them that it entered the lands of the plaintiff and the correct location of the line between uplands and tidelands is involved, that is the line which separates the lands of private owners from lands held by the State in trust for its people.

Prior to the receipt of your resolution, this office had investigated the issues raised in this case and had considered with care the question whether the interests of the State were so involved as to demand, or even justify, an application on behalf of the State for permission to intervene, and thus make the State an active party in the litigation and subject the State to the jurisdiction of the courts in this particular case.

The conclusion was reached prior to the commencement of the trial of the case that at this time such intervention would be inadvisable. We have not failed to appreciate the importance of the correct location of the line separating uplands from tidal areas. Nevertheless, from the beginning of the trial of this case we have kept in close touch with the proceedings, indeed have had a member of this office force in attendance.

Thus far no evidence has been introduced as to the proper location of this boundary line. The case is on trial before a jury and it has not been yet determined whether the location of the line will be submitted to the jury or whether that question will be determined by the court, and the jury instructed in accordance with the court's conclusion. If it appears at any time that the State's interests would be best subserved by an active participation an application for privilege to intervene, or to be heard at amicus curiae will be made.

As indicated above it was our conclusion that the State's interests would not be best subserved by the State's participation in this suit at this time. The action is between private parties. The State is not a party, and as a result will not be bound by any determination that may be made therein Should the State intervene it would voluntarily submit itself to the jurisdiction of that court, and would of course be bound by the judgment rendered. From the facts we have and to which we have given full consideration we think it unwise, certainly at this time, to voluntarily submit the State to that court's jurisdiction.

The lands involved in this suit are what is generally known as the Huntington Beach Field Probably not all of you, but surely some of you know that in 1933 and 1934 this office, in conjunction with the State Finance Department, carried on an extensive litigation involving approximately 100 wells in this field. These actions were the first ever brought involving "slanted wells," and were brought as result of investigations made by agents of the State continuing for a long period before the commencement of the actions, through which the State became satisfied that wells were being slanted from uplands into the tidal areas. In these cases we obtained for the first time an order of court authorizing a survey of all wells to be made for the purpose of determining their course, and in pursuance of such order several wells were surveyed As a result of such litigation contracts were entered into between the State and the owners of approximately 80 wells found to have been slanted, whereby compensation for past withdrawals was paid and the State's participation in the future product was established. Such wells have been since operated under such contracts, and all of these contracts may be seen at the office of the Department of Finance.

The particular well involved in the pending suit was not involved in such litigation, nor was contract entered into between the State and its owners. Indeed, that well is not, I am informed, and has not been in production for a considerable period of time.

About this time the State intervened in and participated in the trial of the case of *Bolsa Land Company* vs. *Vaqueros Major Oil Company*, which involved lands in this same area and in which the legal line of separation between uplands and tidelands was particularly involved. By reason of such litigation we are quite familiar with this particular beach and realize the importance of the establishment of the line separating uplands from tidal areas. In the *Bolsa Land Company* case this was the question in which the State was concerned and was, so far as the State was concerned, the major issue.

In the case now pending the Standard Oil Company makes the same contention as to the location of the line as made by the Bolsa Land Company, while the State contended that the proper line was some 94 feet further landward. The court found the line to be 56 feet further landward than the line contended for by the Bolsa Land Company, but 38 feet seaward from the line contended for by the State. The State's contention was that the proper line is that generally known as the ordinary high tide line.

From the judgment in the *Bolsa Land Company* case the State appealed, and that case is now No. 15508 pending in the Supreme Court. The brief of the State has been filed and the brief of the Bolsa Land Company is due. As this case is now in the Supreme Court and will doubtless be determined long before the case now on trial can be determined by that court, and the decision will control any judgment that will be rendered in the pending case, we feel that at this time it would be unwise to submit the State to the jurisdiction of the court in the pending suit.

As indicated above, we quite appreciate the importance of the questions involved and have given these questions exhaustive investigation, the results of which are reflected in the brief we have filed in the Supreme Court in the *Bolsa Land Company* case.

I have, I believe, participated in every case tried in this State in which the State was a party involving tidelands, and have always contended that the boundary line is the "ordinary high water mark," except as that line has been changed through wholly natural causes, and it is this line for which we contended in the trial of the *Bolsa Land Company* case and for which we are contending in the Supreme Court. If such line should be by the Supreme Court approved it will give to the State 38 feet more than was given in the *Bolsa Land Company* case by the trial court, and 94 feet more than would the establishment of the line contended for by the Bolsa Land Company, and as being now contended for by the Standard Oil Company. While I have mentioned 94 feet as being the difference between the lines contended for by the respective parties, I am, of course, aware that this distance will vary at different points on the Huntington Beach.

Your resolution, I appreciate, directs intervention, and it has occurred to me that as the resolution was passed during the rush of the closing hours of the opening session of the Legislature it is not improbable that you were not fully advised of all of the facts involved, and for this reason I have written you thus at length.

Assuring you of my desire to cooperate in every proper way, I remain,

Very truly yours,

U. S. WEBB, Attorney General.

Resolution.

The following resolution was offered.

By the Committee on Attaches:

House Resolution No. 81.

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same, said appointments beginning on and including the first day of March, 1937:

	Per day
James G. Smyth, Chief Clerk	$10 00
Jack C. Greenburg, Assistant Chief Clerk	9 00
C. W. Booth, Assistant Clerk	7 00

E. A. Took Berry, Assistant Clerk	$7 00
Joseph Moloney, Assistant Clerk	7 00
David V. Oliver, Minute Clerk	9 00
Glenn E. Coolidge, Assistant Minute Clerk	7 00
John McGillicuddy, History Clerk	7 00
William I. Gunlock, Engrossing and Enrolling Clerk	7 00
Laura W. Pettit, File Clerk	7 00
Albert Day, Journal Clerk	7 00
Blanche Black, Assistant Journal Clerk	5 00
Hallie Young, Postmistress	5 00
Florence Miller, Assistant Postmistress	4 00
Reverend William Ehmann, Chaplain	4 00
Cristel Hastings, Secretary to Chief Clerk	5 00
Lena F. Heisinger, Assistant Engrossing and Enrolling Clerk	5 00
Juanita L. Dependener, Chief Stenographer	6 00
Bessie Golz, Stenographer	5 00
Olga Clayton, Stenographer	5 00
Margaret Quiggle, Stenographer	5 00
Delwin W. Smith, Sergeant-at-Arms	8 00
Mrs. E. C. Crowley, Assistant Sergeant-at-Arms	5 00
William Rinehart, Assistant Sergeant-at-Arms	5 00
Theron W. Smith, Assistant Sergeant-at-Arms	5 00
Sam McCance, Assistant Sergeant-at-Arms	5 00
John Donohue, Assistant Sergeant-at-Arms	5 00
William Gavin, Assistant Sergeant-at-Arms	5 00
Darrell Fulcher, Assistant Sergeant-at-Arms	5 00
Ralph Kellogg, Assistant Sergeant-at-Arms	5 00
Jack Commons, Assistant Sergeant-at-Arms	5 00
Ray R. Kahl, Assistant Sergeant-at-Arms	5 00
Daniel McGough, Assistant Sergeant-at-Arms	5 00
Clarence Nelson, Assistant Sergeant-at-Arms	5 00
Herb Kling, Assistant Sergeant-at-Arms	5 00
Harry O. Johnson, Assistant Sergeant-at-Arms	5 00
Joe Bafigo, Assistant Sergeant-at-Arms	5 00
James Clancy, Chief Page	3 00
Domingo Correia, Page	2 50
Richard Desmond, Page	2 50
Jack Williams, Page	2 50

Resolved further, That the compensation of the above named attaches shall be on a six-day per week basis, except the following, who shall be on a seven-day per week basis: James G. Smyth, Chief Clerk; Jack C Greenburg, Assistant Chief Clerk, David V. Oliver, Minute Clerk, and William I. Gunlock, Engrossing and Enrolling Clerk, and shall receive compensation on a seven-day per week basis.

House Resolution No. 81 read, and adopted by the following vote

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson Weber, Welsh, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Motion to Print Report in Journal.

On motion of Mr. Breed, the following report of the Assembly Interim Committee on Motor Vehicle Laws was ordered printed in the Journal:

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON MOTOR VEHICLE LAWS.

Letter of Transmittal.

To the Members of the Assembly of the State of California.
Fifty-Second Session, 1937.

The Assembly Interim Committee on Motor Vehicle Laws, appointed by the Assembly of the State of California at the session of 1935 to investigate and make recommendations concerning motor vehicle laws and operations of the Department of Motor Vehicles, herewith presents its report.

March, 1937.

WILLIAM B. HORNBLOWER, Chairman.
ARTHUR H. BREED, JR.
FRANK D. LAUGHLIN.

Introductory—Assembly Resolutions.

The Assembly Interim Committee on Motor Vehicle Laws.

The authority of this committee, the scope of its investigations, and the purposes of its recommendations, are set forth in the following resolutions of the Assembly of the State of California:

"Assembly Resolution.

WHEREAS, The Advisory Committee on Motor Vehicle Legislation is composed of persons thoroughly conversant with the sale, equipment, and regulation of motor vehicles; and

WHEREAS, The activity of this committee has led to many constructive suggestions with relation to the motor vehicle laws; and

WHEREAS, It is desirable to continue the functions of such committee to the end that other desirable legislation relating to motor vehicles may be suggested; now, therefore, be it

Resolved, That the Speaker of the Assembly appoint a committee of three members of the Assembly to cooperate with such Advisory Committee on Motor Vehicle Legislation to the end that any necessary modifications in the motor vehicle laws may be ascertained and suggested to the Legislature at the next regular session thereof."

This resolution was passed by the Assembly on May 25, 1935

"Assembly Resolution.

WHEREAS, The Vehicle Code has been adopted, and the several bills amendatory thereof, considered and sponsored by the Advisory Committee on Motor Vehicle Legislation and by the Interim Legislative Committee on Motor Vehicle Legislation, have met with the approval of both houses of the Legislature at this session, and it is desirable that the Assembly Interim Committee on Motor Vehicle Laws created pursuant to the resolution adopted by the Assembly May 25, 1935, be enabled to continue to work on this subject; now, therefore, be it

Resolved by the Assembly of the State of California, That for the purpose of paying the expenses of the Assembly committee appointed pursuant to said resolution adopted by the Assembly on May 25, 1935, the sum of $1,000, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller, drawn against said contingent fund upon written orders of the chairman of the committee, which warrants the State Treasurer hereby is directed to pay"

This resolution was passed by the Assembly on June 16, 1935.

"Assembly Resolution No. 4.

WHEREAS, The Assembly on May 25, 1935, adopted a resolution providing for the appointment of an interim committee of three members of the Assembly to cooperate with the Advisory Committee on Motor Vehicle Legislation to the end that any necessary modifications in the motor vehicle laws might be ascertained and suggested to the Legislature at the next regular session thereof; and

WHEREAS, On June 16, 1935, the Assembly adopted a resolution allocating the sum of $1,000 from the Assembly contingent fund to pay the expenses of said interim committee; and

WHEREAS, In order to fully accomplish the purpose of its creation, namely, the recommendation of necessary modifications in the laws pertaining to motor vehicles, the committee should also take into consideration the administration of such laws; now, therefore, be it

Resolved, That the Assembly Interim Committee on Motor Vehicle Laws, created in said resolution of May 25, 1935, is hereby directed to include with its present duties an inquiry into the manner in which the existing laws relating to motor vehicles lend themselves to actual administration by the Department of Motor Vehicles; and be it further

Resolved, That the committee may require the attendance of persons in the Department of Motor Vehicles and the production of evidence of the amount of money required to be expended by the department in the performance of its duties, to the end that unnecessary expense and delay caused by any of the present laws relating to the functions of the department may be eliminated; and, be it further

Resolved, That said committee report its findings and recommendations to the Legislature at the next regular session thereof, together with such other recommended changes as may result from its cooperation with the Advisory Committee on Motor Vehicle Legislation pursuant to the resolution of May 25, 1935; and be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the

matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses and the production of testimony. Each and every one of the members of said committee is hereby authorized to administer oaths and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the interim committee and to any subcommittee of one or more of its members."

This resolution was passed by the Assembly on May 26, 1936, during the fifty-first (extraordinary) session

Organization of the Advisory Committee.

The Assembly Interim Committee on Motor Vehicle Laws, all members being present, met in San Francisco on March 27 and 28, 1936, and organized with William B. Hornblower as chairman.

The committee then appointed the Advisory Committee on Motor Vehicle Legislation to include representatives from various State departments and representatives of civic and other groups interested in motor vehicle legislation.

Said Advisory Committee then organized with Chester N. Weaver as chairman, Dave F. Smith as vice chairman and J. Allen Davis as secretary. The complete membership of the Advisory Committee corrected as of this date is as follows:

Chester N. Weaver, Chairman, 516 Sutter St., San Francisco.
Dave F. Smith, Vice Chairman, Citizens National Bank Bldg., Los Angeles.
J. Allen Davis, Secretary, 2601 South Figueroa St., Los Angeles, Automobile Club of Southern California.
Florence Anderson, Eastbay Safety Council.
P. Arnold Anderson, Municipal License Tax Association.
C. C. Carleton, State Department of Public Works.
E. Raymond Cato, Chief, California Highway Patrol.
Clark C. Cottrell, California State Automobile Association.
Howard E. Deems, Registrar of Motor Vehicles.
T. H. Dennis, State Division of Highways.
P. H. Ducker, Automotive Council of Los Angeles.
Von T. Ellsworth, California Farm Bureau Federation.
W. H. Gorman, California Railroad Commission.
Richard Graves, League of California Municipalities.
Manly S. Harris, Allied Automotive Industries of California, Limited.
William H. Hitchins, California Casualty Insurance Association.
Gene Hogel, National Automobile Club.
Ray Ingels, Director, Department of Motor Vehicles.
W. A. Knuckey, Motor Car Dealers' Association of San Francisco.
Walter R. Lindersmith, Los Angeles Traffic Association.
Walter J. Little, Major Steam Railroad Association of California.
Frank Ludwick, West Coast Automobile Insurance Conference.
Paul Mason, Division of Drivers' Licenses, Department of Motor Vehicles.
Duncan Matheson, California Peace Officers' Association.
Frank McKee, California State Chamber of Commerce.
Watt L. Moreland, California Manufacturers' Association.
Reginald Moss, Casualty Underwriters' Association.
Burt Roberts, Southern California Motor Car Dealers' Association.
J. E. Rodman, Northern California Motor Car Dealers' Association.
Kenwood B. Rohrer, California Association of Finance Companies.
W. O. Russell, County Supervisors' Association.
Arthur H. Samish, Motor Carriers' Association of California.
Archie R. Scott, State Automobile Dealers' Association, Incorporated.
David G. Shearer, Council of Trucking Associations.
John Springer, National Highway Users' Conference.
A. E. Stockburger, Director, State Department of Finance.
Ralph H. Taylor, Agricultural Council of California.
Roy B. Thompson, Truck Owners' Association of California.
W. L. Tubbs, Automobile Club of Orange County.
J. S. Vizzard, Draymen's Association of San Francisco.
H. G. Weeks, California Transit Association.
Arthur W. White, Finance Club.

The Legislative Interim Committee and the Advisory Committee held meetings as follows:

March 27 and 28, 1936, in San Francisco;
June 19 and 20, 1936, in Los Angeles;
August 28 and 29, 1936, in San Francisco;
October 23 and 24, 1936, in Los Angeles;
November 19 and 20, 1936, in San Francisco;
December 18 and 19, 1936, in Los Angeles;
January 15, 1937, in Sacramento.

The Advisory Committee appointed various subcommittees, including a technical subcommittee, one on drivers' license laws, a dealers' subcommittee, one to report relative to proposed increase in the membership of the Highway Patrol and certain other subcommittees. Some of these subcommittees included only members of the Advisory Committee. In other instances, as with respect to the technical subcommittee, the membership was widely representative and such committees called into consultation numerous representatives of the motor vehicle and transportation industry to aid in the deliberations as to appropriate amendments to the motor vehicle laws. The various subcommittees held numerous meetings, in addition to the regular meetings of the Interim Committee and the Advisory Committee.

All meetings of the Legislative Interim Committee and the Advisory Committee were open to the public and such meetings were attended by a very large number of persons interested in motor vehicle legislation. Both members and nonmembers were permitted to submit suggestions and to participate in discussion. Sufficient publicity was given for each meeting to insure the attendance of those organizations, groups and individuals interested in motor vehicle legislation.

The Vehicle Code.

During the 1933 session, the Legislature by resolution requested the California Code Commission to prepare a recodification of the then existing California motor vehicle regulations and a substantial appropriation was made to the Code Commission for this purpose. The Code Commission prepared such recodification of the motor vehicle laws during the biennium 1933-1935 and said code, being merely a codification of then existing laws, was enacted early in the 1935 session. Subsequently during said session a substantial number of amendments which had been carefully considered and recommended by the then Advisory Committee were submitted to the Legislature and enacted with some minor changes.

In the codification of the Vehicle Code the Code Commission had the advantage of consulting and comparing the text of the National Uniform Vehicle Code which had been prepared and approved by the National Conference on Street and Highway Safety. The Uniform Code has been adopted either in whole or in part in approximately 45 States. The California Vehicle Code is without question one of the most modern and desirable in the entire United States.

Thus, your present Legislative Interim Committee and the Advisory Committee on Motor Vehicle Legislation are of the opinion that drastic changes should not be made destroying present uniformity. However, administrative experience under the code has disclosed the need of clarifying and revising certain present sections. The amendments proposed by the Interim Committee in the main clarify or make minor revision of present sections of the code without making any fundamental change either in respect to registration matters, operator's or chauffeur's license or the rules of the road.

The work of the Advisory Committee during the past two years and previous thereto has been of the greatest advantage to the Legislature. The volume of motor vehicle legislation proposed each year is so great that it would be impossible for the Senate and Assembly Committees on Motor Vehicles to prepare, digest and analyze all of said bills and determine the public need and advisability of such legislation without the previous work of the Advisory Committee. The Advisory Committee is so widely representative that all possible arguments for and against such proposals are developed within the committee itself. Every proposal is subjected to the closest study and consideration and the committee seeks to arrive at sound and unanimous conclusions. In view of this procedure the committee is able to weed out a vast number of irrelevant and improper proposals thus saving the time of members of the Legislature.

It is understood, of course, that any action by the Advisory Committee does not preclude in any way introduction of other measures. The Legislature is the sole and final judge of all legislative matters subject to veto by the Governor. However, experience has demonstrated that those measures proposed by the Advisory Committee and enacted have proven most satisfactory and without exception such measures have been held valid. Diligent effort is made to harmonize various provisions of the Vehicle Code. Experience has also demonstrated that invalid and contradictory provisions sometimes occur in the Vehicle Code by reason of measures or amendments introduced late in the legislative session when there is insufficient time for the members of the legislative committees to thoroughly analyze such proposals. There were several unfortunate experiences along this line during the legislative session of 1935.

Measures Recommended by the Legislative Interim Committee on Motor Vehicles and the Advisory Committee.

These include Assembly Bill No. 236, amending the "In Lieu" Tax Law enacted as an emergency measure during the first session of the Legislature, also Assembly Bill No. 576 and Assembly Bills Nos. 1199 to and including 1225, all introduced by Assemblymen Hornblower, Breed and Laughlin.

A substantial number of said measures were introduced in the Senate, including Senate Bills Nos. 377, 378, 403 and 404 introduced by Senator Seawell, Senate

Bill No 396 by Senator Powers, Senate Bill No. 408 by Senator Pierovich, Senate Bill No. 409 by Senator Law and Senate Bills Nos. 413, 414 and 665 by Senator Slater.

A complete digest of all of these measures is included in Part I of the Appendix to this report.

Proposals Definitely Rejected by the Interim Committee and Advisory Committee.

Due to the serious traffic accident situation in California many persons unacquainted with the cause and location of traffic accidents submitted all manner of proposals for new laws applicable to motor vehicles. Many such proposals have been tried out in other States and found to have no bearing whatever in reduction of traffic accidents. Other proposals were made to greatly increase penalties for certain offenses, in fact, reinstating penalties previously provided in the California Vehicle Act several years ago and later modified because it was found that juries failed to convict when penalties were unduly severe and offenders escaped without any punishment whatever. Other proposals, according to the judgment of traffic experts, would prove utterly impractical or would impose costs on the motoring public out of all proportion to any possible good which might result. In fact, your committee is of the general opinion that additional legislation will not of itself have material bearing in reduction of traffic accidents.

Unfortunately, there are many who have little knowledge of the traffic accident situation who approach the problem in a hysterical frame of mind. In fact, some officials of the Department of Motor Vehicles appear to be so afflicted. During meetings of your committee the Director of the Department of Motor Vehicles urged the enactment of various measures which your Legislative Committee and the members of the Advisory Committee, other than department officials, deemed most objectionable and quite irrelevant as having any bearing on the traffic accident situation. Nevertheless, the Director of the Department of Motor Vehicles, as he has a right so to do, caused to be introduced various measures, many of which were definitely disapproved by your committee and with respect to others the director did not condescend to submit his proposals for open debate.

Fingerprinting of Motorists.

For quite some time the Director of the Department of Motor Vehicles has been obsessed with the idea that all motorists must be fingerprinted and fingerprint records maintained by the Department of Motor Vehicles.

We are not here considering the advisability of any general plan for fingerprinting all citizens for purposes of identification and police supervision. Rather, this proposal singles out but one group, the motoring public of California, for the purposes of fingerprinting It is contemplated that the maintenance of fingerprint records will be for the confidential information of the Division of Operators' and Chauffeurs' Licenses of the department This is one of the most illogical, costly and far-fetched proposals that has ever been made as a means of reducing traffic accidents. The director submitted alternate proposals, and both were definitely rejected as of no value in accomplishing the purposes intended to be accomplished.

There is only one valid argument in support of the proposition of fingerprinting motorists. That is that a few persons whose licenses have been suspended or revoked are able by using a different name to obtain a license from a different branch office of the department However, the department has not submitted any data whatsoever nor any estimate as to the number of persons who may have fraudulently obtained drivers' licenses. A careful study of the fingerprint proposal indicates that it will not have any material effect in preventing unlicensed persons from driving.

The first proposal of the director is that fingerprints shall be required on applications for drivers' licenses, such applications being filed as at present, alphabetically under the name of the applicant. Obviously, any such alphabetical index containing fingerprint records would not in any wise prevent a suspended operator from obtaining another license under another name even though his application contained his fingerprints as the second application would be filed under the fictitious name and there would be no means of checking the same against the original application. In fact, the director admits that this system would not be perfect.

His second proposal is that fingerprints on applications be transferred to a fingerprint file and all fingerprints be arranged and classified according to the method of classifying fingerprints by police agencies. It is uncertain as to precisely what this would cost although the department has submitted an estimate showing that the cost of installation of the fingerprint system would amount to $1,000,000. In addition, the expense of maintaining the Fingerprint Bureau thereafter has been variously estimated will range from $250,000 to $500,000 per year. Estimates have been submitted that it would be necessary to employ at least 75 or probably more fingerprint experts to classify, arrange and check such fingerprint records.

In view of the fact that there are more than 3,000,000 licensed drivers in the State, this proposal would mean setting up in the department a most elaborate

filing system separate and apart from, and equally as voluminous as, the present records of drivers' license applications.

Assuming such a system in operation, its utility from the viewpoint of reducing traffic accidents is nil. Admitting that an applicant whose license had been suspended or revoked might be caught upon making an application under another name, it is quite obvious that few persons would fall into such a trap. Many would operate, as some do now, without any license upon the theory that they would suffer no ill consequence unless actually stopped and requested to exhibit a license by a traffic officer. Thousands of persons can testify that they have operated for years without being requested by any traffic officer to exhibit a driver's license. Admitting that there is a real problem in preventing operation of vehicles by persons whose licenses have been suspended or revoked, the remedy certainly does not lie in the fingerprinting of applicants. In addition, the fingerprinting of three and a half million motorists in an effort to check the activities of less than 1 per cent of the motoring public, would certainly not justify the tremendous expenditure of public funds involved.

The department has paid little attention to the recommendation that there is need for closer cooperation between the Division of Drivers' Licenses and local police officials in publicizing the names of those whose licenses have been suspended, and in securing cooperation of local police to the end that such suspended drivers shall be actually prevented from operating. Unfortunately, there has not been appropriate effort to apprehend, prosecute and severely punish those who continue to drive after their licenses have been suspended or revoked. The proposal of the director for the fingerprinting of motorists has the appearance of a bureaucratic effort to unnecessarily enlarge the personnel and activities of the department. Assuredly, maintenance of fingerprint records in the department will have no bearing upon the ability of motorists to drive with safety to themselves and others.

Compulsory Inspection of Motor Vehicles.

The Director of the Department of Motor Vehicles has caused to be introduced a measure to require periodical inspection of motor vehicles by agencies appointed by the State, the fees being specified. This proposal would impose a cost on the motoring public of more than $2,000,000 each year. Your committee would favor this or any other plan, having due regard to cost, if we were convinced that it would have any material bearing in reducing traffic accidents.

Fortunately, we have the benefit of the experience in a substantial number of other States, where this type of legislation has been in force for several years past, to guide us in considering the merits of this proposal. The experience in such States has proven that compulsory inspection of motor vehicles quickly results in a commercial racket costly to the motoring public without being effective in reduction of traffic accidents. In fact, those who have studied traffic accident records and the cause of such accidents are well aware that such accidents are mainly due to inability, lack of judgment, carelessness or recklessness on the part of the man behind the wheel and attributable in a very small percentage of such accidents to mechanical defects of the vehicle. The Vehicle Code now contains ample authority to the Highway Patrol to rule off the highway any vehicle which is not equipped as required by law or which is in unsafe mechanical condition.

We refer to a very excellent summary of compulsory inspection experience in other States, found on page 287 of the Highway Research Board Proceedings for 1935. The survey was made by William S. Canning, Engineering Director of the Keystone Automobile Club in Pennsylvania, in which State compulsory inspection has been the law and practice for many years. The survey covers experience in approximately 18 States which have experimented with a compulsory inspection law. The findings and conclusions are stated as follows:

1. "That mechanical defects, as factors in highway accidents, play a very small part, perhaps the smallest of any single cause.
2. "That compulsory mechanical inspection has not resulted in a consistent improvement in the mechanical condition of the vehicles from year to year.
3. "That mechanical inspection (and presumably correction of the defects) has not resulted in reduction of the accidents attributed to this cause."

Speed Traps.

We note that the Director of the Department of Motor Vehicles has caused a bill to be introduced permitting the maintenance of speed traps although it is proposed that the highway where any such devices are maintained shall be sign-posted with large signs advising the motoring public that speed is subject to control on such highways by speed traps.

During many years California, as well as other States employed speed traps until finally prohibited by law for two reasons: (1) Maintenance of speed traps was not effective in reduction of traffic accidents; (2) Such traps were generally maintained where conditions were least hazardous, where motorists operated at somewhat more than normal speed by reason of safe conditions. The system was fruitful only in filling the coffers of municipalities and counties with substantial fines and forfeitures.

The proposal of the director to reinstate speed traps indicates a lack of fundamental knowledge of the cause and circumstances of traffic accidents Admitting that movement of vehicles is a factor in every accident, nevertheless, excessive speed is only one of many causes of traffic accidents. Unfortunately police and traffic officials have devoted almost exclusive attention to efforts to control and reduce speed. That such point of view and efforts have failed to accomplish the purpose intended is demonstrated by the increase in traffic accident injuries and fatalities

It would seem appropriate that officers devoted more attention to reckless and hazardous operation of vehicles under such circumstances as overtaking and passing on the wrong side, upon curves or other places where the view is obstructed and to more strict enforcement of the right of way rules at intersections, as a very large percentage of accidents occur at such locations though the actual speed of vehicles may be as permitted by law.

There are two theories of traffic patrol methods of enforcement. Those imbued with police theories and trained solely as policemen sincerely believe in methods of entrapment. But experience throughout the United States has demonstrated that police methods pursued for many years have not been effective in controlling the traffic accident situation. The opposite theory is that advocated by many traffic safety engineers—that traffic officers should actually patrol the highways in distinctive cars and in distinctive uniforms, regulating traffic movement in accordance with traffic laws and by their conspicuous presence prevent violations and traffic accidents.

The earlier practice which permitted traffic officers to hide in ambush or to encourage motorists to commit traffic offenses in order to catch and punish the offenders has been thoroughly discredited. The modern theory of traffic law enforcement urges manual control of traffic and the prevention of accidents by conspicuous presence of officers on the highways and the actual physical control and direction of the flow of traffic on the part of the constituted traffic authorities.

It is widely recognized as far sounder to prevent accidents than to apprehend and punish offenders after accidents have occurred.

The subject of traffic accidents, the location, circumstances and causes are discussed more fully in another part of this report.

We are informed that the director of the department has caused to be introduced various additional bills seeking to materially increase the appropriations for the support of the department, enlarging the powers and functions of the department, the majority of which have either been definitely disapproved by your Interim Committee or were held by the director secretly in abeyance until near the close of the opening session of the Legislature.

As showing the disposition of the Director of the Department of Motor Vehicles to seek additional funds for its support we refer to only one of a number of proposals A measure which the department caused to be introduced in the Senate changes the definition of the term "chauffeur." At present a chauffeur is a person who is employed by another for the principal purpose of driving a motor vehicle on the highways and receives compensation therefor. The department proposes to change the definition to describe a chauffeur as one who operates any commercial vehicle. This would mean that every farmer and every other person who operates his own small truck for transportation of his own produce shall be required to pay a chauffeur's fee. And such fees, it should be noted, are appropriated exclusively for the support of the Department of Motor Vehicles It may very well be that the legislator requested to introduce this measure did not appreciate its full effect.

Expenditures of the Department of Motor Vehicles.

Under the authority of the Assembly resolution your Interim Committee requested the Department of Motor Vehicles to furnish, as provided in the resolution, "evidence of the amount of money required to be expended by the department in the performance of its duties to the end that unnecessary expense and delay caused by any of the present laws relating to the functions of the department may be eliminated."

Although the department supplied your committee with a financial statement substantially in accord with the budget allowance for the department during the present biennium, it is difficult to determine from the figures alone as to whether the department is or is not being conducted efficiently and economically. In fact, an examination of the State budgets during past years and for the coming biennium disclose increasing expenditures by the department, which we believe are excessive and out of proportion to services actually rendered.

We set forth, first, the following table showing total biennial expenditures, such figures being substantially correct so far as we can determine from the State budgets:

Total Biennial Budgets—Motor Vehicle Administration.

Biennium—		
1927-1929	$2,873,589	53—Department of Finance, Division of Motor Vehicles
1929-1931	6,201,232	86—Department of Public Works, Division of Motor Vehicles, including California Highway Patrol
1931-1933	6,954,271	28—Department of Motor Vehicles, including Highway Patrol.
1933-1935	7,751,557	11—Department of Motor Vehicles, including Highway Patrol.
1935-1937	9,626,057	00—Department of Motor Vehicles, including capital outlay of $805,182.
In addition—	415,430	43—Cost of collection—motor vehicle license fee fund.
1937-1939	10,522,000	00—Estimated and proposed.
In addition—	500,000	00—Cost of collection—motor vehicle license fee fund

From State budgets 1927-1939.

However, in all fairness to the department, it is necessary to break down said figures and to show the relative and increasing costs of the various divisions of the department. Due allowance should be made for the establishment during the biennium 1929-1931 of the California Highway Patrol, the support of which has, since said biennium, been met out of the appropriations for the Department of Motor Vehicles. However, excluding budget allowances for the support of the Highway Patrol, we submit below a table showing total registration of all vehicles as compared to total budget allowance to the department for registration, the Operators' and Chauffeurs' License Division, accounting and administration.

It should be remembered that the California Vehicle Act, as revised in 1923, contained substantially the present code provisions relating to registration, the issuance of certificates of ownership and registration cards, the examination and licensing of drivers and other provisions. Since 1923 there has not been radical amendment to the vehicle laws imposing additional duties or functions upon the above mentioned divisions of the department, except in one or two respects.

It is true that in 1935 the department was given the task of collecting the "in lieu" tax. However, the costs of such collection are met from such tax revenue and are separate and apart from the usual budget allowances to the above divisions. Also in 1935 the Legislature enacted the Caravan Tax Law but this has been administered very largely by the personnel paid out of the budget of the Highway Patrol.

Total Registration Autos, Trucks, Motorcycles, Trailers and Semitrailers. Budget of Department of Motor Vehicles, Excluding Highway Patrol

Fiscal Year Ending June 30	*Number Registrations*	*Amount Budget*
1922	882,969	$ 895,710 00
1923	1,120,785	771,803 00
1924	1,350,759	900,783 00
1925	1,477,006	926,757 00
1926	1,641,551	1,173,799 00
1927	1,736,765	1,167,936 00
1928	1,859,432	1,551,796 00
1929	2,026,868	1,621,605 00
1930	2,099,293	1,551,796 00
1931	2,107,275	1,701,980 00
1932	2,041,824	1,527,912 00
1933	2,036,918	1,656,225 00
1934	2,080,884	1,651,034 00
1935	2,254,828	1,821,492 00
1936	2,448,925	1,791,097 00
1937	--------	2,151,102 00
1938	--------	2,500,726 00
1939	--------	2,502,916 00

Registration Reports Department of Motor Vehicles.
Annual Reports State Controller 1922-1927.
Biennial State Budgets 1928-1937.

It appears from the foregoing that the costs of the department, exclusive of support of the Highway Patrol are increasing with undue rapidity and out of proportion to the additional costs resulting from the increase in number of registered vehicles. Your committee is convinced that the unusual increase during the present biennium and the proposed increase during the coming biennium are attributable in very large measure to actions of administrative offices during the past two years in increasing unnecessary red tape in respect to registering motor vehicles. During the past year and a half particularly the department has issued a volume of separate rules and regulations, many contradictory one to the other, greatly increasing the burden in obtaining registration and increasing the activities of the depart-

ment until the system employed is so cumbersome that annual renewal of registration and transfers are tasks of great magnitude. Obviously, there is need for greater efficiency and economy in the administration of the department.

The proposed increase in expenditures by the department, exclusive of the Highway Patrol, are most astounding and in fact fail to give a true picture of the situation in view of the fact that a substantial part of those functions of the department having to do with registration and examining of operators and chauffeurs have been thrust upon the personnel of the Highway Patrol and are met out of the budget for the Highway Patrol.

Although the budget submitted for the next biennium shows a material increase in the allocation of funds to the Department of Motor Vehicles it appears from a report of the Department of Finance that the Department of Motor Vehicles at the present time enjoys approximately a $900,000 surplus over their budget allowance for the present fiscal year. The director has not indicated what disposition will be made of this surplus.

In passing, your committee desires to call attention to an innovation in governmental procedure by which departments of the State Government purchase land and erect buildings without legislative authorization. Considerable mention has been made of the building recently erected by the Department of Motor Vehicles in Sacramento. Other departments are contemplating similar enterprises. Your committee feels that this matter is of such importance that the Legislature should give the entire subject careful thought and study And while this practice may be advantageous in some instances, the question arises as to whether or not it is sound in principle and if it may not eventually lead to serious consequences.

Administrative Costs.

There is also evident in the opinion of your committee an unnecessary increase in the cost of the purely administrative work of the director's office of the department. Prior to 1935, during a period of approximately four years, the director of the department served without compensation and with a minimum of expense. The budget recently submitted to the Legislature shows a purely administrative cost during the 1935–1937 biennium of $193,719. It also proposes a purely administrative cost for the next biennium of $304,019. We may compare this with the modest administrative cost as shown by the previous State budget of $9,002.77 for the entire biennium 1933–1935.

The very large increase in administrative costs may be attributed in part to payment of salary and expenses of the director and the employment by him of additional assistants, including administrative advisers, special representatives, administrative assistants and other personnel to aid the director in carrying on his official duties.

Unfortunately, the tremendous increase in the expenditures for the support of the department has occurred without there having been appropriate revision and increase of salaries in the lower brackets. It is notorious that a large part of the personnel of the department in the lower brackets have not received appropriate advancements in salary and are on the whole underpaid.

Likewise, there has not been appropriate revision of salaries with respect to traffic officers who have served many years in the Highway Patrol The increased **costs of the department might in some respects be justified if the salaries of the rank and file had been given due consideration. However, the actual increase in costs appears to be due to complication of methods in performance of duties and the creating of new and unnecessary positions without consideration of personnel in the lower brackets who have devoted many years to service in the department.**

The Division of Drivers' Licenses.

During meetings of the Interim Committee and the Advisory Committee, careful **study was made of the operations and expenditures of the Division of Drivers'** Licenses It was agreed that those licenses issued between January 1, 1927, and **August 14, 1929, which remain outstanding and are good until called in by the department should be called in and such licensees be placed upon the same basis as other licensees subject to periodical renewal of license.**

It was also agreed that the administration of the driver's license laws should be strengthened by more stringent examinations, greater activity in investigation of accidents and the suspension and revocation of licenses of those found responsible **for such accidents by reason of unlawful conduct or incompetence.**

In view of the tremendous task of renewing all licenses every two years your committee recommends and a measure has been introduced providing for renewal every four years instead of every two years, as under the present code. Your committee believes that this change will permit the department to conduct more thorough investigation and examination upon renewal every four years than is possible upon renewal every two years.

Your committee recognizes that during past years insufficient funds have been provided for the Division of Drivers' Licenses. This is strikingly apparent upon examining the prior budget appropriations for the Division of Drivers' Licenses as

compared to the vastly greater budget allowances for the Division of Registration and the California Highway Patrol. Although the department submitted various estimates and figures, your Interim Committee does not recommend precisely what increase should be made for this division. This is partly due to the fact that some of the estimates submitted by the department contained appropriation to enable said division to carry on a system of fingerprinting which, as heretofore mentioned, your committee very definitely rejected.

It might very well be that sufficient allowance could be made for the Division of Drivers' Licenses out of the total of the department budget during the coming biennium by effecting certain economies in other divisions of the department. We may note from the current State budget that the appropriation for the Division of Drivers' Licenses during the biennium 1935–1937 was $490,876, while the proposed expenditures for the biennium 1937–1939 is $705,011. As this makes provision for a total personnel in the Division of Drivers' Licenses during the coming biennium of 212 as compared to total personnel of 98 for the fiscal year 1935–1936, it may well be that the budget allowance for 1937–1939 is ample to permit the division to accomplish the desired improvement in the administration of the Driver's License Law.

Your committee feels that if any additional funds, over and above the increase contained in the budget, are needed for the support of the Division of Drivers' Licenses that such funds should be "ear-marked" for that division. Experience of prior years has indicated that additional funds allocated to the Department of Motor Vehicles for this division have been expended for other purposes.

Cost of Maintaining the California Highway Patrol.

The history of the Highway Patrol shows constantly increasing cost and enlargement of personnel.

Prior to the organization of the Highway Patrol in 1929, the Division of Motor Vehicles was authorized to enter into contracts with the supervisors of various counties relative to the employment of traffic officers the latter being paid out of motor vehicle funds apportioned to the various counties

The State budget shows the expenditure per biennium for the salaries and support of county traffic officers as follows:

Biennium 1927–1929	$1,486,184 37
Biennium 1929–1931	1,742,500 00

Since 1929, when provision was first made for the California Highway Patrol the salaries and support of such officers has been paid out of the motor vehicle fund appropriated for the support of the Department of Motor Vehicles prior to division of net receipts thereafter remaining to the State Highway Department.

The State budgets show the following:

California Highway Patrol.

Fiscal year beginning	*Total Personnel*	*Expense*
July, 1929	417	$1,294.856 52, Actual
July, 1930	437	1,652,600 00, Estimated
July, 1931	534	1,688,924 67, Actual
July, 1932	628	1,974,620 00, Estimated
July, 1933	668	1,931,557 96, Actual
July, 1934	714	2,196,313 49, Estimated
July, 1935	780	2,082,988 00, Actual
July, 1936	875	2,433,166 00, Estimated
July, 1937	889	2,547,124 00, Proposed
July, 1938	889	2,585,834 00, Proposed
Note total for biennium 1935–1937		$4,516,154 00
Total for Department of Motor Vehicles, including the Highway Patrol for biennium 1935–37		9,626,057 64
State budget for 1931–1933		Pages 337–339
State budget for 1933–1935		Pages 427–428
State budget for 1935–1937		Pages 492–494
State budget for 1937–1939		Page 460

Recently the department submitted to the Legislative Interim Committee a statement of operating cost, from which we quote the following relative cost:

California Highway Patrol

1933	*1934*	*1935*	*10 Months of 1936*
$1,788,102 20	$1,969,795 14	$2,068,754 10	$1,568,658 77

It will be noted that these figures do not correspond exactly with the figures from the State budget set forth above.

Salaries of Highway Patrol Officers.

From information reported to your committee it appears that there is substantial discrepancy between the salaries of patrol officers in different counties although

such officers are doing substantially the same work. Also, many officers have served for many years without any adjustment of salaries.

Without desiring in any way to reflect upon the patrol personnel we entertain the view that failure to adjust the salaries must inevitably have an influence upon the morale of the patrol officers.

In considering the question of adding to the personnel of the Highway Patrol it would appear desirable to first consider whether a readjustment of salaries is more important in order to insure the greater efficiency and highest morale.

Comparison of Highway Patrols in Various States.

The National Highway Users Conference has issued a table revised January 7, 1937, showing the total personnel and cost of the highway patrols in various States Although the statement indicates that it was revised as of January 7, 1937, quite possibly it is not entirely correct at the present date. However, for purposes of general comparison we submit the following information taken from said report·

Comparative Table of Highway Patrols.

State Administration	Personnel	Expense 1 year	Duties
California Motor Vehicle Department	817	$2,440,621 (1937)	Enforcement of M V laws only
Illinois Division of Highways	325	$893,175 (1935)	Enforcement of M V and criminal laws
Michigan State Police	167	$250,000 (1935)	Enforcement of laws including M V laws
New Jersey State Police	230	$906,166 (1935)	General police duties including enforcing M. V laws
New York Division State Police of Executive Department	653	$2,220,999 (1935)	Enforcement of laws including M. V. laws
Ohio Department of Highways	60-120 max.	$473,346 (1935)	Enforcement of M V laws only
Pennsylvania Department of Revenue	518	$1,531,849 (1934)	Enforcement of M V laws only
Virginia Division of Motor Vehicles	150	$194,960 (1935)	Enforcement of M V and other laws

Apparently the California Highway Patrol enjoys a larger personnel than the patrol in any other State. It would be advantageous to further compare the highway patrols in the various States but the time and opportunity has not been available to your committee.

Consideration of Proposal to Increase the Total Personnel of the Highway Patrol.

During meetings of your Interim Committee, the department submitted definite recommendation for an increase of approximately 500 in the total personnel of the California Highway Patrol. As disclosed by the preceding portion of this report the State budget makes provision for a total personnel in the California Highway Patrol during the coming biennium of 38, at a total cost during the biennium of $5,132,958.

Both the Legislative Interim Committee and the Advisory Committee, realizing the seriousness of the traffic accident situation in California, and realizing the responsible duties required of the Highway Patrol, caused a special study to be made by a subcommittee This subcommittee consulted with various members of the Highway Patrol. Both the Interim Committee and the Advisory Committee were surprised to learn of the many duties imposed upon the Highway Patrol and particularly that so many of the functions of the Division of Registration and the Division of Drivers' Licenses have been transferred to and imposed upon the Highway Patrol.

We set forth as follows a resume of the activities of the Highway Patrol

Activities of the California Highway Patrol.

It appears that although the total personnel of the Highway Patrol as shown by the last biennial budget number 714, including approximately 575 captains, inspectors and traffic officers, the average daily personnel actually patrolling the highways during the past year in the enforcement of traffic regulations was approximately 120.

It appears that the Highway Patrol is largely engaged as a tax collecting and registration body which obviously has no relation to safety on the highways.

The following activities relate mainly to the collection of taxes and fees·

(1) Registration of motor vehicles particularly renewal of registration and collection of registration fees and the $1.75 tax

It is reported that during the renewal period beginning January 1, 1937, about one-third of the Highway Patrol personnel will be engaged in office work incident to renewal of registration It is reported from some counties that practically all Highway Patrol officers will be so engaged, leaving perhaps one or two in certain counties to perform the primary function of patrolling the highways.

Officers are required periodically to attend traffic school in Sacramento or at branch office headquarters at which a large portion of the time is devoted to study

of registration and license tax matters Those measures have become quite complex, due in part to the new $1.75 tax.

It is obvious that such studies and activities seriously interfere with the effectiveness of the Highway Patrol in performing its primary function of regulating and safeguarding traffic on highways.

(2) Assisting the State Controller and the State Board of Equalization in collecting the 3 per cent transportation tax applicable to common carrier and for-hire motor vehicles.

When the State Controller and the State Board of Equalization desire to seize those vehicles upon which such tax is delinquent they require the presence of a Highway Patrol Officer.

Also, when an inspector of the State Board of Equalization desires to stop vehicles on the highways for purposes of inspection he does so in the presence of a Highway Patrol Officer.

Such officers are also frequently engaged in picking up license plates which are forfeited when the 3 per cent tax is not paid.

Engaged in revocation matters mainly due to the 3 per cent tax are seven Highway Patrol Officials in Los Angeles County, two in San Francisco and one each in Fresno, Sacramento and San Diego counties. A large part of this work is carried on by district inspectors who receive salaries of from $225 to $285 per month.

It would appear to be unnecessary as well as rather startling to employ uniformed Highway Patrol Officers to collect taxes.

(3) Enforcement of certain laws and rules of the California Railroad Commission.

Whenever the Railroad Commission issues orders requiring certain common carrier or for-hire vehicles to cease and desist from operating, officers of the Highway Patrol are assigned to prevent such commercial vehicles from operating. In each of 17 districts one officer is assigned part-time to this enforcement duty.

(4) Enforcement of the California caravan law.

The California Highway Patrol maintains a personnel of approximately 40 inspectors and clerks at border stations whose main function is collection of the caravan tax and the issuing of visitors' permits.

Officers of the patrol advise that in the absence of the Caravan Law it would not be necessary to maintain these border stations as visitors' permits could be issued from nearest county headquarters of the Highway Patrol.

(5) Operators' and Chauffeurs' Examinations.

Although the department has a division known as the Division of Operators' and Chauffeurs' Licenses with its own personnel, nevertheless a substantial number of Highway Patrol Officers are required to give operators' examinations and driving tests and to pick up suspended operators' and chauffeurs' licenses.

While this activity on the part of the Highway Patrol might be justified in some of the smaller counties where the issuance of operators' licenses is incidental to general patrol work, nevertheless throughout the State of California a substantial portion of the time of numerous patrol officers is devoted to this activity which means that they can not at the same time be upon the highways regulating or safeguarding traffic.

(6) Checking of garages for abandoned and stolen motor vehicles.

The Highway Patrol has a special detail engaged in this work which would appear to be a proper function of the local police.

(7) Checking automobile wrecking establishments and auto camps.

Patrol officers are assigned to check automobile wrecking establishments to require surrender of license plates and certificates and to check for stolen vehicles. It would appear to be a function of the Division of Registration rather than of the Highway Patrol to recover license plates and certificates.

Comment:

Originally, the primary and almost exclusive function of the patrol was to actually patrol the highways enforcing the rules of the road and regulating and safeguarding traffic. Its opportunity to perform these essential duties has been seriously interfered with by requiring the Highway Patrol to perform many functions rightfully belonging to the Division of Registration, the Division of Operators' and Chauffeurs' Licenses and in aiding in collection of taxes and enforcement of laws in cooperation with the State Controller's Office, the State Board of Equalization and the Railroad Commission.

The seriousness of this situation is further emphasized by reviewing many other activities of the Highway Patrol which may rightfully be regarded as necessary and appropriate activities.

Additional Activities:

(8) Enforcement of school bus regulations.

Approximately 19 officers are engaged in enforcing the regulations in the Vehicle Code and those formulated by the State Board of Education applicable to the construction, equipment and operation of school buses. When such officers assigned to

school work are not so engaged they devote a part of their time to giving traffic safety talks in schools which would appear to be a function of the school authorities rather than of the Highway Patrol. This point might not be so important if sufficient patrol officers were actually available on the highways.

(9) Escorting large caravans.

On numerous occasions Highway Patrol Officers are assigned to escort caravans as, for example, school bus caravans, transporting football squads, other caravans of visiting officials and in many instances such caravans are escorted many hundreds of miles.

(10) Serving of warrants and transporting prisoners.

A heavy burden is imposed on the Highway Patrol because of the necessity of serving traffic warrants and transporting persons arrested long distances to place of trial. For example, during the month of September, the Los Angeles office served 698 warrants and made attempt to serve an additional 1,687 warrants.

Without discussion, we enumerate various other activities of the Highway Patrol which apparently are logical functions.

(11) The investigation of automobile accidents.

(12) Investigation of complaints of officers relative to hazards upon highways.

(13) Group brake enforcement work.

(14) Group light enforcement work.

(15) Enforcement of county ordinances regarding movement of vehicles.

(16) Enforcement of truck regulations.

(17) Testifying in criminal court cases and civil damage cases; collecting of evidence to be used in the prosecution of misdemeanor and felony violations of the code.

(18) Controlling traffic at big games, picnics and other similar types of mass assemblages.

(19) Investigating authorized emergency vehicles for siren and red light permits.

(20) Enforcement of the Agricultural Code with reference to handling movements of live stock upon the public highways.

(21) Investigation of unsafe vehicles.

Comment:

The foregoing gives a comprehensive picture of the activities of the Highway Patrol although it does not include certain details which might be mentioned.

In view of the seriousness of the traffic accident situation it appears to your Interim Committee imperative that the activities of the Highway Patrol must be strictly limited to enforcement of the traffic regulations to be accomplished by actual presence and patrol upon the highways. The patrol should be entirely divorced from the collection of taxes and fees.

Under present assignment of duties in the Department of Motor Vehicles and assuming an increase in the personnel of the Highway Patrol there is no assurance whatever that such additional personnel would be assigned to actual patrol duty. On the contrary, there appears to be a definite policy of transferring registration and tax matters to the Highway Patrol. For example, when the Caravan Law first became effective the collection of the tax was carried on largely by the Division of Registration. Subsequently, the entire responsibility was imposed on the Highway Patrol.

It is our understanding that some personnel including registration clerks were transferred to the Highway Patrol to aid in collecting the caravan tax.

All of this means, of course, that the total budget of the patrol amounting to approximately $4,500,000 a biennium is no longer available to provide for traffic enforcement and accident prevention but on the contrary it is used in large measure to provide registration and tax collection service.

The Traffic Accident Situation—National.

Although traffic accidents are daily featured in the public press and while the loss of life and personal injuries involved are alarming there is need to approach the problem with a due sense of proportion. The most recent publication of the National Safety Council, dated February, 1937, discloses the record of accidental deaths throughout the United States during the calendar year 1936. We quote the following table of total accidental deaths in the United States during the years 1935 and 1936:

	1936	*1935*
Total	111,000	100,000
Motor vehicle	38,500	37,000
Other public	19,000	18,000
Home	30,000	31,500
Occupational	18,000	16,500

(Some of the above deaths are listed under two classifications, hence a slight discrepancy appears in the totals.)

The astounding fact not commonly known or appreciated in reference to accidental deaths is the large number of fatalities in home accidents disclosed in the above table. The report of the National Safety Council recites that.—

"For the first time in eight years home fatalities in 1936 exceeded motor vehicle deaths.

Last year also witnessed new wheels turning in American industry and, thus, a great new exposure to work accidents. The result was an increase of 1,500 occupational fatalities, from 16,500 in 1935 to 18,000 in 1936.

The tornadoes in the south, and last spring's floods in New England and the Ohio River Valley were heavy contributors to the 1936 increase of 1,000 deaths in public accidents—from 18,000 in 1935 to 19,000 last year."

The report also discloses a 4 per cent increase in traffic fatalities while "exposure to traffic accidents increased nearly three times as much as indicated by a 11 per cent advance in gasoline consumption. * * * Mile for mile of travel, therefore, the American motorist operated more safely in 1936 than in 1935."

Traffic Accident Situation in California.

The 1936 edition of *Accident Facts*, issued by the National Safety Council, shows total and comparative traffic accidents in the various States for prior years. Said report compares traffic accident fatalities in the various States on a population basis, also on the basis of gasoline consumption. It shows that in California the death rate relative to gasoline consumption is 20.9 or 1.9 lower than the general average of 22.8 throughout the United States. It shows, however, that in California the motor vehicle fatality rate for every 100,000 population is 49.6 or 20.6 above the general average of 29 throughout the United States. This is due, however, to the much larger number of cars, relative to population, in California than in any other State in the Union. For example, during 1935, in the State of New York, there was one motor vehicle for every 5.53 persons; in Pennsylvania one for every 6.11 persons, in Illinois one motor vehicle for every 5.12 persons. However, in California there was one motor vehicle for every 2.62 persons. Thus, upon any reasonable basis of comparison, such as total number of vehicles or total miles of operation, the traffic accident record in California is below the national average. This does not, of course, excuse the very large number of traffic fatalities and injuries in California.

However, it is necessary to pursue this subject further, particularly to ascertain the location of accidents in California and whether rural or city, to gain a fair picture of the situation. Particularly is this desirable in order to determine whether enlargement of the personnel of the California Highway Patrol would have material effect upon the traffic accident situation in this State. For this reason careful examination has been made of the California traffic accident report for 1935, issued during 1936 by the Department of Motor Vehicles.

This report deals mainly with the traffic accident situation and records of arrests and convictions. From this report a number of tables have been prepared which are attached hereto and to which we invite the earnest consideration of the members of the Legislature.

Table I shows the number of accidents involving death or personal injury by county of origin. Summarizing this report we find that 49.9 per cent, or practically one-half of all such traffic accidents, occur in the county of Los Angeles.

We find that 71.1 per cent of such accidents occur within five counties, including Los Angeles, Alameda, San Francisco, San Diego, and Sacramento.

We find that 81.9 per cent of all such accidents occur in ten counties including those above mentioned and in addition Fresno, Santa Clara, San Joaquin, Orange and San Bernardino.

We find that 90.1 per cent of all such accidents occur in 17 counties out of the 58. Thus, only 9.1 per cent of all such accidents occur in the remaining 41 counties.

It is obvious that a real attack upon the traffic accident problem should be very largely concentrated in those counties and upon those highways where we find the largest volume of such accidents.

Table II compares total accidents by counties with total registration and shows that the most serious traffic accident problem exists in those counties having the largest registration of vehicles.

Table III compares traffic accidents with total street and highway mileage in various counties. It shows for example, that the five counties in which 71.1 per cent of the accidents occur have only 21.82 per cent of the total street and highway mileage.

Traffic Accidents Mainly a City Problem.

Table IV shows the total accidents, fatal and personal injury during the year 1935 by counties and whether rural or city. It shows that in Los Angeles county 88.82 per cent of such accidents occur within cities.

It shows that in the five counties having 71.1 per cent of the total accidents, 88.95 per cent of such accidents occurred within cities.

It shows that in the ten counties having 81.9 per cent of all accidents 84 per cent of such accidents occurred within cities.

The table further shows that in other counties mainly rural the majority of traffic accidents occurred within rural territory rather than within the cities therein.

However, these tables emphasize that the serious traffic accident situation exists in a relatively small number of counties and that it is mainly a city problem This is further emphasized by Table V which shows the number of persons injured in motor vehicle accidents in 1935 by counties and whether within rural territory or within cities.

Again we find in the five counties having 71.1 per cent of all accidents, fatal and personal injury, that of all such accidents involving personal injuries 87.03 per cent occurred within cities.

We may now state several propositions as follows:

(1) An increase of 500 in the personnel of the State Highway Patrol would involve an additional expense annually of approximately $1,500,000. Chief Cato advises that $3,000 per year is the cost in respect to each patrol officer.

(2) Such increase in personnel and additional cost would appear to be not warranted.

(a) There is no assurance that such additional personnel would be utilized to patrol the highways.

(b) If such additional personnel were utilized to patrol the State and county highways it would have no bearing with reference to the 73.58 per cent of personal injury and fatal traffic accidents which occur within cities

Chief Cato called attention to that part of the statistical report showing the location of deaths in traffic accidents. It shows in 1935 that 48.1 per cent of such deaths occurred in urban territory and 51.9 per cent of such deaths in rural territory.

From data in the statistical report Table IX has been prepared which relates only to deaths in motor vehicle accidents and shows the location thereof, whether city or rural and whether pedestrian or occupant. However, we find that the majority of such deaths occur in a relatively small number of counties.

We suggest the importance of comparing the figures in Table IX with those in Table I. While the majority of deaths as well as the majority of personal injuries occur in relatively few counties the sequence of counties according to the number of injuries is not identical with the sequence of counties according to the number of deaths.

Referring particularly to accidents in rural territory further study would, we believe, demonstrate that the majority occur on a very low per cent of the total of State and county highways. We believe the department should conduct further studies on this phase of the matter.

The State Department of Public Works conducted a study of accidents on rural State highways covering the first six months of 1936. The report of the Department of Public Works shows that while those highways concerned represent only 6½ per cent of the mileage they account for nearly 47 per cent of all accidents reported.

Another point of special interest is that in nearly every instance these accidents are found to be on highways that embody the highest standards of location, design and maintenance. This illustrates that in respect to rural State and county highways there is need to concentrate the activities of the Highway Patrol upon a rather limited mileage showing the greatest volume of traffic and greatest frequency of traffic accidents.

Additional Facts Relative to Traffic Accidents.

The report of the department contains additional matter of great importance in the consideration of the traffic accident situation. In fact, there is need for further study and in some instances need for additional breakdown of figures to determine the nature of the traffic accident problem in particular localities, as, for example, the fatality and injury record as it relates to pedestrians and occupants of motor vehicles. For our present purposes, however, it seems important to mention the following.

One of the tables in the report shows, as has been known to be true and recurring each year, that the highest accident frequency occurs between the hours of three to ten p.m. This higher frequency of accidents during these hours indicates the need for concentrating in large measure the enforcement activities during said hours.

Examining the accident record according to days of the week on which they occur we find the greatest frequency on Saturdays and Sundays. This also indicates the need for concentrating the efforts of the traffic officers during times of greatest volume of traffic.

Recommendations of Legislative Interim Committee.

The Legislative Interim Committee on Motor Vehicle Laws submits the following specific recommendations:

(1) That the Legislature enact those measures contained in the Senate and Assembly bills digested in Part I of the Appendix hereof, which have

been prepared and are sponsored by the Advisory Committee on Motor Vehicle Legislation

(2) That the Legislature reject those measures which the Department of Motor Vehicles caused to be introduced containing proposals definitely disapproved by the Legislative Interim Committee. The Legislative Interim Committee gave such proposals thorough consideration and reached the unanimous conclusion that they were not in the public interest.

(3) That in the interests of efficiency and economy consideration should be given to consolidating the entire Motor Vehicle Department with some other department of the State Government. There would appear to be many good reasons why the Highway Patrol in particular should be administered as a part of the Department of Public Works.

(4) The activities of the California Highway Patrol should be strictly limited to patrol of the highways for the purpose of enforcing traffic regulations, preventing accidents, apprehending offenders and making arrests for crimes committed upon highways, or in their presence.

It should be the policy of the California Highway Patrol and city traffic officers to actually patrol the highways in conspicuous uniforms and vehicles for the purpose of regulating and controlling traffic in order to prevent accidents and violations of law and to gain the cooperation of motorists in safe driving practices. Traffic patrol officers should be concentrated upon those streets and highways where there is greatest volume of traffic and at times when there is greatest traffic hazard. Patrol officers should refrain from methods of entrapment and numerous arrests for petty offenses which have caused congestion in the courts, harassment of motorists and which have not been effective to reduce loss of life and property in traffic accidents.

(5) That the minimum salaries of members of the California Highway Patrol be standardized at $200 per month. This is the standard wage which was formerly adopted for members of the patrol and out of which retirement benefits, uniforms, etc., must be paid Your committee feels that the present maximum of $215 per month should remain undisturbed.

Referring to the report of the Senate Fact Finding Committee of 1933 we find the following recommendation with respect to salary standardization of members of the California Highway Patrol, "There seems to be no parity by which the salaries of the same classification are fixed and we therefore recommend that all salaries paid to those who have been in the service for a period of two years or over be placed on a parity." This recommendation was concurred in by the present Director of the Department of Motor Vehicles who was then a State Senator and a member of the Senate Fact Finding Committee.

(6) That notwithstanding a request by the department for additional Highway Patrol Officers your committee feels that it would be appropriate to recommend an increase in the personnel of the Highway Patrol only when the present members are released from other activities and reassigned to Highway Patrol work.

Your committee recommends that only such additional patrol officers be added as are actually needed to properly patrol the highways and further, that efficiency and economy in the administration of the department be considered in determining the need for such additional traffic officers.

WM. B. HORNBLOWER, Chairman.
ARTHUR H. BREED, JR.
FRANK D. LAUGHLIN.

Appendix.

PART I—DIGEST OF MEASURES RECOMMENDED BY THE LEGISLATIVE INTERIM COMMITTEE AND THE ADVISORY COMMITTEE.

The following Assembly bills were introduced by Assemblymen Hornblower, Breed and Laughlin:

ASSEMBLY: MOTOR VEHICLES.

AB 576—Hornblower, Breed, and Laughlin—M. V.

Amends V. C. secs. 304 and 307, to eliminate mandatory suspension upon conviction under 502 until proof of financial ability is given and substituting provision that upon first conviction license shall be surrendered and suspended but department shall issue a probationary license. Regular license may be restored after one year unless probationary license has been suspended for cause following conviction while in effect. Upon a second or subsequent conviction under 502 license shall be suspended until the person gives proof of ability to respond in damages Amendment also relieves those previously convicted only once under sec. 502 of necessity of maintaining proof.

AB 1199—Hornblower, Breed, and Laughlin—Civil Service.

Amends V. C. 111 to clarify point that Chief of Highway Patrol shall be under Civil Service.

AB 1200—Hornblower, Breed, and Laughlin—M. V.

Amends V. C., relative to Highway Patrol to clarify that no person eligible unless a resident of the county in which to serve at least six months. Also rating as to efficiency by the chief. Civil Service Law applicable in event member violates any rules or regulations. Member can not be assigned outside county for more than one week except on his request or as necessitated by temporary traffic emergencies or because of seasonal changes, but no transfer for disciplinary purposes.

AB 1201—Hornblower, Breed, and Laughlin—Ways and Means.

Blank appropriation to reimburse persons illegally required to pay caravan tax.

AB 1202—Hornblower, Breed, and Laughlin—M. V.

Amends Caravan Act to provide that fees shall be paid into motor vehicle fund for the support of the department. Also authorizes refund of fees illegally collected.

AB 1203—Hornblower, Breed, and Laughlin—M. V.

Requires dealers in used vehicles who bring them into this State for sale to register same within ten days. Before sale dealer must execute a bond in amount of sale price of vehicle but not more than $1,000, conditioned to pay losses of purchaser by reason of failure of title or existence of undisclosed liens Fee of $6 on filing bond and registering—for support of the department. Penalties for failure to comply.

AB 1204—Hornblower, Breed, and Laughlin—Conservation.

Strikes out of P. C. 384, sub. 6, relative to throwing lighted substances from a vehicle as subject matter is covered in V. C. 600

AB 1205—Hornblower, Breed, and Laughlin—Labor & Cap.

Repeals invalid act relating to hours of driving certain vehicles as superseded by V. C. 602.

AB 1206—Hornblower, Breed, and Laughlin—M. V

Amends V. C. to regulate the transportation of flammable liquids on highways Defines tank vehicles, tanks, also flammable liquid as having a flash point below 275° F. further segregated into those having a flash point below 100° F and those from 100° F. to 275° F. Requires certificate of inspection and approval every two years from State Fire Marshal or representative. Imposes $1 fee for inspection. Unlawful to transport flammable liquid having a flash point below 100° F. in tank vehicle not constructed as required in the bill; prohibits smoking on a tank vehicle, prohibits driver from leaving tank vehicle unattended while being loaded Regulates operation of and construction and materials of such vehicles

AB 1207—Hornblower, Breed, and Laughlin—M. V.

When department disapproves a lamp or device and it is submitted for partial retest within 90 days a fee of one-half of the original fee shall be charged for such retest.

AB 1208—Hornblower, Breed, and Laughlin—M. V.

State-owned vehicles equipped and used for fire fighting or towing other vehicles on a "vehicular crossing" (state-owned toll bridge) classed as an authorized emergency vehicle while on such crossing or the approaches thereto.

AB 1209—Hornblower, Breed, and Laughlin—M V.

Amends V. C. 770 relating to the use by cities of fines and forfeitures to reinstate provision omitted upon adoption of code to the effect that funds shall be used for maintenance, improvement or construction of public streets, bridges and culverts, and adds "for traffic signs, signals and other traffic control devices."

Amends V. C. 777 to appropriate for the support of the Department of Motor Vehicles "all monies received from the sale of records by the department."

APPENDIX—PART II.

TABLE I.

CALIFORNIA DEATH AND INJURY MOTOR VEHICLE ACCIDENTS BY COUNTY OF ORIGIN CLASSIFIED BY COUNTY IN ORDER OF MAGNITUDE DURING 1935.

County	*Non-fatal*	*Fatal*	*County Total*	*Cumulative Total*	*Percentage*
Los Angeles	15,931	904	16,835	16,835	49.9
Alameda	2,203	142	2,345	19,180	56.9
San Francisco	2,045	109	2,154	21,334	63.3
San Diego	1,516	120	1,636	22,970	68.1
Sacramento	942	53	995	3,965	71.1
Fresno	723	83	806	24,771	73.4
Santa Clara	650	86	736	25,507	75 6
San Joaquin	640	72	712	26,219	77.7
Orange	651	59	710	26,929	79.8
San Bernardino	568	112	680	27,609	81.9
Kern	513	86	599	28,208	83.6
Riverside	453	65	518	28,726	85.2

TABLE I—Continued

CALIFORNIA DEATH AND INJURY MOTOR VEHICLE ACCIDENTS BY COUNTY OF ORIGIN CLASSIFIED BY COUNTY IN ORDER OF MAGNITUDE DURING 1935.—Continued

County	*Non-fatal*	*Fatal*	*County Total*	*Cumulative Total*	*Percentage*
San Mateo	345	59	404	29,130	86.4
Contra Costa	332	46	378	29,508	87.5
Ventura	311	38	349	29,857	88.5
Monterey	250	42	292	30,149	89.4
Santa Barbara	233	22	255	30,404	90.1
Remaining 41 counties	---	---	3,325	----	9.1
Totals	31,122	2,607	33,729	33,929	100.

TABLE II.

TOTAL ACCIDENTS FATAL AND PERSONAL INJURY BY COUNTIES COMPARED WITH TOTAL REGISTRATION BY COUNTIES, YEAR 1935.

County	*Total Accidents*	*Cumulative Percentage*	*Total Registration*	*Cumulative Percentage*
Los Angeles	16,835	49.9	923,943	32.08
Alameda	2,345	56.9	159,695	47.52
San Francisco	2,154	63.3	160,253	54.55
San Diego	1,636	68.1	90,093	58.50
Sacramento	995	71.1	59,100	61.09
	23,965		1,393,084	
Fresno	806	73.4	64,418	63.91
Santa Clara	736	75.6	66,074	66.81
San Joaquin	712	77.7	46,582	68.85
Orange	710	79.8	52,047	71.13
San Bernardino	680	81.9	54,481	73.54
	3,644		284,002	
Kern	599	83.6	42,806	75.42
Riverside	518	85.2	36,380	76.95
San Mateo	404	86.4	32,768	78.45
Contra Costa	378	87.5	30,153	79 77
Ventura	349	88.5	23,564	80.81
Monterey	292	89.4	25,031	81.90
Santa Barbara	255	90.1	28,497	83.15
	2,795		219,199	
All other counties	3,325	9.9	384,200	16.85
Totals	33,729	100.	2,280,485	100.00

TABLE III.

TOTAL STREET AND HIGHWAY MILEAGE.

Counties Are Listed in Same Order As Volume of Accidents Involving Death and Injury.

Total mileage 95,957

		Cumulative Total	*Percent of total*
Los Angeles	13,324		13.89
Alameda	1,759	15,083	15.72
San Francisco	889	15,972	16.64
San Diego	3,267	19,239	20.05
Sacramento	1,699	20,938	21.82
Fresno	4,287	25,225	26.29
Santa Clara	1,592	26,817	27.95
San Joaquin	1,848	28,665	29.87
Orange	1,775	30,440	31.72
San Bernardino	6,432	36,872	38.43
Kern	3,815	40,687	42.40
Riverside	3,561	44,248	46.11
San Mateo	821	45,069	46.97
Contra Costa	1,000	46,069	48.01
Ventura	1,049	47,118	49.10
Monterey	1,365	48,483	50.53
Santa Barbara	1,383	49,866	51.97
All other counties	46,091		48.03
Totals	95,957		100.00

TABLE IV.

TOTAL ACCIDENTS FATAL AND PERSONAL INJURY—1935.

County	*Total*	*Rural*	*City*	*Percent city*
Los Angeles	16,835	1,882	14,953	88.82
Alameda	2,345	249	2,096	89.38
San Francisco	2,154		2,154	100.00
San Diego	1,636	289	1,347	82.38
Sacramento	995	228	767	77.08
	23,965	2,648	21,317	88.95*
Fresno	806	309	497	61.66
Santa Clara	736	314	422	57.34
San Joaquin	712	356	356	50.00
Orange	710	393	317	44 65
San Bernardino	680	367	313	46.02
	3,644	1,739	1,905	52.28*
Kern	599	459	140	23.37
Riverside	518	332	186	35.91
San Mateo	404	190	214	52 97
Contra Costa	378	185	193	51 58
Ventura	349	226	123	35.24
Monterey	292	237	55	18.84
Santa Barbara	255	127	128	50.20
	2,795	1,756	1,039	37.17
Total of above	30,404	6,143	24,261	
All other counties	3,325	2,767	558	16.78
Totals	33,729	8,910	24,810	73.58

*City total first 10 counties 84 per cent

TABLE V.

PERSONS INJURED IN MOTOR VEHICLE ACCIDENTS BY CITIES AND COUNTIES FOR 1935.

County	*Total*	*Rural*	*City*	*Percent city*
1. Los Angeles	22,587	2,788	19,799	87.66
2. Alameda	2,924	412	2,512	85.91
3. San Francisco	2,482		2,482	100.00
4. San Diego	2,427	558	1,869	77.01
5. Sacramento	1,273	352	921	72.35
	31,693	4,110	27,583	87.03
6. Fresno	1,206	568	638	52.90
7. Santa Clara	1,080	534	546	50.56
8. San Joaquin	1,041	603	438	42.07
9. Orange	1,166	702	464	39.79
10. San Bernardino	1,071	639	432	40.34
	5,564	3,046	2,518	45.26
11. Kern	962	784	178	18.50
12. Riverside	874	618	256	29.29
13. San Mateo	620	349	271	43.71
14. Contra Costa	586	332	254	43.34
15 Ventura	573	433	140	24.43
16. Monterey	468	405	63	13.46
17. Santa Barbara	359	212	147	40.95
	4,442	3,133	1,309	29.47
Totals of above	41,699	10,289	31,410	75.33
All other counties	5,379	4,676	703	13.07
Totals	47,078	14,965	32,112	68.21

TABLE VI.

TOTAL MOTOR VEHICLE ACCIDENTS DEATH AND INJURY.

	Year			
	1932	*1933*	*1934*	*1935*
City	25,033	24,321	24,556	24,819
Rural	8,111	7,586	8,183	8,910
Totals	33,144	31,907	32,739	33,729

In Los Angeles County

	Year			
	1932	*1933*	*1934*	*1935*
City	14,897	14,858	15,061	14,953
Rural	1,646	1,745	1,770	1,882
Totals	16,543	16,603	16,831	16,835

TABLE VII.

PERSONS INJURED IN MOTOR VEHICLE ACCIDENTS—CALIFORNIA.

	Year				
	1931	*1932*	*1933*	*1934*	*1935*
City	35,428	32,403	31,626	31,816	32,113
Rural	12,649	12,943	12,230	13,337	14,965
Totals	48,077	45,346	43,856	45,153	47,078

In Los Angeles County

	Year				
	1931	*1932*	*1933*	*1934*	*1935*
City	21,855	19,774	19,992	20,034	19,799
Rural	2,573	2,443	2,676	2,634	2,788
Totals	24,428	22,217	22,668	22,668	22,587

TABLE VIII.

TOTAL MOTOR VEHICLE DEATHS.

	Year						
	1929	*1930*	*1931*	*1932*	*1933*	*1934*	*1935*
Five counties	1,116	1,131	1,257	1,261	1,234	1,332	1,423
Remaining counties	1,128	1,253	1,334	1,105	1,169	1,473	1,483
Totals	2,244	2,384	2,591	2,366	2,403	2,805	2,806

NOTE: The five counties include Los Angeles, San Diego, San Bernardino, San Francisco and Santa Clara.

AB 1210—Hornblower, Breed, and Laughlin—M. V.

Amends V. C. relating to foreign commercial vehicles used in this State. Requires California registration and payment of fees when foreign vehicle used for the transportation of persons or property for compensation or used primarily for the transportation of property within this State. Also requires nonresident having an established place of business in this State to register any vehicle, commercial or otherwise, used in such business in this State. However, adds sec. 217 to establish reciprocity. If another State grants privileges to vehicles from California, California will grant like privileges to vehicles from such State.

AB 1211—Hornblower, Breed, and Laughlin—M. V.

Revises and adds definitions of certain terms including various types of tractors. Adds definition of unladen weight, also through highway and revises definition of owner and legal owner.

AB 1212—Hornblower, Breed, and Laughlin—M. V.

Adds to V. C. sec. 130.1 requiring persons engaged in registration service and examining records of the department to obtain permit from the director and to post $5,000 bond to cover any loss or damage to department records in carrying on such service.

AB 1213—Hornblower, Breed, and Laughlin—M. V.

Amends V. C. 140 to allow operation of vehicles under permits without registration where vehicle is temporarily moved on highway from one place of storage to another or for purpose of repair and under other circumstances.

Adds 143.5 to the effect that the department shall not grant original registration of a vehicle in this State unless the vehicle is then in this State, except upon purchase of a vehicle for use in this State when application is accompanied by affidavit

showing such fact and that arrangement has been made for payment of California sales tax or use tax.

Adds 164 5 to permit annual renewal of registration after February 4th without payment of penalties when vehicle has not been operated on the highway during current year until application made.

Amends sec. 211 to relieve nonresidents from penalty where through ignorance or excusable delay they have failed to apply for a nonresident permit within time specified Also slight amendment to 225—add "or negligently"

AB 1214—Hornblower, Breed, and Laughlin—M. V.

Amends definition of authorized emergency vehicle to include vehicle publicly maintained or privately owned by regular member of police department but only when permit issued by the Chief of the Highway Patrol when vehicle displays a sign and is operated in certain designated emergencies Also adds certain vehicles owned by sheriffs or by U S. Marshal under similar conditions.

AB 1215—Hornblower, Breed, and Laughlin—M. V.

Authorizes the department to publish the complete text of the Vehicle Code with certain other laws not more than once every two years and to distribute the same without charge, the cost to be paid from the motor vehicle fund

AB 1216—Hornblower, Breed, and Laughlin—M. V.

Amends 146 to provide that where foreign registered vehicle is used in interstate commerce department may grant California registration but shall not issue certificate of ownership and without cancelling such foreign registration

Also amends 146 5 by striking out 90 day provision held invalid by the courts, and repeals 180 5

AB 1217—Hornblower, Breed, and Laughlin—M. V.

Amends 158 to require that license plates shall remain affixed to car for which issued during current calendar year subject to certain enumerated exceptions as, for example, when publicly owned vehicle which is exempt from registration fees is sold to private owner. Also authorizes department to seize any license plate which is not attached to the vehicle for which issued.

Adds 162 to provide that publicly owned vehicles need not be re-registered each year but only when sold to private individual.

Amends 371 5 to impose $1 fee upon reinstatement of California registration where vehicle temporarily registered in another State during current year

Amends 374 to provide that registration records of certain vehicles exempt from fees shall not be open to public inspection

Amends 379 to provide that lien for delinquent fees and penalties shall expire at the end of three years

Amends 384 with reference to credit for fees paid to apply to every commercial vehicle.

AB 1218—Hornblower, Breed and Laughlin—M V.

Amends sections relative to fees to make schedule of weight fees correspond with weight limit, change from 22,000 lbs to 26,000 lbs, removing previous difficulties Eliminates double fee on solid tired vehicles. Eliminates 372(e) as unnecessary. Amends weight limitations changing from 22,000 lbs to 26,000 lbs with reference to 2-axle vehicle, requires axles shall not be less than 40 inches apart Clarifies limitation of weight on the ground exerted through one wheel or axle.

Amends 705 by striking out that the gross weight of any motor truck shall not exceed three times the unladen weight

AB 1219—Hornblower, Breed, and Laughlin—M. V.

Amends V. C 375 Hereafter fee for first set of dealer's plates shall be $55

AB 1220—Hornblower, Breed, and Laughlin—M. V

Adds definition of repair shop; provides that lien in excess of $100 for work or services invalid unless legal owner notified and consent obtained before work or services are performed.

Former 426(b) amended and transferred to 425

Adds to 438 that where vehicle has been stored in garage for 60 days and charge not paid and owner is not legal owner garage shall notify legal owner in writing.

AB 1221—Hornblower, Breed, and Laughlin—M. V

Revises provisions of code relating to authorized emergency vehicles. Rules of the road applicable, subject to specific exemptions under conditions stated in new sec 454 Amends other sections to strike out reference to authorized emergency vehicles as subject matter fully covered in 454 except as to equipment.

AB 1224—Hornblower, Breed, and Laughlin—M V

Amends C. C. P. 109 to require that affidavit of justice of the peace shall certify that he has complied with sec. 744 of the Vehicle Code relating to report of traffic convictions.

AB 1225—Hornblower, Breed, and Laughlin—M. V.

Proposes that weight fees for commercial vehicles shall be imposed according to gross weight rather than unladen weight Tentative schedule of fees included.

SENATE: MOTOR VEHICLES.

The following bills were approved by the Legislative Interim Committee on Motor Vehicles and recommended by the Advisory Committee on Motor Vehicles:

SB 377—Seawell—M. V.

Amends V. C. 401 relating to nonliability of members of a police or fire department in operating motor vehicles in line of duty on emergency calls. The amendment changes reference to motor vehicle publicly owned to read, "authorized emergency vehicle"; thus full effect determined by any amendment to sec. 44.

Amendment also adds "when in the immediate pursuit of an actual or suspected violator of the law"; also adds "but not upon returning from a fire alarm."

SB 378—Seawell—M. V.

Amends V. C. 402(a) to add that negligence of driver operating with permission of owner shall be imputed to the owner for all purposes of civil damages.

Amends V. C. 404—Service of Process on Nonresident—by clarifying language that service fee of $2 shall be paid for each nonresident to be so served.

Amends sec. 410—Suspension for Failure to Pay Judgments—by rearranging the subject matter into several subdivisions and changing the law as follows: court to report judgment when judgment has been final for 30 days instead of 15 days. In (c) clarifies existing law that the section does not apply to a judgment based upon statutory liability by reason of signing the application of a minor for an operator's or chauffeur's license. Also in (e) continues but clearly states that a discharge in bankruptcy after a judgment does not relieve the judgment debtor from the requirements of the chapter.

Sec. 410.5 restates a part of present 410 and contains the 30-day amendment and requires that court reporting a judgment shall also render "a certificate of facts relative to such judgment on a form provided by the department."

Amends 415—Requisites of Motor Vehicle Liability Policy. The section is rewritten clarifying certain ambiguities and definitely providing in (b) for the various types of policies in actual use and which are suitable under different circumstances as, for example, when the assured is or is not the owner of a motor vehicle and whether the person intends to drive only one described vehicle or desires blanket coverage when driving any vehicle.

New sec 415.5 requires department to place restrictions on drivers' licenses or operators' licenses when coverage provided by policy is limited.

New sec. 417 authorizes the department to waive requirement for proof when it has been maintained for 3 years unless license suspended during such period by reason of conviction or for other cause, sets up certain safeguards prior to release of proof.

New sec. 418. Standard provisions conform to present practice of the department relating to substitution of one type of proof of ability for another and authorizing department in the event one type of proof fails to require other proof

SB 396—Powers—M. V.

Amends 692 which exempts highway construction and maintenance equipment from size and weight limitations by adding requirement that must obtain a permit for overweight loads.

Amends 698, length of loads, to make overhang limitations applicable to any motor vehicle alone or an independent load only upon a trailer or semitrailer.

Amends 699, exceptions to *height and length limitation*, continuing present law but rewording necessary because of change in definition of pole or pipe dolly.

Amends 701, trailers and towed vehicles, adding in (d) that section does not apply to "any lawful trailer used as a pole or pipe dolly."

Amends 716, liability for damage to highway or bridge, by adding (e) that driver and owner shall be liable for damage to highway or bridge as a result of operation of any vehicle which exceeds the size and weight limitations stated in the code, even though operated under special permit as permitted by code.

SB 403—Seawell—M. V.

Amends sec. 292 referring to suspension of license to make it read "suspension of the privilege to operate a motor vehicle" Thus made applicable to nonresidents not required to obtain license.

Amends sec. 297 to also refer to the privilege of operating.

Amends sec. 311, also to refer to privilege of operating.

Amends sec. 332 prescribing penalty for operating after license suspended or revoked, to make it apply "when person has been refused a license by the department."

SB 404—Seawell—M. V.

Amends 252 with reference to operation of vehicles by nonresidents by adding (d) granting privilege to minors between 16 and 21, only for a period of 10 days such minor then being required to obtain a California license upon signature and responsibility of parents or upon giving proof of financial responsibility, placing such nonresident minors in the same position as resident minors.

Amends 254 extending period of temporary license from 30 to 60 days.

Amends 257 making it mandatory that the department shall impose restrictions upon issuing license to minor 14 to 16 years of age.

Amends 265 with reference to statements in application for license by striking out statement as to condition of applicant's hearing and eyesight, as these covered in the examination.

Amends 269, grounds requiring refusal of license, retaining phrase "when it appears by examination" and adding "or other evidence"

Amends 271 which authorizes department to refuse a license under certain conditions by adding (d) "If the department determines that the applicant has used a false or fictitious name in any application for a license or has knowingly made a false statement or knowingly concealed a material fact, or otherwise committed any fraud in any such application."

Amends 276 changing present two year renewal period for operators' licenses to 4 years.

Amends 277 changing expiration date of chauffeur's license from December 31 to March 31 to avoid registration renewal period.

SB 408—Pierovich—M. V.

Amends sec. 738 relating to arrest, removing requirement that the arresting officer shall file complaint but providing that complaint shall be filed immediately

Amends 740 to clarify present law that every notice and every complaint charging speed shall specify the alleged speed and the prima facie speed at the time and place.

Amends 741 permitting court to pronounce judgment where defendant's attorney has entered a plea of guilty; also, where plea of not guilty has been entered and defendant in writing waives jury trial, court may proceed with the trial in the absence of the defendant. This covers situations where defense is not on question of fact but question of law.

The above amendments should facilitate court procedure when defendant resides in another part of State.

S. B. 409—Law—M. V.

Amends 350, application of minors for licenses. Persons 18 years of age or over who have been married need not obtain signature of parents or guardian. Clarifies the requirements where parents are deceased or only one is living. In (b) sets up requirements where minor under 18 is married signature of parent or adult spouse sufficient. Continues present law that minor may give proof where parents are nonresidents and not available. Adds (e) permitting parents to give written consent but avoid personal liability when minor gives proof of ability to respond in damages.

Amends 351 requiring *written* consent of father and mother.

Adds section 355 to clarify law to the effect that a parent who has signed a minor's application and who is the owner of the vehicle being operated by the minor shall not be subject to double liability under sections 352(c) and 402.

S. B. 413—Slater—M. V.

Amends Vehicle Code to define trailer coach, commonly referred to as house trailer, to impose definite speed limit of 45 m. p. h., to require green clearance lamp on each side, to require brakes on trailer coach having a weight of 1,500 pounds or more. Also, when motor vehicle is towing trailer coach, either the motor vehicle or coach shall be equipped with a signal device meeting the requirements of the code.

S. B. 414—Slater—M. V.

Amends Vehicle Code, section 621, to permit more than two red rear lamps Also in (e) requires trailer coach operated outside of cities to be equipped with a red reflector on the rear.

Amends section 675, changing reference to windshields on commercial vehicles to read "motor truck or truck tractor."

S. B. 665—Slater—M. V.

Amends Vehicle Code, section 128, relative to rules of the department by striking out the words "as may be necessary."

Amends Vehicle Code, section 129, relative to forms to be provided by the department by striking out the words "requisite or deemed necessary."

TABLE IX.

DEATHS IN MOTOR VEHICLE ACCIDENTS—1935.

County	Total	Cumulative per cent	City	Rural	City Ped.	City Occ.	Rural Ped.	Rural Occ.	Total Ped.	Total Occ.
Los Angeles	946	33.71	710	236	402	308	73	163	475	471
Alameda	146	38.92	118	28	80	38	8	20	88	58
San Diego	136	43.76	74	62	43	31	5	57	48	88
San Bernardino	130	48.40	30	100	14	16	15	85	29	101
San Francisco	112	52.39	112	---	81	31	---	---	81	31
Santa Clara	99	55.92	33	66	14	19	20	46	34	65
Kern	94	59.27	8	86	5	3	16	70	21	73
Fresno	88	62.40	19	69	6	13	7	62	13	75
Riverside	77	65.15	22	55	11	11	8	47	19	58
San Joaquin	75	67.82	25	50	14	11	14	36	28	47
San Mateo	65	70.14	31	34	15	16	17	17	32	33
Orange	62	72 34	17	48	6	11	8	37	14	48
Tulare	60	74.48	6	54	1	5	7	47	8	52
Sacramento	56	76.48	31	25	15	16	10	15	25	31
Monterey	52	78.33	4	48	3	1	9	39	12	40
Contra Costa	48	80.04	13	35	8	5	9	26	17	31
Stanislaus	43	81.58	18	25	7	11	7	18	14	29
Ventura	42	----	5	37	3	2	8	29	11	31
Imperial	40	----	8	32	6	2	9	23	15	25
Sonoma	36	----	5	31	4	1	7	24	11	25
Merced	29	----	2	27	--	2	3	24	3	26
Humboldt	28	----	5	23	3	2	5	18	8	20
Yolo	26	----	2	24	1	1	9	15	10	16
Santa Barbara	22	----	8	14	6	2	1	13	7	15
Solano	21	----	6	15	3	3	3	12	6	15
Siskiyou	19	----	6	13	3	3	5	7	8	10
Madera	17	----	--	17	--	--	4	13	4	13
Butte	15	----	3	12	1	2	6	6	7	8
Placer	14	----	2	12	--	2	2	10	2	12
Kings	13	----	--	13	--	--	2	11	2	11
Mendocino	13	----	--	13	--	--	3	10	3	10
San Luis Obispo	13	----	7	8	5	2	--	8	5	10
Santa Cruz	13	----	5	8	5	--	3	5	8	5
Shasta	13	----	2	11	2	--	2	9	4	9
Sutter	13	----	2	11	--	2	2	9	2	11
Tehama	12	----	1	11	--	1	2	9	2	10
Marin	12	----	3	9	2	1	2	7	4	8
Napa	11	----	--	11	--	--	5	6	5	6
Mono	10	----	--	10	--	--	1	9	1	9
Nevada	9	----	2	7	--	2	2	5	2	7
Yuba	8	----	2	6	--	2	2	4	2	6
Colusa	7	----	--	7	--	--	--	7	--	7
Tuolumne	6	----	--	6	--	--	1	5	1	5
Amador	6	----	--	6	--	--	--	6	--	6
Calaveras	6	----	--	6	--	--	1	5	1	5
Plumas	6	----	--	6	--	--	2	4	2	4
San Benito	6	----	1	5	1	--	--	5	1	5
Glenn	5	----	2	3	--	2	2	1	2	3
Lassen	5	----	1	4	1	--	--	4	1	4
Mariposa	5	----	--	5	--	--	--	5	--	5
Modoc	5	----	--	5	--	--	--	5	--	5
El Dorado	4	----	--	4	--	--	--	4	--	4
Trinity	2	----	--	2	--	--	--	2	--	2
Del Norte	1	----	--	1	--	--	1	--	1	--
Inyo	1	----	--	1	--	--	1	--	1	--
Lake	1	----	--	1	--	--	--	1	--	1
Sierra	1	----	--	1	--	--	--	1	--	1
Alpine	--	----	--	--	--	--	--	--	--	--
Totals	2806		1351	1455	771	580	329	1126	1100	1706

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 1, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 485—An act to validate the formation and existence of school districts of every kind and class and declaring the urgency hereof.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 485 read first time

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 485, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 485.

Case of Urgency.

The following resolution was offered

By Mr. Crowley:

Resolved, That Senate Bill No. 485 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 485, at this time.

Second Reading of Senate Bill No. 485.

Senate Bill No. 485—An act to validate the formation and existence of school districts of every kind and class and declaring the urgency hereof.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68

NOES—None.

Third Reading of Senate Bill No. 485.

Senate Bill No. 485—An act to validate the formation and existence of school districts of every kind and class and declaring the urgency hereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley

Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, March 2, 1937

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 1095—An act making an appropriation for contingent expenses of the Senate, and declaring that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate,
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 1095 read first time.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 1095, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 1095.

Case of Urgency.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Senate Bill No. 1095 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 1095, at this time.

Second Reading of Senate Bill No. 1095.

Senate Bill No. 1095—An act making an appropriation for contingent expenses of the Senate, and declaring that this act shall take effect immediately

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Third Reading of Senate Bill No. 1095.

Senate Bill No. 1095—An act making an appropriation for contingent expenses of the Senate, and declaring that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, March 2, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 15—Relative to approving a certain amendment to the charter of the county of San Mateo, State of California, submitted to, voted for, and ratified by, the electors of said county at a general election held in said county on the third day of November, 1936.

J. A. BEEK, Secretary of Senate,
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Call asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 15, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 15.

Senate Concurrent Resolution No. 15—Relative to approving a certain amendment to the charter of county of San Mateo, State of California, submitted to, voted for, and ratified by, the electors of said county at a general election held in said county on the third day of November, 1936.

Senate Concurrent Resolution No. 15 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Introduction and Reference of Bills.

The following bills were introduced:

Assembly Concurrent Resolution No. 24: By Mr. Crowley—Relative to authorizing and directing the Director of Finance of the State of California, for and in the name of the State of California, to enter into such lease or leases, or other contract or contracts, as, in his opinion, shall be necessary to obtain, within the shortest time practicable, an adequate supply of water for the several State institutions, State Farm and State Game Farm, situate in the county of Napa in said State

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 24, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 24.

Assembly Concurrent Resolution No. 24—Relative to authorizing and directing the Director of Finance of the State of California, for and in the name of the State of California, to enter into such lease or leases, or other contract or contracts, as, in his opinion, shall be necessary to obtain, within the shortest time practicable, an adequate supply of water for the several State institutions, State Farm and State Game Farm, situate in the county of Napa in said State.

Assembly Concurrent Resolution No. 24 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Joint Resolution No. 28: By Mr. Hawkins—Relative to memorializing and petitioning Congress to enact legislation adequate to stamp out and abolish the evil of lynching

Request for Unanimous Consent.

Mr. Hawkins asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 28, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 28.

Assembly Joint Resolution No. 28—Relative to memorializing and petitioning Congress to enact legislation adequate to stamp out and abolish the evil of lynching.

Assembly Joint Resolution No. 28 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—67.

NOES—Thorp—1.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Joint Resolution No. 29: By Mr. Lyon—Relative to awarding distinguished service crosses to Tony Siminoff, Oliver F

Rominger, and Robert E. Beck, veterans of the Philippine Insurrection.

Introduced, and referred to Committee on Federal Relations

Assembly Joint Resolution No. 30: By Mr Lyon—Relative to the granting of travel pay and other allowances to certain soldiers of the Spanish American Philippine Insurrection who were discharged in the Philippines.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 30, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 30.

Assembly Joint Resolution No. 30—Relative to the granting of travel pay and other allowances to certain soldiers of the Spanish American Philippine Insurrection who were discharged in the Philippines.

Assembly Joint Resolution No. 30 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—71

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Garibaldi:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act providing ways and means for liquidating, refinancing and readjusting certain indebtedness of irrigation districts, in default; for judicial proceedings to carry out such purpose; for the confirmation of plans for liquidation, refinancing and readjustment; authorizing the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1937.

MR SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Garibaldi:

An act providing ways and means for liquidating, refinancing and readjusting certain indebtedness of irrigation districts in default; for judicial proceedings to

carry out such purpose, for the confirmation of plans for liquidation, refinancing and readjustment, authorizing the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—74.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2786: By Mr. Garibaldi—An act providing ways and means for liquidating, refinancing and readjusting certain indebtedness of irrigation districts in default; for judicial proceedings to carry out such purpose; for the confirmation of plans for liquidation, refinancing and readjustment; authorizing the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately

Bill read first time, and referred to Committee on Irrigation.

Resolution.

The following resolution was offered:

By Messrs Morgan and Muldoon:

House Resolution No. 82.

Resolved, That Rule 49 of the Standing Rules of the Assembly be amended by adding to said rule a new paragraph to read as follows:

"No skeleton or incomplete bill that is not filled out or completed before adjournment of the Assembly on March 20, 1937, shall be further considered or acted upon by the Assembly or by any committee thereof."

House Resolution No. 82 read, and referred to Committee on Rules.

Withdrawal and Re-reference of Assembly Bill No. 1195.

On motion of Mr Clark Assembly Bill No 1195 was withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Education

Withdrawal of Assembly Bill No. 1042.

On motion of Mr. Welsh, Assembly Bill No. 1042 was withdrawn from the Committee on Crime Problems, and ordered placed upon the calendar by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hunt, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Voigt, Weber, Welsh, Williamson, Yorty, and Mr Speaker—41.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Martin, Miller, Eleanor; Morgan, O'Donnell, Redwine, Robertson, Stream, Turner, Walker, and Watson—32.

Withdrawal of House Resolution No. 80.

On motion of Mr. Tenney, House Resolution No. 80, was withdrawn from the Committee on Judiciary General, for consideration at this time, by the following vote

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dannenbrink, Donohue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Kuchel, Laughlin, Lore, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr Speaker—43.

NOES—Baynham, Beene, Breed, Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Dilworth, Johnson, Kepple, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Robertson, Stream, Walker, and Williamson—29.

Consideration of House Resolution No. 80.

House Resolution No. 80—Endorsing President Roosevelt's judicial reform program.

Motion to Amend House Resolution No. 80.

Mr. Tenney moved to amend House Resoluton No. 80 as follows:

Amendment No. 1.

Amend House Resolution No. 80, as printed in the Assembly Journal of March 1, 1937, by striking out the word "and" at the end of the fourth paragraph on page 7, and striking out all of paragraphs 5, 6, 7, 8, and 9, on page 7, and inserting in lieu thereof the following "now, therefore, be it".

Amendment adopted.

Consideration of House Resolution No. 80, as Amended.

House Resolution No 80, as amended, read

Motion to Amend House Resolution No. 80, as Amended.

Mr. Muldoon moved to further amend House Resolution No 80, as amended, as follows:

Amendment No. 1.

Strike out all of paragraph 4 of the resolution, as amended.

Amendment No. 2.

Strike out the word "superannuated" in the fifth paragraph

Amendments read.

Demand for Previous Question.

Messrs. Morgan, Reaves, Meehan, Andreas and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Muldoon to House Resolution No. 80, as amended.

Request for Roll Call.

On request of Messrs. Patterson, Morgan, and Desmond, the Speaker ordered a roll call taken on the amendments, submitted by Mr. Muldoon to House Resolution No. 80.

The roll was called, and the amendments adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donohue, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Pelletier, Peyser, Richie, Robertson,

Rosenthal, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Williamson—61.

NOES—Dannenbrink, Donnelly, Flint, Hawkins, McMurray, Miller, George P., Morgan, Patterson, Reaves, Sawallisch, Tenney, Yorty, and Mr. Speaker—13.

The question being on the adoption of House Resolution No. 80, as amended.

Demand for Previous Question.

Messrs Flint, Boyle, Reaves, Martin and Heisinger demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 80, as amended.

The roll was called, and House Resolution No. 80, as amended, adopted by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dannenbrink, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Laughlin, Love, McMurray, Meehan, Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Watson, Weber, Yorty, and Mr. Speaker—41.

NOES—Baynham, Beene, Breed, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Dilworth, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Muldoon, Peyser, Redwine, Robertson, Stream, Thorp, Walker, and Welsh—31.

Explanation of Vote.

By Mr. Morgan:

It was my intention to cast a "No" vote on the above resolution. My "Aye" vote was due to carelessness in pressing the wrong button of the voting machine.

Special Order Set for Assembly Bill No. 1042.

On motion of Mr. Welsh, the consideration of Assembly Bill No. 1042 was made a special order of business for Thursday, March 4, 1937, at two o'clock p.m., and the Chief Clerk instructed to inform all parties interested.

Second Reading of Assembly Bill—(Out of Order).

Assembly Bill No. 1042—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Bill read second time, and ordered to engrossment.

Resolution.

The following resolution was offered:

By Mr. Tenney:

House Resolution No. 83.

WHEREAS, On the first day of March, 1937, there was born to the wife of Sidney Leon Weinstock, Deputy Legislative Counsel, a daughter, Elise Joan Weinstock; and

WHEREAS, The advent of Miss Elise Joan Weinstock is a joyous and happy occasion; and

WHEREAS, It is the desire of the Assembly and the members thereof to participate in this occasion and to extend their best wishes to the proud parents; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly and the members thereof extend to Mrs. Sidney Leon Weinstock their best wishes and sincere felicitations; and be it further

Resolved, That the Assembly and the members thereof extend to Sidney Leon Weinstock their heartfelt congratulations; and be it further

Resolved, That a copy of this resolution, suitably engrossed, be presented to Mr. and Mrs. Sidney Leon Weinstock.

Request for Unanimous Consent.

Mr. Tenney asked for, and was granted, unanimous consent to take up House Resolution No. 83, at this time, without reference to committee or calendar.

House Resolution No 83 read, and adopted.

Adjournment.

At five o'clock and five minutes p m., on motion of Mr. Clark, the Speaker declared the Assembly adjourned this day until two o'clock p.m., Wednesday, March 3, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY
FIFTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 3, 1937.

At two o'clock p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names

Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Watson, the further reading of the Journal of Tuesday, March 2, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr Field, on motion of Mr. Redwine.

Mr Boyle, on motion of Mr. Redwine.

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Carl L. Ladd, A. D. McKinnon and Lemuel Townsend of Hollister, also William Dunlap and R. P. Lathrop.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. C. Greer of Berkeley.

Assistant Clerk Berry Reading

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From the United Brotherhood of Carpenters and Joiners of America, regarding Senate Bill No. 519.

From several organizations, urging pardon for Thomas J. Mooney.

From Federation of Protestant Churches of Los Angeles, urging repeal of race track wagering.

Petition for Impeachment.

The following petition was received and referred to the Committee on Judiciary General:

From Michael O'Dea, asking impeachment of several judges.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1937

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred **Assembly Bill No. 12.**

Respectfully reports the same back with the recommendation: Do pass as amended

BOYLE, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 372.

Respectfully reports the same back without recommendation, as amended.

DONAHUE, Chairman.

Second Reading of Assembly Bill No. 372.

Assembly Bill No. 372—An act to provide for deductions of pensions from the salaries of public employees

Committee Amendments to Assembly Bill No. 372.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after "receives a", insert the following: "retirement".

Amendment No. 2.

On page 1, line 8, of the printed bill, after "of the", insert the following: "retirement".

Amendment No. 3.

On page 1, line 11, of the printed bill, after "receiving a", insert the following: "retirement".

Amendment No. 4.

On page 1, line 13, of the printed bill, after "of the", insert the following: "retirement".

Amendment No. 5.

On page 1, line 15, of the printed bill, after "amount of", insert the following: "retirement".

Amendment No. 6.

On page 1, line 21, of the printed bill, after "receiving a", insert the following "retirement".

Amendment No. 7.

On page 1, after line 22, of the printed bill, insert the following:

"Sec. 4. The term "retirement pension" does not include benefits or compensation received for physical disability sustained in any previous employment or during service in the Military or Naval forces of the United States."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 3, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 28.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, March 3, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 13—Relative to memorializing the President of and the Congress to enact legislation proposed by H. R. 2528, providing benefits to persons who served in the Quartermaster's Corps or under the Quartermaster General during certain wars.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 13, at this time, without reference to committee or calendar.

Consideration of Senate Joint Resolution No. 13.

Senate Joint Resolution No. 13—Relative to memorializing the President of and the Congress to enact legislation proposed by H. R 2528 providing benefits to persons who served in the Quartermaster's Corps or under the Quartermaster General during certain wars.

Senate Joint Resolution No. 13 read, and adopted by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Explanation of Vote on House Resolution No. 80.

The following explanation of vote was received and read.

When the vote was taken on House Resolution No. 80 yesterday I reached over and pushed the "Aye" button on my voting device. I found, however, that my "Aye" vote had not been registered on the board, and endeavored to make the necessary correction at the desk.

I understand that in order to make this correction that it must be made from the floor. Upon inquiry I find a number of other instances where the voting machine has failed to register on the board even though a member voted. Perhaps in many cases the question voted upon is of no great consequence and it does not greatly matter whether the correction is made.

House Resolution No. 80, however, concerns a question which is attracting public interest throughout the country and I believe that the people who sent me here are entitled to know definitely upon which side I stand.

I therefore wish to make my position clear in the record that I voted "Aye" on House Resolution No. 80, even though it did not show on the board. I therefore ask that it be printed in the Journal that my action was for an "Aye" vote.

ERNEST O VOIGT

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Assembly Bill No. 857.
Assembly Bill No. 864.
Assembly Bill No. 865.
Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman.

The above reported bills ordered on second reading calendar.

Request to Print Extra Copies of Report.

Mr. Hornblower requested that 5,000 extra copies of the report of the Assembly Interim Committee on Motor Vehicles be printed.

Request referred to Committee on Rules.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Concurrent Resolution No. 25: By Messrs. Turner, Robertson, Garland, Muldoon, and Patterson—Relative to the adjournment of the Legislature out of respect to the memory of the late Honorable Henry E. Stubbs.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 25, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 25.

Assembly Concurrent Resolution No. 25—Relative to the adjournment of the Legislature out of respect to the memory of the late Honorable Henry E. Stubbs.

Assembly Concurrent Resolution No. 25 read, and unanimously adopted.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Assembly Concurrent Resolution No. 26: By Mr. Flint—Relative to the appointment of a Joint Legislative Committee to determine the site of the new gubernatorial mansion.

Introduced, and referred to Committee on Governmental Efficiency and Economy.

Assembly Concurrent Resolution No. 27: By Messrs. Williamson, Meehan, and Muldoon—Relative to adjournment sine die.

Introduced, and referred to Committee on Ways and Means.

Assembly Joint Resolution No. 31: By Mr. Hunt—Relative to memorializing Congress to enact legislation limiting the number of cars in trains.

Introduced, and referred to Committee on Labor and Capital.

Consideration of Governor's Veto to Assembly Bill No. 948.

Assembly Bill No. 948—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 3886, relating to the validation of certain tax levies, to declare the urgency thereof, and to provide that this act shall take effect immediately.

The question being put: Shall Assembly Bill No. 948 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

Withdrawal and Re-reference of Assembly Bills.

On motion of Mr. Williamson, Assembly Bill No. 1134 was withdrawn from the Committee on Exhibitions and Fairs, and re-referred to the Committee on Education.

On motion of Mr. Garland, Assembly Bill No. 2415 was withdrawn from the Committee on Agriculture, and re-referred to the Committee on Live Stock and Dairies.

On motion of Mr. Thorp, Assembly Bill No. 1228 was withdrawn from the Committee on Manufactures, and re-referred to the Committee on Live Stock and Dairies.

On motion of Mr. Andreas, Assembly Bill No. 1177 was withdrawn from the Committee on Public Charities and Corrections, and re-referred to the Committee on Governmental Efficiency and Economy.

On motion of Mr. Weber, Assembly Bill No. 2577 was withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on County Government.

On motion of Mr. Cronin, Assembly Bill No. 636 was withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Financial Institutions.

Adjournment.

At two o'clock and fifty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Thursday, March 4, 1937, out of respect to the memory of the late Hon. Henry E. Stubbs, member of Congress from the Tenth California District.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY
SIXTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 4, 1937.

At one o'clock and thirty minutes p m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assistant Chief Clerk Jack Carl Greenburg at the desk

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Breed, Burns Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—76

Quorum present.

Prayer.

Prayer was offered by Rev William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr Turner, the further reading of the Journal of Wednesday, March 3, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Williamson, on motion of Mr. McMurray.

Mr. Field, on motion of Mr. Redwine.

Mr Boyle, on motion of Mr. Andreas.

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Clara S Whiteman, Mr. J. C. Loomis and Mr. Harold Loomis of Hemet.

On request of Mr. Levey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs. Rehder of San Francisco.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Alvin W Wendt and Harold E. Murphy.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. E. Crow and Dr. Homer P. King, probationary teachers.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Robert V. Collins, attorney.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sheriff M. B. Driver of Alameda County, Chief of Police B. A. Wallman of Oakland, and Mr James T. Drew, former Chief of Police of Oakland.

On request of Mr. Andreas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Carl E. Heise, assistant to vice president, Westinghouse Electrical and Manufacturing Company.

On request of Mr. Levey and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain Charles Dullea, Chief of Inspectors of San Francisco.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Duncan, Coach of the University of California at Los Angeles, boxing team and the following members: B. Broadwell, W. Thompson, W. Hansen, J. Shurbin and L. McAnnich.

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From several organizations, urging pardon for Thomas J. Mooney.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 18.

Respectfully reports the same back with the recommendation: Be adopted.

PEEK, Chairman.

The above reported bill ordered on third reading calendar

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: Your Committee on Irrigation, to which was referred:

Assembly Bill No. 2786.

Assembly Bill No. 941.

Respectfully reports the same back with the recommendation: Do pass.

GARLAND, Chairman.

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred.

Assembly Bill No. 11.
Assembly Bill No. 211.
Assembly Bill No. 694.
Assembly Bill No. 1706.
Assembly Bill No. 1858.
Assembly Bill No. 2024.
Assembly Bill No. 2061.
Assembly Bill No. 2356.
Assembly Bill No. 642.

Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred

Assembly Bill No. 1207.
Assembly Bill No. 1208.
Assembly Bill No. 1211.
Assembly Bill No. 1213.
Assembly Bill No. 1221.
Assembly Bill No. 1222.

Respectfully reports the same back with the recommendation: Do pass

HORNBLOWER, Chairman

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1215.
Assembly Bill No. 1216.

Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman

The above reported bills ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred

Assembly Bill No. 664.

Respectfully reports the same back with the recommendation: Do pass as amended

MEEHAN, Chairman

Second Reading of Assembly Bill No. 664.

Assembly Bill No. 664—An act to amend section 463 of the Streets and Highways Code, relating to State highways.

Committee Amendments to Assembly Bill No. 664.

The following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 463 of the Streets and Highways Code, relating to State highways."

Amendment No. 2.

Strike out lines 1 to 7 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Section 463 of the Streets and Highways Code is hereby amended to read as follows:

463. Route 163 is from Route 60 at a point near Colorado Avenue in Santa Monica to a connection with Windward Avenue in the city of Los Angeles."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 372.
Assembly Bill No. 1042.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Resolutions.

The following resolutions were offered:

By the Committee on Attaches:

House Resolution No. 84.

Resolved, That the following named person be stricken from the list of Assembly attaches, and her name be stricken from the pay roll of the Assembly, to take effect on and including March 1, 1937:

	Per day
Hallie Young, Postmistress	$5 00

House Resolution No. 84 read, and adopted.

By the Committee on Attaches:

House Resolution No. 85.

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing March 1, 1937—	*Per day*
Hallie Young, Postmistress	$4 00
Commencing March 3, 1937—	
Dewey Baker, Page	2 50
Walter Hovenkamp, Page	2 50

Resolved, further, That the compensation of the above named attaches shall be on a six-day per week basis, except Hallie Young, Postmistress, who shall be on a seven-day per week basis and shall receive compensation on a seven-day per week basis.

House Resolution No. 85 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donohue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, and Mr. Speaker—59.

NOES—None

By the Committee on Attaches:

House Resolution No. 86.

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same, said appointments beginning on and including the first day of March, 1937.

	Per day
Noma Browning, Stenographer	$5 00
Mary K. Burns, Stenographer	5 00
Helen Davis, Stenographer	5 00
Evelyn Joselyn, Stenographer	5 00
Rose Klimovich, Stenographer	5 00
Minna Laughlin, Stenographer	5 00
Cecelia Mass, Stenographer	5 00
Eloise Rush, Stenographer	5 00
Agnes Shearer, Stenographer	5 00
Bea Rae, Stenographer	5 00
Ruth Tate, Stenographer	5 00
Jane Cammetti, Stenographer	5 00
Roberta Hansen, Stenographer	5 00

Resolved further, That the compensation of the above named attaches shall be on a six-day per week basis.

House Resolution No. 86 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, *Donnelly*, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Hunt, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Don-

nell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, and Mr Speaker—59

NOES—None.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 4, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 25.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment

SENATE CHAMBER, SACRAMENTO, March 3, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 14—Authorizing and directing the Director of Finance of the State of California, for and in the name of the State of California, to enter into such lease or leases, or other contract or contracts, as, in his opinion, shall be necessary to obtain, within the shortest time practicable, an adequate supply of water for the several State institutions, State Farm and State Game Farm, situate in the county of Napa in said State.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 14, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 14.

Senate Concurrent Resolution No. 14—Authorizing and directing the Director of Finance of the State of California, for and in the name of the State of California, to enter into such lease or leases, or other contract or contracts, as, in his opinion, shall be necessary to obtain, within the shortest time practicable, an adequate supply of water for the several State institutions, State Farm and State Game Farm, situate in the county of Napa in said State.

Senate Concurrent Resolution No 14 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Joint Resolution No. 32: By Mr. Cronin—Relative to memorializing the President and the Congress to enact legislation proposed by H R 2528, providing benefits to persons who served in the Quartermaster's Corps or under the Quartermaster General during certain wars.

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 33: By Mrs. Daley—Relative to requesting the opinion of the Attorney General of the United States

concerning the effect of the proposed legislation to prohibit deficiency judgments upon the loaning of Federal funds to the citizens of the State of California.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 33, at this time, without reference to print, committee or calendar, and that the same be considered engrossed

Consideration of Assembly Joint Resolution No. 33.

Assembly Joint Resolution No. 33—Relative to requesting the opinion of the Attorney General of the United States concerning the effect of the proposed legislation to prohibit deficiency judgments upon the loaning of Federal funds to the citizens of the State of California.

Assembly Joint Resolution No. 33 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—69

NOES—Gilbert—1.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Reports of Standing Committees—(Out of Order).

The following report of standing committee was received and read:

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2650.
Assembly Bill No. 1149.
Assembly Bill No. 974.

Respectfully reports the same back without recommendation, as amended

CLARK, Chairman

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 2650—An act to add section 5 650a to the School Code, relating to dismissal of permanent employees.

Committee Amendment to Assembly Bill No. 2650.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "dismissed", insert a comma and the following: "demoted, or transferred".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1149—An act to repeal section 5.500 of the School Code, relating to classification as permanent employees of persons in positions requiring certification qualifications.

Committee Amendments to Assembly Bill No. 1149.

The following amendments were submitted by the committee:

Amendment No. 1.

In the first line of the title of the printed bill, strike out "section 5.500", and insert in lieu thereof the following "sections 5.500, 5.501, 5.502, 5.503 and 5.504".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out the entire line, and insert in lieu thereof the following

"SECTION 1. Sections 5 500, 5.501, 5.502, 5.503, and 5 504 of the School Code are hereby"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 974—An act to amend sections 5 500 and 5 502 of, and to repeal and add section 5.501 to the School Code, relating to employees of school districts.

Committee Amendments to Assembly Bill No. 974.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "5.500 and 5.502 of, and to repeal", and insert in lieu thereof the following "5 401 and 5 501".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "5.501", and insert in lieu thereof the following: "5.507".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "5 500", and insert in lieu thereof the following "5 401"

Amendment No. 4.

On page 1 of the printed bill, strike out lines 3 to 22, inclusive, and insert in lieu thereof the following:

"5 401. Persons in positions requiring certification qualifications may be elected for the next ensuing school year on or after the first meeting of the governing board of the district as reorganized on the first day of May, and each person so elected shall be deemed reelected from year to year except as hereinafter provided.

New teachers employed in any district having an average daily attendance of less than 850, shall receive one year contracts; if reemployed, two year contracts; and if reemployed, three year contracts and three year contracts thereafter.

In any district having an average daily attendance of less than 850, teachers not having permanent tenure, who have taught one or two years shall receive two year contracts, if reemployed, and three year contracts thereafter. Teachers having taught three years or more within the district shall receive three year contracts and three year contracts thereafter.

Teachers under contract shall receive new contracts between May first and May fifteenth of the year in which their contract expires."

Amendment No. 5.

On page 1, line 23, of the printed bill, strike out "5.502", and insert in lieu thereof the following: "5.501".

Amendment No. 6.

On page 2 of the printed bill, strike out lines 1-31, inclusive, and insert in lieu thereof the following:

"5.501. Every employee of a school district of any type or class, having an average daily attendance of less than 850 pupils, who, after having been employed by the district for three complete consecutive school years in a position, or positions, requiring certification qualifications and is reelected for the next succeeding school year to a position requiring certification qualifications, may be classified by the governing board of the district as a permanent employee of the district. If said classification be not made the employee shall not attain permanent status and may be reelected as provided in section 5.401 of this code, without becoming a permanent employee until said classification is made

SEC 3 Section 5 507 is hereby added to the School Code to read as follows:

5 507. An employee having or entitled to, a four year contract, when advanced from a teaching position to an administrative or supervisory position, or assigned any special or other type of work, or given special classification or designation requiring certification qualifications, shall be entitled to a contract employing him in such position for four years. Any person employed in an administrative or supervisory positions requiring certification qualifications upon completing a probationary period, as hereinbefore provided, including any time served as a classroom teacher

if any, in the same district, shall be entitled to a contract employing him in such position for four years. A person employed in an administrative or supervisory position by more than one district shall be given a contract employing him for four years in whichever district he may select. Provided that other classification shall be given to such employee in a district situated within, partly within, or coterminous with a city, or city and county, where the charter, if any, of such city, or city and county, provides for such other classification.

This section applies only to districts having an average daily attendance of less than 850"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Withdrawal and Re-reference of Assembly Bill No. 970.

On motion of Mr. Burns, Michael J., Assembly Bill No. 970 was withdrawn from the Committee on Municipal Corporations and re-referred to the Committee on Agriculture.

Withdrawal and Re-reference of Assembly Bill No. 2374.

On motion of Mr. Desmond, Assembly Bill No. 2374 was withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judiciary Codes.

Withdrawal and Re-reference of Assembly Bills Nos. 1651, 1652 and 1653.

On motion of Mr. Desmond, Assembly Bills Nos. 1651, 1652 and 1653 were withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judiciary Codes.

Withdrawal and Re-reference of Assembly Bill No. 1204.

On motion of Mr. Hornblower, Assembly Bill No. 1204 was withdrawn from the Committee on Conservation and re-referred to the Committee on Motor Vehicles

Withdrawal and Re-reference of Assembly Bill No. 1205.

On motion of Mr. Hornblower, Assembly Bill No. 1205 was withdrawn from the Committee on Labor and Capital and re-referred to the Committee on Motor Vehicles

Withdrawal and Re-reference of Assembly Constitutional Amendment No. 26.

On motion of Mr. Latham, Assembly Constitutional Amendment No. 26 was withdrawn from the Committee on Constitutional Amendments and re-referred to the Committee on Governmental Efficiency and Economy.

Second Reading of Assembly Bills.

Assembly Bill No. 12—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Committee Amendments to Assembly Bill No. 12.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out "1938", and insert in lieu thereof the following: "1939".

Amendment No. 2.

On page 2, line 2, of the printed bill, strike out "1936", and insert in lieu thereof the following: "1937".

Amendment No. 3.

On page 2, line 5, of the printed bill, strike out "1938", and insert in lieu thereof the following: "1939".

Amendment No. 4.

On page 2, line 9, of the printed bill, strike out "1938", and insert in lieu thereof the following: "1939".

Amendment No. 5.

On page 2, line 11, of the printed bill, strike out "1937-1938", and insert in lieu thereof the following: "1938-1939".

Amendment No. 6.

On page 2, line 24, of the printed bill strike out "1938", and insert in lieu thereof the following: "1939".

Amendment No. 7.

On page 2, line 36, of the printed bill, strike out "1938", and insert in lieu thereof the following: "1939".

Amendment No. 8.

On page 2, line 40, of the printed bill, strike out "1936", and insert in lieu thereof the following: "1937".

Amendment No. 9.

On page 2, line 41, of the printed bill, strike out "1938", and insert in lieu thereof the following: "1939".

Amendment No. 10.

On page 2, line 42, of the printed bill, strike out "1937-1938", and insert in lieu thereof the following: "1938-1939".

Amendment No. 11.

On page 2, line 45, of the printed bill, strike out "1939", and insert in lieu thereof the following: "1940".

Amendment No. 12.

On page 3, line 24, of the printed bill, strike out "1947", and insert in lieu thereof the following: "1948".

Amendment No. 13.

On page 3, line 29, of the printed bill, strike out "1947", and insert in lieu thereof the following: "1948".

Amendment No. 14.

On page 6, line 22, of the printed bill, strike out "1947", and insert in lieu thereof the following: "1948".

Amendment No. 15.

On page 6, line 47, of the printed bill, spell "july" with a capital "J", and strike out "1936", and insert in lieu thereof the following: "1937".

Amendment No. 16.

On page 6, line 51, of the printed bill, strike out "1937", and insert in lieu thereof the following: "1938".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 857—An act to amend section 480 of the Agricultural Code, relating to market milk.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 864—An act to amend section 673 of the Agricultural Code, relating to dairy equipment.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 865—An act to repeal section 1084 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read second time, and ordered to engrossment.

Consideration of Governor's Veto to Assembly Bill No. 331.

Assembly Bill No. 331—An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately.

The question being put: Shall Assembly Bill No. 331 become a law notwithstanding the partial veto of the Governor?

The roll was called, and the partial veto of the Governor sustained by the following vote:

AYES—None.

NOES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Yorty, and Mr. Speaker—68.

Leave of Absence.

Mr. Pelletier was granted leave of absence for the balance of this legislative day, on motion of Mr. Peek.

Re-reference of Bill.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 372 re-referred to Committee on Governmental Efficiency and Economy.

Special Order.

The hour of two o'clock p m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1042.

Assembly Bill No. 1042—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Motion for Committee of the Whole.

On motion of Mr. Welsh, the Assembly resolved itself into a Committee of the Whole for the consideration of Assembly Bill No 1042.

IN COMMITTEE OF THE WHOLE.

Speaker Jones in the chair.

Assembly Bill No. 1042 considered.

On motion of Mr. Welsh, the committee did arise and report back to the Assembly.

IN ASSEMBLY.

Speaker Jones in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

GENTLEMEN: Your Committee of the Whole has considered:

Assembly Bill No 1042.

And respectfully reports the same back

JONES, Chairman.

Re-reference of Assembly Bill No. 1042.

On motion of Mr Welsh, Assembly Bill No. 1042 was withdrawn from the calendar, and re-referred to the Committee on Judiciary Codes.

Resolution.

The following resolution was offered:

By Mrs. Daley:

House Resolution No. 87.

WHEREAS, The Honorable Paul V. McNutt will be in the State of California on or about March 8th, and

WHEREAS, The President of the United States has selected him for the important post of Commissioner General of the Philippine Islands, and

WHEREAS, He has just completed a most successful term as Governor of the great State of Indiana, retiring from office with a surplus of $11,000,000 in the treasury, and

WHEREAS, He is one of the outstanding Democrats in the United States, with the probability of being selected by the Democratic party as its candidate for the presidency in 1940, and

WHEREAS, He is a great scholar, legal authority, and speaker of note; now, therefore, be it

Resolved, That the Assembly of California congratulates the Honorable Paul V McNutt on his appointment as Commissioner General to the Philippine Islands and wishes him every success and "Godspeed" in his new duties, and be it further

Resolved, That the Assembly invites and urges the Honorable Paul V. McNutt to address its Honorable Body at some time during his stay in California, and be it further

Resolved, That an engraved copy of this resolution be presented to the Honorable Paul V McNutt and that he be notified by wire enroute of the action of the California Assembly.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to take up House Resolution No 87, at this time, without reference to committee or calendar.

House Resolution No 87 read, and unanimously adopted

Motion to Appoint Special Committee.

Mrs. Daley moved to appoint a Special Committee to draft a telegram in accordance with the provisions of House Resolution No. 87.

Motion carried.

Appointment of Special Committee.

In accordance with the above motion, the speaker appointed Messrs. Richie and Stream, and Mrs Daley to carry out the provisions of House Resolution No. 87.

By Mr. Heisinger:

House Resolution No. 88.

Resolved, That Rule 86 of the Standing Rules of the Assembly be amended by adding thereto the following paragraph.

"Assembly resolutions shall be numbered and shall be printed in the same manner as bills are printed on introduction, and shall be distributed for the use of members in the same form and by the same method as are joint and concurrent resolutions.

Reports of special committees shall be printed separately and distributed."

House Resolution No 88 read, and referred to Committee on Rules.

Appointment of Special Committee.

The Speaker announced the appointment of Messrs. Maloney, McMurray and Meehan, as a Special Committee to arrange for a St. Patrick's Day celebration.

Messrs. Levey, Rosenthal, Garibaldi and Sawallisch were appointed as alternates.

Adjournment.

At three o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Friday, March 5, 1937.

DAVID V OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY
SIXTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 5, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Assistant Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Yorty, and Mr. Speaker—69.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Hawkins, the further reading of the Journal of Thursday, March 4, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Williamson, on motion of Mr. Dawson.
Mr. Weber, on motion of Mr. Dawson.
Mr. Levey, on motion of Mr. Dawson.
Mr. Sheehan, on motion of Mr. Dawson.
Mr. Field, on motion of Mr. Redwine.
Mr. Waters, on motion of Mr. Cunningham.
Mr. Voigt, on motion of Mr. Garland.
Mr. Turner, on motion of Mr. Hunt.
Mr. Clark, on motion of Mr. Peek.
Mr. Boyle, on motion of Miss Miller.

Recess.

At one o'clock and forty-five minutes p.m., on motion of Mr. McMurray, the Assembly was declared at recess to allow Hon R. L Cochran, Governor of the State of Nebraska, to address the Assembly.

Following a short address by Governor Cochran, the following guests of the Governor's party were introduced by Speaker William Moseley Jones:

Mrs. T. Fulton Gantt, mother-in-law of Governor Cochran.
Miss Edith Gantt, librarian of Solano County.
Mrs. Ann Kyle of Fairfield.

Reassembled.

At two o'clock p.m., the Assembly reconvened
Speaker Jones in the chair.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Eugene Newman of San Francisco.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. G. Heltberg, American Vice Consul, Bergen, Norway, and Mr. Fred Meier.

On request of Miss Miller and Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to B. F. DeLanty.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to H. H. McKinney, Director, Oakdale Irrigation District.

On request of Mr Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Barger, Director, Twenty-Second Agricultural District.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fred N. Merriheu and W. J. Kerr, Directors, Oakdale Irrigation District.

On request of Mr Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Karlton I. Pidgeon of Los Angeles.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Phillip Truby, President of the Beaumont Irrigation District; R. S. Harrington, Chief Counsel of the Beaumont Irrigation District, and Mr Jay Jameson.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Bill Higdon, Mr. A. L. Evans, Mr. Bradford, Mr. Rambo, and Mr. Thiesse.

On request of Mr Walker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. A. McFadden and Charles Morrow, members of the Imperial Irrigation District; Hugh Osborne, Supervisor of Imperial County, and Robert Hays, Secretary, El Centro Chamber of Commerce.

Assistant Clerk Berry Reading.

Presentation of Petitions.

The following petition was received and filed:

By Mr. Speaker:

From several organizations, urging pardon of Thomas J. Mooney.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1937.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 857. **Assembly Bill No. 865.**
Assembly Bill No. 864. **Assembly Concurrent Resolution No. 18.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 970.

Respectfully reports the same back with the recommendation: Do pass as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1596.

Respectfully reports the same back without recommendation, as amended.

SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 990.

Respectfully reports the same back without recommendation, as amended.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred the request of Mr. Hornblower that 5000 copies be printed of the report of the Assembly Interim Committee on Motor Vehicle Laws;

Respectfully reports the same back with the recommendation: Request be granted.

PEEK, Chairman.

Consideration of Mr. Hornblower's Request.

The question being on the request of Mr. Hornblower that 5,000 copies be printed of the report of the Assembly Interim Committee on Motor Vehicle Laws.

Request granted.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1435.
Assembly Bill No. 1620.

Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented

By Mr Laughlin·

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to create a Dairy Industry Commission to investigate the dairy industry of the State of California, to prescribe its powers and duties, and to make an appropriation therefor.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Laughlin:

An act to create a Dairy Industry Commission to investigate the dairy industry of the State of California, to prescribe its powers and duties, and to make an appropriation therefor.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P.; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Walker, Watson, Yorty, and Mr. Speaker—60.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2787: By Mr. Laughlin—An act to create a Dairy Industry Commission to investigate the dairy industry of the State of California, to prescribe its powers and duties, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Joint Resolution No. 34: By Messrs. Stream, and Morgan—Relative to memorializing the President and Congress to establish a Summer White House in California.

Request for Unanimous Consent.

Mr Morgan asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 34, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 34.

Assembly Joint Resolution No. 34: Relative to memorializing the President and Congress to establish a Summer White House in California.

Assembly Joint Resolution No 34 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosen-

thal, Sawallisch, Scudder, Stream, Thorp, Walker, Watson, Yorty, and Mr. Speaker —56.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Concurrent Resolution No. 28: By Mr. Peek—Relative to an amendment to Joint Rule No. 15.

Request for Unanimous Consent.

Mr. Peek asked for, and was granted, unanimous consent to have Assembly Concurrent Resolution No. 28 placed upon the third reading calendar, without reference to committee.

Assembly Concurrent Resolution No 28 ordered to print, and engrossment.

Withdrawal and Re-reference of Assembly Bill No. 825.

On motion of Mr. Breed, Assembly Bill No. 825 was withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Motor Vehicles

Special Order Set for Assembly Concurrent Resolution No. 18.

On motion of Mr. Ritchie, the consideration of Assembly Concurrent Resolution No. 18 was made a special order of business for Wednesday, March 10, 1937, at two o'clock and thirty minutes p.m.

Withdrawal and Re-reference of Assembly Bill No. 760.

On motion of Mr. Laughlin, Assembly Bill No. 760 was withdrawn from the Committee on County Government, and re-referred to the Committee on Governmental Efficiency and Economy.

Leave of Absence.

Mr. Welsh was granted leave of absence for the balance of this legislative day, on motion of Mr. Robertson.

Notice of Motion to Withdraw House Resolution No. 65.

Mr. Patterson gave notice in compliance with Rule 58, that he would move to withdraw House Resolution No. 65 from the Committee on Public Utilities, and have it placed upon the calendar.

Resolution.

The following resolution was offered:

By Mr Flint:

House Resolution No. 88.

Directing the Assembly Committee on State Governmental Organization, appointed January 18, 1937, to investigate and report upon the amount of money which has been made by the Carquinez Bridge and the percentage of return on the investment and on the bonded indebtedness that this amount represents.

WHEREAS, It has been reported that only one distribution of dividends on the stock has been made by the corporation owning the Carquinez Bridge extending across Carquinez Straits near Crockett, California; and

WHEREAS, The present rates of toll across said bridge are relatively higher than tolls on other bridges; and

WHEREAS, It is advisable to investigate the management of such bridge from the point of view of the stockholders and bondholders to see why only one distribution of dividends on the stock has been made, and to investigate the number of payments made to bondholders, if any; and

WHEREAS, On January 20th of this year Senate Concurrent Resolution No. 3 was passed and approved and became Chapter 14 of Resolutions of 1937, investigating the feasibility of the purchase of such toll bridge by the State of California or by the California Toll Bridge Authority; and

WHEREAS, Any information discovered by the committee appointed by this resolution may also be useful to the California Toll Bridge Authority; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on State Governmental Organization of the Assembly be appointed by the Speaker of the Assembly to gather information and conduct investigations concerning the subject of this resolution and of all matters incidental thereto with a view toward ascertaining the amount of money collected from persons crossing the Carquinez Bridge and what has been distributed to bondholders and stockholders; and be it further

Resolved, That as a part of the report hereinafter referred to, the committee shall prepare and submit to the Assembly:

(a) Itemized tables of the traffic over said bridge for the years 1932 to 1936, inclusive, showing by years the amount of different classes of traffic and the receipts from each class at the present toll rates.

(b) Itemized tables, by years, showing the estimated cost of the operation and maintenance of said bridge and the estimated cost of collecting tolls thereon.

(c) Itemized tables, by years, showing the total bonded indebtedness of the corporation owning said bridge and the payments of principal and interest to the holders of such bonds.

(d) Itemized tables, by years, showing the total amount of capital stock outstanding and the total amount of dividends, if any, paid to the owners or holders of such stock.

and be it further

Resolved, That the California Toll Bridge Authority shall prepare a report of the results of such investigation and survey and deliver to the Speaker of the Assembly at the earliest possible date and in no event later than the thirtieth day prior to the adjournment of the Assembly at this session of the Legislature; and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, reports, information and evidence concerning any matter under consideration by the committee as the committee shall request; and be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of books, agreements, documents, reports, accounts and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof and the cost of its investigation, the sum of $2,500, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund for such expenses as the chairman of the committee shall certify to him from time to time, and which warrants the State Treasurer is hereby directed to pay.

House Resolution No. 88 read, and referred to Committee on Roads and Highways

Second Reading of Assembly Bills.

Assembly Bill No. 2786—An act providing ways and means for liquidating, refinancing and readjusting certain indebtedness of irrigation districts in default; for judicial proceedings to carry out such purpose; for the confirmation of plans for liquidation, refinancing and readjustment; authorizing the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately.

Bill read second time, and ordered to engrossment

Assembly Bill No. 941—An act to amend section 11 of the California Districts Securities Commission Act, relating to the levy of annual assessments by irrigation districts, providing that said section shall remain in effect until November 1, 1939, declaring this act an emergency measure enacted under the police power, providing that

this act shall not apply to refunding bonds of irrigation districts issued pursuant to a plan or readjustment confirmed in any proceedings under the Federal Bankruptcy Act, and authorizing the levy of assessments in accordance with the terms of such bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 11—An act to add a new section to be numbered 5.5 to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to the regulation and government of fire protection districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 211—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 694—An act to amend section 737hh of the Political Code, relating to compensation of the judges of the superior court in and for the County of Sacramento.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1706—An act to amend section 737*l* of the Political Code, relating to salaries of the judges of Humboldt County.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1858—An act to repeal sections 980 and 981 and to amend section 1029 of the Streets and Highways Code, relating to public roads and highways and the powers and duties of county boards of supervisors, county surveyors, and county road commissioners in relation thereto.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2024—An act to amend section 4307 of the Political Code of the State of California, relating to county charges.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2061—An act to amend section 737oo of the Political Code, relating to the salary of the judge of the superior court in and for the county of San Mateo.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2356—An act validating the formation and existence of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 642—An act to amend section 4041 21 of the Political Code, relating to the powers of boards of supervisors to buy, sell and rent property.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1207—An act to amend section 647 of the Vehicle Code, relating to tests of lamps or devices.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1208—An act to add section 607 7 to the Vehicle Code, relating to authorized emergency vehicles on vehicular crossings

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1211—An act to amend the Vehicle Code by amending sections 34, 36, 37, 38, 39, 49, 66 and 67 thereof, and by adding thereto sections 32.5, 50 and 82.5, relating to definitions of words and phrases.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1213—An act to amend sections 140, 211, and 225 of the Vehicle Code, and to add thereto sections 143.5 and 164.5, relating to motor vehicles.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1221—An act to amend sections 453, 541, 554, 633, and 671 of the Vehicle Code, to add thereto section 454, and to repeal section 517 thereof, relating to authorized emergency vehicles.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1222—An act to amend sections 471, 516, and 715 of the Vehicle Code, relating to highways, including bridges and structures, and the regulation and control of vehicles thereon

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1215—An act to amend section 134 of the Vehicle Code, relating to motor vehicle publications.

Committee Amendments to Assembly Bill No. 1215.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out "motor vehicle fund", and insert in lieu thereof the following: "appropriations made for the support of the department".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "not more than once every", and in line 8, strike out "two years".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1216—An act to amend sections 146 and 146.5 of the Vehicle Code, and to repeal section 180.5 thereof, relating to the registration of vehicles.

Committee Amendment to Assembly Bill No. 1216.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, before "license", insert the following: "unexpired"

Amendment adopted

Bill read second time, ordered to reprint and engrossment

Third Reading of Assembly Bills.

Assembly Bill No. 857—An act to amend section 480 of the Agricultural Code, relating to market milk.

Bill read third time, and passed by the following vote

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Colwin Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Maloney Martin, Miller Eleanor: Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie,

Rosenthal, Sawallisch, Scudder, Stream, Thorp, Walker, Watson, Yorty, and Mr. Speaker—50.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 864—An act to amend section 673 of the Agricultural Code, relating to dairy equipment.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Yorty, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 865—An act to repeal section 1084 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Yorty, and Mr Speaker—54

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 691.

Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO March 4, 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2753.

Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

O'DONNELL, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2217.

Respectfully reports the same back with the recommendation: Do pass.

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1897.

Respectfully reports the same back without recommendation, as amended.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 1184.

Respectfully reports the same back without recommendation, as amended.

LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 549.

Respectfully reports the same back without recommendation, as amended.

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

Resolution.

The following resolution was offered:

By the Committee on Rules:

House Resolution No. 89.

Resolved, That the Standing Rules of the Assembly be and they are hereby amended to read as follows:

Amendment No. 1.

Rule 1 amended to read as follows:

Hours of Meeting.

"1. The session of the Assembly, prior to the constitutional recess, shall be daily, beginning at ten o'clock a.m., (Sundays excepted) unless otherwise ordered by a majority vote of the members present.

Following the constitutional recess, the Assembly shall meet promptly at two o'clock p.m. daily (Sundays excepted) and Mondays at the hour of eleven o'clock a.m., unless otherwise ordered by a majority vote of the members present."

Amendment No. 2.

Add to the end of Rule 11:

"Assembly Bills amended by the Senate shall be ordered placed upon the unfinished business calendar."

Amendment No. 3.

Add to the end of Rule 49:

"No skeleton or incomplete bill that is not filled out or completed prior to adjournment of the Assembly on April 1, 1937, shall be given further consideration or acted upon by the Assembly without a recorded consenting vote of two-thirds of all the members elected thereto."

Amendment No. 4.

In Rule 86, after the word "bills", in the last line, add a comma and the following: "documents or other printed matter."

Amendment No. 5.

Add at the bottom of Rule 86 the following.

"House resolutions shall be numbered and shall be printed in the same manner as bills are printed on introduction, and shall be distributed for the use of members in the same form and by the same method as are joint and concurrent resolutions."

PEEK, Chairman.

House Resolution No. 89 read, ordered printed in the Journal, and placed upon the unfinished business calendar.

Communication.

The following communication was received and read:

By the Chief Clerk:

LOS ANGELES, CALIFORNIA, March 5, 1937

James Smyth, Chief Clerk, Assembly of California State Legislature:

A very serious situation is developing in Los Angeles County through action State Relief Director in cutting approximately 2,000 clients from State relief rolls before continuation of relief can be provided by other relief agencies or a determination made as to their eligibility in other relief groups or without allowing other relief groups to provide necessary finances for this additional responsibility. This condition is not a new one, and actions similar to this have been repeated several times in the past few years, indicting clearly the confusion existing in relief activities in

our State because of duplicating agencies and almost a complete lack of coordination between them. Los Angeles County's record in relief is one proving we have never held back in assuming our share of the relief responsibility. No system of relief will be satisfactory in this State until there is a fixed status of those determined and remaining eligible for same. Without this, great hardship will always result to relief clients and public bodies will have no way to determine proper and adequate relief budgets for their fiscal periods. In view of relief legislation before your Honorable Body, and a need for all important and vital information as to present relief machinery in the State to guide you in making any changes which are apparent, may I suggest that committee or agency be appointed or designated by the Legislature of the State to investigate and hold hearings on this latest incident in Los Angeles County so the information may be brought before you in order that legislation may be enacted to guard against such practices in the future.

HERBERT C LEGG, Los Angeles County Supervisor.

Recess.

At two o'clock and fifty minutes p m., on motion of Mr. Lore, the Assembly was declared at recess until three o'clock p m., of this day.

Reassembled.

At three o'clock p m., the Assembly reconvened.

Speaker Jones in the chair.

Resolution.

The following resolution was offered:

By Mr. Lore:

House Resolution No. 90.

WHEREAS, It is charged by officials of the county of Los Angeles that the State Emergency Relief Administrator has arbitrarily declared 1500 clients of his organization in that county employable, and has removed or will in the immediate future remove them from the relief rolls; and

WHEREAS, The support of these 1500 clients and their families will become a responsibility of the county of Los Angeles; and

WHEREAS, The press has published that the State Emergency Relief Administrator contends that many of the aforementioned 1500 clients have been removed from relief rolls for the reason that they are eligible for aid under the Old Age Security Act, although there appears to be no evidence that these people were given either an opportunity to make proper application for such aid, or time to have their cases properly investigated and approved; and

WHEREAS, The alleged action of the State Emergency Relief Administrator would indicate a woeful lack of coordination between the several relief agencies of the State and counties; and

WHEREAS, There are now before the Legislature for consideration several measures which propose consolidation of certain relief functions in the interest of human welfare and financial economy; and

WHEREAS, The aforementioned dismissal of 1500 clients from the rolls of the State Emergency Relief Administration has created a financial crisis in the county of Los Angeles which may force officials of that county to call on the State for temporary financial assistance; and

WHEREAS, For the reason that only a few months remain of the present fiscal year, and for the reason that funds of both State and counties are at a low level, it is incumbent upon all elected representatives to make certain that the appropriated moneys remaining undistributed are allocated fairly and equitably between the State and the various counties thereof in such a manner that human suffering may be held to a minimum; now, therefore, be it

Resolved by the Assembly of the State of California, That the Social Service and Welfare Committee of the Assembly is hereby appointed as a Special Committee to sit at the State Capitol and to completely study and investigate accurately all matters herein referred to, for the purpose of recommending legislative action in relation thereto; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas, and to compel the attendance of witnesses and production of testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the Special Committee appointed under this resolution. The Special Committee shall report to the Legislature with all convenient speed, the result of its investigations and studies, with legislative proposals which it recommends, and said Special Committee may also report from

time to time such results of its investigations and studies as it may deem necessary for the action and advise of the Legislature; and be it further

Resolved, That the sum of $100, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, which may have been heretofore or may hereafter be appropriated for the contingent expenses of the Assembly at this session of the Legislature for the purpose of paying the expenses incurred by the Special Committee of the Social Service and Welfare Committee of the Assembly hereby created, and for the purposes herein set out, such payments to be disbursed from time to time by Controller's warrants, to be drawn against such contingent fund on the written orders of the Chairman of said Special Committee of the Social Service and Welfare Committee of the Assembly, and the said Treasurer is hereby authorized and directed to pay the same

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up House Resolution No. 90, at this time, without reference to committee or calendar.

House Resolution No. 90 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Yorty, and Mr. Speaker—57.

NOES—None.

Adjournment.

At three o'clock and forty minutes p. m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p. m., Monday, March 8, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY
SIXTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 8, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawalhsch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Crowley, the further reading of the Journal of Friday, March 5, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day.

Mr. Welsh, on motion of Mr. Robertson.
Mr. Burns, Hugh M., on motion of Mr. Garibaldi.
Mr. Lyon, on motion of Mr. Latham.
Mr. Waters, on motion of Mr. Cunningham.
Mr. Reaves, on motion of Mr. Laughlin.
Mr. Boyle, on motion of Mr. Robertson.
Mr. Turner, on motion of Mr. O'Donnell.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Jacob Hardee and Mr. Hans Vejby.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Juel McAravy and Miss Mildred McAravy.

On request of Mr Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walter F. Kennon, Mrs. Walter F. Kennon and Mrs Olive Hanniff.

On request of Mr. McMurray and the entire Democratic delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lucretia del Valle Grady, Vice Chairman of the Democratic National Committee and National Committeewoman from California

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Rowena Johnston.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Louise M. Glasier.

On request of Mr Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Helen D. Lawson, Regional Chairman, Women's Division, Mill Valley.

On request of Mr. Johnson and Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Naomi Hammond and Mr. I. E. Blockman.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harold Cunningham.

On request of Messrs. Cassidy, Dannenbrink, Donihue, and Miller, George P., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Marion (Walter F.) Kennon, Oakland; Mrs. Amelia Karasson, Alameda; Mrs. Maude Merwin, Oakland; Mrs. Ruby McWhinney, Oakland; Mrs. Olive M. Hanniff, Oakland; Mrs. James A. Bishop, Berkeley; Mrs. Myrtle Garrison, Oakland; Mrs. Paul Fuhrer, Berkeley; Mrs. Harry W. Shreve, Alameda; Mrs. Wm. Merwin, Oakland; Mrs. Vivian Kormel, Oakland, Mrs. Frank B. Patterson, Berkeley; Mrs. T. E. Gay, Berkeley; Mrs. Kenneth Hayes, Berkeley; Mrs. Juliet King, Hollywood; Mrs. R. H. Danielson, Berkeley; and Mrs. Jean Peixotto, Berkeley.

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From several organizations, urging pardon of Thomas J. Mooney.

From Mack Murray, regarding injuries sustained by him.

From Mrs. Lewis Ives Pierce, secretary, Woman's Civic League of Pasadena, protesting passage of Assembly Bills Nos. 1820 and 2573.

From Al Thomson, regarding San Francisco State College buildings

Reports of Standing Committees.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 28.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 11.
Assembly Bill No. 12.
Assembly Bill No. 211.
Assembly Bill No. 642.
Assembly Bill No. 664.
Assembly Bill No. 694.
Assembly Bill No. 941.
Assembly Bill No. 974.
Assembly Bill No. 1149.
Assembly Bill No. 1207.
Assembly Bill No. 1208.
Assembly Bill No. 1213.
Assembly Bill No. 1221.
Assembly Bill No. 1222.
Assembly Bill No. 1706.
Assembly Bill No. 1858.
Assembly Bill No. 2024.
Assembly Bill No. 2061.
Assembly Bill No. 2356.
Assembly Bill No. 2650.
Assembly Bill No. 2786.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, March 8, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 34.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, March 8, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 950—An act to amend section 527 of the Political Code, relating to legislative printing.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 950 read first time, and referred to Committee on Rules.

Second Reading of Assembly Bills.

Assembly Bill No. 970—An act to amend section 1 of an act entitled "An act to provide for the formation, government, operation, and dissolution of pest abatement districts, for the assessment, levy, collection, and disbursement of taxes therein, to declare the urgency hereof, and to provide that this act take effect immediately," approved February 2, 1935.

Committee Amendments to Assembly Bill No. 970.

The following amendments were submitted by the committee:

Amendment No. 1.

In line 6 of the title of the printed bill, strike out the period following the date "1935", and insert in lieu thereof the following: ", relating to the definition of "pests," and to provide that this act shall take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, insert the following below line 18:

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into effect immediately. A statement of the facts constituting such necessity is as follows:

Many rivers and streams, whose sources originate in the mountainous areas, are carrying to and depositing upon the rich and fertile lowlands of this State seeds which are germinating and flowering rapidly into plants which are detrimental to the agricultural and grazing industries of this State. In order that the harmful consequences of this condition be avoided, and in order that the work of abating these plants be accomplished as soon as possible by means of the facilities now provided in the act mentioned in the title hereof, it is necessary that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1596—An act to repeal sections 12900, 12901 and 12902 of the Insurance Code, and to add new sections 12900, 12901, 12902, 12908 and 12909 thereto, relating to the officer enforcing insurance laws.

Committee Amendment to Assembly Bill No. 1596.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, after line 1, insert the following:

"The Department of Insurance shall succeed to and is hereby invested with all the duties, powers, responsibilities and jurisdiction of the Division of Insurance, Department of Investment, or Insurance Commissioner, and of the several officers, deputies and employees of such division, department and commissioner, and whenever by the provisions of any statute, code or law now in force, or that may hereafter be enacted, a duty or a jurisdiction is imposed, or an authority conferred, upon any of said officers, offices, bodies, deputies or employees by any statute, code or law, the enforcement of which is hereby transferred to the Department of Insurance, such duty, jurisdiction and authority are hereby imposed upon and transferred to the Department of Insurance and the appropriate officers thereof, with the same force and effect as though the title of said Department of Insurance had been specifically set forth and named therein in lieu of the name of any such officers, offices, bodies, deputies or employees. The positions of all assistants, deputies and employees in the Division of Insurance, Department of Investment, or of the Insurance Commissioner, and each thereof are hereby continued, and the statutes and laws under which they existed and all laws prescribing their duties, powers, purposes, responsibilities and jurisdiction, together with all laws, rules and regulations established thereunder, are hereby expressly continued in force.

The Department of Insurance shall be in possession and control of all records, books, papers, offices, equipment, supplies, moneys, funds, appropriations, lands and other property, real or personal, now or hereafter held for the benefit or use of said bodies, offices and officers."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 990—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts.

Committee Amendment to Assembly Bill No. 990.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 28, of the printed bill, strike out "thirteenth", and insert in lieu thereof the following: "eighteenth".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1435—An act to amend section 445 of the Political Code, relating to the salaries of the inheritance tax attorney and five assistant inheritance tax attorneys.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1620—An act to amend section 439 of the Political Code, relating to employees in the Controller's office

Bill read second time, and ordered to engrossment.

Assembly Bill No. 691—An act to amend section 80 of the Agricultural Code, relating to agricultural districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2217—An act to amend sections 33 and 34 of the Alcoholic Beverage Control Act, relating to distilled spirits excise stamps.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1897—An act to add section 215 to the Agricultural Code, relating to the inspection of hogs.

Committee Amendments to Assembly Bill No. 1897.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, strike out "section 215", and insert in lieu thereof the following: "Article 2a, Chapter 3, Division II".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "Section 1.", strike out the balance of line 1, and all of lines 2 to 7, inclusive, and insert in lieu thereof the following. "Article 2a, Chapter 3, Division II is hereby added to the Agricultural Code to read as follows:

Article 2a. Swine.

215. It is unlawful to import any swine into this State, except for immediate slaughter, or for exhibition or theatrical purposes, without procuring prior to shipment or movement a health certificate from either a veterinary inspector of the United States Department of Agriculture, the State Veterinarian or live stock sanitation official of the State of origin, or of a licensed veterinarian approved by such State Veterinarian or live stock sanitation official.

215.1. The health certificate shall certify that the swine to which it refers have not been exposed to any communicable disease, are free from evidence of such disease, and have been immunized against hog cholera by either the serum-alone method or the serum-virus method. The certificate shall also show the date of immunization, the predominating breed, approximate weight, color, and markings of the swine referred to therein.

215.2. The original of the certificate shall be attached to the way bill or in possession of the truck driver; a duplicate shall be sent to the Chief of the Division of Criminal Industry of the department, at Sacramento, in time to reach said chief prior to the arrival of the swine within the State; and a triplicate shall be sent to the State Veterinarian or live stock sanitary official of the State of origin.

215.3. Swine immunized by the serum-alone method shall arrive in this State not later than ten days following immunization, and the veterinarian administering such treatment shall certify that the dosage administered was at least 150 per cent of the dosage regularly prescribed for animals of like weight.

215.4. Swine immunized by the serum-virus method shall arrive in this State not later than 30 days following immunization.

215.5. Swine imported into this State for purposes other than for immediate slaughter or for exhibition or theatrical purposes shall be transported in crates, cars, trucks or other vehicles which have been cleaned and disinfected in conformity with the standards prescribed by the Bureau of Animal Industry of the United States Department of Agriculture.

215.6. Swine imported into this State for immediate slaughter shall have as destination a public stockyard, sales yard, or recognized slaughtering establishment and shall not be diverted for any other purposes.

215.7. As used in this article "sales yard" includes any live stock yard, pen, corral, building, premises, or conveyance wherein swine are assembled for sale, resale, exchange, or transfer by one or more owners or their agents, but excludes ranch premises where swine are fed and fitted for slaughtering purposes only.

215.8. No person shall operate a sales yard unless licensed as provided in this article. Application for such license shall be made to the director and shall be accompanied by an application fee of fifteen dollars.

215.9. The application shall state the nature of the business conducted by the sales yard, the location thereof, the names and addresses of the owners and of the operators thereof, and such other information as the director may require. The director shall issue a license entitling the applicant to operate a sales yard until the expiration of the calendar year.

215.10. All such licenses shall be renewable annually upon the payment of a renewal fee of five dollars, payable on or before January first of each year.

215.11. Each license shall be posted in a conspicuous place at the sales yard to which it relates.

215.12. The director may refuse to grant or may revoke a license when satisfied of the existence of the following and after due hearing:

(a) Where the applicant or licensee has violated the laws or regulations of the State governing interstate or intrastate movement of animals.

(b) Where false or misleading statements have been made as to the health or physical condition of swine handled or sold through such yards, or there has been fraud or misrepresentation in connection with health certificates or certificates of immunization.

(c) Where there has been a continuous course of dealings of such nature as to satisfy the director of the inability or unwillingness of the licensee to conduct the business of operating such sales yard in conformity with the provisions of this article.

(d) Where the licensee fails to practice measures of sanitation, inspection, disinfection, and treatment of swine handled or sold through such yard as provided for in this article.

(e) Where there has been a continuous or persistent failure to keep records as required or where there is a refusal of the licensee to produce such records for inspection of the director or his representative.

215.13 Any person operating such sales yard shall keep records of all swine passing through said yard including the names and addresses of persons offering swine for sale and the names and addresses of purchasers of swine from said yard. Such records shall show definite information relative to description of animals, such as breed, weight, color, and marks and are to be kept on file for one year, during which time they shall be at the disposal of the director, or his agent, for inspection.

215.14. Operators of sales yards shall select a veterinarian, acceptable to the department, who shall make all necessary inspections and apply such treatments as may be necessary under the provisions of this article. The fees for such inspections and treatments shall be paid by the operator of said sales yard and certificates of inspection and treatment shall be issued by said veterinarian in triplicate, one copy of which shall be forwarded to the department immediately, one copy given to the purchaser, and one copy placed on file at such sales yard. Forms for such certificates shall be prescribed by the department

215.15 It is unlawful to knowingly bring into, or cause to be brought into such sales yards any swine that have been, within 21 days, treated with hog cholera virus, or are affected with, or have been exposed to hog cholera, anthrax, swine erysipelas, vesicular exanthema, foot-and-mouth disease, or other infectious diseases.

215.16. All swine leaving such sales yard shall be treated with a proper dose of anti-hog cholera serum alone by the veterinarian for the yard, except as hereinafter provided:

(a) Swine that have entered California from without the State while immunized as provided in this article, except that swine which have entered California immunized with serum alone shall not be exempt from treatment if more than 15 days have elapsed since treatment of such animals

(b) Swine which have entered such sales yard from within the State accompanied by a certificate issued by a licensed veterinarian, acceptable to the department, showing said animals to have been treated with a proper dose of anti-hog cholera serum and hog cholera virus at least 21 days before entering such sales yard.

(c) Swine from within the State which have entered such sales yard accompanied by a certificate issued by a licensed veterinarian, acceptable to the department, showing such animals to have been treated with a proper dose of anti-hog cholera serum alone not prior to 15 days before date of departure from such sales yard

(d) Swine leaving such sales yard for immediate slaughter. Such shipments shall have as their destination a public stock yards or a recognized slaughtering establishment, and shall not be diverted for any other purpose. Nothing in this clause shall be construed to prohibit or exclude an individual from purchasing swine for home slaughter, provided they are slaughtered within ten days

215.17. All money received under the provisions of this article shall be paid into the Department of Agriculture fund and expended in carrying out the provisions of this article."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1184—An act to provide for the permanent relief and rehabilitation of the indigent and unemployed families of the State of California by the removal of such families to new rural communities to be located upon large tracts of good agricultural land, and providing for loans by the State Department of Social Welfare to a nonprofit, cooperative agricultural association created to carry out such purpose, and to make an appropriation therefor.

Committee Amendments to Assembly Bill No. 1184.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as introduced January 20th, strike out lines 23 and 24, and insert in lieu thereof the following: "other than a fair and equitable distribution of commodities, benefits or funds to its members or employees in proportion to the amount and".

Amendment No. 2.

On page 2, line 36, of the printed bill, as above, following the words "shall equal the", insert the word "estimated", and at line 38, in the same section (section 4) strike out the period and insert in lieu thereof a comma and the following words: "as determined from experience with such cases in preceding years."

Amendment No. 3.

On page 2, line 39, of the printed bill, as above, immediately following the section number, strike out the words, "For the purposes of this act", and insert in lieu thereof the following: "Subject to such regulations as may be made by the State Department of Social Welfare, and subject also to the appropriation of sufficient money on the part of the Federal Government.".

Amendment No. 4.

On page 3, line 19, of the printed bill, as above, following the period add the following words: "Repayments on such loans shall begin with the fifth year and shall be amortized quarterly thereafter at a rate of not less than one per cent of the principal amount per quarter provided however that such loans may be subordinated to any loans made by the Federal Government and provided further that should the repayment provided for in this section conflict with terms of repayment required for such Federal loans, if any, then the terms of repayment herein set forth may be changed by the State Department of Social Welfare to agree with the Federal terms."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 549—An act to add section 13a to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Committee Amendments to Assembly Bill No. 549.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 12 and 13, and insert in lieu thereof the following: "hereby allocated therefor shall be expended for the construction of a 4-H and Future Farmers Building on the State Fair Grounds".

Amendment No. 2.

On page 1, line 14, of the printed bill, strike out "act".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 15 and 16, and insert in lieu thereof the following: "The amount allocated therefor shall be expended for the construction of a 4-H and Future Farmers Building on the State Fair Grounds."

Amendment No. 4.

On page 1, line 17, of the printed bill, strike out "this act"

Amendment No. 5.

On page 1, line 18, of the printed bill, after the word "fair.", insert the following: "If neither of such shows is held the entire sum appropriated by this act shall be expended for the construction of said 4-H and Future Farmers Building.

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Consideration of House Resolution No. 89.

House Resolution No. 89—Relative to amendments to the Standing Rules

Motion to Amend House Resolution No. 89.

Mr Peek moved to amend House Resolution No. 89 as follows:

Amendment No. 1.

After Amendment No. 5 in the resolution, add the following:

"Amendment No. 6.

Add to the end of Rule 58:

"No bill or resolution shall be withdrawn from committee except by a recorded vote of a majority of the elected members" "

Amendment adopted.

The question being on the adoption of House Resolution No. 89, as amended.

The roll was called, and House Resolution No. 89, as amended, adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Motion to Withdraw House Resolution No. 65 from Committee.

In compliance with a notice given on a previous day, Mr. Patterson moved to withdraw House Resolution No. 65 from the Committee on Public Utilities, and have it placed upon the calendar.

Request for Unanimous Consent.

Mr. Baynham asked for unanimous consent to have several communications relative to House Resolution No. 65 read and printed in the Journal.

Motion to File Communications.

On motion of Mr. Hornblower, the communications were ordered filed, in lieu of being printed in the Journal

The question being on the motion to withdraw House Resolution No. 65 from the committee on Public Utilities.

The roll was called, and the motion to withdraw lost by the following vote:

NOES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—56.

AYES—Clark, Donnelly, Gilbert, Hawkins, Heisinger, Lore, McMurray, Miller, George P., Patterson, Peek, Pelletier, Richie, Tenney, and Yorty—14

Third Reading of Assembly Bills.

Assembly Bill No. 12—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817*l*, and 3817m of the Political Code and to add sections 3817b5 and 3817e5 thereto, relating to taxation and assessment, including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately.

Motion to Amend Assembly Bill No. 12.

Mr. Sawallisch moved to amend Assembly Bill No. 12 as follows:

Amendment No. 1.

On page 3, line 50, of the printed bill, as amended, strike out "1935, 1936".

Amendment No. 2.

On page 4, line 4, of the printed bill, as amended, strike out "1925", and insert in lieu thereof the following: "1930".

Amendment No. 3.

On page 4, line 5, of the printed bill, as amended, strike out "1925", and insert in lieu thereof the following: "1930".

Amendment No. 4.

On page 4, line 8, of the printed bill, as amended, strike out "1925 or prior to 1925", and insert in lieu thereof the following: "1930 or prior to 1930".

Amendment No. 5.

On page 4, line 23, of the printed bill, as amended, strike out "1935, 1936,".

Amendment No. 6.

On page 4, line 28, of the printed bill, as amended, strike out "1935, 1936,".

Amendment No. 7.

On page 8 of the printed bill, as amended, following line 11, insert the following:
"SEC. 12. Section 3817d of the Political Code as amended herein shall go into effect at midnight of December 31, 1937."

Amendments adopted

Request for Unanimous Consent.

Mr. Martin asked for, and was granted, unanimous consent to take up Assembly Bill No. 12, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 12, as Amended.

Assembly Bill No. 12—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817*l*, and 3817m of the Political Code and to add sections 3817b5 and 3817c5 thereto, relating to taxation and assessment, including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 12 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 664—An act to amend section 463 of the Streets and Highways Code, relating to State highways.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 2786—An act providing ways and means for liquidating, refinancing and readjusting certain indebtedness of irrigation districts in default; for judicial proceedings to carry out such purpose; for the confirmation of plans for liquidation, refinancing and readjustment; authorizing the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None

Assembly Bill No. 2786 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 11—An act to add a new section to be numbered 5.5 to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to the regulation and government of fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal,

Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—71.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 211—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 694—An act to amend section 737hh of the Political Code, relating to compensation of the judges of the superior court in and for the county of Sacramento.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Notice of Reconsideration on Assembly Bill No. 694.

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 694 was this day passed.

Assembly Bill No. 2356—An act validating the formation and existence of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 642—An act to amend section 4041 21 of the Political Code, relating to the powers of boards of supervisors to buy, sell and rent property.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham,

Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1207—An act to amend section 647 of the Vehicle Code, relating to tests of lamps or devices.

Motion to Amend Assembly Bill No. 1207.

Mr. Hornblower moved to amend Assembly Bill No. 1207 as follows:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "act", and insert in lieu thereof the following: "code".

Amendment adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No 1207, at this time, without reference to reprint, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1207, as Amended.

Assembly Bill No. 1207—An act to amend section 647 of the Vehicle Code, relating to tests of lamps or devices.

Assembly Bill No. 1207, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1208—An act to add section 607.7 to the Vehicle Code, relating to authorized emergency vehicles on vehicular crossings.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1213—An act to amend sections 140, 211, and 225 of the Vehicle Code, and to add thereto sections 143.5 and 164.5, relating to motor vehicles.

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham,

Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker —68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1221—An act to amend sections 453, 541, 554, 633, and 671 of the Vehicle Code, to add thereto section 454, and to repeal section 517 thereof, relating to authorized emergency vehicles

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Motion to Amend Title to Assembly Bill No. 1221.

Mr. Breed moved to amend the title as follows:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, after "vehicles", add the following: "and warning devices".

Amendment adopted.

Title read and approved, as amended Bill ordered transmitted to the Senate.

Assembly Bill No. 1222—An act to amend sections 471, 516, and 715 of the Vehicle Code, relating to highways, including bridges and structures, and the regulation and control of vehicles thereon

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2061—An act to amend section 73700 of the Political Code, relating to the salary of the judge of the superior court in and for the county of San Mateo

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—Heisinger and Pelletier—2.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1706—An act to amend section 7371 of the Political Code, relating to salaries of the judges of Humboldt County.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2650 re-referred to Committee on Education.

Assembly Bill No. 1149 re-referred to Committee on Education.

Assembly Bill No. 974 re-referred to Committee on Education.

Consideration of Assembly Concurrent Resolution No. 28.

Assembly Concurrent Resolution No. 28—Relative to an amendment to Joint Rule No. 15.

Assembly Concurrent Resolution No. 28 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER SACRAMENTO, March 5, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 17—Relative to directing an investigation and report on acquisition of the San Mateo Toll Bridge across San Francisco Bay.

J. A. BEEK, Secretary of the Senate

By F. ALFRED BLATZ, Assistant Secretary

Request for Unanimous Consent.

Mr. Call asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 17, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 17.

Senate Concurrent Resolution No. 17—Relative to directing an investigation and report on acquisition of the San Mateo Toll Bridge across San Francisco Bay.

Senate Concurrent Resolution No. 17 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan,

Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Vogt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Resolutions.

The following resolutions were offered:

By the Committee on Attaches:

House Resolution No. 91.

Resolved, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly, to take effect on and including March 8, 1937:

	Per day
Noma Browning, Stenographer	$5 00
Mary Burns, Stenographer	5 00
Jane Caminetti, Stenographer	5 00
Helen Davis, Stenographer	5 00
Roberta Hansen, Stenographer	5 00
Evelyn Joselyn, Stenographer	5 00
Rose Klimovich, Stenographer	5 00
Minna Laughlin, Stenographer	5 00
Cecelia Mass, Stenographer	5 00
Eloise Rush, Stenographer	5 00
Olga Clayton, Stenographer	5 00
Margaret Quiggle, Stenographer	5 00
Ruth Tate, Stenographer	5 00

House Resolution No. 91 read, and adopted

By the Committee on Attaches:

House Resolution No. 92.

Resolved, That the following named persons be and they are hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the persons below listed for the said respective amounts, and the Treasurer is hereby directed to pay the same

Commencing March 9, 1937.	*Per day*
Margaret Burns, Stenographer	$5 00
Peggy Bridges, Stenographer	5 00
Alva Archer, Stenographer	5 00
Maurine Lewis, Stenographer	5 00
Louise Pepe, Stenographer	5 00
Anna Stevenson, Stenographer	5 00
Lois Pine, Stenographer	5 00
Carmelita Lozano, Stenographer	5 00
Alice Dolman, Stenographer	5 00
Edwin Queener, Page	2 50

Resolved further, That the compensation of the above named attaches shall be on a six day per week basis.

House Resolution No 92 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—66

NOES—None.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined **Assembly Bill No. 1215.**
Assembly Bill No. 1216.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above bills ordered on third reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 28.

Assembly Concurrent Resolution No. 25.

And reports the same correctly enrolled, and presented to the Governor on this eighth day of March, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman.

Notice of Motion to Reconsider Assembly Bill No. 694 Waived.

Mr. Desmond waived his notice of motion to reconsider the vote whereby Assembly Bill No. 694 was this day passed.

Assembly Bill No. 694 ordered transmitted to the Senate.

Hon. Edgar C. Levey in the Chair.

At three o'clock and fifteen minutes p.m., Hon. Edgar C. Levey, member of the Assembly from the Twenty-Eighth District, in the chair.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Yorty:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city

Referred to Committee on Introduction of Bills

By Mr. Dilworth:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937.

MR. SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 4056 to the Political Code, relating to wild flower reserves.

Referred to Committee on Introduction of Bills.

By Mr. Burns, Hugh M.:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to the care and control of venereal diseases, granting other and further powers in relation thereto to the State Board of Public Health and its subordinate agencies, authorizing the acceptance of Federal Social Security funds and making an appropriation therefor

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Yorty:

An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city.

By Mr. Dilworth:

An act to add section 4056 to the Political Code, relating to wild flower reserves.

By Mr. Burns, Hugh M.:

An act relating to the care and control of venereal diseases, granting other and further powers in relation thereto to the State Board of Public Health and its subordinate agencies, authorizing the acceptance of Federal Social Security funds and making an appropriation therefor.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Des-

mond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2788: By Mr. Yorty—An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 2789: By Mr. Dilworth—An act to add section 4056 to the Political Code, relating to wild flower reserves.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2790: By Mr. Burns, Hugh M.—An act relating to the care and control of venereal diseases, granting other and further powers in relation thereto to the State Board of Public Health and its subordinate agencies, authorizing the acceptance of Federal Social Security funds and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Resolutions.

The following resolutions were offered:

By Mr. Williamson:

House Resolution No. 93.

WHEREAS, Since the last session of this legislative body in 1935, a tragedy of the air closed the career of Vincent K. Butler of San Francisco; and

WHEREAS, Vincent K. Butler was well known and greatly loved by many who have served in this body since 1929; and

WHEREAS, The influence of his powerful mind and profound knowledge of the law, particularly in the fields of banking and taxation, was exerted with signal success for the benefit of his fellow citizens of California; now, therefore, be it

Resolved, That this body salutes the memory of a young man who brought honor to his native State of California and to his native city of San Francisco as a Rhodes scholar at Oxford; as an officer in the Army of his country during the World War, as an attorney whose outstanding abilities were widely recognized among his professional colleagues and signally recorded by a Justice of the Supreme Court of the United States; and as a Christian gentleman whose whole life was an inspiration and whose rule of conduct was helpfulness to his fellow man; and be it further

Resolved, That there be printed in the Journal of this body this tribute to the memory and the character of Vincent K. Butler, and this expression of our deep sense of the loss we sustained in his untimely death; and be it further

Resolved, That this resolution be properly engrossed and copies thereof submitted to the members of the bereaved family.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up House Resolution No. 93, at this time, without reference to committee or calendar.

House Resolution No. 93 read, and unanimously adopted.

Request to Print Speech in Journal.

Mr. Williamson asked unanimous consent to have the remarks of Mr. Cottrell, in support of House Resolution No. 93, printed in the Journal.

Mr. Patterson withheld his consent.

By Messrs. Levey, Maloney, and Cottrell:

House Resolution No. 94.

WHEREAS, An outstanding American, Honorable Mark Requa, has been called to the Great Beyond; and

WHEREAS, The members of the Legislature, have learned with profound regret and deep sorrow of the passing of the former chairman of the Republican National Committee; now, therefore, be it

Resolved, That, when the Assembly adjourns this day, it do so out of respect to the memory of the late Mark Requa.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up House Resolution No. 94, at this time, without reference to committee or calendar.

House Resolution No. 94 read, and unanimously adopted.

Motion to Withdraw House Resolution No. 54 from Committee.

Mr Yorty moved to have House Resolution No. 54 withdrawn from the Committee on Public Utilities, and considered at this time.

Demand for Previous Question.

Messrs. Hunt, Heisinger, Garibaldi, Call, and Sawallisch demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Yorty to withdraw House Resolution No. 54 from the Committee on Public Utilities.

The roll was called, and the motion to withdraw lost by the following vote:

AYES—Andreas, Burns, Michael J., Cassidy, Clark, Crowley, Dilworth, Donnelly, Flint, Gannon, Garland, Gilbert, Hawkins, Heisinger, Laughlin, Lore, Mayo, Meehan, Miller, Eleanor; Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Richie, Rosenthal, Tenney, Voigt, Watson, and Yorty—29.

NOES—Baynham, Beene, Breed, Call, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donahue, Field, Fulcher, Garibaldi, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Maloney, Martin, McMurray, Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Walker, Weber, and Williamson—42.

Notice of Motion to Reconsider Motion to Withdraw.

Mr. Yorty gave notice that on the next legislative day he would move to reconsider the vote whereby his motion to withdraw House Resolution No. 54 was this day lost.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Concurrent Resolution No. 29: By Mr. Desmond—Relative to directing an investigation and report on the acquisition of the Antioch Toll Bridge.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 29, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 29.

Assembly Concurrent Resolution No. 29—Relative to directing an investigation and report on the acquisition of the Antioch Toll Bridge.

Assembly Concurrent Resolution No. 29 read, and adopted.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Resolutions.

The following resolutions were offered:

By the Committee on Attaches·

House Resolution No. 95.

Resolved, That the following named person be stricken from the list of Assembly attaches, and his name be stricken from the pay roll of the Assembly, to take effect on and including March 4th, 1937.

	Per day
Joseph Moloney, Assistant Clerk	$7 00

House Resolution No. 95 read, and adopted

By the Committee on Attaches:

House Resolution No. 96.

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same.

Commencing March 4, 1937.	*Per day*
Joseph Moloney, Assistant Minute Clerk	$7 00
H. Arthur Daniels, Assistant Clerk	7 00

Resolved, Further, That the compensation of the above named attaches shall be on a six-day per week basis.

House Resolution No. 96 read, and adopted by the following vote

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawtelle, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, and Yorty—68.

NOES—None.

Adjournment.

At four o'clock and forty minutes p.m., on motion of Mr King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Tuesday, March 9, 1937, out of respect to the memory of the late Mark Requa, former Chairman, Republican National Committee.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SECOND LEGISLATIVE DAY
SIXTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 9, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—74.

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Cottrell, the further reading of the Journal of Monday, March 8, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Burns, Hugh M., on motion of Mr. Garibaldi

Mr. Waters, on motion of Mr. Cunningham.

Mr. Reaves, on motion of Mr. Laughlin.

Mr. Miller, on motion of Mr. Dannenbrink

Mr. Welsh, on motion of Mr. Robertson.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. McCray, Mrs. Davis, Mrs. Goddard, Mrs. Perriman, Mrs. Ernest, and Mrs. Knapp, State Board Members, California Congress of Parents and Teachers.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Vesta Mueh-

leisen, member of Board of Managers of California Congress of Parents and Teachers.

On request of Mr. Fulcher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Arthur Parker, Mrs. Gerald Williams and Mrs. Martin Maloney.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edwin Miller.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. F. Hoadley, member of Riverside County Grand Jury.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George F. Imbach, Department Commander, Veterans of Foreign Wars, Mr. Sam Homes and Mr. and Mrs. W. L. Hawkins.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Patrick J. McMurray on his fifty-fifth birthday, and Mr. and Mrs. Bert McMurray and Mary Lee, his granddaughter, and Mrs. Mary Wheelan.

Assistant Clerk Berry Reading.

Communication.

The following communication was received and read:

By Mr. Speaker:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,
SACRAMENTO, CALIFORNIA, March 6, 1937.

Honorable William Moseley Jones, State Capitol,
Sacramento, California.

DEAR MR. JONES: This is to confirm my statement orally made that it would be most agreeable to me should the Legislature choose to exercise its option to designate some person other than the Legislative Counsel as a member of the Personnel Board until January 15, 1939.

Such would be entirely in harmony both with the letter and the spirit of Article XXIV of the Constitution, which designated the Legislative Counsel a member of the Personnel Board for a limited period and at the same time declared that

> "The Legislature, by majority vote of each house, may at any time prior to January 15, 1939, appoint any person of its choice to serve at its pleasure as a member of said board in lieu of the Legislative Counsel, until January 15, 1939."

Moreover, I sincerely believe it would make for greater efficiency if the two offices were separated by having different persons solely charged with the duties of each respectively. The functions of these two offices are quite different. The holder of one is a policy-determining officer. The holder of the other should not, in fact must not, concern himself with questions as to policy.

It may be of interest to note the history of the preparation of the initiative petition which resulted in the addition of Article XXIV to the State Constitution.

The writer was asked to assist in the drafting of that measure pursuant to the provisions of section 2 of the statute creating the office of Legislative Counsel. During the course of that work he urged the committee in charge of the measure to omit the Legislative Counsel as a member of the then proposed Personnel Board, feeling that the two offices were quite incompatible in fact. A copy of a memorandum dated April 9, 1934, which he mailed to each member of the Legislature in April, 1934, discussing this question, is enclosed.

Later the committee omitted the ex officio officers entirely and then subsequently provided for three ex officio officers, each for a limited period, including the Legislative Counsel for a four-year period. At the urge of the writer, the above quoted clause was inserted for the purpose of giving the Legislature complete freedom of choice in the matter. Thereupon the undersigned, under date of June 2, 1934, mailed to each member of the Legislature a copy of the then completed draft of the initiative proposal. A copy of his letter of transmittal of June 2, 1934, is enclosed.

I can not say too emphatically that whatever the Legislature may wish in this regard is my wish and that I would more than welcome the opportunity to devote

all of my energies to the work of Legislative Counsel in an endeavor to discharge the duties of the office as they should be discharged.

Very sincerely yours,

FRED B. WOOD, Legislative Counsel.

(COPY)

SACRAMENTO, CALIFORNIA, June 2, 1934.

To the Members of the Legislature of California:

Under date of April 9, 1934, I wrote to you in respect to the then status of the constitutional amendment relating to Civil Service, proposed by the State Employees' Association.

Since that date the State Employees' Association Committee has prepared a number of drafts and redrafts of that measure, now has it in print and is, I am informed, about to circulate the petition for signatures for the purpose of placing it upon the ballot for approval or rejection by the voters at the next general election.

A mimeographed copy of this measure in its present form is enclosed.

Much of a statutory nature has been removed.

As to the make-up of the board, their plan has changed to a board of five appointed by the Governor with the consent of the Senate—save for a transitory period: First, three ex officio until January 15, 1937; two ex officio until January 15, 1939, one ex officio until 1941. As to the legislative representative it will be noted that the Legislature may designate any person of its choice until January 15, 1939, when a member appointed by the Governor with the consent of the Senate takes the place of the legislative representative. (See last sentence of subdivision (a) of section 2 of the text of the proposed measure.)

Yours very truly,

FRED B. WOOD, Legislative Counsel.

A copy of this memorandum, with a letter of transmittal, was mailed to each member of the Legislature in April, 1934:

SACRAMENTO, CALIFORNIA, April 9, 1934.

In re THE INITIATIVE CONSTITUTIONAL AMENDMENT RELATING TO THE STATE CIVIL SERVICE, AS PROPOSED BY THE STATE EMPLOYEES' ASSOCIATION—Particularly with Reference to the Method of Selection of the Legislative Representative upon the Proposed Personnel Board.

The draft of March 24, 1934, provides for administration of the State civil service by a board of five members; four *ex officio*, one elected by the members of the State civil service. The Legislative Counsel is included as one of the *ex officio* members.

In connection with the latter, certain queries suggest themselves which may, possibly, merit consideration before final decision is made, particularly in view of the fact that the proposed measure, if adopted in its present form, will become a permanent part of the Constitution, not amenable to change by the Legislature if some of its provisions should prove not to work as perfectly as intended.

The designation of the Legislative Counsel as an *ex officio* member of the board would seem to have as its fundamental basis the conviction that the Legislature should have representation on the board. That seems entirely logical and sound.

It occurs to one, however, that the Legislature conceivably might prefer not to have its hands tied in this manner, so that, upon occasion, it would be free to designate the Legislative Counsel, or some other person more suitably equipped by training and experience to perform the duties of board member, as the Legislature in its wisdom might choose.

It is not unnatural that in the drafting of this measure it should occur to the proponents to designate the Legislative Counsel as the legislative representative, in view of the fact that it happens at the present time he is the only State official chosen by both houses of the Legislature.

Yet there is no *legal* reason why the legislative member of the Personnel Board could not be specially chosen for the purpose—by the Senate and Assembly sitting in joint session or through the adoption of a concurrent resolution designating the appointee of their choice.

It is no new thing for the Legislature to make appointments to office. During the history of California, several offices have been filled by appointment in this manner.

For example, from 1872 to 1899, the State Library was managed by a Board of Trustees elected by the two houses of the Legislature in Joint Convention assembled, each appointee holding office for a term of four years. (Political Code, Sec. 2292, as enacted in 1872.)

The power of appointment to office is not essentially an executive function. In *People* vs. *Freeman*, 80 Cal. 233, at 236, our Supreme Court said:

> "We feel constrained to hold that the power of appointment to office, so far as it is not regulated by express provisions of the Constitution, may be regulated by law, and if the law so prescribes, may be exercised by the members of the Legislature."

In the instant case, there would seem to be certain additional features which might suggest themselves for serious consideration.

Heretofore, neither the Legislative Counsel nor any member of his staff has been permitted to oppose or urge legislation of any kind or character. Otherwise, how could each of the members of the Legislature be efficiently and impartially served? This principle is expressed in section 3 of the statute creating the office:

> "Neither the Legislative Counsel nor any employee of the bureau shall oppose or urge legislation, but the bureau shall, upon request, and so far as may be in its power, aid and assist any member of the Legislature as to bills, resolutions and measures, drafting the same into proper form and furnishing to them the fullest information upon all matters in the scope of the bureau."

Yet the civil service draft of March 24, 1934, would superimpose upon this wise and prudent regulation a proviso declaring, in legal effect, that—

> "as a member of the State Personnel Board the Legislative Counsel is charged with the duty and responsibility of determining questions of major policy in the administration of the State civil service"—

questions some of which, possibly, by the terms of the proposed constitutional amendment, will be found to be distinctly legislative in character.

The question naturally occurs to one whether it would be possible to find a person who could, at one and the same time, efficiently and satisfactorily discharge the duties of two offices which seem, at first blush at least, so different in character.

Even if such a person could be found, the seeming dissimilarity in the two positions and the potential conflict of interests and points of view might conceivably diminish the confidence which the members of the Legislature might otherwise feel free and safe to repose in their Legislative Counsel, in the drafting of their bills and in the analysis of legal problems incident to the consideration of those bills.

If the members of the Legislature should be of the view that they should be allowed a greater freedom of choice than would be possible under the draft of March 24, 1934, it would be legally feasible to provide that their choice be expressed either by concurrent resolution or by vote taken in joint session (majority vote, or any other percentage that might be desired), with authority to designate a member of the Legislature, or the Legislative Counsel, or any other State officer to serve *ex officio* as their representative, or some suitable person not holding State office.

In the latter connection, it is worthy of note that there are precedents in organic acts which accord to the appointing power reasonable freedom of choice, yet prescribe minimum qualification requirements for the appointee

Thus, section 140 of the San Francisco charter requires each appointee to file in the office of the county clerk the following declaration:

> "I am opposed to appointments to the public service as a reward for political activity and will execute the office of Civil Service Commissioner in the spirit of this declaration" (Statutes of 1931, p. 3060)

In a "model draft" for a State Civil Service Law prepared and recommended by a certain National conference on the merit system, a copy of which appeared in "Public Personnel Studies," January, 1926, qualification requirements of the following nature were recommended for consideration for insertion in a statute:

> "Each appointee 'shall be a person of good repute in his business, profession, or occupation, known to be in sympathy with the merit system in the public service and with the control of employment matters through a central personnel agency. No member shall hold any other public office or employment.' (Public Personnel Studies, Vol. 4, p. 29, January, 1926.)"

These queries are not suggested, by the undersigned, as recommendations. They are intended merely to indicate what it might be *legal* to do, with the thought in mind that the proposed measure is a *constitutional amendment*, not a mere statute; that the time limited by the State Employees' Committee is April 14, 1934; and that it is a subject of real and intimate concern to the legislative department

From a *legal* standpoint, there would not seem to be any greater reason under the Federal Constitution to tie the hands of the Legislators, the regularly constituted representatives of the people, than there would be to tie the hands of the State employees in the selection of their representative. In this respect, the draft in its present form leaves the State employees free to choose whom they may wish, so long as their appointee is himself a civil servant. In one sense at least, the legislative representative and the State employees' representative upon the board would seem to stand upon somewhat similar footing—that of a representative, as distinguished from the other three members of the board Each of the latter would seem to be acting strictly in an *ex officio* capacity, each a member of the executive or administrative branch of the State Government.

Respectfully submitted

FRED B. WOOD.

Message from the Governor.

The following message from the Governor was received and read·

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 8, 1937

The Honorable Assembly, Sacramento, California

GREETINGS: Copy of Joint Resolution No. 11, "Relative to the relief of transients problem" was forwarded to ten of the western States for consideration of the

executive departments, with a request that the resolution be referred to the Legislatures of the several States as far as such Legislatures might be in session, and further requesting that similar action be taken in memorializing the President and the Congress relative to the transients problem

In reply to the request, I am today in receipt of copy of House Joint Memorial No. 5 adopted by the Legislature of the State of Colorado, relating to this question

Thinking you might be interested in the resolution of the Legislature of Colorado, and that the cooperation with California as indicated by the resolution would be appreciated, I am herewith enclosing copy of same.

Very sincerely yours,

FRANK F. MERRIAM, Governor of California

House Joint Memorial No. 5—By Representative Smith (Denver).

WHEREAS, There is now pending in the Congress of the United States, Senate Resolution No. 298, which said resolution gives consideration to the problem of relief of thousands of unemployed and needy persons now designated as "transients"; and,

WHEREAS, Due to the geographical position and climatic advantages of the State of Colorado and continued periods of unemployment the problem of relief for such transients in the State of Colorado has become increasingly serious and alarming; and,

WHEREAS, No adequate solution of said problem can be accomplished without the coordinating activities of other States and the Federal Government under a unified Federal transient program; and,

WHEREAS, Said Senate Resolution No. 298, proposes such a program of united Federal and State cooperation in the solution of the transient problem; now therefore, be it

Resolved by the House of Representatives of the Thirty-first General Assembly, the Senate concurring herein, That the Congress of the United States be urged to take such action under Senate Resolution No. 298 as will speedily and adequately solve the problem of transient relief for the States of the United States; be it further

Resolved, That copies of this resolution be forwarded to the President of the Senate of the United States and to the Senators and Representatives of the State of Colorado in Congress assembled.

(s) WAYNE N. ASPINALL,
Speaker of the House of Representatives

(s) FRANK F. HAYES,
President of the Senate

(s) R. H. LAVERTY,
Chief Clerk

(s) M. J. WALSH,
Secretary of the Senate.

Special Report from Railroad Commission.

The Speaker announced the receipt of the report compiled by the Railroad Commission of the State of California, pursuant to the provisions of House Resolution No. 49.

Request to Print Report as Separate Document.

Mr. Yorty requested that 1,500 copies of the report from the Railroad Commission be printed as a separate document.

Request referred to the Committee on Rules.

Resolution.

The following resolution was offered

By the Committee on Attaches:

House Resolution No. 97.

Resolved, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly, to take effect on and including March 9, 1937.

	Per day
Maurine Lewis, Stenographer	$5 00
Anna Stevenson, Stenographer	5 00

Resolved, further, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is

hereby directed to draw his warrants in favor of the respective persons for the said respective amounts and the Treasurer is hereby directed to pay the same:

Commencing March 9, 1937—	*Per day*
Maurine Barrow, Stenographer	$5 00
Mary Kennedy, Stenographer	5 00

Resolved, further, That the compensation of the above named attaches shall be on a six-day per week basis.

House Resolution No. 97 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 691.	**Assembly Bill No. 1435.**
Assembly Bill No. 990.	**Assembly Bill No. 1620.**
Assembly Bill No. 1211.	**Assembly Bill No. 2217.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 650.
Assembly Bill No. 1025.

Respectfully reports the same back with the recommendation: Do pass.

RICHIE, Chairman.

The above reported bills ordered on second reading calendar.

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred:

Assembly Bill No. 122.

Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CASSIDY, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 305.	**Assembly Bill No. 1135.**
Assembly Bill No. 800.	**Assembly Bill No. 1136.**
Assembly Bill No. 1134.	**Assembly Bill No. 1671.**

Respectfully reports the same back with the recommendation: Do pass.

WILLIAMSON, Vice Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 283.
Assembly Bill No. 779.
Assembly Bill No. 1680.
Assembly Bill No. 297.
Assembly Bill No. 2079.
Assembly Bill No. 401.
Assembly Bill No. 448.
Assembly Bill No. 449.
Assembly Bill No. 450.
Assembly Bill No. 562.
Assembly Bill No. 563.
Assembly Bill No. 184.
Assembly Bill No. 185.
Assembly Bill No. 2218.
Assembly Bill No. 277.
Assembly Bill No. 19.
Assembly Bill No. 24.
Assembly Bill No. 25.
Assembly Bill No. 26.
Assembly Bill No. 27.
Assembly Bill No. 38.

Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred

Assembly Bill No. 1466.
Assembly Bill No. 469.

Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR. SPEAKER. Your Committee on Education, to which was referred

Assembly Bill No. 1915.

Respectfully reports the same back with the recommendation: Do pass as amended.

WILLIAMSON, Vice Chairman.

The above reported bill ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR. SPEAKER Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 14.

Respectfully reports the same back without recommendation, as amended

HUNT, Chairman.

The above reported bill ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 1793.

Respectfully reports the same back with the recommendation: Do pass as amended

RICH, Chairman.

The above reported bill ordered on second reading calendar.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated

Assembly Concurrent Resolution No. 30: By Messrs. Jones, King, Peek, Meehan, and Hunt—Relative to accepting the resignation of Fred B Wood, as a member of the State Personnel Board, and the designation of Delwin W. Smith as a member thereof to succeed said Fred B. Wood.

Introduced, and referred to Committee on Rules.

Recess.

At one o'clock and fifty-five minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR SPEAKER Your Committee on Rules, to which was referred.

Assembly Concurrent Resolution No. 30.

Respectfully reports the same back with the recommendation: Be adopted.

PEEK, Chairman

Request for Unanimous Consent.

Mr. King asked for unanimous consent to take up Assembly Concurrent Resolution No. 30, at this time.

Mr Hornblower withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr King moved that the Rules be temporarily suspended for the consideration of Assembly Concurrent Resolution No. 30, at this time.

Motion for Committee of the Whole.

Mr. Hornblower moved that the Assembly resolve itself into a Committee of the Whole at this time.

The question being on the motion for Committee of the Whole

Demand for Previous Question.

Messrs. Hunt, Flint, Muldoon, Crowley, and Meehan demanded the previous question.

The question being put: Shall the main question be now put?

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Andreas, Baynham, Cassidy, Clark, Corwin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—46.

NOES—Beene, Boyle, Breed, Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Martin, Peyser, Scudder, Sheehan, Stream, Thorp, Walker, and Williamson—25

The question being on the motion for a Committee of the Whole.

The roll was called, and the motion lost by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Miller, Eleanor; Morgan, Peyser, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—31.

NOES—Andreas, Baynham, Boyle, Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Yorty, and Mr Speaker—42

The question being on the motion by Mr. King that the Rules be temporarily suspended for the consideration of Assembly Concurrent Resolution No. 30, at this time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr King moved a call of the Assembly.

The roll was called, and the motion carried by the following vote.

AYES—Andreas, Baynham, Boyle, Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan,

Millington, Muldoon, O'Donnell, Peek, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Yorty, and Mr. Speaker—40.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Miller, Eleanor, Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—32

Time, two o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—74

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly

Proceedings Under Call of the Assembly By Unanimous Consent.

Notice of Motion to Reconsider Motion to Withdraw House Resolution No. 54 Waived.

Mr. Yorty waived his notice of motion to reconsider the vote whereby his motion to withdraw House Resolution No. 54 from committee was lost.

Third Reading of Assembly Bills.

Assembly Bill No. 2024—An act to amend section 4307 of the Political Code of the State of California, relating to county charges.

Motion to Amend Assembly Bill No. 2024.

Mr. Kepple moved to amend Assembly Bill No. 2024 as follows

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "County charges: General."

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "District attorney and sheriff."

Amendment No. 3.

On page 1, lines 14 and 15, of the printed bill, strike out "other than those crimes declared to be misdemeanors by the Vehicle Code.".

Amendment No. 4.

On page 1, line 19, of the printed bill, after the period, insert "Except as to violations of section 502 of the Vehicle Code, the provisions of this subdivision do not apply to those crimes declared to be misdemeanors by the Vehicle Code."

Amendment No. 5.

On page 1, line 20, of the printed bill, strike out "County jail."

Amendment No. 6.

On page 1, line 25, of the printed bill, strike out "Jurors and witnesses."

Amendment No. 7.

On page 2, line 7, of the printed bill, strike out "Coroner."

Amendment No. 8.

On page 2, line 9, of the printed bill, strike out "Justices of the peace."

Amendment No. 9.

On page 2, line 13, of the printed bill, strike out "Dependent poor and indigent sick."

Amendment No. 10.

On page 2, line 25, of the printed bill, strike out "Contingent expenses."

Amendment No. 11.

On page 2, line 27, of the printed bill, strike out "Official bonds."

Amendment No. 12.

On page 2, line 30, of the printed bill, strike out "Constables."

Amendment No. 13.

On page 2, line 32, of the printed bill, strike out "Traveling expenses."

Amendment No. 14.

On page 2, line 40, of the printed bill, strike out "Court actions."

Amendment No. 15.

On page 2, line 47, of the printed bill, strike out "General."

Amendment No. 16.

On page 3, line 1, of the printed bill, strike out "Catastrophes."

Amendments adopted.

Request for Unanimous Consent.

Mr. Kepple asked for, and was granted, unanimous consent to take up Assembly Bill No. 2024, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 2024, as Amended.

Assembly Bill No. 2024—An act to amend section 4307 of the Political Code of the State of California, relating to county charges.

Assembly Bill No. 2024, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2024.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2024 was this day passed.

Assembly Bill No. 2024 ordered to reprint, and re-engrossment.

Hon. John Gee Clark in the Chair.

At two o'clock and fifty minutes p.m., Hon. John Gee Clark, member of the Assembly from the Seventieth District, in the chair.

Assembly Bill No. 1211—An act to amend the Vehicle Code by amending sections 34, 36, 37, 38, 39, 49, 66 and 67 thereof, and by adding thereto sections 32.5, 50 and 82.5, relating to definitions of words and phrases

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At three o'clock and twenty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 1215—An act to amend section 134 of the Vehicle Code, relating to motor vehicle publications.

Motion to Amend Assembly Bill No. 1215.

Mr. Hornblower moved to amend Assembly Bill No. 1215 as follows.

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "may", and insert in lieu thereof the following: "shall".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, strike out "and", and insert in lieu thereof the following: "at least once every two years and may".

Amendments adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1215 as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1215, as Amended.

Assembly Bill No. 1215—An act to amend section 134 of the Vehicle Code, relating to motor vehicle publications.

Assembly Bill No. 1215, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—66.

NOES—Garland, Heisinger, Robertson, and Yorty—4.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1216—An act to amend sections 146 and 146.5 of the Vehicle Code, and to repeal section 180.5 thereof, relating to the registration of vehicles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenny, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—71.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Bill.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 990 re-referred to Committee on Governmental Efficiency and Economy.

Senate Messages.

The following messages from the Senate were taken up and read·

SENATE CHAMBER, SACRAMENTO, March 9, 1937

MR. SPEAKER· I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 173—An act to amend section 4 of the "County Water District Act," relating to elections under the authority of said act;

Senate Bill No. 431—An act to repeal sections 2.123, 3.610, 3.611 and 3.612 of the School Code and to add thereto two new sections to be numbered 4.192 and 4.193, all relating to the furnishing of facilities and supplies by the county superintendent of schools for the education of children residing in the county;

Senate Bill No. 477—An act to amend section 6.2 of the School Code, relating to powers of boards of school trustees and city boards of education;

Senate Bill No. 1013—An act to amend section 6d of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and relating to existing utilities therein;

Senate Bill No. 122—An act to amend sections 1.71 and 1.81 of the School Code, relating to the transportation of pupils, and declaring the urgency thereof to take effect immediately;

Senate Bill No. 112—An act to adopt the California Redwood as the official State tree of this State.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 173 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 431 read first time, and referred to Committee on Education

Senate Bill No 477 read first time, and referred to Committee on Education.

Senate Bill No. 1013 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No 122 read first time, and referred to Committee on Education.

Senate Bill No. 112 read first time, and referred to Committee on Conservation.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937

MR. SPEAKER Your Committee on Ways and Means, to which was referred **Assembly Bill No. 471.**

Respectfully reports the same back with the recommendation: Do pass as amended

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937

MR SPEAKER Your Committee on Judiciary General, to which was referred **Assembly Bill No. 1130.**

Respectfully reports the same back with the recommendation: Do pass as amended.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1937

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 291.
Assembly Bill No. 1351.
Assembly Bill No. 424.
Assembly Bill No. 20.
Assembly Bill No. 23.

Respectfully reports the same back with the recommendation: Do pass as amended

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER SACRAMENTO, March 9, 1937.

MR SPEAKER: Your Committee on County Government, to which was referred.

Assembly Bill No. 1705.

Respectfully reports the same back with the recommendation: Do pass as amended.

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:

Assembly Bill No. 132.
Assembly Bill No. 133.
Assembly Bill No. 303.
Assembly Bill No. 1091.
Assembly Bill No. 1365.

Respectfully reports the same back with the recommendation. Do pass.

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 880.
Assembly Bill No. 1264.
Assembly Bill No. 1002.
Assembly Bill No. 1415.
Assembly Bill No. 2380.
Assembly Bill No. 2023.
Assembly Bill No. 2080.

Respectfully reports the same back with the recommendation. Do pass.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 116.
Assembly Bill No. 307.
Assembly Bill No. 971.

Respectfully reports the same back with the recommendation Do pass.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

Resolution.

The following resolution was offered:

By Messrs. Donihue, Breed, Cassidy, Crowley, Dannenbrink, Johnson, Meehan, Miller, and O'Donnell

House Resolution No. 98.

WHEREAS, It is with profound sorrow that the Divine Providence has removed from this earthly sphere of activity the Honorable Thomas J. Sheridan, an honored member of this Assembly in the thirty-fourth session of the Legislature in 1901, and more recently the able referee in bankruptcy in the City and County of San Francisco; and

WHEREAS, He has performed his duties upon this earth honestly and faithfully and in a manner that endeared him in the hearts of those with whom he came in contact, and inspired confidence in those in public service; and

WHEREAS, His cheerful spirit, profound knowledge and smiling countenance will be missed by all those who personally knew him; now, therefore, be it

Resolved, That this body expresses its sincere sympathy and deep sorrow in the passing of the Honorable Thomas J. Sheridan from this life; and be it further

Resolved, That this body respectfully conveys to the family of the Honorable Thomas J. Sheridan its expression of regret; and be it further

Resolved, That when this Assembly adjourns this day that it does so out of respect to the memory of the Honorable Thomas J. Sheridan, and be it further

Resolved, That a copy of this resolution, suitably engrossed, be presented to the family of the Honorable Thomas J. Sheridan.

Request for Unanimous Consent.

Mr. Donihue asked for, and was granted, unanimous consent to take up House Resolution No. 98, at this time, without reference to committee or calendar.

House Resolution No 98 read, and unanimously adopted

Withdrawal and Re-reference of Assembly Bill No. 744.

On motion of Mr. Fulcher, Assembly Bill No. 744 was withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Public Health and Quarantine.

Withdrawal and Re-reference of Assembly Bills Nos. 696 and 697.

On motion of Mr. Gilbert, Assembly Bills Nos. 696 and 697 were withdrawn from the Committee on Public Charities and Corrections, and re-referred to the Committee on Governmental Efficiency and Economy.

Withdrawal and Re-reference of Assembly Bill No. 2788.

On motion of Mr. Yorty, Assembly Bill No. 2788 was withdrawn from the Committee on Commerce and Navigation, and re-referred to the Committee on State Grounds and Parks.

Withdrawal and Re-reference of Assembly Bills Nos. 1265 and 1266.

On motion of Mr Corwin, Assembly Bills Nos. 1265 and 1266 were withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Medical and Dental Laws.

Withdrawal and Re-reference of Assembly Bill No. 1476.

On motion of Mr. Gilbert, Assembly Bill No. 1476 was withdrawn from the Committee on Elections, and re-referred to the Committee on Motor Vehicles.

Withdrawal and Re-reference of Assembly Bill No. 1200.

On motion of Mr. Hornblower, Assembly Bill No. 1200 was withdrawn from the Committee on Civil Service, and re-referred to the Committee on Motor Vehicles.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Joint Resolution No. 35: By Mr. Fulcher—Relative to memorializing the President and Congress to provide for the investigation by the United States Reclamation Service and the United States Biological Survey of the engineering problems involved in, and the feasibility of, diverting sump waters from the Tule Lake area into the Lower Klamath Lake area.

Request for Unanimous Consent.

Mr. Fulcher asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 35, at this time, without reference

to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 35.

Assembly Joint Resolution No. 35—Relative to memorializing the President and Congress to provide for the investigation by the United States Reclamation Service and the United States Biological Survey of the engineering problems involved in, and the feasibility of, diverting sump waters from the Tule Lake area into the Lower Klamath Lake area.

Assembly Joint Resolution No. 35 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Assembly Concurrent Resolution No. 31: By Messrs. Jones and King—Relative to the appointment of Delwin W. Smith as a member of the State Personnel Board, in lieu of the Legislative Counsel as a member of said board.

Introduced, and referred to Committee on Rules.

Further Proceedings Under Call of the Assembly Dispensed With.

At three o'clock and fifty minutes p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. King.

The roll of absentees was called, and the motion for temporary suspension of the Rules for the consideration of Assembly Concurrent Resolution No. 30 lost by the following vote:

AYES—Andreas, Baynham, Boyle, Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Yorty, and Mr. Speaker—43.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—32

Assembly Concurrent Resolution No. 30 ordered to engrossment.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 549.
Assembly Bill No. 970.
Assembly Bill No. 1184.
Assembly Bill No. 1596.
Assembly Bill No. 1897.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar

Adjournment.

At three o'clock and forty minutes p.m , on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Wednesday, March 10, 1937, out of respect to the memory of the late Honorable Thomas J. Sheridan, a former member of this Assembly.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY
SIXTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 10, 1937.

At one o'clock and thirty minutes p m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G Smyth at the desk

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—76.

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Kepple, the further reading of the Journal of Tuesday, March 9, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Burns Hugh M., on motion of Mr. Garibaldi.

Mr. O'Donnell, on motion of Mr. Turner.

Mr. Waters, on motion of Mr. Cunningham.

Mr. Boyle, on motion of Mr. Cunningham

Guests Extended Privilege of Assembly Floor.

On request of Mr. Kuchel, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Robert W. Marvin, of Anaheim.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mabel McDowell, of Glendale

On request of the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Harry W. Pulcifer and Judge Chris B. Fox, both former members of the Assembly.

On request of Mr. Dawson and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Edward Cockrum, Mr. Howard Demeke, Mr. Erwin Decker and Mr William J. J. Smith, Jr., all of San Francisco.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Melba Fitzpatrick and Mr. Virgil Bozarth, teachers; and the following teachers and students from Martinez, California: Marie Ahern, Harold Barnes, Elizabeth Barnett, Morris Barnett, Anne Beede, Evelyn Bellato, Edith Buchanan, John Buxton, John Brady, Roger Cairns, Ersilia Casagrande, Lewis Cervasco, Vernon Claeys, Flora Colombo, Vernez Cook, Izetta Capello, Rita Davi, Elwood Draper, Cleo Dressler, William Fitzpatrick, George Foster, Helen Fukuchi, Francis Gill, Audrey Grady, Dustin Groth, Mary Guanzani, Rosemary Greenwood, Wesley Gilbert, Dolores Harron, Juanita Hix, Betty Johnson, Helen Kennedy, Robert Joost, Ramon Lamp, Janice Meese, Lois Merrithew, Winifred Newell, Joseph Robrecht, Ella Scheffer, Henry Speetzen, Anthony Vegas, Eleanor Volpi, Blaine Wadsworth, Ruth Ward, Francis Wilkerson, Dorothy Wilkins, William Hurley and Harrison Ford.

On request of Mr. Mayo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ellsworth L. Martinelli, Principal, and the following students of the seventh and eighth grade Civics Class of Colfax Grammar School: Jack Hutchison, Marjorie Hyatt, Charlotte Cooper, Lorraine Thomas, Robert Marson, Ralph Reed, Angelo Morotti, Bryan Broadhurst, Robert Grondona, Louis Stein, Wm. Clinkinbeard, Max Horn, Victor Albonico, Raymond Owen, Evelyn Termine, Josephine Patry, Bertha Keck, Julia Delsindico, Catherine Judy, Carl Horn, Maxine Holmes, Lillian Winton, Aileen McCullough, Lewis Ennis, Walter Vermon, Robert Thomas, Clinton Sweat, Docie Arrighi, Louise Thomsen, Florence Wallace, Gertrude Pearce, La Verne Thomas.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles L. Dodge, County Treasurer, Contra Costa County, Martinez.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Daniel Knox.

Assistant Clerk Berry Reading.

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From several organizations, urging pardon of Thomas J. Mooney.

From the Pasadena Teachers' Association, relating to health insurance.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Rules, to which was referred:
Assembly Concurrent Resolution No. 31.
Respectfully reports the same back with the recommendation: Be adopted.

PEEK, Chairman

The above reported bill ordered to engrossment.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:
Assembly Joint Resolution No. 31.
Respectfully reports the same back with the recommendation: Be adopted.

FLINT, Chairman.

The above reported bill ordered to engrossment.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Civil Service, to which was referred:
Assembly Bill No. 1348.
Assembly Bill No. 1350.
Respectfully reports the same back with the recommendation: Do pass.

CROWLEY, Chairman

The above reported bills ordered on second reading calendar

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred
Assembly Bill No. 629. **Assembly Bill No. 510.**
Assembly Bill No. 699. **Assembly Bill No. 1059.**
Respectfully reports the same back with the recommendation: Do pass

MEEHAN, Chairman

The above reported bills ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Assembly Bill No. 1592.
Respectfully reports the same back with the recommendation: Be re-referred to the Committee on Ways and Means.

DONIHUE, Chairman.

The above reported bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1562.	**Assembly Bill No. 546.**
Assembly Bill No. 1574.	**Assembly Bill No. 1262.**
Assembly Bill No. 1580.	**Assembly Bill No. 1440.**
Assembly Bill No. 1606.	**Assembly Bill No. 1441.**
Assembly Bill No. 1763.	**Assembly Bill No. 1442.**

Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman

The above reported bills ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Fish and Game, to which was referred.

Assembly Bill No. 1699.	**Assembly Bill No. 2394.**
Assembly Bill No. 1700.	**Assembly Bill No. 1172.**
Assembly Bill No. 15.	**Assembly Bill No. 1176.**
Assembly Bill No. 1530.	**Assembly Bill No. 1597.**
Assembly Bill No. 231.	**Assembly Bill No. 2752.**

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Fish and Game, to which was referred.
Assembly Bill No. 83. **Assembly Bill No. 2748.**
Assembly Bill No. 296. **Assembly Bill No. 2419.**
Respectfully reports the same back with the recommendation: Do pass as amended.

PATTERSON, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 2751.
Respectfully reports the same back without recommendation, as amended

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Assembly Bill No. 1579.
Respectfully reports the same back with the recommendation: Do pass as amended

DONIHUE, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy to which was referred:
Assembly Bill No. 2027.
Respectfully reports the same back without recommendation, as amended

DONIHUE, Chairman

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Concurrent Resolution No. 30.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bill ordered on third reading calendar.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO March 10 1937

MR. SPEAKER: Your Committee on Rules, to which was referred
Senate Bill No. 950.
Respectfully reports the same back with the recommendation Do pass

PEEK, Chairman

The above reported bill ordered on second reading calendar

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred.
Assembly Bill No. 956.
Assembly Bill No. 1729.
Respectfully reports the same back with the recommendation Do pass.

GILBERT, Chairman

The above reported bills ordered on second reading calendar.

Resolution.

The following resolution was offered:

By the Committee on Attaches:

House Resolution No. 99.

Resolved, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the person below listed for the said amount, and the Treasurer is hereby directed to pay the same.

Commencing March 11, 1937— *Per day*
Margaret Barber, Stenographer.....$5 00

Resolved, further, That the compensation of above named attache shall be on a six-day per week basis.

House Resolution No. 99 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—61.

NOES—None.

Assistant Chief Clerk Greenburg Reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 18—Relative to approving a certain amendment to the charter of the city of Roseville, a municipal corporation in the county of Placer, State of California, duly voted for and ratified by the qualified electors of said city at an election held therein on the fourteenth day of April, 1936.

J. A BEEK, Secretary of Senate.
By F. ALBERT BLATZ, Assistant Secretary

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 18, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 18.

Senate Concurrent Resolution No. 18—Relative to approving a certain amendment to the charter of the city of Roseville, a municipal corporation in the county of Placer, State of California, duly voted for and ratified by the qualified electors of said city at an election held therein on the fourteenth day of April, 1936

Senate Concurrent Resolution No. 18 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, Meehan, Miller Eleanor, Morgan, Muldoon, Patterson Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallish, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—61

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, March 10, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 58—An act to amend section 4 of an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a division of narcotic enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, relating to employees of the Division of Narcotic Enforcement;

Senate Bill No. 670—An act to amend section 677 of the Political Code, relating to the State Department of Finance;

Senate Bill No. 669—An act to add section 663c to the Political Code, relating to the fixing of maximum maintenance allowances of certain State officers and employees by the State Board of Control;

Senate Bill No. 432—An act to amend sections 2.2010 and 2.2011 of the School Code, relating to unified school districts.

J. A. BEEK, Secretary of Senate.
By F. ALBERT BLATZ, Assistant Secretary.

Senate Bill No. 58 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 670 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 669 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 432 read first time, and referred to Committee on Education.

SENATE CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following.

Senate Bill No. 894—An act to amend an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, by amending section 1, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns;

Senate Bill No. 668—An act to amend section 1030 of the Political Code, relating to office hours;

Senate Bill No. 614—An act to add secton 461 to the Political Code, relating to the insurance of funds and securities in the custody of the State Treasurer;

Senate Bill No. 895—An act to amend section 61 of the Bank Act, relating to investments in registered warrants of this State;

Senate Bill No. 993—An act to amend section 440 of the Political Code, relating to the issuance of warrants by the State Controller, and payment of claims against the State;

Senate Bill No. 362—An act to amend section 692 of the Political Code, relating to the approval of contracts by the Director of Finance.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 894 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 668 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 614 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 895 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 993 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 362 read first time, and referred to Committee on Governmental Efficiency and Economy.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 10 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 858.
Assembly Bill No. 1232.

Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1233.

Respectfully reports the same back with the recommendation: Do pass as amended

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1947. **Assembly Bill No. 862.**
Assembly Bill No. 78. **Assembly Bill No. 2162.**
Assembly Bill No. 2422.

Respectfully reports the same back without recommendation, as amended

DONNELLY, Chairman

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Concurrent Resolution No. 31.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred

Assembly Bill No. 101. **Assembly Bill No. 992.**
Assembly Bill No. 269. **Assembly Bill No. 2100.**

Respectfully reports the same back with the recommendation. Do pass.

FLINT, Chairman

The above reported bills ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1765. **Assembly Bill No. 1190.**
Assembly Bill No. 1189. **Assembly Bill No. 1907.**

Respectfully reports the same back with the recommendation. Do pass as amended

GARLAND, Vice Chairman.

The above reported bills ordered on second reading calendar

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 275.

Respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1206.

Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar

On Public Charities and Corrections.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No. 1177.

Respectfully reports the same back without recommendation, as amended

PELLETIER, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 825. **Assembly Bill No. 1200.**
Assembly Bill No. 576. **Assembly Bill No. 1202.**
Assembly Bill No. 746. **Assembly Bill No. 1209.**
Assembly Bill No. 628. **Assembly Bill No. 1210.**
Assembly Bill No. 1204. **Assembly Bill No. 1220.**
Assembly Bill No. 1205. **Assembly Bill No. 1212.**

Respectfully reports the same back with the recommendation: Do pass.

HORNBLOWER, Chairman.

The above reported bills ordered on second reading calendar.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Corwin:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Corwin:

An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

CALL, Chairman

The roll was called, and the report adopted by the following vote.

AYES—Andreas, Baynham, Beene, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65.

NOES—None

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated

Assembly Bill No. 2791: By Mr. Corwin—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Bill read first time, and referred to Committee on Aviation and Aircraft.

Motion to Consider Assembly Concurrent Resolution No. 31.

On motion of Mr King, Assembly Concurrent Resolution No 31 was taken up for consideration at this time.

Consideration of Assembly Concurrent Resolution No. 31.

Assembly Concurrent Resolution No. 31—Relative to the appointment of Delwin W. Smith as a member of the State Personnel Board, in lieu of the Legislative Counsel as a member of said board.

Demand for Previous Question.

Messrs. Flint, Hunt, Garland, Muldoon, and Lore demanded the previous question.

The question being put: Shall the main question be now put?

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Andreas, Baynham, Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal,

Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—51.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cunningham, Dawson, Dilworth, Field, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Mayo Peyser, Redwine, Scudder, Stream, Thorp, Walker, and Williamson—24

The question being on the adoption of Assembly Concurrent Resolution No. 31.

The roll was called, and Assembly Concurrent Resolution No. 31 adopted by the following vote:

AYES—Andreas, Baynham, Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—42.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor, Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33

Title read and approved. Bill ordered transmitted to the Senate.

Explanation of Vote on Assembly Concurrent Resolution No. 31.

In explanation of our vote in connection with Assembly Concurrent Resolution No. 31, the undersigned members of the Assembly, who voted against said resolution, offer the following statement as the basis for the votes so rendered by them:

Under the constitutional provisions providing for the appointment of the Legislative Counsel as a member of the State Personnel Board, it is specifically stated that he shall hold office at the pleasure of the Legislature. Therefore, it is not within his power or function to tender his resignation as a member of said Personnel Board without resigning as Legislative Counsel.

At the session of the Assembly held March 9, 1937, a motion was made that the Assembly resolve itself into a Committee of the Whole House to hear Mr. Wood. The motion was voted down, and Mr. Fred Wood, the Legislative Counsel, was not given the privilege nor afforded the opportunity of expressing himself on the question of his removal, to the members of the Assembly. We deem this action as unfair, and as an additional slight to Mr. Wood, whose integrity and ability as a member of the Personnel Board has not only been not questioned, but praised. The action of the Assembly in adopting the said resolution amounts to a vote for the removal of Mr. Wood without a hearing or trial, and is, in our opinion, a gross injustice.

MELVYN I. CRONIN
JEFFERSON E. PEYSER
JOSEPH F. SHEEHAN
KENNETT B. DAWSON
EDGAR C. LEVEY
CHARLES M. WEBER
RAY WILLIAMSON
WILLIAM B. HORNBLOWER
JESSE M. MAYO
HARRISON W. CALI
CHARLES W. LYON
E. V. LATHAM
C. DON FIELD
CHARLES W. STREAM
GORDON W. CORWIN
FRANK G. MARTIN
CLARENCE R. WALKER
THOMAS J. CUNNINGHAM
GEOFFREY F. MORGAN
ELEANOR MILLER
GERALD C. KEPPLE
THOMAS H. KUCHEL
KENT H. REDWINE
C. C. COTTRELL
JAMES E. THORP
HUBERT B. SCUDDER
ARTHUR H. BREED, JR.
ADRON A. BEENE
GARDINER JOHNSON
JACOB M. LEONARD
NELSON S. DILWORTH
MICHAEL J. BURNS
THOMAS A. MALONEY

Second Reading of Assembly Bills.

Assembly Bill No. 650—An act to add section 136½ to the Penal Code, relating to bribing or offering to bribe witnesses.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1025—An act to amend section 1368 of the Penal Code, relating to the sanity of the defendant in a criminal prosecution.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 305—An act to repeal section 2.2140 of the School Code and to amend sections 2.2143 and 2.2145 thereof, all

relating to the supervision of instruction in unified school districts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 800—An act to add two new sections to the School Code to be numbered 3.352a and 4.930, relating to junior colleges maintained by high school districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1134—An act to add a new section to the School Code to be numbered 2.996, relating to the educational exhibits of school districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1135—An act to add a new section to the School Code to be numbered 5.589, relating to the holding of institutes

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1136—An act to add a new section to the School Code to be numbered 4.375, relating to the attendance of pupils.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1671—An act to amend sections 2.114, 2.472, 2.597 and 6.50 of the School Code and to repeal section 6.82 thereof, all relating to the public school system.

Bill read second time, and ordered to engrossment

Assembly Bill No. 283—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 779—An act to add section 3817ee to the Political Code, relating to suits by public agency to quiet title.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1680—An act to add a new section to the Probate Code to be numbered 1530a, relating to compromise of claim against estate of ward.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 297—An act to amend section 4316 of the Political Code, relating to the privileges of public officers.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2079—An act to amend section 73a, Code of Civil Procedure, relating to court expenses.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 401—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 448—An act to amend section 1124 of the Probate Code of the State of California, and to add a new section thereto to be known as section 1125.1, relating to testamentary trustees

Bill read second time, and ordered to engrossment.

Assembly Bill No. 449—An act to amend section 1593 of the Probate Code, relating to the discharge of guardians.

Bill read second time, and ordered to engrossment

Assembly Bill No. 450—An act to add a new section to the Probate Code of the State of California, to be known as section 1028, relating to the ratable, partial, and final distribution of estates of deceased persons.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 562—An act to add section 948a to the Code of Civil Procedure, relating to bonds or undertakings required by law or order of court.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 563—An act renumbering section 1482 of the Probate Code, relating to additional bond required of guardians upon the sale or mortgaging of real property of the ward.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 184—An act to amend section 224 of the Civil Code, relating to consent to adoption.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 185—An act to amend section 953a of the Code of Civil Procedure, relating to appeals from any court of record.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2218—An act to add a new section 1872 to the Code of Civil Procedure, relating to expert testimony.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 277—An act to amend section 1418 of the Penal Code, relating to reprieves, commutations, and pardons.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 19—An act to repeal sections 332, 333, 334, 335, 336 and 337 of the Political Code, relating to biennial reports of departments and agencies of the State.

Bill read second time, and ordered to engrossment

Assembly Bill No. 24—An act to repeal section 267 of the Political Code, relating to the Speaker of the Assembly.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 25—An act to amend section 247 of the Political Code, relating to officers and employees of the Legislature.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 26—An act to amend section 256 of the Political Code, relating to the Journals of the respective houses of the Legislature.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 27—An act to amend section 259 of the Political Code, relating to the Sergeant-at-Arms

Bill read second time, and ordered to engrossment

Assembly Bill No. 38—An act to amend section 539 of the Political Code, relating to the printing of bills.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1466—An act to amend section 1973 of the Code of Civil Procedure, relating to agreements required to be in writing and to be subscribed by the party to be charged

Committee Amendments to Assembly Bill No. 1466.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, following the word "Procedure", insert the following: "and section 1624 of the Civil Code".

Amendment No. 2.

On page 2, line 5, of the printed bill, strike out the word "purchase", and insert in lieu thereof the following: "purchased, unless assumption of said indebtedness by the purchaser is specifically provided for in the conveyance of such property".

Amendment No. 3.

On page 2 of the printed bill, following line 5, insert the following:

"Sec. 2. *Section 1624 of the Civil Code is hereby amended to read as follows.*

'1624. The following contracts are invalid, unless the same, or some note or memorandum thereof, is in writing and subscribed by the party to be charged or by his agent:

1. An agreement that by its terms is not to be performed within a year from the making thereof;

2. A special promise to answer for the debt, default, or miscarriage of another, except in the cases provided for in section 2794;

3. An agreement made upon consideration of marriage other than a mutual promise to marry;

4. An agreement for the leasing for a longer period than one year, or for the sale of real property, or of an interest therein; and such agreement, if made by an agent of the party sought to be charged, is invalid, unless the authority of the agent is in writing, subscribed by the party sought to be charged;

5. An agreement authorizing or employing an agent or broker to purchase or sell real estate for compensation or a commission;

6. An agreement which by its terms is not to be performed during the lifetime of the promisor, or an agreement to devise or bequeath any property, or to make any provision for any person by will.

7. An agreement by a purchaser of real property to pay an indebtedness secured by a mortgage or deed of trust upon the property purchased, unless assumption of said indebtedness by the purchaser is specifically provided for in the conveyance of such property'".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 469—An act to amend section 710 of the Code of Civil Procedure, relating to execution on moneys due from a governmental agency to a judgment debtor

Committee Amendments to Assembly Bill No. 469.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, between lines 32 and 33, insert the following:

"(d) In the event the moneys owing to a judgment debtor by any governmental agency mentioned in this section are owing by reason of an award made in a condemnation proceeding brought by the governmental agency, such governmental agency may pay the amount of the award to the clerk of the court in which such condemnation proceeding was tried, and shall file therewith the abstract or transcript of judgment and the affidavit filed with it by the judgment creditor. Such payment into court shall constitute payment of the condemnation award within the meaning of section 1251 of this code. Upon such payment into court and the filing with the county clerk of such abstract or transcript of judgment and affidavit, the county clerk shall notify by mail, through their attorneys, if any, all parties interested in said award of the time and place at which the court which tried the condemnation proceeding will determine the conflicting claims to said award. At said time and place the court shall make such determination and order the distribution of the money held by the county clerk in accordance therewith."

Amendment No. 2.

On page 2, line 33, of the printed bill, strike out "(d)", and insert in lieu thereof the following "(e)".

Amendment No. 3.

On page 2, line 42, of the printed bill, strike out "(e)", and insert in lieu thereof the following: "(f)".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1915—An act to add section 6.53 to the School Code, relating to provision of a place for children to eat lunches brought from home

Committee Amendments to Assembly Bill No. 1915.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, following line 2, and before the word "Every" in line 3, insert the following: "The governing board of".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out the word "Every", and insert in lieu thereof the following: "every"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 14—An act to provide for the revision of the Constitution of this State, including the election of Delegates to the Convention, the proceedings, powers, duties, and matters incidental to the Convention, the submission of the revised Constitution to the people and matters incidental thereto and making an appropriation therefor

Committee Amendments to Assembly Bill No. 14.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following: "mento on the first day in October of the year 1938."

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out "be chosen"

Amendment No. 3.

On page 1, line 5, of the printed bill, strike out "in the same manner and".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 8 to 22, inclusive, and insert in lieu thereof the following: "there shall be elected to the office of Delegate to the Constitutional Convention one delegate from each district of this State from which a member of the Assembly of this State is elected and one delegate from each district of this State from which a member of the Senate of this State is elected. In the left hand column of the ballot, immediately under the heading "State," shall be printed the designation "Delegate to the Constitutional Convention," to be followed under such heading by the names of candidates for that office

Candidates for the office of Delegates to the Constitutional Convention shall be nominated in the same manner as candidates for the Senate or for the Assembly are nominated under sections 5 and 6 of the Direct Primary Law, but all reference to party candidacy or party affiliation shall be omitted from the nomination papers."

Amendment No. 5.

On page 2 of the printed bill, strike out lines 1 and 2

Amendment No. 6.

On page 2, line 5, of the printed bill, strike out "Monday of February, 1939," and insert in lieu thereof the following: "day of October in the year 1938."

Amendment No. 7.

On page 2, line 16, of the printed bill, strike out "March", and insert in lieu thereof the following: "January".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1793—An act to add a new section to be numbered 210 to the Penal Code, relating to extortion.

Committee Amendment to Assembly Bill No. 1793.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 16 and 17, of the printed bill, strike out "life imprisonment without possibility of parole", and insert in lieu thereof the following: "imprisonment

in a State prison during his natural life, or for any number of years not less than five".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 471—An act making an appropriation to meet a deficiency in an appropriation for the support of the Department of Motor Vehicles, and providing that this act shall take effect immediately.

Committee Amendment to Assembly Bill No. 471.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out "three hundred twenty thousand", and in line 2, strike out "dollars ($320,000.00)", and insert in lieu thereof the following: "one hundred eighty-nine thousand five hundred forty-nine dollars seventy cents ($189,549.70)".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1130—An act to add section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Committee Amendment to Assembly Bill No. 1130.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out lines 8 and 9, and insert in lieu thereof "be left to the discretion of the trial judge, and to be approved by the supervisors and paid out of the general fund of the county."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 291—An act to add section 1201.5 to the Penal Code, relating to motions after judgment.

Committee Amendments to Assembly Bill No. 291.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "A motion may be", and insert in lieu thereof the following: "Any motions".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 4 to 8, inclusive, and insert in lieu thereof the following: "must be made only upon written notice served upon the prosecution at least three days prior to the date of hearing thereon. No affidavit or other writing shall be presented or considered in support thereof unless a copy of the same has been duly served upon the prosecution at least three days prior to a hearing thereon. Any appeal from an order entered upon a motion made other than as herein provided, must be dismissed by the court."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1351—An act to amend section 707 of the Code of Civil Procedure, relating to the payment of the rents and profits of property sold on execution by a tenant in possession pending redemption.

Committee Amendments to Assembly Bill No. 1351.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out the following: "or value of the use and occupation"

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out the following: "or value of the use and occupation"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 424—An act to amend section 1329 of the Penal Code, relating to the fees of witnesses in criminal cases.

Committee Amendment to Assembly Bill No. 424.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, after the word "order", strike out the comma.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 20—An act to amend section 324 of the Political Code, relating to resolutions.

Committee Amendment to Assembly Bill No. 20.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following: "the Secretary of State."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 23—An act to amend sections 301 and 302 of the Political Code, relating to witnesses before the Legislature and committees thereof.

Committee Amendment to Assembly Bill No. 23.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, after "Senate", strike out the comma, and insert in lieu thereof the following: "or".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1705—An act to amend section 4251 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-second class.

Committee Amendment to Assembly Bill No. 1705.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 5 of the printed bill, strike out lines 10 to 13, inclusive.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 132—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 133—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 303—An act to amend section 3653.5 Political Code, relating to records of the assessor being open to inspection.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1091—An act to amend section 65 of the Agricultural Code, relating to the duties of county agricultural commissioner.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1365—An act to amend section 3819a of the Political Code, relating to duties of tax collector in counties of the first and second classes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 880—An act to establish a Business and Professions Code, thereby consolidating and revising the law regulating and protecting private business and licensed professions and callings and penalizing violations thereof, and to repeal acts and parts of acts specified herein.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1264—An act to add Chapter 11, comprising sections 4800 to 4897, inclusive, to Division 11 and to add section 30008 to Division XXX of the Business and Professions Code, relating to the practice of veterinary medicine and surgery and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1002—An act to add section 781 to the Political Code, relating to the reports of the Supreme Court and the District Courts of Appeal.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1415—An act to amend section 15 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to suits on assigned claims.

Bill read second time, and ordered to engrossment.

Assemby Bill No. 2380—An act to amend section 11.4 of an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933, relating to land surveyors.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2023—An act to amend section 4153 of the Political Code of the State of California, relating to the duties of the district attorney.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2080—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and the selection of jurors, therein," approved May 23, 1925, relating to municipal courts and the judges and attaches thereof, in cities or cities and counties of the second and one-half class.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 116—An act making an appropriation for the enforcement of standards, quality and identity, in the manufacture and sale of California wines and brandy.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 307—An act to amend section 7 of the California Nautical School Act, relating to admission fees.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 971—An act to provide for the payment of the proportionate share of bonded indebtedness levied against property subsequently acquired by the State or a political subdivision thereof for public purposes.

Bill read second time, and ordered to engrossment.

Special Order.

The hour of two o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Concurrent Resolution No. 18.

Assembly Concurrent Resolution No. 18—Relative to granting a full and complete pardon to Thomas J. Mooney.

Assembly Concurrent Resolution No. 18 read.

Motion to Print Communication in Journal.

Mr. Latham moved to have a communication from the Legislative Counsel relative to Assembly Concurrent Resolution No. 18 read, and printed in the Journal

Motion to Table.

Mr. Flint moved to table the motion by Mr. Latham to read, and print the communication in the Journal.

Motion lost.

The question being on the motion by Mr. Latham to have a communication printed in the Journal.

Request for Unanimous Consent.

Mr. Latham asked for unanimous consent to amend his motion so that only the last two paragraphs of the communication be read, and the entire communication be printed in the Journal.

Mr Donnelly withheld his consent

Request for Roll Call.

On request of Messrs. Johnson, Dannenbrink and Latham, the Speaker ordered a roll call taken on the motion by Mr. Latham to have a communication relative to Assembly Concurrent Resolution No. 18 read, and printed in the Journal.

The roll was called, and the motion lost by the following vote:

AYES—Baynham, Beene, Breed, Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Field, Fulcher, Garibaldi, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Peyser, Redwine, Scudder, Stream, Thorp, Walker, Weber, and Williamson—35.

NOES—Andreas, Burns, Michael J., Clark, Donihue, Donnelly, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Hunt, King, Laughlin, Lore, Maloney, McMurray, Meehan, Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—37.

The question being on the adoption of Assembly Concurrent Resolution No. 18.

Statement by Speaker.

Upon leaving the chair, the Speaker asked that the following statement be printed in the Journal:

"Having been called suddenly to Los Angeles on urgent business, I shall not be able to vote on the resolution now under consideration However I wish to state that if we were able to be present I would vote in favor of the resolution granting a legislative pardon to Thomas Mooney, and I sincerely hope that the resolution is adopted."

Hon. Henry P. Meehan in the Chair.

At three o'clock and fifteen minutes p.m., Hon Henry P. Meehan, Speaker pro tempore and member of the Assembly from the Seventeenth District, in the chair.

The question being on the adoption of Assembly Concurrent Resolution No. 18.

Hon. Ray Williamson in the Chair.

At three o'clock and thirty minutes p.m., Hon. Ray Williamson, member of the Assembly from the Twenty-Sixth District, in the chair.

The question being on the adoption of Assembly Concurrent Resolution No. 18.

Point of Order.

During the debate, Mr. Tenney arose to the following point of order: That the reading of the communication by Mr. Latham was out of order under the provisions of Rule 36.

Ruling by the Speaker.

The Speaker ruled the point of order not well taken.

Appeal from the Decision of the Chair.

Mr. Tenney appealed from the decision of the Chair.

Request for Roll Call.

On request of Messrs. Johnson, Morgan, and Hornblower, the Speaker ordered a roll call taken on the appeal from the decision of the Chair.

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Peyser, Redwine, Robertson, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, and Welsh—59.

NOES—Flint, Gilbert, Hawkins, Hunt, Patterson, Pelletier, Reaves, Richie, Tenney, and Yorty—10.

The question being on the adoption of Assembly Concurrent Resolution No. 18.

Demand for Previous Question.

Messrs. Hunt, Andreas, and Flint demanded the previous question.

The question being put: Shall the main question be now put?

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Andreas, Breed, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—58.

NOES—Daley, Desmond, Dilworth, Donnelly, Hornblower, Kepple, Kuchel, Mayo, and Miller, Eleanor—9.

The question being on the adoption of Assembly Concurrent Resolution No. 18.

The roll was called, and Assembly Concurrent Resolution No. 18 adopted by the following vote:

AYES—Andreas, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Dawson, Donihue, Flint, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peck, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, and Yorty—45.

NOES—Baynham, Beene, Breed, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Martin, Mayo, Miller, Eleanor, Millington, Redwine, Scudder, and Walker—28.

Title read and approved. Bill ordered transmitted to the Senate.

Explanations of Vote.

I am voting for this measure because of the following reasons:

First. If Tom Mooney is not guilty of the crime, he has suffered much in vain.

Second. If he is guilty he has already suffered 20 long years.

Third. I have seen sworn testimony that he was framed which puts a doubt in my mind. Were I a juror in any criminal case, and possessed with such a doubt, it would be my duty to vote against conviction, therefore I am now voting for his freedom.

S. L. HEISINGER.

MR. SPEAKER: Due to the fact that I am confined to bed because of illness and unable to attend the session on this legislative day, I respectfully request that the following statement be printed in the Journal following the vote on Assembly Concurrent Resolution No. 18.

If I were able to be present I would vote in favor of Assembly Concurrent Resolution No. 18 granting a legislative pardon to Thomas J. Mooney and I sincerely hope the members of the Assembly will adopt the resolution.

JAMES J. BOYLE.

Notice of Motion to Reconsider Assembly Bill No. 2024 Waived.

Mr. Hunt waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2024 was passed.

Assembly Bill No. 2024 ordered transmitted to the Senate.

Adjournment.

At four o'clock and fifty-five minutes p.m., on motion of Mr. King, the Speaker pro tempore declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Thursday, March 11, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FOURTH LEGISLATIVE DAY
SIXTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 11, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. Henry P. Meehan, Speaker pro tempore of the Assembly, in the chair.

Assistant Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—76

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Cronin, the further reading of the Journal of Wednesday, March 10, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Burns, Hugh M., on motion of Mr. Garibaldi.

Mr. Waters, on motion of Mr. Cunningham.

Mr. Boyle, on motion of Mr. Andreas.

Mr. Reaves, on motion of Mr. Laughlin.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. P. S. Nash, of San Francisco.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Anneta B. Morrison, Instructor of Citizenship of Lodi Union High School, and the following students: Mrs. Agnes Martin, Sam Morrison, Samuel Ritz,

Otto Helmle, Peter Jauch, Gottleib Beisel, John Wagermann, John Miller, John Freddi, Mic Renke, Toby Reichenberg, Gus Reichenberg, Ben Wagermann, Gottleib Geringer, Mrs. G. Geringer, Mrs Dave Miller, Mrs. Peter Jauch, Miss Miller, Miss Miller, Miss Miller, and Mr. Collivas

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Pearl Gifford, *instructor; and the following students, members of California Scholarship Federation,* Stockton High School, Lois Archibald, Aileen Brokaw, Bill Biddick, Edna Brandt, Jerry Bryan, Margaret Caldera, Dorothy Comer, Eleanor Comer, Eleanor Clark, Nevada Chalmers, Jean Dysinger, Ruth Ellis, Kent Elsworth, Karen Jean Fuller, Mary Ellen Fuller, Helen Flanagan, Charles Gardipee, Don Jonte, Jessie Hannay, Jack Hanner, Dorothy Kato, Sam King, Louvan Kolher, Bob Mannhalter, Anna Jean Martin, Kikuko Morita, Lola Marraccini, Priscilla Porter, Edward Rea, Edgar Robinson, Sam Ruvkun, Ruth Schmidt, Gladys Southard, Walter Temme, Dick Ulrey, Jack Whipple, Mildred Yano, and Gong Yut.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Andrew Hancock of Bakersfield, State Chairman of Founders Day Committee of California Congress of Parents and Teachers, and Mrs. Carl Nair, President of Seventh District, California Congress of Parents and Teachers.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lafayette School, Lafayette, California, Mr. U B. Ellis, teacher, and the following students: Richard Gadsden, Doris Christensen, Mary Mukuno, Betty Breckt, Lourdis Solidor, Tashie Kaya, Clarence Stanley, David Crosett, Peggy Combs, Jerry Whitaker, Daphine Coleman, Margaret Jenkensen, Lozara Kido, Ellen Lagundas, Cleofe Bertera, Lois Hallmyer, Mary Sangmaster, Barbara Loukup, Inez Huntsman, Rose Sares, Mary Bisson, Charles Malley, Victoria Soares, Bernice Miller, Billy Grug, Fred Langmaster, Edward Allen, Tony Lobo, Junior Spyers, Shirley Peters, Tony Lagundas, Mary Machado, Earl Guipe, Dick Corbett, Dudley Myers, and Ralph Smith; Walnut Creek, Mr. G. W. Toomey, teacher, and the following Seventh Grade Students: Laura Wedsted, Lyle Palmer, Ronald Skow, Mildred Hook, Harry Hemstock, Billy Johnson, Ethel Tinkham, Verna Steele, Sally Tycer, Marilyn Reinke, Alan Anderson, Charlotte Hofer, Robert Green, Helen Raine, Clifford Leschinsky, Jean Cook, Marie Lemoine, Jack Edwards, Leslie Geary, Charles Sanders, Beverley Thomson, Clifford Young, Muriel Penfield, Donald Parsons, Lois Cabus, Marellen McCombs, Billy Grant, Darrell Hopkins, Richard Salmon, Audrey Burk, Warren Flanders, Alice Starr, Celia Starr, Robert Walker, Marion Cheadle, and Marjorie Hawes; Pleasant Hill School, Mrs. Irene Spencer, principal, and the following students: Bobby Rivera, John Rivera, Lotus Lesnick, Richard Hardy, Carolyn Palmgren, Alfred Kerr, Betty Anne Edwards, Armeda Oxley, Lester Hardy, Frances Luce, Ralph Green, Francis Whaley, Glenn Erickson, Mary De Mello, Louis Mengini, Jack Peabody, Lorraine Marshall, Bonnie Smith, Muriel Kerr, Muriel Meier, and George Stover; Walnut Creek, Mr. E. Ensz, teacher, and the following eighth grade students: Mary Deane Bradley, Marjorie Miller, Barbara Cassell, Bernice Feagans, Suzann Lawrence, Helen Harmon, Helen Lehto, Dorothy Raine, Bernice Adams, Augusta Eagelson, Velma Stromberg, Matilda Figrieira, Orwren Esley,

Jimmy Lockhead, Dick Higgins, William Jessup, Louis Dewing, Halbert Moller, John Nourse, Jim Bart, Jimmie Moura, Arthur Fleuti, Hubert Furth, Richard Symmons, Dick Penfield, Ted Lawrence, and Eddie Cadwell; Walnut Creek, Mr. S. Rankin, teacher, and the following students: Ruth Wharton, Frances Giammona, Barbara Lawrence, Bernice Kennedy, Lois Grafelman, Berverly Richardson, Betty Hawes, Lorraine Royall, Helen Wedsted, Carolyn Humble, Oscar Johnson, Edward Powell, Roger Harding, Marshall De Bisschop, Douglas Brown, John Bertino, Jack Paulson, Don Walker, Billy Pitts, Jim Ferrier, Hall Clark, Vincent Graziano, Peter Giammona, Lloyd Adams, Marlin Van Brocklin, Milton Proskey, and Fred Cussner; and Mr. Leslie J. Thomas, Postmaster, Richmond, California.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to D. G. Clayton, County Clerk of Riverside County.

On request of Messrs. Meehan and Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. H. W. Call, Jr.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John J. Sullivan, Chief of the Division of Veterans Homes.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walter Haight and William Rosenburg.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 287.
Assembly Bill No. 1078.

Respectfully reports the same back with the recommendation: Do pass.

MALONEY, Chairman.

The above reported bills ordered on second reading calendar.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 526.
Assembly Bill No. 1343.

Respectfully reports the same back with the recommendation: Do pass.

YORTY, Chairman.

The above reported bills ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 1667.

Respectfully reports the same back without recommendation.

MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 2233.

Respectfully reports the same back with the recommendation Do pass as amended

YORTY, Chairman.

The above reported bill ordered on second reading calendar.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Irrigation, to which was referred:

Assembly Bill No. 700. **Assembly Bill No. 780.**

Assembly Bill No. 756.

Respectfully reports the same back with the recommendation: Do pass as amended

GARLAND, Chairman.

The above reported bills ordered on second reading calendar.

Motion to Print Report in Journal.

On motion of Mr. Heisinger, the following report of Special Interim Investigating Committee was ordered printed in the Journal:

REPORT OF THE SPECIAL INTERIM COMMITTEE OF THE 1937 ASSEMBLY OF THE LEGISLATURE OF THE STATE OF CALIFORNIA APPOINTED TO INVESTIGATE THE DAIRY INDUSTRIES.

Committee Composed of S. L. Heisinger, Chairman; James D. Garibaldi, and Ernest O. Voigt.

Be it remembered, That on the eighteenth day of January, 1937, the Assembly of the California Legislature adopted the following resolution:

WHEREAS, The dairy industry is one of the basic industries of this State, and the prosperity and happiness of all the people of this State are dependent thereon; and

WHEREAS, There is a variety of local dairy inspection legislation among the counties, cities and counties, and cities of this State; and also efforts to control transportation and distribution, and

WHEREAS, There are frequent complaints that such diversity of legislation is burdensome and is forcing many dairymen out of business, and

WHEREAS, It is rumored that this situation has been created by the machinations of certain interests who desire to acquire a monopolistic control of the dairy industry; and

WHEREAS, It is the duty of the Legislature to protect the dairy industry from any manipulations that are detrimental to the best interests of the people of the State of California; and

WHEREAS, The Legislature does not possess sufficient knowledge whereon to establish beneficial legislation of a general character; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a committee of three members to make an investigation during the constitutional recess of all the matters hereinabove referred to, and be it further

Resolved, That said committee shall be and is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matter above referred to in order to enable the Assembly to act judiciously and advisedly upon such matters, and the said committee shall hereby be empowered to summon and subpena witnesses, require the production of persons, books, accounts, reports and records of every kind, and take all necessary means to compel the attendance of witnesses and to procure testimony; the members of such committee are, and each of them is, hereby authorized to administer oaths; all of the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of the State, relative to the attendance and examination of witnesses before the Legislature and committee thereof, shall apply to the committee appointed under this resolution, and said committee shall have the power therein specified, the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof, and do and perform any other service required of him by said committee, that said committee be and it is given leave to sit during the recess, at such times, place or places, as the committee may determine, and committee may, at its discretion, hold public or executive meetings, as it shall deem necessary or desirable, and be it further

Resolved That the committee shall render its written report at the reassembling of the Legislature in March of this year and be it further

Resolved, That for the purpose of paying expenses of said committee in connection with the duties imposed by this resolution and for the purpose of paying the expenses of the necessary assistants of said committee, there hereby is appropriated out of the contingent fund of the Assembly the sum of $1,500, and the State Controller shall, upon the certification of the chairman of said committee, draw his warrant upon, and the State Treasurer shall pay, all sums so drawn from the contingent fund of the Assembly of the State of California; and be it further

Resolved, That the Legislative Counsel Bureau shall, at the request of the committee, cooperate with and aid the committee in the investigation

To the Assembly:

In pursuance to the above resolution your Committee on Dairy Investigation submits the following report and recommendations:

We have held public and private hearings throughout the State, hundreds of pages of testimony having been given under oath. The committee has gone into every phase of the dairy industry, and has learned many things which is not generally known.

The State law, which is quite comprehensive relative to dairy industries, is supplemented by dozens of the cities' ordinances, nearly all of which run counter to each other and to State law.

The several cities in their endeavors to enforce their ordinances send out their inspectors, many traveling over 200 miles. These inspectors overlap the work of other city inspectors, each of whom may and do give different instructions relative to the construction of buildings and equipment of dairies and of the operation of the dairy plant.

These conflicting instructions confuse and upset the dairymen, until in many instances he is forced to make costly changes in equipment and at times is arbitrarily shut out of a cities' market.

To illustrate, walls would be ordered set back or forward, doors to swing either out or in to suit the whim of the inspector, milk houses changed from north to south or vice versa. A dairy may feed while milking, another could not. A dairyman with a good grade of milk might be allowed to market, while another would be shut out.

Useless changes in buildings costing thousands of dollars were required by the multiplicity of inspectors' orders

An illustration: A dairyman with about 200 purebred tubercular tested Guernsey cows was, in 1934 and previously, delivering grade "A" raw milk to several of the finest hotels in San Francisco at a price of $0.21 per quart. An ordinance enacted by the city health department excluded his milk from the consumers and he was forced to seek other markets, and finally is now selling to small cities at a price of $0.13 per quart, which causes him a loss of $0 08 per quart, even in better financial times.

The dairymen ask that these overlapping and conflicting ordinances and inspections be cared for by appropriate and uniform State legislation.

Most of the city health officers under questions from the committee admitted there were too many inspections. Therefore, it appears that the present chaos will continue if not remedied by law. Some of the cities have adopted ordinances which will not allow natural raw milk to be delivered and other cities threaten to do the same. Such ordinances automatically forces the producer to sell his milk to a distributor who can meet the requirements of pasteurized milk, and this takes away from the consumers the privilege of using the milk of their choice.

It is plain to be seen that should such practices be continued, the ultimate result will be almost if not a complete monopoly of the distribution of milk by the large concerns.

A report of the Federal Trade Commission indicates that such results are now almost if not totally in effect in many eastern milk sheds, and that some of the larger distributors were making tremendous profits even during the depression, while thousands of small dairymen were being put out of business.

However, nearly all the witnesses before this committee stated they desired such overlapping and duplication inspections corrected by more unified legislation.

The standards set by State law are quite adequate, as indicated by its enforcement within Los Angeles, since the courts set aside that city's milk ordinances.

Upon questions from the committee, the health officer of Los Angeles stated that no outbreak of sickness attributable to milk had occurred in that city since that time.

However, the preponderance of testimony indicates that a high standard of milk is desired for all the people of California as well as for the large cities. This is expressed most tersely by our State Director of Agriculture, Mr. A. A Brock, when he said, "The State and Federal inspection of meat products is accepted by all and is sold with no complaints and is demanded by every market in the State. I see no reason why State inspection of milk and milk products could not be as successful, which would give all residents within the State the high standards which the cities now have."

Many complaints were lodged with the committee about short weights, under testing, under grading and degrading by the distributors of milk. The distributors pay the weighers and testers in their plants. The committee investigated these complaints and it was found that thousands of dollars losses are suffered by the dairymen. The Department of Agriculture has returned many thousands of dollars of these losses to the dairymen, but the process is slow and cumbersome and should be corrected by law.

In answer to a question, Mr. Brock said, "It is very clear and plain that neither the dairymen nor the distributors should be allowed to weigh and grade milk. I believe this should be done by a disinterested licensed department as is now in operation for nearly all products commercially handled."

It was testified under oath that for a period of about a year several of the large milk distributors of Los Angeles furnished about $200 per month, which was by one of their agents paid to Dr. George Parish, health officer of that city, and that he delivered weekly radio talks, which talks were edited by the distributors and that such talks contributed to help centralize the distribution of the milk of that city into the plants of those distributors.

Dr. Parish has admitted that he took the money and the only comment of the committee is that it believes such conduct to be very unprofessional and tends to monopoly and against the best interests of the people.

Another very unprofessional matter which came before the committee was a letter dated February 16, 1937, by Dr. Parish to Dr. Geiger of San Francisco, a paragraph of which reads as follows:

"Los Angeles and this district has approximately 30 Assemblymen; San Francisco about 12· Oakland about 8. We three should bring great pressure to bear on our Assemblymen to see the fallacy of the claims of these men, who place a dollar and filth in front of a life and cleanliness." The general testimony before the committee was to raise the standards of milk all over the State so that the children and the wife of the humblest man in the smallest hamlet in California should receive the same high quality of dairy products which the large cities now enjoy.

Dr. Parish not only misrepresented the facts in this paragraph, but he resorted to what is known in legislative procedure as gang or force coercion of legislation which no fair minded citizen can condone.

Your committee thoroughly investigated the bovine tuberculosis situation in California

The present law provides that the Director of Agriculture may declare certain counties to be under a tubercular control zone or area. In such controlled areas, indemnities are paid by both Nation and State, while in uncontrolled areas, only the Federal Government makes payments. This condition has caused dissatisfaction in the uncontrolled areas and greatly retarded the work of tuberculosis eradication. The controlled areas assisted several counties to be almost free from tuberculosis, but the uncontrolled areas are a constant menace to even the counties within the controlled areas, because the committee learned that tuberculosis cattle are constantly being bootlegged into the clean territory which, if not prevented, will undo what the State and Federal Government has already accomplished.

The testimony is general that the Legislature should make an appropriation sufficiently large to pay for a state-wide clean up of tuberculosis as a health measure, and that the whole area of the State should be included. The testimony indicates that California now has more tubercular cows than all the other States combined, and it is feared that a nation-wide embargo may be placed on our cattle and on dairy products.

Should the present conditions continue, this State may loose millions of dollars in this industry, aside from the constant menace to the health of our people.

The Department of Agriculture estimates that the number of tubercular cows in the State is 100,000, and believes it would take an appropriation of $2,500,000 to eradicate the disease providing the Federal Government would provide a like sum.

Dr Geiger, Health Officer of San Francisco:

Question by Mr. Heisinger: Do you believe that the tubercular cattle should be cleaned up in this State?

Answer by Dr. Geiger: If you can do that, you will do the finest thing that has ever been done for the public health of the people of California.

Question Do you believe that, as this is a health measure, that all of California should pay the cost?

Answer: I certainly agree that the farmer should be compensated for his cattle and that the State should pay the cost.

The matter of milk inspection brought more complaints than all other phases of the inquiry Thousands of producers have complaints against the city inspectors, the city milk ordinances, and against the distributors

The city health officers stoutly maintain that they, and they alone, should have complete control even to the extent of barring out of their markets certain milk which does not meet the standards as set up by their inspections and ordinances.

The committee has patiently and diligently gone into this perplexing problem and we wonder if a happy medium may not be reached whereby the producers may be freed from the autocracy of the city ordinances and inspections, and their attempted enforcement and where the cities may be assured of a pure and healthful milk supply.

The matter of transportation has had consideration, and it has been learned that a concerted and determined effort is being made to sell the old ferries crossing San Francisco Bay to the State, which if done would place an additional burden of $6,000,000, part of which the dairy industry would be required to pay. The request of the Ferry Transportation Company for a reduction in rates before the Railroad Commission is probably the first wedge which will open up this whole question in which it is hoped by them that the low rates may be granted by the commission, which in turn will take from the Bay Bridge sufficient transportation to force the State, in self-protection, to buy out the ferries for $6,000,000.

These ferries, as an investment, are worth nothing to their owners, and would be worth nothing to the State; therefore, the people of California should demand further hearings before the commission, and should insist that no lower fares be granted to the ferries than are granted for transportation over the bridge.

Labor organizations, farm organizations, women's clubs, civic clubs, and the people generally should resist these efforts to swindle the State.

The menace of the holding companies reach all the way from the Chase National Bank and the J. P. Morgan Company in New York, through their subsidiaries, the colossal dairying concerns with multiplied millions of capital, which in turn controls practically every pasteurizing and distributing company within our large cities. Under our present laws, these distributors pay for the services of weighers, testers and graders who operate within their plants.

Therefore, it is easily to be seen why thousands of complaints are made by dairymen relative to these several operations. Many of the ordinances of the large cities provide that all this work should be done within their own city limits, which, if followed out, will bring about almost a complete monopoly of the dairy business of California within the hands of these great corporations.

The testimony shows that further restrictions which would require all milk to be pasteurized, would make the monopoly almost 100 per cent within the territory covered by such ordinances.

The second menace to the dairy industry is the meat trust which operates under similar holding companies and their subsidiaries operate in all our cities. If slaughtering of tubercular animals can be forced precipitately they buy the meat at reduced prices which in turn forces down the price of all live stock and is one of the factors which keeps the farmers in financial distress.

In answer to a question relative to higher standards, Dr. Geiger, health officer of San Francisco, said: "I have every confidence in the Department of Agriculture as it is constituted today. I may say, gentlemen, that there is no doubt but what it has done a great deal towards a health regulation for the City and County of San Francisco in the last few years, four or five years, and which we would like to see continued. I am perfectly willing to accept Oakland inspection, because it is equal with ours. I am perfectly willing to accept Sacramento inspection and perfectly willing to accept Los Angeles inspection, because I know it is equal with ours. I have perfect confidence in the department (Agriculture). I think everybody will accept that."

Mr. Heisinger made this statement: "I am glad to hear you say that, because most city health officers insist on their own inspection and may I say, that inasmuch as the Los Angeles milk ordinance has been set aside by the court, therefore, that city is now and has been for a long time operating under State law, and as you say, their standards are high enough for you. It would follow that by raising State standards, all cities could be well protected.

In the unanimous opinion of the three judge court in the Los Angeles case, the court said: "We think that it was the intention of the Legislature not only to prescribe and fix certain standards that would be state-wide in application so that the citizens of the State could travel throughout its realm and call for the grade milk of their choice, and receive an article uniform in standard for the respective grade designations, but also that the far flung dairymen of the State, likewise throughout its length and breadth, could comply with code requirements and, having complied, could market their products wheresoever in the State they might find buyers therefore, under the designations fixed for them."

And in a recent unanimous decision of the State Supreme Court in the Santa Rosa case the justices said: "And in this regard it is important to note that nowhere in the act is any distinction made between raw and pasteurized milk. It is obvious that where a milk inspection service or district has been established in accordance with the provisions of the Agricultural Code it is without the power of any agency therein to limit or place restrictions in conflict with the State law upon the sale of milk, raw or pasteurized, which has been inspected and graded in accordance with the act. It, therefore, follows, assuming as we must that the alle-

gations of the complaint are true, that the ordinance here involved is invalid as to the appellant."

Recommendations of the Committee.

First: Of paramount importance to the health of the citizens of California is the eradication of bovine tuberculosis within the State.

As expressed in a resolution by the California Tuberculosis Association held in San Francisco, March 3, 1937, "such eradication should not be attempted by a piece meal method, but by a state-wide drive with an appropriation of State funds sufficient to pay indemnity to the dairymen"

The committee recommends that the Legislature appropriate $2,500,000 which, if matched by the Federal Government, will clean up the State within two years.

We recommend that the whole State be a controlled area and that the eradication be done in a systematic, economical and thorough manner, and that no more than 5,000 tubercular animals be slaughtered in any month, so as to disturb live stock markets as little as possible. As has been testified by nearly every witness, this would be a health measure and the expense should be borne by all the people.

Second: We recommend that dairy buildings and dairy equipment be under the direction and inspection of the Director of Agriculture, and that such buildings and equipments should be standardized as nearly as possible in all parts of the State and should meet the requirements of the market which they might serve.

Third: We recommend that the State laws be so amended as to raise the standards of milk and milk products sufficiently high that all residents within the State should be able at all times to procure good, pure, wholesome milk, such as can now be obtained in the larger cities.

Fourth: We recommend that the Department of Agriculture appoint all weighers, testers and graders, of milk products, which may be needed to properly and impartially weigh, test and grade the milk which may be used in the large distributing plants within the State and that such employees should be paid by the State and not by the plants where they are employed.

Fifth: We recommend that the Director of Agriculture be authorized and empowered to appoint, upon nomination by city health officers, or upon his own nomination, such employees as are now employed and qualified to perform the duties of milk inspectors and that the director may bring about such harmony as will terminate overlapping and duplicating milk inspections.

Sixth: We recommend that dairymen pay no more fees for inspection by cities, but only such costs as may be fixed by law.

Seventh: We recommend that every city which nominates and receives its own inspectors shall pay the total costs of their inspections.

Eighth: We recommend that the distributors pay directly to the State such dues, or licenses as will offset the salaries which they now pay to the weighers, testers and graders employed in their plants

S. L. HEISINGER, Chairman,
ERNEST O. VOIGT,
JAMES H. GARIBALDI.
Committee.

For many months the State Chamber of Commerce has been making a study of overlapping and duplication milk inspection, and even though this report is completed, the committee desires to append hereto the resolution which has just been received and reads as follows:

> It is the sense of this meeting that the solution of this problem lies in amending the code relating to approved milk inspection services together with such additional authority to the Director of Agriculture as may be necessary to prevent duplicate and conflicting inspections.

Motion to Print Supplementary Report in Journal.

On motion of Mr. Garibaldi, the following supplementary report of the Special Interim Committee was ordered printed in the Journal:

SUPPLEMENTARY REPORT OF THE SPECIAL INTERIM COMMITTEE OF THE 1937 ASSEMBLY OF THE LEGISLATURE OF THE STATE OF CALIFORNIA APPOINTED TO INVESTIGATE THE INSPECTION AND SUPERVISION OF MILK SUPPLIES.

Members of Committee: Sam L. Heisinger, James D. Garibaldi, Ernest O. Voigt.

Be it remembered, That on the eighteenth day of January, 1937, the Assembly of the California Legislature adopted the following Resolution:

> WHEREAS, The dairy industry is one of the basic industries of this State, and the prosperity and happiness of all the people of this State are dependent thereon; and
>
> WHEREAS, There is a variety of local dairy inspection legislation among the counties, cities and counties, and cities of this State; and also efforts to control transportation and distribution; and

WHEREAS, There are frequent complaints that such diversity of legislation is burdensome and is forcing many dairymen out of business; and

WHEREAS, It is rumored that this situation has been created by the machinations of certain interests who desire to acquire a monopolistic control of the dairy industry; and

WHEREAS, It is the duty of the Legislature to protect the dairy industry from any manipulations that are detrimental to the best interests of the people of the State of California; and

WHEREAS, The Legislature does not possess sufficient knowledge whereon to establish beneficial legislation of a general character; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a committee of three members to make an investigation during the constitutional recess of all the matters hereinabove referred to; and be it further

Resolved, That said committee shall be and is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matter above referred to in order to enable the Assembly to act judiciously and advisedly upon such matters, and the said committee shall hereby be empowered to summon and subpena witnesses, require the production of persons, books, accounts, reports and records of every kind, and take all necessary means to compel the attendance of witnesses and to procure testimony; the members of such committee are, and each of them is, hereby authorized to administer oaths; all of the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of the State, relative to the attendance and examination of witnesses before the Legislature and committee thereof, shall apply to the committee appointed under this resolution, and said committee shall have the power therein specified; the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof, and do and perform any other service required of him by said committee; that said committee be and it is given leave to sit during the recess, at such times, place or places, as the committee may determine; such committee may, at its discretion, hold public or executive meetings, as it shall deem necessary or desirable, and be it further

Resolved, That the committee shall render its written report at the reassembling of the Legislature in March of this year; and be it further

Resolved, That for the purpose of paying expenses of said committee in connection with the duties imposed by this resolution and for the purpose of paying the expenses of the necessary assistants of said committee, there hereby is appropriated out of the contingent fund of the Assembly the sum of $1,500, and the State Controller shall, upon the certification of the chairman of said committee, draw his warrant upon, and the State Treasurer shall pay, all sums so drawn from the contingent fund of the Assembly of the State of California; and be it further

Resolved, That the Legislative Counsel Bureau shall, at the request of the committee, cooperate with and aid the committee in the investigation.

Preface.

The availability of an adequate supply of pure wholesome milk, cream, and other dairy products is admittedly a necessary adjunct to the maintenance of a high level of public health. No other single food is so basically essential to the procurance and maintenance of a satisfactory nutritional standard in the human family as is milk and its products. Being a highly perishable food and one constantly exposed to contamination, milk, if not properly produced, handled, processed and distributed, may well serve as a liability to those consuming it. Because of the perishability and extreme liability to contamination, it follows that only those milk supplies which are produced, processed, and distributed under capable and adequate sanitary supervision should be accepted as fit and desirable for human consumption.

The need for capable supervision and regulation of all phases of dairy production has been recognized for years and research, experience, and changing conditions have necessitated frequent revisions of, and additions to, the regulations pertinent to the dairy industry in California as well as in other States. The general interpretation and enforcement of such regulations and provisions have been, and still are, vested in the California State Department of Agriculture. The law provides, however, that any unit of government or other group in the State desiring approval of a local milk inspection service may apply for the same to the State Department of Agriculture, and upon satisfactory compliance with certain fundamental requirements be granted permission for inauguration of such a local unit.

The fact that practically all cities and sizeable towns in California now have local milk inspection services attests the interest of these communities in attempting to preserve and protect public health. In practically every case, these inspection services have developed until each is now an important function of local government.

The development of the numerous local inspection services has, however, created

a number of problems, some of which can no longer be disregarded if the best interests of the dairy industry are to be served. As communities have expanded, particularly in the more populous areas of the State, local inspections and regulations have been found to conflict in many instances, the inevitable result being injustice to many dairymen and distributors in the contiguous areas. There is nothing in the regulations of the State department governing dairy control to prevent individual cities and towns from adopting and enforcing their own ordinances provided they are not lower than, and do not conflict with the State provisions. In practically every case this has been done with the result that conflicts have arisen which have proved genuinely detrimental to dairymen and distributors whose locations were such that they fell under the jurisdiction of more than one inspection service.

Among the evils arising from such a situation may be mentioned duplication of territories and inspections; the attempted enforcement of ordinances differing in their standards; payment of plural inspection fees; and last but certainly not least, the development of grave doubt in the minds of dairymen and distributors as to what actually constitutes sound standards of sanitation and methods of inspection. These unsatisfactory conditions prevail at present in many sections and constitute a situation incompatible with sound dairy industry and the maintenance of the confidence of dairymen and distributors.

Standardization Needed.

Citizens of California may rightfully point with pride to the enviable position of their dairy industry today. By the same token there can be no doubt as to the necessity of encouraging and aiding such an important business in every possible manner. But it is obvious that under the conditions previously mentioned wherein differences of opinion among inspectors of separate or even the same services, payment of duplicate fees, and other undesirable results have arisen, there appears a serious need for abolishing such unnecessary and conflicting practices. Not infrequently producers are faced with the irritating problem of attempting to comply with the conflicting edicts of inspectors of different services, as are distributors who, because of location are in a position to distribute to more than one community.

There have been cases in which a change in personnel or territorial assignments within a single unit has resulted in dairymen being forced to alter their equipment or methods or both because of a mere difference of opinion of two inspectors of the same unit. That such a variance in opinion should exist between inspectors of different services is conceivable, but to find such variations in judgment between representatives of the same unit is incompatible with soundness. Dairymen and distributors in such instances find themselves victims of mere whims—whims that frequently are very costly and disconcerting. No conscientious producer or distributor objects to competent and impartial inspection; on the contrary both fully recognize the necessity of competent supervision and welcome constructive suggestions from capable inspectors. The old adage that "no man can successfully serve two masters" is definitely applicable in this instance.

One of the most flagrant of the abuses which have arisen from the present system of inspection is that which concerns producers who happen to be located outside the so-called "milk shed" of a certain community. Although his dairy may be under the inspection authority of his own local area and his past record satisfactory, yet in many cases he finds it virtually impossible to ship his milk either as an individual or as a member of a collection agency to any other territory. A new application must be filed, an inspection made and another fee paid. More likely than not he will be told that to obtain a permit he must make certain additions to his equipment, alter some part of his barn or milk house, change the drain, or otherwise comply with a set of distinctive instructions. In view of a satisfactory record as a producer for one market for years past, it is rightfully puzzling to such a producer as to just what does constitute a satisfactory and sanitary dairy. Experience strongly indicates that most local units are highly zealous in their own right and extremely jealous of other units.

Like any other progressive enterprise, dairy production is extremely susceptible to changing conditions. Areas formerly devoted to dairy farming are gradually being diverted to more intensive uses, because of increasing populations and rising land values. As a result "milk sheds" are being gradually but definitely established farther away from markets, thereby increasing the distance between source and outlet. This change has brought about the establishment of collecting plants and factories at locations in the center of production areas at some distance from the greater markets. Such plants are under the supervision of the inspection service having jurisdiction over the marketing area, with inspectors of that service frequently in residence. Application by such a plant, however, to dispose of its products in another area is usually met with a firm declaration that one or more inspectors of the proposed marketing area must be installed, and salaries and expenses paid. Such a condition emphasizes the discrepancies which exist either in standards of ordinances or qualifications of inspector, or both. The payment of duplicate fees and costs to obtain permission to ship milk already satisfactory for one community into another area, constitutes a genuine financial hardship which not many such

plants can afford to pay. Thus, the distributor as well as the producer is a victim of inter-unit jealousies and variation in standards.

It appears impossible to advance any plausible reason for such a condition. Either the standards adopted by the localities differ to an unreasonable extent, or there exists a definite lack of confidence between units, or both. Either is inimical to the progress of the industry and unless corrected will serve as a restraining factor capable of doing incalculable damage. Bearing in mind that the local services have been established under permit from the State Department of Agriculture it would appear logical that the general requirements and capabilities of the various inspectors should be basically uniform. It is disconcerting and certainly creative of doubt as to motive to learn that milk supplies within the jurisdiction of one service are refused entry into another area. Especially is this true when the only reason advanced by the chief inspector in the proposed new market is that the qualifications of his deputies are so much higher than those of inspectors in the first area as to justify the prohibition of entry of products originating within that jurisdiction. The rank injustice of such petty reasoning to the distributor operating in more than one territory is self-evident and precludes any attempt to render his supplies flexible.

If such wide variations in the capabilities of inspectors actually do exist, it is a serious reflection upon the soundness of the entire system as it now exists, and further emphasizes the need for reorganization and stabilization. If, on the other hand, such alleged differences are advanced only for selfish or political reasons, the need for revamping the present system is equally imperative. Finally, if ordinances of such widely divergent standards are retained, the restrictive effect upon the progress and expansion of the dairy industry is plainly evident.

What Standardization Might Accomplish.

Since it is apparent that many of the drawbacks of the present system may be attributed to variation in standards, whims of individualistic inspectors, duplication of inspection, and intolerance between units, the need for stabilization and unification is obvious. Certified milk has reached its present state of excellence and general acceptance only because it has been produced under stringent as well as uniform regulations. It could never have approached its exalted position in the milk world had its production been subjected to widely varying regulations plus the pet theories and hobbies of individual inspectors.

The need for uniformity in regulations pertaining to milk supplies has been recognized by the United States Public Health Service and has resulted in the formulation of a standard Milk Ordinance and Code with the recommendation that it be adopted by States and communities in the interest of greater uniformity in milk control. This code is the summation of intensive and extended studies of milk production under widely varying conditions. In those communities in which it has been adopted and followed, the results have been excellent.

The task of unifying inspection systems in California would be no small undertaking. With the present State regulations as the base, however, stabilization and unification could be effected to the extent of practically eliminating the whimsical conflicts and duplications which exist at present. Over-lapping of territory; duplication of inspections and fees; lack of uniformity in standards and requirements; petty jealousies among local services; and inequalities in the capabilities of inspectors could all be reduced to the minimum by the expediency of centralization of activities. Administration would of necessity be centralized, thus affording uniform interpretations and application. If as has been stressed by some, such wide differences in the qualifications of inspectors do exist, there is urgent need for correction of the condition.

The dairy industry of today with few exceptions, stands ready to invoke all possible means to assure the purity and wholesomeness of its products. Tuberculin testing of herds and pasteurization have in themselves effected almost miraculous benefits to human health, especially to those people who reside in the larger cities and towns. For the inhabitants of the smaller, isolated places, however, comparatively little has been done to insure a wholesome supply of milk. For obvious reasons these rural communities are not in the position to inaugurate and finance their own inspection units. Nevertheless, it is just as important that the people residing in such communities be afforded the protection of a pure milk supply as it is for city dwellers to be given that assurance. Only by a plan of centralized statewide inspection will it be possible for rural communities to enjoy the benefits of regulated milk supplies, comparable to those of larger towns and cities.

Under unified regulation, the relationship between the various divisions of the State Department of Agriculture would serve to foster close cooperation between them with reference to dairy problems common to all. There is urgent need for realization of the public health hazard of milk containing micro-organisms of tuberculosis, undulant fever, and other diseases. The safeguarding of milk supplies involves much more than mere sanitation inspection, and in the various divisions of the State Department are men well qualified to give aid and advice in these as well as in other disease control problems having a vital bearing upon the welfare of the dairy industry.

In consideration of the foregoing statements, it is our belief that a system of centralized and uniform dairy inspection in California is urgently needed. Such a program would insure the following:

1. *Elimination of territorial overlapping in inspection activities*—Such as now exists to the consternation and detriment of producers and distributors alike. Formation of definite territories, carefully allocated as to needs and extent, would assure uniform regulation and control of all milk supplies therein, large and small.

2. *Elimination of duplication of inspection and fees*—To require dairymen and distributors to comply with the edicts of more than one inspector is not only needless but a waste of time, money, and effort In addition, such edicts are often in conflict both on major and minor details to the extent that producers and distributors are at a loss as to compliance. The financial burden imposed by duplication of inspection and the concomitant plural fees constitutes a genuine hardship needlessly thrust upon an already harassed industry.

3. *Provision for stabilization of standards and requirements*—Milk which is safe and wholesome for the inhabitants of one area should certainly be acceptable to those in another district. Uniform requirements and high standards would in no way jeopardize the safety of already satisfactory supplies, and in addition would be the means of assuring rural communities of safe milk supplies Such uniform provisions would also remove the present strenuous and justified protests of producers and distributors since all would be operating upon the same impartial basis.

4. *Elimination of existent jealousies between different inspection units*—That such jealousies exist cannot be doubted, and again producers and distributors are the victims of a condition incompatible with progress and equal opportunity in the industry.

5. *Provision for more uniform qualifications of inspectors*—Those to be assigned as inspectors would be given uniform instruction, and their activities in the field much more closely correlated. The benefits of such training would be encouragement of capable inspectors and removal of the temptation of political intervention.

6 *Provision for uniform interpretation and regulations*—Points now controversial would be impartially interpreted and the basic requirements and standards made conducive to save milk supplies over the entire State.

7. *Provide for acceptance of milk in any established market without prejudice as to territorial origin*—And thus greatly increase the flexibility of supplies.

Summary.

In conformity with this report, it is recommended:

1. That this Legislature enact legislation for the purpose of standardizing and unifying the inspection and supervision of milk supplies.
2. That such legislation should provide for a centralized authority for inauguration of such standardization.
3. That the entire State be zoned into territories to enable uniformity and impartiality of supervision to prevail throughout.
4. That uniform regulations and standards be based upon the present dairy laws of the State with such changes made as are necessary to render them applicable generally.
5. That such standards and regulations be of such a nature as not to jeopardize in any manner the safety of any milk supply.
6. That sufficient funds be provided for the inauguration and successful prosecution of the plan.
7. That the Director of the Department of Agriculture be made the head of the uniform inspection system with the necessary authority to enforce all provisions of the plan.

JAMES D. GARIBALDI.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 84a and 108 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefore," approved June 9, 1931, relating to retirement of members of the California Highway Patrol, and making an appropriation therefor

Referred to Committee on Introduction of Bills.

By Mr. Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 221, 231, 234, 234.25, 234.5, 236, 237, and 250, and to repeal sections 230, 239, and 243 of the Agricultural Code, relating to bovine tuberculosis, and making an appropriation.

Referred to Committee on Introduction of Bills.

By Mr. Peyser:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act relating to alcoholic beverages, prohibiting licensees under the Alcoholic Beverage Control Act from transporting or importing into this State, purchasing, receiving, possessing, or selling alcoholic beverages manufactured in any State, the laws, rules, or regulations of which discriminate against alcoholic beverages manufactured in this State or against persons selling or dealing therein, defining discriminatory laws, providing for the enforcement of the provisions hereof, and providing that this act shall take effect immediately

Referred to Committee on Introduction of Bills.

Second Reading of Assembly Bills.

Assembly Bill No. 1348—An act to add a new section, to be numbered section 10a, to the State Civil Service Act, relating to taking of civil service examinations by employees of the State.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1350—An act to add a new section to the State Civil Service Act, to be numbered 13a, relating to position of State civil service employees operating machinery displayed or supplemented by new, different or additional machinery.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 629—An act to add section 985 to the Streets and Highways Code, relating to cattle guards.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 699—An act to amend section 422 of the Streets and Highways Code, relating to State highways.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 510—An act to amend section 368 of the Streets and Highways Code, relating to State Highway Route 68.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1059—An act to amend sections 100.5, 117, 130, 185, 188, 202, 673, 680, 720, 722, 730, 761, 825, 1622 and 1624 of the Streets and Highways Code, and to add new sections to be numbered 103.5, 140.5 and 823.5, to said code, all relating to public highways and to the acquisition of rights of way for the administration, control, construction, and regulation thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1562—An act to add section 535a to the Political Code, relating to State printing.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1574—An act to amend section 359c of the Political Code, relating to vacations for State officers and employees.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1580—An act to amend an act entitled "An act to provide for the registration of bonds issued by the State of California,

or any county, city and county, municipal corporation, or other public corporation," approved April 14, 1913, by adding a new section thereto, relating to disposition of fees received by the State Treasurer.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1606—An act to abolish the licensed surveyors fund and to transfer the money remaining to the civil engineers fund.

Bill read second time, and ordered to engrossment.

Assembly Bil No. 1763—An act to amend section 535 of the Political Code, relating to State Printer.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 546—An act to add section 1034 to the Political Code, relating to elective officers.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1262—An act to amend section 372 of the Political Code, relating to the State Board of Public Health.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1440—An act to amend sections 2 and 3 of an act entitled "An act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1441—An act to repeal an act entitled "An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness," approved by the Governor April 26, 1935.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1442—An act to repeal an act entitled "An act requiring the compilation and publication of reports relative to the financial condition of the municipal corporations within the State," approved by the Governor July 11, 1935.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1699—An act to amend section 404 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1700—An act to amend section 700 of the Fish and Game Code, relating to black bass.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 15—An act to amend section 429 of the Fish and Game Code, relating to hunting and fishing licenses.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1530—An act to amend section 161 of the Fish and Game Code, relating to Game Refuge 4B.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 231—An act to amend section 797 of the Fish and Game Code, relating to abalones.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2394—An act to amend section 1313 of the Fish and Game Code, relating to trapping bear.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1172—An act to amend sections 702 and 708 of the Fish and Game Code, relating to seasons on calico bass and crappie.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1176—An act to amend section 1286 of the Fish and Game Code, relating to transporting deer into a closed district.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1597—An act to amend section 420 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2752—An act to amend section 800 of the Fish and Game Code, relating to abalones.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 83—An act to amend section 1250 of the Fish and Game Code, relating to deer.

Committee Amendments to Assembly Bill No. 83.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, strike out "section 1250", and insert in lieu thereof the following: "sections 1250 and 1251".

Amendment No. 2.

On page 1 of the printed bill, after line 7, insert the following:

"SEC. 2. Section 1251 of said code is hereby amended to read as follows:

1251. As used in this article, a "spike buck" is a male deer with unbranched antlers on both sides, and a "forked-horn deer" is a male deer with antlers having two distinct points on at least one side. Eye guards or knobs shall not be considered as points."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 296—An act to add section 650.6 to the Fish and Game Code, relating to the manner of taking salmon in Districts 1½, 5, and the Klamath River District.

Committee Amendment to Assembly Bill No. 296.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 4 and 5, of the printed bill, strike out "by rod and line held in the hand".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2748—An act to amend section 1313 of the Fish and Game Code, relating to trapping of animals

Committee Amendment to Assembly Bill No. 2748.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "twenty-four", and insert in lieu thereof the following: "forty-eight".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2419—An act to amend section 2 of the Fish and Game Code, relating to definitions.

Committee Amendment to Assembly Bill No. 2419.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 8 and 9.

Amendment adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1579—An act to amend section 452 of the Political Code, relating to the duties of the State Treasurer.

Committee Amendment to Assembly Bill No. 1579.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, after "a", insert the following "memorandum".

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2027—An act relating to the establishment and maintenance of a Bureau of Safety in the Railroad Commission of this State.

Committee Amendments to Assembly Bill No. 2027.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 2 and 3, of the printed bill, strike out "given power and it is the duty thereof", and insert in lieu thereof the following: "directed"

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out "assistant"

Amendment No. 3.

On page 1, line 12, of the printed bill, strike out "in excess of $4,000", and insert in lieu thereof the following: "less than $4,200"

Amendment No. 4.

On page 1, line 12, of the printed bill, strike out "assistant"

Amendment No. 5.

On page 1, line 14, of the printed bill, strike out "in excess of $3,000", and insert in lieu thereof the following: "less than $3,600"

Amendment No. 6.

On page 1, line 15, of the printed bill, strike out "assistant".

Amendment No. 7.

On page 1, line 16, of the printed bill, strike out "two", and insert in lieu thereof the following: "five".

Amendment No. 8.

On page 1, line 17, of the printed bill, strike out "railroad", and insert in lieu thereof the following: "locomotive".

Amendment No. 9.

On page 1, line 17, of the printed bill, after the comma following "conductor", insert the following: "locomotive".

Amendment No. 10.

On page 1, line 17, of the printed bill, strike out "or", and insert in lieu thereof a comma.

Amendment No. 11.

On page 1, line 18, of the printed bill, after the word "yardman", insert the following: ", signal man or master mechanic".

Amendment No. 12.

On page 1, lines 18 and 19, of the printed bill, strike out "and shall be familiar with the work of the commission".

Amendment No. 13.

On page 1, line 19, of the printed bill, strike out "in its discretion may", and insert in lieu thereof the following: "shall".

Amendment No. 14.

On page 1, line 19, of the printed bill, strike out "deemed".

Amendment No. 15.

On page 1, line 20, of the printed bill, strike out "and when funds are available".

Amendment No. 16.

On page 1, line 21, of the printed bill, strike out "assistant".

Amendment No. 17.

On page 1, line 22, of the printed bill, strike out "assistant".

Amendment No. 18.

On page 1, line 22, of the printed bill, after the period, insert the following: "The commission shall furnish all necessary clerical and statistical assistance for the said bureau."

Amendment No. 19.

On page 1, line 24, of the printed bill, strike out "such".

Amendment No. 20.

On page 1, lines 25 and 26, of the printed bill, strike out ", as the commission may direct".

Amendment No. 21.

On page 2, line 5, of the printed bill, strike out "assistant".

Amendment No. 22.

On page 2, line 8, of the printed bill, after "duties", insert the following: ", in the same manner and in the same amounts as other employees of the commission".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 956—An act to amend sections 1315, 1317, and 1321 and to repeal sections 1310, 1311, and 1312 of the Political Code, relating to electors of President and Vice President of the United States.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1729—An act to amend section 1203 of the Political Code, relating to polling places.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 858—An act to amend section 504 of the Agricultural Code, relating to cheese.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1232—An act to amend section 483 of the Agricultural Code, relating to the serving of milk.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1233—An act to amend section 473 of the Agricultural Code, relating to milk drinks.

Committee Amendment to Assembly Bill No. 1233.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "Pasteurized market milk or pasteurized", and insert in lieu thereof the following: "Market milk or".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 101—An act to amend section 1680 of the Labor Code, relating to the establishment of free employment bureaus.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 269—An act to add to the Labor Code sections 1120 and 1121 to be known as Chapter 7 of Part 3 of Division II, relating to the disciplining or discharging of any employee upon a report by a special agent, detective or so-called spotter, and repealing an act relating to the same subject.

Bill read second time, and ordered to engrossment

Assembly Bill No. 992—An act to amend section 2 of an act entitled "An act to provide for the payment of not less than the general pre-

vailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing for other penalties for violation of the provisions thereof," approved May 25, 1931, relating to publication of notices calling for bids.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2100—An act to establish a Labor Code, thereby consolidating and revising the law relating to labor and employment relations, and to repeal acts and parts of acts specified herein.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1947—An act to add a new article to Division III, Chapter 1, of the Agricultural Code to be numbered 1a, relating to establishments slaughtering or processing animals for purposes other than human consumption, and rendering establishments.

Committee Amendments to Assembly Bill No. 1947.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3, 4 and 5 of the title, and insert in lieu thereof the following: "lishments slaughtering animals or preparing or manufacturing meat food products for feed for animals of the canine or feline species"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following:

"Article 1a. Animal Feed Inspection"

Amendment No. 3.

On page 1 of the printed bill, strike out lines 8 to 25, inclusive, and strike out all of pages 2 and 3, and insert in lieu thereof the following

"319. As used in this article:

(a) "Establishment" means all premises where horses or other animals are slaughtered or otherwise prepared for animal feed, factories and canneries preparing or manufacturing animal feed, and similar places.

(b) "Animals" mean all domesticated and wild animals.

(c) "Slaughter" means kill and prepare for animal feed

(d) "Animal feed" means carcasses and parts of horses and other animals and meat food products prepared or manufactured for feed for animals of the canine or feline species.

(e) "Federal inspection" means inspection maintained by the Bureau of Animal Industry of the United States Department of Agriculture

(f) "State inspection" means inspection maintained by the department

319.1. No establishment may be operated in the State for the purpose of slaughtering animals preparing meat or processing or manufacturing meat food products for animal feed unless such establishment is operated under Federal inspection or State inspection. No dressed carcasses of animals or parts thereof intended for animal feed that do not bear the inspected and passed stamp of an establishment operating under Federal, State, or approved municipal inspection as provided by section 305 shall be used in the preparation of animal feed, unless such carcasses and parts are marked or stamped pursuant to section 319.3 to designate that such carcasses and parts were inspected and passed only to be used for the preparation or manufacture of animal feed.

319.2. When any animal feed that has been inspected and stamped as provided by this article is placed or packed in any can, pot, tin, canvas, or other receptacle or covering in any establishment operating under State inspection, the person preparing said animal feed shall cause a label to be attached to said receptacle or covering under the supervision of an inspector, which label shall state that the contents

thereof have been "Inspected and passed only for animal feed" and no inspection of animal feed deposited or enclosed in such receptacle or covering in any establishment shall be deemed complete until such animal feed has been sealed or enclosed in said receptacle or covering under supervision of an inspector, and no such animal feed shall be sold by any person in the State of California unless said label shall bear in prominent letters and figures of uniform size the phrase "Cal Inspected and Passed Only For Animal Feed by Department of Agriculture", and the number of the establishment at which the animal feed was prepared or manufactured. The establishment number may be omitted from the labels applied to metal containers on which such number is embossed. Said label may also bear any other statement not false or misleading, which has been approved by the director Labels within the meaning of this article shall include printed, lithographed, or embossed labels, stickers, seals, wrappers, and receptacles Labels or similar devices shall not be used in an establishment, nor shall they bear the inspection legend or any abbreviation or representation thereof unless previously approved by the director Provided, that nothing in this article shall restrict the preparation and sale of animal feed prepared and manufactured in an establishment operating under the inspection of the Bureau of Animal Industry, of the United States Department of Agriculture

319.3. The director may provide inspection in all establishments in which animals are slaughtered or animal feed is prepared or manufactured under this article All parts of such slaughtered animals shall be retained in such a manner as to preserve their identity until after the post-mortem examination has been completed Carcasses and parts found to be fit for animal feed shall be marked with the phrase "Cal. Inspected and Passed Only for Animal Feed by Department of Agriculture." and the number of the establishment where they were slaughtered Carcasses and parts found unfit for animal feed shall be marked conspicuously with the phrase "Cal Inspected and Condemned." and such condemned carcasses and parts shall be rendered unfit for animal feed.

319.4. For the purpose of this article the director may employ persons who have passed a civil service meat or market inspector's examination and who are skilled in the inspection of meat and animal feed, and necessary additional employees, and he may utilize in the enforcement of this article any employee, agent, or equipment of the department

319.5 No animal shall be slaughtered or animal feed prepared or manufactured in any establishment operating under the provisions of this article except during the presence of the inspector, and slaughter of animals and preparation or manufacture of animal feed in any such establishment is forbidden on Sundays and legal holidays, unless under special permit issued by the director

319.6 It shall be unlawful to offer for sale for human consumption the meat or animal feed derived from any animal slaughtered, prepared, manufactured, or otherwise handled in an establishment operating under the provisions of this article, and the director is hereby directed and empowered to seize and denature any such meat or animal feed when found being offered for sale for human consumption.

319.7. Any person desiring to engage in the slaughtering of animals or preparing meat for animal feed in conformity with this article shall apply to the director for the inauguration of an inspection service in the establishment where said animals are to be slaughtered or animal feed prepared or manufactured Such application shall be made in writing on a form supplied by the director, and the applicant shall agree to comply with the provisions of this article and the regulations promulgated by the director. Upon the receipt of such application the director shall make an inspection of said establishment, and if found in a proper sanitary condition and properly constructed and equipped to carry on its business in accordance with the provisions of this article, and the regulations of the director he shall inaugurate an inspection service therein and give to each such establishment an official number to be used to make the animal feed prepared or manufactured therein Such establishment shall thereafter be known as "official animal food establishment No _____." and payment of a fee for such inspection service shall be made by the applicant in an amount designated by the director Such fee shall be credited to the Department of Agriculture fund, and shall be sufficient to cover the total salaries, traveling expenses and premiums on account of workmen's compensation insurance of all inspectors in such establishment, and the establishment's pro rata share of the salaries and expenses of the traveling supervising inspectors. Such fee shall be paid every three months in advance on the first day of January, April, July, and October of each year. The director may suspend inspection in an establishment for nonpayment of fee when due.

319.8 The director shall make regulations necessary for the execution of this article

319.9 Every establishment where animals are slaughtered or meat prepared or manufactured for animal feed shall be maintained and operated in a sanitary manner and inspection conducted in accordance with the provisions of this article and the

regulations of the director, and in the event that an establishment is not so maintained and operated the director may suspend inspection therein."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 78—An act to amend section 479 of the Agricultural Code, relating to market milk.

Committee Amendments to Assembly Bill No. 78.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, after line 9, insert the following:

"All market milk shall be produced from nonreacting tuberculin tested cows as determined by a test applied by an approved veterinarian under the supervision of the department."

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out the word "mechan-", and all of lines 13 and 14 to and including the word "contamination", and insert in lieu thereof the following. "capped,".

Amendment No. 3.

After line 25 of the printed bill, insert the following:

"On and after January 1, 1938, the pouring lip of all standard milk bottles containing market milk shall be protected from contamination by an outer cap or other covering approved by the department."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

The Speaker in the Chair.

At two o'clock p.m., Hon William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 2422—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4, and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Committee Amendments to Assembly Bill No. 2422.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend sections 735, 735.1, 735.3, 735.4, 735.8", and strike out all of lines 2 to 6, inclusive, of the title, and insert in lieu thereof the following. "add Article 4 to Chapter".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "Section 735 of the Agricultural Code is hereby", and strike out all of lines 2 to 22, inclusive, on page 1, and all of pages 2 to 14, inclusive, and insert in lieu thereof the following:

"Article 4 is hereby added to Chapter 10 of Division IV of the Agricultural Code, to read as follows

Article 4. Minimum wholesale and retail prices.

737.13 Pursuant to the declaration and statements of facts, policy and purposes set forth in this chapter, the director is hereby vested with the additional administrative duty and authority to prescribe and enforce minimum wholesale prices and minimum retail prices as hereinafter set forth

737.14 The director shall, as soon as possible after the effective date hereof, in all marketing areas wherein a stabilization and marketing plan is in effect under the provisions of this chapter, designate and prescribe or provide methods for designating and prescribing (a) minimum wholesale prices which, as used herein, shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores including the prices at which fluid milk or fluid cream shall be sold by distributors to retail grocery stores, restaurants, confectioneries and other places for consumption on the premises but excluding, however, the prices at which fluid milk or fluid cream or both, shall be sold by distributors to retail

stores owned or operated by such distributor and (b) minimum retail prices which, as used herein, shall mean prices at which fluid milk or fluid cream or both, shall be sold by distributors or retail stores to consumers

At the time any stabilization and marketing plan is hereafter established under the provisions of this chapter, the director shall by official order designate and prescribe, or provide methods for designating and prescribing, such minimum wholesale prices and such minimum retail prices, provided, however, that all prices established under the terms of this article shall be such prices as are determined by the director pursuant to the provisions of section 737.15

737.15. In determining minimum wholesale prices and minimum retail prices, it shall be the duty of the director to make investigation, and pursuant to notice thereof to all distributors of record with the Department of Agriculture and retail stores, which may be subjected to the provisions of such plan, to hold hearings as to what are the reasonable costs and charges for hauling, handling, processing, delivery, selling and all other services performed in respect to the sale and distribution of fluid milk and fluid cream and thereafter to make findings with respect thereto from which he shall determine what minimum wholesale prices and what minimum retail prices for fluid milk and fluid cream in the several marketing areas in this State and under the varying conditions which may exist in said areas will best protect the milk industry in this State, insure a sufficient quantity of pure and wholesome fluid milk and fluid cream at fair and reasonable prices to consumers thereof in this State and be most in the public interest. In determining such prices, the director shall take into consideration all factors necessary to carry out the legislative intent and, without limitation, the following factors:

The cost of fluid milk and fluid cream and distribution thereof, and what prices are necessary to produce a reasonable return to the seller to cover the cost of ordinarily efficient and economical handling of fluid milk or fluid cream, or both and to insure, so far as possible, a sufficient return to distributors to enable such distributors to pay to the producers the minimum prices established by the director pursuant to this chapter.

The notice of hearing hereinabove mentioned may be effected by mail or by publication for five successive days in a newspaper of general circulation printed, published and circulated in the area designated, and shall specify the time and place of such hearing which shall not be held prior to ten days from the mailing or from the final publication of such notice, provided, however, that if no daily newspaper of general circulation is printed, published and circulated in the area designated, publication of notice for two successive weeks in a weekly newspaper of general circulation in the area shall be considered proper publication of notice At the hearing interested parties shall be heard and records kept of the proceedings of such hearings, which records shall be kept available for inspection by interested parties.

737.16. No distributor shall sell to any retail store or consumer, and no retail store shall purchase from any distributor or sell to any consumer any fluid milk or fluid cream, or either of them, at less than the prices as established by the director under the provisions of this article, and the use or attempted use of any method, device or transaction whereby any distributor sells or offers to sell to any retail store or consumer, or any retail store buys or offers to buy from any distributor, or sells or offers to sell any consumer fluid milk or fluid cream, or either, at a price less than that established by the director under the provisions of this article, whether by discount, rebate, free service, advertising allowance, lease of refrigeration or other equipment, or gift, or otherwise and whether any such discount, rebate, free service, advertising allowance, lease of refrigeration or other equipment, or gift applies directly to fluid milk or fluid cream or is allowed upon or in connection with the sale or handling of any other commodity or product is hereby prohibited

737.17. Distributors who are subject to the provisions of this article shall pay to the director on all milk fat contained in fluid milk and fluid cream purchased from producers a fee in mills per pound of milk fat equal to that required to be deducted from the payments due producers of fluid milk under section 737.6 of this code. The amount so received by the director shall be used in the administration and enforcement of this chapter or any stabilization or marketing plan established by this chapter. Any amounts in excess of that required for this purpose shall be returned at such times as the director may determine to distributors pro rata from whom such sums were collected

737.18. The director may appoint local control boards for the marketing areas established pursuant to this chapter to assist and advise him in matters pertaining to the marketing, distribution and sale of fluid milk or fluid cream or both The board shall consist of seven members who shall be persons whose major interest is the distribution, marketing or sale of fluid milk or fluid cream or both The terms of office of each member shall be two years, unless the plan is terminated before said term expires. Said local board shall meet in regular session each month, and each member shall be allowed five dollars per diem and mileage at the rate of five cents per mile for attending such regular meetings Said board

with the previous approval of the director may employ such personnel as may be necessary in the performance of its duties and shall adopt rules and regulations for its conduct The board shall submit a budget of its expenses to the director for his approval. The funds to be used for the maintenance of the board shall be paid from the proceeds of fees and licenses paid to the director under the plan upon verified claims presented by the board to the director The board shall not incur any expenses other than those for per diem and mileage, unless approved by the director

Sec. 2 The provisions of this amendatory act, should the same be declared unconstitutional, shall in no way affect the other provisions of Chapter 10 of Division IV of the Agricultural Code, but all of said provisions in so far as there are thereby established legislative standards for the guidance of the Director of Agriculture, and in so far as such standards are applicable to the provisions of this act, shall be deemed to apply to the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 862—An act to amend section 488 of the Agricultural Code, relating to Grade "A" milk.

Committee Amendments to Assembly Bill No. 862.

The following amendments were submitted by the committee:

Amendment No. 1.

Amend the title of the printed bill, by substituting the following:
"An act to amend sections 488, 490 and 587 and to repeal section 489, Agricultural Code, relating to Grade B milk."

Amendment No. 2.

On page 1, line 21, of the printed bill, strike out the words "twenty-five", and insert in lieu thereof the word "fifteen".

Amendment No. 3.

On page 1, line 26, of the printed bill, strike out the words "absence of such germs", and all of lines 27 and 28, and insert in lieu thereof the following:
"The absence of such germs in all such persons shall be determined by bacteriological and physical examination in such manner as may be prescribed by the director and by such person or laboratory approved in writing by the department, conducted at the time of employment and every six months thereafter in a manner approved by the director."

Amendment No. 4.

Add a new section to read as follows:
'SEC. 2 Section 489 of the Agricultural Code is hereby repealed."

Amendment No. 5.

Add a new section to read as follows:
"SEC 3. Section 490 of the Agricultural Code is hereby amended to read as follows:
490. It is unlawful to sell any milk as, or under the representation of, guaranteed or Grade A milk, except under the supervision of a milk inspection service approved by the director. A person authorized to sell market milk within the jurisdiction of a milk inspection service may sell market milk from the same supply, of the same quality, in similar containers, and under the same label in territory outside the jurisdiction of any milk inspection service, if local ordinances are not thereby violated, and also in territory within the jurisdiction of any other milk inspection service, if the consent of said other milk inspection service has been previously obtained. It is unlawful to sell in any city or county or any combination of cities and counties, in which a milk inspection service, approved by the director has been established, any market milk other than graded milk as provided in this division. For the purpose of this division the term "approved milk inspection service" means a milk inspection service maintained in connection with a county or city, or group or combination of counties and cities, which inspection service shall be approved in writing by the director, or a milk inspection service established by proclamation of the director."

Amendment No. 6.

Add a new section to read as follows:
"SEC. 4. Section 587 of the Agricultural Code is hereby amended to read as follows:
587 Where an approved milk inspection service is maintained as provided in this code, market milk shall be graded and designated as follows: "certified milk," "guaranteed milk," "Grade A milk". Market cream if graded shall conform to all of the standards set for market milk of the same grade except those relating to milk fat and solids not fat, and except that the maximum bacterial count for market

cream shall be not more than three times as great as that for the corresponding grade of milk."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2162—An act to add section 589 5 to the Agricultural Code, relating to labeling of dairy products.

Committee Amendment to Assembly Bill No. 2162.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out the quotation mark which follows "cows", and insert in lieu thereof the following: "or from tuberculin tested herds in officially accredited areas"."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1765—An act to add section 5.4 to the Retail Sales Tax Act of 1933, relating to exemptions from taxation.

Committee Amendments to Assembly Bill No. 1765.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, after the word "act", strike out all of the balance of said line 1 and all of line 2 of said title, and insert in lieu thereof the following "to amend 'An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately' by adding a new section thereto relating to sales of tangible personal property for use upon vessels coursing the high seas."

Amendment No. 2.

On page 1, line 2, of the printed bill, after the word "added", strike out the balance of said line 2, and insert in lieu thereof the words "to the act entitled 'An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately' to read as".

Amendment No. 3.

On page 1, line 4, of the printed bill, after the figures "5.4", strike out the balance of said line and all of lines 5 to 9, inclusive, and insert in lieu thereof the following:

"The tax upon the sale of tangible personal property, levied and imposed by this act, shall not be deemed to be levied upon or applied to sales of tangible personal property made within this State when such tangible personal property is for use or consumption upon sea-going vessels coursing the high seas. All such tangible personal property so sold for use or consumption upon vessels coursing the high seas shall be exempt from any and all taxes levied, assessed or imposed by this act: provided, however, that no such sale shall be deemed to be exempt unless at the time of the sale thereof a full, true and correct itemized statement and inventory of the tangible personal property sold for use or consumption upon the high seas, as aforesaid is prepared in triplicate and an affidavit attached to each of said copies verified by the oath of the seller and by the captain or master of the vessel on which such tangible personal property is to be used or consumed, which affidavit must state that all of such tangible personal property set forth in such statement and inventory is purchased for use upon and will be used only upon the high seas, and said affidavit shall further state the name of the vessel upon which such tangible personal property will be used or consumed, the sailing date and the port of destination; one copy of which affidavit, together with copy of said inventory and statement, shall be retained by the captain or master of said vessel, one copy thereof by the seller, and one copy thereof shall immediately after such sale be sent by registered mail with a return receipt demanded to the Board of Equalization at its office in Sacramento, California.

No tangible personal property purchased for use upon the high seas, as provided in this section, shall be used or consumed upon any vessel other than that named in the affidavit hereinbefore provided for.

Any person using any tangible personal property purchased under the provisions of this section, except upon the high seas, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $500 or by imprisonment in a county jail for a term not exceeding six months.

Nothing in this section provided shall be deemed to refer to any sales of any tangible personal property for use within the coastal waters of this State or upon any boat or vessel coursing the coastal waters of this State."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1189—An act to amend section 5 of the Retail Sales Tax Act of 1933, as amended in 1935, relating to the exemption of vessels.

Committee Amendment to Assembly Bill No. 1189.

The following amendment was submitted by the committee

Amendment No. 1.

On page 2, line 13, of the printed bill, strike out "fifty ton", and substitute "one thousand tons."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1190—An act to amend section 4 of the Use Tax Act of 1935.

Committee Amendment to Assembly Bill No. 1190.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 13, and substitute the following "Constitution of this State, and any ship of more than one thousand tons bur-"

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1907—An act imposing an excise tax on the use in this State of motor vehicle fuel, providing for the issuance of permits to the users of such fuel and for the levy, assessment and collection of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately

Committee Amendments to Assembly Bill No. 1907.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "motor vehicle", and after "fuel", insert "as defined herein"

Amendment No. 2.

On page 1, line 11, of the printed bill, after "sold," insert "of a kind"

Amendment No. 3.

On page 1, line 12, of the printed bill, strike out "public".

Amendment No. 4.

On page 1, line 16, of the printed bill, strike out "Public"

Amendment No. 5.

On page 2, line 6, of the printed bill, after "thereof", insert ", but a person placing fuel in a receptacle on a motor vehicle of another who holds a valid use fuel tax permit hereunder shall not be deemed to have used such fuel"

Amendment No. 6.

On page 2, line 7, of the printed bill, after "who", insert ", within the meaning of the term 'use' as defined herein,".

Amendment No. 7.

On page 2, line 8, of the printed bill, after "fuel", insert a period; strike out all of the remainder of line 8 and all of line 9.

Amendment No. 8.

On page 2, line 16, of the printed bill, insert "three", before "cents".

Amendment No. 9.

On page 2, line 17, of the printed bill, after "1937", insert ", but if the user shall establish to the satisfaction of the board that fuel has been consumed for a purpose other than the generation of power to propel a motor vehicle in this State, then no excise tax shall be imposed on such fuel".

Amendment No. 10.

On page 6, line 18, of the printed bill, strike out "extent", and insert in lieu thereof "extend".

Amendment No. 11.

On page 6, line 39, of the printed bill, after "overpayment" insert ", unless the user shall have filed a claim for such credit or refund within three years from the date of overpayment".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 275—An act to repeal section 588 of the Vehicle Code, relating to parking.

Committee Amendments to Assembly Bill No. 275.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "repeal", and insert in lieu thereof the following: "amend".

Amendment No. 2.

On page 1, line 2, of the printed bill, strike out "repealed.", and insert in lieu thereof the following: "amended to read as follows:

588. When Parking or Standing at an Angle Prohibited. No person shall park or leave standing any vehicle at the curb or edge of a through State highway unless both right wheels of the vehicle are within 18 inches of the curb or edge of such highway, except under the following circumstances:

(a) When loading or unloading merchandise.

(b) Where a State highway within a city is divided into two separate roadways with one-way traffic on each such roadway, each of which is not less than 50 feet in width from curb to curb, and the local legislative body has by ordinance permitted diagonal parking upon any of such roadways.

(c) Where local authorities indicate by appropriate signs and marking a different method of parking."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1177—An act to amend the title of and sections 1, 2, 3, 4, 7, 9, and 10 and to add sections 7A, 7B, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act

Committee Amendments to Assembly Bill No. 1177.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out line 17, and insert in lieu thereof the following: "any municipality, district, political subdivision, or governmental or public agency or instrumentality, whether said".

Amendment No. 2.

On page 2, line 22, of the printed bill, strike out "county or city and county", and insert in lieu thereof the following: "governmental or public agency or instrumentality sponsoring, establishing, operating or maintaining the project upon or in which such work is performed".

Amendment No. 3.

On page 3, line 19, of the printed bill, strike out "rates per month or per day", and insert in lieu thereof the following: "charge or charges".

Amendment No. 4.

On page 3, line 26, of the printed bill, strike out "amount", and insert in lieu thereof the following: "charges therein".

Amendment No. 5.

On page 3, line 32, of the printed bill, after "allege", insert the following: "or prove".

Amendment No. 6.

On page 3, line 33, of the printed bill, after the period, insert the following: "The fact that a minor child who receives aid or relief is not or was not indigent shall be no defense in any action against the parent or parents of said minor child for recovery of aid or relief furnished such minor child and in any such action it shall not be necessary to allege or prove that such minor child was indigent, and the county or city and county shall have in all other respects the same right of action as herein given against such parent or parents, for the recovery of the charge or charges for or amount of aid or relief extended such minor child. The fact that a wife who receives aid or relief is not or was not indigent shall be no defense in any action against the husband for aid or relief furnished his said wife, and in any such action it shall not be necessary to allege or prove that such wife was indigent, and the county or city and county shall have in all other respects the same right of action as herein given against such husband, for the recovery of the charge or charges for or amount of aid or relief extended to such wife."

Amendment No. 7.

On page 3, line 36, of the printed bill, strike out "indigent", and insert in lieu thereof: "said".

Amendment No. 8.

On page 3, line 41, of the printed bill, strike out "rates per month or", and strike out line 42, and insert in lieu thereof the following: "a charge or charges therefor, which said charge or charges shall be the measure of".

Amendment No. 9.

On page 3, line 45, of the printed bill, strike out "indigents", and insert in lieu thereof the following: "recipients of aid or relief".

Amendment No. 10.

On page 3, line 46, of the printed bill, after "may", insert the following: "but need not".

Amendment No. 11.

On page 3 of the printed bill, strike out line 48, and insert in lieu thereof the following: "classes of care or for different types of patients, and additional charges may but need not be fixed for any unusual, costly, special, or other services which the board of supervisors deem necessary. Any and all such charges may be changed from".

Amendment No. 12.

On page 4, lines 47 and 48, of the printed bill, strike out "person for the support of whom public moneys have been expended", and insert in lieu thereof the following: "recipient of aid or relief".

Amendment No. 13.

On page 5, line 6, of the printed bill, strike out "complaint", and insert in lieu thereof the following: "action".

Amendment No. 14.

On page 5, line 7, of the printed bill, after "allege", insert the following: "or prove".

Amendment No. 15.

On page 5, line 9, of the printed bill, strike out "rate", and insert in lieu thereof the following: "charge or charges".

Amendment No. 16.

On page 5, line 17, of the printed bill, strike out "amount", and insert in lieu thereof the following: "charges therein".

Amendment No. 17.

On page 5, line 41, of the printed bill, strike out "indigents", and insert in lieu thereof the following: "recipients of aid or relief".

Amendment No. 18.

On page 5, line 42, of the printed bill, after "aid", insert the following: "or relief".

Amendment No. 19.

On page 6, line 11, of the printed bill, strike out "form", and insert in lieu thereof the following: "from".

Amendment No. 20.

On page 9, line 46, of the printed bill, strike out "under this act", and insert in lieu thereof the following: "or relief".

Amendment No. 21.

On page 10, line 4, of the printed bill, strike out "the indigent", and insert in lieu thereof the following: "said person".

Amendment No. 22.

On page 10, line 5, of the printed bill, strike out "the indigent", and insert in lieu thereof the following: "said person".

Amendment No. 23.

On page 10, line 16, of the printed bill, strike out "under this act", and insert in lieu thereof the following: "or relief".

Amendment No. 24.

On page 10, lines 24 and 25, of the printed bill, strike out "under this act", and insert in lieu thereof the following: "or relief".

Amendment No. 25.

On page 10, line 38, of the printed bill, strike out "extended under this act", and insert in lieu thereof the following: "or relief".

Amendment No. 26.

On page 10, line 41, of the printed bill, strike out "indigent", and insert in lieu thereof the following: "recipient of aid or relief".

Amendment No. 27.

On page 11, line 14, of the printed bill, strike out "neither", and insert in lieu thereof the following: "The residence of the husband is the residence of the wife except that neither".

Amendment No. 28.

On page 13 of the printed bill, strike out lines 40 to 52, inclusive, and on page 14, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SEC. 18. The State shall, beginning with the quarter commencing July 1, 1937, advance aid to the counties and cities and counties extending aid or relief, including work-relief under this act, in the following manner and at the times, in the amounts and under the conditions hereinafter set out.

The board of supervisors or the auditor or controller of each county or city and county or such other officer as the board may specify shall, immediately prior to the beginning of each quarter, furnish to the State Department of Social Welfare an estimate of the amount of aid and relief, including work-relief, together with administrative costs thereof, to be furnished or paid out by said county or city and county during such next quarter and shall also show in such estimate the amount of aid, if any, to be received from the State computed upon the basis authorized in this act.

The State Department of Social Welfare shall then certify to the State Controller the amount so estimated by the board of supervisors or other officer of each county and city and county to be due from the State under the authority of this act, reduced or increased as the case may be, by any sum by which it finds that the estimate of such county or city and county for the prior quarter was greater or less than the amount which should have been paid to the county and city and county under this act for such quarter.

The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by the State Department of Social Welfare and the State Controller, the State Treasurer shall pay to the treasurer of each county and city and county, at the request of the State Department of Social Welfare and the State Controller, the amount so certified.

No county or city and county shall receive any advances or aid from the State until the amount of aid or relief, including work-relief, furnished or paid under the provisions of this act during any one fiscal year by said county or city and county together with the cost of administration thereof shall exceed an amount equivalent to five one hundredths of one per cent of the total assessed valuation of such county or city and county as determined by the State Board of Equalization for the previous year.

The State shall advance and pay to the county or city and county one-half of that amount of aid or relief, including work-relief, furnished or paid by said county or city and county under the provisions of this act, together with the cost of administration thereof, such cost of administration not to exceed ten per cent of all funds administered for indigent aid or work-relief, which is in excess of the amount equivalent to five one hundredths of one per cent of the total assessed valuation of

such county or city and county, but which is not in excess of the amount equivalent to twenty-seven one hundredths of one per cent of the total assessed valuation of such county or city and county as determined by the State Board of Equalization for the previous year.

The State shall advance and pay to the county or city and county all of that amount of aid or relief including work-relief furnished or paid by said county or city and county under the provisions of this act, together with the cost of administration thereof, such cost of administration not to exceed ten per cent of all funds administered for indigent aid or work-relief, which is in excess of the amount equivalent to twenty-seven one hundredths of one per cent of the total assessed valuation of such county or city and county as determined by the State Board of Equalization for the previous year.

The auditor or controller of each county and city and county, or any other officer designated by the board of supervisors thereof, shall report to the State Department of Social Welfare quarterly, in such manner and form as the latter may prescribe, the amount of aid and relief, including work-relief, and cost of administration of such aid and relief, including said work-relief, furnished or paid out under this act by said county or city and county during the preceding quarter. Claims for State aid granted under this act shall be presented by the respective county or city and county at the same time such reports are made. Such claims shall be audited by the State Department of Social Welfare and the State Controller and, when approved, credit shall be allowed to said county or city and county to apply against advances made as hereinbefore provided."

Amendment No. 29.

On page 14, line 8, of the printed bill, before "extended", strike out the comma.

Amendment No. 30.

On page 14, line 9, of the printed bill, strike out "no sum or sums in excess", and strike out lines 10 to 13, inclusive, and in line 14, strike out "budget is applicable", and insert in lieu thereof the following: "the State shall not pay or give to any county or city and county any State aid for any sums in excess of such family or relief case budgets, paid or furnished by such county or city and county in any particular relief case or cases to which such maximum budget is applicable".

Amendment No. 31.

On page 14 of the printed bill, strike out line 21, and insert in lieu thereof the following: "county for any particular relief case or cases to which such minimum family or relief case budget is applicable and wherein said minimum family or".

Amendment No. 32.

On page 14, line 22, of the printed bill, strike out "In the event the", and strike out lines 23 to 31, inclusive.

Amendment No. 33.

On page 15, line 15, of the printed bill, strike out "the State shall reimburse the county", and strike out lines 16 to 20, inclusive, and insert in lieu thereof the following: "such grants shall be used to assist the State in aiding the counties or cities and counties as heretofore provided".

Amendment No. 34.

On page 15, line 27, of the printed bill, strike out "indigents so aided", and insert in lieu thereof the following: "recipients of aid".

Amendment No. 35.

On page 15, line 29, of the printed bill, strike out "indigents", and insert in lieu thereof the following: "such recipients".

Amendment No. 36.

On page 15, line 30, of the printed bill, strike out "indigents", and insert in lieu thereof the following: "recipients".

Amendment No. 37.

On page 15, line 32, of the printed bill, strike out the comma and "pay or credit to the State the same", and strike out lines 33 to 39, inclusive, and insert in lieu thereof the following: "deduct and show such reimbursement as a deduction from the amount of aid and relief paid out or furnished under the provisions of this act for the period in which the collection is made. No such credit".

Amendment No. 38.

On page 16, line 35, of the printed bill, after "respects", insert the following: "and".

Amendment No. 39.

On page 16, line 51, of the printed bill, strike out "purely".

Amendment No. 40.

On page 17, lines 1 and 2, of the printed bill, strike out "in relation to payments by the State to the counties or cities and counties".

Amendment No. 41.

On page 19 of the printed bill, immediately after line 48, insert the following "SEC. 23. Section 26 is hereby added to said act, to read as follows:

Sec. 26. Expenditures made under the provisions of this act shall not be controlled, affected or limited by or subject to any law imposing limitations on the amount of county expenditures or upon the levying or collection of taxes."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1206—An act to add sections 34.5, 50, 51, 145.1, 604.1, 604.2, 604.3, 604.4, 682 and 682.1 to the Vehicle Code, relating to the transportation of certain inflammable liquids upon highways in this State.

Committee Amendments to Assembly Bill No. 1206.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, after the word "bulk", insert the following: "other than a tank containing the fuel used to propel the vehicle".

Amendment No. 2.

On page 1, line 16, of the printed bill, strike out the figures "275", and insert in lieu thereof "100"

Amendment No. 3.

On page 2 of the printed bill, strike out lines 3 and 4.

Amendment No. 4.

On page 2 of the printed bill, strike out lines 43 to 47, inclusive, and insert in lieu thereof the following:

"604.1. Transporting liquefied petroleum gases. It is unlawful to transport any Class 1-a flammable liquids as defined in section 51 of this code unless the tank or tank vehicle used to transport the same complies with all rules and regulations of the Industrial Accident Commission, the intent of this act being only to regulate the transportation of Class 1 flammable liquids as defined herein."

Amendment No. 5.

On page 3 of the printed bill, strike out lines 19 to 22, inclusive, and insert in lieu thereof the following: "taining flammable liquid, or within 25 feet of any tank vehicle during the time that flammable liquids are being transferred to or from such vehicle."

Amendment No. 6.

On page 5 of the printed bill, strike out lines 32 to 38, inclusive.

Amendment No. 7.

On page 5, line 39, of the printed bill, after the word "Vents", insert the following: "for the Purpose of Relieving Such Internal Pressures as May Be Created by Exposure Fires".

Amendment No. 8.

On page 5, line 47, of the printed bill, strike out the word "eighty", and insert in lieu thereof the words "one hundred sixty".

Amendment No. 9.

On page 8, line 6, of the printed bill, strike out the word "Any", and insert in lieu thereof "In any event, every".

Amendment No. 10.

On page 2 of the printed bill, strike out lines 8 to 20, inclusive, and insert in lieu thereof the following:

"(a) The State Fire Marshal or his authorized representative shall inspect every tank vehicle once every two years, and shall issue a certificate of inspection and approval for the tank vehicle so inspected."

Amendment No. 11.

On page 2, line 21, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(b)".

Amendment No. 12.

On page 2 of the printed bill, strike out lines 24 to 34, inclusive.

Amendment No. 13.

On page 2, line 35, of the printed bill, strike out "(f)", and insert in lieu thereof the following: "(c)".

Amendment No. 14.

On page 8 of the printed bill, add the following new paragraph:

"The provisions of this section and sections 34.5, 50, 51, 145 1, 604 1, 604 2, 604.3, 604 4 and 682 hereof are hereby declared to be inclusive of all regulations concerning the subject matters mentioned in each of such sections, and any ordinance of any county, city and county and city, heretofore or hereafter enacted, bearing upon any such subject matter is hereby declared to be void."

Amendment No. 15.

On page 2, lines 38 to 40, of the printed bill, strike out "paid into the general fund of the State for the credit of the funds of the State Fire Marshal", and insert in lieu thereof the following: "by the State Fire Marshal at the end of each month reported to the State Controller and at the same time deposited in the State Treasury to the credit of the Fire Marshal's fund. All moneys so credited are hereby appropriated for the use of the Fire Marshal to be expended in accordance with law in carrying out the provisions hereof."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 825—An act to amend section 136 of the Vehicle Code, relating to the authority of certain officers and employees of the Department of Motor Vehicles.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 576—An act to amend sections 304 and 307 of the Vehicle Code, relating to operator's and chauffeur's licenses, and declaring the urgency hereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 746—An act to add section 683 to the Vehicle Code, relating to equipment.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 628—An act to amend section 216 of the Vehicle Code, relating to registration of motor vehicles.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1204—An act to amend section 384 of the Penal Code, relating to fires.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1205—An act to repeal an act entitled "An act to amend section 1 of 'An act regulating the hours of labor of the operators of certain motor vehicles,' approved June 10, 1933, relating to operators of vehicles," approved July 5, 1935.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1200—An act to amend sections 112, 115, 116, 121, and 123 of the Vehicle Code, and to repeal sections 114 and 118 thereof, relating to the California Highway Patrol.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1202—An act to amend section 6 of, and to add section 6a to, an act entitled "An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof," approved July 6, 1935, relating to fees.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1209—An act to amend sections 770 and 777 of the Vehicle Code, relating to the disposition of fees, fines and forfeitures.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1210—An act to amend sections 215 and 216 of the Vehicle Code and to add thereto section 217, relating to the registration of vehicles.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1220—An act to add section 76 to, and to amend sections 425, 426 and 438 of, the Vehicle Code, relating to garages and repair shops and the rights thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1212—An act to add section 130.1 to the Vehicle Code, relating to automobile registration service.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2751—An act to amend section 482 of the Fish and Game Code, relating to the pollution of water.

Committee Amendments to Assembly Bill No. 2751.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "muddy," insert the following: "contaminate".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert in lieu thereof the following: "Klamath River Fish and Game District. It is unlawful between said dates to deposit in or cause, suffer or procure to be deposited in, permit to pass into or place where it can pass into said waters, any substance, affecting the clarity of said waters, including the dumping, depositing or passing into said waters of any debris, substance or tailings from hydraulic, placer, milling or other mining operation. Any structure or contrivance which contributes to or causes the condition, the causing of which is hereby prohibited, is a public nuisance."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 950—An act to amend section 527 of the Political Code, relating to legislative printing.

Bill read second time, and ordered on third reading calendar.

Observance of St. Patrick's Day Made Special Order of Business.

On motion of Mr. Lyon, the observance of St. Patricks Day was set as a special order of business for Wednesday, March 17, 1937, at two o'clock and thirty minutes p.m.

Withdrawal and Re-reference of Assembly Bill No. 338.

On motion of Mr. Peyser, Assembly Bill No. 338 was withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Judiciary Codes.

Withdrawal and Re-reference of Assembly Bill No. 1943.

On motion of Mr. Desmond, Assembly Bill No. 1943 was withdrawn from the Committee on Crime Problems, and re-referred to the Committee on Judiciary Codes.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 33.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bill ordered to enrollment.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Lyon:

An act to amend sections 84a and 108 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol, and making an appropriation therefor.

By Mr. Heisinger:

An act to amend sections 221, 231, 234, 234.25, 234.5, 236, 237, and 250, and to repeal sections 230, 239, and 243 of the Agricultural Code, relating to bovine tuberculosis, and making an appropriation.

By Mr. Peyser:

An act relating to alcoholic beverages, prohibiting licensees under the Alcoholic Beverage Control Act from transporting or importing into this State purchasing, receiving, possessing, or selling alcoholic beverages manufactured in any State, the laws, rules, or regulations of which discriminate against alcoholic beverages manufactured in this State or against persons selling or dealing therein, defining discriminatory laws, providing for the enforcement of the provisions hereof, and providing that this act shall take effect immediately.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Beene, Breed, Call, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2792: By Mr. Lyon—An act to amend sections 84a and 108 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol, and making an appropriation therefor.

Bill read for first time, and referred to Committee on Civil Service.

Assembly Bill No. 2793: By Mr. Heisinger—An act to amend sections 221, 231, 234, 234.25, 234.5, 236, 237, and 250, and to repeal sections 230, 239, and 243 of the Agricultural Code, relating to bovine tuberculosis, and making an appropriation.

Bill read first time, and referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2794: By Mr. Peyser—An act relating to alcoholic beverages, prohibiting licensees under the Alcoholic Beverage Control Act from transporting or importing into this State, purchasing, receiving, possessing, or selling alcoholic beverages manufactured in any State, the laws, rules, or regulations of which discriminate against alcoholic beverages manufactured in this State or against persons selling or dealing therein, defining discriminatory laws, providing for

the enforcement of the provisions hereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Public Morals.

Assembly Joint Resolution No. 36: By Messrs. Burns, Michael J., and Fulcher—Relative to memorializing the President and the Congress of the United States to enact bill H. R. 4009, which proposes to appropriate $50,000,000 to cooperate with the States of the United States in the eradication of noxious weeds, and urging the Secretary of Agriculture to expedite consideration favorable to said bill.

Introduced, and referred to Committee on Federal Relations.

Assembly Concurrent Resolution No. 32: By Mr. Field—Relative to approving two certain amendments to the charter of the city of Burbank, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a special municipal election held therein on the third day of November, 1936.

Request for Unanimous Consent.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 32, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 32.

Assembly Concurrent Resolution No. 32—Relative to approving two certain amendments to the charter of the city of Burbank, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a special municipal election held therein on the third day of November, 1936.

Assembly Concurrent Resolution No. 32 read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Call, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 19.
Assembly Bill No. 24.
Assembly Bill No. 25.
Assembly Bill No. 26.
Assembly Bill No. 38.
Assembly Bill No. 116.
Assembly Bill No. 132.
Assembly Bill No. 133.
Assembly Bill No. 184.
Assembly Bill No. 185.
Assembly Bill No. 277.
Assembly Bill No. 283.
Assembly Bill No. 297.
Assembly Bill No. 303.
Assembly Bill No. 305.
Assembly Bill No. 307.
Assembly Bill No. 401.
Assembly Bill No. 448.
Assembly Bill No. 449.
Assembly Bill No. 450.
Assembly Bill No. 562.
Assembly Bill No. 563.

Assembly Bill No. 650.
Assembly Bill No. 800.
Assembly Bill No. 880.
Assembly Bill No. 971.
Assembly Bill No. 1002.
Assembly Bill No. 1025.
Assembly Bill No. 1091.
Assembly Bill No. 1134.
Assembly Bill No. 1135.
Assembly Bill No. 1136.
Assembly Bill No. 1365.
Assembly Bill No. 1415.
Assembly Bill No. 1671.
Assembly Bill No. 1680.
Assembly Bill No. 2023.
Assembly Bill No. 2079.
Assembly Bill No. 2080.
Assembly Bill No. 2218.
Assembly Bill No. 2380.
Assembly Joint Resolution No. 31.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 34.

And reports the same correctly enrolled, and presented to the Governor on this eleventh day of March, 1937, at eleven o'clock a.m

CUNNINGHAM, Chairman.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 868.

Respectfully reports the same back without recommendation, and that it be re-referred to Committee on Education

ROSENTHAL, Chairman

The above reported bill re-referred to Committee on Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred.
Assembly Bill No. 981.

Respectfully reports the same back with the recommendation: Do pass, and be referred to Committee on Ways and Means.

ROSENTHAL, Chairman

The above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1188.

Respectfully reports the same back with the recommendation: Do pass as amended.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 483.
Assembly Bill No. 803.
Assembly Bill No. 1237.

Respectfully reports the same back without recommendation, as amended.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1719.
Assembly Bill No. 1105.

Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 812.
Assembly Bill No. 1676.
Assembly Bill No. 1798.

Respectfully reports the same back without recommendation, as amended.

CLARK, Chairman

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1860.

Respectfully reports the same back with the recommendation: Do pass as amended.

KING, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1949.

Respectfully reports the same back without recommendation, as amended.

KING, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 1301.
Assembly Bill No. 2062.

Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 197.
Assembly Bill No. 618.
Assembly Bill No. 907.
Assembly Bill No. 964.
Assembly Bill No. 2750.
Assembly Bill No. 1679.
Assembly Bill No. 1682.

Respectfully reports the same back with the recommendation: Do pass as amended.

DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 520.
Assembly Bill No. 521.
Assembly Bill No. 522.
Assembly Bill No. 600.
Assembly Bill No. 747.
Assembly Bill No. 953.
Assembly Bill No. 1446.
Assembly Bill No. 620.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 196.
Assembly Bill No. 203.
Assembly Bill No. 347.
Assembly Bill No. 811.
Assembly Bill No. 1084.
Assembly Bill No. 1444.
Assembly Bill No. 1445.
Assembly Bill No. 1759.
Assembly Bill No. 1760.
Assembly Bill No. 2474.

Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 859.
Assembly Bill No. 2157.

Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred.
Assembly Bill No. 1247.
Senate Bill No. 477.
Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:
Senate Bill No. 173.
Senate Bill No. 894.
Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER. Your Committee on Education, to which was referred:
Assembly Bill No. 2734.
Assembly Bill No. 1186.
Respectfully reports the same back with the recommendation: Do pass as amended.

CLARK, Chairman

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 14.	**Assembly Bill No. 471.**
Assembly Bill No. 15.	**Assembly Bill No. 510.**
Assembly Bill No. 20.	**Assembly Bill No. 546.**
Assembly Bill No. 23.	**Assembly Bill No. 576.**
Assembly Bill No. 27.	**Assembly Bill No. 779.**
Assembly Bill No. 101.	**Assembly Bill No. 1130.**
Assembly Bill No. 231.	**Assembly Bill No. 1351.**
Assembly Bill No. 269.	**Assembly Bill No. 1466.**
Assembly Bill No. 291.	**Assembly Bill No. 1705.**
Assembly Bill No. 424.	**Assembly Bill No. 1793.**
Assembly Bill No. 469.	**Assembly Bill No. 1915.**

And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1596 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No 1185 re-referred to Committee on Public Charities and Corrections.

Assembly Bill No 549 re-referred to Committee on Public Morals.

Assembly Bill No 1466 re-referred to Committee on Judiciary Codes.

Assembly Bill No 469 re-referred to Committee on Judiciary Codes.

Assembly Bill No 14 re-referred to Committee on Constitutional Amendments

Third Reading of Assembly Bills.

Assembly Bill No. 970—An act to amend section 1 of an act entitled "An act to provide for the formation, government, operation, and dissolution of pest abatement districts, for the assessment, levy, collection, and disbursement of taxes therein, to declare the urgency

hereof, and to provide that this act take effect immediately," approved February 2, 1935.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 970 read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1435—An act to amend section 445 of the Political Code, relating to the salaries of the inheritance tax attorney and five assistant inheritance tax attorneys.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—66

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1620—An act to amend section 439 of the Political Code, relating to employees in the Controller's office

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 691—An act to amend section 80 of the Agricultural Code, relating to agricultural districts

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream,

Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 31—Relative to memorializing Congress to enact legislation limiting the number of cars in trains.

Assembly Joint Resolution No. 31 read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Gannon, Garland, Glick, Hawkins, Heisinger, Horublower, Hunt, Johnson, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—56.

NOES—Beene, Breed, Call, Corwin, Dilworth, Garibaldi, Kepple, Kuchel, Scudder, Stream, Walker, and Watson—12.

Title read and approved Assembly Joint Resolution No. 31 ordered transmitted to the Senate.

Assembly Bill No. 650—An act to add section 136½ to the Penal Code, relating to bribing or offering to bribe witnesses.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1025—An act to amend section 1368 of the Penal Code, relating to the sanity of the defendant in a criminal prosecution

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—65.

NOES—Robertson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 305—An act to repeal section 2.2140 of the School Code and to amend sections 2.2143 and 2.2145 thereof, all relating to the supervision of instruction in unified school districts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—71.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1671—An act to amend sections 2 114, 2.472, 2 597 and 6.50 of the School Code and to repeal section 6.82 thereof, all relating to the public school system.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—68

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 297—An act to amend section 4316 of the Political Code, relating to the privileges of public officers.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2079—An act to amend section 73a, Code of Civil Procedure, relating to court expenses.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael, J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fuleber, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 401—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael, J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream,

Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Governor's Veto to Assembly Bill No. 331.

Mr. King moved to expunge the record and rescind the action whereby the Assembly on March 4, 1937, sustained the veto of the Governor on Assembly Bill No. 331.

The question being: Shall the action be rescinded and the record expunged whereby the veto of the Governor was sustained?

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael, J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 331 ordered placed upon the unfinished business calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 448—An act to amend section 1124 of the Probate Code of the State of California, and to add a new section thereto to be known as section 1125.1 relating to testamentary trustees.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael, J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 449—An act to amend section 1593 of the Probate Code, relating to the discharge of guardians.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley Cunningham, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 562—An act to add section 948a to the Code of Civil Procedure, relating to bonds or undertakings required by law or order of court.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth,

Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 563—An act renumbering section 1482 of the Probate Code, relating to additional bond required of guardians upon the sale or mortgaging of real property of the ward.

Motion to Amend Assembly Bill No. 563.

Mr. Redwine moved to amend Assembly Bill No. 563 as follows:

Amendment No. 1.

On page 1, line 2, of the printed bill, strike out "and is hereby", and insert in lieu thereof the following: "to be".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out the period, and insert in lieu thereof the following: "and to read as follows:

1534a Before any sale of real property is confirmed, or any mortgage or deed of trust is authorized by which money is to be raised, the guardian must furnish such additional bond to the ward as shall be required by the court, with two or more persons or an authorized surety company as surety, to be approved by the judge, in order to make the total penalty of the guardian's bonds to his ward equal to that required by section 1480 of this code, taking into account the proceeds of the sale or mortgage or deed of trust."

Amendments adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 563, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 563, as Amended.

Assembly Bill No. 563—An act renumbering section 1482 of the Probate Code, relating to additional bond required of guardians upon the sale or mortgaging of real property of the ward.

Assembly Bill No. 563, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 184—An act to amend section 224 of the Civil Code, relating to consent to adoption.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawal-

lisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 185—An act to amend section 953a of the Code of Civil Procedure, relating to appeals from any court of record.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2218—An act to add a new section 1872 to the Code of Civil Procedure, relating to expert testimony.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 277—An act to amend section 1418 of the Penal Code, relating to reprieves, commutations, and pardons.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Desmond, Dilworth, Donihue, Field, Gannon, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Martin, Mayo, Miller, Eleanor; Miller, George P., Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—46.

NOES—Burns, Michael J. Call, Cassidy, Crowley, Dawson, Donnelly, Garibaldi, Garland, Gilbert, Hornblower, Hunt, Lore, Maloney, McMurray, Meehan, Morgan, Richie, Robertson, Sheehan, Tenney, Voigt, and Welsh—22.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 19—An act to repeal sections 332, 333, 334, 335, 336 and 337 of the Political Code, relating to biennial reports of departments and agencies of the State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 24—An act to repeal section 267 of the Political Code, relating to the Speaker of the Assembly.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assemblby Bill No. 25—An act to amend section 247 of the Political Code, relating to officers and employees of the Legislature.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 26—An act to amend section 256 of the Political Code, relating to the Journals of the respective houses of the Legislature.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 38—An act to amend section 539 of the Political Code, relating to the printing of bills.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Domhue, Donnelly, Field, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 303—An act to amend section 3653.5 Political Code, relating to records of the assessor being open to inspection.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dawson, Dilworth, Domihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—60

NOES—Burns, Michael J., Crowley, Desmond, Donnelly, Miller, George P., and Patterson—6.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1002—An act to add section 781 to the Political Code, relating to the reports of the Supreme Court and the District Courts of Appeal.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1415—An act to amend section 15 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to suits on assigned claims.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Call, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—64

NOES—None

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 2380—An act to amend section 11.4 of an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933, relating to land surveyors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—63.

NOES—Hunt—1.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2023—An act to amend section 4153 of the Political Code of the State of California, relating to the duties of the district attorney

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal,

Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2080—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and the selection of jurors therein," approved May 23, 1925, relating to municipal courts and the judges and attaches thereof, in cities or cities and counties of the second and one-half class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Adjournment.

At four o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Friday, March 12, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIFTH LEGISLATIVE DAY
SIXTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 12, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—74.

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. O'Donnell, the further reading of the Journal of Thursday, March 11, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Morgan.

Mr. Reaves, on motion of Mr. Laughlin.

Mr. Levey, on motion of Mr. Dawson.

Mr. Boyle, on motion of Mr. Andreas.

Mr. Burns, Hugh M., on motion of Mr. Garibaldi.

Mr. Voigt, on motion of Mr Garland.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Commander Charles R. Clark, retired, U. S. Navy.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs James Carter, member of Los Angeles County Democratic Central Committee.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Coroner Dan Deerwater, Sierra County, and Joseph Zerga, Sierra City.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wm. T. Sweigert of San Francisco.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. William C. Jones of Los Angeles, owner, editor and publisher of the Griffith Park News, Hollywood Pictorial, Movie News and Wilshire Post Dispatch.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. Fraunfelder and children, Reynard, Betty and Ruth.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 628.
Assembly Bill No. 629.
Assembly Bill No. 699.
Assembly Bill No. 746.
Assembly Bill No. 825.
Assembly Bill No. 858.
Assembly Bill No. 956.
Assembly Bill No. 992.
Assembly Bill No. 1059.
Assembly Bill No. 1172.
Assembly Bill No. 1176.
Assembly Bill No. 1200.
Assembly Bill No. 1202.
Assembly Bill No. 1204.
Assembly Bill No. 1205.
Assembly Bill No. 1209.
Assembly Bill No. 1210.
Assembly Bill No. 1212.
Assembly Bill No. 1232.
Assembly Bill No. 1233.
Assembly Bill No. 1262.
Assembly Bill No. 1264.
Assembly Bill No. 1348.
Assembly Bill No. 1350.
Assembly Bill No. 1440.
Assembly Bill No. 1441.
Assembly Bill No. 1442.
Assembly Bill No. 1530.
Assembly Bill No. 1562.
Assembly Bill No. 1574.
Assembly Bill No. 1579.
Assembly Bill No. 1580.
Assembly Bill No. 1597.
Assembly Bill No. 1606.
Assembly Bill No. 1699.
Assembly Bill No. 1700.
Assembly Bill No. 1729.
Assembly Bill No. 1763.
Assembly Bill No. 2394.
Assembly Bill No. 2748.
Assembly Bill No. 2752.

And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred:

Assembly Bill No. 663.
Assembly Bill No. 773.

Respectfully reports the same back with the recommendation: Do pass

GANNON, Chairman.

The above reported bills ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2789.

Respectfully reports the same back with the recommendation Do pass.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937

MR SPEAKER Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 743.

Respectfully reports the same back with the recommendation Do pass

MULDOON, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 744.

Respectfully reports the same back with the recommendation: Do pass as amended.

MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:

Assembly Bill No. 2149.

Respectfully reports the same back with the recommendation: Do pass as amended.

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred:

Assembly Bill No. 1069. **Assembly Bill No. 1951.**
Assembly Bill No. 1558. **Assembly Bill No. 2369.**
Assembly Bill No. 1559.

Respectfully reports the same back without recommendation, as amended.

SHEEHAN, Chairman.

The above reported bills ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 757.

Respectfully reports the same back without recommendation, as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1071—An act validating the election and classification of members of the sanitary board of sanitary districts reorganized pursuant to section 31 of the act of the Legislature entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, as amended, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 1071 read first time, and referred to Committee on County Government.

SENATE CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 671—An act to amend section 675a of the Political Code, relating to approval of contracts by the Department of Finance;

Senate Bill No. 744—An act to amend section 2 of the State Contract Act, relating to the State Department of Finance;

Senate Bill No. 323—An act to add section 661.8 to the Political Code, relating to the payment of claims against the State and endorsing of warrants issued therefor;

Senate Bill No. 515—An act relating to the purchase of wool from producers, prohibiting deductions for tags, fribs, crutchings or other off-wools, based upon a percentage of the weight or value of the wool, and providing a penalty for violation thereof;

Senate Bill No. 413—An act to add sections 52, 515.5, 637.5, and 670.5 to the Vehicle Code, and to amend section 625 thereof, relating to trailer coaches;

Senate Bill No. 414—An act to amend sections 621 and 675 of the Vehicle Code, relating to motor vehicles;

Senate Bill No. 1072—An act amending sections 9 and 31 of the act of the Legislature of the State of California entitled, "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, as amended, relating to elections of sanitary boards in sanitary districts.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 671 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 744 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 323 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 515 read first time, and referred to Committee on Agriculture.

Senate Bill No. 413 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 414 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 1072 read first time, and referred to Committee on County Government.

SENATE CHAMBER, SACRAMENTO, March 11, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 448—An act to add section 512 to the Vehicle Code, relating to speed limits in the vicinity of State institutions;

Senate Bill No. 45—An act granting certain salt marsh, tide and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof;

Senate Bill No. 158—An act to add sections 26, 27, 28, 29 and 30 to "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, and to protect the natural resources of oil and gas and similar hydrocarbons on State lands; relating to records, documents and information of certain types to be held as confidential; providing for use of such data in suits and legal action; providing for method of handling similar data furnished by parties not operating on State lands; and providing penalty for not carrying out terms and purposes of this act.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 448 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 45 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No 158 read first time, and referred to Committee on Oil Industries.

Second Reading of Assembly Bills.

Assembly Bill No. 287—An act to amend section 2349 of the Political Code, relating to navigable streams and public waterways.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1078—An act granting certain salt marsh, tide and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1667—An act to amend section 1 of an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts," approved March 22, 1905, relating to the granting of franchises.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 526—An act to add a new section to be numbered section 2 to Chapter 621 of the Statutes of 1931 entitled "An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof," approved June 5, 1931, relating to the grant of lands to said city.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1343—An act relating to State lands, making demand for payment of the balance due on the purchase price of certain lands, providing for the forfeiture of such lands for failure to make such payment, and reducing the rate of interest on all contracts for the sale of school lands.

Bill read second time, and ordered to engrossment

Assembly Bill No. 2233—An act to amend sections 1 and 2 of "An act authorizing the Surveyor General of the State of California to lease certain lands in the county of San Diego," relating to a lease of tidelands in the county of San Diego.

Committee Amendment to Assembly Bill No. 2233.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 7, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "and wherever the words "Surveyor General" are used in this act, or in said lease, the authority and duties of the said Surveyor General shall be transferred to his successor, the Chief of the Division of State Lands, Department of Finance"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 700—An act to amend section 18 of the California Irrigation District Act, relating to the distribution of water.

Committee Amendments to Assembly Bill No. 700.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of line 15, and insert in lieu thereof the following: "vided however, that no right in such or any water owned"

Amendment No. 2.

On page 1, line 17, of the printed bill, strike out the word "constructed", and insert in lieu thereof the word "construed".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 756—An act to add section 3a to an act entitled "An act to provide for the organization and creation of improvement districts within irrigation districts organized under the California Irrigation District Act; to provide for the acquisition, construction, operation, maintenance and repair of improvements therein, and for the levy of assessments on the lands of such improvement districts," approved May 25, 1927, to provide for an alternative method of instituting the formation of a special assessment district within an irrigation district to provide for the construction and maintenance of improvements therein.

Committee Amendments to Assembly Bill No. 756.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 12, of the printed bill, strike out the period, and insert in lieu thereof the following: ", except that the notice to be mailed shall be addressed to the property owners at their last known address as shown on the assessment roll or other records of the district."

Amendment No. 2.

On page 2, line 17, of the printed bill, strike out the word and figure "section 6", and insert in lieu thereof the following: "sections 5 and 6"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 780—An act relating to the redemption of property sold to irrigation districts for delinquent assessments.

Committee Amendments to Assembly Bill No. 780.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 11 and 12, of the printed bill, strike out the following: "or the provisions of the Palo Verde Irrigation District Act, as amended"

Amendment No. 2.

On page 2, lines 3 and 4, of the printed bill, strike out the following: "nor any of the provisions of the Palo Verde Irrigation District Act, as amended."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1188—An act to amend section 2931a of the Civil Code to authorize making the State a party to certain actions relating to real estate.

Committee Amendments to Assembly Bill No. 1188.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the word "either"

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out the word "or".

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out the word "or".

Amendment No. 4.

On page 1, line 10, of the printed bill, following the comma, insert the following "or to quiet title against or to determine the existence or priority of any lien to secure the payment of taxes to the State of California other than taxes upon such real property,".

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 483—An act to amend sections 3, 8, and 9 of the Inheritance Tax Act of 1935, relating to the lien of inheritance taxes.

Committee Amendments to Assembly Bill No. 483.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the words "unless sooner", and insert in lieu thereof the following: "until".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out the words "passed or", and insert in lieu thereof the following: "which passes or is".

Amendment No. 3.

On page 1 of the printed bill, commencing in line 7, strike out "for a period of five years after they are due and payable", and insert in lieu thereof the following: ", provided, that unless sued for within five years after they are due and legally demandable, such taxes shall cease to be a lien as against any bona fide purchaser of said property".

Amendment No. 4.

On page 1, line 13, of the printed bill, strike out the words "passed or", and insert in lieu thereof the following "passes or is"

Amendment No. 5.

On page 1, line 27, of the printed bill, strike out the period, and insert in lieu thereof the following: "and the lien herein provided for shall attach to the proceeds of any such mortgage, hypothecation or lease."

Amendment No. 6.

On page 2, line 17, of the printed bill, strike out the word "passed", and insert in lieu thereof the following: "passes".

Amendment No. 7.

On page 2, line 19, of the printed bill, strike out the words "mortgagee, trustee or beneficiary under a deed of trust,".

Amendment No. 8.

On page 2, line 20, of the printed bill, strike out the words "or lessee,".

Amendment No. 9.

On page 2, line 21, of the printed bill, strike out the "mort-".

Amendment No. 10.

On page 2 of the printed bill, strike out all of line 22

Amendment No. 11.

On page 2, line 25, of the printed bill, strike out " mortgagee, trustee or", and insert in lieu thereof a period

Amendment No. 12.

On page 2 of the printed bill, strike out all of line 26, and insert in lieu thereof the following "As used in this section the term 'bona fide purchaser' shall be deemed to include any bona fide purchaser mortgagee, lessee, or trustee or beneficiary under a deed of trust"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 803—An act to amend section 7 of the "Vital Statistics Registration Act," relating to death certificates

Committee Amendments to Assembly Bill No. 803.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 14, of the printed bill, strike out "Signature", and insert the following "Name".

Amendment No. 2.

On page 2, line 39, of the printed bill, strike out "Signature", and insert the following "Name".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1237—An act to amend section 7 of the "Vital Statistics Registration Act," relating to death certificates.

Committee Amendments to Assembly Bill No. 1237.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 18, of the printed bill, strike out "Signature", and insert the following: "Name".

Amendment No. 2.

On page 2, line 43, of the printed bill, strike out "signature", and insert the following: "name".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1719—An act to amend an act entitled, "An act authorizing savings banks, commercial banks, insurance companies, personal finance companies, mortgage companies, mortgage insurance companies, building and loan associations, trust companies, or fiduciaries or fiduciary institutions, or agencies, public or private, to make in certain cases loans, or advances of credit, which are insured pursuant to the provisions of the National Housing Act, and to invest in, or purchase, insured mortgages and obligations of National mortgage associations or similar credit institutions, the act to take effect immediately," approved January 30, 1935, by amending sections 1, 2, 3, and 4, thereof and by adding a new section thereto to be known as section 5-A, so as to make notes and bonds secured by mortgages insured, and debentures issued, by the Federal Housing Administrator, and obligations of National mortgage associations eligible for deposit where securities must be deposited pursuant to any law of the State of California; and for clarification purposes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1105—An act to amend section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts as amended.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 812—An act to add sections 1.120a and 2.1443a to the School Code, relating to tests of sight and hearing and providing for the establishment of a Bureau of Health Inspection of Exceptional Children in the Division of Special Education.

Committee Amendment to Assembly Bill No. 812.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 8, of the printed bill, insert the words: "Provided, however, that the provisions of section 1.121 of the School Code shall be applicable to this section"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1676—An act to add three new sections to the School Code to be numbered 1.120a, 5.64 and 5.95, and to add to Chapter II of Part IV of Division II of the School Code a new article to be known as Article VIII, relating to the testing of hearing and sight of pupils in the schools of the public school system.

Committee Amendment to Assembly Bill No. 1676.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 25, of the printed bill, insert the words, "Provided, however, that the provisions of section 1.121 of the School Code shall be applicable to this section."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1798—An act to amend section 5.721 of the School Code, relating to absence from duty.

Committee Amendment to Assembly Bill No. 1798.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, following line 15, insert the following: "Such leave of absence when granted to a probationary employee shall not be construed as a break in the continuity of service required for the classification of such employee as permanent under section 5.500; but the time during which such leave of absence is taken shall not be considered as employment within the meaning of such section"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1860—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 2, 5, 6, 7, 8, all relating to the composition, powers, government, and management of metropolitan water districts.

Committee Amendments to Assembly Bill No. 1860.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 40, of the printed bill, insert a period after the word "thereto", and strike out line 41

Amendment No. 2.

On page 4 of the printed bill, strike out all of line 48 after the word "counties", and strike out lines 49 and 50, and insert in lieu thereof a period.

Amendment No. 3.

On page 5, line 35, of the printed bill, strike out the words "and water service".

Amendment No. 4.

On page 5 of the printed bill, strike out lines 38 and 39, and insert in lieu thereof the following: "to any board, department or agency thereof, or to the State of California, for any use or purpose, pursuant to contract".

Amendment No. 5.

On page 6, line 4, of the printed bill, strike out the following: "(member cities')".

Amendment No. 6.

On page 6, line 17, of the printed bill, strike out the following: "(member cities' of the district)".

Amendment No. 7.

On page 8, lines 20 and 21, of the printed bill, strike out the following: "(that are members of)".

Amendment No. 8.

On page 9, line 11, of the printed bill, strike out the following: "(composing)".

Amendment No. 9.

On page 10, line 26, of the printed bill, strike out the following: "and water service".

Amendment No. 10.

On page 15 of the printed bill, strike out lines 13 to 21, inclusive, and in line 22, strike out the following: "practicable.)", and insert in lieu thereof the following: "(j)".

Amendment No. 11.

On page 15, line 23, of the printed bill, strike out the following: "and water service".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1949—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to elections of members of board and its meetings.

Committee Amendment to Assembly Bill No. 1949.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 19, of the printed bill, strike out "seven", and strike out lines 20, 21, and 22, and insert in lieu thereof the following: "his necessary expenses incurred in the performance of his duties."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1301—An act to add section 690 25 to the Code of Civil Procedure, relating to the levy of execution on interests in estates.

Committee Amendments to Assembly Bill No. 1301.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to amend section 688 of the Code of Civil Procedure,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 688 of the Code of Civil Procedure is hereby amended to read as follows:

688. All goods, chattels, moneys or other property, both real and personal, or any interest therein, of the judgment debtor, not exempt by law, and all property and rights of property seized and held under attachment in the action, are liable to execution. Shares and interests in any corporation or company, and debts and credits, and all other property, both real and personal, or any interest in either real or personal property, and all other property not capable of manual delivery, may be levied upon or released from levy in like manner as like property may be attached or released from attachment. Gold dust must be returned by the officer as so much money collected at its current value, without exposing the same to sale. Until a

levy, the property is not affected by the execution; but no levy shall bind any property for a longer period than one year from the date of the issuance of the execution, except a levy on the interests or claims of heirs, devisees or legatees in or to assets of deceased persons remaining in the hands of executors or administrators thereof prior to distribution and payment; provided, however, an alias execution may be issued on said judgment and levied on any property not exempt from execution."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2062—An act to add section 2225 to the Civil Code, relating to trusts.

Committee Amendments to Assembly Bill No. 2062.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after "as part of", insert the following: "an unemployment plan.".

Amendment No. 2.

On page 1, line 10, of the printed bill, after "in trust," insert the following: "shall be deemed to be for eleemosynary purposes, and".

Amendment No. 3.

On page 1, line 11, of the printed bill, strike out "existing"

Amendment No. 4.

On page 1, line 16, of the printed bill, after "as part of" insert the following: "an unemployment plan"

Amendment No. 5.

On page 1, line 23, of the printed bill, strike out "until the fund", strike out lines 24 and 25, and insert in lieu thereof the following: ", and such accumulation shall not be deemed to be invalid as violating any laws against accumulations"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 197—An act to amend section 1011 of the Code of Civil Procedure, relating to service of notices and papers in civil actions

Committee Amendments to Assembly Bill No. 197.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "it may be made by mail or,".

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out "and if his residence is not known, or is", strike out lines 16, 17 and 18, and insert in lieu thereof the following "or it may be made by mail by putting the"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 618—An act to amend sections 117g, 117i, 117j, 117*l*, of the Code of Civil Procedure, relating to small claims courts.

Committee Amendments to Assembly Bill No. 618.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "117g, 117i," and after "117j," insert the following: "117k and"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 18, inclusive.

Amendment No. 3.

On page 1, line 19, of the printed bill, strike out "Sec. 3.", and insert in lieu thereof the following: "Section 1."

Amendment No. 4.

On page 1, line 21, of the printed bill, strike out "Sec."

Amendment No. 5.

On page 1, line 22, of the printed bill, strike out "the"

Amendment No. 6.

On page 2, line 5, of the printed bill, strike out "Sec. 4.", and insert in lieu thereof the following: "Sec. 2."

Amendment No. 7.

On page 2, line 7, of the printed bill, strike out "Sec."

Amendment No. 8.

On page 2, line 24, of the printed bill, strike out "Sec. 5", and insert in lieu thereof the following: "Sec. 3."

Amendment No. 9.

On page 2, line 26, of the printed bill, strike out "Sec."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 907—An act to amend section 366a of the Code of Civil Procedure, relating to limitations of actions

Committee Amendments to Assembly Bill No. 907.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of title of the printed bill, strike out "366a", and insert in lieu thereof "336a".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "366a", and insert in lieu thereof "336a".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "366a", and insert in lieu thereof "336a".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 964—An act to amend sections 1000, 1001 and 1010 of the Probate Code, relating to partial and ratable distribution of the estates of decedents.

Committee Amendment to Assembly Bill No. 964.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, commencing in line 12 thereof, strike out the following: "or if there will be sufficient assets remaining in the estate after such delivery to pay said claims and the costs, charges and expenses of administration"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2750—An act to amend section 544 of the Probate Code, relating to bonds of joint executors.

Committee Amendment to Assembly Bill No. 2750.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 4, 5, 6 and 7, and insert in lieu thereof the following: "or administrators, the court or judge must require either a separate bond from each or a joint and several bond in the manner and form required by section 541."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1679—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds in civil actions or proceedings.

Committee Amendments to Assembly Bill No. 1679.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 7, and insert in lieu thereof a comma and the following: "any agency thereof, or any instrumentality solely owned by the United States, or any Federal".

Amendment No. 2.

On page 1 of the printed bill, strike out line 9, and insert in lieu thereof a comma and the following: "or any agency thereof, or any instrumentality solely owned by the United States, is a party plaintiff".

Amendment No. 3.

On page 1 of the printed bill, strike out line 13, and insert in lieu thereof the following: "the United States, any agency thereof, or any instrumentality solely owned by the United States, or".

Amendment No. 4.

On page 1, line 16, of the printed bill, after "United States", insert a comma.

Amendment No. 5.

On page 1 of the printed bill, strike out line 17, and insert in lieu thereof the following: "any agency thereof, or any instrumentality solely owned by the United States, or any Federal officer".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1682—An act to amend section 566 of the Code of Civil Procedure, relating to restrictions on appointment of receiver.

Committee Amendments to Assembly Bill No. 1682.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, after the words "United States", insert a comma.

Amendment No. 2.

On page 1 of the printed bill, strike out lines 12, 13, 14, 15, and 16, and insert in lieu thereof the following: "agency thereof or any instrumentality solely owned by the United States, or to an officer or employee of the United States, or of any agency thereof or of any instrumentality solely owned by the United States where the United States or an agency thereof or such instrumentality thereof, or an officer or employee of the United States or of an agency thereof or such instrumentality.".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 520—An act to add a new section, to be numbered 13b, to the Street Lighting Act of 1919 (Statutes of 1919, p. 612), relating to collection of municipal assessments by the county.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 521—An act to add a new section, to be numbered 8a, to the Street Lighting Act of 1931 (Statutes of 1931, p. 1324), relating to collection of municipal assessments by the county.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 522—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, relating to special assessment taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 600—An act to amend section 28a of the Improvement Act of 1911, relating to reassessment procedure and relief from special assessments.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 747—An act to amend section 18a of the Street Opening Act of 1903, relating to reassessment procedure and relief from special assessments.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 953—An act to add section 1626.5 to the Streets and Highways Code and to amend sections 1627 and 1628 thereof, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fuel fund or from moneys received by the counties for vehicle registration license fees, and authorizing the refunding, repayment and adjustment of direct assessments levied for the acquisition, construction, maintenance, improvement or repair of public highways, bridges or culverts.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1446—An act to amend section 882 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class

Bill read second time, and ordered to engrossment

Assembly Bill No. 620—An act to amend an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring and improving said land," approved April 22, 1909, by adding thereto a new section to be numbered section 25a, relating to reassessments

Bill read second time, and ordered to engrossment

Assembly Bill No. 196—An act to amend section 396a of the Code of Civil Procedure, relating to place of trial of civil actions.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 203—An act to amend section 630 of the Probate Code, relating to summary probate proceedings

Bill read second time, and ordered to engrossment.

Assembly Bill No. 347—An act to amend section 663 of the Probate Code, relating to vesting of homestead.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 811—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1084—An act to amend section 751a of the Code of Civil Procedure, relating to the adjudication of the identity of persons executing instruments relating to real property by a name other than that by which they acquired title.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1444—An act to amend sections 147 and 150 of the Code of Civil Procedure, relating to court seals.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1445—An act to amend section 4300f of the Political Code, relating to jurors' fees.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1759—An act amending section 111 of the Penal Code, relating to expense of trial of convicts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1760—An act to amend section 627 of the Penal Code, relating to trespass on real property.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2474—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 859—An act to amend section 582 of the Agricultural Code, relating to labels.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2157—An act to amend section 651 of the Agricultural Code, relating to dairy statistics.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1247—An act to add a new chapter to Part I of Division IV of the School Code to be known as Chapter IV, to add to Chapter II of Part IV of Division IV of said code a new article to be known as Article IIa and to add to said code two new sections to be numbered 2.1224 and 4.766-1, all relating to the creation of a State kindergarten fund, the apportionment thereof and the use of apportionments therefrom

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2734—An act to amend section 5.654 of the School Code, relating to time of trial of school employees charged with immoral or unprofessional conduct.

Committee Amendment to Assembly Bill No. 2734.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out "fifteen", and insert in lieu thereof the following: "thirty".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1186—An act to amend sections 6.762 and 6.772 of the School Code and to add to said code two new sections to be numbered 6.752 and 6.763, all relating to the powers and duties of governing boards of school districts in connection with the use of school grounds and buildings.

Committee Amendments to Assembly Bill No. 1186.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out all of line 3, and insert in lieu thereof the following:

"6.762. The governing board of any school district in its discretion may".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out the words "the building and", and insert in lieu thereof the following: "such buildings,".

Amendment No. 3.

On page 1, line 6, of the printed bill, following the word "supplies", strike out the comma, and insert the following: "as may be deemed necessary by such governing board,".

Amendment No. 4.

On page 1, line 14, of the printed bill, following the word "when", insert the following: "in the opinion of the governing board the same are".

Amendment No. 5.

On page 1 of the printed bill, strike out all of lines 16, 17, 18, and 19, and insert in lieu thereof the following: "ter, may be provided from school funds or may be provided in the same manner and by the same authority as such similar services are now provided."

Amendment No. 6.

On page 1, line 23, of the printed bill, following the word "authorized", strike out the words "and it shall be its duty".

Amendment No. 7.

On page 2, line 11, of the printed bill, after the word "district", insert the following: "in its discretion".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 477—An act to amend section 6.2 of the School Code, relating to powers of boards of school trustees and city boards of education.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 173—An act to amend section 4 of the "County Water District Act," relating to elections under the authority of said act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 894—An act to amend an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, by amending section 1, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns.

Bill read second time, and ordered on third reading calendar.

Third Reading of Assembly Bills.

Assembly Bill No. 210—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Motion to Amend Assembly Bill No. 210.

Mr Lyon moved to amend Assembly Bill No 210 as follows:

Amendment No. 1.

On page 1, line 2, of the printed bill, strike out "five thousand", and insert in lieu thereof the following: "thirteen thousand eight hundred seventy-five".

Amendment adopted.

Bill ordered to reprint, and re-engrossment.

Assembly Bill No. 800—An act to add two new sections to the School Code to be numbered 3.352a and 4.930, relating to junior colleges maintained by high school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Gluck, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1134—An act to add a new section to the School Code to be numbered 2.996, relating to the educational exhibits of school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1135—An act to add a new section to the School Code to be numbered 5.589, relating to the holding of institutes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1136—An act to add a new section to the School Code to be numbered 4.735, relating to the attendance of pupils.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 779—An act to add section 3817ee to the Political Code, relating to suits by public agency to quiet title.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—65

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 27—An act to amend section 259 of the Political Code, relating to the Sergeant-at-Arms.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson,

Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1915—An act to add section 6.53 to the School Code, relating to provision of a place for children to eat lunches brought from home.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1793—An act to add a new section to be numbered 210 to the Penal Code, relating to extortion.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—53.

NOES—Clark, Hawkins, Hunt, King, Lore, Muldoon, Patterson, Peek, Pelletier, Robertson, Rosenthal, Tenney, Welsh, Yorty, and Mr. Speaker—15.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1130—An act to add section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—Robertson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 291—An act to add section 1201.5 to the Penal Code, relating to motions after judgment.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—Robertson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1351—An act to amend section 707 of the Code of Civil Procedure, relating to the payment of the rents and profits of

property sold on execution by a tenant in possession pending redemption.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, and Yorty—55

NOES—Gilbert, Hunt, Patterson, Pelletier, Richie, Robertson, Tenney, and Mr. Speaker—8.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1351.

Mr. Clark gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1351 was this day passed.

Assembly Bill No. 20—An act to amend section 324 of the Political Code, relating to resolutions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 424—An act to amend section 1329 of the Penal Code, relating to the fees of witnesses in criminal cases.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58.

NOES—Field, Latham, Lyon, Redwine, Robertson, and Scudder—6.

Title read and approved.

Notice of Reconsideration on Assembly Bill No. 424.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 424 was this day passed.

Assembly Bill No. 23—An act to amend sections 301 and 302 of the Political Code, relating to witnesses before the Legislature and committees thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1365—An act to amend section 3819a of the Political Code, relating to duties of tax collector in counties of the first and second class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Assembly Bill No. 1264.

On motion of Mr. Corwin, Assembly Bill No. 1264 was withdrawn from the calendar, and re-referred to the Committee on Live Stock and Dairies.

Assembly Bill No. 629—An act to add section 985 to the Streets and Highways Code, relating to cattle guards.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 699—An act to amend section 422 of the Streets and Highways Code, relating to State highways.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 510—An act to amend section 368 of the Streets and Highways Code, relating to State Highway Route 68.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1562—An act to add section 535a to the Political Code relating to State printing.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick,

Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Hornblower, the Assembly was declared at recess to allow Hon Morley Griswold, *former Governor of the State of Nevada to address the Assembly.*

Reassembled.

At twelve o'clock and twenty minutes p.m., the Assembly reconvened Speaker Jones in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1574—An act to amend section 359e of the Political Code, *relating to vacations for State officers and employees.*

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1580—An act to amend an act entitled "An act to provide for the registration of bonds issued by the State of California, or any county, city and county, municipal corporation, or other public corporation," approved April 14, 1913, by adding a new section thereto, relating to disposition of fees received by the State Treasurer

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—65.

NOES—None.

Motion to Amend Title of Assembly Bill No. 1580.

Mr. Donihue moved to amend the title as follows:

Amendment No. 1.

In line 1 of the title of the printed bill strike out "amend", and insert in lieu thereof the following: "add section 4 to".

Amendment No. 2.

In lines 4 and 5 of the title of the printed bill, strike out "by adding a new section thereto".

Amendments adopted.

Title, as amended, read and approved Bill ordered transmitted to the Senate.

Re-reference of Assembly Bill No. 1606.

On motion of Mr. Robertson, Assembly Bill No. 1606 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Withdrawal and Re-reference of Assembly Bill No. 2178.

On motion of Mr. Thorp, Assembly Bill No 2178 was withdrawn from the Committee on Agriculture, and re-referred to the Committee on Live Stock and Dairies

Notice of Motion to Withdraw House Resolution No. 54.

Mr. Yorty gave notice that on the next legislative day he would move to withdraw House Resolution No. 54 from the Committee on Public Utilities

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1763—An act to amend section 535 of the Political Code, relating to State Printer.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—61.

NOES—None

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1763.

Mr. King gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1763 was this day passed.

Assembly Bill No. 546—An act to add section 1034 to the Political Code, relating to elective officers.

Bill read third time, and passed by the following vote:

AYES—Burns, Michael J., Clark, Cronin, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Martin, Mayo, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Tenney, Thorp, Walker, Watson, Yorty, and Mr. Speaker—42.

NOES—Andreas, Baynham, Beene, Breed, Call, Cassidy, Corwin, Dilworth, Field, Fulcher, Garibaldi, Glick, Hornblower, Maloney, McMurray, Meehan, Morgan, Sawallisch, Scudder, Sheehan, Stream and Weber—22.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 546.

Mr Maloney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 546 was this day passed.

Assembly Bill No. 1262—An act to amend section 372 of the Political Code, relating to the State Board of Public Health.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson,

Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Recess.

At twelve o'clock and forty minutes p m., on motion of Mr King, the Assembly was declared at recess, to be entertained by R. Fraunfelder and children, Reynard, Betty and Ruth, Swiss singers and yodelers.

Reassembled.

At twelve o'clock and fifty minutes p m., the Assembly reconvened. Speaker Jones in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1440—An act to amend sections 2 and 3 of an act entitled "An act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—57

NOES—None

Motion to Amend Title of Assembly Bill No. 1440.

Mr Lore moved to amend the title as follows:

Amendment No. 1.

In line 5 of the title of the printed bill, strike out the period, and insert in lieu thereof the following "relating to reports"

Amendment adopted.

Title, as amended, read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1441—An act to repeal an act entitled "An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness," approved by the Governor April 26, 1935.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—56

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1442—An act to repeal an act entitled "An act requiring the compilation and publication of reports relative to the financial condition of the municipal corporations within the State," approved by the Governor July 11, 1935.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin,

Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1699—An act to amend section 404 of the Fish and Game Code, relating to licenses.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr Speaker—55

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1700—An act to amend section 700 of the Fish and Game Code, relating to black bass.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray Meehan, Miller, Eleanor; Miller, George P., Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr Speaker—57.

NOES—Hunt—1

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 15—An act to amend section 429 of the Fish and Game Code, relating to hunting and fishing licenses.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Watson, Weber, Yorty, and Mr. Speaker—58

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 231—An act to amend section 797 of the Fish and Game Code, relating to abalones.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Johnson, Laughlin Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Weber, Yorty, and Mr. Speaker—45.

NOES—Baynham, Beene, Breed Field, Flint, Gilbert, Heisinger, Hunt, Kepple, Kuchel, Latham, Lyon, Muldoon, Redwine, and Robertson—15

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 231.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 231 was this day passed.

Assembly Bill No. 2394—An act to amend section 1313 of the Fish and Game Code, relating to trapping bear.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth,

Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Patterson, Peek, Pelletier, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Watson, Weber, Yorty, and Mr. Speaker—60.

NOES—Richie

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1172—An act to amend sections 702 and 708 of the Fish and Game Code, relating to seasons on calico bass and crappie.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1176—An act to amend section 1286 of the Fish and Game Code, relating to transporting deer into a closed district.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1597—An act to amend section 420 of the Fish and Game Code, relating to licenses.

Motion to Amend Assembly Bill No. 1597.

Mr. Heisinger moved to amend Assembly Bill No. 1597 as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, after "eighteen", insert a comma and the following: "and no person over the age of sixty-five,".

The roll was called, and the amendment adopted by the following vote

AYES—Andreas, Beene, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller George P., Millington, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—58

NOES—Call, Dannenbrink, and Stream—3.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1597, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 1597, as Amended.

Assembly Bill No. 1597—An act to amend section 420 of the Fish and Game Code, relating to licenses.

Assembly Bill No. 1597, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2752—An act to amend section 800 of the Fish and Game Code, relating to abalones.

Bill read third time, and passed by the following vote.

AYES—Andreas, Beene, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Watson, Weber, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2748—An act to amend section 1313 of the Fish and Game Code, relating to trapping of animals.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1579—An act to amend section 452 of the Political Code, relating to the duties of the State Treasurer.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1729—An act to amend section 1203 of the Political Code, relating to polling places.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller

Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 858—An act to amend section 504 of the Agricultural Code, relating to cheese

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1232—An act to amend section 483 of the Agricultural Code, relating to the serving of milk.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1232.

Mr. Hawkins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1232 was this day passed.

Assembly Bill No. 1233—An act to amend section 473 of the Agricultural Code, relating to milk drinks.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, and Yorty—54.

NOES—Mr. Speaker—1.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1233.

Mr. Peek gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1233 was this day passed.

Assembly Bill No. 101—An act to amend section 1680 of the Labor Code, relating to the establishment of free employment bureaus.

Motion to Amend Assembly Bill No. 101.

Mr. Miller moved to amend Assembly Bill No. 101 as follows:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the word "Agencies", insert the following: "in the Department of Employment".

Amendment adopted.

Bill ordered to reprint, and re-engrossment.

Assembly Bill No. 825—An act to amend section 136 of the Vehicle Code, relating to the authority of certain officers and employees of the Department of Motor Vehicles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 576—An act to amend sections 304 and 307 of the Vehicle Code, relating to operator's and chauffeur's licenses, and declaring the urgency hereof.

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—52.

NOES—Baynham, Dilworth, Donihue, Garland, Gilbert, Hunt, Johnson, Latham, and Miller, Eleanor—9.

Title read and approved Bill ordered transmitted to the Senate.

Communication.

The following communication was received and read:

By Messrs. Stream and Richie, and Mrs. Daley:

WASHINGTON, D. C., March 12, 1937.

Honorable Jeanette Daley, Honorable Charles W. Stream, Honorable Paul Richie.

I have delayed answering your cordial invitation in writing me to address California General Assembly in the hope that I might fix a definite date because of conferences now in progress in Washington, D. C. My plans are indefinite. The sailing date is Saturday, April 3d. If this is confirmed, I accept with great pleasure for the morning of Friday, April 2d I will notify you of any changes immediately. Please convey to the General Assembly my deep appreciation of the invitation and my earnest desire to accept.

PAUL McNUTT

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred the request of Mr. Yorty that 1,500 copies of the report from the Railroad Commission of the State of California be printed as a separate document—respectfully reports the same back with the recommendation that the request be granted.

PEEK, Chairman.

Motion to Print Report.

On motion of Mr Yorty, 1500 copies of the above mentioned report, compiled by the Railroad Commission, were ordered printed as a separate document.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 490.
Assembly Bill No. 491.

Respectfully reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means.

LORE, Chairman.

The above reported bills re-referred to Committee on Ways and Means.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 289.

Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1218.

Respectfully reports the same back with the recommendation: Do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1937.

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1201.

Respectfully reports the same back with the recommendation: Do pass as amended.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1225.
Assembly Bill No. 1217.
Assembly Bill No. 1371.

Respectfully reports the same back with the recommendation: Do pass as amended

HORNBLOWER, Chairman.

The above reported bills ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1012.

Respectfully reports the same back without recommendation, as amended

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1604.

Respectfully reports the same back with the recommendation: Do pass as amended

DONIHUE, Chairman

The above reported bill ordered on second reading calendar

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER. Your Committee on Financial Institutions, to which was referred:

Assembly Bill No. 636.

Respectfully reports the same back without recommendation, as amended

LYON, Chairman

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 2352.

Respectfully reports the same back without recommendation, as amended

LORE, Chairman

The above reported bill ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred

Assembly Bill No. 1400.
Assembly Bill No. 1402.

Respectfully reports the same back without recommendation, as amended

SAWALLISCH, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred

Assembly Bill No. 2423.
Assembly Bill No. 955.
Assembly Bill No. 1420.

Respectfully reports the same back with the recommendation: Do pass as amended

SAWALLISCH, Chairman.

The above reported bills ordered on second reading calendar

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1937

MR. SPEAKER. Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 82.

Respectfully reports the same back with the recommendation. Do pass as amended

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

Resolution.

The following resolution was offered:

By Mr. Meehan:

House Resolution No. 99B.

WHEREAS, Our distinguished colleague, Patrick Joseph McMurray, on Tuesday, March 9, 1937, attained the supposedly dignified and mellow age of 55 years, and

WHEREAS, Throughout the tempestuous years of his hectic and varied career, not to say checkered, in this world, he has always exemplified the predominant and often-times admirable traits of his Gaelic ancestors, and

WHEREAS, In the course of his Pilgrim's Progress through this Legislative labyrinth, he has managed somehow to retain at least a measure of sanity, and

WHEREAS, His effervescent personality, sparkling sense of humor and constructive proposals in this body have more than made up for the many headaches he has provided and caused the officers and members of this august body, and

WHEREAS, The members of this Assembly have every reason, hope, and suspicion in believing that the said Honorable Patrick Joseph McMurray will remain the unanimous choice of the people, his legion of constituents, thereby retaining his present God-given power and privilege of continuing to grace and honor the Assembly legislative halls with his kindly presence, and

WHEREAS, Such presence will assure and insure a continuance of the Honorable Patrick Joseph McMurray's custom to blarney, harass, harangue, wheedle, cajole, flatter, fret, worry, vex, plague, tantalize, torment, molest, tease and tire his fellow members of this Assembly for many hale and hearty years to come; now therefore, be it

Resolved, That the good wishes of this assemblage be extended our noted colleague, the Honorable Patrick Joseph McMurray, for a long and happy life, the years of which will be devoted to his legislative activities without interruption or defeat!

Request for Unanimous Consent.

Mr. Meehan asked for, and was granted, unanimous consent to take up House Resolution No. 99B, at this time, without reference to committee or calendar

House Resolution No. 99B, read, and unanimously adopted.

Re-reference of Bill.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Assembly Bill No 1264 re-referred to Committee on Live Stock and Dairies.

Adjournment.

At two o'clock and ten minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, March 15, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY
SEVENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 15, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, ODonnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Muldoon, the further reading of the Journal of Friday, March 12, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Burns, Hugh M., on motion of Mr. Garibaldi.

Mr. Waters, on motion of Mr. Cunningham.

Mr. Turner, on motion of Mr. O'Donnell.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John C. Tsapralis of San Francisco.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Larry Kilgannon and Bob Barrett of San Francisco.

On request of Mr Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Myrtle Ralston, teacher, Courtland Grammar School, and the following

eighth grade students Betty Colby, Catherine Marye Myers, Eleanor Ostman, Arthur Phillips, Elliot Stevenson, Clarence Lee, Myron Gonsalves, Joe Alameda, Wraa Rose, Laurence Dewing, Peggy Colby, Thelma Fuhrman, Teddy Bagdozian, Jeane Bielefeld, Jack La Montague, Elaine Gonsalves, Madelyn Frates, Dorothy Ensley, Josephine Fava, Dorothy Freitas, and Mildred Gier; Miss H. Wilson, principal, Mrs. Etolia H. Hordorn, teacher, Courtland Grammar School, and the following eighth grade students: Rhoda Lai, Eva Wong, Margaret Owyang, Mary Ow Fook, Caroline Iseri, Toshiko Tokenchi, Priscilla Yamada, Grace Yamane, Virginia Uyeoka, Hisako Hirose, Wendall Lai, Joe Jang, Edward Jang, Dick Uyeda, and Atushi Sokata.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Ed Hill of Riverside.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walter McGinnis, Deepdale, Manitoba; and Norbert T. Meehan.

On request of Mr Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Dorothy Montague of San Francisco, E Walton Hedges of San Juan Bautista, former member of the Assembly from the thirty-fourth district.

On request of Mr. Kepple, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. M. C. Lautrup of Whittier.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Henry Johnson, Agricultural Inspector; Frank A. Cox, Director of the West Stanislaus Irrigation District; Judge Thomas Stamper of Gustine, California, and Rodney Edwards of Patterson, California.

Assistant Clerk Berry Reading.

Presentation of Petitions.

The following petition was received, and referred to the Special Assembly Committee Investigating the Modesto Defendants Case.

By Mr. Speaker:

From James Scudder, regarding witness fees and mileage.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 2607.

Respectfully reports the same back without recommendation, as amended.

KING, Chairman

Second Reading of Assembly Bill No. 2607—(Out of Order).

Assembly Bill No. 2607—An act to authorize the incorporated cities of the State of California to establish retirement systems for their policemen, firemen and other employees of said cities where there is not already established a retirement system for the said officers or employees of said cities and providing for the appointment by the Governor of a Retirement Commission for the general administration of the retirement systems established by the said incorporated cities within the State.

The members of the city retirement board shall serve without additional compensation.

Committee Amendments to Assembly Bill No. 2607.

The following amendments were submitted by the committee:

Amendment No. 1.

Amend the title of the printed bill to read as follows.

"An act to authorize the incorporated cities of the State of California to establish retirement systems providing for retirement payments and for payments of certain benefits to the surviving widows or minor children of retired officers or employees under certain circumstances, for policemen, firemen, and other employees of said city where there is not already established a retirement system for the said officers or employees of said cities and providing for the appointment by the Governor of a Retirement Commission for the general administration of the retirement systems established by the said incorporated cities within the State, and fixing the compensation of said members thereof and providing that the members of the city retirement board shall serve without additional compensation, and repealing an act entitled: "An act to create a fireman's relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State." 1905 Stats. page 412, approved March 20, 1905, as amended; and repealing an act entitled: "An act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State." 1889 Stats page 56, approved March 4, 1889, as amended."

Amendment No. 2.

On page 1, section 1 of the printed bill, amend lines 1 to 15, to read as follows:

"SECTION 1 The chairman or president of the city council or board of trustees of said city, the treasurer of the city and one elected representative of the fire department, police department, and the other departments of the city government shall constitute the retirement board for the retirement system for said city; providing, however, that the provisions of this act shall become effective in any particular incorporated city only upon condition that the provisions of this act are accepted by ordinance passed by the governing body of said city or adopted by initiative election of the electors of said city. In which event, the provisions of this act shall become operative in said city on the first day of January or on the first day of July next following the expiration of three months after the adoption of said ordinance."

Amendment No. 3.

On page 1 of the printed bill, section 2, lines 16 to 20; and lines 1 to 6, on page 2, amend said section to read as follows:

"SEC. 2. Whenever 25 or more cities have established a pension system pursuant to the provisions of this act, the Governor of the State of California shall appoint a State Pension Commission to consist of three qualified electors of the State, no two of which shall be residents of the same county. Said pension commissioners shall serve for a period of four years and each shall receive as compensation, $25 for each official meeting regularly called and attended; provided, that no one commissioner shall receive more than $50 in any one month, together with their traveling expenses in attending such meetings. Said commissioners shall meet at the State Capitol or at some other designated place in the State each month for transacting business."

Amendment No. 4.

On page 2, lines 7 to 36 of the printed bill, amend section 3 by striking out all of said section, and substituting in lieu thereof the following:

"SEC. 3. **The State Pension Commission appointed by the Governor, and the city retirement board for the respective cities shall have the following powers in** addition to other powers herein granted.

(a) To compel witnesses to attend and testify before it, upon all matters in connection with the operation of this act, in the same manner as is or may be provided by law for the taking of testimony before notaries public, and its president or any member of said board, may administer oaths to such witnesses.

(b) To appoint a secretary, and to provide for payment from said fund of all its necessary expenses, including secretary hire and printing; provided, that no compensation or emolument shall be paid to any member of a city retirement board for any duty required or performed under this act.

(c) To make all needful rules and regulations not inconsistent with this act, and such rules and regulations shall become effective when approved by the city council for said city.

(d) In addition to the other powers herein granted to the State Retirement Commission, the said State commission shall have complete supervision and control over each and all of the retirement systems which may be established pursuant to this act to the end that said retirement systems in the respective cities shall be fully and efficiently administrated, and it is provided, further, that the said State

Retirement Commission may examine the records and acts of any city retirement system at any time and may examine the officers thereof under oath, with respect to any or all its transactions."

Amendment No. 5.

Add immediately following section 3 of the bill as it is amended, the following new section, section 4, to read as follows:

"SEC. 4. Source of Funds. For the purpose of providing and maintaining a fund to meet these payments of demands drawn for payment of pensions and the expenses of said retirement system, a fund is hereby created for said city to be known as the "the city retirement fund." There shall be paid into said fund, the following monies:

(a) Salary Contributions. A portion of each month's salary of each officer or employee of the city included within the provisions of this act in an amount not less than 4 per cent and not more than 8 per cent of said officer's or employee's monthly salary.

(b) Credit for Prior Services. Upon election of any said city officer or employee to come within the provisions of this act, and where said officer or employee elects to secure credit for prior services as a city officer or employee under this act, said officer or employee may pay into said pension fund an amount necessary to entitle said person to credit for prior services claimed, for not less than 4 per cent nor more than 8 per cent of the officer or employee's salary, during the period for which credit for such prior service is claimed, the percentage thereof to be fixed by the said city retirement board, and the time for payment thereof to be fixed by said board, provided, however, that no officer or employee may be retired for services unless and until said officer or employee shall have paid into the retirement fund an amount representing the monthly contribution of all said prior services, for which retirement credit is claimed.

(c) Cities' Contributions. The governing body of each city shall appropriate and pay to said retirement fund annually an amount sufficient, together with the contribution of officers and employees, to meet all of the demands against such pension fund.

(d) Interest. All contributions and deposits shall bear simple interest at a rate to be fixed by the retirement board, but said rate shall in no event be greater than 4 per cent per annum."

Amendment No. 6.

Add a new section, to be designated "Sec. 5.", to read as follows:

"(a) Investment of Fund. The city retirement board shall have charge and control of and shall faithfully keep the funds of the system, and shall invest and reinvest the same, and may, from time to time, sell any securities held by them and invest and reinvest the proceeds therefrom, any and all unappropriated income of said fund; provided, however, that all funds received by them not required for current disbursements, shall be invested in those securities only which shall be legal for savings bank investments, or deposited at interest in any State or National bank doing business within the county; provided, that the credit of the city shall not be given or lent in aid of or to any person, association or corporation, whether municipal or otherwise, nor shall it be pledged in any manner whatever for the payment of the liabilities of any individual, association, municipal or other corporation whatever. The said board may, whenever they sell such securities, deliver the securities so sold upon receiving the proceeds thereof, and may execute any and all documents necessary to transfer the title thereto. The duties herein imposed upon the members of the board shall be deemed a part of their official duties and for the faithful performance of which they shall be liable under their official bonds. The city treasurer of said city shall be exofficio treasurer of the city pension system.

(b) All transfers or payments to the retirement fund and all withdrawals and cash transactions shall be entered upon the books of the treasurer in and out of said fund account, in the same manner as other city transactions.

(c) All warrants drawn on the city retirement fund shall be signed by the treasurer and at least one other member of the retirement board, he shall be designated by such board, but no warrant so drawn shall be valid until it has been countersigned and numbered and a proper record made thereof. Payments provided in this act shall be made monthly upon proper voucher.

(d) The city retirement board shall annually prepare a budget of the cost of maintaining the pension fund herein described and for this purpose, may employ an actuary to assist them in preparing such budget and report, to the end that the said system will be scientifically financed and administered.

(e) On the first day of June of each year, or as soon thereafter as practicable, the treasurer of said retirement system shall make a report to the governing body of said city of all moneys paid out on account of said fund during the previous year, and of the amount then to the credit of the city retirement fund. The retirement board shall also, at the same time, send a full and complete certified copy of said financial report to the State Retirement Commission at the State Capitol, or at such other place as may be designated by said State commission, and at the same time, transmit to the said State commission, a complete statistical report showing

the number of members, and/or the amount of contributions from all sources, and number of persons retired, and the age and length of service of all members of the system in said city."

Amendment No. 7.

Add a new section to be designated as "Sec. 6.", to read as follows:

"Persons Eligible. Except as otherwise provided herein, all officers and employees who are employed by said city for full time service in any department, bureau, or other division of said city, shall be included in and shall be subject to the provisions of this act; after said act becomes operative in said city, or 30 days after their entrance into the service; provided, however, that any such city officer or employee, may elect to be excluded from the provisions of this act at any time within 30 days after said act becomes operative in the city or within 30 days after their entrance into the service of the city, upon his written election to be so excluded, and no officer or employee who has elected to be excluded may thereafter be included in or participate in the said system; and provided further, no such city officer who is elected to office by proper vote, shall be eligible for participation in the system provided by this act, until the expiration of the term of office during which the said act becomes effective in said city, if said elected city officer may elect to be included within the provisions of said act at the commencement of the term of office next following and at the commencement of each subsequent term of office."

Amendment No. 8.

Add a new section to be designated "Sec. 7.", to read as follows.

"Definitions. As used in this act, the term "city officer and employee", shall mean all officers and employees of the police, fire, clerical, mechanical, engineering and other departments, divisions, bureaus, and services of the city who are duly and regularly employed in their respective positions and who perform full time services for said city; and the said term does not include officers and employees who are employed for only part time service for said city, or who hold honorary appointments for which no compensation is provided, it being the intention of this act that only officers and employees of said city who devote their full time during working hours to the active service of the city shall be entitled to the benefits of this system."

Amendment No. 9.

Add a new section to be designated "Sec. 8.", to read as follows:

"Requirement for Retirement. Whenever any person, at the time this act becomes effective or thereafter, shall have been duly appointed, selected, or elected and qualified, and shall have actually served for 20 years or more in the aggregate as a city officer or employee, as defined in this act, and whenever a person with such length of aggregate service shall have reached the age of 55 years, the retirement board of said city shall, upon the application of such person, order and direct that he shall be retired and such person shall thereafter receive a monthly pension in monthly installments during his lifetime of $100 per month; and provided further, that any such person who has reached the age of 60 years, and who shall have served for 20 years or more in the aggregate in the service of said city, must be retired by the retirement board."

Amendment No. 10.

Add a new section to be designated Section 9, to read as follows:

"Sec. 9 Retirement for Physical Disability. Whenever any person shall become totally and permanently disabled by reason of any body injury received in the direct performance of his duties as a city officer or employee, and where such officer or employee has been in the continuous service of the city for not less than six months immediately preceding said injury, the retirement board may, upon his request, or without such request if the board deems it necessary or desirable for the public good, retire such physically disabled person from such position and order and direct that he shall be paid from said fund during his lifetime, a pension payable in monthly installments of $100 per month, provided, however, that no city officer or employee who receives compensation from said city for disability under any workmen's compensation act, or by virtue of any judgment obtained against said city for disability, shall receive the benefits provided by this section, nor in the event of his death shall any such benefits inure to his decedents as herein provided, except that such person may receive such portion of the pension authorized by this act for physical disability as is represented by the difference between the workmen's compensation allowance and the full amount of the pension to which he might otherwise be entitled, it being the intention that the pension allowed for injury in line of duty shall not be cumulative with the benefits under the workmen's compensation or under any judgment secured against the city, for the same injury The retirement board shall require competent medical proof before retiring any officer or employee for physical disability, and where, following retirement of a person for such reason, it subsequently appears that said disability has diminished or ceased, the retirement board shall reduce the retirement payment to correspond with the degree of disability and the retirement payment shall cease where the said disability has fully ceased."

Amendment No. 11.

Add a new section to be designated section 10, to read as follows:

"Sec. 10. *Payment upon death of retired officer or employee.* Whenever any officer or employee who is duly retired under the provisions of this system and who is receiving or entitled to receive pension payments hereunder shall die, such pension authorized to be paid to said retired officer or employee, shall be paid to the surviving widow during her life time or until she is remarried or, if there be no surviving widow, then to the minor children of said deceased retired officer or employee, until they shall have reached the age of 18 years. If there be no surviving unmarried widow or children under the age of 18 years, then such pension shall cease and the heirs or assigns of said retired officer or employee, shall have no claim against or upon the city retirement fund."

Amendment No. 12.

Add a new section to be designated "Sec. 11.", to read as follows:

"Employment Restrictions. No officer or employee who is retired under the provisions of this act, shall engage in any other remunerative employment for any city, county, State, district or political subdivision, or for any publicly owned utility or service, or the Federal Government, whatsoever, and whenever it is determined that any person retired under the provisions of this act is, in fact, engaged in any remunerative employment of any said public or governmental body, the pension payment for such person shall entirely cease during the continuance of said other employment."

Amendment No. 13.

Add a new section to be designated, "Sec. 12.", to read as follows:

"Special Taxes Authorized. The governing body of each incorporated city of the State which establishes a retirement system in the manner prescribed by this act, shall have jurisdiction and power, under such limitations and restrictions as are prescribed by law, to levy a special tax not to exceed two cents on each $100 of property within said city, taxable by said city, to be used for the payment of pensions and benefits and for the administrative expenses of this retirement system."

Amendment No. 14.

Add a new section to be designated "Sec 13.", to read as follows:

"Purposes of the Act. The purpose of this act is to recognize a public obligation by the city to such of its officers and employees as may become incapacitated by age or long service in its employment and its accompanying physical disabilities, by making provision for a retirement pension or annuity as an additional element of compensation for future services, and at the same time, to provide a means whereby public officers and employees who may become incapacitated may be replaced by more competent officers and employees to the betterment of public service, and without prejudice and without inflicting a hardship upon employees removed. This act, therefore, shall be given a liberal interpretation with a view of carrying out such purpose, and it shall not be construed as a local measure or one intended as a benefit to particular persons or places. In case any section, or sections, or part of any section, of this act, shall be found to be unconstitutional or invalid for any reason, the remainder of the act shall not thereby be invalidated but shall remain in full force and effect."

Amendment No. 15.

Add a new section to be designated section 14, to read as follows:

"Sec. 14. Repeal of Other Statutes. "An act to create a fireman's relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," 1905 Statutes, page 412, approved March 20, 1905, as amended, and an act entitled "An act to create a police relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," Statutes 1889, page 56, approved March 4, 1889, as amended, are hereby repealed."

Amendments adopted.

Bill ordered to reprint and engrossment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 1089.

Respectfully reports the same back without recommendation, as amended.

MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 101.
Assembly Bill No. 210.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 78.
Assembly Bill No. 83.
Assembly Bill No. 196.
Assembly Bill No. 203.
Assembly Bill No. 287.
Assembly Bill No. 296.
Assembly Bill No. 347.
Assembly Bill No. 520.
Assembly Bill No. 521.
Assembly Bill No. 522.
Assembly Bill No. 526.
Assembly Bill No. 600.
Assembly Bill No. 618.
Assembly Bill No. 620.
Assembly Bill No. 700.
Assembly Bill No. 747.
Assembly Bill No. 756.
Assembly Bill No. 780.
Assembly Bill No. 811.
Assembly Bill No. 812.
Assembly Bill No. 859.
Assembly Bill No. 862.
Assembly Bill No. 953.
Assembly Bill No. 964.
Assembly Bill No. 1078.
Assembly Bill No. 1084.
Assembly Bill No. 1105.
Assembly Bill No. 1186.
Assembly Bill No. 1188.
Assembly Bill No. 1189.
Assembly Bill No. 1190.
Assembly Bill No. 1206.
Assembly Bill No. 1220.
Assembly Bill No. 1237.
Assembly Bill No. 1247.
Assembly Bill No. 1301.
Assembly Bill No. 1343.
Assembly Bill No. 1444.
Assembly Bill No. 1445.
Assembly Bill No. 1446.
Assembly Bill No. 1667.
Assembly Bill No. 1676.
Assembly Bill No. 1679.
Assembly Bill No. 1682.
Assembly Bill No. 1719.
Assembly Bill No. 1759.
Assembly Bill No. 1760.
Assembly Bill No. 1765.
Assembly Bill No. 1798.
Assembly Bill No. 1860.
Assembly Bill No. 1907.
Assembly Bill No. 1947.
Assembly Bill No. 1949.
Assembly Bill No. 2157.
Assembly Bill No. 2162.
Assembly Bill No. 2233.
Assembly Bill No. 2419.
Assembly Bill No. 2474.
Assembly Bill No. 2422.
Assembly Bill No. 2734.
Assembly Bill No. 2750.
Assembly Bill No. 2751.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 12, 1937

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the following.

Assembly Concurrent Resolution No. 29.
Assembly Joint Resolution No. 35.

J. A BEEK, Secretary of Senate.
By F ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment

SENATE CHAMBER, SACRAMENTO, March 12, 1937

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 18—An act to repeal section 307 of the Penal Code, relating to the sale and use of opium;

Senate Bill No. 19—An act to amend sections 5, 6, 7, 7a and 8f, and to repeal sections 8, 8a, 8b, 8c, 8d, 8e, 8g and 8½, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6 1907, relating to narcotics.

Senate Bill No. 135—An act to amend sections 11, 13, 15, 15c, and 21 of, and to add section 11a to, an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23 1921, as amended, relating to the tenure and powers

of the general manager, the redemption of and signatures to bonds, civil service, and the establishment of a retirement system, all relating to municipal utility districts.

Senate Bill No. 146—An act to amend sections 1250 and 1251 of the Fish and Game Code, relating to deer;

Senate Bill No. 156—An act to amend section 797 of the Fish and Game Code, relating to abalones;

Senate Bill No. 176—An act authorizing the Director of Finance to provide for the sale or lease of certain lands known as "Guadalupe Canal" located in Section 10, T. 3 S., R. 5 W., M. D. M., in the county of San Mateo.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 18 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 19 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 135 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 146 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 156 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 176 read first time, and referred to Committee on Governmental Efficiency and Economy.

SENATE CHAMBER, SACRAMENTO, March 12, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 177—An act to amend section 18 of the California Irrigation District Act, relating to the distribution of water;

Senate Bill No. 181—An act to amend section 1177 of the Fish and Game Code, relating to game birds;

Senate Bill No. 187—An act to add Chapter IIIa, comprising sections 1334 to 1334.6, inclusive, to Title X of Part II of the Penal Code, relating to the attendance of witnesses without the State in criminal proceedings;

Senate Bill No. 215—An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions;

Senate Bill No. 216—An act to add Chapter Va, comprising sections 852 to 852.4, inclusive, to Title III of Part II of the Penal Code, relating to the pursuit and arrest of persons accused of crime;

Senate Bill No. 217—An act to amend section 799 of the Fish and Game Code relating to abalones

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 177 read first time, and referred to Committee on Irrigation.

Senate Bill No. 181 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 187 read first time, and referred to Committee on Crime Problems

Senate Bill No. 215 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 216 read first time, and referred to Committee on Crime Problems

Senate Bill No. 217 read first time, and referred to Committee on Fish and Game.

SENATE CHAMBER, SACRAMENTO, March 12, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 218—An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures to preserve and or develop the agricultural, horticultural, viticultural and water resources and

advantages of their several counties, and also for investigating, gathering statistics and maintaining records as to matters affecting the economic welfare of their several counties and their inhabitants;

Senate Bill No. 276—An act to amend sections 271, 275, and 283 of the Agricultural Code, pertaining to apiary inspection and registration,

Senate Bill No. 235—An act to repeal section 808.5 of the Fish and Game Code, relating to clams;

Senate Bill No. 278—An act to add section 28.5 to the Agricultural Code, relating to refunds;

Senate Bill No. 279—An act to amend section 155 of the Agricultural Code, pertaining to weed free areas;

Senate Bill No. 327—An act to amend section 629 of the Code of Civil Procedure, relating to judgments notwithstanding the verdict.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 218 read first time, and referred to Committee on County Government.

Senate Bill No. 276 read first time, and referred to Committee on Agriculture.

Senate Bill No. 235 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 278 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 279 read first time, and referred to Committee on Agriculture.

Senate Bill No. 327 read first time, and referred to Committee on Judiciary Codes.

SENATE CHAMBER, SACRAMENTO, March 12, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following.

Senate Bill No. 433—An act to provide for the consolidation of Coachella Valley County Water District and Coachella Valley Storm Water District, and to provide for the carrying on of the functions of the consolidated district;

Senate Bill No. 436—An act to amend section 120 of the Agricultural Code, relating to nursery licenses;

Senate Bill No. 498—An act to amend section 812 of the Fish and Game Code, relating to mussels,

Senate Bill No. 499—An act to amend section 808.5 of the Fish and Game Code, relating to jackknife clams;

Senate Bill No. 539—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts;

Senate Bill No. 632—An act to amend section 1603 of the Penal Code, relating to the confinement of prisoners;

Senate Bill No. 714—An act to amend section 48 and to repeal section 1412 of the Fish and Game Code, relating to fines and cost of trials.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 433 read first time, and referred to Committee on Conservation.

Senate Bill No. 436 read first time, and referred to Committee on Agriculture.

Senate Bill No. 498 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 499 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 539 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 632 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 714 read first time, and referred to Committee on Fish and Game.

SENATE CHAMBER, SACRAMENTO, March 12, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 721—An act to amend section 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State;

Senate Bill No. 852—An act to amend sections 1201, 1202 and 1203, and to add section 1203.4 to the Fish and Game Code, relating to quail;

Senate Bill No. 897—An act to add section 663b to the Political Code, relating to the collection of taxes and empowering the State Board of Control to discharge certain State departments, boards, commissions, officers or employees from accountability for the collection of taxes, the amount of which does not justify the cost of their collection;

Senate Bill No. 929—An act to add section 37 to the Fish and Game Code, relating to disposition of game;

Senate Bill No. 1018—An act to amend section 1200 of the Fish and Game Code, relating to doves;

Senate Bill No. 701—An act to amend sections 81 and 85 of the Agricultural Code, relating to district agricultural associations.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 721 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 852 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 897 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 929 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1018 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 701 read first time, and referred to Committee on Agriculture.

Reconsideration of Assembly Bill No. 1351.

In compliance with his notice given on a previous day, Mr. Clark moved that the vote whereby Assembly Bill No. 1351 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1351 reconsidered by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Welsh, Yorty, and Mr. Speaker—57.

NOES—None.

Re-reference of Assembly Bill No. 1351.

On motion of Mr. Dannenbrink, Assembly Bill No. 1351 was withdrawn from the calendar, and re-referred to the Committee on Judiciary Codes.

Reconsideration of Assembly Bill No. 546.

In compliance with his notice given on a previous day, Mr. Maloney moved that the vote whereby Assembly Bill No. 546 was passed be reconsidered.

The roll was called, and Assembly Bill No. 546 refused reconsideration by the following vote:

AYES—Call, Corwin, Cottrell, Cronin, Dawson, Dilworth, Field, Fulcher, Garibaldi, Heisinger, Hornblower, King, Leonard, Levey, Maloney, Martin, Meehan, Morgan, Peyser, Reaves, Redwine, Sawallisch, Sheehan, Stream, and Welsh—25.

NOES—Andreas, Baynham, Boyle, Burns, Michael J., Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Flint, Gannon, Gilbert, Hawkins, Hunt, Kepple, Kuchel, Latham, Lore, Mayo, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Robertson, Rosenthal, Scudder, Tenney, Thorp, Walker, Watson, Yorty, and Mr. Speaker—34.

Assembly Bill No. 546 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1233.

In compliance with his notice given on a previous day, Mr. Peek moved that the vote whereby Assembly Bill No. 1233 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1233 reconsidered by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—60

NOES—None.

Re-reference of Assembly Bill No. 1233.

On motion of Mr. Thorp, Assembly Bill No. 1233 was withdrawn from the calendar, and re-referred to the Committee on Live Stock and Dairies.

Reconsideration of Assembly Bill No. 1232.

In compliance with his notice given on a previous day, Mr. Hawkins moved that the vote whereby Assembly Bill No. 1232 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1232 reconsidered by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—62.

NOES—None.

Consideration of Assembly Bill No. 1232.

Assembly Bill No. 1232—An act to amend section 483 of the Agricultural Code, relating to the serving of milk.

Motion to Amend Assembly Bill No. 1232.

Mr. Hawkins moved to amend Assembly Bill No. 1232 as follows:

Amendment No. 1.

On page 1, line 8, of the printed bill, after "cream", strike out the period, and insert a comma and the following: "nor to market milk used in milk shakes and mixed milk drinks."

Amendment adopted.

Request for Unanimous Consent.

Mr. Hawkins asked for, and was granted, unanimous consent to take up Assembly Bill No. 1232, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1232, as Amended.

Assembly Bill No. 1232—An act to amend section 483 of the Agricultural Code, relating to the serving of milk.

Assembly Bill No. 1232, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Consideration of Governor's Veto to Assembly Bill No. 331.

Assembly Bill No. 331—An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately.

The question being put: Shall Assembly Bill No. 331 become a law notwithstanding the veto of the Governor?

Demand for Previous Question.

Messrs Flint, Reaves, Muldoon, Andreas, and Miller demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being put: Shall Assembly Bill No. 331 become a law notwithstanding the veto of the Governor?

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. King moved a call of the Assembly.

Motion carried.

Time, twelve o'clock and thirty-one minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names.

Andreas, Baynham, Boyle, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—64

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Notices of Motions to Reconsider Continued.

On motion of Mr. Hunt, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 231 was passed was continued until the next legislative day.

On motion of Mr. Lyon, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 424 was passed was continued until the next legislative day.

Third Reading of Assembly Bills.

Assembly Bill No. 1680—An act to add a new section to the Probate Code to be numbered 1530a, relating to compromise of claim against estate of ward.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1705—An act to amend section 4251 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-second class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Voigt, Walker, Watson, Welsh, and Yorty—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 132—An act to amend section 4307 of the Political Code, relating to county charges.

Motion to Amend Assembly Bill No. 132.

Mr. Garibaldi moved to amend Assembly Bill No. 132 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 4307 of", and insert in lieu thereof the following: "add section 4307.5 to".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and on page 2, strike out lines 1 to 48, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 4307.5 is hereby added to the Political Code, to read as follows:

4307.5. The actual and necessary expenses of one justice of the peace from each county who shall be chosen by the justices of the peace of each county, and of one constable from each county who shall be chosen by the constables of each county, incurred while traveling to and from and while attending the annual conventions of their respective associations shall be county charges. In no event shall such expenses exceed the sum of fifty dollars for each of said officers in any one year."

Amendments adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Assembly Bill No. 132, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 132, as Amended.

Assembly Bill No. 132—An act to amend section 4307 of the Political Code, relating to county charges

Assembly Bill No. 132, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Walker, Watson, Welsh, and Yorty—60.

NOES—Crowley, and Voigt—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Hon. Ben Rosenthal in the Chair.

At twelve o'clock and forty minutes p.m., Hon. Ben Rosenthal, member of the Assembly from the Fifty-Second District in the chair.

Assembly Bill No. 971—An act to provide for the payment of the proportionate share of bonded indebtedness levied against property subsequently acquired by the State or a political subdivision thereof for public purposes

Motion to Amend Assembly Bill No. 971.

Mr. Burns, Michael J., moved to amend Assembly Bill No. 971 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "payment", insert the following: "of delinquent taxes and".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "or by", and strike out line 4 and insert in lieu thereof the following: "for public purposes other than street or highway purposes unless and until".

Amendment No. 3.

On page 1, between lines 9 and 10, of the printed bill, insert the following "SEC. 2. No deed or conveyance, except deeds to the State for nonpayment of delinquent taxes, purporting to convey to the State any property shall be accepted by the State, or by any officer on behalf of the State, unless all taxes, penalties, and costs which are a lien on the property have been paid in full."

Amendment No. 4.

On page 1, line 10, of the printed bill, strike out "2" and insert in lieu thereof the following: "3".

Amendments adopted.

Bill ordered to reprint, and re-engrossment

Assembly Bill No. 1530—An act to amend section 161 of the Fish and Game Code, relating to Game Refuge 4B.

Motion to Amend Assembly Bill No. 1530.

Mr Dilworth moved to amend Assembly Bill No 1530 as follows:

Amendment No. 1.

On page 2, line 5, of the printed bill, strike out "Los".

Amendment adopted.

Request for Unanimous Consent.

Mr. Dilworth asked for, and was granted, unanimous consent to take up Assembly Bill No. 1530, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1530, as Amended.

Assembly Bill No. 1530—An act to amend section 161 of the Fish and Game Code, relating to Game Refuge 4B.

Assembly Bill No. 1530, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 83—An act to amend section 1250 of the Fish and Game Code, relating to deer.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—61.

NOES—Fulcher—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 296—An act to add section 650.6 to the Fish and Game Code, relating to the manner of taking salmon in Districts 1½, 5, and the Klamath River District.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Speaker Jones in the Chair.

At twelve o'clock and fifty minutes p.m., Hon. William Moseley Jones in the chair.

Assembly Bill No. 2419—An act to amend section 2 of the Fish and Game Code, relating to definitions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—62.

NOES—Hunt—1.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows

Assembly Bill No 1947 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 78 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No 2422 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 862 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2162 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1765 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1189 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 1190 re-referred to Committee on Revenue and Taxation

Assembly Bill No. 1907 re-referred to Committee on Revenue and Taxation.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1206—An act to add sections 34 5, 50, 51, 145 1, 604.1, 604 2, 604 3, 604.4, 682 and 682.1 to the Vehicle Code, relating to the transportation of certain inflammable liquids upon highways in this State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J, Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—66.

NOES—Gilbert, Hunt, and Rosenthal—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 746—An act to add section 683 to the Vehicle Code, relating to equipment.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—66.

NOES—Hornblower, and Hunt—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1204—An act to amend section 384 of the Penal Code, relating to fires.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor;

Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1205—An act to repeal an act entitled "An act to amend section 1 of 'An act regulating the hours of labor of the operators of certain motor vehicles,' approved June 10, 1933, relating to operators of vehicles," approved July 5, 1935.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1209—An act to amend sections 770 and 777 of the Vehicle Code, relating to the disposition of fees, fines and forfeitures.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Field, Fulcher, Gannon, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Watson, Weber, and Yorty—47.

NOES—Burns, Michael J., Crowley, Daley, Dilworth, Donnelly, Flint, Garibaldi, Garland, Gilbert, Heisinger, Latham, Lyon, Mayo, McMurray, Miller, George P., Muldoon, Reaves, Sawallisch, Scudder, Thorp, Voigt, Walker, and Mr. Speaker—23

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1220—An act to add section 76 to, and to amend sections 425, 426 and 438 of, the Vehicle Code, relating to garages and repair shops and the rights thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Weber, Welsh, Yorty, and Mr. Speaker—60.

NOES—Garibaldi, and Heisinger—2.

Title read and approved. Bill ordered transmitted to the Senate

Second Reading of Assembly Bills.

Assembly Bill No. 663—An act to add section 538c to the Penal Code, relating to poppies, badges, labels, and insignia of veterans' organizations.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 773—An act to amend sections 26 and 26a of the State Civil Service Act, relating to proof of status by veterans

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2789—An act to add section 4056 to the Political Code, relating to wild flower reserves.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 743—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 744—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors.

Committee Amendment to Assembly Bill No. 744.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "all", insert the following "such".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2149—An act to recover damages for and to defend trespasses against certain land belonging to the State situate in Orange County and to validate and ratify certain agreements of easements or permits in and to said lands granted in the name of the State of persons paying consideration therefor.

Committee Amendment to Assembly Bill No. 2149.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 27, of the printed bill, strike out "first day of January, 1937", and in lieu thereof insert the following: "effective date of this act".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1069—An act to add section 3658b to the Political Code, relating to county maps for tax purposes.

Committee Amendments to Assembly Bill No. 1069.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "the", before "real property", and insert in lieu thereof the following: "any".

Amendment No. 2.

On page 1 of the printed bill, after line 9, add the following new paragraph:

"All such maps now in the possession of county assessors, and used for assessment purposes only, shall be deemed to have been properly approved, and to comply with the above requirements."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1558—An act to amend section 3816 of the Political Code, relating to distribution of moneys received on account of redemption or purchase of lands sold to the State for nonpayment of taxes.

Committee Amendment to Assembly Bill No. 1558.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 36, of the printed bill, strike out "tax land fund", and insert in lieu thereof the following: "general fund".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1559—An act to repeal section 3897 of the Political Code and to add to said code a new section to be numbered 3897, relating to the sale of property deeded to the State for delinquent taxes.

Committee Amendment to Assembly Bill No. 1559.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 6, line 14, of the printed bill, strike out "3773", and insert in lieu thereof the following: "3466A".

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1951—An act to amend section 3408a of the Political Code, relating to cancellation of taxes

Committee Amendment to Assembly Bill No. 1951.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out that portion of said bill in italics, from line 25, page 1, to and including line 3, on page 2, and insert in its place the following: "No such cancellation may be made of any uncollected taxes, assessments, penalties or costs which were properly levied on property which, subsequent to the date on which such levies became a lien, was sold to a political subdivision; but such political subdivision shall be required to pay the same and the payment thereof shall be deemed to be part of the purchase price of such property."; and strike out lines 4 to 11, inclusive, on page 2.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2369—An act to add section 3888b to the Political Code, relating to conveyance of land to a county in payment of taxes, penalties and interest due the county from the owner of the land.

Committee Amendment to Assembly Bill No. 2369.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 15, inclusive, and insert in lieu thereof the following:

"3888b If any land will be of special use and benefit to a taxing jurisdiction, it may be accepted in payment of taxes, including assessments, penalties, interest and costs, levied on any property by the taxing jurisdiction, under the following conditions:

(a) The legislative body of the taxing jurisdiction shall pass a resolution by a four-fifths vote finding that

(1) The actual value of the land is at least equal to the taxes, assessments, penalties, interest and costs sought to be paid,

(2) The land will be of special use and benefit to the taxing jurisdiction.

(3) Payment in this manner will be to the best interests of the taxing jurisdiction

(b) The land shall be free and clear of all liens and encumbrances, or, in determining the actual value of the land, due allowance shall be made for an amount necessary fully to clear the land of any liens or encumbrances."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 757—An act to amend section 384 of the Penal Code, relating to fires.

Committee Amendment to Assembly Bill No. 757.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 12, of the printed bill, strike out the word "Such", and insert in lieu thereof the following: "In burning grass and brush for the purpose of improving forage conditions such".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1218—An act to amend sections 372, 702, 703, 704, and 705 of the Vehicle Code, relating to fees and weights of vehicles.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 289—An act to add a new section to the Political Code, to be numbered 4076a, relating to procedure for audit, allowance and payment or rejection of claims in counties governed by freeholders' charters.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1201—An act making an appropriation to the Department of Motor Vehicles to pay claims against the State of California.

Committee Amendments to Assembly Bill No. 1201.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following: "SECTION 1. All sums paid into the general fund"

Amendment No. 2.

On page 1, line 12, of the printed bill strike out the period, and insert in lieu thereof the following: "are hereby appropriated out of any money in the State Treasury not otherwise appropriated to be expended by the Department of Motor Vehicles upon claims against the State of California for the purpose of making refunds of fees which have been paid under the act to the Department of Motor Vehicles.

SEC. 2. This act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall, under the provisions of section 1, of Article IV of the Constitution of the State of California, take effect immediately."

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, after the word "California", insert a comma and the following: "and declaring the urgency thereof."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1225—An act to add section 53 to the Vehicle Code, and to amend section 372 thereof, relating to weight fees for commercial vehicles.

Committee Amendments to Assembly Bill No. 1225.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 4, line 12, of the printed bill, strike out "minimum", and insert in lieu thereof the following: "registered".

Amendment No. 2.

On page 4 of the printed bill, strike out lines 19 to 23, inclusive, and insert in lieu thereof the following:

"The difference between the weight fee previously paid and the weight fee which would have applied at the time of registration during the current year to the gross weight of the vehicle as found at the time of illegal operation, plus a penalty of equal amount.

(i) The registered gross weight of a combination of vehicles consisting of a tractor and semitrailer shall be the sum of the registered gross weights of each unit thereof when registered in accordance with the provisions of subdivision (c) hereof.

No such combination of tractor and semitrailer shall be deemed to have violated the provisions of subdivision (h) hereof unless the sum of the loads transmitted to the highway by all axles of said combination is in excess of the registered gross weight of the combination. Nothing in this section shall be construed to alter or amend any other provisions of this code relative to permissible axle loadings.

(j) In the event that during the calendar year application is made for a change in registration of a vehicle to permit a larger gross weight than that for which the vehicle is then registered, the additional fee to be paid for such additional gross weight on an annual basis shall be reduced by one-twelfth for each month which has elapsed since the beginning of the current registration year, but in no event shall the additional fee be less than one dollar.

SEC. 3. The registration fees as provided for in section 372 of the Vehicle Code, as amended by this act, shall first become applicable on January 1, 1938, and the

fees applicable under said section immediately prior to the effective date of this act shall remain applicable throughout the calendar year 1937."

Amendment No. 3.

On page 3, line 21, of the printed bill, strike out "motor", and insert in lieu thereof the following: "commercial motor vehicles,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1217—An act to amend sections 158, 371 5, 374, 379 and 384 of, and to add section 162 to the Vehicle Code, relating to the registration of vehicles and fees therefor.

Committee Amendments to Assembly Bill No. 1217.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 9, of the printed bill, after "vehicle", insert the following: "used by persons charged by law with or assigned to the duty of investigating actual or suspected violators of the law,".

Amendment No. 2.

On page 3, line 10, of the printed bill, strike out "private", and insert in lieu thereof the following: "nonexempt".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1371—An act to add section 765 to the Vehicle Code, relating to violations thereof.

Committee Amendments to Assembly Bill No. 1371.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 9, and insert in lieu thereof the following: "sion of this code if such violation was".

Amendment No. 2.

On page 1, line 10, of the printed bill, strike out "complying with", and insert in lieu thereof the following: "required by".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1012—An act to amend an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to the pension of county and township peace officers.

Committee Amendments to Assembly Bill No. 1012.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "amend", insert "sections 4 and 11 of".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out the dotted line and "of said act", following the word "Section", and insert in lieu thereof the following: "4 of the act cited in the title hereof".

Amendment No. 3.

On page 1 of the printed bill, following line 2, insert the following:

"SEC. 4. For the purpose of providing and maintaining a fund to meet the payments of demands drawn for the payment of pensions and the expenses of said retirement commission, a fund is hereby created to be known as the "peace officers' retirement fund." There shall be paid into said fund the following moneys to wit:

1. A portion of each month's salary of each peace officer who is included within the provisions of this act in an amount equal to 2 per cent of peace officer's monthly salary. Any peace officer who shall deposit in said pension fund a sum equivalent to 2 per cent of such officer's monthly salary from date of entering the service to

date of the adoption of this act by any board of supervisors of any county, city or county, shall have all the benefits of this act for any past service so as to be included in all the benefits hereof.

SEC. 2. Section 11 of said act is hereby amended to read as follows

SEC. 11. Any member shall be retired for disability regardless of age or amount of service, if incapacitated for the performance of duty as the result of an injury or disease occurring in and arising out of the course of his employment. Incapacity for performance of duty shall be determined by the board. Any member incapacitated for the performance of duty by reason of a cause not included in the immediately preceding sentence, shall be retired regardless of age but only after ten years of service as a county peace officer as defined under section 9 of this act.

Upon retirement of a member for disability, such member shall receive a retirement allowance, payable in monthly installments, equal to one-half of the amount of salary attached to the position or office which he may have occupied at the date of receiving such injury or disease, provided, that such pension shall in no case be more than $150 nor less than $100 dollars per month.

Whenever any member shall be killed, or die, as a result of any injury received during the performance of his duty, or from sickness caused by the discharge of such duty, or after retirement, or while eligible to retirement on account of years of service, then an annual pension shall be paid in equal monthly installments to his widow, or child or children in the sum of $75 per month. Said pension shall be paid to the widow during her lifetime or until she remarries, and thereafter a pension shall be paid in equal monthly installments, in the sum of $75 to the legally appointed guardian of the child or children of such deceased member until such child or children shall have attained the age of 18 years, or to his child or children should there be no widow until such child or children shall have attained the age of 18 years. Provided, however that no widow of a pensioner shall be entitled to a pension unless she shall have been married to such deceased pensioner at least five years prior to the date of his retirement; and provided, further, that no widow of a member eligible for retirement from such department, who dies from causes other than those arising out of or from the performance of his duties, shall be entitled to a pension unless she shall have been married to such deceased member for at least five years prior to the date of his death, and provided, further, that if such widow, child or children shall marry, then the pension paid to the person so marrying shall cease.

The provisions of this section shall be retroactive as to the past service of any member who shall be entitled to the benefits contained herein."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1604—An act to provide for the transfer to the general fund of moneys in special funds collected pursuant to the provisions of repealed statutes, and to provide for the abolition of such special funds.

Committee Amendments to Assembly Bill No. 1604.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the title of the printed bill, after "statutes", insert the following: "or statutes declared invalid by judicial decision"

Amendment No. 2.

On page 1, line 2, of the printed bill, after "repealed", insert the following: "or which is declared invalid by a court of competent jurisdiction".

Amendment No. 3.

On page 1, line 4, of the printed bill, after "repeal", insert the following: "or the date on which the judgment of such court becomes final".

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 636—An act to amend sections 2, 3, 4, 7, 9, 11, 17, 22 and 23, and to add sections 24a and 24b to an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions

Committee Amendments to Assembly Bill No. 636.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "An act" to "24b to", inclusive, and insert in lieu thereof the following: "An act to amend sections 2, 3, 4, 9, 10, 11, 17, 19 and 22 of".

Amendment No. 2.

On page 3, line 7, of the printed bill, strike out "14."

Amendment No. 3.

On page 3, line 16, of the printed bill, strike out "one", and insert in lieu thereof the following: "three".

Amendment No. 4.

On page 4 of the printed bill, strike out lines 7, 8, 9 and 10.

Amendment No. 5.

On page 4, line 13, of the printed bill, strike out "quarter,".

Amendment No. 6.

On page 4, line 15, of the printed bill, insert a comma after the word "thereof".

Amendment No. 7.

On page 4 of the printed bill, between lines 29 and 30, insert the following:

"SEC. 4.5. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 10. The directors of any credit union may, at the close of each half year or fiscal year, declare such dividends from its undivided profits as is provided for by law, but no credit union shall declare, credit or pay any dividends to its shareholders until it shall have:

1. Carried to its guaranty fund such part of its net earnings as is required by section 7 of this act.

2. Shares which shall have been fully paid during any calendar month of any half year or year in which dividends were declared, shall be entitled to a proportionate part of such dividend calculated from the first day of the month following such payment in full.

3. The by-laws of any credit union may provide that shares may be entitled to dividends irrespective of the fact that any part or all of the moneys paid upon such shares may have been withdrawn during any portion of any such dividend period.

The board of directors of any credit union may declare dividends semiannually or annually."

Amendment No. 8.

On page 4 of the printed bill, between lines 36 and 37, insert the following:

"SEC. 5.5. Section 17 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 17. Unless the by-laws shall expressly reserve any or all of the following duties to the shareholders it shall be a special duty of the directors:

1. To act upon all applications for membership and to expel members.

2. To fix the amount of surety bond required of each officer having the control or custody of funds.

3. To determine from time to time the rate of interest which shall be allowed on shares or certificates and interest rate on loans.

4. To fix the maximum number of shares which may be held by, and the maximum amount which may be lent to any one member.

5. To declare dividends.

6. To recommend amendments to the by-laws.

7. To fill vacancies in the board of directors or in the credit committee, and in the event of any suspension of any member of the board of directors, or in the event of the suspension of any member of the credit committee, or the entire credit committee, to temporarily fill any vacancies caused by reason of such suspension, pending a meeting of the shareholders to determine whether to affirm such suspension and vacate the office, or reinstate the member of the board or credit committee, or entire credit committee.

8. To direct the deposit or investment of funds, except loans to members, and to perform such other duties as the by-laws may prescribe.

SEC. 5 7. Section 19 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 19. The supervisory committee shall have power:

1. To suspend at any time by unanimous vote, at a meeting called for that purpose, the credit committee, or any member thereof, or any member of the board of directors or any officer.

2. By a majority vote to call a meeting of the shareholders to consider any violation of this article or the by-laws, or any practices of the credit union which, in the opinion of the committee, are unsafe or unauthorized.

3. To inspect the securities, cash and accounts of the credit union and supervise the acts of its board of directors, officers and credit committee.

4. Within seven days after suspension of the credit committee or any member thereof or any member of the board of directors or any other officer, to cause notice of a special meeting to be given to the shareholders to take such action regarding the suspension as may be deemed necessary.

5. To fill vacancies in the supervisory committee until the next annual meeting of the shareholders.

6. At the close of each fiscal year to make an audit of the books and records and an examination of the business and affairs of the credit union for the year, and to make a full report of its assets and liabilities, receipts and disbursements to the board of directors and to cause such reports to be read at the annual meeting of shareholders and filed with the records of such credit union.

In no case shall a member of the supervisory committee receive any compensation for his services as a member of such committee, or serve as a member of the credit committee."

Amendment No. 9.

On page 5 of the printed bill, strike out lines 1 to 30, inclusive.

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2352—An act to amend sections 1, 3, 16 and 21 and to add new sections to be designated as sections 15½, 15½a and 15½b of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years," etc., approved June 5, 1915, Statutes 1915, p. 1225, being also known as Act 3966 of Title 290, pages 2074-5, Volume Two, General Laws of 1931, and known as the "Juvenile Court Law."

Committee Amendments to Assembly Bill No. 2352.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, between the word "add" and the word "new", insert the letter "a"; in line 2 of the title of the printed bill, strike out the "s" at the end of the word "sections", at the beginning of that line and also in said line 2 of the title, strike out the words and figures "sections 15½, 15½a and 15½b", and insert in lieu thereof "sections 15½".

Amendment No. 2.

On page 1, line 3, of the printed bill, before the word "Juvenile", insert the word "Greater".

Amendment No. 3.

On page 1, line 5, of the printed bill, after the word "years", add the following: "and is to be liberally construed under the parens patriae powers of the State for the better protection of its childhood and youth."

Amendment No. 4.

On page 2, line 10, of the printed bill, strike out the words "habitually visits", and insert in lieu thereof a comma, and in the same line after the word "guardian", insert a comma and the word "enters".

Amendment No. 5.

On page 2, line 13, of the printed bill, strike out the semicolon after the word "away", and insert in lieu thereof a comma, and after such comma insert the following: "and purchases or drinks any such liquors in any such saloon or place or who takes part in any gambling game or game of chance where anything of value may be won or lost in any place where gambling is carried on, or where there are vending or slot machines or other devices used for gambling or games of chance where anything of value may be won or lost,".

Amendment No. 6.

The matter from line 44, page 2, of the printed bill down to the words, "or guardian of said person" in line 10, on page 3, is old matter and should *not* be italicized in the printed bill, with the following exceptions:

Lines 49 and 50, page 2, italicize the words, "subsections 1 to 14 of".

Line 9, page 3, italicize the words "of the respondents and"

Amendment No. 7.

On page 2, line 47, of the printed bill, change the word "an" to "any"

Amendment No. 8.

On page 3, line 1, of the printed bill, strike out the words, "under subsections 1 to 14 of section 1 or of section 15", and in line 2, on page 2, strike out the words, "of this act"; and in lines 5 and 6, on page 3, strike out the letter "s" on 'petitions", and also the words, "under this act".

Amendment No. 9.

On page 3, line 31, of the printed bill, insert a comma between the words, "may" and 'when".

Amendment No. 10.

On page 4, line 44, of the printed bill, strike out "(a)"

Amendment No. 11.

On page 5, line 19, of the printed bill, following the words "bled therein", insert the following sentence "Nothing contained herein shall be construed to deprive other courts or departments thereof of the right to determine the custody of children when such custody is incidental or necessary to the determination of causes pending in such courts or the administration of wills in probate courts or probate departments of such courts."

Amendment No. 12.

On page 6, line 20, of the printed bill, strike out the word 'liable", and the parenthesis enclosing same; in line 22, of said page 6, after the words, "exercise of the", insert the word, "equity".

Amendment No. 13.

On page 6, line 50, of the printed bill, strike out the semicolon following the word "information", and insert a comma; also in said line 50, italicize the words, "and shall try all such cases".

Amendment No. 14.

On page 7, line 8, of the printed bill, following the words 'under the", insert the words, *'equity or chancery'; and in the same line strike out the word 'chancery'*, and insert the word "superior", and following the word "court", insert the word "as"

Amendment No. 15.

On page 7, line 15, of the printed bill, following the words "of this act", add the following words, "against whom the petitioner believes no criminal case for the same conduct complained of has been filed" and in line 16, page 7, strike out the word "so", and insert in lieu thereof the word "herein".

Amendment No. 16.

On page 7, line 44, of the printed bill, preceding the word "Petitions" insert the figure "(3)"

Amendment No. 17.

On page 8, line 1, of the printed bill, change the figure "3" to "4".

Amendment No. 18.

On page 8, line 21, of the printed bill, after the word "order" strike the words "such further", and in line 23, page 8, after word "thereof", strike out the period, and in ert in lieu thereof a comma and add the words "or, where deemed unnecessary, may dispense with such notice"

Amendment No. 19.

On page 8, line 24, of the printed bill, strike the figure "4", and insert in lieu thereof the figure "5"

Amendment No. 20.

On page 8, line 32, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "6", and in lines 40 and 41, page 8, strike out the words, 'best interests', and insert in lieu thereof the word "protection"; in line 49, page 8, strike the figure "6", and insert in lieu thereof the figure "7"

Amendment No. 21.

On page 8, line 52, of the printed bill, strike the words, 'this section of".

Amendment No. 22.

On page 9, line 8, of the printed bill, following the word "conduct", strike the word "as", and following the word "mentioned", insert the words "in said petition', and in line 9, on page 9, following the words, "referred to in", strike out the words, 'this section of'

Amendment No. 23.

On page 9, line 11, of the printed bill, strike out the words "this section of"; and in line 13, page 9, strike out the words "this section of", in line 27, page 9, *strike out the words, "this section of"*

Amendment No. 24.

On page 9, line 29, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "8"

Amendment No. 25.

On page 10, line 4, of the printed bill, after the words "proceedings under the" insert the words "equity or", and in line 5 on page 10, preceding the first word "court" insert the word "Superior".

Amendment No. 26.

On page 10, line 24, of the printed bill, strike out the figure "8" and insert in lieu thereof the figure "9"

Amendment No. 27.

On page 10, line 33, of the printed bill, strike out the word "state", and insert in lieu thereof the word "people", and at the end of line 23, strike out the period, and insert in lieu thereof a comma, and add the following: "provided such district attorney may be represented at any such hearings or file petitions under this act without previous investigation by any probation officer".

Amendment No. 28.

On page 10, line 34, of the printed bill, strike out the figure "9", and insert in lieu thereof the figure "10", and on page 10, line 36, following the word "right", strike out the word "at", and insert in lieu thereof the word "before"; and at the end of said line 36, strike out the word "ask" and insert in lieu thereof the words, "file a written petition asking"; in line 43, page 10, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "8" in line 46 on said page 10, strike out the words, "and proceeds with such hearing"

Amendment No. 29.

On page 11, line 26, of the printed bill, strike out the word "contain", and insert in lieu thereof the word "contained".

Amendment No. 30.

On page 11, line 41 of the printed bill, after the words "female judge", add the following "If in the opinion of any judge of the juvenile court it is necessary to the prompt or efficient disposition of the business of such court such judge may transfer to the department of the presiding judge of such court any case under this act pending in such court to be by such presiding judge transferred for trial or other proceedings to another department of such court."

Amendment No. 31.

On page 11 of the printed bill, strike out all of lines 42 to 52 inclusive, and strike out all of page 12, and all of lines 1 to 48, inclusive, on page 13 of the printed bill.

Amendment No. 32.

On page 14, line 3, of the printed bill, strike out the word "all", and insert in lieu thereof the word "any"

Amendment No. 33.

On page 14, line 12, of the printed bill, strike out the words "This act shall be", and strike out all of lines 13, 14 and 15, page 14, and insert in lieu thereof the following paragraph

"SEC. 6. All acts or parts of acts inconsistent with this act are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1400—An act to amend sections 11526 and 11528 of the Insurance Code, relating to voluntary mutualization of incorporated insurers or departments thereof.

Committee Amendments to Assembly Bill No. 1400.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, amend the title to read: "An act to amend sections 11525, 11527, 11528, 11529, 11530 and 11531 of the Insurance Code, relating to voluntary mutualization of incorporated insurers or departments thereof."

Amendment No. 2.

On page 1, line 5, of the printed bill, after the comma following the words "by said insurer", insert: "for the benefit of its policyholders or any class or classes thereof,"

Amendment No. 3.

On page 1, line 8, of the printed bill, strike the word "profit", and insert in lieu thereof the word "benefit".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out the words "All such members shall be policy ", and in line 9, strike out the words "holders of said insurer." and add immediately following said last stricken words the following "The members of such nonstock corporation shall be the policyholders from time to time of the class or classes for whose benefit the stock of the insurer was acquired, and no other persons"

Amendment No. 5.

On page 1, line 13, of the printed bill, after the word "purpose", add the following ", or by the written consent of such shareholders"

Amendment No. 6.

On page 1, line 16, of the printed bill, after the word "policyholders", add "of the class or classes for whose benefit the stock is to be acquired".

Amendment No. 7.

On page 2, line 3, of the printed bill, strike the word "At"

Amendment No. 8.

On page 2, line 4, of the printed bill, after the comma following the figures "11526", insert "shall be called by the board of directors or the president and"

Amendment No. 9.

On page 2 line 4, of the printed bill, after the word "policyholder", insert "of the class or classes for whose benefit the stock is to be acquired."

Amendment No. 10.

On page 2, line 9, of the printed bill, after the words "given to", strike out the word "such"

Amendment No. 11.

On page 2, line 10, of the printed bill, after the word "holders", insert "entitled to vote".

Amendment No. 12.

On page 2, line 13, of the printed bill, after the word "address", strike the period and add: "as the same appears on the records of the insurer".

Amendment No. 13.

On page 2, line 22, of the printed bill, after the word "appointed", add "by the insurer and approved".

Amendment No. 14.

On page 3, of the printed bill, following the end of line 5, add the following:

"SEC. 3. Section 11525 of the Insurance Code is hereby amended to read as follows

11525 A solvent domestic incorporated insurer having a paid-in capital represented by outstanding shares of capital stock and issuing on a reserve basis, nonassessable policies of life insurance or of both life and disability insurance, may convert itself into an incorporated mutual life insurer, or life and disability insurer, issuing nonassessable policies on a reserve basis. To that end it may provide and carry out a plan for the acquisition of the outstanding shares of its capital stock for the benefit of its policyholders, or any class or classes of its policyholders, by complying with the requirements of this chapter."

Amendment No. 15.

At the end of Amendment No. 14, add the following

"SEC 4. Section 11527 of the Insurance Code is hereby amended to read as follows

11527 The commissioner shall examine the plan submitted to him under the provisions of subdivision (c) of section 11526 He shall not approve such plan unless in his opinion the rights and interests of the insurer, its policyholders and shareholders are protected not unless he is satisfied that the plan will be fair and equitable in its operation.

Amendment No. 16.

At the end of Amendment No 15, add the following

"SEC. 5. Section 11529 of the Insurance Code is hereby amended to read as follows:

11529 In carrying out any such plan, the insurer may acquire any shares of its own stock by gift, bequest or purchase Any shares so acquired shall, unless as a result of such acquisition all of the shares of the insurer shall have been acquired, be acquired in trust for the policyholders of the class or classes for whose benefit the plan provides that the stock shall be acquired of the insurer as hereinafter provided Such shares shall be assigned and transferred on the books of such insurer to three trustees appointed by the insurer and approved by the commissioner. Such trustees shall hold in trust and vote such stock at all corporate meetings at which stockholders have the right to vote, until all of the outstanding shares of capital stock of such insurer have been acquired. Thereupon all said shares shall be cancelled, the

certificate of amendment of the insurer's articles of incorporation giving effect thereto shall be filed in accordance with the provisions of section 362b of the Civil Code, and the insurer shall become a nonstock corporation for the profit of its members. Thereafter such corporation shall be conducted for the mutual benefit, ratably, of its policyholders of the class or classes for whose benefit the stock was acquired and shall, upon issuance to it by the commissioner of a certificate of authority, have power to issue nonassessable policies on a reserve basis subject to all provisions of law applicable to incorporated life insurers or life and disability insurers, as the case may be, issuing nonassessable policies on a reserve basis, but shall be exempt from the provisions of Chapter 7 of Part 2 of Division 2 of this code Policies so issued may be upon the basis of full or partial participation therein as agreed between the insurer and the insured."

Amendment No. 17.

At the end of Amendment No 16, add the following:

"SEC. 6. Section 11530 of the Insurance Code is hereby amended to read as follows.

11530 Every payment for the acquisition of any shares of the capital stock of such insurer, the purchase price of which is not fixed by such plan, shall be subject to the prior approval of the commissioner. Neither such plan, nor any such payment, may be approved by the commissioner unless he finds that the rights and interests of the insurer, its policyholders, and shareholders are protected, nor unless at the time of each such approval, the paid-in capital of the insurer, after deducting the amount described in subdivisions (a) or (b) of this section, as is proper thereunder, is sufficient at least to qualify such insurer to be admitted as to the classes of insurance transacted by it in this State The amounts to be deducted as provided in this section are as follows.

(a) The aggregate sum fixed by such plan for the acquisition of any part or all of its shares of capital stock, the payment of which is not contingent upon the existence of profits sufficient to provide for such payment

(b) In case of any payment not fixed by such plan and subject to separate approval after the approval of such plan, the amount of such payment, the payment of which is not contingent upon the existence of profits sufficient to provide for such payment"

Amendment No. 18.

At the end of Amendment No 17, add the following:

"SEC 7. Section 11531 of the Insurance Code is hereby amended to read as follows

11531. The trustees referred to in section 11529 shall file with such insurer and with the commissioner a verified acceptance of their appointments and verified declarations that they will faithfully discharge their duties as such trustees. All dividends and other sums received by said trustees on the shares held by them, after paying the necessary expenses of executing their trust, shall be immediately repaid to such insurer for the benefit of all who are, or may become, policyholders of such insurer of the class or classes for whose benefit the stock of such insurer was acquired and entitled to participate in the profits thereof and shall be added to and become a part of the assets of such insurer"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1402—An act to amend sections 1101, 1102, 1103, 1104 and 1106 of the Insurance Code, relating to transactions between an insurer and its officers, directors, trustees and other persons.

Committee Amendments to Assembly Bill No. 1402.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike the word "by"

Amendment No. 2.

On page 1, line 16, of the printed bill, after the comma, following the word "agent", insert "attorney".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2423—An act to amend section 4041.27 of the Political Code, relating to the authorizing of county boards of supervisors to adopt a system of life, health and accident insurance for the benefit of all persons or groups of persons employed by the county and to pay from the general fund or salary fund of the county, a part of

the premiums upon such insurance and to deduct from the compensation of employees a part of the premiums of such insurance.

Committee Amendments to Assembly Bill No. 2423.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, after "insurance", insert the following: "or a hospital service plan".

Amendment No. 2.

On page 1, line 5, of the printed bill, after "insurance", insert the following: "or a hospital service plan".

Amendment No. 3.

On page 1, line 8, of the printed bill, after "insurance", insert the following: ", and hospital service,".

Amendment No. 4.

On page 1, line 9, of the printed bill, strike out "insurance companies", and insert in lieu thereof the following: "corporations or associations".

Amendment No. 5.

On page 1, line 10, of the printed bill, strike out "the business of such insurance", and insert in lieu thereof the following: "such business".

Amendment No. 6.

On page 1, line 13, of the printed bill, after "insurance", insert the following: "or hospital service plan".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 955—An act to amend section 4041.20 of the Political Code, relating to insurance by counties.

Committee Amendment to Assembly Bill No. 955.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out the period and insert the following: "; all such insurance and indemnity shall be purchased only from insurers duly admitted to do business in the State of California."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1420—An act to amend section 10151 of the Insurance Code, relating to policy provisions required in life insurance policies.

Committee Amendment to Assembly Bill No. 1420.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "death", and included within the parenthesis, insert the following: "or disability".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 82—An act to add section 421.5 to the Fish and Game Code, relating to fishing licenses.

Committee Amendments to Assembly Bill No. 82.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after "the", insert the following: "surf"

Amendment No. 2.

On page 1, line 7, of the printed bill, after "San Francisco Bay," insert the following: "Suisun Bay, San Pablo Bay, San Leandro Bay,".

Amendments adopted.

Bill ordered to reprint and engrossment.

Hon. Hugh P. Donnelly in the Chair.

At three o'clock and five minutes p.m., Hon. Hugh P. Donnelly, member of the Assembly from the Thirty-Second District in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1212—An act to add section 130.1 to the Vehicle Code, relating to automobile registration service.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, and Yorty—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1078—An act granting certain salt marsh, tide and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Voigt, Watson, Weber, Welsh, and Yorty—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 526—An act to add a new section to be numbered section 2 to Chapter 621 of the Statutes of 1931 entitled "An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof." approved June 5, 1931, relating to the grant of lands to said city.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, and Yorty—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1343—An act relating to State lands, making demand for payment of the balance due on the purchase price of certain lands, providing for the forfeiture of such lands for failure to make such payment, and reducing the rate of interest on all contracts for the sale of school lands.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Don-

nell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, and Yorty—70

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Speaker Jones in the Chair.

At three o'clock and twenty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 2233—An act to amend sections 1 and 2 of "An act authorizing the Surveyor General of the State of California to lease certain lands in the county of San Diego," relating to a lease of tidelands in the county of San Diego.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael, J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1188—An act to amend section 2931a of the Civil Code to authorize making the State a party to certain actions relating to real estate.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1105—An act to amend section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts as amended.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Levey, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—59.

NOES—Cottrell, Gilbert, Heisinger, and Lore—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2750—An act to amend section 544 of the Probate Code, relating to bonds of joint executors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson,

Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—69

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1679—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds in civil actions or proceedings.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1682—An act to amend section 566 of the Code of Civil Procedure, relating to restrictions on appointment of receiver.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 520—An act to add a new section, to be numbered 13b, to the Street Lighting Act of 1919 (Statutes of 1919, p. 612), relating to collection of municipal assessments by the county.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 521—An act to add a new section, to be numbered 8a, to the Street Lighting Act of 1931 (Statutes of 1931, p. 1324), relating to collection of municipal assessments by the county.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves,

Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, and Yorty—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 522—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, relating to special assessment taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J. Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 600—An act to amend section 28a of the Improvement Act of 1911, relating to reassessment procedure and relief from special assessments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—72.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 747—An act to amend section 18a of the Street Opening Act of 1903, relating to reassessment procedure and relief from special assessments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 953—An act to add section 1626.5 to the Streets and Highways Code and to amend sections 1627 and 1628 thereof, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fuel fund or from moneys received by the counties for vehicle registration license fees, and authorizing the refunding, repayment and adjustment of direct assess-

ments levied for the acquisition, construction, maintenance, improvement or repair of public highways, bridges or culverts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—72

NOES—Heisinger—1

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 196—An act to amend section 396a of the Code of Civil Procedure, relating to place of trial of civil actions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 203—An act to amend section 630 of the Probate Code, relating to summary probate proceedings.

Bill read third time and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 811—An act amending section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1760—An act to amend section 627 of the Penal Code, relating to trespass on real property.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier,

Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Watson, Weber, Williamson, and Mr. Speaker—64.

NOES—Dilworth, Kuchel, Reaves, and Welsh—4.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1760.

Mr. Welsh gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1760 was this day passed.

Assembly Bill No. 2474—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Motion to Amend Assembly Bill No. 2474.

Mr. Beene moved to amend Assembly Bill No. 2474 as follows:

Amendment No. 1.

On page 2 of the printed bill, following line 7, add the following:

"5. In an action in unlawful detainer where it appears from the verified complaint on file therein that rent is actually due and payable from the defendant to the plaintiff for the premises sought to be recovered in said action; provided the payment of such rent is not secured by any mortgage or lien upon real or personal property, or pledge of personal property, or, if originally so secured, such security has, without any act of the plaintiff or the person to whom the security was given, become valueless.

6. In an action by the State of California or any political subdivision thereof, for the collection of taxes due said State or political subdivision, or for the collection of any moneys due upon any obligation or penalty imposed by law."

Amendment adopted.

Request for Unanimous Consent.

Mr. Beene asked for, and was granted, unanimous consent to take up Assembly Bill No. 2474, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2474, as Amended.

Assembly Bill No. 2474—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Assembly Bill No. 2474, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—64.

NOES—Hunt, Robertson, and Welsh—3.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2474.

Mr. Robertson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2474 was this day passed.

Assembly Bill No. 2474 ordered to reprint.

Assembly Bill No. 2157—An act to amend section 651 of the Agricultural Code, relating to daily statistics.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington,

Morgan, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—Crowley—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2734—An act to amend section 5.654 of the School Code, relating to time of trial of school employees charged with immoral or unprofessional conduct

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1186—An act to amend sections 6.762 and 6.772 of the School Code and to add to said code two new sections to be numbered 6.752 and 6.763, all relating to the powers and duties of governing boards of school districts in connection with the use of school grounds and buildings.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 283—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry.

Bill read third time.

Demand for Previous Question.

Messrs. Flint, Reaves, Voigt, Meehan, and Heisinger demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 283.

The roll was called, and Assembly Bill No. 283 refused passage by the following vote:

AYES—Cunningham, Dannenbrink, Dilworth, Field, Fulcher, Johnson, Latham, Miller, Eleanor; Morgan, Redwine, and Stream—11.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Dawson, Desmond, Donihue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—60

Assembly Bill No. 307—An act to amend section 7 of the California Nautical School Act, relating to admission fees.

Motion to Amend Assembly Bill No. 307.

Mr. Scudder moved to amend Assembly Bill No. 307 as follows

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 16 to 23, inclusive, and insert in lieu thereof the following:

"All fees collected under the provisions of this section shall be reported to the State Controller at the end of each month and at the same time shall be remitted to the State Treasurer for deposit in the general fund. All fees so collected and so deposited are hereby appropriated for the support of the school in addition to such other funds as may be appropriated therefor by the Legislature.

Under rules and regulations established by the board with the approval of the Director of Education, refunds of any fees paid by any student or a part thereof, may be made to a student withdrawing from the school or ceasing to be a pupil for causes beyond the control of such student; provided, however, that any such refunds shall be approved by the Department of Finance."

Amendment adopted.

Assembly Bill No. 307 ordered to reprint, and re-engrossment.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2751 re-referred to Committee on Fish and Game

Assembly Bill No. 667 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1237 re-referred to Committee on Judiciary General.

Assembly Bill No. 812 re-referred to Committee on Education.

Assembly Bill No. 1676 re-referred to Committee on Education.

Assembly Bill No. 1798 re-referred to Committee on Education.

Assembly Bill No. 1949 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1301 re-referred to Committee on Judiciary Codes.

Assembly Bill No 1667 re-referred to Committee on Commerce and Navigation.

Withdrawal and Re-reference of Assembly Bills.

On Motion of Mr. Sawallisch, Assembly Bill No. 578 was withdrawn from the Committee on Labor and Capital, and re-referred to the Committee on Insurance.

On motion of Mr. Glick, Assembly Bill No. 1184 was withdrawn from the Committee on Public Charities and Corrections, and re-referred to the Committee on Social Service and Welfare.

Third Reading of Senate Bills.

Senate Bill No. 950—An act to amend section 527 of the Political Code, relating to legislative printing.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 477—An act to amend section 6.2 of the School Code, relating to powers of boards of school trustees and city boards of education.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Burns, Michael J.:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act making an appropriation to pay the claim of the Humboldt County Department of Public Welfare against the State of California.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 33.

And reports the same correctly enrolled, and presented to the Governor on this fifteenth day of March, 1937, at three o'clock p.m.

CUNNINGHAM, Chairman.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1598.

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 1864.
Assembly Bill No. 1726.

Respectfully reports the same back with the recommendation: Do pass as amended.

GILBERT, Chairman.

The above reported bills ordered on second reading calendar.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Burns, Michael J.:

An act making an appropriation to pay the claim of the Humboldt County Department of Public Welfare against the State of California.

CALL, Chairman

The roll was called, and the report adopted by the following vote.

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder,

Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated

Assembly Bill No. 2795: By Mr. Burns, Michael J.—An act making an appropriation to pay the claim of the Humboldt County Department of Public Welfare against the State of California.

Bill read first time, and referred to Committee on Ways and Means

Assembly Constitutional Amendment No. 45: By Mr. Levey—Proposed amendment to Article LV of the Constitution, relative to sessions of the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

Resolutions.

The following resolutions were offered:

By Mr. King:

House Resolution No. 100.

Resolved by the Assembly of the State of California, That the State Controller is hereby authorized and directed to draw his warrant in favor of the Chief Clerk of the Assembly in the sum of $10 to be added to the post office revolving fund of the Assembly, and the Treasurer is hereby directed to pay the same

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up House Resolution No 100, at this time, without reference to committee or calendar.

House Resolution No. 100 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

House Resolution No. 101.

By Mr. Levey:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of James G. Smyth, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of One Hundred Fifty Dollars ($150 00), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office

Request for Unanimous Consent.

Mr. Levey asked for, and was granted, unanimous consent to take up House Resolution No. 101, at this time, without reference to committee or calendar.

House Resolution No. 101 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—65.

NOES—None.

By Mr. King:

House Resolution No. 102A.

Resolved by the Assembly of the State of California, That the State Controller be and is hereby directed to draw his warrant upon the contingent fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of $2,000, said amount to be used for the purchase of postage stamps to be used by members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding $2,000 in the aggregate, as shall be necessary for the use of the members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of $25.

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up House Resolution No. 102A, at this time, without reference to committee or calendar.

House Resolution No. 102A read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Withdrawal and Re-reference of Assembly Bill No. 1360.

On motion of Mr. Peek, Assembly Bill No. 1360 was withdrawn from the Committee on Irrigation, and re-referred to the Committee on County Government.

Further Proceedings Under Call of the Assembly Dispensed With.

At four o'clock and fifty minutes p m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. King.

The roll was called, and the veto of the Governor to Assembly Bill No 331 sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—50.

NOES—Beene, Breed, Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dilworth, Field, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Redwine, Scudder, Stream, Walker, and Williamson—26.

Notice of Motion to Reconsider Sustaining of Veto to Assembly Bill No. 331.

Mr. King gave notice that on the next legislative day he would move to reconsider the vote whereby the Governor's veto to Assembly Bill No 331 was this day sustained

Notice of Motion to Reconsider Assembly Bill No. 1763 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1763 was passed was continued until the next legislative day.

Adjournment.

At five o'clock and fifteen minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Tuesday, March 16, 1937, out of respect to the memory of the late Honorable Isaac Jones, a former member of this Assembly.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SEVENTH LEGISLATIVE DAY
SEVENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 16, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Flint, the further reading of the Journal of Monday, March 15, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Burns, Hugh M., on motion of Mr Garibaldi

Mr. O'Donnell, on motion of Mr. Turner.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Jane Youngworth of Los Angeles.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Henry Schmidt, President I. L. A. of San Francisco, Germaine Bulcke, ex-board member, and Joseph White, ex-board member.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Michael G.

Callaghan, former Postmaster of Livermore, and Mr. Richard M. Callaghan, City Attorney of Livermore.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Nate Coombs of Napa, Past State Commander of the American Legion.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Belle Lindsay, County Recorder, Santa Cruz County, Miss June Lindsay, Chief Deputy, and Mrs Rose Rostrum, supervisor, Santa Cruz County.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edith G. Kettlewell, instructor, Marin Junior College, and the following students: Bud Sullivan, Wilma Schrader, Ursula Hanst, Dolores Markley, Jim Leathers, Richard Sussman, J. Grant O'Donnel, Ted Lempke, Jr., Harold Somersfelt, Eleanor Christiansen, Frances Griffeth, Vivian Wood, Sylvia Sanders, and Bill Bates, Jr.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. Gordon Cowan, member of Stanislaus County Pomona Grange, Modesto

Assistant Clerk Berry Reading.

Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From Cecelia Simpson, regarding pardon of Thomas J. Mooney.

By Mr. Martin:

From Arthur O. Pritchard, protesting the bill before Congress to alter the number of judges on the Supreme Court.

Motion to Print Report in Journal.

On motion of Mr. Burns, Michael J., the following report of Special Interim Committee on Unemployment Relief was ordered printed in the Journal:

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON UNEMPLOYMENT RELIEF.

The Assembly Interim Committee on Unemployment Relief, James F. Brennan, Chairman, met at the Sacramento Hotel on December 17, 1935, and organized.

There were present: James F. Brennan, Chairman, Michael J. Burns, Hugh P. Donnelly, John D. McCarthy, John Pelletier, and Frederick Petersen.

Mr. John D. McCarthy was elected Vice Chairman, and Mr. Hugh P. Donnelly was elected Secretary. Mr. William B. Hornblower was appointed legal advisor and volunteered to act without compensation and at his own expense.

The committee proceeded to hear testimony concerning the administration of the Old Age Security Act of the State of California. After hearing testimony the committee found that the Old Age Security Act of the State of California was administered differently in the various counties and localities in the State, and almost in every instance the amount awarded was less than $35 per month. Thereupon a resolution was passed recommending that the amount to which each applicant was entitled should be determined by assuming and presuming the applicant was entitled to $35 per month and by deducting therefrom all income from any other source.

A further resolution was passed providing that each member of the committee could act as a Committee of One, with power to administer oath, hear testimony, and make recommendations.

Thereafter the committee met on numerous occasions at the City Hall in San Francisco, and heard further testimony concerning the administration of the said Old Age Security Act of the State of California. Assemblyman William B. Hornblower attended and actively and effectively participated in all of said hearings.

As a result of said hearings, and the testimony offered therein, Assembly Bill No. 7 was proposed by Assemblyman William B. Hornblower, passed by the special session of the Legislature in 1936, and was approved by the Governor on May 28, 1936, carrying into effect the resolution of said committee that "the amount of aid

to which any applicant shall be entitled shall be when added to the income of the applicant from all other sources, $35 per month."

Thereafter, as a further result of the meetings of said committee and the evidence heard, Assembly Bill No. 1 was proposed by Assemblyman William B. Hornblower and others, in the present Assembly meeting in 1937, to further improve the administration of said Old Age Security Act of the State of California, and providing for additional aid to the applicants thereunder.

In the various meetings the committee expended for traveling and other necessary expenses the sum of $288.37, vouchers for which are on file with the Controller of the State of California. The total amount appropriated for the use of the committee was $2,500, leaving a balance on hand in the sum of $2,211.63 to be returned to the general fund, and due notice be given.

Respectfully submitted.

ASSEMBLY INTERIM COMMITTEE ON UNEMPLOYMENT RELIEF.
JAS. F. BRENNAN, Chairman.
JOHN D. McCARTHY, Vice Chairman
HUGH P. DONNELLY, Secretary.
JOHN B. PELLETIER.
MICHAEL J. BURNS.

Reports of Standing Committees.

The following reports of standing committees were received and read.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 197.
Assembly Bill No. 275.
Assembly Bill No. 289.
Assembly Bill No. 483.
Assembly Bill No. 663.
Assembly Bill No. 743.
Assembly Bill No. 773.
Assembly Bill No. 803.
Assembly Bill No. 907.
Assembly Bill No. 1177.
Assembly Bill No. 1218.
Assembly Bill No. 2027.
Assembly Bill No. 2062.
Assembly Bill No. 2789.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Concurrent Resolution No. 17.

Respectfully reports the same back with the recommendation: Be adopted

ROSENTHAL, Chairman.

The above reported bill ordered to engrossment.

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred:

Assembly Bill No. 1070.
Assembly Bill No. 1071.

Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CASSIDY, Chairman.

The above reported bills re-referred to Committee on Ways and Means.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937

MR. SPEAKER: Your Committee on Conservation, to which was referred:

Assembly Bill No. 513.

Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

ANDREAS, Chairman

The above reported bill re-referred to Committee on Ways and Means.

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred:

Assembly Bill No. 930.

Respectfully reports the same back with the recommendation. Do pass.

CASSIDY, Chairman.

The above reported bill ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 1.

Respectfully reports the same back with the recommendation: Be adopted.

HUNT, Chairman

The above reported bill ordered to engrossment.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 19.
Assembly Constitutional Amendment No. 28.
Assembly Constitutional Amendment No. 30.
Assembly Constitutional Amendment No. 35.

Respectfully reports the same back without recommendation, as amended.

HUNT, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 14.

Respectfully reports the same back without recommendation, as amended.

HUNT, Chairman.

The above reported bill ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 6.

Respectfully reports the same back with the recommendation: Be adopted as amended.

HUNT, Chairman.

The above reported bill ordered on second reading calendar.

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred:

Assembly Concurrent Resolution No. 15.

Respectfully reports the same back with the recommendation: Be adopted as amended.

LEVEY, Chairman.

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1824.

Respectfully reports the same back without recommendation, as amended

O'DONNELL, Chairman.

Second Reading of Assembly Bill No. 1824—(Out of Order).

Assembly Bill No. 1824—An act to amend an act entitled "An act to conserve the agricultural wealth of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purpose of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, as amended, by amending sections 2, 8, 9, 10, 13, 18, 19.1, 22 and 22.5, all relating to the institution and enforcement of agricultural proration programs.

Committee Amendments to Assembly Bill No. 1824.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out all of lines 50 and 51, and on page 3, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"(P) The term 'production' means that portion of the total crop of an agricultural commodity of a producer which qualifies for marketing and sale to the consuming public under existing standardization and other laws of this State and of the United States, and for which a market is available."

Amendment No. 2.

On page 3 of the printed bill, strike out all of lines 1 and 2.

Amendment No. 3.

On page 8 of the printed bill, strike out all of lines 37 to 39, inclusive, and insert in lieu thereof the following:

"(g) To establish and apply methods of equating the marketable supply of any grade, quality or size of any commodity to the reasonable market demands therefor."

Amendment No. 4.

On page 9, line 2, of the printed bill, after the word "program", insert the following:

"; provided, that no part of any funds raised for the purposes specified in subsection (h) of this section shall be applied to the cost of maintenance of the commission."

Amendments adopted.

Bill ordered to reprint and engrossment.

Reports of Standing Committees—(Resumed).

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

The following report of standing committee was received and read:

On Judiciary General.

MR SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 2055.
Assembly Bill No. 1754.

Respectfully reports the same back without recommendation, as amended.

ROSENTHAL, Chairman.

Second Reading of Assembly Bill No. 2055—(Out of Order).

Assembly Bill No. 2055—An act relating to the making of real estate subdivisions and the making and recording of maps, and empowering cities, cities and counties, and counties in connection therewith, making certain acts misdemeanors, prescribing penalties therefor, and repealing all acts or portions of acts in conflict herewith:

Committee Amendments to Assembly Bill No. 2055.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "the making of", and in line 2, strike out the word "empowering", and insert in lieu thereof "granting certain powers to", and in line 5, strike out "all", and insert in lieu thereof "certain"

Amendment No. 2.

On page 1, line 5, of the printed bill, after "conclusive", insert "in the absence of fraud or arbitrary abuse of discretion".

Amendment No. 3.

On page 1, line 6, of the printed bill, strike out "as to its reasonableness".

Amendment No. 4.

On page 1, line 7, of the printed bill, after "jurisdiction", insert "pursuant to the provisions of Part 3, Title 1, Chapter II of the Code of Civil Procedure of the State of California; provided, however, such proceeding shall take precedent over all matters upon the calendar of said court, criminal, probate, eminent domain and forcible entry and unlawful detainer proceedings excepted, and the court shall proceed to try the issues raised by the answer in such proceeding within thirty (30) days after the date of filing such answer."

Amendment No. 5.

On page 1, lines 13 and 14, of the printed bill, strike out words "This act shall be known as the 'Land Subdivision Act'."

Amendment No. 6.

On page 1, line 15, of the printed bill, strike out "(a)".

Amendment No. 7.

On page 1, line 17, of the printed bill, before the word "County", insert "(a)".

Amendment No. 8.

On page 1, line 18, of the printed bill, before the words "County Surveyor", insert "(b)".

Amendment No. 9.

On page 1, line 20, of the printed bill, before the word "Tentative", insert "(c)".

Amendment No. 10.

On page 2, line 1, of the printed bill, before the word "Final", insert "(d)".

Amendment No. 11.

On page 2, line 6, of the printed bill, before the word "Record", insert "(e)". After the word "survey", insert the word "map".

Amendment No. 12.

On page 2, line 9, of the printed bill, before the word "Local", insert "(f)".

Amendment No. 13.

On page 2, line 10, of the printed bill, strike out "under the provisions", and insert in lieu thereof "regulating land subdivision.", and strike out all of lines 11 to 16, inclusive, and in line 17, before "copy", insert "A certified".

Amendment No. 14.

On page 2 of the printed bill, strike out all of lines 19 to 25, inclusive, and insert in lieu thereof "(g) Subdivision shall mean any land or lands divided, or proposed to be divided, for the purpose of sale, whether immediate or future, into five or more lots or parcels".

Amendment No. 15.

On page 2, line 26, of the printed bill, before the word "Subdivider", insert "(h)".

Amendment No. 16.

On page 2, line 29, of the printed bill, before the word "Advisory", insert "(i)".

Amendment No. 17.

On page 2, line 33, of the printed bill, strike out "(b)", and insert in lieu thereof "Sec. 3."

Amendment No. 18.

On page 2, line 36, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4", and strike out "subdivider or his", and in line 37, strike out "agent", and insert in lieu thereof "person".

Amendment No. 19.

On page 2, line 42, of the printed bill, strike out "appli-", and in line 43, strike out "cable".

Amendment No. 20.

On page 2, line 48, of the printed bill, insert the following new sentence: "The governing body of a county shall have jurisdiction only to approve the map of a subdivision, or such part thereof, as may lie within unincorporated area, and the governing body of a city, and city and county shall have jurisdiction only to approve the map of a subdivision, or such part thereof, as may lie within the incorporated area of such city and city and county."

Amendment No. 21.

On page 2, line 49, of the printed bill, strike out "4. (a)", and insert in lieu thereof the figure "5"

Amendment No. 22.

On page 3 of the printed bill, strike out all of lines 5 to 9, inclusive, and insert in lieu thereof "days, forward one".

Amendment No. 23.

On page 3, line 11, of the printed bill, strike out "subsection (e) hereof", and insert in lieu thereof "section 9".

Amendment No. 24.

On page 3, line 12, of the printed bill, strike out "(b)", and insert in lieu thereof "Sec. 6".

Amendment No. 25.

On page 3, line 18, of the printed bill, add the following new sentence: "The only street grading and surfacing that a governing body may require of a subdivider is

such as is reasonably necessary for lot access, local neighborhood traffic needs and public health and safety."

Amendment No. 26.

On page 3, line 19, of the printed bill, strike out "(c)", and insert in lieu thereof "Sec. 7."

Amendment No. 27.

On page 3, line 27, of the printed bill, strike out "who", and insert in lieu thereof "which".

Amendment No. 28.

On page 3, line 29, of the printed bill, strike out "(d)", and insert in lieu thereof "Sec. 8."

Amendment No. 29.

On page 3, line 37, of the printed bill, strike out "(e)", and insert in lieu thereof "Sec. 9."

Amendment No. 30.

On page 3, line 45, of the printed bill, strike out "(3)".

Amendment No. 31.

On page 4, line 5, of the printed bill, strike out "(15)"

Amendment No. 32.

On page 4, line 10, of the printed bill, strike out "5", and insert in lieu thereof the figure "10".

Amendment No. 33.

On page 4, line 17, of the printed bill, after the word "require", insert "a good and sufficient bond approved by the governing body or other".

Amendment No. 34.

On page 4, line 19, of the printed bill, strike out "4 (b) hereof", and insert in lieu thereof the figure "6".

Amendment No. 35.

On page 4, line 20, of the printed bill, strike out the period after the word "to", and insert "and that the provisions of the local ordinances are complied with."

Amendment No. 36.

On page 4, line 23, of the printed bill, after the word "survey", insert the word "map".

Amendment No. 37.

On page 4, line 26, of the printed bill, strike out "6. (a)", and insert in lieu thereof the figure "12".

Amendment No. 38.

On page 4, line 32, of the printed bill, strike out "approval record of survey", and insert in lieu thereof the words "approved record of survey map".

Amendment No. 39.

On page 4, line 34, of the printed bill, after the word "survey", insert the word "map."

Amendment No. 40.

On page 4, line 37, of the printed bill, after the word "survey", insert the word "map."

Amendment No. 41.

On page 4, line 41, of the printed bill, strike out the words "placed on record", and insert in lieu thereof the word "recorded".

Amendment No. 42.

On page 4, line 42, of the printed bill, strike out "(b)", and insert in lieu thereof "Sec. 12."

Amendment No. 43.

On page 5, line 12, of the printed bill, strike out "cir-", and in line 13, strike out "cular", and insert in lieu thereof "all".

Amendment No. 44.

On page 5, line 20, of the printed bill, after the word "additional", insert "survey and map".

Amendment No. 45.

On page 5, line 22, of the printed bill, strike out "7. (a)", and insert in lieu thereof the figure "13".

Amendment No. 46.

On page 5, line 25, of the printed bill, strike out "(1)", and insert in lieu thereof "(a)".

Amendment No. 47.

On page 5, line 26, of the printed bill, after the word "any", insert "record title".

Amendment No. 48.

On page 2, line 45, of the printed bill, strike out "(2)", and insert in lieu thereof "(b)".

Amendment No. 49.

On page 6, line 3, of the printed bill, strike out "(3)", and insert in lieu thereof "(c)".

Amendment No. 50.

On page 6, line 8, of the printed bill, strike out "(4)", and insert in lieu thereof "(d)".

Amendment No. 51.

On page 6, line 15, of the printed bill, strike out "6 (b) hereof", and insert in lieu thereof the figure "12".

Amendment No. 52.

On page 6, line 18, of the printed bill, strike out "(5)", and insert in lieu thereof "(e)".

Amendment No. 53.

On page 6, line 29, of the printed bill, strike out "(b)", and insert in lieu thereof "Sec. 14".

Amendment No. 54.

On page 6, line 33, of the printed bill, strike out "of", and insert in lieu thereof "or".

Amendment No. 55.

On page 6, line 44, of the printed bill, strike out "(c)", and insert in lieu thereof "Sec. 15"; and after the word "survey", insert the word "map", and strike out the figure "5", and insert in lieu thereof the figure "10"; and in line 45, strike out "hereof".

Amendment No. 56.

On page 6, line 47, of the printed bill, strike out "(1)", and insert in lieu thereof "(a)".

Amendment No. 57.

On page 6, line 51, of the printed bill, strike out "(2)", and insert in lieu thereof "(b)".

Amendment No. 58.

On page 7, line 7, of the printed bill, strike out "6 (b) hereof", and insert in lieu thereof "12".

Amendment No. 59.

On page 7, line 10, of the printed bill, strike out "(3)", and insert in lieu thereof "(c)".

Amendment No. 60.

On page 7, line 21, of the printed bill, strike out "8", and insert in lieu thereof the figure "16".

Amendment No. 61.

On page 7, line 24, of the printed bill, strike out the words "owners, or any one of them", and insert in lieu thereof "subdivider".

Amendment No. 62.

On page 7, line 33, of the printed bill, after the word "amount", insert "and".

Amendment No. 63.

On page 7, line 34, of the printed bill, strike out "by provisions of law"

Amendment No. 64.

On page 7, line 35, of the printed bill, insert a period after the word "money", and strike out "in banks."

Amendment No. 65.

On page 7, of the printed bill, between lines 35 and 36, insert the following:

"SEC. 17. Whenever land subject to a special assessment or bond which may be paid in full, is divided by the line of a lot or parcel of the subdivision, such assessment or bond shall be paid in full or a bond filed with the board of supervisors in all respects similar to that provided in section 16, payable to the county as trustee for the assessment bondholders for the payment of such special assessments."

Amendment No. 66.

On page 7, line 36, of the printed bill, strike out the figure "9", and insert in lieu thereof the figure "18".

Amendment No. 67.

On page 7, line 42, of the printed bill, strike out the word "respective", and insert the word "proper".

Amendment No. 68.

On page 7, line 43, of the printed bill, strike out the word "officer", and insert in lieu thereof the word "officers"

Amendment No. 69.

On page 7, line 46, of the printed bill, before the word "In", insert "Sec. 19"

Amendment No. 70.

On page 8, line 6, of the printed bill, strike out the figure "10", and insert in lieu thereof the figure "20".

Amendment No. 71.

On page 8 of the printed bill, strike out line 17, and insert in lieu thereof "its next meeting or within a period of not", and in line 18, strike out the figure "10", and insert in lieu thereof the word "ten".

Amendment No. 72.

On page 8, line 24, of the printed bill, strike out the period after the word "improved", and insert ", provided, however, the owner or the subdivider, may at his option, execute and file with said body a good and sufficient bond to be approved by it, and conditioned upon the improvement of such streets within the time and in such manner, and upon such terms and conditions as may be approved by such governing body In lieu of a bond, a deposit may be made, subject to the approval of such governing body, of money or negotiable bonds of the kind approved for securing deposits of public money"

Amendment No. 73.

On page 8, line 37, of the printed bill, strike out "11", and insert in lieu thereof the figure "21".

Amendment No. 74.

On page 9, line 3, of the printed bill, before "The", insert "Sec 22", and strike out "deliver", and insert in lieu thereof "present".

Amendment No. 75.

On page 9, line 7, of the printed bill, strike out "section 7 herein", and insert in lieu thereof "sections 13, 14 and 15".

Amendment No. 76.

On page 9, line 8, of the printed bill, strike out "12", and insert in lieu thereof the figure "23", and strike out "13 herein", and insert in lieu thereof the figure "24"

Amendment No. 77.

On page 9, line 9, of the printed bill, strike out "or by local ordinance".

Amendment No. 78.

On page 9, line 11, of the printed bill, strike out "said", and insert in lieu thereof the words "any local"

Amendment No. 79.

On page 9, line 13, of the printed bill, after "it", insert "for recordation".

Amendment No. 80.

On page 9, line 18, of the printed bill, strike out "city and county."

Amendment No. 81.

On page 9, line 19, of the printed bill, insert a period after the word "ordinances", and strike out the word "adopted"; and in line 20, strike out the words "pursuant to".

Amendment No. 82.

On page 9, line 21, of the printed bill, strike out "13", and insert in lieu thereof the figure "24".

Amendment No. 83.

On page 9, line 31, of the printed bill, strike out "preceding", and insert in lieu thereof "adopted county".

Amendment No. 84.

On page 9, line 36, of the printed bill, strike out "14", and insert in lieu thereof the figure "25".

Amendment No. 85.

On page 9 of the printed bill, strike out all of lines 43 to 47, inclusive, and insert in lieu thereof:

"SEC. 26. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed each provision of this act irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases, or portions thereof, be declared unconstitutional."

Amendment No. 86.

On page 9, line 48, of the printed bill, strike out "16", and insert in lieu thereof the figure "27".

Amendment No. 87.

On page 10, line 2, of the printed bill, strike out "17", and insert in lieu thereof the figure "28".

Amendment No. 88.

On page 10, line 17, of the printed bill, strike out "Any sale, or contract", and in line 18, before the words "to sell", insert "Sec 29 Any sale, or contract".

Amendment No. 89.

On page 10, line 26, of the printed bill, strike out "18", and insert in lieu thereof the figure "30".

Amendment No. 90.

On page 10, line 43, of the printed bill, insert

"Sec. 31. This act shall be known and cited as the "Land Subdivision Act"."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Assembly Bill No. 1754—(Out of Order).

Assembly Bill No. 1754—An act to regulate persons engaged in determining the value of real estate.

Committee Amendments to Assembly Bill No. 1754.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof, the following:

"An act to create a Board of Examiners for Certification of Real Estate Appraisers and prescribe its duties and powers, to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified *public real estate valuator; and to provide the grade of penalty for violations of* the provisions hereof."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and insert in lieu thereof the following:

"SECTION 1. (a) There is hereby created in the State Real Estate Division in the Department of Investment a Board of Examiners for Certification of Real Estate Appraisers, hereinafter called the "board," to consist of the Real Estate Commissioner, who shall be the executive officer thereof, and four members.

(b) From the date this act shall go into effect until the appointment and qualification of the board members, the Real Estate Commissioner shall be vested with all powers and duties of the board. The Real Estate Commissioner shall report quarterly to the Governor all certificates of qualification issued during this interim.

(c) Within 30 days after one year from the date this act becomes effective the Governor shall appoint from the roll of certificates issued and on file in the office of the Governor, the members of such board One member shall be appointed for a term ending January 15, 1939. One member shall be appointed for a term ending January 15, 1940. One member shall be appointed for a term ending January 15, 1941. One member shall be appointed for a term ending January 15, 1942. Thereafter the term of office of each member shall be four years and they shall hold office until the appointment and qualification of their successors. Vacancies from any cause shall be filled by the Governor from the roll of certificates issued and on file in the office of the Governor. The Governor may remove any member of the board for misconduct, incompetency, or neglect of duty Each member of the board, except the Real Estate Commissioner, shall be a certified public real estate valuator, certified as required under this act. Each member shall serve without compensation, but shall receive his actual and necessary traveling and all other expenses incident *to the performance of his duties under this act.*

SEC. 2. (a) The members of the board shall, before entering upon the discharge of their duties, take and file with the Secretary of State, the constitutional oath of office.

(b) Within thirty (30) days after appointment of the members, the board shall meet to organize by electing from its number a chairman and a vice chairman, and to formulate and adopt a code of rules and regulations for its government in the examination of applicants for certification; and such other rules and regulations as may be necessary and proper, not inconsistent with this act Thereafter said board shall hold at least two (2) regular meetings each year at such place in California as they may designate, and may meet ottener upon five days' written notice of the time and place of meeting, signed by the Real Estate Commissioner or a majority of the members of the board.

(c) A majority of the board shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power or authority of the board. A vacancy on the board shall not impair the right of the remaining members to perform all the duties and exercise all the power and authority

of the board. The act of the majority of the board, when in session as a board, shall be deemed to be the act of the board.

SEC. 3. The Real Estate Commissioner shall receive and account for all moneys derived from the operation of this act, and same shall, at least once a week, be paid by the Real Estate Commissioner, accompanied by a detailed statement thereof, into the treasury of the State to the credit of a fund to be known as the "Certified real estate valuator fund," which fund is hereby created. Said fund shall be expended in accordance with law for the payment of all actual and necessary expenses incurred in carrying out the provisions of this act.

SEC. 4. (a) The Real Estate Commissioner shall keep a complete record of all applications for certificates of qualification and the board's action thereon, which shall be open to inspection by the public at all times, and shall prepare annually a roster showing the names, places of business, and residences of all certified public real estate valuators, a copy of such roster to be filed with the clerk of each county in the State, a copy to be filed with the Secretary of State, and a copy to be furnished without charge to each certified public real estate valuator certified under the provisions of this act. Copies of such roster shall be available on application to the State Real Estate Division, at such price per copy as may be fixed by the board.

(b) The board shall report annually to the Governor all certificates issued, and on or before the first day of December of each year shall submit to the Governor a full and true report of its transaction during the preceding 12 months, including a complete detailed statement of the receipts and expenditures of the board during the period, attested to by the chairman of the board and the Real Estate Commissioner. A copy of said report shall be filed with the Secretary of State.

SEC. 5. (a) Application for examination for certification as a certified public real estate valuator shall be made to the board on its prescribed form, accompanied with a fee of twenty-five (25) dollars, said fee to be retained by the board.

(b) The application shall contain satisfactory evidence under oath that the applicant.

(1) Is at least twenty-five (25) years of age,

(2) Is honest, truthful, and of good reputation, and

(3) Has been actively engaged with a good record in the practice of public real estate appraising for at least five (5) years immediately preceding the date of application, of which not more than two years may have been in allied work, or be represented by school or university work acceptable to the board.

SEC. 6. Examinations for certification shall be held at regular or special meetings of the board at such times and at such places within the State as the board may determine. The scope of examinations and the methods of procedure shall be prescribed by the board. In determining the qualifications of an applicant for certification, a majority vote of the board shall be required. A candidate failing in an examination may, after an interval of not less than six (6) months, be examined again upon payment of an additional fee of twenty-five (25) dollars, said fee to be retained by the board.

SEC. 7. (a) Any applicant who has passed the examination prescribed by the board shall, upon payment of the annual license fee as hereinafter provided, have issued to him a certificate of qualification to practice as a certified public real estate valuator, and upon the issuance and receipt of such certificate, and during the period of its existence, he shall be styled and known as a certified public real estate valuator, and no other person shall be permitted to assume and use such title, or to use any words, letters, or figures to indicate that the person using the same is a certified public real estate valuator.

(b) A new certificate of qualification to replace any certificate lost, destroyed, or mutilated may be issued subject to the rules and regulations of the board. A charge of two (2) dollars shall be made for such reissue.

(c) A certificate to practice as a certified public real estate valuator shall remain in full force until revoked or suspended for cause as hereinafter provided.

(d) Every certified public real estate valuator shall have his certificate recorded in the office of the county recorder of the county in which he has his principal place of business, and shall pay the recorder the same fee as is charged for recording deeds, and receipts for such recording shall be filed with the State Real Estate Division.

(e) Every certified public real estate valuator shall pay an annual license fee to the State Real Estate Division. The annual license fee shall be ten (10) dollars, provided that the board may reduce said fee to not less than five (5) dollars. Said fee shall be due and payable on the thirtieth day of June of each year, and shall become delinquent on the first day of September following. And the certificates of such certified public real estate valuators who shall fail to pay their annual license fee by the first of September following, shall be subject to revocation by the board. The board shall issue a receipt signed by the chairman of the board and the Real Estate Commissioner to each certified public real estate valuator promptly upon payment of the annual license fee.

SEC. 8. Any person over the age of twenty-five (25) years and being of good moral character, who has complied with the rules and regulations of the board appertaining to such cases, and who holds a valid and unrevoked certificate as a certified public real estate valuator, or the equivalent thereof, issued by or under the authority of any other State of the United States, or by the District of Columbia, or any Territory of the United States, or by or under the authority of any foreign Nation, when the board is satisfied that their standards and requirements for a certificate as a certified public real estate valuator are substantially equivalent to those established under this act, may at the discretion of the board receive a certificate as a certified public real estate valuator, and said person may thereafter practice as a certified public real estate valuator and assume the name, title, and style "Certified public real estate valuator," or any abbreviation or abbreviations thereof, in the State of California; provided, however, that such other State, Territory, or Nation extends similar privileges to certified public real estate valuators of the State of California.

SEC. 9. (a) The board shall have the power to receive and investigate complaints against certified public real estate valuators. The board may upon its own motion, and shall upon the verified complaint in writing of any person sworn to under oath, investigate the actions of any certified public real estate valuator, and shall have the power to reprove, privately or publicly, or to temporarily suspend or to permanently revoke the certificate of any certified public real estate valuator hereunder for deception resorted to in obtaining a certificate, for a failure of recordation, for a failure to pay the annual license fee prior to the delinquency date, for professional misconduct, for unethical practice, for deceit, misrepresentation, fraud, untruthfulness, or gross incompetency in the practice of real estate evaluation, for having acted or conducted himself in a manner which would have warranted the denial of the application for certification, for conviction of a felony, or for any violation of the provisions of this act, which shall be determined by the board and upon full investigation of the charges by the board, reasonable opportunity having been given the accused to be heard in his own defense or by counsel.

(b) The proceedings to reprove; or to suspend, or revoke a certificate under the provisions of this act shall be taken in accordance with such rules and regulations as the board may adopt, not inconsistent with this act. In all proceedings, the board shall have power to take and hear the evidence touching matters under investigation, administer oaths and affirmations, and upon the hearing of such matters shall have power to compel the attendance of witnesses and the production of books, papers and documents pertaining to said matters under investigation by subpena as in civil cases issued as hereinafter provided. Said subpenas shall be issued by the Real Estate Commissioner and shall be served in accordance with the statutes of this State then in force as to the service of civil subpenas generally, and all provisions of the statutes of this State then in force relating to civil subpenas are hereby made applicable to the civil subpenas provided for herein. In the event of the refusal of any person to obey a subpena, the Real Estate Commissioner may certify the fact of that refusal to the superior court of the county in which the service of said subpena was made, and said court shall thereupon proceed to hear and determine the matter of the disobedience of said subpena in accordance with the statutes of this State then in force concerning a contempt for disobedience of the process of the court. No witness shall be compelled to attend a hearing outside of the county in which he resides, unless the distance be less than 50 miles from his place of residence to the place of hearing.

(c) In all cases involving a violation of the provisions of this act, depositions of witnesses may be taken, in the same manner for the taking of depositions in civil cases, and all of the provisions of the statutes of this State then in force as to the taking of civil depositions are hereby made applicable to the taking of depositions under this act.

(d) Upon the suspension or revocation of a certificate, it shall be the duty of the Real Estate Commissioner to give notice of the board's action to the county recorder of the county in which the certificate was recorded; whereupon, the recorder shall mark the certificate of such certified public real estate valuator, recorded in his office, "suspended" or "revoked".

(e) The board may reissue a certificate to any person whose certificate has been revoked; provided, not less than four members of the board vote in favor of such reissuance for reasons which the board may deem sufficient.

SEC. 10. An unsuspended and unrevoked certificate and recordation thereof as provided in this act, shall be presumptive evidence in all courts and places that the person named therein is legally certified as a certified public real estate valuator.

SEC. 11. Each applicant hereunder may upon certification obtain a seal of the design authorized by the board, bearing the applicant's name, number of certificate, and the title "certified public real estate valuator." Reports, statements, and other documents issued by a certified public real estate valuator may be stamped with said seal during the life of the certificate, but it shall be unlawful for anyone to stamp or

seal any reports, statements, or other documents with said seal after the certificate of the certified public real estate valuator named thereon has been suspended or revoked, unless said certificate shall have been reinstated or reissued

SEC. 12. (a) Nothing in this act shall be construed as prohibiting any person from acting as a real estate appraiser; provided, however, no one shall represent himself as, or use the title of certified public real estate valuator, or certified appraiser, or any other title whereby such person could be considered as practicing or offering to practice as a certified public real estate valuator, unless he is qualified by certification and holds an unsuspended and unrevoked certificate under this act.

(b) Nothing in this act shall be construed as in any way repealing or abrogating any provision of those certain acts entitled "An act to regulate the practice of architecture," approved March 23, 1901, as amended, and "An act regulating the practice of civil engineering," approved June 14, 1929, as amended, or in any way repealing or abrogating any amendments to said acts.

SEC. 13. (a) It shall be the duty of the board to inquire into the identity of any persons not certified as provided in this act practicing as, or claiming to be a certified public real estate valuator.

(b) Any person who is not legally authorized to practice as a certified public real estate valuator in this State according to the provisions of this act, and shall so practice, or offer to practice, or assume the title of certified public real estate valuator, or certified appraiser, or any other title whereby such person could be considered as practicing or offering to practice as a certified public real estate valuator, and any person presenting or attempting to file as his own the certificate of another, or who shall give false evidence of any kind to the board or to any member thereof in obtaining a certificate, or who shall falsely impersonate or use the seal of any other practitioner, of like or different name, or shall use a suspended or revoked certificate shall be deemed guilty of a misdemeanor, and for each such offense for which he is convicted be punished by a fine of not more than $500 or by imprisonment not to exceed three months or by fine and imprisonment.

(c) It shall be the duty of the respective officers charged with the enforcement of laws and ordinances to prosecute all persons charged with the violation of any of the provisions of this act It shall be the duty of the Real Estate Commissioner under the direction of the board to aid such officers in the enforcement of this act.

SEC 14. It shall be the duty of the board to set standards, hold meetings, issue certificates, pass upon the qualifications of applicants, conduct investigations, issue citations, hold hearings for the suspension or revocation of certificates and impose penalties as hereinbefore proposed and described, and the decisions of said board with respect thereto shall not be subject to review by the Real Estate Commissioner or the Real Estate Board. Except as to said powers, duties and functions so expressly reserved to said board, the Real Estate Commissioner shall have full authority to employ and appoint all employees necessary to properly administer the work of the board in accordance with Civil Service regulations.

Amendments adopted.

Bill ordered to reprint and engrossment.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 1676.
Respectfully reports the same back without recommendation, as amended.

CLARK, Chairman.

Second Reading of Assembly Bill No. 1676—(Out of Order).

Assembly Bill No. 1676—An act to add three new sections to the School Code to be numbered 1.120a, 5.64 and 5.95, and to add to Chapter II of Part IV of Division II of the School Code a new article to be known as Article VIII, relating to the testing of hearing and sight of pupils in the schools of the public school system.

Committee Amendments to Assembly Bill No. 1676.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 4, both inclusive, in the title, and insert in lieu thereof the following: "An act to add two new sections to the School Code to be numbered 1.120a and 5.95, both relating to the testing of".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 3 to 24, including to "and apparatus.", and strike out all of page 2, and insert in lieu thereof the following:

"1.120a. The governing board of each school district may, subject to the provisions of section 2.121 of this code, provide for the testing of the sight and hearing of each pupil enrolled in the schools of the district. Such tests shall be adequate in nature and shall be given only by duly qualified physical inspectors employed by the district, and records thereof kept shall serve as evidence of the need of the pupils for the educational facilities provided physically handicapped individuals elsewhere in this code. The equipment necessary to conduct the tests herein provided for may be purchased or rented by governing boards of school districts. The State or any agency or political subdivision thereof is hereby authorized to sell or rent any such equipment owned by it to the governing board of any school district upon such terms as may be mutually agreeable.

SEC. 2. A new section is hereby added to the School Code to be numbered 5.95 and to read as follows:

5.95 The State Board of Education may, in its discretion, establish in any one or more of the State colleges courses for the giving of adequate instruction in the best methods of testing sight and hearing of public school pupils."

Amendments adopted.

Bill ordered to reprint, and engrossment.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 517—An act to amend section 374 of the Streets and Highways Code, relating to State Highway Route 74;

Senate Bill No. 679—An act to add section 352a to the Political Code, relating to salaries or wages of State officers and employees;

Senate Bill No. 730—An act to amend section 2 of the Fish and Game Code, relating to definitions;

Senate Bill No. 821—An act to add section 4300e½ to the Political Code, relating to moneys received by justices of the peace.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 517 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 679 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 730 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 821 read first time, and referred to Committee on Judiciary General.

SENATE CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 34—An act to add section 3a to the Improvement Bond Act of 1915, relating to the rate of interest of bonds issued under the act;

Senate Bill No. 35—An act to add section 3a to "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the collection and enforcement of such bonds," approved April 27, 1911, as amended, relating to the rate of interest on bonds;

Senate Bill No. 36—An act to add section 60a to the Improvement Act of 1911, relating to the rate of interest of bonds issued under the act;

Senate Bill No. 104—An act to add a new section to the School Code to be numbered 5.751, relating to the salaries of persons employed by school districts in positions requiring certification qualifications;

Senate Bill No. 111—An act to add section 3627d to the Political Code, relating to value of works of art;

Senate Bill No. 139—An act to add a new section to the California Irrigation District Act to be numbered section 48.1, relating to actions concerning the validity or regularity of deeds for delinquent irrigation district taxes or assessments;

Senate Bill No. 140—An act to add a new section to the California Irrigation District Act to be numbered section 47.1, relating to actions concerning land deeded to irrigation districts for delinquent irrigation district taxes or assessments;

Senate Bill No. 193—An act relating to the redemption of property sold to irrigation districts for delinquent assessments.

Senate Bill No. 214—An act granting to the city of Pittsburg and its successors certain salt, marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon, and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands for wharf out privileges hereby granted.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 34 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 35 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 36 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 104 read first time, and referred to Committee on Education.

Senate Bill No. 111 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 139 read first time, and referred to Committee on Irrigation.

Senate Bill No. 140 read first time, and referred to Committee on Irrigation.

Senate Bill No. 193 read first time, and referred to Committee on Irrigation.

Senate Bill No. 214 read first time, and referred to Committee on Commerce and Navigation.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Miss Miller:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 89, 90, 124, 468, 511, 740 and 758 and to add sections 91, 511.5 and 511.6 of the Vehicle Code relating to speed laws and speed zones

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Miss Miller:

An act to amend sections 89, 90, 124, 468, 511, 740 and 578 and to add sections 91, 511.5 and 511.6 of the Vehicle Code, relating to speed laws and speed zones

CALL, Chairman

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Barnham, Beene, Boyle, Breed, Burns, Michael J. Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Domhue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert Glick, Hawkins, Hersinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington Morgan, Muldoon, Patterson, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Tenner, Thorp Turner, Voigt, Watson, Weber, Welsh Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2796: By Miss Miller—An act to amend sections 89, 90, 124, 468, 511, 740 and 758 and to add sections 91, 511.5 and 511.6 of the Vehicle Code, relating to speed laws and speed zones.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Joint Resolution No. 37: By Messrs. Maloney, Dawson, Sawallisch, Dannenbrink, Hunt, Garibaldi, Millington, Gannon, Boyle, and Hornblower—Relative to the United States Maritime Commission.

Introduced.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 37, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 37.

Assembly Joint Resolution No. 37—Relative to the United States Maritime Commission.

Assembly Joint Resolution No. 37 read, and adopted by the following vote.

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—65

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate

Second Reading of Assembly Bills.

Assembly Bill No. 1089—An act to provide for the control, prevention, and cure of venereal diseases; providing for the establishment of a State Bureau of Venereal Diseases under the direction of the State Board of Health and defining its powers and duties; and providing for the granting of State financial aid for the control, prevention, and care of venereal diseases, and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 1089.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to provide for the prevention, control and cure of venereal diseases, for the establishment of a State Bureau of Venereal Diseases, and for the powers and duties of said bureau, and the granting of financial aid by the State for the prevention, control and cure of venereal diseases, and making an appropriation to carry out the provisions of this act"

Amendment No. 2.

On page 1, line 1, of the printed bill, after the word "SECTION 1.", strike out the entire bill, and insert in lieu thereof the following

"Title. The title of this act shall be "The Venereal Diseases Act"

SEC. 1a. Definitions. When used in this act the following terms shall, unless the context otherwise indicates, have the following respective meanings:

The word "bureau" means the Bureau of Venereal Diseases provided for by this act.

The word "chief" means the Chief of the Bureau of Venereal Diseases.

The term "venereal disease" means any recognized form of venereal disease including syphilis, gonorrhea, chancroid, lymphogranuloma inguinale, and granuloma inguinale.

The term "diseased person" or "infected person" means any person infected with a venereal disease.

The term "disease" or "such disease" means any venereal disease.

The term "approved treatment" means treatment for venereal disease approved or prescribed by the State Board of Public Health

The term "approved examination" means any examination approved or prescribed by the State Board of Public Health to determine the presence or absence of a venereal disease.

The term "cured" means cured according to such examination and standards as the State Board of Public Health shall approve or prescribe.

SEC 2 Bureau of Venereal Diseases

(a) Bureau Provided For. The State Board of Public Health shall establish and maintain in the Department of Public Health a Bureau of Venereal Diseases whose function it shall be to cooperate for the prevention, control, treatment, and cure of venereal diseases with physicians and surgeons, medical schools, public and private hospitals, dispensaries, clinics; public and private school, college, normal school, and university authorities; penal and charitable institutions; reform and industrial schools; detention homes, Federal, State, local and district health officers and boards of health, and all other health authorities; institutions caring for the insane; and with any other persons, institutions, or agencies.

(b) Chief and Assistants. The State Board of Public Health shall appoint from Civil Service lists a full-time chief of the bureau who shall devote his entire time to the duties of the office. No person shall be eligible for the position of chief of the bureau unless he or she shall hold a physician's and surgeon's certificate issued by the Board of Medical Examiners of this State and shall have been specially trained or experienced in public health work, and in the prevention, control, and treatment of venereal diseases The chief shall perform and discharge all of the powers, duties, purposes and functions which are herein or which may hereafter by law be vested in him. The salary of the chief shall be fixed by the State Board of Public Health, subject to civil service requirements The State Board of Public Health shall appoint from civil service lists such assistants, deputies, clerical, and other help as it deems reasonably necessary in carrying out the provisions and purposes of this act and shall fix the salary of such persons and prescribe their duties. The salary of the chief and such persons, together with their reasonable and necessary travelling expenses while in the performance of their duties, shall be paid out of the funds appropriated for carrying out the provisions of this act.

(c) Powers and Duties of the State Board of Public Health. In addition to the powers and duties herein and elsewhere mentioned, the State Board of Public Health, shall have the power to and shall make and promulgate such rules and regulations as are reasonably necessary to effectuate the prevention, control, and cure of venereal diseases in this State, and such rules and regulations as are reasonably necessary to control and effectuate the proper examination and treatment of, such diseases. The bureau shall conduct such educational and publicity work as the State Board of Public Health may deem necessary and, from time to time, shall cause to be issued, free of charge, to any of the persons or institutions named in paragraph (a) of section 2 hereof, copies of such rules and regulations, pamphlets, and other literature as the State Board of Public Health deems reasonably necessary.

The State Board of Public Health shall have the power to receive any financial aid made available to it by any private, State, Federal, or other grant or source, and shall use such funds solely to carry out the provisions and purposes of this act.

The State Board of Public Health shall make and promulgate all necessary rules and regulations providing for the quarantine of any person having or suspected of having a venereal disease where such quarantine appears to be reasonably necessary to carry out the provisions and purposes of this act

The State Board of Public Health may require any physician or other person in attendance on, or treating, or advising treatment for, or attempting to treat any person infected with or suspected of being infected with a venereal disease to submit such specimens from such person as may be designated, for examination at the State laboratory, when in its opinion such procedure is reasonably necessary to carry out the provisions and purposes of this act.

(d) Advisory Committee The State Board of Public Health shall appoint an Advisory Committee consisting of three members, each of whom shall hold a physician's and surgeon's certificate issued by the Board of Medical Examiners of this State. No person shall be eligible for membership on the Advisory Committee unless he or she has been specially trained or experienced in public health work, and in the control, prevention, and treatment of venereal diseases. It shall be the duty of the Advisory Committee from time to time to confer with the members of the State Board of Public Health and the chief of the bureau concerning the func-

tions thereof, and to recommend means and measures to effectuate the purposes of this act. The tenure of office of the members of the Advisory Committee shall be prescribed by the State Board of Public Health.

SEC. 3 Appropriation. The sum of $500,000 is hereby appropriated out of money in the State treasury, not otherwise appropriated, to be expended solely in carrying out the provisions and purposes of this act All claims against this appropriation shall be submitted for approval and audit to the State Department of Public Health and the State Department of Finance, and shall be paid in accordance with law.

SEC. 4. Clinics, Dispensaries and Prophylactic Stations and Financial Aid in Certain Cases. The State Board of Public Health shall establish and support such clinics, dispensaries, and prophylactic stations as may from time to time appear reasonably necessary for the prevention, control, diagnosis, treatment, examination, and cure of venereal diseases in this State, and may for such purposes subsidize and provide financial or other assistance to any clinics, dispensaries of prophylactic stations that now are or may hereafter be established; provided, however, that the State Board of Public Health, shall have the power to and shall prescribe and promulgate such rules and regulations for the conduct of such clinics, dispensaries, or stations as shall appear reasonably necessary to carry out the provisions and purposes of this act. Whenever it shall appear to the satisfaction of the State Board of Public Health that any person in this State is infected with a venereal disease and is unable to afford approved treatment for such disease, or such treatment is not available in or near such person's place of residence, the board may cause to be issued and given free of charge to any licensed physician in this State, or to any clinic or dispensary approved by it, medical supplies or direct financial or other aid to be used in the treatment of such person's disease, or both such supplies and financial aid; provided, however, that such physician, dispensary, or clinic shall meet the requirements of, and comply with all rules and regulations made and promulgated by the said board. The State Board of Public Health may provide, in any instance, for free examination to determine the presence or absence of a venereal disease; provided, however, that such examination shall be conducted in the manner and at the place prescribed by the said board

SEC. 5. Reports of Cases. Every physician, druggist, pharmacist, seller, or dispenser of any proprietary or other medicine, nurse, health officer, director of a laboratory, technician, clinic, dispensary, or any other person or agency making a medical, bacteriological, serological or other examination which shall indicate the existence of any venereal disease in any person, or who is treating, treats, or attempts to treat, or advises for the treatment of such disease in any person, shall immediately report such fact to the Chief of the Bureau of Venereal Diseases on blanks furnished by said bureau Such report shall not require the name of the diseased person except as hereinafter provided, but shall include such information as the Chief and the State Board of Public Health may require A duplicate of such report including the correct name and address of the diseased person shall be retained by the person, dispensary, clinic or other agency making such report until the diseased person is cured Nothing in this section or elsewhere in this act shall be construed as authorizing or permitting any person other than one holding a physician's and surgeon's certificate issued by the Board of Medical Examiners of this State, or other than a dispensary or clinic approved by the State Board of Public Health, to treat, attempt to treat, or advise or prescribe for the treatment of any person infected with or suspected of being infected with any venereal disease, or to make any examination to determine the presence or absence of such disease.

SEC. 6 Duties of Persons Making Reports.

(a) It shall be the duty of any person, dispensary, or clinic making any of the reports mentioned in section 5 hereof, to instruct such diseased person in proper precautionary methods for preventing the spread of the disease, and in the necessity of systematic and prolonged treatment, and also to furnish to such diseased person printed directions for preventing infection, together with such copies of rules or regulations promulgated and made by the State Board of Public Health, and such other literature as the board or the chief of the said bureau shall direct

(b) It shall be the duty of any person, clinic, or dispensary making any report mentioned in section 5 hereof, to determine whether or not such infected person submits or is submitted to any approved treatment for such disease, and to make reasonable efforts to induce such infected person to submit to such treatment If it shall thereafter appear reasonably likely to the person, clinic, or dispensary making such report that the person found to be infected does not submit or is not submitting to such approved treatment, the person, clinic, or dispensary making such report shall report such fact, on forms furnished by the bureau, to the local health officer or board of health, in the city, town, or county where such infected person resides, or if there is no local health officer or board of health, to the Chief of the Bureau of Venereal Diseases, and there shall be included in such report the name and address of such infected person

(c) If any person undergoing any treatment for any venereal disease shall discontinue such treatment before the disease is permanently cured or at a time when it is reasonably likely that the disease is not permanently cured, the person, clinic, or dispensary administering or providing or recommending treatment prior to such discontinuance shall make reasonable efforts to determine whether such person is receiving approved treatment elsewhere If it shall appear reasonably likely that such person is not receiving approved treatment elsewhere, the person, clinic, or dispensary who was treating or advising treatment for such person prior to such discontinuance, shall make all reasonable efforts to induce such person to resume approved treatment and, if it thereafter appears reasonably likely that such person has failed to resume approved treatment, shall report, on forms furnished by the bureau, the name and address of such person to the local health officer or board of health, or to the Chief of the Bureau of Venereal Diseases where there is no such local health officer or board of health.

(d) It shall be the duty of any person, dispensary, or clinic giving, or administering, or prescribing for, or advising any course of treatment to any diseased person, to determine the nature and extent of any treatment which such diseased person has previously submitted to, if any, and to apprize, on forms furnished by the bureau, the person, clinic, or dispensary who previously administered such treatment that such diseased person is presently undergoing treatment with him or it, and it shall be the duty of such diseased person to give the information required by this section.

(e) It shall be the duty of any diseased person to report to any of the persons making any report mentioned in section 5 hereof, the source of the infection of such diseased person, if the same is known, and, if derived from contact with a human being, the name and address of such human being It shall then be the duty of the person, clinic, or dispensary receiving such information to communicate such information, on forms furnished by the bureau, to the local health officer or board of health, or to the Chief of the Bureau of Venereal Diseases where there is no such local health officer or board of health

SEC. 7. Duties of Diseased Persons. In addition to the duties herein elsewhere imposed, it shall be the duty of any diseased person to comply with all rules and regulations made and promulgated by the State Board of Public Health, and all the provisions of this act, and to give all the information required by this act, and from time to time to submit to approved examinations to determine the condition of such disease It shall also be the duty of any diseased person to conduct himself, or herself, in a manner which will not be likely to expose any other person to infection or to spread such disease, and to submit to approved treatment until the venereal disease with which he or she is infected is permanently cured. Whenever it appears to the State Board of Public Health to be reasonably necessary for the purpose of protecting the health of any person or carrying out the provisions and purposes of this act, it shall make and promulgate rules and regulations designating the callings which persons having a venereal disease in an infectious state shall or shall not enter or continue in.

SEC. 8. Suspected Sources May Be Examined. Whenever any local board of health, or health officer, or the Chief of the Bureau of Venereal Diseases shall receive a report from any person, that any person in this State is reasonably suspected of being infected with any venereal disease, and it is reasonably likely that such person is infected and is not undergoing any type of approved treatment for such disease, such local health officer, or board of health, or the Chief of the Bureau of Venereal Diseases, may cause an approved examination to be made of such person for the purpose of ascertaining whether or not he or she is in fact infected with such disease, and it shall be the duty of every person so suspected to submit to such an examination and to permit such specimens of blood or bodily discharges to be taken for approved examination as may be reasonably necessary to establish the presence or absence of such disease or infection

SEC 9 Duties of Local Health Authorities It shall be the duty of all local and district health officers and other local health authorities, to use all reasonable means to ascertain the existence of cases of venereal diseases within their respective jurisdictions, to investigate all cases that are not, or probably are not, receiving approved treatment, and to ascertain so far as possible all sources of infection, and to take all measures reasonably necessary to prevent such sources from transmitting such infection, and to institute mandamus proceedings where necessary to compel compliance with this act, and to institute criminal proceedings for violation of this act

Every local health officer and other local or district health authority shall report to the Director of the State Department of Public Health or the Chief of the Bureau of Venereal Diseases such information as the State Board of Public Health may require. Every local health officer may require any physician or other person in attendance on, or treating, or attempting to treat, or advising for the treatment of any person infected with or suspected of being infected with a venereal disease to submit such specimens from such person as may be designated

for examination at a State, county, or city laboratory, when in his opinion such procedure is reasonably necessary to carry out the provisions and purposes of this act. Local health officers are hereby vested with the power of inspection and quarantine where the same appears reasonably necessary to carry out the provisions and purposes of this act.

SEC. 10. Restrictions on Application of Act. Nothing in this act shall be construed to empower or authorize the Bureau of Venereal Diseases, or its representatives, or any local or other board of health or health officer, or any other person, to interfere in any manner with any diseased person's right to receive approved treatment from any licensed physician, clinic, or dispensary, of his or her choice; provided, however, that the State Board of Public Health shall have the power to prescribe approved methods of treatment to be used by the physician, clinic, or dispensary treating such diseased person. No person making any of the reports mentioned in section 5 of this act, nor any other person, shall disclose to any person the name, or address, of any diseased person without such person's consent, excepting where such disclosure is authorized or required by this act, or in prosecutions for violations of this act, or in mandamus or other proceedings authorized by this act, subject, however, to the limitations imposed by section 14 of this act.

SEC 11. Mandamus Proceedings Provided For. Where it appears that any person has refused to comply with any rule or regulation of the State Board of Public Health made pursuant to this act, or to comply with any provisions of this act, or to submit to approved treatment or examination where such treatment or examination is required by this act, or where any person has refused to give any of the information or make any of the reports required by this act, or has refused to perform any of the duties imposed by this act, the State Board of Public Health or any local health officer or board of health may institute mandamus proceedings against such person in the superior court of the county of his or her residence to require the performance of any duty imposed by this act, or compliance with its provisions or any order or regulation of the State Board of Public Health made pursuant to this act. The superior court in which such proceeding is instituted, is empowered to make any proper order reasonably necessary to carry out the purpose, intent, or any provision of the act, or to compel compliance with any rule or regulation of the State Board of Public Health made pursuant to this act. Such mandamus proceedings shall be conducted in the manner provided by Chapter II of Title I of Part 3 of the Code of Civil Procedure of the State of California, and in any such proceeding, any physician, health officer, spouse, or other person, shall be competent and may be required to testify against any person against whom such mandamus proceeding is instituted, and the provisions of section 1881 of the Code of Civil Procedure shall not be applicable to any proceeding under this act. Any person aggrieved by any final order made by any court in such mandamus proceedings may appeal to the District Court of Appeal in the manner provided by the Title XIII of the Code of Civil Procedure of the State of California, but such appeal shall not stay execution of such order, unless a writ of supersedeas shall be issued by said District Court of Appeal.

SEC. 12 Penalties. Any person violating any rule or regulation of the State Board of Public Health made pursuant to this act, or any provision of this act, or refusing to give any of the information or to make any report, or to submit to any treatment or examination required by this act, or refusing to perform any duty or act required by this act, or exposing to or infecting any person with any venereal disease; or any person infected with a venereal disease in an infectious state who knows of such condition and who marries or has sexual intercourse, is guilty of a misdemeanor punishable by a fine not exceeding $500, or imprisonment in the county jail for a term not exceeding six months, or both such fine and imprisonment. The license of any licensed physician or surgeon refusing to comply with any rule or regulation of the State Board of Public Health made pursuant to this act, or any term or provision of this act, may be suspended by the Board of Medical Examiners of the State of California for a period not exceeding six months. Any person, partnership, association, or corporation other than a clinic or dispensary authorized by the State Board of Public Health, and other than a person holding a physician's and surgeon's certificate issued by the Board of Medical Examiners of this State who treats, attempts to treat, or advises treatment for any person infected with or suspected of being infected with any venereal disease, or who conducts any examination to determine the presence or absence of a venereal disease in any person, is guilty of a misdemeanor punishable by a fine not exceeding $500, or imprisonment in the county jail for a term not exceeding six months or by both such fine and imprisonment. In any prosecution for a violation of any provision of this act or any rule or regulation of the State Board of Public Health made pursuant to this act, any physician, health officer, spouse, or other person shall be competent and may be required to testify against any person against whom such prosecution is instituted, and the provisions of section 1881 of the Code of Civil Procedure shall not be applicable to such prosecution

SEC 13 Application of Act. The provisions of this act shall apply in all instances whether the person infected with a venereal disease became infected or

commenced treatment before or after the passage of this act; provided, however, that no act performed before the effective date of this act shall be subject to any criminal prosecution under this act.

SEC 14. Publicity Prohibited Any person causing the name of any person against whom any mandamus proceeding or criminal prosecution is instituted, as provided for by this act, to appear in any newspaper or magazine or other publication without the consent of such person, or any person who reveals the name of any such person except as authorized by this act, or as such person shall consent, is guilty of a misdemeanor punishable by a fine not exceeding $500, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment All persons other than judges, attorneys, clerks, bailiffs or other officers of the court, or witnesses, shall be excluded from the court room in which any such mandamus proceeding or criminal prosecution is being tried, unless the person against whom such proceeding is pending shall give his permission for such other persons to be present at the trial of such proceeding.

SEC. 15. Counsel Provided For. It shall be the duty of the district attorney of the county in which any mandamus proceeding authorized by this act shall be instituted to represent the State Board of Public Health or any local health officer or board of health in such proceeding If it shall appear that the person against whom any criminal or other proceeding under this act is instituted is unable to afford counsel, the court before whom such proceeding is pending shall appoint an attorney to represent such person.

SEC 16 Restriction on Issuance of Marriage License.

SEC 17 Constitutionality If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act The Legislature hereby declares that it would have passed this act, and each section, subsection sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1864—An act to amend section 1357 of the Political Code, relating to absentee voters.

Committee Amendments to Assembly Bill No. 1864.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "1357", and insert in lieu thereof the following: "s 1205, 1357, and 1359".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "voters", add the following: "and marking of ballots".

Amendment No. 3.

On page 1 of the printed bill, above line 1, add the following: "Section 1205 of the Political Code is hereby amended to read as follows:

1205 On receiving his ballot the elector shall forthwith, and without leaving the enclosed space, retire alone to one of the places, booths or compartments provided, to prepare his ballot. In voting he shall stamp a cross (+) in the voting square after the name of every candidate for whom he intends to vote, and this shall be counted as a vote for each person after whose name the elector has stamped such cross, or he may vote for a candidate or person whose name is not printed on the ballot by writing a name for such office in the blank space left therefor, in which latter case the vote of such elector for that office shall be counted for the person whose name is so written. Where two or more candidates for the same office are to be elected, and the elector desires to vote for candidates for that office, he must stamp a cross (+) after the names of all the candidates for that office for whom the elector desires to vote, not exceeding, however, the number of candidates who are to be elected.

In case of a question, proposition or constitutional amendment, submitted to the vote of the electors, the elector shall mark his ballot by stamping in the appropriate voting square a cross (+) opposite the answer he desires to give as to such question, proposition or constitutional amendment.

Except in the case of ballots marked by voters absent from their precincts on the day of election, all crosses shall be made only with a stamp, which with necessary pads and ink, shall be provided by the officers who by law are required to furnish election supplies for each booth or compartment provided for the marking and preparation of ballots. Before leaving such booth or compartment the elector shall fold his ballot in such a manner that the number on the ballot shall appear on the outside thereof, without displaying the marks on the face thereof, and shall keep it folded until he has voted. Having folded his ballot,

the elector shall deliver it folded to the inspector, who shall announce in an audible tone of voice the name of the elector.

The ballot clerk having in charge the copy of the index to the register or affidavits of registration shall, in like manner, repeat the name and shall write in the ruled space opposite the name in figures, the line number designating the position of the name on the roster for each elector who votes.

The inspector shall then separate the slip containing the number from the ballot, deposit the ballot in the ballot box."

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "TION 1", and insert in lieu thereof the following: ".2".

Amendment No. 5.

On page 2, line 8, of the printed bill, strike out the comma and "and a small", and on page 2, line 9, thereof, strike out "rubber stamp and stamp pad for marking said ballots".

Amendment No. 6.

On page 2 of the printed bill, following line 51, add the following:

"SEC. 3. Section 1359 of the Political Code is hereby amended to read as follows:

1359. (a) Any voter applying for and receiving a ballot as herein provided may, on any day prior to the day of election for which such ballot is to be voted, appear at the office of the county clerk or registrar of voters of the county or city and county, or in case of a municipal election at the office of the clerk of such municipality, in which such voter resides and is a qualified elector, and stamp and seal his ballot under the scrutiny of such officer, and in the following manner: The voter shall first display the ballot to such officer as evidence that the same is not marked, and shall then proceed to mark the ballot in the presence of such officer, but in such manner that such officer is unable to see how the same is being marked, and shall then fold said ballot and enclose the same in the identification envelope. The voter shall then make out or cause to be made out and swear to the affidavit printed on the face of such envelope and deliver the same properly sealed to the officer before whom the ballot is marked. Said officer shall then certify to the affidavit printed on the identification envelope and after writing or stamping his name across said seal shall deposit said envelope in a safe place in his office, to be kept by him and thereafter delivered to the proper canvassing board as hereinafter provided.

(b) In case said voter is absent from his election precinct in the county, or city and county, of his residence, at the time of a State or county election or other election conducted by the county clerk or registrar of voters of the county or city and county, or in case he is absent from the city of his residence at the time of a municipal election, or in either instance on account of physical disability, the said voter is unable to go to his polling place, he may appear before the clerk or any registrar of voters or any notary public or any officer of the district, or city, or county, or city and county, or Territory or other Federal district, authorized to administer oaths within the city, city and county, county, or town, within the State of California, or in any other State, Territory or district within the United States, or in the District of Columbia, in which he may be at the time of receiving his ballot, or at any time on or before the date of election, but not thereafter, and mark and seal his ballot under the scrutiny of such officer, in the manner hereinabove set forth, except that such voter may mark his ballot with pen and ink or indelible pencil, instead of with rubber stamp. Such officer shall then certify to the affidavit printed on the identification envelope and enclose said envelope in the return envelope and seal same, and, after writing or stamping his name across said seal, shall deliver said envelope to the voter to be by him returned to the office of the county clerk or registrar of voters of the county or city and county of his residence, or in case of a municipal election to the clerk of the municipality of his residence, conducting said election, as the case may be."

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1726—An act to amend section 1151 of the Political Code, relating to election officers in cities

Committee Amendment to Assembly Bill No. 1726.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, after "provided," insert the following: "however, whenever any such municipal election has been consolidated as provided by law with another election to be held on the same day in the same territory, or in territory that is in part the same, the number of inspectors, judges and clerks

for such municipal election shall be the same as provided by law for the election with which such municipal election has been consolidated, and provided, further,".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1598—An act to add section 1154 5 to the Fish and Game Code, relating to trap guns.

Bill read second time, and ordered to engrossment.

Notice of Motion to Reconsider Assembly Bill No. 424 Continued.

On motion of Mr. Lyon, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 424 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1763 Waived.

Mr. King waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1763 was passed.

Assembly Bill No. 1763 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 231.

In compliance with his notice given on a previous day, Mr. Hunt moved that the vote whereby Assembly Bill No 231 was passed be reconsidered.

Point of Order.

Mr. Field arose to the following point of order That Mr. Patterson was not speaking on the point in question.

Ruling on Point of Order.

The Speaker ruled that the point of order was not well taken.

Demand for Previous Question.

Messrs. Heisinger, Dannenbrink, Muldoon, Reaves, and Cunningham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question not sustained.

Demand for Previous Question.

Messrs. Garibaldi, Morgan, Reaves, Muldoon, and Flint demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No 231

The roll was called, and Assembly Bill No. 231 refused reconsideration by the following vote:

AYES—Cassidy, Dilworth, Field, Hunt, Latham, Lyon, Meehan, Reaves, Redwine, Robertson, and Voigt—11.

NOES—Andreas, Bayuham, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington Morgan, Muldoon, Patterson, Peek, Pelletier, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—59.

Assembly Bill No 231 ordered transmitted to the Senate

Reconsideration of Assembly Bill No. 2474.

In compliance with his notice given on a previous day, Mr. Robertson moved that the vote whereby Assembly Bill No. 2474 was passed be reconsidered.

The roll was called, and Assembly Bill No 2474 refused reconsideration by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Dilworth, Donnelly, Flint, Fulcher, Garland, Glick, Hawkins, Hunt, King, Lore, McMurray, Miller George P., Muldoon, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—31.

NOES—Beene, Breed, Call, Cassidy, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Field, Gannon, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Meehan Miller, Eleanor; Millington, Morgan, Redwine, Sawallisch, Scudder, Sheehan Stream, Thorp, Weber, and Williamson—37.

Assembly Bill No. 2474 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 1760 Continued.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1760 was passed was continued until the next legislative day.

Third Reading of Assembly Bills.

Assembly Bill No. 1348—An act to add a new section, to be numbered section 10a, to the State Civil Service Act, relating to taking of civil service examinations by employees of the State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1350—An act to add a new section to the State Civil Service Act, to be numbered 13a, relating to position of State civil service employees operating machinery displayed or supplemented by new, different or additional machinery.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1059—An act to amend sections 100.5, 117, 130, 185, 188, 202, 673, 680, 720, 722, 730, 761, 825, 1622 and 1624 of the Streets and Highways Code, and to add new sections to be numbered 103.5, 140.5 and 823.5, to said code, all relating to public highways and to the acquisition of rights of way for the administration, control, construction, and regulation thereof.

Motion to Amend Assembly Bill No. 1059.

Mr. Stream moved to amend Assembly Bill No 1059 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "188," insert "190.".

Amendment No. 2.

On page 3 of the printed bill, between lines 45 and 46, insert the following:

"SEC. 7.5. Section 190 of the Streets and Highways Code is amended to read as follows:

190. The commission may authorize the department to, and the department may spend not more than 50 per cent of the money hereby allocated to secondary highways within a county group upon the primary highways therein, or the commission may authorize the department to, and the department may spend not more than 50 per cent of the money hereby allocated to primary highways within a county group upon the secondary highways therein whenever the commission determines that such action is desirable in order to construct and improve those State highways which are most necessary adequately to meet traffic requirements."

Amendments adopted.

Assembly Bill No. 1059 ordered to reprint, and re-engrossment

Assembly Bill No. 956—An act to amend sections 1315, 1317, and 1321 and to repeal sections 1310, 1311, and 1312 of the Political Code, relating to electors of President and Vice President of the United States.

Bill read third time, and passed by the following vote:

AYES—Andreas, Bayham, Boyle, Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker.—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Re-reference of Assembly Bill No. 992.

On motion of Mr. Flint, Assembly Bill No. 992 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1912.
Assembly Bill No. 1913.

Respectfully reports the same back with the recommendation: Do pass as amended.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 1721.

Respectfully reports the same back without recommendation as amended.

CRONIN, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 1138.

Respectfully reports the same back with the recommendation: Do pass as amended

CRONIN, Chairman

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 1734.
Assembly Bill No. 2596.
Assembly Bill No. 2598.
Respectfully reports the same back with the recommendation Do pass as amended
DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR SPEAKER Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 1223.
Assembly Bill No. 1219.
Respectfully reports the same back with the recommendation. Do pass as amended
HORNBLOWER, Chairman

The above reported bills ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937

MR. SPEAKER: Your Committee on Conservation, to which was referred:
Senate Bill No. 112.
Respectfully reports the same back with the recommendation Do pass as amended
ANDREAS, Chairman

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO March 15, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 7. **Assembly Bill No. 1736.**
Assembly Bill No. 464. **Assembly Bill No. 1737.**
Respectfully reports the same back with the recommendation Do pass.
DESMOND, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred
Assembly Bill No. 615.
Assembly Bill No. 1464.
Respectfully reports the same back without recommendation, as amended.
DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred.
Assembly Bill No. 2269.
Respectfully reports the same back without recommendation, as amended.
CLARK, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937

MR. SPEAKER: Your Committee on Education, to which was referred
Assembly Bill No. 1144. **Assembly Bill No. 1391.**
Assembly Bill No. 1147. **Assembly Bill No. 2270.**
Respectfully reports the same back with the recommendation Do pass.
CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:
Assembly Bill No. 1140.
Respectfully reports the same back with the recommendation: Do pass.
CRONIN, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER. Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 2569.

Respectfully reports the same back with the recommendation: Be re-referred to Committee on Public Health and Quarantine

CRONIN, Chairman.

The above reported bill re-referred to Committee on Public Health and Quarantine.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937

MR. SPEAKER: Your Committee on Municipal Corporations to which was referred:

Assembly Bill No. 528.
Assembly Bill No. 1057.
Assembly Bill No. 1317.
Assembly Bill No. 1861.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 82.
Assembly Bill No. 744.
Assembly Bill No. 955.
Assembly Bill No. 1012.
Assembly Bill No. 1420.
Assembly Bill No. 1558.
Assembly Bill No. 1604.
Assembly Bill No. 2369.
Assembly Bill No. 2607.
Assembly Bill No. 2100.

And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 307.
Assembly Bill No. 971.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 450—An act to add a new section to the Probate Code of the State of California, to be known as section 1028, relating to the ratable, partial, and final distribution of estates of deceased persons.

Motion to Amend Assembly Bill No. 450.

Mr. Redwine moved to amend Assembly Bill No. 450 as follows.

Amendment No. 1.

On page 1, line 9, of the printed bill, after "administrator", insert the following: "with respect to any property delivered pursuant to such order".

Amendment adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 450, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 450, as Amended.

Assembly Bill No. 450—An act to add a new section to the Probate Code of the State of California, to be known as section 1028, relating

to the ratable, partial, and final distribution of estates of deceased persons.

Assembly Bill No. 450, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Assembly Bill No. 1200—An act to amend sections 112, 115, 116, 121, and 123 of the Vehicle Code, and to repeal sections 114 and 118 thereof, relating to the California Highway Patrol.

Motion to Amend Assembly Bill No. 1200.

Mr. Field moved to amend Assembly Bill No. 1200 as follows

Amendment No. 1.

On page 1 of the printed bill, strike out lines 18 to 26, inclusive, and on page 2, strike out lines 1 and 2, and insert in lieu thereof the following:

"115. Applicants. Preference for Residence. When two or more applicants for examination for the position of captain, sergeant, traffic officer, or traffic clerk have received an equal rating, such applicants shall be classified on the eligible list in the order corresponding to the greatest length of time such applicants have maintained a bona fide residence within the county in which they are to serve."

The question being on the adoption of the amendment.

The roll was called.

Motion for Call of the Assembly.

Pending the announcement of the vote, Mr. Field moved a call of the Assembly.

Request for Roll Call.

On request of Messrs. Garibaldi, Flint and Hunt, the Speaker ordered a roll call taken on the motion for call of the Assembly.

The roll was called, and the motion lost by the following vote:

AYES—Beene, Breed, Cronin, Cunningham, Hawkins, Johnson, Latham, Lore, Lyon, Maloney, McMurray, and Miller, Eleanor—12.

NOES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Laughlin, Leonard, Martin, Mayo, Meehan, Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—51.

The question being on the adoption of the amendment by Mr. Field

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Cronin, Cunningham, Dannenbrink, Dawson, Field, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Muldoon, Peyser, Reaves, Redwine, Stream, Thorp, Weber, Williamson—29.

NOES—Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Daley, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Kuchel, Leonard, Mayo, Meehan, Millington, Morgan, Patterson, Peek, Pelletier, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Walker, Watson, Welsh, Yorty, and Mr. Speaker—41

Motion to Amend Assembly Bill No. 1200.

Mr Yorty moved to amend Assembly Bill No. 1200 as follows.

Amendment No. 1.

On page 2, line 45, of the printed bill, strike out the words "for a longer period"

Amendment No. 2.

Strike out all of lines 46 to 52, inclusive

The roll was called, and the amendments refused adoption by the following vote:

AYES—Burns, Michael J., Cassidy, Clark, Flint, Gilbert, Hawkins, Hunt, King, Lore, Maloney, McMurray, Meehan, Patterson, Peek, Reaves, Sawallisch, Tenney, Yorty, and Mr. Speaker—19.

NOES—Andreas, Baynham, Beene, Breed, Boyle, Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Walker, Watson, Weber, and Williamson—50.

Assembly Bill No. 1200 read third time, and refused passage by the following vote:

AYES—Beene, Breed, Call, Cassidy, Corwin, Crowley, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Kuchel, Laughlin, Leonard, Martin, Mayo, Miller, Eleanor; Millington, Sawallisch, Scudder, Stream, Walker, and Watson—26.

NOES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Field, Flint, Gilbert, Glick, Hawkins, Hunt, Johnson, Kepple, King, Latham, Levey, Lore, Lyon, Maloney, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sheehan, Tenney, Turner, Weber, Yorty, and Mr. Speaker—42.

Notice of Motion to Reconsider Assembly Bill No. 1200.

Mr. Garland gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1200 was this day refused passage.

Assembly Bill No. 700—An act to amend section 18 of the California Irrigation District Act, relating to the distribution of water.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Hon. Elmer E. Lore in the Chair.

At four o'clock and fifteen minutes p.m., Hon. Elmer E Lore, member of the Assembly from the Forty-Second District, in the chair

Assembly Bill No. 1719—An act to amend an act entitled, "An act authorizng savings banks, commercial banks, insurance companies, personal finance companies, mortgage companies, mortgage insurance companies, building and loan associations, trust companies, or fiduciaries or fiduciary institutions, or agencies, public or private, to make in certain cases loans, or advances of credit, which are insured pursuant to the provisions of the National Housing Act, and to invest in, or purchase, insured mortgages and obligations of National mortgage associations or similar credit institutions, the act to take effect imme-

diately," approved January 30, 1935, by amending sections 1, 2, 3, and 4, thereof and by adding a new section thereto to be known as section 5-A, so as to make notes and bonds secured by mortgages insured, and debentures issued, by the Federal Housing Administrator, and obligations of National mortgage associations eligible for deposit where securities must be deposited pursuant to any law of the State of California; and for clarification purposes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, and Yorty—61.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 1860—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 2, 5, 6, 7, 8, all relating to the composition, powers, government, and management of metropolitan water districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, and Yorty—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 275 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1177 re-referred to Committee on Public Charities and Corrections.

Assembly Bill No. 483 re-referred to Committee on Judiciary General.

Assembly Bill No. 803 re-referred to Committee on Judiciary General.

Assembly Bill No. 2062 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1247 re-referred to Committee on Ways and Means

Assembly Bill No. 2369 re-referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 2607 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 2369 re-referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1012 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1558 re-referred to Committee on Governmental Revenues and Expenditures.

Speaker Jones in the Chair.

At four o'clock and twenty minutes p.m., Hon William Moseley Jones, Speaker of the Assembly in the chair.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 15, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended,

Assembly Bill No. 2786.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Consideration of Senate Amendments to Assembly Bill No. 2786.

Assembly Bill No. 2786—An act providing ways and means for liquidating, refinancing and readjusting certain indebtedness of irrigation districts in default; for judicial proceedings to carry out such purpose; for the confirmation of plans for liquidation, refinancing and readjustment; authorizing the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2786?

Amendment No. 1.

On page 3, line 32, of the printed bill, after the word "years", strike out the following: "prior to the effective date of this act", and insert in lieu thereof a comma and the following: "or unable to pay its debts as they mature,".

Amendment No. 2.

On page 5, line 28, of the printed bill, after the word "mailed", insert the following: "at least thirty (30) days prior to the date set for the hearing."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2786 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66

NOES—None.

Assembly Bill No 2786 ordered to enrollment

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 197—An act to amend section 1011 of the Code of Civil Procedure, relating to service of notices and papers in civil actions.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 618—An act to amend sections 117g, 117i, 117j, 117*l*, of the Code of Civil Procedure, relating to small claims courts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, and Yorty—62.

NOES—Cassidy, Crowley, Gilbert, Hunt, Reaves, and Mr. Speaker—6.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 618.

Mr. Yorty gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 618 was this day passed.

Assembly Bill No. 907—An act to amend section 366a of the Code of Civil Procedure, relating to limitations of actions.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 964—An act to amend sections 1000, 1001 and 1010 of the Probate Code, relating to partial and ratable distribution of the estates of decedents.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 620—An act to amend an act entitled "An act to provide for the acquisition by municipalities of land for public park or playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring and improving said land" approved April 22,

1909, by adding thereto a new section to be numbered section 25a, relating to reassessments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 347—An act to amend section 663 of the Probate Code, relating to vesting of homestead.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—Cassidy—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1444—An act to amend sections 147 and 150 of the Code of Civil Procedure, relating to court seals.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1445—An act to amend section 4300f of the Political Code, relating to jurors' fees.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Williamson, Yorty, and Mr. Speaker—56.

NOES—Crowley, and Donnelly—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 859—An act to amend section 582 of the Agricultural Code, relating to labels.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Assembly Bills No. 1209 and 1206.

Mr Hornblower moved to expunge the record, and rescind the action whereby the Assembly on this day passed Assembly Bills Nos 1209 and 1206, and that the Senate be requested to return the bills to the Assembly.

The roll was called, and the record expunged and the action rescinded by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, George P, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued

On motion of Mr. King, the consideration of his notice of motion to reconsider the vote whereby the Governor's veto to Assembly Bill No. 331 was sustained was continued until the next legislative day

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Boyle:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 3886, relating to the validation of certain tax levies

Referred to Committee on Introduction of Bills.

By Mr. Walker:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act relating to the deduction of tare upon the purchase of farm products.

Referred to Committee on Introduction of Bills

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them:

By Mr. Boyle.

An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 3886, relating to the validation of certain tax levies

By Mr. Walker:

An act relating to the deduction of tare upon the purchase of farm products

CALL, Chairman

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King Kuchel, Laughlin, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2797: By Mr. Boyle—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 3886, relating to the validation of certain tax levies.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2798: By Mr. Walker—An act relating to the deduction of tare upon the purchase of farm products.

Bill read first time, and referred to Committee on Agriculture.

Resolutions.

The following resolutions were offered:

By Messrs. Levey, and Martin and Miss Miller:

House Resolution No. 102B.

WHEREAS, The Honorable Isaac Jones, member of this Assembly for several sessions, has answered the last summons, and

WHEREAS, During the period of his service in this body, the Honorable Isaac Jones distinguished himself by his loyal and conscientious leadership and keen knowledge of legislative matters on the floor of this Assembly, and

WHEREAS, The news of the passing of our former member has been received with profound sorrow and the deepest regret, now therefore, be it

Resolved That this memorial be spread upon the Journal of the Assembly and that a copy of this resolution be suitably engrossed and forwarded to the wife of the late Isaac Jones as a message of our respect and esteem for her late husband

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up House Resolution No 102B, at this time, without reference to committee or calendar.

House Resolution No 102B read, and unanimously adopted, on motion of Miss Miller, seconded by Mr Williamson.

By the Committee on Attaches:

House Resolution No. 102C.

Resolved, That the following named persons be stricken from the list of Assembly Attaches, and her name be stricken from the pay roll of the Assembly, to take effect on and including March 15, 1937:

	Per day
Margaret Barber	$5 00

House Resolution No. 102C read and adopted.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1745.
Assembly Bill No. 2395.

Respectfully reports the same back with the recommendation: Do pass as amended.

CLARK, Chairman

The above reported bills ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 14—Relative to memorializing the President and the Congress of the United States to enact Bill H. R. 4009, which proposes to appro-

priate $50,000,000 to cooperate with the States of the United States in the eradication of noxious weeds, and urging the Secretary of Agriculture to expedite consideration favorable to said bill.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Joint Resolution No. 14 referred to Committee on Federal Relations.

SENATE CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 237—An act to amend sections 10b, 10c, 10d, 10e, and 10g of the State Narcotic Act, relating to fines and forfeitures;

Senate Bill No. 336—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists;

Senate Bill No. 558—An act authorizing cities to construct and maintain public improvements within and without the territorial boundaries of said cities.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 237 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 336 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 558 read first time, and referred to Committee on Municipal Corporations.

SENATE CHAMBER, SACRAMENTO, March 15, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 219—An act to amend section 3817d of the Political Code, relating to sales of tax delinquent property;

Senate Bill No. 259—An act relating to out-of-state parolee supervision and authorizing and directing the Governor to enter into compacts therefor;

Senate Bill No. 267—An act to amend section 538 of the Code of Civil Procedure, relating to attachments;

Senate Bill No. 338—An act to amend section 1228 of the Penal Code, relating to capital punishment;

Senate Bill No. 428—An act to amend section 493 of the Fish and Game Code, relating to night fishing;

Senate Bill No. 507—An act to amend section 7 of the "Vital Statistics Registration Act," relating to death certificates.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 219 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 259 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 267 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 338 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 428 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 507 read first time, and referred to Committee on Judiciary General.

Adjournment.

At five o'clock and fifteen minutes p. m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p. m., Wednesday, March 17.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY
SEVENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 17, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Bayuham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Shechan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. Father Tumulty upon invitation of Rev William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Burns, Michael J., the further reading of the Journal of Tuesday, March 16 1937, was dispensed with

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Burns, Hugh M., on motion of Mr. Garibaldi

Mr. Waters, on motion of Mr. Cunningham.

Motion to Print Prayer In Journal.

On motion of Mr. Martin, the prayer offered by Rev. Father Tumulty, was ordered printed in the Journal

Prayer by Rev. Father Tumulty.

ON THE OCCASION OF THE CELEBRATION OF THE CALIFORNIA STATE ASSEMBLY OF SAINT PATRICK'S DAY, 1937.

On this, thy Feast Day, O Glorious Saint Patrick, we come before thee in spirit to offer once again our need of homage and praise A saint thyself, and the nephew of a saint, Martin of Tours, it is no wonder that thy work was blessed by the Almighty and Eternal God. To lift by one's power of prayer and intercession with God but a small number of men from the slough of Paganism is feat worthy of a great man, but with God's help thou didst lift a whole Nation into the fold of Christianity,—and thou didst imbue them with that self-same spirit which carried

thee from the home of the Shepherd into the limelight of history, so that wherever the flag of a Nation may wave it has its loyal Celt, shining with love of his adopted country and yet never losing a tittle of the deep love he bears the land of his forefathers,—and never faltering an instant in the love he bears the God of Whom thou didst preach to him. On this day, O Patrick, be with us in spirit and inspire in our hearts a return to that simplicity of virtue and magnanimity of manhood which thou didst inspire in the Irish of old. To thee, all glory on this holy day, and may thy spirit, under God, continue its ennobling work in our hearts, and in the hearts of all men today and always. Amen.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Millington, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sutter High School senior class, as follows: W. Taylor, T. May, F. Lemenager, M. Betty, L. Beck, L. Davis, R. Davidson, N. Helsem, L. Woodard, L. Gridley, L. Wadsworth, H. Foss, C. Monnie, R. Jones, W. Karstans, R. McCurry, L. Hiemeyer, B. Anderson, F. Ziegenmeyer, D. McCullough, C. Schnider, H. Campbell, P. Spear, M. Wavnes, M. Rogers, T. Daub, S Doty, A. Regli, M. Hitchenor, F. Clark, K. Ford, W. Smith, J. Reische, C. Shintaffer, M. McCullough, I. Johnson, A. Shingu and I. Nolan, and Mr. and Mrs. Oliver.

On request of Mr. Hornblower, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. E. Raymond Cato, Miss Marjorie Ray Cato, and Mrs. Wm. B. Hornblower.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Commissioner Carl L. Maritzen and Commissioner David F. Supple, both of Board of Permit Appeals, San Francisco.

On request of the Alameda Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Earl Twomey, Chief Deputy Treasurer of Alameda County.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Richard Scollan, wife of Dick Scollan, manager, Senator Hotel, and Mrs. Jack Metzger, wife of Senator Metzger.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. William Fleager and Mrs. Robert Dewell of Berkeley.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. James Joseph Jerimiah Anthony Aloysius Leo Patrick Flynn, M. P.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Edessa Manton.

On request of Mr. Levey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marianne Sullivan, President International Relations Club, S. F. College of Women, and daughters of Dr. Celestine Sullivan, and Chief of San Francisco Fire Department Wm. Brady and Mrs. Brady.

On request of Mr. Kuchel, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. C. Glenn Curtis of Brea, and Mr. Warren Bradford, of Placentia.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arthur Dibbern of Glendale, California.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Hugh P. Donnelly, Rosemary Donnelly, and Hugh P. Donnelly, Jr.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss E. Lunney Ryan and the following pupils of Robla School: Belva Sturdivant, Nell Wilson, Marguerite Mendonsa, Barbara Houston, Eugene Anderson, John Mendonsa, Lester LaChappele, Harry McKusick, Lutie Scofield, Gabriel Sady, Richard Farnham, Albert Eddy, Otto Grossman, Doris Hembre, Rowena Overton, Anna Laura Klagenberg, Lorraine Corea, Loraine Overton, Barbara Thomas, Rosaleen Brown, Jane Coffey, Clara Grussman, Edith Kiefert, Anna Laura Matthews, Raphael Klagenberg, Helen Sady, June Benning, Pearl LaChapelle, Myrtle Eddy, Albert Roina, Lionel Sady, Robert Strickling, Harry Thomas, Ruth Brown, Jack Du Mars, Warren Higday, Ella Howard and Carl Kiefert.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ed Bolt of San Francisco, and Steve Neilsen of Martinez, California.

Presentation of Shamrock.

Mr. Godfrey Andreas presented a shamrock to Hon. Henry P. Meehan, Speaker pro tempore of the Assembly who in turn presented it, on behalf of the Irish Delegation, to Hon. William Moseley Jones, Speaker of the Assembly.

Presentation of Petitions.

The following petitions were received and filed:

By Mr Speaker:

From Women's International League for Peace and Freedom, regarding the California School Code.

From American League regarding pardon of Thomas J. Mooney.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1896. **Senate Bill No. 671.**
Senate Bill No. 744. **Senate Bill No. 668.**

Respectfully reports the same back with the recommendation: Do pass as amended.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1189. **Assembly Bill No. 1434.**
Assembly Bill No. 1190. **Assembly Bill No. 1362.**
Assembly Bill No. 809. **Assembly Bill No. 2333.**

Respectfully reports the same back with the recommendation: Do pass

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1907.
Assembly Bill No. 243.

Respectfully reports the same back without recommendation, as amended.

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Senate Bill No. 187.

Respectfully reports the same back with the recommendation: Do pass.

RICHIE, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 4.

Respectfully reports the same back with the recommendation: Do pass as amended.

LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Bill No. 501.
Assembly Bill No. 1722.

Respectfully reports the same back with the recommendation: Do pass as amended.

MEEHAN, Chairman.

The above reported bills ordered on second reading calendar.

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Banking, to which was referred:

Assembly Bill No. 795.

Respectfully reports the same back without recommendation, as amended.

WILLIAMSON, Chairman.

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1742.

Respectfully reports the same back with the recommendation: Do pass as amended.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 2783.
Assembly Bill No. 1436.
Assembly Bill No. 2258.
Assembly Bill No. 2255.
Assembly Bill No. 2561.
Assembly Bill No. 516.
Assembly Bill No. 2039.

Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman

The above reported bills ordered on second reading calendar

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Civil Service, to which was referred:

Assembly Bill No. 263.

Respectfully reports the same back with the recommendation: Do pass as amended.

CROWLEY, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Civil Service, to which was referred,
Assembly Bill No. 772.
Respectfully reports the same back with the recommendation: Do pass.

CROWLEY, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937

MR. SPEAKER: Your Committee on Civil Service, to which was referred,
Assembly Bill No. 1886.
Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CROWLEY, Chairman

The above reported bill re-referred to Committee on Ways and Means.

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Banking, to which was referred,
Assembly Bill No. 797.
Respectfully reports the same back with the recommendation: Do pass.

WILLIAMSON, Chairman

The above reported bill ordered on second reading calendar

On Mines and Mining.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred:
Assembly Bill No. 1615.
Respectfully reports the same back with the recommendation: Do pass.

FULCHER, Chairman

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1815.	**Senate Bill No. 993.**
Assembly Bill No. 2398.	**Senate Bill No. 895.**
Assembly Bill No. 1895.	**Senate Bill No. 670.**
Senate Bill No. 58.	**Senate Bill No. 669.**
Senate Bill No. 323.	**Senate Bill No. 362.**

Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Assembly Bill No. 1897.
Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred

Assembly Bill No. 50.	**Assembly Bill No. 1229.**
Assembly Bill No. 2422.	**Assembly Bill No. 1231.**
Assembly Bill No. 2415.	**Assembly Bill No. 862.**
Assembly Bill No. 1228.	

Respectfully reports the same back without recommendation, as amended.

DONNELLY, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 636.	**Assembly Bill No. 1201.**
Assembly Bill No. 757.	**Assembly Bill No. 1217.**
Assembly Bill No. 1069.	**Assembly Bill No. 1225.**

Assembly Bill No. 1371.
Assembly Bill No. 1400.
Assembly Bill No. 1402.
Assembly Bill No. 1559.
Assembly Bill No. 1598.
Assembly Bill No. 1951.
Assembly Bill No. 2149.
Assembly Bill No. 2423.
Assembly Constitutional Amendment No. 1.
Assembly Concurrent Resolution No. 17.

And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 16, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to:

Assembly Concurrent Resolution No. 18.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

Assembly Constitutional Amendment No. 46: By Mr. Donihue—Proposed amendment to Article XXIV of the Constitution, by adding section 8 thereto, relative to the State Civil Service.

Introduced, and referred to Committee on Constitutional Amendments.

Second Reading of Assembly Bills.

Assembly Bill No. 930—An act to amend section 2189 of the Political Code, relating to the discharge of patients from State institutions.

Bill read second time, and ordered to engrossment.

Assembly Constitutional Amendment No. 19—Proposed amendment to Article XX of the Constitution, by repealing section 22 thereof and adding section 23 thereto, relating to alcoholic beverages.

Committee Amendment to Assembly Constitutional Amendment No. 19.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed measure, strike out lines 13 to 16, inclusive, and insert in lieu thereof the following

"Sec. 23. The several counties, cities and counties, and cities in this State are hereby vested with the exclusive right and power to license, regulate, and impose fees upon the sale of intoxicating liquor, except as herein otherwise provided"

Amendment adopted.

Assembly Constitutional Amendment No. 19, ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 28—Proposed amendment to Article IV, sections 1 to 10, 12 to 17, 19, 23a and 34 of the Constitution, relative to a single house Legislature.

Committee Amendments to Assembly Constitutional Amendment No. 28.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, lines 51 and 52, of the printed measure, strike out "counties themselves", and insert in lieu thereof the word "Legislature".

Amendment No. 2.

On page 3, line 5, of the printed measure, strike out "three", and insert in lieu thereof the word "two".

Amendment No. 3.

On page 4, line 33, of the printed measure, after the word "occur", insert "before the ending of the recess".

Amendment No. 4.

On page 6, line 16, of the printed measure, strike out "three", and insert in lieu thereof the word "four".

Amendment No. 5.

On page 6, line 18, of the printed measure, strike out "two", and insert in lieu thereof the word "three".

Amendments adopted.

Assembly Constitutional Amendment No 28, ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 30—Proposed amendment to Article IV, sections 2, 4, 4a, 4b and 4c, of the Constitution, relative to the Supreme Court and the District Courts of Appeal.

Committee Amendments to Assembly Constitutional Amendment No. 30.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, following the words "Article VI," insert the following 'and by adding a new section 4d, to Article VI,"

Amendment No. 2.

On page 1, line 12 of the printed bill, strike out "shall always", and insert in lieu thereof the following "always shall"

Amendment No. 3.

On page 2, line 26, of the printed bill, strike out "Five", and insert in lieu thereof the following "Four '

Amendment No. 4.

On page 2, line 29, of the printed bill, strike out the comma following the word "court"

Amendment No. 5.

On page 2, line 33, of the printed bill, strike out "tempor-", and on page 2, line 34, strike out "ary"

Amendment No. 6.

On page 2, line 39, of the printed bill, strike out "temporary '.

Amendment No. 7.

On page 2, line 39 of the printed bill, strike out "or inability"

Amendment No. 8.

On page 2, line 40, of the printed bill, strike out "to act," and insert in lieu thereof the following: ", or his inability to act."

Amendment No. 9.

On page 2, line 42, of the printed bill, strike out "tem-" and on page 2, line 43, strike out "porary"

Amendment No. 10.

On page 3, line 25, of the printed bill, before "second", insert the following: "first and"

Amendment No. 11.

On page 3, line 25, of the printed bill, strike out "district", and insert in lieu thereof the following: "districts".

Amendment No. 12.

On page 3, line 25 of the printed bill, before 'consist", insert the following 'each"

Amendment No. 13.

On page 3, line 26 of the printed bill, strike out 'first.".

Amendment No. 14.

On page 3, line 26, of the printed bill strike out the comma after "third"

Amendment No. 15.

On page 3, line 39, of the printed bill, strike out "approval and ratification", and insert in lieu thereof the following: 'effective date'

Amendment No. 16.

On page 3, line 39 of the printed bill, strike out 'by the"

Amendment No. 17.

On page 3, line 40, of the printed bill, strike out "people

Amendment No. 18.

On page 3, line 41, of the printed bill after the word "three", insert the following: "incumbent".

Amendment No. 19.

On page 3, line 41, of the printed bill, after the words "The three justices", insert the following "of each".

Amendment No. 20.

On page 3, line 42, of the printed bill strike out "present"

Amendment No. 21.

On page 3, line 42, of the printed bill, strike out "in the third and fourth", and insert in lieu thereof the following "and divisions thereof, as such courts shall exist immediately prior to the effective date of this amendment, on such date"

Amendment No. 22.

On page 3 of the printed bill, strike out lines 43 to 46, inclusive

Amendment No. 23.

On page 3, line 47, of the printed bill, strike out "ment," and insert in lieu thereof the following, "shall".

Amendment No. 24.

On page 3, line 47 of the printed bill after "five justices of the", insert the following "District Court of Appeal for the"

Amendment No. 25.

On page 3, line 49, of the printed bill strike out "thereof"

Amendment No. 26.

On page 3, line 50, of the printed bill, strike out "at the time of the adoption", and insert in lieu thereof the following "on the effective date".

Amendment No. 27.

On page 3, line 52, of the printed bill, strike out "Upon the adop-", and on page 4, line 1, strike out "tion", and insert in lieu thereof the following, "On or after the effective date"

Amendment No. 28.

On page 4, line 2, of the printed bill, strike out "Article VI, section 26", and insert in lieu thereof the following, "section 26 of Article VI"

Amendment No. 29.

On page 4, line 3, of the printed bill, strike out "of said districts and divisions", and insert in lieu thereof the following "District Court of Appeal and division thereof created by this amendment".

Amendment No. 30.

On page 4, line 4, of the printed bill, strike out "The six justices".

Amendment No. 31.

On page 4 of the printed bill, strike out lines 5 to 18, inclusive

Amendment No. 32.

On page 4 of the printed bill, between lines 18 and 19 insert the following

"It shall be the duty of the Chairman of the Judicial Council, as provided in section 1a of Article VI of this Constitution, to expedite and equalize the work of, and to prevent congestion in, so far as possible, the District Courts of Appeal and the divisions thereof. In the performance of this duty, the Chairman of the Judicial Council is authorized to transfer a justice or justices from one District Court of Appeal or division thereof to any other District Court of Appeal or division thereof, as need may arise, and to create by such transfer, if need be, a temporary division of such District Court of Appeal"

Amendment No. 33.

On page 4, line 20, of the printed bill after the word "appeal", insert the following: "by the Legislature as herein provided"

Amendment No. 34.

On page 4, line 20, of the printed bill insert a comma after "Governor"

Amendment No. 35.

On page 4, line 21, of the printed bill, strike out "Article VI, section 26", and insert in lieu thereof the following: "section 26 of Article VI"

Amendment No. 36.

On page 5, line 6 of the printed bill, strike out "temporary"

Amendment No. 37.

On page 5, line 6 of the printed bill, strike out "or inability"

Amendment No. 38.

On page 5, line 6, of the printed bill, strike out "the" where it appears at the end of the line, and insert in lieu thereof the following: "a"

Amendment No. 39.

On page 5, line 7, of the printed bill, after "appeal", insert the following: "or his inability".

Amendment No. 40.

On page 5, line 8, of the printed bill, after "designate", insert the following: "a Justice of a District Court of Appeal or"

Amendment No. 41.

On page 5, line 8, of the printed bill, strike out "the", and insert in lieu thereof the following: "a"

Amendment No. 42.

On page 5, line 9, of the printed bill, strike out "temporary"

Amendment No. 43.

On page 5, line 14, of the printed bill, strike out "except, that", and insert in lieu thereof the following: " But three justices shall participate in the rendition of any decision, except that".

Amendment No. 44.

On page 5, line 17, of the printed bill, after the word "rehearing.", insert the following: "If a rehearing is granted, five justices shall participate in the consideration of the cause on rehearing, and the concurrence of three justices shall be necessary to render a decision on such rehearing.

Applications for rehearing in either the Supreme Court or District Courts of Appeal may be either oral or written, at the election of the petitioner, and the Judicial Council shall provide for the same by appropriate rule."

Amendment No. 45.

On page 6, line 7, of the printed bill, insert a period after the word "year"

Amendment No. 46.

On page 6, line 10, of the printed bill, after "place or", insert the following: "designate the".

Amendment No. 47.

On page 6 of the printed bill, strike out lines 14 to 29, inclusive, and insert in lieu thereof the following

"SEC. 4b. Except in cases in which original appellate jurisdiction is given to the Supreme Court, the District Courts of Appeal shall have appellate jurisdiction on appeal from the superior courts in all actions, matters, and proceedings of any kind or nature, civil or criminal, in which the superior courts are given original jurisdiction, and in which an appeal is provided by law, and shall also have such other jurisdiction as is conferred upon them by other provisions of this Constitution."

Amendment No. 48.

On page 6, line 31, of the printed bill, strike out "cases", and insert in lieu thereof the following: "actions"

Amendment No. 49.

On page 6, line 35, of the printed bill, strike out "provided by law.", and insert in lieu thereof the following: "certified by such superior court to a District Court of Appeal for decision, in such cases and in such manner as may be provided by rule of the Judicial Council."

Amendment No. 50.

On page 6, line 48, of the printed bill, strike out "date of the adoption", and insert in lieu thereof the following: "effective date".

Amendment No. 51.

On page 7, line 3, of the printed bill, strike out "on", and insert in lieu thereof the following: "of".

Amendment No. 52.

On page 7, line 15, of the printed bill, strike out "one or more", and insert in lieu thereof the following: "two".

Amendment No. 53.

On page 7, line 16, of the printed bill, strike out "dissents, either from the decision or", and insert in lieu thereof the following: "dissent".

Amendment No. 54.

On page 7 of the printed bill, strike out line 26.

Amendment No. 55.

On page 7, line 27, of the printed bill, after "hearing", insert the following: "in the Supreme Court".

Amendment No. 56.

On page 7, line 30, of the printed bill, strike out "such", and insert in lieu thereof the following: "the".

Amendment No. 57.

On page 7, line 30, of the printed bill, after "judgment", insert the following: "of the District Court of Appeal".

Amendment No. 58.

On page 7, line 31, of the printed bill, strike out the period following the word "therein", and insert in lieu thereof the following: ", subject to the exercise by the Supreme Court of the power, hereby granted to it, to extend, by order duly made, the period within which the order granting a hearing in any case may be made to and for an additional period, not to exceed 30 days."

Amendment No. 59.

On page 7, line 34, of the printed bill, strike out ", except, that the Supreme", and insert in lieu thereof a period.

Amendment No. 60.

On page 7 of the printed bill, strike out lines 35 to 41, inclusive.

Amendment No. 61.

On page 7, line 46, of the printed bill, strike out "It shall be the duty of the Supreme Court periodic-".

Amendment No. 62.

On page 7 of the printed bill, strike out lines 47 to 52, inclusive, and on page 8, strike out lines 1 to 5, inclusive.

Amendment No. 63.

On page 8, line 7, of the printed bill, after the word "appeal", insert the following: "or division thereof".

Amendment No. 64.

On page 8, line 16, of the printed bill, after the word "appeal", insert the following: "or division thereof".

Amendment No. 65.

On page 8, line 17, of the printed bill, strike out "questoins", and insert in lieu thereof the following: "questions".

Amendment No. 66.

On page 8, line 18, of the printed bill, insert a comma after the word "which".

Amendment No. 67.

On page 8, line 19, of the printed bill, after the word "appeal", insert the following: "or division thereof,".

Amendment No. 68.

On page 8 of the printed bill, following line 24, insert the following:

"Sixth, that a new section be added to Article VI of the Constitution of the State of California, designated 4d, to read as follows:

SEC. 4d. These several amendments shall become effective on July 1, 1939, at the commencement of the fiscal year 1939-1940."

Amendments adopted.

Assembly Constitutional Amendment No. 30 ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 35—Proposed amendment to Article IV, of the Constitution by adding section 25¼ thereto, relative to the practice of chiropractic.

Committee Amendments to Assembly Constitutional Amendment No. 35.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed measure, strike out line 10, and insert in lieu thereof the following: "amend sections 3, 4, 5, 6, 7, 9, 10, 12, 13, 16, and 17 of that certain"

Amendment No. 2.

On page 1 of the printed measure, strike out line 24, and insert in lieu thereof the following, $4,200 per annum and to delete the provisions relating to the organization of the board, its meetings and what number constitutes a quorum"

Amendment No. 3.

On page 2, line 3, of the printed measure, after "inspectors," insert the following "legal counsel, examination watchers",

Amendment No. 4.

On page 2, lines 5 and 6, of the printed measure, strike out "subject to the approval of the Director of Finance"

Amendment No. 5.

On page 2, line 15, of the printed measure, add after "board", the following: "and to make a charge therefor"

Amendment No. 6.

On page 2 of the printed measure, strike out lines 16 to 20, inclusive, and insert in lieu thereof the following

"(c) To change section 5 of said act to provide for the following:

(1) For the filing of applications with the board and the information to be contained therein and attached thereto.

(2) Evidence of good moral character

(3) A copy of the diploma issued by a legally chartered school, the requirements of which are not to be less than those required by the act

(4) An affidavit stating the applicant's right to the diploma and that the diploma was secured lawfully

(5) An application fee of $25

(6) Evidence of having pursued a course of professional instruction required by the act for the time and in the manner that the act provides

(7) The educational qualifications necessary to receive a license under the provisions of the act

(8) For the approval or rejection of schools by the board and for a remedy to be accorded a rejected school.

(9) For the courses of professional instruction attended by an applicant, the duration of the courses, the degree of attendance required, the courses necessary and the time allocated to each course

(10) The passing of an examination in the subjects provided by the act

(11) The evidence and standard of the high school work required

(12) The age for applicants

(13) The licensing of those graduated from approved chiropractic schools or colleges on or before July 1, 1939

(d) To change section 6 to provide for the examination procedure, the method of identifying applicants, the method of grading, the rights to reexamination in case of failure and to grant the board power to make rules and regulations governing the examination of applicants."

Amendment No. 7.

On page 2 of the printed measure, strike out lines 21 to 35, inclusive, and insert in lieu thereof the following

"(e) To change section 7 of said act to provide that the board shall issue one form of license under its seal, signed by the president and secretary, which license shall be designated 'A License to Practise Chiropractic' and which shall authorize the holder to practise chiropractic and in addition thereto to diagnose and treat diseases, deformities or other physical or mental conditions of human beings with the aid of heat, light, water, color, electricity, oils, massage and diet, and to define chiropractic to be the science and art of location and removal of any nerve interference or subluxations and their effects'

Amendment No. 8.

On page 2 line 36, of the printed measure, strike out "(e)", and insert in lieu thereof the following: "(f)".

Amendment No. 9.

On page 3, line 25, of the printed measure, strike out "(f)" and insert in lieu thereof the following: "(g)".

Amendment No. 10.

On page 3, line 28, of the printed measure, after "he", insert the following: "the conduct hereinafter set forth and such other conduct as may be provided in the act by the Legislature".

Amendment No. 11.

On page 4 of the printed measure, strike out lines 20 to 43, inclusive, and insert in lieu thereof the following:

"(h) To change section 12 of said act to provide for the renewal of certificates annually upon the payment of a renewal fee to be provided in the act, to provide that a course of instruction may be made a condition for the renewal of a license, to provide penalties for the failure to renew a license annually and to provide a method for the collection of renewal fees

(i) To change section 13 of said act to grant chiropractic licentiates power to sign certain certificates to be specified in the act, to provide that certain public records to be specified in the act are to be available to licentiates

(j) To change section 16 of said act to exempt service in case of emergency and the domestic administration of chiropractic, to regulate chiropractors from any other state or territory engaging in no more than consultation with licensed chiropractors in this State and to exempt the treatment of persons by prayer and the practice of religion."

Amendment No. 12.

On page 4, line 44, of the printed measure, strike out "(h)", and insert in lieu thereof the following: "(k)".

Amendment No. 13.

On page 5, line 3, of the printed measure, strike out "fifty-first", and insert in lieu thereof the following: "fifty-second".

Amendments adopted.

Assembly Constitutional Amendment No. 35 ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 6—Proposed amendment to Article VI, section 1a of the Constitution, relative to the Judicial Council.

Committee Amendments to Assembly Constitutional Amendment No. 6.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, in the first blank appearing therein, insert the word "Assembly", and in the second blank appearing therein, insert the word "Senate".

Amendment No. 2.

On page 1, line 3, of the printed bill, in the blank appearing therein, insert the word "third".

Amendment No. 3.

On page 1, line 25, of the printed bill, strike out the period, and insert in lieu thereof the following: " ; provided, that whenever there shall be more than one Judiciary Committee in either the Senate or the Assembly, the President of the Senate and the Speaker of the Assembly, respectively, shall designate the Chairman of a Judiciary Committee who shall be a member of the Judicial Council"

Amendment No. 4.

On page 2 of the printed bill, between lines 18 and 19, insert the following paragraph:

"(6) Adopt or amend rules of judicial conduct governing all judges in this State"

Amendment No. 5.

On page 2, line 19, of the printed bill, strike out "(6)", and insert in lieu thereof "(7)".

Amendments adopted.

Assembly Constitutional Amendment No 6 ordered to reprint and engrossment.

Assembly Concurrent Resolution No. 15—Relative to the celebration of Admission Day as a legal holiday.

Committee Amendment to Assembly Concurrent Resolution No. 15.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 17, of the printed measure, strike out "year 1937", and insert in lieu thereof the following: "years 1937 and 1938".

Amendment adopted.

Assembly Concurrent Resolution No 15 ordered to reprint and engrossment.

Assembly Bill No. 14—Proposed amendment to Article XIII of the Constitution, relative to taxation.

Committee Amendments to Assembly Bill No. 14.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 10, of the printed bill, strike out "ballot, immediately under", and insert in lieu thereof the following: 'nonpartisan ballot and in that column immediately to the right of the solid black dividing line on the partisan ballot over".

Amendment No. 2.

On page 2, line 11, of the printed bill, strike out 'State', and insert in lieu thereof the following: "Judicial".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1912—An act to authorize counties to convey and transfer to flood control districts within such counties drainage systems and works constructed in drainage improvement districts organized pursuant to an act entitled "An act to promote the drainage of wet, swamp and overflow lands, and to promote the public health in the communities in which they lie," approved March 21, 1903, or pursuant to the Drainage District Improvement Act of 1919, and prescribing the terms and conditions and the effect of such conveyance and transfer and fixing liabilities with respect to obligations of such drainage districts

Committee Amendments to Assembly Bill No. 1912.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, of the printed bill lines 4, 5, 6 and 7 of the title, strike out the following words: "'An act to promote the drainage of wet, swamp and overflow lands, and to promote the public health in the communities in which they lie' approved March 21, 1903, or pursuant to".

Amendment No. 2.

On page 1 of the printed bill, line 8 of the title, after the figures '1919" strike out the comma, and insert the following words "prior to January 1, 1937".

Amendment No. 3.

On page 1 of the printed bill, lines 3, 4, 5 and 6, strike out the following words: "pursuant to the provisions of 'An act to promote the drainage of wet, swamp and overflow lands, and to promote the public health in the communities in which they lie,' approved March 21, 1903, or"

Amendment No. 4.

On page 1, line 7, of the printed bill, after the figures '1919", strike out the comma, and insert the words "prior to January 1, 1937"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1913—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section, to be numbered 13½, relating to the conveyance and transfer to such district of drainage systems and works of drainage improvement districts and for the assumption of liability for the payment of bonds of drainage districts issued for the construction of the drainage systems and works so conveyed and transferred.

Committee Amendments to Assembly Bill No. 1913.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, after the word "transferred", strike out the period, and insert the following "and for the maintenance of such drainage system and works."

Amendment No. 2.

On page 1, lines 8, 9, 10 and 11, of the printed bill, strike out the words "pursuant to the provisions of 'An act to promote the drainage of wet, swamp and overflow lands, and to promote the public health in the communities in which they lie,' approved March 21, 1903, or".

Amendment No. 3.

On page 1, line 12, of the printed bill, after the figures "1919", strike out the comma, and insert the words "prior to January 1, 1937".

Amendment No. 4.

On page 2 of the printed bill, following line 17, insert the following: "Upon the transfer or conveyance to said flood control district of any such drainage improvement or drainage system, said flood control district shall thereafter do all things necessary for the proper maintenance and repair of any such drainage improvement or drainage system and shall make such changes in, additions to, or extensions of the improvement as may be found necessary. The board of supervisors of the flood control district shall have power in any year to levy a special tax upon the taxable real property in said flood control district sufficient to pay the cost and expense of maintaining, repairing, making changes in, additions to, or extensions of the drainage systems and works so conveyed and transferred, which said tax shall be levied and collected at the same time and in the same manner as the general tax for county purposes, and the revenue derived from said tax shall be paid into the county treasury to the credit of said district and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes. Taxes levied under authority of this section shall be separate and distinct from, and shall be in addition to the taxes authorized to be levied under section 14 of this act."

Amendment No. 5.

On page 1, line 5, of the printed bill, after the word "District", insert a comma, and add the following words: "by a 4/5 vote,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1721—An act relating to the sale, disposition of, advertising, and control through licensing and otherwise, of prophylactics and contraceptives.

Committee Amendments to Assembly Bill No. 1721.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "and contraceptives".

Amendment No. 2.

On page 1, lines 1, 2, and 3, of the printed bill, strike out "the following terms have the meanings herein ascribed to them, unless the context otherwise requires".

Amendment No. 3.

On page 1, line 4, of the printed bill, after "Pharmacy", add the following: "means and includes each and all of the following".

Amendment No. 4.

On page 1, line 7, of the printed bill, strike out "of Pharmacy".

Amendment No. 5.

On page 1, line 8, of the printed bill, after "Wholesaler", add the following: "means and includes each and all of the following".

Amendment No. 6.

On page 1, line 10, of the printed bill, strike out "State Board of Health", and insert in lieu thereof the following: "board".

Amendment No. 7.

On page 1, lines 11 and 12, of the printed bill, strike out "merchandise coming within the provisions of this act.", and insert in lieu thereof the following: "prophylactics for purposes of resale.

(c) Retailer means and includes each and all of the following: Any person, firm, partnership, or corporation operating a pharmacy recognized by the board through the granting of a license to sell prophylactics for use in the prevention of venereal disease.

(d) Importer means and includes each and all of the following: Every person who is first in possession of prophylactics within this State after the act of importation from without the State is completed."

Amendment No. 8.

On page 1, line 13, of the printed bill, strike out "(c) Physician", and insert in lieu thereof the following:

"(e) Physician means and includes each and all of the following".

Amendment No. 9.

On page 1 of the printed bill, strike out line 17, and in lieu thereof insert the following:

"(f) The board means the California State Board of Pharmacy."

Amendment No. 10.

On page 1, line 18, of the printed bill, strike out "(e) Prophylactic", and insert in lieu thereof the following:

"(g) Prophylactic means and includes each and all of the following".

Amendment No. 11.

On page 1 of the printed bill, strike out lines 20 and 21.

Amendment No. 12.

On page 1 of the printed bill, strike out line 23, and insert in lieu thereof the following: "dispose of prophylactics except by a".

Amendment No. 13.

On page 2, line 1, of the printed bill, strike out "Provided, however, that physicians", and insert in lieu thereof the following: "Physicians".

Amendment No. 14.

On page 2, line 2, of the printed bill, strike out "or sale".

Amendment No. 15.

On page 2, line 4, of the printed bill, strike out "when such sale or disposition is not made".

Amendment No. 16.

On page 2 of the printed bill, strike out lines 9 to 20, inclusive, and insert in lieu thereof the following:

"SEC. 4. All prophylactics shall be made from nonporous materials and bear the manufacturer's name and address and trade-mark which has been registered with the board by the manufacturer.

These requirements may be increased from time to time by the board."

Amendment No. 17.

On page 2, line 24, of the printed bill, after "held", insert the following: "; to seize any prophylactic not conforming to the standard set by this act;".

Amendment No. 18.

On page 2, line 34, of the printed bill, strike out "two kinds of license.", and insert in lieu thereof the following: "three kinds of licenses: Importer,".

Amendment No. 19.

On page 2, lines 37 and 38, of the printed bill, strike out "business is transacted. License", and insert in lieu thereof the following: "prophylactics are sold. A license".

Amendment No. 20.

On page 2, line 42, of the printed bill, strike out "The fee shall be $_____.", and insert in lieu thereof the following: "The fee for a wholesaler's license shall be $25.00."

Amendment No. 21.

On page 2, lines 50, 51 and 52, of the printed bill, strike out "merchandise classified under this act unless it specifically identifies the maker or distributor thereof. Provided, however, that nothing", and insert in lieu thereof the following: "prophylactics unless they bear his name, address and trademark. Nothing".

Amendment No. 22.

On page 3, lines 1 and 2, of the printed bill, strike out "to physicians such merchandise as comes within the meaning of this act", and insert in lieu thereof the following: "prophylactics to physicians".

Amendment No. 23.

On page 3, line 4, of the printed bill, strike out "merchandise", and insert in lieu thereof the following: "prophylactics".

Amendment No. 24.

On page 3, line 5, of the printed bill, strike out "the Pharmacy Law", and insert in lieu thereof the following: "this act

The fee for an importer's license shall be $50. An importer shall be subject to the same restrictions and the same provisions of this act to which a wholesaler is subject."

Amendment No. 25.

On page 3, line 6, of the printed bill, strike out "The fee shall be $_____ Retailer", and insert in lieu thereof the following: "The fee for a retailer's license shall be $2. A retailer's".

Amendment No. 26.

On page 3, line 13, of the printed bill, strike out "merchandise", and insert in lieu thereof the following: "prophylactic"

Amendment No. 27.

On page 3 of the printed bill, strike out lines 17 to 33, inclusive, and insert in lieu thereof the following:

"SEC. 10. It shall be unlawful for any person, firm, corporation, copartnership or association to display or expose for sale any of the articles described in section 1 of this act, or any containers or packages containing or advertising the same. It shall be unlawful to publicly advertise the sale or uses of the same on any placards, bill boards, hand bills, newspapers, periodicals, signs, or other printed matter or by radio; but the prohibition of this section respecting advertising shall not apply to medical and drug publications, the circulation of which is confined substantially to physicians and the drug trade, or to literature inclosed in or around the original package, or to the furnishing within the store or place of business of the licensee to persons qualified to purchase, such printed or other information as is needed in relation to any prophylactics coming within the provisions of this act"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1138—An act to amend sections 4 and 6 of, and to add section 11.5 to, the Optometry Law, relating to the practice of optometry.

Committee Amendments to Assembly Bill No. 1138.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out ", and to add section 11.5 to,".

Amendment No. 2.

On page 4 of the printed bill, strike out lines 12 to 21, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1734—An act to amend section 261a of the Code of Civil Procedure of the State of California, to authorize the appointment of two additional assistant secretaries, one additional stenographic secretary, a phonographic reporter to assist the superior court in any county, or city and county having a population of 900,000 inhabitants or over, and fixing the compensation therefor, and authorizing mileage for such employees under certain circumstances.

Committee Amendments to Assembly Bill No. 1734.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, strike out "two", and insert in lieu thereof the following: "three".

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out "fifteen", and insert in lieu thereof the following: "fourteeen".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2596—An act to add a new section to the Code of Civil Procedure to be numbered section 811, relating to actions against usurpers of public offices and franchises.

Committee Amendment to Assembly Bill No. 2596.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after the word "corporation", strike out "against any person who usurps, intrudes into or unlawfully holds or exercises any public office thereof; or".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1223—An act to amend sections 81, 504, 511, 525, 550, 576, 590 and 602 of, and to add sections 512 and 596.5 to, the Vehicle Code, relating to vehicles, the operation and equipment thereof, and certain crimes in relation thereto.

Committee Amendments to Assembly Bill No. 1223.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 4, line 30, of the printed bill, strike out "such a vehicle", and insert in lieu thereof the following: "any vehicle above mentioned or any trailer or semi-trailer."

Amendment No. 2.

On page 4, line 33, of the printed bill, strike out "two", and insert in lieu thereof the following: "one", and in line 34, strike out the word "two", and insert in lieu thereof the word "one."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1219—An act to amend section 375 of the Vehicle Code, relating to fees for special plates.

Committee Amendments to Assembly Bill No. 1219.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 375", and insert in lieu thereof the following: "sections 375 and 383".

Amendment No. 2.

On page 1 of the printed bill, after line 23, insert the following:

"SEC. 2. Section 383 of the Vehicle Code is hereby amended to read as follows:

383. When Fees Returnable. (a) Except as provided in subdivision (c), whenever any application to the department is accompanied by any fee as required by law and such application is refused or rejected, the fees shall be returned to the applicant.

(b) Whenever the department through error collects any fee not required to be paid hereunder the same shall be refunded to the person paying the same upon application therefor made within six months after the date of such payment.

(c) Whenever any application is made for the first set of special plates under subdivision (a) of section 375, and the application is refused or rejected, the sum of five dollars only shall be returned to the applicant."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 7—An act to amend section 996 of the Political Code, relating to vacancies.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 464—An act to amend section 1200 of the Probate Code, relating to mode of giving notice in certain instances, and where not otherwise prescribed.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1736—An act to amend section 4178 of the Political Code, providing that the county clerk, acting as clerk of the superior court, shall assist the judges and commissioners of such court in the transaction of judicial business.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1737—An act to amend section 204a of the Code of Civil Procedure of the State of California relating to the salary of the jury commissioner for the superior court in counties, or cities and counties having a population of 900,000 inhabitants or more.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 615—An act to amend sections 1245, 1246, 1248 1249, 1254 and 1255 of the Code of Civil Procedure, and to add new sections to be numbered 1244.1, 1245.2, 1246.1, 1246.3, 1248.1, 1248.2, 1254.1, 1254.2 and 1254.3 to the Code of Civil Procedure, relating to eminent domain.

Committee Amendments to Assembly Bill No. 615.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "1246.3", and the comma following said figures.

Amendment No. 2.

On page 1, line 7, of the printed bill, after the word "decedent", insert the following: "or an executor or an administrator has been appointed but the administration has been closed without distributing the property sought to be condemned,".

Amendment No. 3.

On page 2 of the printed bill, strike out line 4, and insert in lieu thereof the following: "or the administration has been closed without distributing the property sought to be condemned, judgment based on such service of summons shall be conclusive, except as provided in section 473a of this code.".

Amendment No. 4.

On page 2, line 47, of the printed bill, before the word "award", insert the word "total".

Amendment No. 5.

On page 3 of the printed bill, strike out lines 1 to 5, both inclusive

Amendment No. 6.

On page 5, line 19, of the printed bill, after the word "If", insert the following: ", within sixty days after the complaint is filed,".

Amendment No. 7.

On page 8, line 4, of the printed bill, strike out the semicolon following the word "trial", and insert in lieu thereof the following: ", except as provided in the next subdivision;

2. To the plaintiff, where a new trial is granted on the grounds of irregularity in the proceedings on the part of the defendant, or a mistrial is declared by reason of misconduct on the part of the defendant."

Amendment No. 8.

On page 8, line 5, of the printed bill, strike out "2" and insert in lieu thereof the figure "3".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1464—An act to amend sections 749 and 750 of the Code of Civil Procedure, relating to actions to determine adverse claims to and clouds upon titles to real property.

Committee Amendments to Assembly Bill No. 1464.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, following the figures "749.", strike out the following: "Determination of adverse claims to real property"

Amendment No. 2.

On page 1, line 10, of the printed bill, following the word "who", insert the following: "by himself or by himself and his predecessors in interest".

Amendment No. 3.

On page 1, line 15, of the printed bill, strike out the following: "Unknown defendants"

Amendment No. 4.

On page 1, line 24, of the printed bill, following the comma, strike out "and", and insert in lieu thereof the following: "but plaintiff shall not be required to name any person appearing of record whose claim as shown by the record arose more than 20 years prior to the filing of the complaint. Said complaint may include".

Amendment No. 5.

On page 2, line 5, of the printed bill, strike out the word "Lis pendens."

Amendment No. 6.

On page 2, line 12, of the printed bill, strike out the words "Summons. Posting. Service Publication. Mailing".

Amendment No. 7.

On page 2, line 13, of the printed bill, strike out the first five words "copy of summons and complaint."

Amendment No. 8.

On page 2, line 20, of the printed bill, strike out the word "Posting"

Amendment No. 9.

On page 2, line 23, of the printed bill, strike out the words "Service on resident defendants Affidavit of service."

Amendment No. 10.

On page 2, line 34, of the printed bill, strike out the entire first sentence.

Amendment No. 11.

On page 2 of the printed bill, strike out all of line 51.

Amendment No. 12.

On page 2, line 52, of the printed bill, strike out the words "and unknown defendants"

Amendment No. 13.

On page 2, line 8, of the printed bill, strike out the words "Rights and liabilities of unknown defendants."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2269—An act to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929; to repeal School Code section 6.470-3; to amend section 6.474 of the School Code; and to add to Chapter VI of Part II of Division VI of the School Code a new article to be known as Article Ia, all relating to the purchase of supplies and equipment for school districts.

Committee Amendments to Assembly Bill No. 2269.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "6.740-3", and insert in lieu thereof the figure "6.470-3".

Amendment No. 2.

On page 1, line 14, of the printed bill, after the word "equipment", insert a comma and the following "other than standard school supplies and equipment,".

Amendment No. 3.

On page 1, line 15, of the printed bill, after the word "education", insert a comma

Amendment No. 4.

On page 2, line 7, of the printed bill, strike out the comma.

Amendment No. 5.

On page 3, line 12, of the printed bill, strike out "6.470-1", and insert in lieu thereof the following: "6.470a".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1144—An act to add section 3.310 to the School Code, relating to attendance of pupils in high schools outside the district in which they reside.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1147—An act to amend section 6.30 of the School Code, relating to letting of contracts to lowest responsible bidder.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1391—An act to add a new article to Chapter I, Part III, Division IV of the School Code to be known as Article IVa, relating to the cancellation of school district warrants.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2270—An act to amend section 1.250 of the School Code, relating to the appointment of supervisors of attendance by county superintendents of schools.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1140—An act to amend section 11 of the Optometry Law, relating to the suspension and revocation of certificates.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 528—An act to add section 862b to an act entitled "An act to provide for the organization, incorporation and government of municipal corporation," approved March 13, 1883, relating to fire protection in cities of the sixth class.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1057—An act to amend section 1 of an act entitled "An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available," approved June 7, 1935, relating to city treasurers.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1317—An act to amend sections 506, 608, and 609 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1861—An act for the relief of certain assessment districts and for that purpose empowering municipal corporations to render financial aid to such districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1745—An act to add a new section to the School Code to be numbered 5.855, relating to the public school teachers permanent fund.

Committee Amendments to Assembly Bill No. 1745.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, in the title of the printed bill, strike out all of said title, and insert in lieu thereof the following:

"An act to amend section 5.853 of the School Code, relating to the teachers' permanent fund."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 11, both inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 5.853 of the School Code is hereby amended to read as follows:

5.853. Five per cent of the taxes collected during the fiscal year ending July 1, 1913, and each fiscal year thereafter under the inheritance or transfer tax laws of this State, shall be and is hereby appropriated and set aside to constitute part of the permanent fund.

The State Controller, at the beginning of each fiscal year, including the fiscal year ending July 1, 1914, shall transfer from the general fund to the permanent fund an amount equal to 5 per cent of the total sum paid into the State treasury during the preceding fiscal year on account of inheritance taxes

If the sum of retirement salaries and administrative expenses falling due during any biennium, shall exceed the sum, during said biennium, of the interest earned on the permanent fund and the contributions made to the said fund by the State under this section, by members under section 5 850 and by school districts and other employing agencies under section 5.854, then the Legislature shall appropriate to said fund in the biennium next following that in which such excess shall occur, an amount equal to such excess."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2395—An act amending section 6 471 of the School Code, relating to purchasing powers of boards of school trustees and boards of education.

Committee Amendment to Assembly Bill No. 2395.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, after the comma which follows the syllable "tra", add the following, "football uniforms, head guards and other football regalia, and any other equipment necessary to carry out the physical education program of any school in the district,".

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2422—An act to amend sections 735, 735.1, 735 3, 735.4, 735 8, 736, 736 1, 736 2, 736.3, 736.4, 737.5, 737 6, 737.7, 737.8, 737.9, 737.10, 737.11, 737 12, and the article headings of Articles II and IV of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4, and the article heading of Article III of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Committee Amendments to Assembly Bill No. 2422.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended in the Assembly, March 11, 1937, strike out all of lines 7, 8 and 9 in the title, and add in lieu thereof: "add Article 2A to Chapter 10 of Division IV of the Agricultural Code, relating to the establishment of minimum wholesale and retail prices of milk."

Amendment No. 2.

On page 14, line 5, of the printed bill, as amended on March 11, 1937, strike out "4", and insert in lieu thereof the following: "2A".

Amendment No. 3.

On page 14, line 7, of the printed bill, as amended on March 11, 1937, strike out "4", and insert in lieu thereof the following: "2A".

Amendment No. 4.

On page 14, line 8, of the printed bill, as amended on March 11, 1937, strike out "13", and insert in lieu therof the following: ".10".

Amendment No. 5.

On page 14 of the printed bill, as amended on March 11, 1937, strike out all of lines 13 to 28, inclusive, and insert in lieu thereof the following:

"737.11. The director shall, as soon as possible after the effective date hereof, in all marketing areas wherein a stabilization and marketing plan is in effect under the provisions of this chapter, designate and prescribe or provide methods for designating and prescribing,

(a) Minimum wholesale prices which, as used herein, shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores including the prices at which fluid milk or fluid cream shall be sold by distributors to retail grocery stores, restaurants, confectioneries and other places for consumption on the premises but excluding, however, the prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores owned or operated by such distributor, and

(b) Minimum retail prices which, as used herein, shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors or retail stores to consumers."

Amendment No. 6.

On page 14 of the printed bill, as amended on March 11, 1937, strike out all of lines 37 to 52, inclusive.

Amendment No. 7.

On page 15 of the printed bill, as amended on March 11, 1937, strike out all of lines 1 to 26, inclusive, and insert in lieu thereof the following:

"737.12. In determining minimum wholesale prices and minimum retail prices in any marketing area, the director shall first make an investigation in such marketing area to establish such facts as shall be necessary to permit him to carry out the intent of this article within the standards herein prescribed. In making such investigation, the director may examine the books and records of distributors in such marketing area and shall hold one or more public hearings, take testimony and may subpena witnesses. All testimony received at such hearings shall be under oath. Notice of any hearing held by the director, pursuant to this article, shall be given by the director to every distributor in such marketing area whose name appears upon the records of the Department of Agriculture or files a request for the same with the department, by mail or by publication for the time and in the manner prescribed in section 736 1 of this chapter. A record of any and all hearings held by the director, pursuant to this article, shall be made and filed in the office of the director and shall, at all times, be available to inspection by any interested person.

In determining minimum wholesale and minimum retail prices for any marketing area, the director shall take into consideration the following economic factors operative in such marketing area:

(1) The quantities of fluid milk or fluid cream, or both, distributed in such marketing area.

(2) The quantities of fluid milk or fluid cream, or both, normally required by consumers in such marketing area.

(3) The prices being paid to producers by distributors in such marketing area for fluid milk or fluid cream, or both.

(4) The reasonable costs of handling fluid milk or fluid cream, or both, incurred by distributors, including all costs of hauling, processing, selling and delivering by the several methods used in such marketing area in accomplishing such hauling, processing, selling and delivery, as such costs are determined by impartial surveys or audits, or both, of the books and records of all, or such portion of the distributors of each type or class in such marketing area as are found by the director to be representative to indicate the costs of all distributors in such marketing area.

(5) The amount of the available capacity for processing and distributing fluid milk, or fluid cream, or both, of all distributors in such marketing area and the estimated extent to which such available capacity is being used by such distributors.

(6) The purchasing power of consumers in such marketing area.

Following such hearings, investigations and examinations authorized above, the director shall establish minimum wholesale and minimum retail prices for such marketing area, provided that the director finds, in writing, with respect to such prices,

(1) That such prices are sufficient, but not more than sufficient, to cover all necessary costs, according to the method or type of distribution, including a reasonable return upon necessary capital invested, of reasonably efficient distributors engaged in the distribution of fluid milk, fluid cream, or both, in such marketing area as such necessary costs of reasonably efficient distributors are shown to the director by the facts available to the director from the investigations, surveys, audits, and hearings required in this section.

(2) That such prices will tend to maintain in business such number of reasonably efficient distributors of fluid milk and fluid cream, or both, in such marketing area as the director finds is necessary to insure to consumers in such marketing area sufficient distribution facilities of the several types or methods commonly used by consumers.

(3) That such prices will protect the interests of consumers of fluid milk, fluid cream, or both, in such marketing area by insuring to them adequate and efficient distribution facilities of the several types or methods commonly used by them without requiring such consumers to pay more for their supplies of such fluid milk, fluid cream, or both, than is necessary to maintain such adequate and efficient distribution facilities in such marketing area."

Amendment No. 8.

On page 15, line 27, of the printed bill, as amended on March 11, 1937, strike out ".16", and insert in lieu thereof the following: ".13".

Amendment No. 9.

On page 15, line 45, of the printed bill, as amended on March 11, 1937, strike out ".17", and insert in lieu thereof: ".14".

Amendment No. 10.

On page 16, line 5, of the printed bill, as amended on March 11, 1937, strike out ".18", and insert in lieu thereof the following: ".15".

Amendment No. 11.

On page 16, after line 26 of the printed bill, as amended on March 11, 1937, insert the following new section:

"737.16. Violation of any provision of this article may be proceeded against in the same fashion and by the same methods as provided in Article 3 of this chapter, the provisions of which, enforcing compliance and punishing violation by the several methods therein stated, are expressly adopted for the purposes of enforcing the provisions of this article, as if in this article fully again set forth at length. Violation of any provision of this article shall be good and sufficient reason for the refusal, suspension or revocation of any license issued or applied for under this chapter, in the manner and by the procedure set forth in Article 3 of this chapter."

Amendment No. 12.

On page 16, line 27, of the printed bill, as amended on March 11, 1937, strike out "Sec. 2.", and insert in lieu thereof the following: "737 17".

Amendment No. 13.

On page 16, line 27, of the printed bill, as amended on March 11, 1937, strike out "amendatory."

Amendment No. 14.

On page 16 of the printed bill, as amended on March 11, 1937, strike out all of lines 30 to 34, inclusive, and insert in lieu thereof the following: "cultural Code."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 112—An act to adopt the California Redwood as the official State tree of this State.

Committee Amendment to Senate Bill No. 112.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out "(Sequoia semper-", and in line 2 thereof, strike out "virens)".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the vote whereby the Governor's veto to Assembly Bill No. 331 was sustained was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 424 Continued.

On motion of Mr. Lyon, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 42 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1760 Continued.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1760 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1200 Continued.

On motion of Mr. Garland, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1200 was refused passage was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 618 Continued.

On motion of Mr. Yorty, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 618 was passed was continued until the next legislative day.

Third Reading of Assembly Bills.

Assembly Bill No. 756—An act to add section 3a to an act entitled "An act to provide for the organization and creation of improvement districts within irrigation districts organized under the California Irrigation District Act; to provide for the acquisition, construction, operation, maintenance and repair of improvements therein, and for the levy of assessments on the lands of such improvement districts," approved May 25, 1927, to provide for an alternative method of instituting the formation of a special assessment district within an irrigation district to provide for the construction and maintenance of improvements therein.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—68

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 773—An act to amend sections 26 and 26a of the State Civil Service Act, relating to proof of status by veterans.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Withdrawal and Re-reference of Assembly Bill No. 2675.

On motion of Mr. Miller, Assembly Bill No. 2675 was withdrawn from the Committee on Public Utilities, and re-referred to the Committee on Labor and Capital.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1069 re-referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1559 re-referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1951 re-referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 757 re-referred to Committee on Agriculture.

Assembly Bill No. 636 re-referred to Committee on Financial Institutions.

Assembly Bill No 1400 re-referred to Committee on Insurance.

Assembly Bill No. 1402 re-referred to Committee on Insurance.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 289—An act to add a new section to the Political Code, to be numbered 4076a, relating to procedure for audit, allowance and payment or rejection of claims in counties governed by freeholders' charters.

Motion to Amend Assembly Bill No. 289.

Mr. Levey moved to amend Assembly Bill No. 289 as follows

Amendment No. 1.

On page 1, line 4, of the printed bill, after "authority", insert the following "of section 7½ of Article XI".

Amendment adopted.

Assembly Bill No. 289 ordered to reprint, and re-engrossment

Hon. Henry P. Meehan in the Chair.

At two o'clock and thirty minutes p.m., Hon Henry P. Meehan, Speaker pro tempore of the Assembly in the chair.

Assembly Bill No. 663—An act to add secetion 538c to the Penal Code, relating to poppies, badges, labels, and insignia of veterans' organizations.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gluck, Hawkins Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Recess.

At two o'clock and thirty-five minutes p.m., the Assembly was declared at recess for presentation of a St Patrick's Day program.

Reassembled.

At four o'clock and twenty-five minutes p.m., the Assembly reconvened.

Speaker Jones in the chair.

Motion for Vote of Thanks.

On motion of Mr. Cronin, a vote of thanks by the Assembly was presented to "Bud" Lollier and Mrs. Hulda McGinn for the entertainment furnished by them in observance of St. Patrick's Day.

Adjournment.

At four o'clock and thirty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Thursday, March 18, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-NINTH LEGISLATIVE DAY
SEVENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 18, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Cottrell, the further reading of the Journal of Wednesday, March 17, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Burns, Hugh M., on motion of Mr. Garibaldi

Mr. Waters, on motion of Mr. Cunningham

Mr. Morgan, on motion of Miss Miller.

Mr. Cronin, on motion of Mr. Peyser

Guests Extended Privilege of Assembly Floor.

On request of Mr. Garibaldi, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L. J. Spindt, Principal, West Side Union High School, Los Banos, California, and the following pupils: Joe Areias, Ernest Balatti, Arlene Becker, George Bonillas, Tony M. Cozzi, Madeline Cuiffo, Anna De Gregory, Nancye Fawcett, Alzara Gomes, Thomas Gray, Bettie Hancock, Mary Belle Hansen, Albert Heugo, Alba Hultgren, Danny Iacopi, Joe Latorraca,

Rupert Manducca, Joyce Mann, Mary Marchese, Mayme Mariochi, James McDonald, Jean McNeil, Melvin Miano, Eunice Puccinelli, Evelyn Robinson, Eugene Russell, Joe Sophia, Charles Tiller, and Donald Weedmark.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ernest J Cuthbertson, Principal, Lincoln School, Taft.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Beitzel, Miss Kirchgater, and Tom Ross, teachers, and the following pupils of Elk Grove Union Grammar School: Laura Kidwell, Alice Morrison, Arleen O'Brien, Harvey Doty, Daniel Feickert, Darrel Kidwell, Mori Miyamoto, Alice Drovetsky, Yoshie Kitayama, Yirko Nakashima, June Yoshihara, Barbara Dizney, George Carlisle, Dominic Cavallero, Tevis Edwards, Seiji Nakatani, Charles Richardson, Masaye Ishigaki, Misaye Ishigake, Nancy Maruki, Harry Coffey, Herman Cavelti, Clifford Mathewson, James McLeod, Marion McLeod, Takashi Miyamoto, Manual Vargas, Glynn Wells, John Bartok, John Holden, Frank Kawaguchi, Isamu Koyama, Robert Mix, Frank Sanjo, Yuji Sawamura, Richard Smith, Ralph Brittel, John Daley, Andrew Henderson, James Henderson, Harold Hunt, Walter Neher, Monoru Sawaii, Hajamie Sugimoto, Frank Tanabe, Donald Tribble, Conrad Baker, Kiyoshi Mizukama, Melvin Jackson, Robert Mullen, Jim Kawaguchi, Kunio Sagara, Akira Urokogato, Ichio Yoshino, Junior Davison, Mary Casasos, Marion Markofer, Filomenia Avila, Florence Baumiller, Rachael Bippus, Chiyeko Sugimoto, Alice Yoshida, Arthur Chalmers, Jack Coons, Buster Dart, Carl Gobel, Jack Hironymous, Tutao Urokogato, Andrew Baker, Victor Horst, Fred Poston, Julian Malka, Bill Rivas, Howard Syemoto, Edna Adams, Margaret Cavelti, Midori Miyamoto, Arleen Baker, Rosalie Casasos, Lizzie Olsen, Eleanor Caples, Muriel Colton, Marie Latta, Bonnie Mitchell, Martha Spitzer, Mary Sugimoto, Hideko Sakuma, Wilma Van Doren, Donna Alfred, Stella Bach, Marie Drovetsky, Vera Heredia, Zilpha Holt, Mary Oda, Charlotte Richardson, June Robbins, Yukiko Yamaguchi, Anna Yoshinga, Alice Baumiller, Aleta Dart, Shirley McDonald, Tsuneko Sugimoto, and Mae Cluck.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sister Cecelia Louise, Sister Bernadette, Sister Ignatius of Mary, Sister Angela Bernardine, Sister Agnes Joseph, Sister Joseph Marie and the following students of Social Science Classes from Notre Dame High School, Alameda: Elaine Sinnott, Fay O'Connor, Anna Jame Wiegmann, Kathleen Keating, Dorothea Herald, Bernadette Kane, Helen Wooldridge, Kathleen Murray, Jeanne Weber, Helen Howard, Beatrice McCann, A. Berg, V. White, C. Pfeffer, B. Bickerdike, J. Gallagher, M. Mulvany, N. Semple, M. Mullins, J. Doyle, R Lombard, Alice O'Hare, H. Lucas, E. Tesconi, M J. Driscoll, M. Ohrt, Catherine Carlson, Audrey Landon, Violet Anne Kieny, Mary A. Madsen, Virginia d'Arteny, Audrey O'Hare, Betty Healy, M. Geary, Patricia Healy, H. Gannon, T. Drage, L. Stretz, M. J. Stevenson, M. Healy, and P. Presto.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Clyffice Galvin, teacher of Roselawn School, Turlock, and the following eighth grade pupils, Harry Ito, Evelyn Silva, Eunice Kirkpatrick, and Ella June Mansfield, and Grant Galvin, pupil, second year, Turlock Union High School.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Irwin E. Farrar, President of the Farrar-Loomis Seed Co. of Hemet, and member of the Advisory Committee of the Riverside County Chamber of Commerce.

On request of Messrs. Cassidy and Dannenbrink, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arthur J. Lonergan.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lynn Peterson of the East Side Brewery, Los Angeles.

Assistant Clerk Berry Reading.

Presentation of Petitions.

The following petition was received and filed:

By Mr. Speaker:

From Bay Cities Metal Trades Council, regarding pardon of Thomas J Mooney.

Communications.

The following communications were received and read

By the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials, and is duly recognized as representative of the newspaper set opposite his name:

Silent Broadcaster—Perry E. Seeley

By Mr. Mayo:

AUBURN SKI CLUB, IN THE TAHOE NATIONAL FOREST.

AUBURN, CALIFORNIA, March 17, 1937.

The Honorable Legislature of the State of California.

GREETING.

There will be held at Cisco, California, on the twenty-first of March, the last huge ski event of the year.

Sigmond Ruud, former ski champion of the world and Norway's ace of the ski jump, will be present to compete with Henry Sotvedt, Canada's champion, and the cream of Nevada and California's best men.

In addition to the biggest jumping contest of the year there will be the open slalom, women's slalom and a novice obstacle race.

The military patrol race, held for the first time in the United States, between teams from the 184th Infantry and the Bowman Rifle Club, will offer an instructive action with men carrying full equipment over difficult terrain and firing twenty rounds at the targets from 200 yards before finishing.

You are most cordially invited to attend this, the biggest ski event of the year and the Auburn Ski Club will be happy to do all in its power to make your stay pleasant and instructive.

Sincerely yours,

AUBURN SKI CLUB,
M. C. MASON, Secretary.

Reports of Standing Committees.

The following reports of standing committees were received and read.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 450. **Assembly Bill No. 2422.**
Assembly Bill No. 1059.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 7.	**Assembly Bill No. 1317.**
Assembly Bill No. 464.	**Assembly Bill No. 1391.**
Assembly Bill No. 528.	**Assembly Bill No. 1726.**
Assembly Bill No. 930.	**Assembly Bill No. 1736.**
Assembly Bill No. 1057.	**Assembly Bill No. 1737.**
Assembly Bill No. 1089.	**Assembly Bill No. 1754.**
Assembly Bill No. 1140.	**Assembly Bill No. 1861.**
Assembly Bill No. 1144.	**Assembly Bill No. 1864.**
Assembly Bill No. 1147.	**Assembly Bill No. 2270.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:
Assembly Bill No. 338.
Assembly Bill No. 2743.
Respectfully reports the same back with the recommendation: Do pass.

FLINT, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1063.
Assembly Bill No. 1276.
Assembly Bill No. 2732.
Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:
Assembly Bill No. 216.
Assembly Bill No. 1667.
Respectfully reports the same back with the recommendation: Do pass.

MALONEY, Chairman

The above reported bills ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
Senate Bill No. 517.
Respectfully reports the same back with the recommendation: Do pass.

MEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 29—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class,"

approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation

Senate Bill No. 90—An act to amend section 1340 6 of the Fish and Game Code, relating to bears.

Senate Bill No. 854—An act to repeal certain sections of the Political Code, herein specified, relating to cities and towns.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 29 read first time, and referred to Committee on Municipal Corporations.

Senate bill No 90 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 854 read first time, and referred to Committee on Municipal Corporations.

Motion to Print Communication in Journal.

On motion of Mr. Voigt, the following communication was ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,
SACRAMENTO, CALIFORNIA, March 18, 1937.

Honorable William Moseley Jones, Speaker of the Assembly,
Assembly Chamber, State Capitol, Sacramento, California.

DEAR MR. SPEAKER: In view of increased demands made upon us by members of the Legislature, we have augmented the stenographic staff of this office This we did upon consulting the Attorney General, the scope of the extended service being indicated in an opinion from him, a copy of which is transmitted herewith.

It will be appreciated if the members, in availing themselves of the additional service thus extended, will keep in mind the limitations expressed in the Attorney General s opinion

Very sincerely yours,

FRED B. WOOD, Legislative Counsel.

(COPY)

STATE OF CALIFORNIA, LEGAL DEPARTMENT, March 17, 1937.

Honorable Fred B. Wood, Legislative Counsel,
State Capitol, Sacramento, California.

DEAR SIR: From your communication of this date furnished me, it appears that members of the Legislature and committees of the two houses, because of the shortage of the necessary officers, employees and attaches of the Legislature, are daily calling upon you for the assistance of your department to a greater extent than has heretofore been the custom, and in order to furnish this additional assistance your clerical and stenographic force is necessarily increased.

It is understood, of course, that this increase of force is to enable you to perform your duties, and is not to be used to enable the Legislature, its members or committees to perform the duties which the law casts upon them.

You have asked to be advised what additional clerical help and assistance you may furnish the Legislature, its members and committees under the authority of the act establishing the Legislative Counsel Bureau, of which you are the head.

In 1913 (Chap 322, Stats. 1913), the Legislature created the Legislative Counsel Bureau, and therein set out certain powers, duties and responsibilities incumbent upon the bureau, and I think to more clearly answer the question you have asked it is well to set forth in somewhat complete detail the nature of these powers, duties and responsibilities.

Section 1 of the act creates the bureau, to be in charge of a chief to be known as Legislative Counsel of California to be selected biennially in each odd-numbered year by the Senate and Assembly in joint session

Section 2 of the act requires you to prepare and assist in the preparation, amendment and consideration of legislative bills when requested or upon suggestion, as provided in the act, and further provides that upon request you shall advise any State officer, commissioner or bureau as to the preparation of bills to be submitted to the Legislature, and further that when requested to do so, you shall advise as to their work with any legislative committee appointed to carry on investigations between sessions of the Legislature.

Section 2 further provides that you shall advise the Legislature from time to time as to needed revision of the statutes, and that you shall present to each session of the Legislature a statement calling attention to laws which have been repealed by implication or which have been declared unconstitutional by the courts, but which have not been expressly repealed.

Section 3 of the act provides that the Legislative Counsel shall prepare or assist in the preparation or amendment of legislative bills, at the suggestion, in writing, and as in the act set forth, of any committee of the Senate or Assembly of the Legislature of the State, and further provided that from the time the Legislature of the State convenes until it has adjourned finally, the Legislative Counsel shall give such consideration to and service concerning any bill before the Legislature, as circumstances will permit, and which is in any way requested by the Senate or the Assembly or any committee of the Legislature having such bills before it for consideration. The section further provides that neither the Legislative Counsel nor any employee of the bureau shall oppose or urge legislation. The section further provides that the bureau, upon request, and so far as may be in its power, aid and assist any member of the Legislature as to bills, resolutions and measures, drafting the same in the proper form, and furnishing to them the fullest information upon all matters in the scope of the bureau, and further that neither the Legislative Counsel nor any other member of the bureau shall reveal to any person outside thereof the contents or nature of any matter which has not become a public record, except with the consent of the person bringing such matter before the bureau.

Section 4 of the act requires the Legislative Counsel to be in attendance upon all sessions of the Legislature and that his permanent office shall be in the State Capitol in Sacramento, convenient to the chambers of the two houses of the Legislature, and that for the convenience of members of the Legislature, and when in his judgment the conduct of his work requires, he may maintain temporary offices at other places in the State of California.

Section 5 of the act authorizes the Legislative Counsel to employ such professional assistants and such clerical and other employees as he may deem to be necessary for the effective conduct of the work under his charge.

Section 7 of the act provides, with the exceptions therein noted, that all books, papers, records and correspondence of the bureau pertaining to its work, shall be public records and shall be filed with and recorded and kept at the permanent office of the bureau.

Section 8 of the act provides that any and all persons receiving service from the bureau, as provided in the act, may, by request in writing filed with the bureau, have all their personal papers and correspondence temporarily kept private and confidential, but that said papers and correspondence shall become public records whenever the Legislature shall so order or said written request is withdrawn.

From all of the foregoing, particularly the provisions of section 5 of the act, it must be held that as to your authority to employ professional assistants, clerical help and other employees, you can do so only to the extent that you deem it to be necessary for the effective conduct of the work under your charge. In other words, they can be employed by you only for the performance of the duties incumbent upon you and not to perform any duty or duties incumbent upon any other officer or person. It would appear therefore that the thing for you to consider and determine in each instance is whether or not the service you are asked to furnish is a service that you are required or authorized by law to furnish as a duty of your office, rather than a duty incumbent upon some other officer or person. The statute clearly does not contemplate that the employees of your office could be used to do the work of others whose duties are otherwise prescribed by law.

No doubt a member of the Legislature could call at your office and request either yourself or a member of your staff to advise with him as to the legality or interpretation of a bill or resolution, and ascertain from you how the same might, if necessary, be amended to accomplish the purpose he desires, and to request of you that you prepare such a bill, resolution or amendment or furnish him a legal opinion in connection therewith, all of which it would be your clear duty to do. The member of your staff would then, in giving consideration to the request, prepare such a bill, resolution, amendment or opinion, and in doing this he would, of course, use such of your clerical force as might be necessary to comply with the request. This being true, I can see no legal or other objection to this same legislator who might be qualified to prepare for himself such bill, resolution, amendment or opinion, to be submitted to you for consideration and approval or rejection, to ask for the temporary use of a member of your clerical force to dictate the matter directly rather than through a member of your legal staff. This would clearly be a case of assisting you in the performance of your work with no extra expense to your department, but with some saving of expense and time to you and the member, and I can see no objection to such a member performing other things of a similar nature such as using a member of your clerical force to write a letter to a constituent furnishing such person such information concerning pending legislation that the same legislator could ask you to furnish him for transmittal to such constituent. Although it might technically be said that the duty to furnish a constituent this information is a duty of the legislator **and not a duty** of your bureau, nevertheless the legislator could request this same information of you for his use which he could transmit to his constituent, so in truth and in

fact you would merely be doing by the shorter method a duty incumbent upon you by the longer method.

On the other hand, as it is no part of the duty of your bureau to take part in any of the private correspondence of a member of the Legislature, you could not loan a member of your force to do this for such legislator, and again, as it is no part of your duty or of your force, clerical or otherwise, to act as clerk of the various standing committees, and keep the minutes and records thereof, this could not be done by your office but is a duty to be performed by the employees and attaches of the Legislature

Further, I can anticipate that quite a number, if not all, of the members of the Legislature receive requests from interested parties for copies of pending bills, desiring to know the contents thereof, and as the member might not be familiar with the particular bill, or know its number, he could, no doubt, under the provisions of section 3 of the act requiring you to give service concerning any bill before the Legislature, ask you to search for and find a particular bill in question and furnish it to the member, and if he could do this, I can see no objection to his requesting you to forward the bill direct to the person requesting it, saving the time and the trouble of transmitting it to the member through the legislator. On the other hand, no doubt the legislators receive many letters from constituents urging the passage or defeat of certain legislation. Naturally the members would desire to, and do acknowledge these letters, stating in substance or effect that they will be pleased to give the matters due consideration. These, I think, are matters entirely for the member and not those for your office to perform for the members, because, needless to say, your office could not know, and therefore could not tell what consideration the members of the Legislature would give to any legislation.

Again, you may be called upon, and doubtless are, from time to time, to prepare arguments for and against certain legislation or bills Clearly, you could not do this, either in person nor through your clerical force, by reason of section 3 of the act, which prohibits yourself and all of your employees from opposing or urging legislation.

Many other examples might be cited setting forth the things that you could legally do, as well as those you are not privileged to do, but I have suggested a few of them, trusting the same might be helpful in assisting you in determining in each instance whether or not the particular service or services you are asked by the members of the Legislature to permit your clerical force to perform fall within the category of things you are either required to do, authorized to do, privileged to do, or forbidden to do. However, I hope what has been stated will be of some help in guiding you in your desire to furnish the Legislature the additional help necessary to carry on to a greater extent the service now being requested of you by the members thereof.

Yours very truly,

U. S. WEBB, Attorney General.
By JESS HESSION, Deputy Attorney General

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

Assembly Concurrent Resolution No. 33: By Messrs. Richie, Tenney, Maloney, Jones, Dawson, Hornblower, Voigt, Welsh, Hawkins, Pelletier, Miller, Patterson, Clark, Rosenthal, King, Lore, Boyle, Glick, Peek, Gilbert, Hunt, Laughlin, Cassidy, Yorty, Sawallisch, Meehan, McMurray, Heisinger, Burns, Michael J , Flint, Andreas, and Reaves—Relative to requesting the Governor to grant a full and complete pardon to Thomas J. Mooney.

Introduced, and referred to Committee on Rules.

Second Reading of Assembly Bills.

Assembly Bill No. 1896—An act to add a new section to the Political Code, to be known as section 443, relating to the transfer of moneys from special funds and other State accounts; the creation and reimbursement of the general cash revolving fund and the issuance of warrants against such fund, the issuance, indorsement and sale of registered warrants payable out of the general fund; providing for the obtaining of legal opinions relative to the legality of State warrants and making appropriation therefor; confirming the validity of warrants heretofore registered pursuant to section 441 of the Political Code and

now outstanding, including warrants issued, registered and sold under the plan relating to such warrants provided for by resolution of the State Board of Control adopted November 24, 1936; and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1896.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following:

"An act to amend section 441 of the Political Code and to add a new section to the Political Code, to be known".

Amendment No. 2.

On page 1 of the printed bill, strike out line 6 of the title, and insert in lieu thereof the following: "indorsement, sale, rate of interest upon and payment of registered warrants payable out".

Amendment No. 3.

On page 1 of the printed bill, immediately after the enacting clause, insert the following:

"SECTION 1. Section 441 of the Political Code is hereby amended to read as follows:

441. Whenever the State Controller draws his warrant upon the State Treasurer payable out of the general fund in the State Treasury, and said warrant represents an amount in excess of the unapplied money in the general fund, the State Controller shall upon the date that such warrant is drawn present such warrant to the State Treasurer, who shall indorse upon the back thereof the date of presentation by the Controller and that the same is not paid for want of funds and bears interest at the rate fixed by the Governor, Treasurer and Controller from the date of such registration to and including the date upon which the State Treasurer first advertises that said warrant is payable upon presentation. Indorsement by the Treasurer in the manner hereinabove prescribed shall constitute the registration of such warrant.

The Governor, Treasurer and Controller, acting as a committee shall by majority vote fix the rate of interest paid on warrants registered hereunder but such rate shall not exceed 5 per cent per annum.

After the registration thereof the State Treasurer shall return warrants to the State Controller for distribution.

The State Controller shall furnish the State Treasurer with a separate warrant register for warrants which are registered under this section, and the State Treasurer shall stamp on said warrant register the date on which any warrant is registered and the date on which said warrant is first advertised as payable.

Registered general fund warrants shall be paid, together with all interest due thereon, at such times as the Controller, with the approval of the committee herein created, shall determine, and at such times the Controller shall notify the State Treasurer of the numbers of the warrants which are to be redeemed. The State Treasurer shall immediately publish notice that said warrants are redeemable by advertising for six consecutive days, Sundays excepted, in newspapers publishing legal notices published in the city of Sacramento, in the city of San Francisco, and in the city of Los Angeles.

Said notice shall read substantially as follows:

"NOTICE TO HOLDERS OF STATE OF CALIFORNIA WARRANTS.

State Controller's warrants number_____to number_____, inclusive, drawn against the general fund in the State Treasury are now payable upon presentation to the State Treasurer.

(Name of State Treasurer)
State Treasurer."

Warrants registered in accordance with the provisions of this section shall cease to bear interest on the date following the day upon which said advertisements first appear.

After payment of support of the public school system, as provided for in section 14 of Article XIII of the Constitution, all moneys remaining in the general fund in the State Treasury shall be first applied to the payment of the principal and interest of any outstanding bonds of the State of California as such principal and interest become due. If at any time it is necessary to register warrants for the payment of such principal and interest, warrants so registered shall constitute a prior lien in the order of their issuance on any moneys thereafter received into the general fund in the State Treasury, and said warrants shall be paid before any other warrants regardless of the prior issuance of the latter.

For the purposes of this section "unapplied money" means money in the general fund in the State Treasury for which outstanding warrants have not already been drawn and which would remain in said general fund if all outstanding warrants theretofore drawn were paid."

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "section 1", and insert in lieu thereof "Sec. 2".

Amendment No. 5.

On page 2, line 33, of the printed bill, add closing parenthesis after "any".

Amendment No. 6.

On page 2, line 34, of the printed bill, strike out the closing parenthesis after the word "offered".

Amendment No. 7.

On page 3, line 7, of the printed bill, after "such", insert "claim".

Amendment No. 8.

On page 3, line 44, of the printed bill, strike out "2", and insert in lieu thereof "3".

Amendment No. 9.

On page 3, line 46, of the printed bill, strike out "3", and insert in lieu thereof "4".

Amendment No. 10.

At the end of the printed bill, add the following:

"SEC. 5. All registered warrants hereafter issued pursuant to the provisions of this act shall constitute negotiable instruments."

Amendment No. 11.

On page 2, line 3, of the printed bill, after the words "carried out," add "Nothing in this section shall apply to the unemployment fund or the unemployment administration fund created by Chapter 352, Statutes of 1935."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 4—An act to amend sections 2, 3, 4, 5, 6, 10 and 11 and to repeal section 7 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to needy blind.

Committee Amendments to Assembly Bill No. 4.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "6," insert the following: "8,".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out "for".

Amendment No. 3.

On page 1, line 13, of the printed bill, after "aid", insert a period.

Amendment No. 4.

On page 1 of the printed bill, strike out lines 15 to 17, inclusive.

Amendment No. 5.

On page 2, lines 1 and 2, of the printed bill, strike out "a citizen of the United States".

Amendment No. 6.

On page 2, line 8, of the printed bill, strike out "a citizen of the United States".

Amendment No. 7.

On page 2, line 31, of the printed bill, strike out "ninety", and insert in lieu thereof the following: "thirty".

Amendment No. 8.

On page 2 of the printed bill, strike out line 35, and insert in lieu thereof the following: "tutions If any applicant receiving".

Amendment No. 9.

On page 2 of the printed bill, between lines 38 and 39, insert the following: "upon failure on the part of the kindred, referred to hereinabove to perform their duty to support the blind person, the board of supervisors shall request the district attorney or other civil legal officer of the county or city and county to proceed against such kindred in the order of their responsibility for support. Upon such request".

Amendment No. 10.

On page 2, line 40, of the printed bill, strike out "may", and insert in lieu thereof the following: "shall".

Amendment No. 11.

On page 2, line 49, of the printed bill, strike out "semiannual"

Amendment No. 12.

On page 2, line 51, of the printed bill, after "owns", insert the following: "real".

Amendment No. 13.

On page 3 of the printed bill, strike out lines 2 to 7, inclusive.

Amendment No. 14.

On page 3 of the printed bill, after line 7, insert the following: "and provided further, that no one shall receive aid under this act who owns personal property, the county or city and county assessed valuation of which is in excess of $500; the term "personal property" shall not include a policy or policies of insurance which has or have been in effect at least five years prior to the date of application if the total value of the policy or policies at maturity is in an amount not exceeding $1,000;".

Amendment No. 15.

On page 3, line 8, of the printed bill, strike out "of record,".

Amendment No. 16.

On page 3, line 21, of the printed bill, strike out "or", and insert in lieu thereof the following: "nor".

Amendment No. 17.

On page 3, line 44, of the printed bill, strike out "sixty", and insert in lieu thereof the following: "ninety".

Amendment No. 18.

On page 3 of the printed bill, strike out lines 47 and 48, and insert in lieu thereof the following: "and shall be subject to approval by the State Department of Social Welfare."

Amendment No. 19.

On page 3, line 50, of the printed bill, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 20.

On page 4 of the printed bill, strike out line 16, and insert in lieu thereof the following: "know that the applicant has the residential".

Amendment No. 21.

On page 4, line 18, of the printed bill, after "physician", insert the following: "skilled in the diseases of the eye,".

Amendment No. 22.

On page 4, line 27, of the printed bill, strike out ", in such sum", and insert a period.

Amendment No. 23.

On page 4 of the printed bill, strike out lines 28 to 34, inclusive, and insert in lieu thereof the following: "The amount of aid to which any applicant shall be entitled shall be, when added to the income of the applicant from all other sources, $50 per month. Income from any of the following sources of a combined total value not exceeding an annual average of $33.33 per month shall not be considered for any purpose. (a) Income from applicant's labor or services; (b) The value of foodstuffs produced by the applicant or his family for his use or that of his family; (c) The value of firewood and/or water produced on the premises of the applicant or given to him by another for the applicant's use; (d) The value of gifts other than regular contributions by relatives legally responsible under this act. Income in addition to the above specified shall be computed on the basis of net income. The aid granted under this act shall be paid monthly, in advance, out of such funds as may be designated by the board of supervisors on warrant of the county auditor of the county or city and county. Payments of aid shall be commenced as of the first day of the month in which the application is granted, but in any event the beginning of aid shall not antedate the date of application."

Amendment No. 24.

On page 4, line 45, of the printed bill, strike out "Social Welfare Board.", and insert in lieu thereof the following: "State Social Welfare Board for a fair hearing."

Amendment No. 25.

On page 4, line 47, of the printed bill, after "the", insert the following: "State"

Amendment No. 26.

On page 5, line 1, of the printed bill, after "the", insert the following "State".

Amendment No. 27.

On page 5, line 7, of the printed bill, after "sum", insert the following ", if any,".

Amendment No. 28.

On page 5, line 8, of the printed bill, after "the", insert the following. "State".

Amendment No. 29.

On page 5, line 21, of the printed bill, after "the", insert the following: "State".

Amendment No. 30.

On page 5 of the printed bill, between lines 21 and 22, insert the following.

"SEC. 5½. Section 8 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 8. Any person qualified for and receiving aid hereunder, in any county or city and county of the State, who removes to another county or city and county in the State shall be entitled to aid under the provisions of this act after one year of residence in the county or city and county to which he has removed; and the removal of any person receiving aid hereunder from one county or city and county to another within this State shall not work a forfeiture during such one year period of the aid previously awarded under this act. The county to which such person has removed shall provide the necessary medical and/or hospital care during the one year period of establishment of residence under this section. The county providing medical and/or hospital care may demand payment of the county granting the aid in an amount not in excess of the cost thereof and it shall be a proper charge and the duty of the county granting the aid to pay such medical and/or hospital care.

Any blind person who leaves his county for the purpose of attending an institution of learning located in California shall not be deemed for the purposes of this act, to have moved from his county."

Amendment No. 31.

On page 5, line 25, of the printed bill, strike out "purely".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 501—An act to amend section 954 of the Streets and Highways Code of the State of California, relating to the abandonment of highways.

Committee Amendment to Assembly Bill No. 501.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 13, of the printed bill, after the word "any", insert "such".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1722—An act to amend sections 1620, 1621, 1622, 1623, and 1624 of the Streets and Highways Code, relating to the use of road funds by counties and authorizing the acquisition of rights of way by purchase or condemnation.

Committee Amendments to Assembly Bill No. 1722.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 11, of the printed bill, strike out the word "county".

Amendment No. 2.

On page 2, line 28, of the printed bill, between the words "the", and "construction", insert the following: "acquisition of any real property or interest therein, or rights of way for, or the"

Amendment No. 3.

On page 2, line 31, of the printed bill, strike out the period, and insert in lieu thereof the following: "or for the acquisition of rights of way for, or the construction, improvement or maintenance of, any State highway pursuant to a contract made as provided in section 130"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 795—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 49a and 57 thereof relating to the definition and regulation of the business of banking.

Committee Amendments to Assembly Bill No. 795.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, strike out "49a and 57 thereof", and insert the following: "48a, 49a and 57 and by repealing section 133.1 thereof and by adding a new section thereto to be numbered section 99.1"

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "49a", and insert in lieu thereof the following: "48a".

Amendment No. 3.

On page 1 of the printed bill, following line 2, insert the following:

"SEC. 48a. Any National banking association, whose principal place of business is in this State, is hereby authorized to act in fiduciary capacities in all respects as provided by the acts of Congress, approved December 23, 1913, and amendments thereof, commonly known as the Federal Reserve Act, and all acts herein provided to be performed by the State Treasurer, the Superintendent of Banks or other public officials for or in respect of trust companies, shall be performed for such National banking association equally with trust companies. Every such National banking association which shall be authorized to exercise said fiduciary powers, and which has complied with the requirements of this act and of any other law of this State relating to the deposit of securities for the protection of court and private trusts, may act, or may be appointed by any court to act in any such capacity in like manner as an individual. Every such association shall be permitted to use the word 'trust' in its corporate name and to advertise its authority to act in fiduciary capacities, anything to the contrary in this act notwithstanding.

The Superintendent of Banks shall have access to reports of examination made by the Comptroller of the Currency in so far as such reports relate to the trust department of such association"

SEC. 2. Section 49a of said act is hereby amended to read as follows.

Amendment No. 4.

On page 1 of the printed bill, at the end of line 7, add a comma and the following: 'provided that conditions and restrictions prescribed for banks of this State for the exercise of like privilege are imposed upon and complied with by a National banking association".

Amendment No. 5.

On page 1 of the printed bill, strike out all of lines 11, 12 and 13.

Amendment No. 6.

On page 1, line 14, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "3".

Amendment No. 7.

On page 2 of the printed bill, following line 43, insert the following:

"SEC. 4. A new section is hereby added to said act to be numbered section 99.1 as follows:

'Sec. 99.1 Should any security deposited by any bank for the faithful performance and execution of court or private trusts so depreciate in value as to reduce the deposit below the amount required by this act such bank shall promptly increase the deposit to the amount required.

The Superintendent of Banks shall have authority to make an investigation concerning the continued value of any such security whenever, in his judgment, such investigation is necessary.

The Superintendent of Banks shall have authority to make such charge as may be reasonable and proper for his examination into the value of any security when

presented to him for deposit and also when any subsequent investigation into the value of such security is made by him.

SEC. 5. Sec. 1331 of said act is hereby repealed.""

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1742—An act to add section 786.5 to the Fish and Game Code, relating to the sale of cooked lobsters and shellfish.

Committee Amendment to Assembly Bill No. 1742.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of line 4, and insert in lieu thereof the following: "barter, or trade any spiny lobster or other crawfish which has been".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2783—An act to amend section 481 of the Fish and Game Code, relating to the pollution of State waters and providing a method of determining pollution in relation to fish and plant life

Committee Amendments to Assembly Bill No. 2783.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following: "place where it can pass into the waters of this State any petroleum or by-products of petroleum, any coal".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "either", and insert in lieu thereof the following: "ether".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 18 to 25, inclusive, and strike out all of page 2, and insert in lieu thereof the following: "bird life or mammals, or any refuse, substance, material or effluent, liquid or solid, from one or more sources, that alters the physical, chemical, or biological characteristics of said waters to the extent that said waters do not meet the standard of purity established by rule and regulation of the commission.

The commission shall by rule and regulation establish the standard of purity of all State waters with respect to aquatic life but such standard so fixed by the commission shall not be less than that fixed by law or proclaimed by rule and regulation of the State Board of Public Health."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1436—An act to amend section 422 of the Fish and Game Code, relating to the distribution of licenses

Committee Amendments to Assembly Bill No. 1436.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 422", and insert in lieu thereof the following: "sections 422 and 423".

Amendment No. 2.

On page 1 of the printed bill, following line 8, add the following:

"SEC. 2. Section 423 of the Fish and Game Code is hereby amended to read as follows:

423. The commission shall prepare suitable licenses of the following classes: Class A, "Hunting license"; Class B, "Sporting fishing license."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2258—An act to amend sections 1061, 1062, 1064, 1065, 1066, 1067 and 1068 of the Fish and Game Code, relating to commercial fishing regulations.

Committee Amendments to Assembly Bill No. 2258.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following: "An act to amend section 1061 of the Fish and Game Code, relating to commercial fishing regulations."

Amendment No. 2.

On page 1 of the printed bill, following line 2, insert the following:

"1061 The commission may regulate and control fishing boats, barges, lighters or tenders, receptacles or vehicles containing fish, commercial fishermen, packers, reduction plants, plants where fish products are manufactured, and dealers in fish, mollusks, or crustaceans, or fishery products, in so far as necessary to insure the taking and delivery of fish and fishery products in a wholesome and sanitary condition to canning, packing or preserving plants, or to any plant where fishery products are manufactured, or to any fresh fish dealer, and to prevent deterioration and waste of fish. But the commission shall not issue any fishing permit to any vessel which does not continuously operate within the jurisdiction of this State However, the commission, within its discretion and upon necessity, may issue temporary permits to fishing vessels from without the jurisdiction of this State"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2255—An act to amend sections 990, 991, 992 and 993 of the Fish and Game Code, relating to commercial licenses

Committee Amendments to Assembly Bill No. 2255.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 line 1 of the title of the printed bill, strike out "990, 991".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "990", and insert in lieu thereof "992", and following line 2, insert the following:

"992 The annual license fee shall be five dollars for each person, and shall be paid to the commission or to someone designated by it for that purpose.

SEC 2. Section 993 of the Fish and Game Code is hereby amended to read as follows:

993. Any license issued under the provisions of this article is forfeited only for a period of 30 days for violation of any of the provisions of Article 1, Chapter 1, Part 1, Division IV, or of Chapter 4, Part 2, Division IV."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2561—An act to amend section 958 of the Fish and Game Code, relating to drag nets in District 19

Committee Amendment to Assembly Bill No. 2561.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, following line 4, insert the following:

"In District 20 it is lawful for fishing vessels to anchor, except in the territory in said district from Seal Rock to Long Point."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 516—An act to add section 869 to the Fish and Game Code, relating to tuna.

Committee Amendment to Assembly Bill No. 516.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "any type of", and insert in lieu thereof "lampara and purse seine".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2039—An act to amend section 1414 of the Fish and Game Code, relating to the forfeiture of apparatus used to take birds, mammals or fish.

Committee Amendment to Assembly Bill No. 2039.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, following line 2, insert the following "1414. The judge or justice before whom any person is tried for a violation of any provision of this code may, in his discretion, upon the conviction of the accused, order the forfeiture of any device or apparatus designed to be, and capable of being used, to take birds, mammals or fish, and which was used in committing the offense charged. This section does not apply to any gear, apparatus or device which is being used, or is capable of being used, as a means of securing a livelihood. Any device or apparatus so forfeited shall be sold or destroyed by the commission. The proceeds from such sales shall be paid into the State Treasury to the credit of the fish and game preservation fund."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 263—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority, and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provision of this act, and to make an appropriation therefor," approved June 16, 1913, relating to the powers of the State Civil Service Commission.

Committee Amendment to Assembly Bill No. 263.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 2 of the printed bill, strike out lines 4 to 11, inclusive, and insert in lieu thereof the following:

"The minimum and maximum salary limits for laborers, workmen and mechanics employed on an hourly or per diem basis need not be uniform throughout the State, but the appointing power shall ascertain, as to each such position, the general prevailing rate of such wages in the various localities of the State and shall report the same to the Personnel Board. In fixing such minimum and maximum salary limits within the various localities of the State, the board shall take into account said prevailing rates of wages in the localities in which the employee is to work and other relevant factors, and shall in no event fix the minimum salary limits below the general prevailing rate for the various localities so ascertained and so reported"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 772—An act to amend section 10 of the State Civil Service Act, relating to lists of preliminary requirements for elegibility for examination.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 797—An act to amend an act entitled "An act to define the liability of stockholders in California State banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," approved April 24, 1931, by amending section 1 thereof and adding a new section, to be numbered section 1.1, thereto.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1615—An act to amend sections 10 and 12 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said Mining Bureau, and to provide for the appointment, duties and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, as amended.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1815—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2398—An act authorizing the State of California, cities, counties, cities and counties and other political subdivisions to sell and otherwise dispose of real property acquired on tax sale and to cancel assessments for delinquent taxes and other levies upon any sale by any other political subdivision and providing for the division of receipts from such sales.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1895—An act to add section 663.5 to the Political Code, relating to the powers of the State Board of Control.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1897—An act to add section 215 to the Agricultural Code, relating to the inspection of hogs.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 50—An act to amend section 451 of the Agricultural Code, relating to dairies and dairy products

Committee Amendments to Assembly Bill No. 50.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 451 of", and insert in lieu thereof the following: "sections 451, 458, 490, 491 and 492 of, and to add section 492.5 to".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"451. The director shall, and representatives of approved milk inspection services, when designated and authorized by him in writing may, under his supervision, enforce the provisions of this division.

"Approved milk inspection service" means a milk inspection unit and laboratory established by ordinance of any county, city or group of either or both, for the purpose of inspecting market milk produced for shipment to and sale or distribution

within the jurisdiction of such approved milk inspection service, conformable to the provisions of this division under rules and regulations established by the director.

SEC. 2. Section 458 of the Agricultural Code is hereby amended to read as follows:

458. The director shall adopt a dairy farm score card and shall, either directly or indirectly through his authorized agents,

(a) Inspect dairies and milk plants;

(b) Examine and test cows and exclude reacting animals from the herds,

(c) Conduct or supervise milk scoring or other contests when deemed advisable.

(d) Supervise the operations of all approved milk inspection services and assist the representatives thereof in the enforcement of the provisions of this division and the rules and regulations promulgated by him;

(e) Establish rules and regulations for the construction of sanitary milk barns and milk houses used in the production of market milk which rulings shall provide, among other things, that said buildings shall be sound, readily cleanable, and of sanitary construction; that the sites of said buildings shall be favorably located with respect to drainage, prevailing wind direction and any sanitary hazards in the vicinity thereof, and said buildings shall afford the proper working space and shall be so constructed as to admit sufficient light and ventilation.

(f) Establish rules and regulations setting forth the qualifications for employees of approved milk inspection services and said employees shall take and successfully pass such examinations to determine their fitness as shall be established by the director.

SEC. 3. Section 490 of the Agricultural Code is hereby amended to read as follows:

490. It is unlawful to sell any market milk as, or under, the representation of, certified, guaranteed or Grade A except under the supervision of the director or an approved milk inspection service designated and authorized by him to enforce the provisions of this division.

A person authorized to sell market milk within the jurisdiction of an approved milk inspection service may sell market milk from the same supply, the same quality, in similar containers, and under the same label, in territory outside the jurisdiction of any approved milk inspection service, and also within the jurisdiction of any other approved milk inspection service.

It is unlawful to sell in any city or county, or any combination of cities and counties, in which an approved milk inspection service, designated and authorized by the director, has been established, any market milk other than graded milk as provided in this division.

SEC. 4. Section 491 of the Agricultural Code is hereby amended to read as follows:

491. The director may authorize as many approved milk inspection services, including their laboratory facilities, as may be necessary to properly carry out the provisions of this division and the rules and regulations for their enforcement.

No county, city, or approved milk inspection service shall charge any fees for inspecting dairies, milk or milk plants. No county, city, or approved milk inspection service shall establish any standards, grades, or rules and regulations which are different from those established by this division or the rules and regulations promulgated by the director

Any grade of market milk, produced and distributed in accordance with the provisions of this division, may be sold at any place in the State of California.

Counties and cities may contract, one with the other, for the maintenance by one, or some of them, of such approved milk inspection service and laboratory within the limits of the other as will best carry out the provisions of this division and avoid duplication.

SEC. 5 Section 492 of the Agricultural Code is hereby amended to read as follows:

492 Every person, engaged in the business of producing, processing, selling or distributing of any grade of market milk, shall obtain a permit from the director for each separate dairy, milk plant or place of business. Upon receipt of application for such permit, the director shall cause an investigation to be made of the dairy, milk plant or place of business where milk is produced, sold or distributed and, in the case of a dairy, of the herd producing the milk.

Minimum construction standards for new dairies and extensive repairs to existing dairies shall not be less than the requirements established by the director in accordance with section 458 (e) of this division.

If the equipment, premises and herd are found to be satisfactory a permit shall be issued by the director to such dairy, milk plant or place of business. Said permits may be renewed only upon satisfactory compliance with the provisions of this division and the rules and regulations promulgated by the director.

Every person engaged in the production, sale or distribution of any grade of market milk shall pay an inspection fee to the director. Said inspection fee shall be payable three months in advance during the first week of January, April, July

and October of each year, commencing _____, 1937. Said inspection fee is hereby fixed at:

(a) For producers who sell market milk at wholesale and producers who distribute their own milk, one mill for each gallon of milk sold during the quarter year period preceding the date such inspection fee becomes due and payable:

(b) For distributors who purchase market milk from producers or who distribute their own market milk, one mill for each gallon of milk sold during the quarter year period preceding the date such inspection fee becomes due and payable

The director, at least once each month, shall report to the State Controller the total amount of moneys collected under the provisions of paragraphs (a) and (b) of this section and at the same time shall pay into the State Treasury the entire amount of such receipts which shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of the division relating to the inspection of market milk.

The director shall, within 30 days prior to each regular session of the Legislature, submit to the Governor a full and true report of all transactions under this chapter during the current biennium, including a complete statement of receipts and expenditures during the period.

SEC. 6. A new section is hereby added to the Agricultural Code to be numbered 492.5, to read as follows:

492.5. The market milk inspection fees provided for in section 492 and collected by the director shall be used exclusively for the purpose of market milk inspection

(a) Directly by the director;

(b) By payment from him to any approved milk inspection service, designated and authorized by him to enforce the provisions of this division, of the amount of said inspection fees collected by him on the milk inspected by such approved milk inspection service, provided that any such payment by the director to any approved milk inspection service shall be used exclusively by such approved milk inspection service for the enforcement of the provisions of this division and the rules and regulations of the director and not otherwise.

Any designation or authorization by the director to any approved milk inspection service may be canceled upon satisfactory evidence and after due hearing that said approved milk inspection service is not efficient or is not efficiently or correctly enforcing the provisions of this division and the rules and regulations promulgated by him; and the payments as herein provided to such approved milk inspection service may be terminated by the director upon evidence after due hearing that said approved milk inspection service is not efficient or is not correctly enforcing the provisions of this division and the rules and regulations promulgated by the director, and upon the termination of any such payment the funds so withdrawn shall be used by the director for the purpose of directly inspecting dairies, milk and milk plants within the jurisdiction of the approved milk inspection service whose designation and authorization has been revoked or canceled by the director."

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2415—An act to amend section 735.3 of the Agricultural Code.

Committee Amendments to Assembly Bill No. 2415.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Code", strike out the period, and insert in lieu thereof a comma and the following: "relating to the marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 4 to 26, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"(a) "Board" means any local control board created as herein authorized

(b) "Fluid milk" means any and all milk produced in conformity with the quality standards prescribed by the Agricultural Code for "market milk" and for the purposes of this chapter may be classified as follows: Class 1 Any such milk which is supplied to the consumer in the natural fluid state or prepared for human consumption without being converted into any other form or product, and including milk fat used in the standardization of such milk; Class 2 Any such milk or cream derived from such milk sold or used for consumption as cream; Class 3 Any such milk or the cream derived from such milk used in the manufacture of ice cream, ice milk, flavored milk drinks, buttermilk and cottage cheese Class 4 Any such milk or the cream derived from such milk used in the manufacture of butter.

(c) "Fluid cream" means any and all cream obtained from "fluid milk" and may include whole milk which has been purchased or acquired for the derivation of cream for consumption as cream, or which cream is to be used in the manufacture of ice cream, ice milk, flavored milk drinks, buttermilk and cottage cheese.

(d) "Dairy products" includes any product manufactured from milk or any derivative or product of milk.

(e) "Producer" means any person who produces fluid milk or fluid cream in conformity with the applicable health regulations of the place in which it is sold.

(f) "Distributor" means any person whether or not such person is a producer or association or producers, engaged in the business of distributing or handling fluid milk or fluid cream for sale, including persons (a) who pasteurize, bottle or process fluid milk or fluid cream, (b) who distribute fluid milk or fluid cream at wholesale, retail or otherwise (1) to hotels, restaurants, stores or other establishments for consumption on the premises, (2) to stores or other establishments for resale, or (3) to consumers.

(g) "Retail store" means any person who purchases or acquires fluid milk or fluid cream from distributors for resale to the general public and shall include stores owned or operated by distributors.

(h) "Marketing area" is any area within this State declared to be such in the manner prescribed in this chapter.

(i) "Stabilization and marketing plan" means any plan formulated and made effective by the director within the legislative standards provided by this chapter and shall include among other things the establishing of prices to be paid by distributors for any or all of the various classes of fluid milk or fluid cream.

(j) "Consumer" means any person who purchases fluid milk, fluid cream or dairy products for consumption.

(k) "Person" means any individual, firm, corporation, association or any other business unit.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into immediate effect. The statement of facts constituting such emergency is as follows:

The economic conditions of fluid milk producers throughout the State are such as to require immediate relief if their purchasing power and taxpaying ability are to continue and their morale and standard of living are not to be undermined. Such relief can be afforded only by the orderly production and marketing of fluid milk and fluid cream. The provisions herein contained are necessary in order to prevent the further demoralization of the fluid milk and fluid cream industries."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1228—An act to amend sections 510, 511, 512, 513, 515 and 593 of the Agricultural Code, relating to ice cream and similar frozen products.

Committee Amendments to Assembly Bill No. 1228.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 22 and 23, and insert in lieu thereof the following: "an acidity of not less than the amount specified in the rules and regulations promulgated by the director, and shall not contain less than 10 per cent".

Amendment No. 2.

On page 3, line 5, of the printed bill strike out all words following the word "director", all of line 6 and all of line 7.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1229—An act to amend section 673 of the Agricultural Code, relating to dairy containers.

Committee Amendments to Assembly Bill No. 1229.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, following the comma add the words "and to add section 673.5 to the Agricultural Code."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert in lieu thereof the following:

"673 It is unlawful for any person without the written consent provided for in section 671, except the registrant of the brand to use, or cause to be used, or fill, or cause to be filled with milk or any product of milk any container, cabinet or other dairy equipment so marked or distinguished as aforesaid of which a description shall have been filed and published It is unlawful except by the registrant or owner of the brand to erase, obliterate, cover up or cancel such name, mark or device, or to sell, buy, give, take or otherwise traffic in such containers, cabinets or other dairy equipment.

SEC. 2 A new section is hereby added to the Agricultural Code to be numbered 673 5 and to read as follows:

673 5. Whenever the registrant of a brand consents to the use of a cabinet, marked with such brand for the purpose of storing frozen dairy products, such consent shall specify the purpose of its use and the products to be stored therein. It shall be unlawful for the user of such cabinet to store, or place, or permit the storing, or placing of frozen products therein, other than those for which consent has been specifically given."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1231—An act to amend section 621 of the Agricultural Code, relating to factory licenses.

Committee Amendments to Assembly Bill No. 1231.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, following the word "person", insert the words "before engaging in the busi-".

Amendment No. 2.

On page 1, line 4, of the printed bill, preceding the word "dealing.", insert the words "ness of".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 862—An act to amend section 488 of the Agricultural Code, relating to Grade "A" milk.

Committee Amendment to Assembly Bill No. 862.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended March 11, 1937, strike out all of lines 21 to 24, inclusive.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1189—An act to amend section 5 of the Retail Sales Tax Act of 1933 as amended in 1935, relating to the exemption of vessels.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1190—An act to amend section 4 of the Use Tax Act of 1935.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 809—An act to amend section 3819 of the Political Code, relating to an action to recover a tax paid under protest.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1434—An act to amend section 1024 of the Probate Code, relating to the payment of inheritance and personal property taxes before distribution.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1362—An act to amend section 4088 of the Political Code, relative to the call and redemption of county bonds

Bill read second time, and ordered to engrossment

Assembly Bill No. 2333—An act to amend section 3785 of the Political Code, relating to the execution in duplicate and recordation of tax deeds to the State.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1907—An act imposing an excise tax on the use in this State of motor vehicle fuel, providing for the issuance of permits to the users of such fuel and for the levy, assessment and collection of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1907.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 6, line 18, of the printed bill, as amended, after "thereof", insert "Sec. 22."

Amendment No. 2.

On page 6 of the printed bill, as amended, strike out all of lines 27, 28 and 29

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 243—An act to add a new section to the Political Code, to be numbered 3627b, relating to taxation, for State purposes, of vessels which are exempt from taxation except for State purposes, and providing for the assessment, levy, collection and enforcement thereof.

Committee Amendments to Assembly Bill No. 243.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the blank, and insert in lieu thereof the following: "eighty-ninth".

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out "fifty mills", and insert in lieu thereof the following: "one dollar"

Amendments adopted.

Bill read second time, and ordered to reprint and engrossment.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued

On motion of Mr King, the consideration of his notice of motion to reconsider the vote whereby the Governor's veto to Assembly Bill No. 331 was sustained was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 424 Continued.

On motion of Mr Lyon, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 424 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1760 Continued.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 1760 was passed was continued until the next legislative day.

Reconsideration of Assembly Bill No. 1200.

In compliance with a notice given on a previous day, Mr. Garland moved that the vote whereby Assembly Bill No. 1200 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 1200 reconsidered by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Daley, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Martin, Mayo, Meehan, Miller, Eleanor, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58

NOES—Baynham, Cunningham, Dannenbrink, Field, Johnson, Maloney, McMurray, Peek, Peyser, Reaves, and Redwine—11

Assembly Bill No. 1200 ordered on third reading calendar.

Notice of Motion to Reconsider Assembly Bill No. 618 Continued.

On motion of Mr. Yorty, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 618 was passed, was continued until the next legislative day.

Hon. Alfred W. Robertson in the Chair.

At two o'clock and twenty-five minutes p.m., Hon. Alfred W. Robertson, member of the Assembly from the Thirty-Ninth District in the chair.

Third Reading of Assembly Bills.

Assembly Bill No. 971—An act to provide for the payment of the proportionate share of bonded indebtedness levied against property subsequently acquired by the State or a political subdivision thereof for public purposes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—68.

NOES—None.

Motion to Amend Title to Assembly Bill No. 971.

Mr. Burns, Michael J., moved to amend the title as follows:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended in the Assembly March 15, 1937, strike out "or a political subdivision thereof".

Amendment adopted.

Title as amended read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 941—An act to amend section 11 of the California Districts Securities Commission Act, relating to the levy of annual assessments by irrigation districts, providing that said section shall remain in effect until November 1, 1939, declaring this act an emergency measure enacted under the police power, providing that this act shall not apply to refunding bonds of irrigation districts issued pursuant to a plan or readjustment confirmed in any proceedings under

the Federal Bankruptcy Act, and authorizing the levy of assessments in accordance with the terms of such bonds.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2789—An act to repeal sections 980 and 981 and to amend section 1029 of the Streets and Highways Code, relating to public roads and highways and the powers and duties of county boards of supervisors, county surveyors, and county road commissioners in relation thereto.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At two o'clock and thirty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 743—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Motion to Amend Assembly Bill No. 743.

Mr. Fulcher moved to amend Assembly Bill No. 743 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 7 to 12, inclusive, and insert in lieu thereof the following: "shall pay a license fee of twenty-five dollars on or before the first day of July of each year."

Amendment No. 2.

On page 1, line 13, of the printed bill strike out "tax" and insert in lieu thereof the following: "fee"

Amendment No. 3.

On page 1, line 17, of the printed bill strike out "Upon the receipt of the appropriate", and insert in lieu thereof the following: "Any person who fails to pay the license fee within 30 days after it has become due, shall be liable to a penalty of $25. Upon the receipt of the".

Amendment No. 4.

On page 1 of the printed bill, strike out line 22, and in line 23, strike out "the fee has been paid,".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 20 and 21.

Amendments adopted.

Request for Unanimous Consent.

Mr. Fulcher asked for, and was granted, unanimous consent to take up Assembly Bill No. 743, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 743, as Amended.

Assembly Bill No. 743—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Assembly Bill No. 743, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns Michael J., Cassidy, Clark Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Johnson, Kepple, King, Laughlin, Leonard Lore, Maloney Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon O'Donnell, Patterson, Peek, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson Weber, Welsh, Williamson, Yorty, and Mr Speaker—60

NOES—Boyle, Call, Hawkins, Hunt, Kuchel Levey, Martin Pelletier, Peyser and Reaves—10

Title read and approved Bill ordered to reprint, and transmitted to the Senate

Assembly Bill No. 744—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors

Motion to Amend Assembly Bill No. 744.

Mr. Fulcher moved to amend Assembly Bill No. 744 as follows:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended after "fee", insert the following "of twenty-five dollars"

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 4 to 9, inclusive, and insert in lieu thereof the following "vendors doing business in this State."

Amendment No. 3.

On page 1, line 10, of the printed bill, as amended, strike out "tax shall be paid to", and insert in lieu thereof the following: "fee shall be paid on or before the first day of July of each year to the Board of Pharmacy in"

Amendment No. 4.

On page 1 of the printed bill, as amended, between lines 13 and 14, insert the following paragraph:

"Any person who fails to pay the license fee within thirty days after it has become due shall be liable to a penalty of twenty-five dollars."

Amendment No. 5.

On page 1, lines 18 and 19, of the printed bill, as amended, strike out "The form of application shall show the method by which the applicant intends to travel"

Amendment No. 6.

On page 2, lines 1 and 2, of the printed bill, as amended, strike out "The license shall describe the method of travel for which the fee has been paid"

Amendments adopted.

Request for Unanimous Consent.

Mr. Fulcher asked for, and was granted, unanimous consent to take up Assembly Bill No. 744, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 744, as Amended.

Assembly Bill No. 744—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors

Assembly Bill No. 744, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Johnson, Kepple, King, Leonard, Levey, Lore, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Muldoon, Patterson, Peek, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58

NOES—Boyle, Call, Hawkins, Hunt, Kuchel, Martin, Pelletier, and Reaves—8

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2423—An act to amend section 4041.27 of the Political Code, relating to the authorizing of county boards of supervisors to adopt a system of life, health and accident insurance for the benefit of all persons or groups of persons employed by the county and to pay from the general fund or salary fund of the county, a part of the premiums upon such insurance and to deduct from the compensation of employees a part of the premiums of such insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—66

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2423.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2423 was this day passed.

Assembly Bill No. 955—An act to amend section 4041.20 of the Political Code, relating to insurance by counties.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1420—An act to amend section 10151 of the Insurance Code, relating to policy provisions required in life insurance policies.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger,

Hornblower, Hunt, Johnson, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1420.

Mr. Donnelly gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1420 was this day passed.

Assembly Constitutional Amendment No. 1—Proposed amendment to Article VI of the Constitution by adding section 10a thereto, relative to removal of judges.

Assembly Constitutional Amendment No. 1 read, and adopted by the following vote:

AYES—Beene, Burns, Michael J., Call, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 82—An act to add section 421 5 to the Fish and Game Code, relating to fishing licenses

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Call, Clark, Corwin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—57

NOES—Kuchel—1.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 82.

Mr. Kuchel gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 82 was this day passed

Assembly Bill No. 1726—An act to amend section 1151 of the Political Code, relating to election officers in cities.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1598—An act to add section 1154.5 to the Fish and Game Code, relating to trap guns.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Michael J., Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Maloney,

Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 930—An act to amend section 2189 of the Political Code, relating to the discharge of patients from State institutions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Michael J., Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1736—An act to amend section 4178 of the Political Code, providing that the county clerk, acting as clerk of the superior court, shall assist the judges and commissioners of such court in the transaction of judicial business.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 7—An act to amend section 996 of the Political Code, relating to vacancies.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1737—An act to amend section 204a of the Code of Civil Procedure of the State of California relating to the salary of the jury commissioner for the superior court in counties, or cities and counties having a population of 900,000 inhabitants or more.

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark **Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth,** Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—67.

NOES—None

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 1144—An act to add section 3.310 to the School Code, relating to attendance of pupils in high schools outside the district in which they reside.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1147—An act to amend section 6.30 of the School Code, relating to letting of contracts to lowest responsible bidder.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 528—An act to add section 862b to an act entitled "An act to provide for the organization, incorporation and government of municipal corporation," approved March 13, 1883, relating to fire protection in cities of the sixth class

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. Ralph Louis Welsh in the Chair.

At four o'clock and twenty minutes p.m., Hon. Ralph Louis Welsh, member of the Assembly from the Sixty-Third District in the chair.

Assembly Bill No. 1317—An act to amend sections 506, 608, and 609 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to organization, incorporation and government of cities.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore,

Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar and re-referred as follows.

Assembly Bill No 1089 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1754 re-referred to Committee on Judiciary General.

Assembly Constitutional Amendment No. 19 re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 2422 re-referred to Committee on Live Stock and Dairies.

Third Reading of Senate Bills.

Senate Bill No. 173—An act to amend section 4 of the "County Water District Act," relating to elections under the authority of said act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—60.

NOES—Flint, and Reaves—2.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 894—An act to amend an act entitled "An act authorizing the investment and reinvestment, and disposition, of any moneys in any sinking fund of any county, city and county, or incorporated city or town, and repealing an act entitled 'An act authorizing the investment and reinvestment and disposition of any moneys in any sinking fund of any county, city and county, or incorporated city or town,' approved March 3, 1909," approved April 3, 1911, by amending section 1, relating to the investment of moneys in the sinking funds of counties, cities and counties, incorporated cities and towns.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—Flint, and Reaves—2.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At four o'clock and thirty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1604—An act to provide for the transfer to the general fund of moneys in special funds collected pursuant to the provisions of repealed statutes, and to provide for the abolition of such special funds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1140—An act to amend section 11 of the Optometry Law, relating to the suspension and revocation of certificates.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1091—An act to amend section 65 of the Agricultural Code, relating to the duties of county agricultural commissioner

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Constitutional Amendment No. 6.
Assembly Constitutional Amendment No. 19.
Assembly Concurrent Resolution No. 15.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 289.
Assembly Bill No. 1676.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

Assembly Bill No 289 ordered on third reading calendar
Assembly Bill No 1676 re-referred to Committee on Education

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Senate Bill No. 1013.
Assembly Bill No. 451.
Assembly Bill No. 892.
Assembly Bill No. 893.
Assembly Bill No. 894.
Assembly Bill No. 895.
Assembly Bill No. 896.
Assembly Bill No. 897.
Assembly Bill No. 898.
Assembly Bill No. 899.
Assembly Bill No. 900.
Assembly Bill No. 901.
Assembly Bill No. 902.
Assembly Bill No. 903.
Assembly Bill No. 904.
Assembly Bill No. 905.
Assembly Bill No. 908.
Assembly Bill No. 910.
Assembly Bill No. 911.
Assembly Bill No. 912.
Assembly Bill No. 913.
Assembly Bill No. 914.
Assembly Bill No. 915.
Assembly Bill No. 916.
Assembly Bill No. 917.
Assembly Bill No. 918.
Assembly Bill No. 919.
Assembly Bill No. 920.
Assembly Bill No. 921.
Assembly Bill No. 922.
Assembly Bill No. 923.
Assembly Bill No. 924.

Respectfully reports the same back with the recommendation: Do pass

KING, Chairman

The above reported bills ordered on second reading calendar

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred

Assembly Bill No. 10.
Assembly Bill No. 18.
Assembly Bill No. 28.
Assembly Bill No. 32.
Assembly Bill No. 33.
Assembly Bill No. 279.
Assembly Bill No. 2341.
Assembly Bill No. 2610.
Assembly Bill No. 2612.
Assembly Bill No. 2613.
Assembly Bill No. 2615.
Assembly Bill No. 2678.
Assembly Bill No. 2688.

Respectfully reports the same back with the recommendation: Do pass

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937

MR. SPEAKER: Your Committee on Irrigation, to which was referred:

Assembly Bill No. 1785.

Respectfully reports the same back with the recommendation: Do pass.

GARLAND, Chairman

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937

MR SPEAKER. Your Committee on County Government, to which was referred:

Assembly Bill No. 1941.
Assembly Bill No. 602.

Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:
Assembly Joint Resolution No. 19.
Assembly Joint Resolution No. 36.

Respectfully reports the same back with the recommendation: Be adopted

HEISINGER, Chairman

The above reported bills ordered to engrossment

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Senate Bill No. 45.
Senate Bill No. 214.

Respectfully reports the same back with the recommendation: Do pass.

MALONEY, Chairman.

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:

Assembly Bill No. 1310.
Assembly Bill No. 425.
Assembly Bill No. 1363.

Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2202.

Respectfully reports the same back with the recommendation: Do pass.

BOYLE, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 1786.
Assembly Bill No. 2611.
Assembly Bill No. 2681.

Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937

MR. SPEAKER: Your Committee on County Government, to which was referred:

Assembly Bill No. 1925.
Assembly Bill No. 499.
Assembly Bill No. 313.

Respectfully reports the same back with the recommendation: Do pass as amended.

LAUGHLIN, Chairman

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 208.
Assembly Bill No. 428.
Assembly Bill No. 987.
Assembly Bill No. 1131.
Assembly Bill No. 1624.
Assembly Bill No. 1628.
Assembly Bill No. 2651.

Respectfully reports the same back without recommendation, as amended.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 906.

Respectfully reports the same back with the recommendation: Do pass as amended

KING, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 34. **Assembly Bill No. 2679.**
Assembly Bill No. 2609. **Assembly Bill No. 2690.**
Respectfully reports the same back with the recommendation: Do pass as amended.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Irrigation, to which was referred:
Assembly Bill No. 701. **Assembly Bill No. 1787.**
Assembly Bill No. 1502. **Assembly Bill No. 1789.**
Assembly Bill No. 1784.
Respectfully reports the same back with the recommendation: Do pass as amended.

GARLAND, Chairman.

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Assembly Bill No. 1268.
Respectfully reports the same back without recommendation, as amended.

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Assembly Bill No. 2444. **Assembly Bill No. 2446.**
Assembly Bill No. 2445. **Assembly Bill No. 13.**
Respectfully reports the same back with the recommendation: Do pass as amended.

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:
Assembly Joint Resolution No. 21.
Respectfully reports the same back with the recommendation: Be adopted as amended.

HEISINGER, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 3.
Respectfully reports the same back without recommendation, as amended.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1275. **Assembly Bill No. 234.**
Assembly Bill No. 1277. **Assembly Bill No. 74.**
Assembly Bill No. 1168.
Respectfully reports the same back with the recommendation: Do pass as amended.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 836.
Respectfully reports the same back with the recommendation: Do pass as amended.

BOYLE, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 1432.
Respectfully reports the same back with the recommendation: Do pass as amended.

BOYLE, Chairman.

The above reported bill ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 103.
Assembly Bill No. 1612.
Assembly Bill No. 1614.

Respectfully reports the same back without recommendation, as amended

FLINT, Chairman

The above reported bills ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred.

Assembly Joint Resolution No. 5.

Respectfully reports the same back without recommendation, as amended.

FLINT, Chairman.

The above reported bill ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1430.

Respectfully reports the same back with the recommendation: Do pass as amended.

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2109.
Assembly Bill No. 875.

Respectfully reports the same back without recommendation, as amended.

TURNER, Chairman.

The above reported bills ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2766.

Respectfully reports the same back without recommendation, as amended.

BOYLE, Chairman

The above reported bill ordered on second reading calendar.

Withdrawal and Re-reference of Assembly Bills.

On motion of Mr. Scudder, Assembly Bill No. 2221 was withdrawn from the Committee on Motor Vehicles, and re-referred to the Committee on Revenue and Taxation.

On motion of Mr. Laughlin, Assembly Bills Nos. 2201 and 2119 were withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Education.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 737s, as amended, of the Political Code of the State of California to provide an annual salary for each of the judges of the superior court in and for the county of Los Angeles of $10,000.

Referred to Committee on Introduction of Bills.

By Mr. Tenney:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 369 of the Civil Code, relating to the compensation of dissenting shareholders upon merger or consolidation of corporations.

Referred to Committee on Introduction of Bills.

By Mr. Clark:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 59a to, and to amend sections 62, 63 and 64 of, the Improvement Act of 1911, relating to bonds and assessments.

Referred to Committee on Introduction of Bills

Reports of Standing Committees—(Resumed).

On Introduction of Bills.

The following report of standing committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them

By Mr. Tenney.

An act to amend section 369 of the Civil Code, relating to the compensation of dissenting shareholders upon merger or consolidation of corporations.

By Mr. Waters

An act to amend section 737s, as amended, of the Political Code of the State of California to provide an annual salary for each of the judges of the superior court in and for the county of Los Angeles of $10,000.

By Mr. Clark:

An act to add section 59a to, and to amend sections 62, 63 and 64 of, the Improvement Act of 1911, relating to bonds and assessments

CALL, Chairman.

The roll was called, and the report adopted by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, ODonnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65

NOES—None

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2799: By Mr. Waters—An act to amend section 737s, as amended, of the Political Code of the State of California to provide an annual salary for each of the judges of the superior court in and for the county of Los Angeles of $10,000.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2800: By Mr. Tenney—An act to amend section 369 of the Civil Code, relating to the compensation of dissenting shareholders upon merger or consolidation of corporations

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2801: By Mr. Clark—An act to add section 59a to, and to amend sections 62, 63 and 64 of, the Improvement Act of 1911, relating to bonds and assessments.

Bill read first time, and referred to Committee on Municipal Corporations.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 17, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate herewith returns the following bills, in accordance with the request of the Assembly.

Assembly Bill No. 1206.

Assembly Bill No. 1209.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on third reading calendar.

Withdrawal and Re-reference of Assembly Bills Nos. 1265 and 1266.

On motion of Mr. Corwin, Assembly Bills Nos. 1265 and 1266 were withdrawn from the Committee on Medical and Dental Laws, and re-referred to the Committee on Live Stock and Dairies.

Report of Special Interim Committee on Small Loans.

The report of the Special Interim Committee, appointed to investigate small loans, was received, and on motion of Mr. Corwin, ordered filed.

Request to Print Report of Special Interim Committee on Small Loans.

Mr. Turner requested that 500 copies of the Special Interim Committee report on small loans be printed

Request referred to the Committee on Rules.

Request to Print Report of Special Committee on Dairy Industry.

Mr. Heisinger requested that 500 copies of the Special Interim Committee report on the dairy industry be printed

Request referred to Committee on Rules.

Adjournment.

At four o'clock and fifty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Friday, March 19, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTIETH LEGISLATIVE DAY
SEVENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 19, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Millington, the further reading of the Journal of Thursday, March 18, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Lyon, on motion of Mr. Redwine.
Mr. Latham, on motion of Mr. Redwine.
Mr. Morgan, on motion of Miss Miller.
Mr. Baynham, on motion of Mr. Muldoon
Mr. Waters, on motion of Mr. Cunningham.
Mr. Levey, on motion of Mr. Dawson.
Mr. Voigt, on motion of Mr. Garland.
Mr. Burns, Hugh M., on motion of Mr. Garibaldi.
Mr. Meehan, on motion of Mr. Sawallisch.
Mrs. Daley, on motion of Mr. King.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Packer and Mr. Silva of Oakland.

On request of Mr. O Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Daryl Blevins of Woodland and Ray Dearman and H E. Williams, Supervisors of Tehama County.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L J. Kerth, N. D. Myers, F. J. White, Clarence Spencer, Roscoe Bessy and Mr Eynz.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry L Buckalew, principal of the Jefferson Elementary School of Fresno

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs Ed Hageman and Mrs. Wm. Harvey

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. David Laird, principal of Washington School of Bakersfield.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Senator L. M Simons, member of the South Dakota State Senate.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Aubrey N Irwin, City Attorney of Glendale.

On request of Mr Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Sylvia Rossi

On request of Mr Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. G. Turner, Peter Friis and C. E. Burnett, Supervisors of San Benito County

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E C. Talbot of Perris, Supervisor of Riverside County.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sam M Greene, former Assemblyman, Mrs. Gertrude Howard, Vice President of the California Elementary School Principals Association, and Mrs Betty Finley, Principal of Inglewood School.

On request of Mr. Mayo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to F. O Goodell, teacher of the Ione Union Grammar School, and the following students: Lillian Andrews, Lois Andrews, Karlyn Diederich, Blanche Hansen, Ardine Custino, Ida Musetti, Avis Corbin, Eleanor Hughes, Carmel Clifton, Thomas Scully, Albert Tullis, Allen Simas and Dick Warren

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following report of standing committee was received and read.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 320.

Respectfully reports the same back with the recommendation: Do pass as amended

LORE, Chairman

Second Reading of Assembly Bill No. 320—(Out of Order).

Assembly Bill No. 320—An act to amend section 5 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to the needy blind.

Committee Amendments to Assembly Bill No. 320.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 7 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", this act to take effect immediately."

Amendment No. 2.

On page 1, line 9, of the printed bill, after "physician", insert the following: "skilled in diseases of the eye".

Amendment No. 3.

On page 1, line 18, of the printed bill, strike out "the sum of", and in lieu thereof insert the following: "such sum as it finds needed, not to exceed".

Amendment No. 4.

On page 2 of the printed bill, after line 23, insert the following:

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health or safety within the meaning of section 1 of Article IV of the Constitution and shall take effect immediately.

The following is a statement of facts constituting such necessity:

The Federal Government is now participating in financial aid to the needy blind in this State Continued participation is dependent upon the conformance of the California act providing for aid to needy blind persons with a Federal regulation made under the Federal Social Security Act, which requires that the physical examination of applicants for such aid be made by practicing physicians skilled in diseases of the eye It is the purpose of this act to amend the California act relating to aid to needy blind persons to make it conform with this particular Federal regulation, and it is necessary that this act take effect immediately if such Federal financial aid is to continue."

Amendments adopted.

Bill ordered to reprint and engrossment.

Motion for Rush Order on Printing of Assembly Bill No. 320.

On motion of Mr Lore, Assembly Bill No 320 was sent to reprint with a rush order

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the vote whereby the Governor's veto to Assembly Bill No. 331 was sustained was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 424 Continued.

On motion of Mr. Lyon, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 424 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1760 Continued.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1760 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 618 Continued.

On motion of Mr. Yorty, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 618 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2423 Continued.

On motion of Mr. Hunt, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2423 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1420 Waived.

Mr Donnelly waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1420 was passed.

Assembly Bill No 1420 ordered transmitted to the Senate.

Recess.

At twelve o'clock and five minutes p m., the Speaker declared the Assembly at recess to hear from Senator L. M. Simons, member of the South Dakota State Senate.

Reassembled.

At twelve o'clock and fifteen minutes p m., the Assembly reconvened. Speaker Jones in the chair.

Second Reading of Assembly Bills.

Assembly Bill No. 338—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2743—An act to amend section 4a of the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1063—An act authorizing the removal of the Stephen M White statue from the city of Los Angeles to the city of San Pedro.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1276—An act to amend section 2.801 of the School Code, relating to liability in damages of school districts

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2732—An act to amend the title and sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging and/or pressing establishments, or

agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, as amended, relating to cleaning and dyeing

Bill read second time, and ordered to engrossment.

Assembly Bill No. 216—An act to amend section 1103 of the Fish and Game Code, relating to the registration of vessels.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1667—An act to amend section 1 of an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts," approved March 22, 1905, relating to the granting of franchises.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 451—An act to amend section 3719 of the Political Code, relating to the temporary borrowing of money by counties cities and school districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 892—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 893—An act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof, within municipal corporations.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 894—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 895—An act to legalize refunding bonds heretofore issued or sold or to be issued and sold by municipalities, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 896—An act to validate the organization and existence of municipal improvement districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 897—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 898—An act to legalize bonds heretofore issued and sold or to be issued and sold by port districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such port districts voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 899—An act to legalize revenue bonds heretofore issued or sold or to be issued and sold by port districts, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 900—An act to validate the organization and existence of public utility districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 901—An act to legalize bonds heretofore issued and sold or to be issued and sold by public utility districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 902—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read second time, and ordered to engrossment

Assembly Bill No. 903—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 904—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 905—An act to validate bonds of flood control districts, including refunding bonds, and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 908—An act confirming and validating the formation or organization and existence of sanitary districts

Bill read second time, and ordered to engrossment.

Assembly Bill No. 910—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 911—An act to confirm and validate the boundaries of municipal utility districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 912—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any municipal utility district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, and ordered to engrossment

Assembly Bill No. 913—An act confirming and validating the formation or organization and existence of irrigation districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 914—An act to validate bonds, including refunding bonds of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 915—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds

Bill read second time, and ordered to engrossment

Assembly Bill No. 916—An act to legalize bonds heretofore issued and sold or to be issued and sold by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds

Bill read second time, and ordered to engrossment.

Assembly Bill No. 917—An act to legalize refunding bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such refunding bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 918—An act to validate the organization and existence of water conservation districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 919—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 920—An act to legalize bonds heretofore issued and sold or to be issued and sold by bridge and highway districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 921—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any municipal water district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 922—An act to validate the organization and existence of county water districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 923—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any joint highway district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 924—An act to validate the organization and existence of municipal water districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 10—An act to amend sections 1269a and 1269c of the Civil Code, relating to the sale, mortgage or exchange of a homestead by the husband or wife of an insane or incompetent person.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 18—Relative to granting a full and complete pardon to Thomas J. Mooney.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 28—An act to repeal sections 249 and 250 of the Political Code, relating to the Judiciary Committee.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 32—An act to amend section 528 of the Political Code, relating to the publication of laws of each session of the Legislature.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 33—An act to amend section 410 of the Political Code, relating to the laws, resolutions, and Journals of the Legislature.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 279—An act to amend section 978a of the Code of Civil Procedure, relating to undertakings on appeal.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2341—An act to amend sections 1269a and 1269c of the Civil Code, relating to the sale, mortgage or exchange of a homestead by the husband or wife of an insane or incompetent person.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2610—An act to amend section 689 of the Code of Civil Procedure, relating to third party claims to property levied upon under writs of execution and attachment.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2612—An act to add a new section to Chapter 1 of Title X of Part II of the Code of Civil Procedure, to be numbered 730, and relating to sales by sheriffs under mortgage foreclosures.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2613—An act to add a new section to Chapter VII of Title XIV of Part II of the Code of Civil Procedure, to be numbered 1041, and relating to forms of undertaking in civil actions.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2615—An act to amend section 1057 of the Code of Civil Procedure, relating to the requisites of and corporation sureties on undertakings and bonds authorized or required by law.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2678—An act to amend section 707 of the Code of Civil Procedure, relating to rents and profits during the period of redemption.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2688—An act to amend section 1946 of the Civil Code, relating to notices of intention to terminate hiring of real property.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1785—An act to amend section 32d of the California Irrigation District Act, relating to the payment of principal or interest on funding or refunding bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1941—An act to amend section 4 of the County Water District Act, approved June 10, 1913, as amended and relating to the organization of such districts, and to the election and appointment of directors thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 602—An act to amend the Political Code by adding thereto a new section to be numbered 4049b, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1310—An act to amend section 4140 of the Political Code, authorizing notations of revenue stamps by county recorder and the affixing of said stamps by registrar of land titles.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 425—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by amending section 12 thereof, relating to flood control bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1363—An act to amend section 4088 of the Political Code, relative to the call and redemption of county bonds

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2202—An act adding section 3671e to the Political Code, providing for enforcing tax liabilities imposed by States extending like comity to this State and providing for bringing suit in other States to collect taxes due this State.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1786—An act to amend section 170 of the Code of Civil Procedure by adding a new subsection thereto to be known as subsection 7, relating to disqualification of judges in actions or proceedings by or against the Reclamation Bureau of the State of California or any irrigation, reclamation, levee, swamp land or drainage district, or any public agency or trustee, officer, or employee thereof.

Committee Amendments to Assembly Bill No. 1786.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, in the title of the printed bill, strike out line 2, and in line 3, strike out "section 7,".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, strike out "Bureau", and insert in lieu thereof the following: "Board."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 2 and 3, and insert in lieu thereof the following: "hereby amended to read as follows:

170. No justice, judge or justice of the peace shall sit or act as such in any action or proceeding:

1. To which he is a party, or in which he is interested other than as a holder or owner of any capital stock of a corporation, or of any bond, note or other security issued by a corporation;

2 In which he is interested as a holder or owner of any capital stock of a corporation, or of any bond note or other security issued by a corporation,

3. When he is related to either party, or to an officer of a corporation, which is a party, or to an attorney, counsel, or agent of either party, by consanguinity or affinity within the third degree computed according to the rules of law; provided, however, that if the parties appearing in the action and not then in default, or the petitioner in any probate proceeding, or the executor, or administrator of the estate, or the guardian of the minor or incompetent person, or the commissioner, or the referee, or the attorney for any of the above named, or the party or his attorney in all other or special proceedings, shall sign and file in the action or matter, a stipulation in writing waiving the disqualification mentioned in this subdivision or in subdivisions 2 or 4 hereof, the judge or court may proceed with the trial or hearing and the performance of all other duties connected therewith with the same legal effect as if no such disqualification existed

4. When, in the action or proceeding, or in any previous action or proceeding involving any of the same issues, he has been attorney or counsel for any party; or when he has given advice to any party upon any matter involved in the action or proceeding; or when he has been retained or employed as attorney or counsel for any party within two years prior to the commencement of the action or proceeding,

5. When it is made to appear probable that, by reason of bias or prejudice of such justice, judge, or justice of the peace a fair and impartial trial can not be had before him

Whenever a judge or justice shall have knowledge of any fact or facts, which, under the provisions of this section, disqualify him to sit or act as such in any action or proceeding pending before him, it shall be his duty to declare the same in open court and cause a memorandum thereof to be entered in the minutes or docket. It shall thereupon be the duty of the clerk, or the justice if there be no clerk, to transmit forthwith a copy of such memorandum to each party, or his attorney, who shall have appeared in such action or proceeding, except such party or parties as shall be present in person or by attorney when the declaration shall be made.

In justices' courts when before the trial, either party makes and files an affidavit that he believes that he can not have a fair and impartial trial before the justice before which the action is pending, by reason of the interest prejudice or bias of the justice, the court may order the transfer of the action, and the provisions of section 398 of this code shall apply to such transfer

Whenever a judge of a court of record who shall be disqualified under the provisions of this section, to sit or act as such in any action or proceeding pending before him, neglects or fails to declare his disqualification in the manner hereinbefore provided, any party to such action or proceeding who has appeared therein may present to the court and file with the clerk a written statement objecting to the hearing of such matter or the trial of any issue of fact or law in such action or proceeding before such judge, and setting forth the fact or facts constituting the ground of the disqualification of such judge

Within five days after the presentation and filing of any such statement, the judge alleged therein to be disqualified may file with the clerk his consent in writing that the action or proceeding be tried before another judge, or may file with the clerk his written answer admitting or denying any or all of the allegations contained in such statement and setting forth any additional fact or facts material or relevant to the question of his disqualification The clerk shall forthwith transmit a copy of the judge's consent or answer to each party or his attorney who shall have appeared in such action or proceeding Every such statement and every such answer shall be verified by oath in the manner prescribed by section 446 of this code for the verification of pleadings The statement of a party objecting to the judge on the ground of his disqualification, shall be presented at the earliest

practicable opportunity, after his appearance and discovery of the facts constituting the ground of the judge's disqualification, and in any event before the commencement of the hearing of any issue of fact in the action or proceeding before such judge.

No judge of a court of record, who shall deny his disqualification, shall hear or pass upon the question of his own disqualification; but in every such case, the question of the judge's disqualification shall be heard and determined by some other judge agreed upon by the parties who shall have appeared in the action or proceeding, or, in the event of their failing to agree, by a judge requested to act by the Chairman of the Judicial Council, and, if the parties fail to agree upon a judge to determine the question of the disqualification, within five days after the expiration of the time allowed herein for the judge to answer, it shall be the duty of the clerk then to notify the Chairman of the Judicial Council of that fact; and it shall be the duty of the chairman of the judicial council forthwith, upon receipt of notice from the clerk, to request some other judge, not disqualified, to hear and determine the question.

If such judge admits his disqualifications, or files his written consent that the action or proceeding be tried before another judge, or fails to file his answer within the five days herein allowed, or if it shall be determined after hearing that he is disqualified, the action or proceeding shall be heard and determined by another judge or justice not disqualified, who shall be agreed upon by the parties, or, in the event of their failing to agree appointed by he Chairman of the Judicial Council; provided, however, that when there are two or more judges of the same court, one of whom is disqualified, the action or proceeding may be transferred to a judge who is not disqualified.

A judge who is disqualified may, notwithstanding his disqualification, request another judge, who has been agreed upon by the parties, to sit and act in his place

6 In an action or proceeding brought in any court by or against the Reclamation Board of the State of California, or any irrigation, reclamation, levee, swamp land or drainage district, or any public agency, or trustee, officer or employee thereof, affecting or relating to any real property, or an easement or right of way, levee, embankment, canal, or any work provided for or approved by the Reclamation Board of the State of California, a judge of the superior court of the county, or a judge of the municipal court of the city, or a justice of the peace of the township, in which such real property, or any part thereof, or such easement or right of way, levee, embankment, canal or work, or any part thereof is situated shall be disqualified to sit or act, and such action shall be heard and tried by some other judge, or justice, requested to sit therein by the Chairman of the Judicial Council, unless the parties to the action shall sign and file in the action or proceeding a stipulation in writing, waiving the disqualification in this subdivision of this section provided, in which case such judge or justice may proceed with the trial or hearing with the same legal effect as if no such legal disqualification existed If, however, the parties to the action shall sign and file a stipulation, agreeing upon some other judge or justice to sit or act in place of the judge or justice disqualified under the provisions of this subdivision, the judge or justice agreed upon shall be called by the judge or justice so disqualified to hear and try such action or proceeding: provided, that nothing herein contained shall be construed as preventing the judge of the superior court of such county, or of the municipal court of such city, from issuing a temporary injunction or restraining order, which shall, if granted, remain in force until vacated or modified by the judge designated as herein provided"

Amendment No. 4.

On page 1, line 4, of the printed bill, strike out "subsection", and insert in lieu thereof the following: "subdivision"

Amendment No. 5

On page 1 of the printed bill, following line 11, insert the following:

"Nothing in this section contained shall affect a party's right to a change of the place of trial in the cases provided for in Title IV, Part II of this code"

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2611—An act to amend section 690 11 of the Code of Civil Procedure, relating to the exemption of the earnings of judgment debtors for their personal services from execution or attachment

Committee Amendments to Assembly Bill No. 2611.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"690 11 One-half of the earnings of the defendant or judgment debtor received for his per-"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 5 to 6, inclusive, and insert in lieu thereof the following. "preceding the levy of attachment or execution".

Amendment No. 3.

On page 1, line 18, of the printed bill, strike out "(1) One-half of such earnings in any case".

Amendment No. 4.

On page 1, line 21, of the printed bill, strike out "(2)"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2681—An act to amend section 726, Code of Civil Procedure, relating to proceedings in foreclosure suits

Committee Amendments to Assembly Bill No. 2681.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out "Court may appoint commissioner."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 24 to 27, inclusive, and on page 2, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following

"Upon the application of either party made at least ten days before the time of trial the court shall, and upon its own motion the court at any time may, appoint one of the inheritance tax appraisers provided for by law to appraise the property or the interest therein sold as of the time of sale. Such appraiser shall file his appraisal with the clerk and the same shall be admissible in evidence. Such appraiser shall take and subscribe an oath to be attached to the appraisal that he has truly, honestly and impartially appraised the property to the best of his knowledge and ability. Any appraiser so appointed may be called and examined as a witness by any party or by the court itself. The court must fix the compensation of such appraiser, not to exceed five dollars per day, and expenses for the time actually engaged in such appraisal, which may be taxed and allowed in like manner as other costs. Thereupon the court may render a money judgment against the defendant or defendants personally liable for the debt for not more than the amount by which the entire amount of the indebtedness due at the time of sale exceeded the fair market value of the real property or interest therein sold at the time of sale with interest thereon from the date of the sale; provided, however, that in no event shall the amount of said judgment, exclusive of interest after the date of sale, exceed the difference between the amount for which the property was sold and the entire amount of the indebtedness secured by said mortgage."

Amendment No. 3.

On page 2, line 5, of the printed bill, strike out "Holder of unrecorded mortgage need not be made party."

Amendment No. 4.

On page 2, line 14, of the printed bill, strike out "Sales by commissioner."

Amendment No. 5.

On page 2, line 21, of the printed bill, strike out "Court may appoint elisor."

Amendment No. 6.

On page 2, line 36, of the printed bill, strike out "Land lying in two counties."

Amendment No. 7.

On page 2, line 43, of the printed bill, strike out "Recovery of repair, etc. expenditures."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1925—An act to amend section 4264 of the Political Code, relating to salaries of county officers in counties of the thirty-fifth class.

Committee Amendments to Assembly Bill No. 1925.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 7 to 27, inclusive.

Amendment No. 2.

On page 2 of the printed bill, strike out lines 1 to 22, inclusive

Amendment No. 3.

On page 2, line 23, of the printed bill, strike out "4", and insert in lieu thereof the following: "1".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 33 to 52, inclusive

Amendment No. 5.

On page 3 of the printed bill, strike out lines 1 to 9, inclusive

Amendment No. 6.

On page 3, line 10, of the printed bill, strike out "8", and insert in lieu thereof the following: "2".

Amendment No. 7.

On page 3 of the printed bill, strike out lines 18 to 52, inclusive.

Amendment No. 8.

On page 4 of the printed bill, strike out lines 1 to 6, inclusive.

Amendment No. 9.

On page 4, line 7, of the printed bill, strike out "15", and insert in lieu thereof the following "3".

Amendment No. 10.

On page 4 of the printed bill, strike out lines 14 to 21, inclusive

Amendment No. 11.

On page 4, line 22, of the printed bill, strike out "17", and insert in lieu thereof the following: "4".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 499—An act to amend section 4041k of the Political Code of the State of California, relating to the vacation of easements.

Committee Amendment to Assembly Bill No. 499.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the word "easements", and insert in lieu thereof the following: "any easements of the county"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 313—An act to amend section 4307 of the Political Code, relating to county charges.

Committee Amendments to Assembly Bill No. 313.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the figures "4307.", strike out the words "County Charges: General.".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out the figure "1.".

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out the following: "2. District Attorney and Sheriff."

Amendment No. 4.

On page 1, line 16, of the printed bill, strike out the following "3 County Jail."

Amendment No. 5.

On page 1, line 21, of the printed bill, strike out the following "4 Jurors and Witnesses"

Amendment No. 6.

On page 1, line 31, of the printed bill, strike out the following "5 Coroner"

Amendment No. 7.

On page 2, line 1, of the printed bill, strike out the following: "6 Justices of the Peace".

Amendment No. 8.

On page 2, line 5, of the printed bill, strike out the following "7. Dependent Poor and Indigent Sick."

Amendment No. 9.

On page 2, line 17, of the printed bill, strike out the following: "8 Contingent Expenses."

Amendment No. 10.

On page 2, line 19, of the printed bill, strike out the following: "9 Official Bonds"

Amendment No. 11.

On page 2, line 22, of the printed bill, strike out the following "10. Constables"

Amendment No. 12.

On page 2, line 24, of the printed bill, strike out the following: "11. Traveling Expenses"

Amendment No. 13.

On page 2, line 32, of the printed bill, strike out the following: "12 Court Actions."

Amendment No. 14.

On page 2, line 39, of the printed bill, strike out the following "13. General."

Amendment No. 15.

On page 2, line 42, of the printed bill, strike out the following "14 Catastrophes."

Amendment No. 16.

On page 2, line 46, of the printed bill, strike out the following "15. Preparation of plans for catastrophes"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 208—An act to add a new section to the School Code to be numbered 2.95, relating to the powers and duties of superintendents of school districts.

Committee Amendments to Assembly Bill No. 208.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 line 1 of the title of the printed bill, after the word "act", insert the following "to amend section 2.92 of the School Code and".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the following "the powers and duties of".

Amendment No. 3.

On page 1 line 1 of the printed bill, after the figure "1.", insert the following "*Section* 2.92 *of the School Code is hereby amended to read as follows:*

2.92. A city or city and county superintendent of schools elected by a board of education shall be elected for a term of four years The provisions of this section shall prevail over any provision of the charter of any city or city and county in conflict therewith

Sec. 2."

Amendment No. 4.

On page 1, line 3, of the printed bill, after the word "each", insert the word "such".

Amendment No. 5.

On page 1 of the printed bill, beginning in line 4, strike out the comma and the following: "including each city school district,".

Amendment No. 6.

On page 1 of the printed bill, strike out all of line 10, and insert in lieu thereof the following: "the district, at such time as the board may direct, the budget of the district for the next ensuing school year, for such revision and other action in connection therewith as the board may desire to take."

Amendment No. 7.

On page 1, line 17, of the printed bill, after the first comma insert the following "within one year,"

Amendment No. 8.

On page 1 line 20, of the printed bill, strike out the word "He", and insert in lieu thereof the following "Subject to the approval of the governing board, he".

Amendment No. 9.

On page 1, line 20, of the printed bill, after the word "district", insert the following "employed in positions requiring certification qualifications,".

Amendment No. 10.

On page 1 of the printed bill, strike out all of lines 22 to 26, both inclusive

Amendment No. 11.

On page 1, line 11, of the printed bill, after the word "persons", insert the following: "to serve in positions requiring certification qualifications".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 428—An act to add a new section to the School Code to be numbered 4.192, relating to the insuring of employees of county superintendents of schools against liabilities imposed by law.

Committee Amendment to Assembly Bill No. 428.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 line 3, of the printed bill, strike out "may", and insert in lieu thereof "must".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 987—An act to repeal Chapters II, III and IV and Articles II and III of Chapter V, all of Part II of Division V of the School Code, to repeal sections 5.341, 5.342, 5.343, 5.360, 5.361, 5.362 5.363 and 5.540 of the said code, to amend sections 5.263, 5.313, 5.314 and 5.315 of said code, and to add to Part II of Division V of said code a new chapter to be known as Chapter II, all relating to certificates and credentials for employment in the public school system

Committee Amendments to Assembly Bill No. 987.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2, line 41, of the printed bill, strike out "and service as the"

Amendment No. 2.

On page 2 of the printed bill, strike out line 42, and insert a period

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1131—An act to add section 5.265 to the School Code, relating to life diplomas

Committee Amendments to Assembly Bill No. 1131.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 line 4, of the printed bill, strike out "continuously"

Amendment No. 2.

On page 1, line 5, of the printed bill, after the word "years", insert the following "out of ten".

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1624—An act to amend section 3.220 of the School Code, relating to the system of public instruction.

Committee Amendments to Assembly Bill No. 1624.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following "section 3.220", and insert in lieu thereof the following: "sections 3.122 and 3.171"

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after the word "Code", insert the following: "and to repeal section 3.172 thereof".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, strike out the following: "system of public instruction", and insert in lieu thereof the following: "admission of persons into the public schools".

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out the number "3.220", and insert in lieu thereof the number "3.122".

Amendment No. 5.

On page 1 of the printed bill, after line 2, insert the following:

"3.122. A child shall be admitted to the beginning classes of a kindergarten maintaining but one term during the school year if such child will be four and one-half years of age before the end of the sixth calendar month from the date that school is opened for said term.

Where a kindergarten is maintained for more than one term in the school year a child shall be admitted to the beginning classes of the kindergarten during any term if he will be four and one-half years of age before the end of the third calendar month of said term.

A child may be admitted to kindergarten at a lesser age than that hereinbefore provided at the discretion of the governing board of the district maintaining such kindergarten.

SEC. 2. Section 3.171 of the School Code is hereby amended to read as follows:

3.171. The day elementary schools of each school district of California may be open for the admission of adults, or of children under six years of age, if the governing body of the district deems such admission advisable.

SEC. 3. Section 3.172 of the School Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1628—An act to amend section 4.780 of the School Code, relating to the financial support of the public school system.

Committee Amendments to Assembly Bill No. 1628.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "4.780", and insert in lieu thereof the following: "4.280".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "4.780", and insert in lieu thereof the following: "4.280".

Amendment No. 3.

On page 1 of the printed bill, following line 2, insert the following:

"4.280. Boards of school trustees and city boards of education shall have power and it shall be their duty to pay all moneys received by them or collected by them from any source whatever and all moneys apportioned to them from taxes levied and collected under the authority of city councils for school purposes, into the county treasury to be placed to the credit of the proper fund of their districts. All money collected by the city council or other governing body of any municipality from taxes levied for school purposes when received shall be paid into the county treasury to the credit of the school district for the schools of which the taxes were levied, provided, however, that all moneys received or collected as student body funds and/or moneys received by the school cafeterias may be deposited in any State or National bank doing business in the State of California."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2651—An act to add section 5.409a to the School Code, relating to use of division of State employment agencies by teachers.

Committee Amendments to Assembly Bill No. 2651.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 5.409a", and insert in lieu thereof the following: "sections 5.409a and 5.409b".

Amendment No. 2.

On page 1 of the printed bill, following line 7, add the following:

"SEC. 2. Section 5.409b is hereby added to the School Code to read as follows:

5.409b. The Division of State Employment Agencies shall maintain a department in charge of a trained teacher personnel director, a branch of which depart-

ment shall also be maintained in each city in which a branch State employment agency is maintained."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 906—An act to amend section 23 of the District Investigation Act of 1933 so as to exclude sanitary districts from the operation of said act.

Committee Amendments to Assembly Bill No. 906.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 8.

Amendment No. 2.

On page 1 of the printed bill, strike out line 20.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 34—An act to amend section 737 of the Penal Code, relating to officers liable to impeachment

Committee Amendments to Assembly Bill No. 34.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following: "State, Controller, Treasurer, Attorney General, Chief Justice, Associate Justices of the Supreme Court,".

Amendment No. 2.

On page 1, line 7, of the printed bill, after "Appeal," insert the following: "the judges of municipal courts,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2609—An act to amend section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Committee Amendments to Assembly Bill No. 2609.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, after "not", strike out "it".

Amendment No. 2.

On page 1, line 27, of the printed bill, after "employee", insert the following: "or agent".

Amendment No. 3.

On page 2, line 27, of the printed bill, after "employee", insert the following: "or agent".

Amendment No. 4.

On page 2, line 39, of the printed bill, strike out "holder thereof", and insert in lieu thereof the following: "person in whose favor the writ runs".

Amendment No. 5.

On page 3 of the printed bill, strike out lines 18 to 20, inclusive, and insert in lieu thereof the following: ". The recorder must"

Amendment No. 6.

On page 3, line 48, of the printed bill, strike out "holder thereof", and insert in lieu thereof the following: "person in whose favor the writ runs".

Amendment No. 7.

On page 2, line 39, of the printed bill, strike out "after due notice", and insert in lieu thereof the following "with or without notice as the court directs"

Amendment No. 8.

On page 3, line 48, of the printed bill, strike out "after due notice", and insert in lieu thereof the following: "with or without notice as the court directs".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2679—An act to amend section 2898 of the Civil Code, relating to priority of mortgages for price.

Committee Amendments to Assembly Bill No. 2679.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 2 of the title of the printed bill after "mortgage", insert the following: "or trust deed".

Amendment No. 2.

On page 1, line 4, of the printed bill after "of", strike out "the", and insert in lieu thereof the following "its".

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2690—An act to amend section 827 of the Civil Code, relating to notice of change in terms of leases.

Committee Amendments to Assembly Bill No. 2690.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 5 and 6 of the printed bill, strike out the following "at least thirty days before the expiration of the month".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out the following, "at".

Amendment No. 3.

On page 1 line 7, of the printed bill, strike out the following "the month".

Amendment No. 4.

On page 1, line 11, of the printed bill strike out the following: "at the time such tenancy is created".

Amendment No. 5.

On page 1, line 13, of the printed bill strike out the following "the month".

Amendment No. 6.

On page 1 line 19 of the printed bill, strike out the following "the expiration of the month".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 701—An act to add section 48b to "The California Irrigation District Act," relating to the discharge compromise, and purchase of overlapping tax or assessment liens and titles on district-owned property

Committee Amendments to Assembly Bill No. 701.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the words "operative prop-", and strike out all of line 8, and all of line 9 down to and including the word "assessments", and insert in lieu thereof the following: "any property to which such district has title".

Amendment No. 2.

On page 1, line 12, of the printed bill, after the word "and", insert the following: ", notwithstanding any other provision or provisions of this act,".

Amendment No. 3.

On page 1, line 13, of the printed bill, after the word "may", insert the following: "with such funds".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1502—An act to amend section 3 of "An act declaring the conditions upon which an irrigation district may be dissolved, prescribing the procedure therefor and the winding up of affairs of the district when dissolved," approved May 18, 1919, relating to irrigation districts.

Committee Amendments to Assembly Bill No. 1502.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 24 and 25, and insert in lieu thereof the following: "shall be sold at public sale or shall be distributed to the owners of the lands within the district upon such terms and for such consideration, as the court may impose and direct; and the proceeds, if any, from such public sale or such distribution, together with all other moneys of the district on hand, shall be used to discharge and pay any and all indebtedness of the district."

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 1 to 29 down to and including the period in said line 29.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1784—An act to amend section 32e of the California Irrigation District Act, relating to the irrevocable allocation of proceeds of contract to payment of principal or interest on bonds and to revenue bonds

Committee Amendment to Assembly Bill No. 1784.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, lines 9 and 10, of the printed bill, strike out the words "bonds issued under the provisions of this section", and insert in lieu thereof the following: "such bonds".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1787—An act to amend section 15 of the California Irrigation District Act, relating to the powers and duties of the board of directors.

Committee Amendments to Assembly Bill No. 1787.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out the word "both".

Amendment No. 2.

On page 1, line 9, of the printed bill, strike out the words "and personnel".

Amendment No. 3.

On page 1, lines 10 and 11, of the printed bill, strike out the words "in furtherance of the best interests of the district", and insert in lieu thereof the following: "for good cause or for lack of work or funds".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1789—An act to amend section 47 of the California Irrigation District Act, relating to redemption of property sold for delinquent assessments.

Committee Amendments to Assembly Bill No. 1789.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, after the comma at the end of line 16, insert the following "plus the amount of any recorder's fee fixed by law for the service hereinafter provided for,".

Amendment No. 2.

On page 1, lines 26 and 27, of the printed bill, strike out the words "without charge".

Amendment No. 3.

On page 2, line 3, of the printed bill, after the period after the word "sale", insert the following: "The county recorder shall receive a fee of fifty cents (50c)

for filing each certificate of redemption and making the marginal notations required by this act."

Amendment No. 4.

On page 3, line 4, of the printed bill, after the word "also", insert the following: "sell, convey,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1268—An act to amend section 3 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929.

Committee Amendments to Assembly Bill No. 1268.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "amend", strike out the word "section", and insert in lieu thereof the following: "sections 1, 2,".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after the numeral "3", insert the following: ", 6, and 8".

Amendment No. 3.

On page 1 of the printed bill, preceding line 1, insert the following:

"SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows:

1. All weeds growing upon the streets or sidewalks or upon private property in counties, including county fire protection districts, which bear seeds of a wingy or downy nature, or attain such a large growth as to become a fire menace to adjacent improved property when dry, or which are otherwise noxious or dangerous may be declared to be a public nuisance by the board of supervisors of any such county, and thereafter abated as in this act provided. The term "weeds" whenever used in this act shall be deemed and construed to include poison oak and poison ivy, and the supervisors are hereby authorized to declare such poison oak and poison ivy a public nuisance whenever the conditions of the growth of the same are such as to constitute a menace to the public health, and thereafter such nuisance may be abated as in this act provided.

SEC. 2. Section 2 of said act is hereby amended to read as follows:

2. Whenever any such weeds are growing upon any street or sidewalk or private property the board of supervisors of any such county may, by resolution declare the same to be a public nuisance. Said resolution shall refer, by the name under which it is commonly known, to the street, highway or road, upon which such nuisance exists, or upon which such sidewalks are located, or upon which such private property fronts or abuts, or nearest to which such private property is located. If such private property fronts or abuts upon more than one street, highway or road, it shall be necessary to refer to only one of such streets, highways or roads. Said resolution shall describe the property upon which, or in front of which said nuisance exists by giving the description of same according to the official map, or maps, or the assessment map, or maps, or other map, or maps of such county used for describing property on tax bills; and no other description of said property shall be required. Any number of streets, sidewalks or parcels of private property may be included in one and the same resolution."

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "SECTION 1", and insert in lieu thereof the following: "Sec. 3".

Amendment No. 5.

On page 1, line 1, of the printed bill, strike out "an", and insert in lieu thereof the following "said".

Amendment No. 6.

On page 1 of the printed bill, commencing at line 1, and continuing through line 9, strike out all that portion beginning with the word "entitled", and ending with the numerals and comma, "1929,".

Amendment No. 7.

On page 2, line 1, of the printed bill, strike out the words "three in all", and insert in lieu thereof the following: "one notice to each lot or parcel".

Amendment No. 8.

On page 2 of the printed bill, strike out lines 31 to 41, inclusive.

Amendment No. 9.

On page 2 of the printed bill, following line 41, insert the following:

"Posting and Mailing Notices. Said notice shall be posted at least five days prior to the time for hearing objections by the board of supervisors of the county, and a postcard notice of such hearing shall be mailed by said board of supervisors to the owners of said parcels who have filed with said board a written request for such postcard notice within one year of the date of mailing such notice. Such postcard notice shall be mailed to said owners of said parcels at the address shown on said written request for such notice, and shall be mailed at least seven days prior to the date of such hearing. Said postcard notice shall be sufficient if substantially in the form herein set out.

SEC. 4. Section 6 of said act is hereby amended to read as follows:

6. The officer, board or commission abating the nuisance shall keep an account of the cost of abating such nuisance in front of or on each separate lot or parcel of land and shall render an itemized report in writing to the board of supervisors of the county showing the cost of removing such weeds on each separate lot, or parcel of land, or in front thereof, or both; provided, that before said report is submitted to said board of supervisors, copy of the same shall be posted for at least three days prior thereto on or near the chamber door of said board of supervisors, together with a notice of the time when said report shall be submitted to the board of supervisors for confirmation; and provided, further, that a postcard notice of the time and place of the submission of said report for confirmation, stating generally the nature of said report, shall be mailed by the board of supervisors to the owners of said parcels who have filed with said board a written request for such postcard notice within one year of the date of mailing such notice, at least seven days prior to the date of such submission for confirmation.

SEC. 5. Section 8 of said act is hereby amended to read as follows:

8. A copy of said report, after confirmation thereof, shall be turned over to the auditor of such county, before the first business day of September following such confirmation, and it shall be the duty of said auditor to enter the amounts of the respective assessments against the respective parcels of land as they appear on the current assessment roll, and it shall be the duty of the tax collector to include the same on bills for taxes levied against the said respective lots and parcels of land. Thereafter said amounts shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection and enforcement of county taxes are hereby made applicable to such special assessment taxes; provided, however, that the said county tax collector may, in his discretion, issue separate bills for such special assessment taxes and separate receipts for collection on account of such assessments."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2444—An act to add section 13 to an act entitled "An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof," approved May 23, 1923, relating to application of the "District Investigation Act of 1933" to such districts formed or proposed.

Committee Amendment to Assembly Bill No. 2444.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "any provision", and insert in lieu thereof the following: "section 4".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2445—An act to add section 13 to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more

counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to application of the "District Investigation Act of 1933" to such districts formed or proposed

Committee Amendment to Assembly Bill No. 2445.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "any provision", and insert in lieu thereof the following: "section 4".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2446—An act to add section 31 to "An act to allow and provide for the organization, incorporation and maintenance of fire districts to be governed by board of fire commissioners; to provide for the equipment and maintenance of fire departments and the acquisition of all property necessary therefor," approved March 4, 1881, relating to the application of the "District Investigation Act of 1933" to such districts formed or proposed.

Committee Amendment to Assembly Bill No. 2446.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "any provision", and insert in lieu thereof the following: "section 4".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 13—An act to add sections 8.5 8.6 and 12.5 to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to county fire protection districts.

Committee Amendments to Assembly Bill No. 13.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 8 to 32, inclusive, and insert in lieu thereof the following: "lowing: A petition signed by all owners in fee of real property in such contiguous territory, as shown by the last equalized assessment book of the county in which such district is located, designating specifically the boundaries of such contiguous territory, and stating that such territory is not within the fire limits of any other fire district, and asking that such territory be included in the fire limits of such district, which said petition shall also be signed by the board of directors of such district, shall be presented to the board of supervisors of each county in which such district is located.

The petition must be verified by the affidavit of one of the petitioners and a notice stating the time when such petition will be presented to the board of supervisors and that all persons interested therein may appear and be heard, must be posted at least two weeks preceding the hearing thereof, in three public places in such district."

Amendment No. 2.

On page 2 of the printed bill, strike out lines 43 to 51, inclusive, and on page 3, strike out lines 1 to 26, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 3—An act to amend sections 1, 3, 5, 6, 11 and 13 of the Unfair Practices Act, to repeal section 15 of said act, and to add sections 15, 16 and 17 thereto, all relating to unfair trade practices.

Committee Amendments to Assembly Bill No. 3.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "3," insert "4," and after "6," insert "10," and after "11," insert "12,".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 4.

Amendment No. 3.

On page 1, line 6, of the printed bill, strike out "commodity, or product, or output of a service trade," and insert in lieu thereof the following: "article or product".

Amendment No. 4.

On page 1, lines 9 and 10, of the printed bill, strike out "commodity, product, or output of a service trade", and insert in lieu thereof the following: "article or product".

Amendment No. 5.

On page 1, line 17, of the printed bill, strike out "commodity, product, or output of a service trade", and insert in lieu thereof the following: "article or product".

Amendment No. 6.

On page 2 of the printed bill, strike out lines 2 to 4, inclusive, and in line 5, strike out "act.", and insert in lieu thereof the following: "consumer. Motion picture films when licensed for exhibition to motion picture houses shall not be deemed to be an article or product under this act. Neither shall anything in this act be deemed to apply to common carriers as the same are defined in the "Public Utilities Act"."

Amendment No. 7.

On page 2, line 9, of the printed bill, strike out "If such", and strike out lines 10 to 20, inclusive.

Amendment No. 8.

On page 2, lines 31 and 32, of the printed bill, strike out ", offer for sale or advertise for sale".

Amendment No. 9.

On page 2, lines 32 and 33, of the printed bill, strike out ", or output of a service trade,".

Amendment No. 10.

On page 2, line 34, of the printed bill, strike out ", offer to give or advertise the intent to give".

Amendment No. 11.

On page 2, line 35, of the printed bill, strike out ", or service or output of a service trade,".

Amendment No. 12.

On page 2, line 36, of the printed bill, strike out "and", and insert in lieu thereof the following: "or".

Amendment No. 13.

On page 2, line 37, of the printed bill, strike out "or it".

Amendment No. 14.

On page 3 of the printed bill, between lines 2 and 3, insert the following:

"The prohibitions of this section shall be deemed to prohibit the practice of using any article or product of an industry as a "loss leader" to induce the purchase of other merchandise, the sale of which merchandise is used to recoup the loss sustained on the "loss leader" product so sold with the tendency or capacity to mislead or deceive purchasers or prospective purchasers or which unfairly diverts trade from or otherwise injures competitors."

Amendment No. 15

On page 3 of the printed bill, between lines 6 and 7, insert the following:

"SEC. 2 5. Section 4 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 4. In establishing the cost of a given article or product to the distributor and vendor, the invoice cost of said article or product purchased at a forced, bankrupt, closeout sale, or other sale outside of the ordinary channels of trade may not be used as a basis for justifying a price lower than one based upon the replacement cost as of date of said sale of said article or product replaced through the ordinary

channels of trade, unless said article or product is kept separate from goods purchased in the ordinary channels of trade and unless said article or product is advertised and sold as merchandise purchased at a forced, bankrupt, closeout sale, or by means other than through the ordinary channels of trade, and said advertising shall state the conditions under which said goods were so purchased, and the quantity of such merchandise to be sold or offered for sale.

"Ordinary channels and manner of trade" shall mean those ordinary, regular and daily transactions in the mercantile trade whereby title to an article or product, in no way damaged or deteriorated, is transferred from one person to another, other than a consumer, and shall not include sales of bankrupt stocks, close out goods, dents, sales of goods bought from a business or merchant retiring from business, fire sales and sales of damaged or deteriorated goods, which damage or deterioration results from any cause whatsoever; provided that this last listing herein shall not be held to be all inclusive but as example only."

Amendment No. 16.

On page 3 of the printed bill, strike out lines 19 to 23, inclusive, and insert in lieu thereof the following:

"Based on the standards as defined in this section, the term "cost of doing business" as applied to a service trade may be determined by agreement, provided not less than eighty per cent of those engaged in the business in a particular trading area agree as to operating costs prevailing in said industry.

In all actions brought under the provisions of this act proof of one or more acts of selling or giving away any article or product below cost or at discriminatory prices, together with proof of the injurious effect of such acts, shall be presumptive evidence of the purpose or intent to injure competitors or destroy competition."

Amendment No. 17.

On page 3, line 30, of the printed bill, strike out "stock or commodity", and insert in lieu thereof the following: "article or product".

Amendment No. 18.

On page 3, line 39, of the printed bill, strike out ", or output of a service trade".

Amendment No. 19.

On page 3, line 40, of the printed bill, after "area", insert the following: "and in the ordinary channels and manner of trade as herein defined".

Amendment No. 20.

On page 3 of the printed bill, between lines 44 and 45, insert the following:

"SEC. 4.5. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 10. Any person, firm, private corporation or municipal or other public corporation, or trade association, may maintain an action to enjoin a continuance of any act or acts in violation of sections 1 to 7 inclusive, of this act and, if injured thereby, for the recovery of damages. If, in such action, the court shall find that the defendant is violating or has violated any of the provisions of sections 1 to 7, inclusive, of this act, it shall enjoin the defendant from a continuance thereof. It shall not be necessary that actual damages to the plaintiff be alleged or proved. In addition to such injunctive relief, the plaintiff in said action shall be entitled to recover from the defendant three times the amount of the actual damages, if any, sustained.

Any defendant, or any witness, in an action brought under the provisions of this section may be required to testify under the provisions of sections 2021, 2031 and 2055 of the Code of Civil Procedure of this State, in addition, the books and records of any such defendant, or any such witness, may be brought into court and introduced, by reference, into evidence; provided, however, that no information so obtained may be used against such defendant, or any such witness, as a basis for a misdemeanor prosecution under the provisions of sections 1 to 7, inclusive, and 11 of this act."

Amendment No. 21.

On page 4 of the printed bill, between lines 4 and 5, insert the following:

"Proof of average overall cost of doing business for any particular inventory period when added to the cost of production of each article or product, as to a producer, or invoice or replacement cost, whichever is lower, of each article or product, as to a distributor, shall be presumptive evidence of cost as to each such article or product involved in any action under section 3 of this act.

Proof of transportation tariffs when fixed and approved by the Railroad Commission of the State of California shall be presumptive evidence of delivery cost as provided in section 3 hereof.

SEC. 5.5. Section 12 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 12. If any section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the act. The Legislature hereby declares that it would have passed

this act, and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sentences, clauses or phrases be declared unconstitutional."

Amendment No. 22.

On page 4, line 10, of the printed bill, after "unfair", insert the following: "dishonest, deceptive, destructive, fraudulent".

Amendment No. 23.

On page 4 of the printed bill, strike out lines 18 to 23, inclusive, and insert in lieu thereof the following:

"SEC. 15. In any action brought under the provisions of section 3 hereof where it is alleged and shown that the person complained against is selling, below his cost of doing business, and said person is including labor at less than the prevailing wage scale in the trade in which such person is engaged for the locality or vicinity in which he is doing business, evidence of such prevailing wage scale shall be admissible to prove the intent or purpose of such person to violate the provisions of said act."

Amendment No. 24.

On page 4, line 30, of the printed bill, after "corporation", insert the following: "; the term "sell" includes selling, offering for sale or advertising for sale; the term "give" includes giving, offering to give or advertising the intent to give; the term "article or product" includes any article, product, commodity, thing of value, service or output of a service trade".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Joint Resolution No. 21—Relative to memorializing the President and Congress of the United States to enact legislation that would result in financial aid in the construction of a neuropsychopathic hospital for Veterans of the World War.

Committee Amendments to Assembly Joint Resolution No. 21.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed measure, strike out lines 9 and 10, and insert in lieu thereof, the following: "additional hospitals in this State, now,"

Amendment No. 2.

On page 1, line 15, of the printed measure, after the word "result", strike out all matter to the semicolon in line 17, and insert in lieu thereof the following "in the construction of additional hospitals by the Federal Government".

Amendments adopted.

Assembly Joint Resolution No. 21 ordered to reprint and engrossment.

Assembly Bill No. 1275—An act to amend the title of and section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition on public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, extending the provisions of the act to liability in damages of school districts in the case of injuries to persons arising because of the negligence of the district, or its officers or employees.

Committee Amendments to Assembly Bill No. 1275.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 10 of the title of the printed bill, strike out "extending the", and strike out lines 11, 12, and 13 of said title, and insert in lieu thereof the following: "relating to liability of and damages against school districts."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "The title of Act 5149 of the General Laws is", and insert in lieu thereof the following: "The title of the act cited in the title hereof is".

Amendment No. 3.

On page 1, line 8, of the printed bill, after the word "persons", insert the following: "or property".

Amendment No. 4.

On page 1, line 14, of the printed bill, strike out "of Act 5149 of the General Laws", and insert in lieu thereof the following: "of the act cited in the title hereof".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1277—An act to amend the title of an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, and approved as amended June 10, 1933, extending the provisions of the act to liability in damages of such officers in the case of injuries to persons arising because of the negligence of the district, or its officers or employees.

Committee Amendments to Assembly Bill No. 1277.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out lines 13, 14, 15, and 16 of the title, and insert in lieu thereof the following: "10, 1933, relating to liability of, and damages against, school districts."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "Act 5150 of the General Laws", and insert in lieu thereof the following: "the act cited in the title hereof".

Amendment No. 3.

On page 1, line 10, of the printed bill, after the word "persons", insert the following: "or property".

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1168—An act to amend sections 3h, 5, 9c, 10, 12, 12a, and 18 of and to add two new sections to the California Real Estate Act to be numbered 10a, 10b, and 10c respectively, relating to the regulation and licensing of real estate brokers and salesmen, and to the disposition of money in the real estate fund.

Committee Amendments to Assembly Bill No. 1168.

The following amendments were submitted by the committee

Amendment No. 1.

On page 3, line 49, of the printed bill, strike out "seven", and insert in lieu thereof the word "three".

Amendment No. 2.

On page 3, line 50, of the printed bill, strike out the words "and one-half"

Amendment No. 3.

On page 4, line 19, of the printed bill, strike out "two", and insert in lieu thereof the word "one".

Amendment No. 4.

On page 4, line 40, of the printed bill, after the figure "10", insert "b".

Amendment No. 5.

On page 6, line 42, of the printed bill, strike out "three", and insert in lieu thereof the word "two".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 234—An act to amend section 24 of, and to add sections 24.1 to 24.5, inclusive, to the State Bar Act relating to admissions to the State Bar

Committee Amendments to Assembly Bill No. 234.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, lines 37 and 38 of the printed bill, strike out ", other than an applicant who has been admitted to practice law outside of this State" and insert in lieu thereof "who does not comply with section 24.3"

Amendment No. 2.

On page 3, line 8, of the printed bill, strike out "a", and insert in lieu thereof "at"

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 74—An act to regulate the sale of second-hand watches

Committee Amendment to Assembly Bill No. 74.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 3 of the printed bill, after "corporation", insert the following "engaged in the business of selling watches"

Amendment adopted.

Bill read second time ordered to reprint and engrossment

Assembly Bill No. 836—An act to add two new sections to the Political Code to be numbered 3667a and 3667b and to amend section 3669 of said code, all relating to the taxation of insurance companies under the provisions of section 14 of Article XIII of the Constitution of this State, and providing that this act shall take effect immediately under the provisions of section 1 of Article IV of said Constitution

Committee Amendments to Assembly Bill No. 836.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "two", and insert in lieu thereof "a".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, strike out "sections", and insert in lieu thereof "section".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, strike out "and 3667b"

Amendment No. 4.

On page 1, line 2 of the title of the printed bill strike out "section", and insert in lieu thereof "sections 3666a and".

Amendment No. 5.

On page 1 of the printed bill, strike out all of lines 1 to 20, inclusive, following "SECTION 1", and insert in lieu thereof the following: "Section 3666a of the Political Code is hereby amended to read as follows.

3666a. The Insurance Commissioner of this State must on or before the last day of March in each year make and file with the State Board of Equalization a report showing:

1. All companies, domestic and foreign, and all firms, associations or persons, engaged in the business of insurance in this State.

2. The total amount of the gross premiums received from its business in this State by each of said companies, firms, associations, and persons during the year ending the thirty-first day of December last preceding.

3. The amount of return premiums paid on business done in this State and the amount of reinsurance on business done in this State paid to other insurance companies or associations authorized to do business in this State, by said companies, firms, associations, and persons, during said year.

4. The amount of any county and municipal taxes paid during said year by such companies on real estate owned by them in this State, and where said real estate is located.

In making this report he shall list separately all those companies, firms, associations, or persons, which, under the second proviso in that part of section 14 of Article 13 of the Constitution relating to the taxation of insurance companies on the basis of their gross premiums and of section 3664b of this code, are subject to a tax at a rate higher than two and six-tenths per cent on their gross premiums, or to any additional tax or burden, and shall indicate in each case the amount and character of said tax or burden. Every company, firm, association, or person engaged in the business of insurance in this State shall file with the Insurance Commissioner on or before the first Monday in March in each year such statements in addition to, or in modification of, the statements required to be rendered under the provisions of Article 10, Chapter 1, Part 2, Division 1 of the Insurance Code as said Insurance Commissioner shall deem necessary to enable him to prepare the report required of him in this section and said statements shall be verified in the same manner as is provided in said article for the verification of other statements by insurance companies.

The Insurance Commissioner, for good cause shown, may extend for a period not exceeding fifteen days the time specified herein for the filing of statements by insurance companies."

Amendment No. 6.

On page 1, line 21, of the printed bill, strike out "3667b", and insert in lieu thereof "3667a".

Amendment No. 7.

On page 1, line 23, of the printed bill, strike out "3667b", and insert in lieu thereof "3667a".

Amendment No. 8.

On page 2, line 9, of the printed bill, after "and", insert "shall assess said company".

Amendment No. 9.

On page 2, line 10, of the printed bill, strike out "shall"; strike out all of lines 11 and 12, and insert in lieu thereof the following: "adding to the tax so determined a penalty of five per cent for such failure, neglect or refusal.

Whenever the Insurance Commissioner estimates the business done by any insurance company he shall mail a notice of the amount of such estimate to the company not later than the first day of May following the date when the statements should have been filed in pursuance of section 3666a of the Political Code, and the company may apply to the State Board of Equalization not later than June 1st following for a hearing with respect to the amount of such estimate. Failure to so apply shall be deemed a waiver of any and all rights to object to the correctness of the estimate as made by the Insurance Commissioner."

Amendment No. 10.

On page 2, lines 30 and 31, of the printed bill, strike out "it shall appear to the State Board of Equalization that".

Amendment No. 11.

On page 3 of the printed bill, between lines 7 and 8, insert the following:

"Whenever heretofore or hereafter any taxes, otherwise properly assessable and collectible, have not been assessed on any premium otherwise subject to assessment and tax, or whenever any taxes have been overassessed, by reason of error or omission on the part of any insurance company or its failure to properly file or execute the statements set forth in section 3666a of this code, or by reason of clerical mistake of the officers or employees of the State Board of Equalization or Insurance Commissioner or of persons in his office, or have been computed in a manner contrary to law, the Insurance Commissioner, after discovery of the failure to properly assess and determine the amount involved, shall include in his next annual report pursuant to said section 3666a a statement of the amount of premium and tax subject to assessment which thus failed to be assessed or was overassesed and the State Board of Equalization may, at the time of the following asessment made pursuant to section 3668 of this code, assess and levy such tax or credit such overassessment of tax and include the amount thereof by way of addition or reduction in the amount otherwise assessed and levied pursuant to said section 3668. No such addition or reduction shall be thus included in the assessment roll after

three years and seven days from and after the day when the assessment and levy to be thereby corrected was filed with the State Controller."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1432—An act to amend sections 7, 8, 18 and 20 of the "Inheritance Tax Act of 1935," relating to inheritance taxation.

Committee Amendments to Assembly Bill No. 1432.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 7, line 11, of the printed bill, strike out "twelve", and insert in lieu thereof "fourteen".

Amendment No. 2.

On page 7, line 15, of the printed bill, strike out "eight", and insert in lieu thereof "ten".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 103—An act to add section 207.5 to the Labor Code, relating to the payment of wages.

Committee Amendment to Assembly Bill No. 103.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 4, 5, and 6, of the printed bill, strike out the following: "award, contract, or any other legal obligation, to his employees, or former employees, for wages, he", and insert in lieu thereof the following: "board, labor board, or any other wage dispute tribunal, wherein disputed wage claims have been adjusted and an award of back wages made to such employer's employees, or former employees, such employer".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1612—An act to amend sections 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, and 3091 of the Labor Code, relating to master and apprentice.

Committee Amendments to Assembly Bill No. 1612.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, after "of", add a comma and insert the following: "and to add sections 3092, 3093, and 3094 to,".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, after "apprentice", add a comma and insert the following: "and making an appropriation therefor,".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "Sections 3070 to 3091, inclusive," and insert in lieu thereof the following: "Section 3070".

Amendment No. 4.

On page 1, line 2, of the printed bill, strike out "are", and insert in lieu thereof the following: "is".

Amendment No. 5.

On page 1 of the printed bill, following line 2, insert the following:

"3070. The purposes of this chapter are: To open to young people the opportunity to obtain training that will equip them for profitable employment and citizenship; to set up as a means to this end, a program of voluntary apprenticeship under approved apprenticeship agreements providing facilities for their training and guidance in the arts and crafts of industry and trade, with parallel instruction in related and fundamental education; to promote employment opportunities for young people under conditions providing adequate training and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an Apprenticeship Council and local and State Joint Apprenticeship Committees to assist in effectuating the purposes of this chap-

ter; to provide for an Administrator of Apprenticeship within the Department of Industrial Relations; to provide for reports to the Legislature and to the public regarding the status of apprentice training in the State; to establish a procedure for the determination of apprentice agreement controversies; and to accomplish related ends.

SEC. 2. Section 3071 of the Labor Code is hereby amended to read as follows

3071. The Director of Industrial Relations shall appoint an Apprenticeship Council, composed of three representatives each from employer and employee organizations, respectively, and of two representatives of the general public. The State official who has been designated by the State Board of Education as being in charge of trade and industrial education shall ex officio be a member of said council. The terms of office of the members of the Apprenticeship Council first appointed by the Director of Industrial Relations shall expire as designated by the director at the time of making the appointment: One representative each of employers, employees, and the public being appointed for one year, one representative each of employers, employees and the public being appointed for two years, and one representative each of employers and employees for three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the remainder of said term. Each member of the council not otherwise compensated by public moneys, shall be reimbursed for transportation and shall be paid not more than ten ($10) dollars per day for each day spent in attendance at meetings of the Apprenticeship Council.

SEC. 3. Section 3072 of the Labor Code is hereby amended to read as follows

3072. The Apprenticeship Council shall meet at the call of the Director of Industrial Relations and shall aid him in formulating policies for the effective administration of this chapter. Subject to the approval of the director, the Apprenticeship Council shall establish standards for apprentice agreements which in no case shall be lower than those prescribed by this chapter, shall issue such rules and regulations as may be necessary to carry out the intent and purposes of this chapter, and shall perform such other functions as the director may direct. Not less than once a year the Apprenticeship Council shall make a report through the Director of Industrial Relations of its activities and findings to the Legislature and to the public.

SEC. 4. Section 3073 of the Labor Code is hereby amended to read as follows

3073. The Director of Industrial Relations is hereby authorized to appoint an Administrator of Apprenticeship which appointment, subject to the civil service laws, shall be subject to the confirmation of the State Apprenticeship Council by a majority vote. The Director of Industrial Relations is further authorized to appoint and employ such clerical, technical, and professional help as shall be necessary to effectuate the purposes of this chapter.

SEC. 5. Section 3074 of the Labor Code is hereby amended to read as follows

3074. The administrator, under the direction of the Director of Industrial Relations and with the advice and guidance of the Apprenticeship Council, is authorized to administer the provisions of this chapter; in cooperation with the Apprenticeship Council and local and State Joint Apprenticeship Committees, to set up conditions and training standards for apprentice agreements, which conditions or standards shall in no case be lower than those prescribed by this chapter; to act as secretary of the Apprenticeship Council and of each State Joint Apprenticeship Committee, to approve, if in his opinion approval of it is for the best interest of the apprentice, any apprentice agreement in accordance with the provisions of such agreement; to keep a record of apprentice agreements and their disposition; to issue certificates of completion of apprenticeship, and to perform such other duties as are necessary to carry out the intent of this chapter.

SEC. 6. Section 3075 of the Labor Code is hereby amended to read as follows

3075. The administration and supervision of related and supplemental instruction for apprentices, coordination of instruction with job experiences, and the selection and training of teachers and coordinators for such instruction shall be the responsibility of State and local boards responsible for vocational education.

SEC. 7. Section 3076 of the Labor Code is hereby amended to read as follows

3076. A local joint apprenticeship committee shall be appointed, in any trade or group of trades in a city or trade area, by the Apprenticeship Council, whenever the apprentice training needs of such trade or group of trades justifies such establishment.

SEC. 8. Section 3077 of the Labor Code is hereby amended to read as follows

3077. When a State Joint Apprenticeship Committee in any trade or group of trades shall have been established, as hereinafter authorized, such State committee shall thereafter have the power of appointment of local joint apprenticeship committees in the trade or group of trades which it represents.

SEC. 9. Section 3078 of the Labor Code is hereby amended to read as follows

3078. Such local joint apprenticeship committee shall be composed of an equal number of employer and employee representatives chosen from names submitted by the respective local employer and employee organization in such trade or group of trades.

SEC. 10. Section 3079 of the Labor Code is hereby amended to read as follows:

3079. In a trade or group of trades in which there is no bona fide local employer or employee organization, the committee shall be appointed from persons known to represent the interests of employers and of employees respectively.

SEC. 11. Section 3080 of the Labor Code is hereby amended to read as follows:

3080. The function of a local joint apprenticeship committee shall be

(a) To cooperate with school authorities in regard to the education of apprentices.

(b) In accordance with standards set up by the Apprenticeship Council and by the State Joint Apprenticeship Committee for the same trade or group of trades, where such committee has been appointed, to work in an advisory capacity with employers and employees in matters regarding schedule of operations, application of wage rates, and working conditions for apprentices and to specify the number of apprentices which shall be employed locally in the trade under apprentice agreement under this chapter.

(c) To adjust apprenticeship disputes, subject to the approval of the administrator.

SEC. 12. Section 3081 of the Labor Code is hereby amended to read as follows:

3081. Until the appointment of a State Joint Apprenticeship Committee for any trade or group of trades, as hereinafter provided, the local joint apprenticeship committee for that trade or group of trades shall, for the city or trade area for which it is appointed, exercise the functions of the State Joint Apprenticeship Committee for the said trade or group of trades which it represents.

SEC. 13. Section 3082 of the Labor Code is hereby amended to read as follows:

3082. When two or more local joint apprenticeship committees have been established in the State for a trade or group of trades, or at the request of any trade or group of trades, the Apprenticeship Council shall appoint a State Joint Apprenticeship Committee for such trade or group of trades composed of an equal number of employer and employee representatives chosen from names submitted by the respective employer and employee organizations. In a trade or group of trades in which there is no bona fide employer or employee organization, the Apprenticeship Council may appoint such a committee from persons known to represent the interests of employers and of employees respectively.

SEC. 14. Section 3083 of the Labor Code is hereby amended to read as follows:

3083. The functions of a State Joint Apprenticeship Committee shall be:

(a) To coordinate the activities of local joint apprenticeship committees in the trade or group of trades which it represents.

(b) To ascertain the prevailing rate for journeymen in the respective trade areas within the State in such trade or trades and specify the graduated scale of wages applicable to apprentices in such trade or trades in each such area.

(c) To ascertain employment needs in such trade or trades and specify the appropriate current ratio of apprentices to journeymen.

(d) To make recommendations for the general good of apprentices engaged in the trade or trades represented by the committee.

SEC. 15. Section 3084 of the Labor Code is hereby amended to read as follows:

3084. The member of a State Joint Apprenticeship Committee shall be reimbursed for transportation and shall be paid not more than ten ($10) dollars per day for each day spent in attendance at meetings of the committee.

SEC. 16. Section 3085 of the Labor Code is hereby amended to read as follows:

3085. The term "Apprentice" as used herein, shall mean a person at least 16 years of age who has entered into a written agreement, hereinafter called an apprentice agreement, with an employer, an association of employers, or an organization of employees, which apprentice agreement provides for not less than 4,000 hours of reasonably continuous employment for such person and for his participation in an approved program of training through employment and through education in related and supplemental subjects.

SEC. 17. Section 3086 of the Labor Code is hereby amended to read as follows:

3086. Every apprentice agreement entered into under this chapter shall contain

(a) The names of the contracting parties.

(b) The date of birth of the apprentice.

(c) A statement of the trade, craft, or business which the apprentice is to be taught and the time at which the apprenticeship will begin and end.

(d) A statement showing the number of hours to be spent by the apprentice in work and the number of hours to be spent in related and supplemental instruction, which instruction shall be not less than 144 hours per year. In no case shall the combined weekly hours of work and of required related and supplemental instruction of the apprentice exceed the maximum number of hours or work prescribed by law for a person of the age and sex of the apprentice.

(e) A statement setting forth a schedule of the processes in the trade or industry divisions in which the apprentice is to be taught and the approximate time to be spent at each process.

(f) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated.

(g) A statement providing for a period of probation of not more than 500 hours of employment and instruction extending over not more than 4 months, during which time the apprentice agreement shall be terminated by the administrator at the request in writing of either party, and providing that after such probationary period the apprentice agreement may be terminated by the administrator by mutual agreement of all parties thereto, or cancelled by the administrator for good and sufficient reason.

(h) A provision that all controversies or differences concerning the apprentice agreement which can not be adjusted locally in accordance with section 3080 shall be submitted to the administrator for determination as provided for in section 3089.

(i) A provision that an employer who is unable to fulfill his obligation under the apprentice agreement may with approval of the supervisor transfer such contract to any other employer, if the apprentice consents and such other employer agrees to assume the obligation of said apprentice agreement.

(j) Such additional terms and conditions as may be prescribed or approved by the administrator not inconsistent with the provisions of this chapter.

SEC. 18. Section 3087 of the Labor Code is hereby amended to read as follows:

3087. Every apprentice agreement under this chapter shall be approved by the administrator. Every apprentice agreement shall be signed by the employer, or by an association of employers or an organization of employees as provided in section 3088, and by the apprentice, and if the apprentice is a minor, by the minor's father. If the father be dead or legally incapable of giving consent, then such agreement shall be signed by the guardian of the minor. Where a minor enters into an apprentice agreement under this chapter for a period of training extending into his majority, the apprentice agreement shall likewise be binding for such a period as may be covered during the apprentice's majority.

SEC. 19. Section 3088 of the Labor Code is hereby amended to read as follows:

3088. For the purpose of providing greater diversity of training or continuity of employment, any apprentice agreement made under this chapter may in the discretion of the administrator of apprenticeship be signed by an association of employers or an organization of employees instead of by an individual employer. In such a case, the apprentice agreement shall expressly provide that the association of employers or organization of employees does not assume the obligation of an employer but agrees to use its best endeavors to procure employment and training for such apprentice with one or more employers who will accept full responsibility, as herein provided, for all the terms and conditions of employment and training set forth in said agreement between the apprentice and employer association or employee organization during the period of each such employment. The apprentice agreement in such a case shall also expressly provide for the transfer of the apprentice, subject to the approval of the administrator, to such employer or employers who shall sign a written agreement with the apprentice, and if the apprentice is a minor with his parent or guardian, as specified in section 3087, contracting to employ said apprentice for the whole or a definite part of the total period of apprenticeship under the terms and conditions of employment and training set forth in the said agreement entered into between the apprentice and employer association or employee organization.

SEC. 20. Section 3089 of the Labor Code is hereby amended to read as follows:

3089. Upon the complaint of any interested person or upon his own initiative, the administrator may investigate to determine if there has been a violation of the terms of an apprentice agreement, made under this chapter, and he may hold hearings, inquiries, and other proceedings necessary to such investigations and determinations. The parties to such agreement shall be given a fair and impartial hearing, after reasonable notice thereof. All such hearings, investigations and determinations shall be made under authority of reasonable rules and procedures prescribed by the Apprenticeship Council, subject to the approval of the Director of Industrial Relations.

SEC. 21. Section 3090 of the Labor Code is hereby amended to read as follows:

3090. The determination of the administrator shall be filed with the director. If no appeal therefrom is filed with the director within ten days after date thereof, as herein provided, such determination shall become the order of the director. Any person aggrieved by any determination or action of the administrator may appeal therefrom to the director, who shall hold a hearing thereon after due notice to the interested parties.

SEC. 22. Section 3091 of the Labor Code is hereby amended to read as follows:

3091. The decision of the director as to the facts shall be conclusive if supported by the evidence and all orders and decisions of the director shall be prima facie lawful and reasonable.

SEC. 23. Section 3092 is hereby added to the Labor Code to read as follows:

3092. Any party to an apprentice agreement aggrieved by an order or decision of the director may maintain appropriate proceedings in the courts on questions of law. The decision of the director shall be conclusive if such proceeding is not filed within 30 days after the date of such order or decision.

SEC. 24. Section 3093 is hereby added to the Labor Code to read as follows:

3093. No person shall institute any action for the enforcement of any apprentice agreement, or damages for the breach of any apprentice agreement, made under this chapter, unless he shall first have exhausted all administrative remedies provided by this section.

SEC. 25. Section 3094 is hereby added to the Labor Code to read as follows:

3094. Nothing in this chapter or in any apprentice agreement approved under this chapter shall operate to invalidate any apprenticeship provision in any collective agreement between employers and employees setting up higher apprenticeship standards.

SEC. 26. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 27. The sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated to carry out the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1614—An act to amend sections 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, and 276 of the Civil Code, relating to master and apprentice.

Committee Amendments to Assembly Bill No. 1614.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after "of", insert a comma and the following: "and to add sections 264.5, 265.5, 266.5, 267.5, 268.5, 269.5, 270.5, 271.5, 272.5, 273.5, 274.5, and 275.5 to,".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, after "apprentice", add a comma and insert the following: "and making an appropriation therefor".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "Sections 264 to 276, inclusive," and insert in lieu thereof the following: "Section 264".

Amendment No. 4.

On page 1, line 2, of the printed bill, strike out "are", and insert in lieu thereof the following: "is".

Amendment No. 5.

On page 1 of the printed bill, following line 2, add the following:

"264. The purposes of this title are: To open to young people the opportunity to obtain training that will equip them for profitable employment and citizenship; to set up as a means to this end, a program of voluntary apprenticeship under approved apprenticeship agreements providing facilities for their training and guidance in the arts and crafts of industry and trade, with parallel instruction in related and fundamental education, to promote employment opportunities for young people under conditions providing adequate training and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an Apprenticeship Council and local and State Joint Apprenticeship Committees to assist in effectuating the purposes of this title; to provide for an Administrator of Apprenticeship within the Department of Industrial Relations; to provide for reports to the Legislature and to the public regarding the status of apprentice training in the State; to establish a procedure for the determination of apprentice agreement controversies; and to accomplish related ends.

SEC. 2. Section 264.5 is hereby added to the Civil Code to read as follows:

264.5 The Director of Industrial Relations shall appoint an Apprenticeship Council, composed of three representatives each from employer and employee organizations respectively, and of two representatives of the general public. The State official who has been designated by the State Board of Education as being in charge of trade and industrial education shall ex officio be a member of said council. The terms of office of the members of the Apprenticeship Council first appointed by the Director of Industrial Relations shall expire as designated by the director at the time of making the appointment: One representative each of employers, employees, and the public being appointed for one year, one representative each of employers, employees and the public being appointed for two years, and one representative each of employers and employees for three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the remainder of said term. Each member of the council not otherwise compensated by public moneys, shall be

reimbursed for transportation and shall be paid not more than ten ($10) dollars per day for each day spent in attendance at meetings of the Apprenticeship Council.

SEC. 3. Section 265 of the Civil Code is hereby amended to read as follows:

265. The Apprenticeship Council shall meet at the call of the Director of Industrial Relations and shall aid him in formulating policies for the effective administration of this title. Subject to the approval of the director, the Apprenticeship Council shall establish standards for apprentice agreements which in no case shall be lower than those prescribed by this title, shall issue such rules and regulations as may be necessary to carry out the intent and purposes of this title, and shall perform such other functions as the director may direct. Not less than once a year the Apprenticeship Council shall make a report through the Director of Industrial Relations of its activities and findings to the Legislature and to the public.

SEC. 4. Section 265.5 is hereby added to the Civil Code to read as follows:

265.5. The Director of Industrial Relations is hereby authorized to appoint an Administrator of Apprenticeship which appointment, subject to the Civil Service laws, shall be subject to the confirmation of the State Apprenticeship Council by a majority vote. The Director of Industrial Relations is further authorized to appoint and employ such clerical, technical, and professional help as shall be necessary to effectuate the purposes of this title.

SEC. 5. Section 266 of the Civil Code is hereby amended to read as follows:

266. The administrator, under the direction of the Director of Industrial Relations and with the advice and guidance of the Apprenticeship Council is authorized to administer the provisions of this title; in cooperation with the Apprenticeship Council and local and State Joint Apprenticeship Committees, to set up conditions and training standards for apprentice agreements, which conditions or standards shall in no case be lower than those prescribed by this title; to act as Secretary of the Apprenticeship Council and of each State Joint Apprenticeship Committee; to approve, if in his opinion approval of it is for the best interest of the apprentice, any apprentice agreement in accordance with the provisions of such agreement; to keep a record of apprentice agreements and their disposition; to issue certificates of completion of apprenticeship; and to perform such other duties as are necessary to carry out the intent of this title.

SEC. 6. Section 266.5 is hereby added to the Civil Code to read as follows:

266.5. The administration and supervision of related and supplemental instruction for apprentices, coordination of instruction with job experiences, and the selection and training of teachers and coordinators for such instruction shall be the responsibility of State and local boards responsible for vocational education.

SEC. 7. Section 267 of the Civil Code is hereby amended to read as follows:

267. A local joint apprenticeship committee shall be appointed, in any trade or group of trades in a city or trade area, by the Apprenticeship Council, whenever the apprentice training needs of such trade or group of trades justifies such establishment.

SEC. 8. Section 267.5 is hereby added to the Civil Code to read as follows:

267.5. When a State Joint Apprenticeship Committee in any trade or group of trades shall have been established, as hereinafter authorized, such State committee shall thereafter have the power of appointment of local joint apprenticeship committees in the trade or group of trades which it represents.

SEC. 9. Section 268 of the Civil Code is hereby amended to read as follows:

268. Such local joint apprenticeship committee shall be composed of an equal number of employer and employee representatives chosen from names submitted by the respective local employer and employee organization in such trade or group of trades.

SEC. 10. Section 268.5 is hereby added to the Civil Code to read as follows:

268.5. In a trade or group of trades in which there is no bona fide local employer or employee organization, the committee shall be appointed from persons known to represent the interests of employers and of employees respectively.

SEC. 11. Section 269 of the Civil Code is hereby amended to read as follows:

269. The function of a local joint apprenticeship committee shall be

(a) To cooperate with school authorities in regard to the education of apprentices.

(b) In accordance with standards set up by the Apprenticeship Council and by the State Joint Apprenticeship Committee for the same trade or group of trades, where such committee has been appointed, to work in an advisory capacity with employers and employees in matters regarding schedule of operations, application of wage rates, and working conditions for apprentices and to specify the number of apprentices which shall be employed locally in the trade under apprentice agreement under this title.

(c) To adjust apprenticeship disputes subject to the approval of the administrator.

SEC. 12. Section 269.5 is hereby added to the Civil Code to read as follows:

269.5. Until the appointment of a State Joint Apprenticeship Committee for any trade or group of trades, as hereinafter provided, the local joint apprenticeship committee for that trade or group of trades shall, for the city or trade area for

which it is appointed, exercise the functions of the State Joint Apprenticeship Committee for the said trade or group of trades which it represents

SEC. 13. Section 270 of the Civil Code is hereby amended to read as follows:

270. When two or more local joint apprenticeship committees have been established in the State for a trade or group of trades, or at the request of any trade or group of trades, the Apprenticeship Council shall appoint a State Joint Apprenticeship Committee for such trade or group of trades, composed of an equal number of employer and employee representatives chosen from names submitted by the respective employer and employee organizations. In a trade or group of trades in which there is no bona fide employer or employee organization, the Apprenticeship Council may appoint such a committee from persons known to represent the interests of employers and of employees respectively.

SEC. 14. Section 270.5 is hereby added to the Civil Code to read as follows:

270.5. The functions of a State Joint Apprenticeship Committee shall be:

(a) To coordinate the activities of local joint apprenticeship committees in the trade or group of trades which it represents.

(b) To ascertain the prevailing rate for journeymen in the respective trade areas within the State in such trade or trades and specify the graduated scale of wages applicable to apprentices in such trade or trades in each such area.

(c) To ascertain employment needs in such trade or trades and specify the appropriate current ratio of apprentices to journeymen.

(d) To make recommendations for the general good of apprentices engaged in the trade or trades represented by the committee.

SEC. 15. Section 271 of the Civil Code is hereby amended to read as follows:

271. The member of a State Joint Apprenticeship Committee shall be reimbursed for transportation and shall be paid not more than ten ($10.00) dollars per day for each day spent in attendance at meetings of the committee.

SEC. 16. Section 271.5 is hereby added to the Civil Code to read as follows:

271.5. The term "Apprentice" as used herein, shall mean a person at least 16 years of age who has entered into a written agreement, hereinafter called an apprentice agreement, with an employer, an association of employers or an organization of employees which apprentice agreement provides for not less than 4,000 hours of reasonably continuous employment for such person and for his participation in an approved program of training through employment and through education in related and supplemental subjects.

SEC. 17. Section 272 of the Civil Code is hereby amended to read as follows:

272. Every apprentice agreement entered into under this title shall contain:

(a) The names of the contracting parties.

(b) The date of birth of the apprentice.

(c) A statement of the trade, craft, or business which the apprentice is to be taught and the time at which the apprenticeship will begin and end.

(d) A statement showing the number of hours to be spent by the apprentice in work and the number of hours to be spent in related and supplemental instruction, which instruction shall be not less than 144 hours per year. In no case shall the combined weekly hours of work and of required related and supplemental instruction of the apprentice exceed the maximum number of hours of work prescribed by law for a person of the age and sex of the apprentice.

(e) A statement setting forth a schedule of the processes in the trade or industry divisions in which the apprentice is to be taught and the approximate time to be spent at each process.

(f) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated.

(g) A statement providing for a period of probation of not more than 500 hours of employment and instruction extending over not more than 4 months, during which time the apprentice agreement shall be terminated by the administrator at the request in writing of either party, and providing that after such probationary period the apprentice agreement may be terminated by the administrator by mutual agreement of all parties thereto, or canceled by the administrator for good and sufficient reason.

(h) A provision that all controversies or differences concerning the apprentice agreement which can not be adjusted locally in accordance with section 269 shall be submitted to the administrator for determination as provided for in section 273.5.

(i) A provision that an employer who is unable to fulfill his obligation under the apprentice agreement may with the approval of the supervisor transfer such contract to any other employer, if the apprentice consents and such other employer agrees to assume the obligation of said apprentice agreement.

(j) Such additional terms and conditions as may be prescribed or approved by the administrator not inconsistent with the provisions of this title.

SEC. 18. Section 272.5 is hereby added to the Civil Code to read as follows:

272.5. Every apprentice agreement under this title shall be approved by the administrator. Every apprentice agreement shall be signed by the employer, or by an association of employers or an organization of employees as provided in section 273, and by the apprentice, and if the apprentice is a minor, by the minor's father

If the father be dead or legally incapable of giving consent, then such agreement shall be signed by the guardian of the minor. Where a minor enters into an apprentice agreement under this title for a period of training extending into his majority, the apprentice agreement shall likewise be binding for such a period as may be covered during the apprentice's majority.

SEC. 19. Section 273 of the Civil Code is hereby amended to read as follows:

273. For the purpose of providing greater diversity of training or continuity of employment, any apprentice agreement made under this title may in the discretion of the Administrator of Apprenticeship be signed by an association of employers or an organization of employees instead of by an individual employer. In such a case, the apprentice agreement shall expressly provide that the association of employers or organization of employees does not assume the obligation of an employer but agrees to use its best endeavors to procure employment and training for such apprentice with one or more employers who will accept full responsibility, as herein provided, for all the terms and conditions of employment and training set forth in said agreement between the apprentice and employer association or employee organization during the period of each such employment. The apprentice agreement in such a case shall also expressly provide for the transfer of the apprentice, subject to the approval of the administrator, to such employer or employers who shall sign a written agreement with the apprentice, and if the apprentice is a minor with his parent or guardian, as specified in section 272.5, contracting to employ said apprentice for the whole or a definite part of the total period of apprenticeship under the terms and conditions of employment and training set forth in the said agreement entered into between the apprentice and employer association or employee organization.

SEC. 20. Section 273.5 is hereby added to the Civil Code to read as follows:

273.5. Upon the complaint of any interested person or upon his own initiative, the administrator may investigate to determine if there has been a violation of the terms of an apprentice agreement, made under this title, and he may hold hearings, inquiries, and other proceedings necessary to such investigations and determinations. The parties to such agreement shall be given a fair and impartial hearing, after reasonable notice thereof. All such hearings, investigations and determinations shall be made under authority of reasonable rules and procedures prescribed by the Apprenticeship Council, subject to the approval of the Director of Industrial Relations.

SEC. 21. Section 274 of the Civil Code is hereby amended to read as follows:

274. The determination of the administrator shall be filed with the director. If no appeal therefrom is filed with the director within ten days after date thereof, as herein provided, such determination shall become the order of the director. Any person aggrieved by an determination or action of the administrator may appeal therefrom to the director, who shall hold a hearing thereon after due notice to the interested parties.

SEC. 22. Section 274.5 is hereby added to the Civil Code to read as follows:

274.5. The decision of the director as to the facts shall be conclusive if supported by the evidence and all orders and decisions of the director shall be prima facie lawful and reasonable.

SEC. 23. Section 275 of the Civil Code is hereby amended to read as follows.

275. Any party to an apprentice agreement aggrieved by an order or decision of the director may maintain appropriate proceedings in the courts on questions of law. The decision of the director shall be conclusive if such proceeding is not filed within 30 days after the date of such order or decision.

SEC. 24. Section 275.5 is hereby added to the Civil Code to read as follows:

275.5. No person shall institute any action for the enforcement of any apprentice agreement, or damages for the breach of any apprentice agreement, made under this title, unless he shall first have exhausted all administrative remedies provided by this section.

SEC. 25. Section 276 of the Civil Code is hereby amended to read as follows:

276. Nothing in this title or in any apprentice agreement approved under this title shall operate to invalidate any apprenticeship provision in any collective agreement between employers and employees setting up higher apprenticeship standards.

SEC. 26. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 27. The sum of $25,000, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated to carry out the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Joint Resolution No. 5—Relative to memorializing the President and Congress to enact legislation requiring compulsory arbitration of labor disputes affecting the public interest.

Committee Amendments to Assembly Joint Resolution No. 5.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed measure, strike out "requiring compulsory", and insert in lieu thereof the following: "providing for mediation and voluntary".

Amendment No. 2.

On page 1, line 6, of the printed measure, after "by", insert the following: "the enactment of".

Amendment No. 3.

On page 1, line 6, of the printed measure, after "railway", insert the following: "labor".

Amendment No. 4.

On page 1, line 10, of the printed measure, strike out "forced", and insert in lieu thereof the following: "mediation and voluntary".

Amendment No. 5.

On page 1, line 16, of the printed measure, strike out "pass", and insert in lieu thereof the following: "enact".

Amendment No. 6.

On page 1, line 17, of the printed measure, strike out "require compulsory", and insert in lieu thereof the following: "provide for mediation and voluntary".

Amendment No. 7.

On page 1, line 21, of the printed measure, after "people", insert the following: ", except where already provided for by Federal enactment".

Amendments adopted.

Assembly Joint Resolution No. 5 ordered to reprint and engrossment

Assembly Bill No. 1430—An act to add section 60½ to the Alcoholic Beverage Control Act, relating to hours of sale, purchase and disposition of alcoholic beverages.

Committee Amendments to Assembly Bill No. 1430.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", this act to take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 6, 7 and 8, and insert in lieu thereof the following: "six o'clock a.m. of the same day, is guilty of a misdemeanor

Sec. 2. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The following is a statement of facts constituting such necessity:

"Certain courts of justice in the State of California have declared section 397c of the Penal Code to have been repealed by the adoption of the Eighteenth Amendment of the Constitution of the United States, and by the enactment of the "Wright Act" of the State of California by initiative of November 8, 1932. The objects to be served by the continued life of section 397c of the Penal Code are thereby rendered unobtainable, and the public morals endangered by such repeal. The immediate restoration into the law of the State of California of a measure or measures designed to effectuate the purpose of section 397c of the Penal Code is essential and necessary for the immediate preservation of public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California.""

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2109—An act to add section 16a to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Horse Racing Board for the regulation and licensing and supervision of said horse racing and wagering thereon."

Committee Amendments to Assembly Bill No. 2109.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 6 of the title, and insert in lieu thereof the following: ", approved May 18, 1933, relating to races and wagering thereon."

Amendment No. 2.

On page 1, line 3, of the printed bill, after the word "act", insert the following: ", any provisions thereof to the contrary notwithstanding.".

Amendment No. 3.

On page 1 of the printed bill, strike out line 4, and insert in lieu thereof the following: "apply to all racing of dogs, upon the results of which there shall be wagering or not, the licensing of all dog racing tracks, the licensing of all dog race meetings, the wagering on dog races in the State of".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 875—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Committee Amendments to Assembly Bill No. 875.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 7, line 22, of the printed bill, strike out "The sum", and insert in lieu thereof the following: "The money in said fund is hereby appropriated as follows: the sum".

Amendment No. 2.

On page 7, line 23, of the printed bill, strike out "is hereby appropriated".

Amendment No. 3.

On page 7 of the printed bill, strike out lines 26 and 27, and insert in lieu thereof the following: "this act. Of the balance of said money one-third thereof is hereby allocated for wine and grape shows and the remaining two-thirds is hereby allocated to the University of California to be expended for agricultural experiment work. The money allocated to wine and grape shows shall be expended, under the supervision of the Department of Finance, for premiums and for support of such shows. No allocation shall be made to more than one such wine and grape show in one county, and no allocation shall be made to any such show unless it shall have operated for at least three days in each of the preceding three years, free to the public. The allocation to the several wine and grape shows in the several counties shall be in the proportion that the vineyard acreage of the county bears to the total vineyard acreage of the State."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2766—An act to amend sections 3771a, 3785 and 3787 of the Political Code, relating to taxation, providing for advertisement of sales of tax delinquent property, and requiring purchasers at tax sales to record the deeds therefor before transferring title to such property to third persons.

Committee Amendments to Assembly Bill No. 2766.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 3771a, 3785 and 3787", and insert in lieu thereof the following: "section 3897".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "taxation, providing for advertisement of".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, strike out ", and requiring purchasers", and strike out lines 4 and 5, and insert in lieu thereof a period

Amendment No. 4.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 3897 of the Political Code is hereby amended to read as follows:

3897. (1) Except when otherwise disposed of as provided in sections 3897a and 3897b of this code, whenever the State shall have become the owner of any property sold for taxes and the deed to the State has been filed with the Controller as provided in section 3785, the tax collector of the county, or city and county, in which said land is located, shall whenever directed by the board of supervisors of his county, and upon the written authorization of the State Controller sell at public auction to the highest bidder for cash, in lawful money of the United States the property or any part thereof in the manner hereinafter provided; provided that the tax collector shall not proceed with the sale of any land within any political subdivision or taxing agency including reclamation, irrigation, drainage or levee district, county, or city which has taken title to said land, if the governing body of said subdivision or agency shall file with the tax collector and the board of supervisors certified copies of a resolution adopted by such governing body objecting to such sale.

(2) In case it is sought to sell such property at public auction under the provisions hereof, the tax collector must give notice of such sale by publication once a week for three successive weeks in some newspaper published in the county or city and county, or if there be no newspaper published therein, then by posting a notice in three conspicuous places in the county or city and county, one of which shall be in the United States post office nearest the land. Such publication must be completed not less than three weeks prior to the sale. Such notices must state specifically the place and the day and hour of sale and shall contain a description of the property to be sold and shall also contain the name of the person to whom the property was assessed, on the county assessment roll for each year on which there may be delinquent taxes against said property or any part thereof. It shall be the duty of the tax collector to mail within five days, after the publication of said notice of sale a copy of said notice postage thereon prepaid to the party to whom the land was last assessed nearest before the sale, at his last known post-office address, and shall also mail a copy of said notice, postage prepaid, to the State Controller and clerk or secretary of the governing board of each political subdivision or taxing agency, or reclamation, irrigation, drainage or levee district having the right to levy taxes or assessments on the land involved and any such subdivision or agency, including reclamation, irrigation, drainage or levee district, or county or city having taxes or assessments levied on any parcel may bid on such parcel.

(3) All moneys received on account of any such sales shall be immediately transmitted by the tax collector to the county treasurer together with a report showing the amount of costs which the county has expended on account of the making of such sale, showing the total sums received for individual parcels, which parcels shall be identified in said report by year, page and number of delinquency roll, and a duplicate thereof shall be filed with the county auditor. The amount of expenses so reported shall be deposited in the county general fund and the balance shall be deposited in the delinquent tax sale trust fund.

(4) Upon the receipt of said duplicate report, the auditor shall mail a copy thereof to the State Controller and to the secretary or clerk of the governing board of each political subdivision or taxing agency, or reclamation, irrigation, drainage or levee district capable under the law of levying taxes or assessments upon the land covered by such sale, and shall inclose therewith a notice describing such land, and that claims on the amount received from the sale thereof must be made within a period of six months from the date of the mailing of such notices.

(5) Upon the receipt of such notices it shall be the duty of the State Controller and the governing board of any political subdivision or taxing agency, including reclamation irrigation, drainage or levee district or county, or city, having taxes or assessments levied upon the land described in said notices to forward a claim thereon to the county auditor setting forth the amount of the tax or assessment delinquent levied on such land, by, and still unpaid to, the political subdivision or district for which said claim is being made. On the first meeting day of the board of supervisors following the expiration of six months from the date of mailing such notices, as aforesaid, by said county auditor, the county auditor shall present all such claims received by him to the said board of supervisors and the board of supervisors, if said claims be correct, shall order the money received from the sale of each parcel of land to be divided pro rata among the taxing or assessing agencies having filed claims in accordance with the proportion which such delinquent tax or assessment bears to the total of all such taxes or assessments delinquent in each district or political subdivision involved, and the auditor shall draw and mail warrants on said delinquent tax sale trust fund in accordance with said order. If

the board of supervisors dispute the correctness of any such claim, the money received from the sale of the individual parcel or parcels involved in such disputed claim shall remain in said trust fund until the settlement of said claim by agreement of the governing boards or officers of the various taxing or assessing agencies or by judgment of a court of competent jurisdiction.

(6) A deed given by the tax collector upon a sale made as in this section provided shall convey title to the purchaser free and clear of all liens, taxes, assessments or encumbrances of any kind or character whatsoever levied or assessed or liened on the property which are due at the time of such sale so conveyed prior to the date of such sale, and, except as against actual fraud, such deed duly acknowledged shall be prima facie evidence of the regularity of all proceedings from the assessment of the assessor to and including the execution of such deed.

Nothing in this section contained shall be deemed to nullify or amend the provisions of section 12 of "Improvement Bond Act of 1915" or of any provisions amendatory thereof or supplemental thereto with reference to the title acquired by a purchaser at a tax collector's sale or at a resale by the city.

(7) No action, suit or proceeding to set aside, cancel, or question the validity of any proceedings instituted under the provisions of this section shall be instituted or maintained unless the same shall have been commenced within one year after the date of the execution of the deed of the tax collector and thereafter all persons shall be barred from commencing or prosecuting any such action or maintaining any defense in any action based upon the alleged invalidity or alleged irregularity in such proceeding. The burden of proof in any such action or proceeding shall be upon the plaintiff to show invalidity of taxes, assessments, or sales of which he complains.

(8) Any deed given under this section shall be subject to any lease theretofore given under the provisions of section 3466a."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 744—An act to amend section 2 of the State Contract Act, relating to the State Department of Finance.

Committee Amendment to Senate Bill No. 744.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, following line 9, add the following paragraph:

"Contracts for the purchase of supplies or materials, which are purchased through the Bureau of Purchases of the Department of Finance, are not subject to this act, or even though the seller is required to perform some incidental work or service in connection with the delivery of the material or supplies."

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 671—An act to amend section 675a of the Political Code, relating to approval of contracts by the Department of Finance.

Committee Amendment to Senate Bill No. 671.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, after the word "equipment", insert the following: "which exceeds a rental of $10 per month."

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 668—An act to amend section 1030 of the Political Code, relating to office hours.

Committee Amendment to Senate Bill No. 668.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, strike out the following: "On Saturdays which", and strike out all of lines 10 and 11, on the said page.

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 58—An act to amend section 4 of an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, relating to employees of the Division of Narcotic Enforcement.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 323—An act to add section 661.8 to the Political Code, relating to the payment of claims against the State and indorsing of warrants issued therefor.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 993—An act to amend section 440 of the Political Code, relating to the issuance of warrants by the State Controller and payment of claims against the State.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 895—An act to amend section 61 of the Bank Act, relating to investments in registered warrants of this State.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 670—An act to amend section 677 of the Political Code, relating to the State Department of Finance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 669—An act to add section 663c to the Political Code, relating to the fixing of maximum maintenance allowances of certain State officers and employees by the State Board of Control.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 362—An act to amend section 692 of the Political Code, relating to the approval of contracts by the Director of Finance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 187—An act to add Chapter IIIa, comprising sections 1334 to 1334.6, inclusive, to Title X of Part II of the Penal Code, relating to the attendance of witnesses without the State in criminal proceedings.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 517—An act to amend section 374 of the Streets and Highways Code, relating to State Highway Route 74.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1013—An act to amend section 6d of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and relating to existing utilities therein.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 45—An act granting certain salt marsh, tide and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read second time, and ordered on third reading calender.

Senate Bill No. 214—An act granting to the city of Pittsburg and its successors certain salt, marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon, and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands for wharf out privileges hereby granted.

Bill read second time, and ordered on third reading calendar.

Motion to Print Report in Journal.

On motion of Mr. Dawson, the following report of Special Interim Committee on Klamath River was ordered printed in the Journal:

REPORT OF THE 1935 CALIFORNIA ASSEMBLY INTERIM COMMITTEE ON KLAMATH RIVER.

To Be Submitted to the 1937 Assembly of the California Legislature.

1935 ASSEMBLY INTERIM COMMITTEE ON THE KLAMATH RIVER.

Hon. Charles W. Fisher, Chairman.

Hon. Kennett B. Dawson

Hon. Herbert J. Evans

Said committee was appointed pursuant to Assembly resolution adopted May 23, 1935 (see 1935 Assembly Journal, page 45), introduced by Assemblyman Charles W. Fisher of Alameda County and Michael J. Burns of Humboldt County, which reads as follows:

Resolution.

WHEREAS, The Klamath River is one of the last remaining rivers in the State of California where salmon and steelhead run; and

WHEREAS, The upper reaches of the Klamath River including its tributaries furnish an essential area for the breeding and propagation of salmon and steelhead; and

WHEREAS, There are individuals and organizations engaged in the industry of mining in and about the said Klamath River and its tributaries; and

WHEREAS, Hydroelectric power is developed in the upper reaches of said Klamath River; and

WHEREAS, General controversy exists between those engaging in mining and in hydroelectric power development in and about said Klamath River and its tributaries, and the sportsmen, recreationists and conservationists of the State, now, therefore, be it

Resolved, That the Speaker of the Assembly appoint a committee of three members of the Assembly to investigate and report on the matters set forth in the premises; and be it further

Resolved, That said committee is authorized to hold hearings at any and all places, and is authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind, also to issue subpenas to compel the attendance of witnesses; and be it further

Resolved, That said committee report its findings to the Assembly at the fifty-second session thereof, together with such recommended legislation as the committee may deem necessary; and be it further

Resolved, That the sum of $600 or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Controller is hereby authorized and directed to pay the same.

Foreword.

The committee has set about in this report to secure sufficient facts upon which to base its recommendations in the hope of facilitating the passage by the California State Legislature of enforceable laws for the protection of fish life in the Klamath

River; for the insurance of sufficient clarity of the waters of this stream so that the many thousands of sportsmen may enjoy fishing during the major steelhead and salmon runs, and so that those engaged in the industry of mining adjacent to said stream may know how and to what extent they may engage in this industry.

As the committee appropriation of $600 was insufficient to permit a complete, far-reaching and independent investigation of the entire problem, the committee has used in so far as practicable data obtained from the California Division of Fish and Game, from the United States Biological Survey of Streams and Lakes in the Klamath and Shasta National Forests of California, dated February, 1935, results of the Klamath-Trinity River Fact Finding Committee of the California State Chamber of Commerce, from personal observation on the part of members of the committee, and from meetings held by the committee at which were present representatives of the mining industry, the California Oregon Power Company, and sportsmen.

The members of the committee pursuant to said resolution made trips into the Klamath region in order that they might be personally familiar with the problems involved.

Inasmuch as the Trinity River flows into the Klamath at Weitchpec, the problem is one involving not only the Klamath River, but the Trinity River and the tributaries of both of said streams.

The report will be divided into two specific parts, i.e.

Firstly, having to do with the effect of mining operations in the district concerned upon fish life and fishing, and

Secondly, the effect of the operation of the California Oregon Power Company's dam at Copco upon fish life and fishing in the Klamath River

THE COMMITTEE

Report Dealing with the Mining Aspect.

The Klamath River running particularly approximately 200 miles from the Oregon boundary near the California Oregon Power company's dam at Copco (hereinafter referred to as Copco) and emptying in the Pacific Ocean, has never been a stream of the crystal clarity of the average Sierra Nevada stream, but during late years it has been claimed by those interested in fish life and sport fishing that it has gradually been becoming more and more roiled and muddied and to such a degree that even during the months of August, September, October and November fly fishing has for protracted periods been impossible.

The Present Law.

The Klamath and Trinity rivers have long been famous not only in California, but throughout the Nation and elsewhere for the splendid fishing found there for salmon and steelhead. The Klamath River is recognized by the California Fish and Game Commission as the most important stream left in California where salmon and steelhead run in abundance and reproduce. To protect this resource, and prevent destruction of the sea-run migratory species of game fish by power development on the river, the people of the State of California in 1924 adopted Initiative Measure No. 11 which created the Klamath River Fish and Game District.

The specific law designed to prevent pollution of the Klamath during part of the steelhead season is contained in section 482 of the California Fish and Game Code which reads as follows:

> "It is unlawful, between July 15th and October 15th, to pollute, muddy, or roil the waters of the Trinity and Klamath River District, or deposit, or permit the depositing of, any substance in said waters, so that the clarity thereof is affected. The clarity of said waters shall be deemed affected only when said waters, for a distance of one mile or more, contain more than 50 parts per million, by weight, of suspended matter. Any structure or contrivance which contributes to the condition, the causing of which is herein prohibited, is a public nuisance."

Since the increase in 1932 of the price of gold, gold mining has increased by leaps and bounds along the Klamath and Trinity rivers and their tributaries and although many instances of mining operations were seen of a large and small degree where mud and tailings were sluiced directly into the Klamath so that muddying of that stream was visible to the naked eye, the law as stated in section 482 of the Fish and Game Code is practically unenforceable, and so far as the committee has been able to ascertain, there has never been a conviction under it. In order to sustain such a conviction proof would have to be given not only of the fact of pollution, but of the clarity of the stream immediately above the point of pollution, the clarity of the stream at least one mile below the point of pollution, and the fact that no other extraneous substance was entering into the stream within the entire distance of one mile. It has been admitted by District Attorney Edwin J. Regan of Trinity County and others that the law as now set forth is extremely difficult of enforcement.

Recreational Considerations.

From the point of view of the enjoyment of the people, the Klamath and Trinity River systems offer much of both direct and indirect value to the State of California. The following list indicates a portion of the values involved, viz., (1) sport fishing for salmon and steelhead and for small stream trout; (2) resort value; (3) general tourist values including camping, hiking, horseback riding, touring by automobile, hunting and other activities.

The Klamath River, over its 200 mile course from the Oregon line to the ocean, offers several varieties of fishing that have attracted people from all over the world to participate in this sport. Considering the types of fishing first, trolling for salmon and steelhead in the estuary offers splendid sport to hundreds of tourists who travel north and south on the Redwood Highway that crosses the mouth of the river at Klamath. This fishing generally begins in early July, reaching its peak about the middle of August. Much revenue goes to residents, resort owners, etc., in this region from this class of fishermen. It might be added that these people are largely seeking a leisurely sport that produces large fish, does not take much physical endurance, and eliminates the danger of wading the swift riffles farther upstream. Any consideration of the problem must take into account this type of fishing afforded at the mouth of the river.

Farther upstream, particularly from Weitchpec on, most of the fishing is devoted to sea-run steelhead. Here various types of tackle are used and sportsmen come long distances to fish with light tackle for these heavy fish. Many resorts are found at various points along the river whose profit is dependent upon this class of fishermen. But few of the average tourists, who do not care as a rule to drive over steep, irregular mountain highways, seek sport in this region of the river. The anglers then, who fish the middle section of the Klamath are for the most part those who seek the thrill of heavy fish and fast water with light tackle.

Again, in the upper river both above and below Hornbrook, sea-run steelhead are much sought after by many groups of people. Here the upper river is crossed by the main north-south inland automobile route at the mouth of the Shasta River which gives easy access both above and below this point on the main Klamath. Here also many tourists will fish the river, the more venturesome driving down the river to enjoy fishing under less crowded conditions. The season in the middle and upper reaches of the Klamath runs from July 15th into January.

Many sportsmen have built fishing lodges along the river in which they may reside the year around or in which they may reside only during fishing seasons. Many people camp out along the river at various points when the fish are running. All the above classes must be given consideration from the viewpoint of both their indirect and direct interest in the problem under consideration.

In addition to the fishing for sea-run migratory species along all reaches of the Klamath and Trinity rivers, a considerable amount of fishing takes place in the summer time for small salmon and steelhead in the tributary streams prior to their seaward migration. In addition, lakes lying in the Klamath Basin that have been stocked with eastern brook and other species afford good sport for those able to get into the back country.

It should be noted at this point that in considering the two natural resources, minerals, and fish life, found in this region, the former is an inorganic resource the supply of which can eventually be removed by mining operations. The latter is an organic resource which by proper management and protection can be perpetuated for the pleasure and use of the people of the State for all time.

Effect of Silt Carried in Suspension on Aquatic Fish Foods.

Definite quantitative measurements of the effect of heavy silt on bottom foods was obtained in the summer of 1934 from stream and lake survey work carried on under the direction of the Bureau of Fisheries. Funds allotted to the Bureau of Fisheries by the Public Works Administration permitted placing three stream and lake survey parties in California. One of these surveyed the Klamath River tributaries, and lakes, from the mouth to the Oregon line. In the mimeographed report of the field work of Mr. A. C. Taft and Mr. Leo Shapovalov (P. 15, 1935), the following data was submitted:

> "As far as the smaller streams of the Klamath watershed are concerned, silt caused by mining is as important a factor as any, if not the most important factor, in determining the amount of bottom food present. With no mining silt present, the factors mentioned heretofore play dominent roles. That mining silt is detrimental to bottom food organisms is borne out by the following tests. On the afternoon of June 15th, two stations were selected on the East Fork of Scott River, one a short distance above Grouse Creek, which carried considerable mining silt into the East Fork, and one below Grouse Creek. With the exception of Grouse Creek, no tributaries enter the East Fork between these stations, the stream has essentially the same character, and

the land bordering the stream between these two stations is uncultivated. Thus, it seems that the only factor to change the stream between the two stations would be the entrance of the silt at Grouse Creek.

The riffles on which the quantitative samples were taken at the two stations were picked to resemble each other Three quantitative samples were taken at each station

As shown by the following table, there was a marked decrease in all the main groups of good organisms. This table shows the numbers of trout food organisms per square foot collected in the areas polluted and not polluted by mining silt.

QUANTITATIVE MEASUREMENTS OF THE EFFECT OF SILT ON STREAM BOTTOM FOODS.

Above Mining.

June 15, 1934—p m.	*Sample No. 1*	*No. 2*	*No. 3*	*Total*	*Av. per sq. ft.*
Mayflies	45	140	100	285	95
Trueflies	65	95	110	270	90
Caddisflies	15	50	15	80	27
Beetles	5	30	35	70	23
Stoneflies	10	20	10	40	13
Crayfish	--	1	2	3	1

Total number from three samples—1745

Below Mining

June 15, 1934—p m	*Sample No. 1*	*No. 2*	*No. 3*	*Total*	*Av. per sq. ft.*
Mayflies	20	23	17	60	20
Trueflies	1	2	--	3	1
Caddisflies	3	1	3	7	2
Beetles	10	6	12	28	9
Stoneflies	3	3	3	9	3
Crayfish	2	--	2	4	1

Total number from three samples—258.

Observations in other streams seem to bear out these tests. In Merrill Creek, a tributary of the Salmon River, the bottom of the lower portion of the stream is composed largely of coarse mining silt. This silt was productive of almost no food except snails

Whenever a series of quantitive bottom samples was taken in one stream or in a series of similar streams during the summer, the average number of good organisms in the one square foot samples was *always* less in mined areas than in nonmined areas

From these measurements the affects of silt are obviously quite marked. Of the total 2003 aquatic organisms taken in both series of samples, only 12.8 per cent were found in the silted water while 87 1 per cent were taken from the nonsilted area.

That streams foods will recover from the effects of heavy silting is evidenced by the main Klamath Mining silt here used to be much heavier in the earlier days of mining when this stream was used to 'run practically a stream of mud.' Observations by the chairman of this committee and others have shown that if extremely heavy silting is stopped stream bottom foods such as mayflies, stoneflies, caddisflies, and others will again become abundant and furnish large amounts of food to fishes. However, we believe that the immediate effect is bad and will continue to be bad as long as the silting is heavy and continuous.

Turbidity of the main Klamath during warm weather in the summertime, aside from mining silt usually present, is due to excessive amounts of small plants and animals carried in suspension (plancton). Turbidity due to these organisms probably have a portion of their source in the upper Klamath and Copco Lake where the water flows through tule bordered areas, picking up much organic matter as it flows along The very marked green color of the Klamath River in warm seasons is largely due to this cause. Biological studies of these materials have shown many kinds and types of algae present under these conditions This type of turbidity is in no sense deleterious to the aquatic life of the river In fact the reverse is quite true, for these minute organisms afford the bottom dwelling organisms tremendous amounts of food which in turn is probably one of the major reasons why the Klamath River is so rich in aquatic fish foods."

The effect of a limited amount of mining silt on the eggs of sea-run fish has not definitely been shown to be harmful. Heavy silting of spawning areas in small tributaries is probably harmful however due to the smothering action of the silt on the eggs. Steelhead and salmon usually spawn in the shallow riffles or tails of pools where some water seeps down through the gravel over the eggs. Undoubtedly heavy masses of silt would close the crevices in the bottom gravel and stop the water supply to the eggs. During the winter the danger to fish life is probably less by reason of larger water flows and hence greater dilution of silt, at this season of the year as compared to the summer season and fall.

In order to conduct mining operations in the Klamath-Trinity watershed it is necessary for those engaged in the industry, other than those operators who conduct their operations in and along the main river beds themselves, that they have a considerable head of water, hence the great proportion of mining operations in this entire area are carried on during the rainy season and the season when the streams are running with a considerable head of water. Conversely, the best steelhead fishing is had on the Klamath and/or Trinity in the later dry months up to and running into the early rainy season.

In this report the fishing at the mouth of the Klamath is not being considered as it is for the most part trolling and the principal effect on this fishing would be from the general effect of pollution and the muddying and roiling of the waters of the stream upon fish life so that the time as to just when the waters in question shall be kept clear is not a question of moment to those who fish at the mouth.

King Salmon.

In the early days, two runs of king salmon used to take place annually in the Klamath River, one in the spring and one in the fall. The spring run of fish, on good authority, was depleted early in the history of the river and is of little consequence today. The summer run of king salmon is the important one today and one that, as noted above, attracts many people to the mouth of the river for trolling in July, August, and September when the fish are in the estuary. Dr. J. O. Snyder, in his paper entitled, "King Salmon of the Klamath River, California" (Fish Bulletin, No. 34 of the California Division of Fish and Game), says that, "Migration of king salmon in the Klamath River begins in July, mounts rapidly by the last of the month, reaches its maximum in August, declines gradually in September, and falls away almost entirely before the beginning of winter." He also says at another point in the same paper:

> "Migration of king salmon does not consist of a steadily increasing flow with a similar decline, but rather a continuation of successive waves of varying size which on the whole mount higher and higher until a maximum is reached, and then die away in much the same manner as they came."

In support of his statements, Dr. Snyder submits catch records furnished by the Klamath River Packers Association covering the commercial catches for the years from 1913 to 1926 inclusive.

Steelhead Trout.

"A few steelhead enter the estuary of the Klamath along with king and silver salmon early in the season but do not reach their migratory peak until fall in the months of September, October, and November. The so-called winter run occurs in December, January, and February, but weather conditions at this time do not permit comfortable angling conditions. A few scattered steelhead will be caught in the estuary with king salmon in the latter part of July as noted below. Their upstream migration apparently progresses from 2½ to 3 miles per day and in the upper river near the mouth of the Shasta River, their peak is reached in late November.

In the following table will be seen a count of the steelhead migration into the mouth of the Shasta River, as recorded by Snyder in "A Steelhead Migration in the Shasta River," California Fish and Game Magazine, October, 1933, No. 4. This is the only factual data the committee was able to obtain on the actual numbers of steelhead entering any given tributary. While these figures do not apply to the main river itself, it is well known that the steelhead will lie for several days or weeks in the main river below the mouths of tributaries up which they will later migrate. Thus in reading the table these data in general can be applied to the main Klamath below the mouth of the Shasta if the dates be advanced correspondingly to compensate for the time between resting in the Klamath and passing through the counting weir in the Shasta River.

MIGRATION OF STEELHEAD TROUT THROUGH COUNTING RACKS AT MOUTH OF SHASTA RIVER IN OCTOBER, NOVEMBER, AND DECEMBER, 1932 (AFTER SNYDER, 1933)

October	No. Fish	November	No Fish	December	No. Fish
10	5		36	1	15
11	5	2	59	2	30
12	26	3	0	3	1
13	44	4	7	4	0
14	23	5	11	5	7
15	44	6	285	6	0
16	11	7	10	7	0
17	55	8	6	8	0
18	25	9	283	9	0
19	14	10	9	10	0
20	8	11	1		
21	17	12	0		
22	27	13	0		
23	4				
24	12	14	459		
25	11	15	43		
26	13	16	184		
27	33	17	703		
28	18	18	2675		
29	35	19	255		
30	2	20	16		
31	1	21	77		
		22	0		
		23	25		
		24	1		
		25	58		
		26	14		
		27	112		
		28	2124		
		29	553		
		30	21		

It is well known that steelhead migrate to the uppermost tributaries where they spawn in late fall, winter, or in early spring, after which if they survive, will migrate to the ocean, not always dying after maturity as do the salmon."

Rainfall and River Flow Data.

It is, of course, obvious that conditions relating to rainfall and river flow are of great importance both to mining and to fishing. Rainfall largely determines when placer mining can be profitably conducted and of course is a major stimulus to the runs of migratory salmonoid fishes up the Klamath. The weather data submitted below has been embodied in this report because of its significance in pointing out the approximate period when rains begin to come in the fall, and their influence on river flows and migrations. Naturally this data while factual as applied to the individual stations and dates recorded can only be applied in a general way to the problem of mining and fishing seasons as a whole.

In the following table it was evident that the rains begin to fall in early November, decrease somewhat around the twelfth of November, and from this point average daily precipitation increases to about the thirtieth of November.

Thus on the basis of rainfall it is evident that the water supplies contributing both to the fish runs and to mining do not become heavy in any sense of the word until the middle of, or late November.

DAILY AND MONTHLY PRECIPITATION FOR THE MONTHS OF OCTOBER, NOVEMBER AND DECEMBER AT EUREKA AND RED BLUFF, CALIFORNIA*

	Eureka, California			*Red Bluff, California*		
Dates	*Oct.*	*Nov.*	*Dec.*	*Oct.*	*Nov.*	*Dec.*
1	0.07	0.09	0.24	0.06	0.05	0.17
2	.06	.11	.22	.05	.06	.16
3	.06	.12	.23	.06	.07	.17
4	.06	.12	.22	.05	.07	.16
5	.06	.14	.22	.05	.07	.14
6	.07	.14	.22	.03	.09	.14
7	.09	.16	.24	.04	.12	.14
8	.09	.15	.22	.04	.12	.14
9	.09	.16	.21	.04	14	.14
10	.07	.15	.21	.04	.12	.13
11	.06	.14	.20	.04	.10	.12
12	.06	.11	.18	.03	.06	.12
13	.07	.13	.17	.04	.07	.11
14	.07	.14	.17	.04	.07	.11
15	.08	.15	.17	.04	.08	.11
16	.08	.15	.17	.04	.09	.12
17	.08	.18	.17	.04	.10	.15
18	.07	.19	.19	.04	.11	.15
19	.07	.19	.19	.04	.10	.15
20	.07	.20	19	.05	.10	.15
21	.08	.22	.20	.05	.10	.16
22	.07	.21	.20	.05	.10	.15
23	.07	.21	.19	.05	.10	.16
24	07	.22	.18	.05	.10	.17
25	.08	.22	.19	.05	.11	.17
26	.08	.21	.18	.05	.11	.16
27	.09	.23	.19	.04	.13	.12
28	.09	.24	.22	.04	.12	.13
29	.10	.26	.23	.03	.15	.12
30	.09	.24	.22	.03	.16	.13
31	.08	--	.25	.03	--	.15
Sums	2.33	5.18	6.28	1.33	2.97	4.40

* From U. S. Dept of Agriculture, Monthly Weather Review, Supp No 34 "The Daily, Monthly and Annual Normals of Precipitation in the U. S Based on the 50-year Period, 1878 to 1927, Inclusive" 1930

From all of the sources of information which the committee has been able to contact steelhead fishing progresses upwards along the Klamath River from the early part of July in the lower section into the month of December in the upper reaches with good fishing often found in the upper reaches during the months of January and February. With the heavy rainfall and cold weather setting in particularly from the month of December on, the sport during these winter months is only enjoyed by the most hardy, the months of October and November being the best fishing season for the middle and upper reaches of the Klamath.

At a meeting of the Assembly committee held in San Francisco on December 4, 1936, at which were present members of the Fact Finding Committee of the State Chamber of Commerce and District Attorney Edwin J. Regan of Trinity County, the final question of a new Antipollution Law was discussed. Many sportsmen and conservationists had contacted the committee requesting that they be given clear water in the Klamath and Trinity Basin for six months of the year running from July 1st to January 1st. Mr. Regan, representing the principal mining interests in the Klamath-Trinity Basin, stated that the miners would agree to clear water and a strictly enforceable law at the point of pollution for the Klamath and Trinity rivers and all tributaries thereof from July 15th to November 15th.

Recommendation Re Pollution.

Taking into consideration all phases of the situation, the committee recommends that section 482 of the California Fish and Game Code be amended so as to provide four and a half months of clear water running from July 15th to December 1st in any one year and covering the Klamath and Trinity rivers and all tributaries thereof. In order to accomplish such purpose a new fish and game district should be established as an amendment to the California Fish and Game Code reading as follows:

"NEW SECTION OF FISH AND GAME CODE NUMBERED SECTION 96.5 CREATING A NEW FISH AND GAME DISTRICT ENTITLED _____ DISTRICT.

SEC. 96.5. The following shall constitute the ____ Fish and Game District: The Trinity River and all streams and their tributaries flowing into said river and the Klamath River (excepting that portion thereof now included in

the Klamath River Fish and Game District) below the California-Oregon Power Company Dam at Copco and all streams and their tributaries flowing into said river."

With such a change said section 482 should be amended to read as follows:

"482. It is unlawful between July 15th and December 1st, both dates inclusive, to pollute, muddy, contaminate, or roil the waters of the ------ Fish and Game District and the Klamath River Fish and Game District It is unlawful, between said dates to deposit in or cause, suffer or procure to be deposited in, permit to pass into or place where it can pass into said waters, any substance, affecting the clarity of said waters, including the dumping, depositing or passing into said waters of any debris, substance or tailings from hydraulic, placer, milling or other mining operation. Any structure or contrivance which contributes to or causes the condition, the causing of which is hereby prohibited, is a public nuisance."

In making the above recommendation the committee has taken the stand that it can not differentiate between the various types of mining and that an Anti-pollution Law should apply to them all to be thoroughly effective. The committee considers that in general the taking of no natural resource should be permitted to an extent wherein it means the destruction of another natural resource, particularly where the value of each of said natural resources may be of benefit to the public at large, and in forming a rough opinion as to the comparative values of the mining industry in the area concerned and the fish life therein purely from the recreational standpoint and not taking into consideration the deep sea commercial fishing of the salmon which run into the Klamath River, the committee presents the following table showing the value of gold produced in counties in the Klamath-Trinity watersheds from 1925 to 1934, inclusive, and the results of a Klamath River economic investigation by Robert Allen:

"VALUE OF
GOLD PRODUCED IN COUNTIES
IN KLAMATH-TRINITY WATERSHEDS
FROM 1925 TO 1934 INCLUSIVE

	Del Norte	*Siskiyou*	*Humboldt*	*Trinity*
1925	$681	$180,120	$13,142	$424,037
1926	1,078	141,240	1,243	483,471
1927	384	138,822	1,729	409,492
1928	277	85,717	1,788	402,694
1929	--	63,843	2,372	352,029
1930	279	70,332	2,255	330,003
1931	1,372	74,326	2,878	292,031
1932	2,195	133,115	2,549	294,297
1933	1,933	324,954	5,902	345,851
1934	6,078	528,395	28,978	574,681

From Symons, 1935 California Mineral Production and Directory of Mineral Producers for 1934, State Division of Mines Bulletin"

"Klamath River Economic Investigation.

BY ROBERT ALLEN.

The following information gathered in the succeeding period was obtained from a personal contact with those whose business activities were directly concerned, as a result of the recreational facilities offered in the district. The information is based on the 1935 season and is as authentic as conditions and the methods of recording the facts by those people were made possible. Also by contacting as many of the visitors and tourists as possible who were here during 1935, as well as a great many others here only during the 1936 season to date. Averages are based on the finding as given out by those visitors, which was given freely by them

The total number of families registered in the camps, parks, and other facilities reached a total of 25,833 during the 1935 season As this was a rather slack season due to the economic condition the facilities were not all used during the season. A check on the number registered during June and July, 1936, showed an increase in registration ranging from 20 per cent to 300 per cent, averaging a total increase from all sources, of 118 per cent Using this as a basis for computing the 1936 registration it should, if it continues at the present rate, reach the total registration of 30,485 families

In checking the homes from which these visitors came, it was found that a great range of distance was covered to reach the Klamath district While not all of the visitors came for the express purpose of fishing for salmon and steelhead, the great percentage of them did. Many came to view the great Redwood district and to enjoy the world famous scenery of this area Many upon learning of the fishing, stayed on to be introduced to this sport, but many, combining a vacation with saving, came to secure a winter supply of salmon for their families. They came from every State in the United States, Canada, Mexico, South America, England, Hawaii, and the Philippines.

showing the international fame of this area of California. The distance traveled by those coming here to view the country and to enjoy the fishing showed a total average distance traveled by each family to be 789 miles for the one way trip, making a grand total of 20,382,237 miles. As the return journey must be made, those same visitors, although they will of course see other places and enjoy other recreations, must have to travel 40,764,474 miles to enjoy the offerings of this district.

The average miles per gallon of gasoline consumed was found to be about 15; thus showing that they invested in this commodity to the extent of 2,717,632 gallons. The price of this from differences in various localities, was found to average 16 cents per gallon, making a total of $434,821.12. Using the accepted mileage of 250 miles per quart of oil as the average, the oil consumed would amount to 163,058 quarts. The average price paid for oil purchased was found to be 22 cents per quart and would cost the visitors $35,872.76. Summing up the total cost of transportation alone, not considering various repairs and other incidentals, would reach the total of $470,693.88. This distributed along the routes traveled creates business along those routes, but is brought about directly by the recreational facilities offered by Klamath and its adjacent territory.

In attempting to arrive at the amount of business brought into the area by those same visitors but not taking into account the transient business, it was necessary to contact a great many of them to arrive at a figure which would represent them all and at the same time come within the reach of all. Many who come, care little for expense. While others must be very conservative because of conditions. A figure of $3 per day was finally set as about the amount used daily by an individual. While many used much more, it was found that there were others using much less. Using then, the $3 per day as a basis, the 77,499 individuals produced in direct business $232,497, this being scattered throughout the district to business enterprises in proportion to the facilities offered.

Making the same contacts and basing an average of one fisherman to each family, although many had more, to secure the amount invested in fishing tackle used by these visitors and arriving at an average of $60 per angler, the total amount invested would reach $1,549,980. Much of this can be, and is, used in other places for sport, but at least 25 per cent of it is directly responsible to the district. A replacement and new purchase to fit the different conditions here would amount to 10 per cent of the total amount of $15,499, and would go directly to the district.

The facilities offered by the district to accommodate these visitors in camp grounds, cottages, rooms, boats and incidentals was found to be 229 cabins, 57 rooms, and 290 boats. The investment in these facilities by those offering the accommodations was $425,500.

The business investment in Klamath City, while not depending entirely upon the recreationists, reached a total of $143,810 or a grand total of investment of $569,310.

This does not take into account the business given to the 20 Indian boat pullers who are available to those who desire that accommodation, which amounted to approximately $3,000 in 1935.

The accommodations during the 1936 season now in progress, which has increased to 118 per cent over 1935, has reached the saturation point. More facilities or a longer season must be supplied to take care of the tremendous number of visitors seeking to enjoy the offerings of this area.

With the present short season of two and one-half months, it is not feasible to increase the investment to a paying basis. A longer season will make the investors feel that improvements and other equipment to take care of the recreationists could be made.

Business would favor an extension of time so employees' vacations could be staggered, allowing them to go over an extended length of time with not many at one time, which curtails the operation of enterprise especially in the case of skilled or administrative help.

It would mean a less congested condition on the recreation grounds with more visitors being taken care of by the same equipment."

California-Oregon Power Company Dam and Operations at Copco.

In 1918 the California-Oregon Power Company completed and put into service their dam and power plant at Copco about 13 miles up the Klamath River from Hornbrook. From a history of the California-Oregon Power Company we learn that the Copco Dam No. 1 is constructed of concrete, is arched on a radius of 356 feet, and, including gate structures, contains approximately 70,600 cubic yards of material. Deep pockets in the foundation made it necessary to excavate to a maximum depth of 120 feet and greatly increased the total yardage. The river bed at the dam is about 2,472 feet above sea level and the lowest point of the foundation about 2,352 feet. The width of the canyon at the ultimate crest level of the dam (including the gate structures) is 420 feet and the width at the river bed is 60 feet. The

dam is 95 feet thick at base and 30 feet at the spillway level, the piers rising above the spillway lip are, however, only 15 feet thick at their bases. An outlet tunnel, 16 feet square and 13 feet above the original river bed, pierces the rocky point 85 feet in from the south end of the dam, and in the top of the dam are 16 openings, 7½ feet wide and 8 feet deep, which are provided with flashboards that may be removed to allow floods to pass over the crest of the dam

When the Copco plant is in daily operation a rush of water leaves the power plant raising the level of the Klamath River at the plant between three and four feet in 15 minutes This flood continues on down the river with such force and volume that even at Weitchpec, some 175 miles below the Copco Dam, the level of the Klamath River is changed from 8 to 12 inches The operation of the Copco plant is perhaps the most deleterious element on the Klamath River; damaging to fish life, dangerous to human life whether they be sportsmen, miners, agriculturalists or recreationists who may be engaged in and adjacent to the Klamath River It has been informally reported to the committee that since the operation of the dam at least 16 people have been drowned in the Klamath River largely due to the tremendous and abrupt change in the level of the river without warning by reason of the operation of the plant.

The United States Biological Survey, herein mentioned, comments upon the California-Oregon Power Company Plant as follows:

> "The Klamath River proper presents a problem in fluctuation all its own Dams and power plants are located at Copco, California, some 200 miles above the mouth of the Klamath, and also above in Oregon.
>
> These plants let through amounts of water which vary with the 'load' being carried. Under present conditions this causes sudden and irregular fluctuations of the river At times these fluctuations come daily while at other times the amount of water let through is varied only after several successive days of high or low water.
>
> The section of the Klamath River immediately below Copco Dam is the one in which the rise and fall of the river is the greatest and most abrupt. There the water may drop or rise several feet in the space of 20 minutes. Millions of young fish are planted each year in Fall Creek, which enters the Klamath in this section, and work down into the main river There they are sometimes caught unawares by the quickly dropping river and left stranded along its shores.
>
> Great damage, too, is done by the fluctuations to the invertebrate life, i.e., to the potential fish food. On May 26th numbers of roving bottom organisms such as the young of mayflies and stoneflies were found dead in areas exposed by low water.
>
> The regulation of the water to a steady flow by the construction of an equalizing dam below the Copco power plant would (1) widen the zone of production of bottom fish food, which at present is limited to the area covered by low water from Copco, (2) eliminate the stranding of young fish and of roving bottom organisms which serve as food for fish, (3) save some of the salmon spawning grounds and provide new areas for salmon spawning, and (4) eliminate a source of real danger to fishermen in the stream"

In a memorandum relating to the influence of the uneven flow of water in the upper Klamath River caused by operations of the dam at Copco we find Dr. Snyder, Chief of the Bureau of Fish Conservation of the California Fish and Game Commission, stating as follows:

> "It is well known that the ordinary operations of the dam at Copco cause sudden and prolonged high tides followed by periods of very low water in the Klamath River, extending down for a long distance below the junction of Shasta River with the Klamath. These floods cause the water to extend unusual distances up the bank, while the periods of low water drain the sand bars in the middle of the river and greatly diminish its flow This condition is detrimental to both natural and artificial propagation in the river. Natural propagation is seriously interfered with because in the region affected, eggs which are deposited on the sand bars and riffles during high water are entirely exposed and spoiled during the period of low water This statement does not rest upon assumption, but upon actual observations which have been made from time to time
>
> During the spawning season of 1934, when our new racks at Klamathon were not completed in time to obstruct the run of salmon, the whole migration was allowed to pass into the upper portion of the river. Observers were placed in the region to give an account of what actually occurred there Most of the sand bars were exposed during the low water when they were completely drained and exposed to the action of the hot sun. At the time of low water there is a relatively small amount of suitable spawning area which is covered during high water, numerous bars which become riffles with a considerable amount of water covering them are ideal spots for spawning and are taken advantage of by the fish which are present. Our observers found that most of the spawning in that portion of the river was done during the periods of high

water and was carried on in places which were uncovered and drained during periods of low water. Numerous nests were found uncovered and examined and in most cases the eggs and developing embryos were destroyed The loss between the racks at Klamathon and the base of the Copco Dam was apparently so complete as to justify the assumption that all eggs taken by artificial means from the salmon at the racks might be safely regarded as salvage.

The eggs taken at the racks at Klamathon in the amount of about 4,000,000 were sent to the hatchery at Fall Creek which is located on a perennial stream which enters the main river at a short distance below the Copco Dam. The resulting fry from these eggs are planted in the river at two seasons. One is in the spring when the migration of naturally spawned salmon passes down the river. They are then little fish approximately two or three inches in length or even less. The second planting is done in the fall at about the time the fall run of young fish normally passes down the river. The plants are made at this time to imitate nature as nearly as possible in the belief that nature, through a long period of time, has best learned how to attend to the natural propagations of its species. When planting either in the spring or fall, this unnatural and violent fluctuation in the river operates disastrously in the case of young fish. If at any place along the river the little fish are passing down stream, they seem to prefer the edge to the middle of the stream and the sudden retreat of the water invariably leaves large numbers of them stranded on the open bars and in little pools along the edge where they either die from suffocation, increase of water temperature, or are quickly picked up by marauding birds and animals.

The superintendent of the hatchery tries to coordinate his plants in such a way that the fish will be least affected by the variation of the water. The little fish themselves take a hand in the matter and go downstream exactly when they please instead of when the hatchery man desires. One remedy might be suggested for this. That is, that the little fish be hauled down the river a sufficient distance to prevent the action of these extreme rises and falls of the river. There are two reasons for not doing this. First is the high cost of transportation for the long distance required. This high cost not only involves the actual transportation of the fish, but it would necessitate a large equipment, particularly in carrying the large sized fall fish. Another objection to the proposal is that salmon are known to return on their adult migrations to approximately the place from which they started as young fish. If these fish then were transported far enough down the river to avoid the destructive fluctuations, it is altogether probable that the returning migration would fall short of the Klamathon racks and eventually the run at that place, which we have every reason to believe is sustained by artificial propagation, would be destroyed.

What is said of the salmon is practically true of the steelheads, except that before the steelhead run is well on the racks at Klamathon are removed Artificial propagation of steelheads in that part of the stream depends principally on fish which reach Bogus Creek and Fall Creek where traps are maintained for their capture and artificial spawning. The little steelheads turned out from the hatchery at Fall Creek meet with the same difficulties as do the young salmon. Little fish drifting in from Shasta River, Beaver Creek and other places along the Klamath which are subjected to these violent fluctuations in the flow, are subjected to the same hazards as are the artificially propagated fishes.

It seems that whether the rise or fall of the water is sudden or gradual makes little difference in the stranding of the fish. The only corrections would be the resumption of a steady and natural flow of the river. This adverse situation gradually grows less as one moves down the river. It is difficult to say just where the matter comes of little influence, perhaps in the region of the mouth of Scott River, perhaps farther down or maybe a short distance above.

Reference is directed to a short article on Klamath River spawning conditions in 1932 which was published in California Fish and Game, Volume 20, Number 1, page 71."

Recommendation Re Operation of California Oregon Power Company Power Plant.

The committee realizes the difficulties involved in legislating upon the problem of the operation of the Copco plant wherein adequate use of the facilities of this investment can be reconciled with protection of the fish life of the 200 miles of river running below the dam and protection of fishing along this river and the lives of the people who go to the river for business or recreation

The California Oregon Power Company should be vitally interested in assisting in the proper settlement of the Klamath River problem. Very often when matters of this kind are allowed to drift, public opinion accumulates and unnecessary harm may result from a mass movement in the form of an initiative or otherwise.

The committee likewise feels that the United States Government has a definite interest in settling the Klamath problem as it involves the welfare of one of the most valuable migratory fish in the ocean, i.e., the salmon.

The State of California is also vitally interested in settling the Klamath problem as the size of the river, the runs of fish, the initiative action of the people taken in 1924, and unquestioned evidence show it to be one of the greatest natural recreational areas in the State of California.

While it has been suggested that the fluctuation of the water in the Klamath River caused by the operations of the power company and which results in a devastating loss to fish and fish food could be corrected by a leveling dam, the cost of such a contrivance would be large. It is not believed to be within the province of this committee to insist that the expense of constructing a dam to maintain an even flow of the water should be borne by an individual enterprise if another means to secure the desired result can be obtained. Although such a leveling dam would be the ultimate solution to the problem of the area lying below such dam.

It is a matter of knowledge that the area between the Klamathon egg station racks and the Copco Dam an area of less than 20 miles comprises the most important salmon spawning ground in California. Since the migrating, breeding salmon are unable to proceed beyond the power company's dam at Copco, they have no alternative but to spawn in this area. This small stretch of the river becomes, therefore, the key to successful and continued salmon spawning for the entire State. It is to this spawning ground that salmon now come to make their last stand. It is also here that the Division of Fish and Game obtains its supply of salmon spawn for artificial propagation.

For these reasons the area between the Klamath racks and the Copco dam must be assured of correct water conditions and made safe for the propagation and protection of the State's sole supply of salmon.

It appears to this committee that accomplishment of this desired condition can only be secured by the power company allowing during the daily low water periods, a constant flow of water over its dam in sufficient volume to adequately cover the comparatively limited area between the dam and the Klamathon racks. By these means the salmon spawn previously deposited by the fish will be preserved and the bottom feed maintained for later use. Also the presence of this minimum volume of water will minimize the scouring effect to which the fish life is exposed at present by the sudden rise in the daily water level when the power company begins operations.

In view of the premises, the committee recommends that the State of California, either through its Department of Natural Resources or the Division of Fish and Game, set about with dispatch to arrange with the California-Oregon Power Company or its officers, that the company shall be required to operate its power plant and send the flow of water over the dam at regular stated intervals in order that the public may be safeguarded by having such information and in this regard it is recommended that the regular shutdown periods of said power plant should be in effect on legal holidays as well as Saturdays or Sundays as it is on these days that the greatest number of people congregate in and about the Klamath River.

Supplementary Comment.

While not lying strictly within the purview of the appointing resolution, there are two matters which came to the committee's attention in the course of its investigation which the committee deems important enough for comment.

It was observed that several property owners, particularly along the upper reaches of the Klamath River, have fenced in their properties in such manner as to prevent members of the public from having access to the Klamath at these points. The committee condemns this practice as it feels that no riparian land owners should be able to close any part of this great stream to the sport-loving public and particularly in view of the fact that the fish in the Klamath are an ocean-run fish and the adjoining land owners are in no way responsible for their existence.

From an examination of the United States Biological Research Report of 1936 the committee finds that there are numerous small dams and blockades on a number of the tributaries of the Klamath and that most of these dams and blockades have been abandoned for many years and serve no purpose except that they prevent the salmon and steelhead from running up such streams to spawn.

The committee recommends that the California Division of Fish and Game take prompt measures toward having these useless obstructions removed

CHARLES W. FISHER, Chairman
KENNETT B. DAWSON.

Request to Print Report of Special Committee on Klamath River.

Mr. Dawson requested that 500 copies of the Special Interim Committee report on the Klamath River be printed as a separate document.

Request referred to Committee on Rules.

66—45260

Third Reading of Assembly Bills.

Assembly Bill No. 1371—An act to add section 765 to the Vehicle Code, relating to violations thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 17—Relative to granting the Pasadena Community Playhouse the honorary title of the State Theater of California.

Assembly Concurrent Resolution No. 17 read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1864—An act to amend section 1357 of the Political Code, relating to absentee voters.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 6—Proposed amendment to Article VI, section 1a of the Constitution, relative to the Judicial Council.

Assembly Constitutional Amendment No. 6 read, and adopted by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael, J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Constitutional Amendment No. 6.

A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending section 1a of Article VI, relating to the Judicial Council.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its fifty-second regular session, commencing on the third day of January, 1937, two-thirds of all the members elected to each of the houses thereof

voting in favor hereof, hereby proposes to the people of the State of California that the Constitution of said State be amended as follows.

First—That section 1a of Article VI of the Constitution of the State of California be amended to read as follows:

Section 1a. There shall be a Judicial Council. It shall consist of the Chief Justice or acting Chief Justice, and of two Associate Justices of the Supreme Court, two Justices of District Courts of Appeal, three judges of trial courts, one of whom shall be a judge of an inferior court, assigned by the Chief Justice to sit thereon for terms of two years; provided, that if any judge so assigned shall cease to be a judge of the court from which he is assigned, his term shall forthwith terminate, three members of the State Bar of California appointed by the Board of Governors of the State Bar to sit thereon for terms of two years; two lay members appointed by the Governor of this State to sit thereon for terms of two years; the chairman then in office of the Judiciary Committee of the Senate, and the chairman then in office of the Judiciary Committee of the Assembly; provided, that whenever there shall be more than one Judiciary Committee in either the Senate or the Assembly, the President of the Senate and the Speaker of the Assembly, respectively, shall designate the Chairman of a Judiciary Committee who shall be a member of the Judiciary Council. The Chief Justice or acting Chief Justice shall be chairman. No act of the council shall be valid unless concurred in by eight members.

The Judicial Council shall from time to time:

(1) Meet at the call of the chairman or as otherwise provided by it.

(2) Survey the condition of business in the several courts with a view to simplifying and improving the administration of justice

(3) Submit such suggestion to the several courts as may seem in the interest of uniformity and the expedition of business.

(4) Report to the Governor and Legislature at the commencement of each regular session with such recommendations as it may deem proper.

(5) Adopt or amend rules of practice and procedure for the several courts not inconsistent with laws that are now or that may hereafter be in force, and the council shall submit to the Legislature, at each regular session thereof, its recommendations with reference to amendments of, or changes in, existing laws relating to practice and procedure.

(6) Adopt or amend rules of judicial conduct governing all judges in this State.

(7) Exercise such other functions as may be provided by law.

The chairman shall seek to expedite judicial business and to equalize the work of the judges, and shall provide for the assignment of any judge to another court of a like or higher jurisdiction to assist a court or judge whose calendar is congested, to act for a judge who is disqualified or unable to act, or to sit and hold court where a vacancy in the office of judge has occurred.

The Clerk of the Supreme Court shall act as secretary of the council

The several judges shall cooperate with the council, shall sit and hold court as assigned, and shall report to the chairman at such times and in such manner as he shall request respecting the condition, and manner of disposal, of judicial business in their respective courts.

No member of the council shall receive any compensation for his services as such, but shall be allowed his necessary expenses for travel, board and lodging incurred in the performance of his duties as such. Any judge assigned to a court wherein a judge's compensation is greater than his own shall receive while sitting therein the compensation of a judge thereof. The extra compensation shall be paid in such manner as may be provided by law. Any judge assigned to a court in a county other than that in which he regularly sits shall be allowed his necessary expenses for travel, board and lodging incurred in the discharge of the assignment.

Assembly Bill No. 464—An act to amend section 1200 of the Probate Code, relating to mode of giving notice in certain instances, and where not otherwise prescribed.

Motion to Amend Assembly Bill No. 464.

Mr. Welsh moved to amend Assembly Bill No. 464 as follows:

Amendment No. 1.

On page 1, line 12, of the printed bill, after "debtor", insert the following "of the decedent".

Amendment No. 2.

On page 2 of the printed bill, between lines 1 and 2, insert the following: "of a petition for the delivery of the estate of a nonresident; or,".

Amendments adopted.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Bill No. 464, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 464, as Amended.

Assembly Bill No. 464—An act to amend section 1200 of the Probate Code, relating to mode of giving notice in certain instances, and where not otherwise prescribed.

Assembly Bill No. 464, as amended, read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 112—An act to adopt the California Redwood as the official State tree of this State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Gannon:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act providing for the compilation of, printing, binding, publishing and distribution of a Legislative Manual, State Blue Book, Roster or Register of California State Government, and repealing certain acts specified herein.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your *Committee on Introduction of Bills to which was referred* the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Gannon:

An act providing for the compilation of, printing, binding, publishing and distribution of a Legislative Manual, State Blue Book, Roster or Register of California State Government, and repealing certain acts specified herein.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2802: By Mr. Gannon—An act providing for the compilation of, printing, binding, publishing and distribution of a Legislative Manual, State Blue Book, Roster or Register of California State Government, and repealing certain acts specified herein.

Bill read first time, and referred to Committee on Rules.

Notice of Motion to Reconsider Assembly Bill No. 82 Waived.

Mr. Kuchel waived his notice of motion to reconsider the vote whereby Assembly Bill No. 82 was passed.

Assembly Bill No. 82 ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By Mr. Martin:

House Resolution No. 103.

WHEREAS, Our sister State of Texas has suffered a horrible tragedy in which the lives of hundreds of school children and several teachers were lost—a tragedy which shocks the entire Nation; now, therefore, be it

Resolved by the Assembly of the State of California, That we extend to the people of Texas our profound sympathy in this hour of their grievous affliction in the midst of a disaster that has bereaved hundreds of homes; and be it further

Resolved, That a copy of this resolution be forwarded to the Governor of Texas and to the Superintendent of Schools of the stricken community.

Request for Unanimous Consent.

Mr. Martin asked for, and was granted, unanimous consent to take up House Resolution No. 103, at this time, without reference to committee or calendar.

House Resolution No. 103 read, and unanimously adopted.

Re-reference of Bill.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Senate Bill No. 671 re-referred to Committee on Governmental Efficiency and Economy.

Adjournment.

At one o'clock and thirty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, March 22, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FIRST LEGISLATIVE DAY
SEVENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 22, 1937.

At eleven o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Richie, the further reading of the Journal of Friday, March 19, 1937, was dispensed with

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day.

Mr. Peyser, on motion of Mr. Heisinger.

Mrs Daley, on motion of Mr. Stream.

Mr. Waters, on motion of Mr. Cunningham.

Mr. Baynham, on motion of Mr. Muldoon.

Mr. Cottrell, on motion of Mr. Beene.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James Hopkins, President of California Federation of Labor and member of the Assembly 28 years ago.

On request of Mr. Reaves, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. H. Patterson and W. R. Patterson.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr J L. Von Tellrop, Vice President. California State Federation of Labor.

On request of Mr. Richie, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Elizabeth C. Richie, Donald D. Richie, Emily M. Morse and Betty Morse

On request of Mr. Yorty, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs. Eska Wilson and Miss Orpha Wilson.

On request of Mr. Dannenbrink, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank G. Luckey.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Ernest Crocker of Oakland

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Dave Moss

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Randall Dorton, City Manager of Long Beach and Mrs. Lorene Wilson.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Louise Cox of Alameda.

On request of Mr. Sheehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Teddy McMahon, representative of the San Francisco Bank.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ben Torres, Captain of Highway Patrol.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Father Phillips of Oakland, and William P. Ahern, Frankfort, Kansas

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Dorothy Giegerich of Los Angeles.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr Stewart of San Jose.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lloyd E. Yoder

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Grace Bowers of Hawthorne, California.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. W. M. Ramsey of Los Angeles and Miss Sarah Jordan and Miss Tom Splaty.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Rose Wentworth, Department Commander Womens Auxiliary, Disabled American Veterans of World War and Mrs. Edna Nelson, State Legislative Chairman of the same organization.

Assistant Chief Clerk Greenburg Reading.

Presentation of Petitions.

The following petitions were received and filed

By Mr. Speaker

From Michael O'Dea, regarding impeachment of several judges

Referred to Committee on Judiciary General

From John L. Spaulding, regarding wages paid to persons in the plumbing industry.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to the following:

Assembly Concurrent Resolution No. 31.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, March 18, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 15—Relative to memorializing and petitioning Congress to enact adequate legislation to regulate the presentation of radio programs dealing with crime.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Joint Resolution No. 15 referred to Committee on Federal Relations

SENATE CHAMBER, SACRAMENTO, March 19, 1937.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the following

Senate Joint Resolution No. 8—Relative to the control of white pine blister rust by the United States Government;

Senate Joint Resolution No. 11—Relative to memorializing the President and Congress of the United States to increase the WPA appropriation.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Joint Resolution No 8 referred to Committee on Federal Relations.

Senate Joint Resolution No 11 referred to Committee on Federal Relations

SENATE CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following

Senate Joint Resolution No. 3—Relative to hours of employment of persons on interstate carriers.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr Mayo asked for, and was granted, unanimous consent to have Senate Joint Resolution No. 3 placed upon the Senate third reading calendar, at this time, without reference to committee.

SENATE CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following.

Senate Bill No. 116—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended, by amending sections 1, 2, 3 and 5 thereof, relating to deposits of State moneys;

Senate Bill No. 554—An act authorizing the Director of Natural Resources to receive and hold land for forestry purposes, to enter into agreements with the Federal Government or other agencies for acquiring by lease, purchase or otherwise such lands as are desirable for State forests, to manage such lands and to dispose of the products thereof, and providing for the distribution of revenue therefrom, and

to acquire land for development for State forestry purposes, to make an appropriation therefor, and to repeal an act entitled "An act authorizing the Director of Natural Resources to receive and hold land for future development for forestry purposes, to manage such land and dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes," approved July 15, 1935, to declare the urgency thereof, and to provide that this act shall take immediate effect.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 116 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 554 read first time, and referred to Committee on Governmental Efficiency and Economy.

SENATE CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 874—An act to amend the California Irrigation District Act by amending section 75 thereof and by adding a new section thereto to be designated section 75a, all relating to the exclusion of lands from an irrigation district;

Senate Bill No. 936—An act relating to the control and jurisdiction over, and disposition of certain State lands therein described;

Senate Bill No. 992—An act to amend section 1 of an act entitled "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses," approved May 14, 1927, relating to a Commission on Uniform State Laws;

Senate Bill No. 1099—An act to amend section 42 of the California Irrigation District Act, relating to publication of the delinquent list.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 874 read first time, and referred to Committee on Irrigation.

Senate Bill No. 936 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 992 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 1099 read first time, and referred to Committee on Irrigation.

SENATE CHAMBER, SACRAMENTO, March 19, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 396—An act to amend sections 692, 698, 699, 701 and 716 of the Vehicle Code, relating to size, weight, loading and operation of vehicles;

Senate Bill No. 403—An act to amend sections 292, 297, 311 and 332 of the Vehicle Code, relating to operator's and chauffeur's licenses;

Senate Bill No. 409—An act to amend sections 350 and 351 of the Vehicle Code, to add thereto section 355, and to repeal section 309 thereof, relating to the operation of vehicles by minors and the responsibility of other persons therefor;

Senate Bill No. 450—An act to amend section 304 of the Streets and Highways Code, relating to State Highway Route 4;

Senate Bill No. 473—An act to amend sections 380 51, 380 52, 380 55 and 380.59, of the Agricultural Code, relating to live stock marks and brands;

Senate Bill No. 550—An act to amend sections 4 and 11 of, and to add section 6.1 to, the State Contract Act, relating to State contracts, and to the notice required therefor, the qualifications of bidders thereon, and the rights and remedies of bidders thereon in case of mistake;

Senate Bill No. 609—An act to amend section 32d of the California Irrigation District Act, relating to the payment of principal or interest on funding or refunding bonds;

Senate Bill No. 642—An act to amend section 5 120 of the School Code, relating to the issuing of credentials by the State Board of Education;

Senate Bill No. 732—An act to amend sections 1 and 9 of an act entitled "An act for the relief of certain assessment districts, and for that purpose empowering counties to render financial aid to such districts and making available to such districts the provisions of Chapter 9 of the act of Congress entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1,

1898, as amended, and to declare the urgency of this act, to take effect immediately," approved February 1, 1935, relating to assessment districts.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 396 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 403 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 409 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 450 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 473 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 550 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 609 read first time, and referred to Committee on Irrigation.

Senate Bill No. 642 read first time, and referred to Committee on Education.

Senate Bill No 732 read first time, and referred to Committee on Municipal Corporations

SENATE CHAMBER, SACRAMENTO, March 19, 1937

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 23—An act to add Chapter 3 to Division III of the Agricultural Code, to consist of sections 430 to 433, inclusive, relating to ownership or control of stockyards by packers;

Senate Bill No. 148—An act to add section 48b to the California Irrigation District Act, relating to the discharge, compromise, and purchase of overlapping tax or assessment liens and titles on district-owned property;

Senate Bill No. 160—An act to add section 1a to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from the tax;

Senate Bill No. 167—An act to amend sections 136 and 136 5 of the Streets and Highways Code, relating to contracts of the Department of Public Works;

Senate Bill No. 231—An act to amend section 36 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the Water Conservation Act of 1929, and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred." approved June 16, 1931, Statutes 1931, Chapter 1020, page 2045, as amended, relating to the length of time that bonds issued under the provisions of that act may run to maturity;

Senate Bill No. 257—An act to amend section 3612 of the Political Code relating to the procedure for claiming exemption from taxation under the provisions of section 1¼ of Article XIII of the Constitution;

Senate Bill No. 258—An act to amend section 3611 of the Political Code, relating to the exemption from taxation of buildings and real property used exclusively for religious worship;

Senate Bill No. 330—An act to add section 588 10, to the Vehicle Code, relating to parking.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No 23 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 148 read first time, and referred to Committee on Irrigation

Senate Bill No. 160 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No 167 read first time, and referred to Committee on Roads and Highways.

Senate Bill No 231 read first time, and referred to Committee on Conservation.

Senate Bill No 257 read first time, and referred to Committee on Revenue and Taxation

Senate Bill No. 258 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 330 read first time, and referred to Committee on Motor Vehicles.

SENATE CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 471—An act to add a new section to the Agricultural Code to be numbered 308.5, relating to inspectors employed by the Director of Agriculture of the State of California;

Senate Bill No. 555—An act to amend section 737bk of the Political Code, relating to the salaries of the judges of the superior court in and for the county of San Diego;

Senate Bill No. 570—An act to amend sections 2.830 and 2.1145 of the School Code, to repeal section 5.401 of the School Code, to repeal an act entitled "An act relating to the election of teachers in the public schools," approved May 23, 1929, and to add to the School Code a new section to be numbered 5.401, all relating to the powers and duties of governing boards of school districts;

Senate Bill No. 644—An act to repeal Chapter III of Part III of Division IV of the School Code and to add to the School Code a new section to be numbered 4.368, relating to school district budgets;

Senate Bill No. 645—An act to amend sections 2.100 and 2.440 of the School Code, both relating to the change of boundaries of school districts;

Senate Bill No. 647—An act to amend section 492 of the Fish and Game Code, relating to mutilation of fish;

Senate Bill No. 654—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings;

Senate Bill No. 756—An act to add section 495 to the Fish and Game Code, relating to chumming;

Senate Bill No. 788—An act repealing section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations," etc, approved April 20, 1935;

Senate Bill No. 808—An act to provide for reporting and transmitting fines and forfeitures from judges and magistrates to the State Treasurer;

Senate Bill No. 809—An act to authorize counties to issue bonds for the purpose of acquiring other general obligation bonds of such county or bonds issued by or for districts therein or bonds issued for street work or other improvements of any kind or character and providing for acquiring such bonds and the levy or collection of taxes and assessments to pay principal and interest of bonds acquired, the use of funds derived from bonds issued under this act or acquired under this act and the payment of bonds issued under this act.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No 471 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 555 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 570 read first time, and referred to Committee on Education.

Senate Bill No. 644 read first time, and referred to Committee on Education.

Senate Bill No. 645 read first time, and referred to Committee on Education.

Senate Bill No. 647 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 654 read first time, and referred to Committee on Education.

Senate Bill No. 756 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 788 read first time, and referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 808 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 809 read first time, and referred to Committee on Municipal Corporations.

SENATE CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 888—An act providing an additional or alternative method for financing the acquisition, construction or completion of public utilities by any public agency of the State authorized by law to own and operate such public utilities systems by the issuance and sale of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues; providing for a statutory lien on the revenues derived from the operation of said public utility; and defining the terms public agency and public utility as included herein;

Senate Bill No. 898—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended, by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district or flood control district;

Senate Bill No. 899—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended, by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district or flood control district;

Senate Bill No. 965—An act to amend section 4250 of the Political Code, relating to compensation of officers and employees in counties of the twenty-first class.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 888 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 898 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 899 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 965 read first time, and referred to Committee on County Government.

SENATE CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 61—An act to amend section 647 of the Penal Code, relating to vagrants;

Senate Bill No. 66—An act authorizing the State of California through its proper officers, departments or agencies to issue duplicate bonds, coupons, warrants or other evidences of indebtedness of the State of California when the originals have been lost or destroyed, providing for the State to take security against loss or damage that may be incurred on account of the loss and the issuance of the duplicates;

Senate Bill No. 67—An act to amend section 752 of the Political Code, relating to fees collected by the Clerk of the Supreme Court;

Senate Bill No. 71—An act to amend section 1160 of the Political Code, relating to the opening and closing of the polls;

Senate Bill No. 91—An act to amend section 6 750 of the School Code, relating to the use of school buildings;

Senate Bill No. 188—An act to amend section 5 of Chapter 191, Statutes of 1923 entitled "An act to provide for the formation, management, consolidation and disso-

lution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, relating to county fire protection districts;

Senate Bill No. 194—An act to amend section 737P of the Political Code, relating to the salary of the superior judge of the county of Kings;

Senate Bill No. 200—An act to authorize the creation and establishment of a public utilities commission within any city, city and county, county, local governmental agency, society, association, authority or entity rendering service to the public, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs of construction or acquisition of public utilities and extensions, repairs, replacements and improvements to public utilities; for the acquisition, production, purchase, sale and distribution of products, commodities, energy or services of such public utilities; and providing for the payment of such bonds and the interest thereon;

Senate Bill No. 419—An act to amend section 698 of the Fish and Game Code, relating to black bass.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 61 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 66 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 67 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 71 read first time, and referred to Committee on Elections.

Senate Bill No. 91 read first time, and referred to Committee on Education.

Senate Bill No. 188 read first time, and referred to Committee on County Government.

Senate Bill No 194 read first time, and referred to Committee on Judiciary General

Senate Bill No. 200 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No 419 read first time, and referred to Committee on Fish and Game.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Stream:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately

Referred to Committee on Introduction of Bills.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Stream:

An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately.

CALL, Chairman.

The roll was called, and the report adopted by the following vote

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—66

NOES—None.

Reconsideration of Assembly Bill No. 424.

In compliance with his notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 424 was passed, be reconsidered.

The roll was called, and Assembly Bill No. 424 refused reconsideration by the following vote:

AYES—Andreas, Boyle, Call, Corwin, Cunningham, Donnelly, Field, Flint, Garland, Glick, Hawkins, Heisinger, Kepple, Kuchel, Latham, Laughlin, Lyon, Martin, Miller, Eleanor; Muldoon, Redwine, Robertson, Stream, Turner, Walker, and Watson—26.

NOES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Hornblower, Hunt, Johnson, King, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Voigt, Williamson, Yorty, and Mr. Speaker—43.

Assembly Bill No. 424 ordered transmitted to the Senate

Second Reading of Assembly Bills.

Assembly Bill No. 2598—An act to amend sections 771, 772, 1530, 1531 and 1534 of the Probate Code, relating to sales of estate property.

Committee Amendments to Assembly Bill No. 2598.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2 of the printed bill, strike out all of lines 45 to 47, inclusive

Amendment No. 2.

On page 1, line 3, of the printed bill, insert a comma after the word "Stocks", strike out the word "or" after the word "Stocks"; and after the word "bonds" in line 3, insert the words "or investment certificates and shares of building and loan associations"

Amendment No. 3.

On page 2, line 25, of the printed bill, insert a comma after the word "Stocks", then strike out the word "or" after the word "Stocks", and after the word "bonds", insert the following words, "or investment certificates and shares of building and loan associations".

Amendment No. 4.

On page 2, line 26, of the printed bill, insert a comma after the word "Stocks", then strike out the word "or" in the same line after the word "Stocks"; and in line 27, after the word "bonds", insert the following language: "or investment certificates or shares of building and loan associations".

Amendment No. 5.

On page 2, line 39, of the printed bill, insert a comma after the word "Stocks", then strike out the word "or" after the word "stocks", and after the word "bonds", insert the following words: "or investment certificates and shares of building and loan associations".

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Bill No. 2803: By Mr. Stream—An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Stream asked for, and was granted, unanimous consent to take up Assembly Bill No. 2803, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 2803.

Case of Urgency.

The following resolution was offered by Mr. Stream.

Resolved, That Assembly Bill No. 2803 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawalhsch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—69

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No 2803, at this time.

Second Reading of Assembly Bill No. 2803.

Assembly Bill No. 2803—An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Third Reading of Assembly Bill No. 2803.

Assembly Bill No. 2803—An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately.

Motion to Amend Assembly Bill No. 2803.

Mr. King moved to amend Assembly Bill No. 2803 as follows:

Amendment No. 1.

In section 1 of the typewritten bill as introduced, strike out "twenty-five thousand dollars ($25,000)", and insert in lieu thereof the following. "thirty thousand dollars ($30,000)".

Amendment read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J, Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—57.

NOES—Breed, Corwin, Dilworth, Field, Kepple, Latham, Levey, Lyon, Martin, Miller, Eleanor; Redwine, Scudder, and Stream—13.

Request for Unanimous Consent.

Mr. Stream asked for, and was granted, unanimous consent to take up Assembly Bill No. 2803, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2803, as Amended.

Assembly Bill No. 2803—An act making an appropriation for the contingent expenses of the Assembly at its fifty-second session, and declaring that this act shall take effect immediately.

Assembly Bill No. 2803, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr Speaker—68.

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Motion to Endorse Action of Committee on Attaches.

On motion of Mr. Maloney, the Assembly endorsed the action taken by the Committee on Attaches in making an advance loan to the contingent fund.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 772.
Assembly Bill No. 797.
Assembly Bill No. 809.
Assembly Bill No. 1138.
Assembly Bill No. 1219.
Assembly Bill No. 1362.
Assembly Bill No. 1434.
Assembly Bill No. 1464.
Assembly Bill No. 1615.
Assembly Bill No. 1721.
Assembly Bill No. 1734.
Assembly Bill No. 1745.
Assembly Bill No. 1815.
Assembly Bill No. 1895.
Assembly Bill No. 1912.
Assembly Bill No. 2269.
Assembly Bill No. 2333.
Assembly Bill No. 2352.
Assembly Bill No. 2395.
Assembly Bill No. 2398.
Assembly Bill No. 2596.

Assembly Constitutional Amendment No. 28.
Assembly Constitutional Amendment No. 30.
Assembly Constitutional Amendment No. 35.
Assembly Joint Resolution No. 5.
Assembly Joint Resolution No. 19.
Assembly Joint Resolution No. 21.
Assembly Joint Resolution No. 36.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 14.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 862.
Assembly Bill No. 1907.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 4.
Assembly Bill No. 10.
Assembly Bill No. 13.
Assembly Bill No. 18.
Assembly Bill No. 28.
Assembly Bill No. 32.
Assembly Bill No. 33.
Assembly Bill No. 34.
Assembly Bill No. 74.
Assembly Bill No. 103.
Assembly Bill No. 208.
Assembly Bill No. 216.
Assembly Bill No. 234.
Assembly Bill No. 243.
Assembly Bill No. 263.
Assembly Bill No. 279.
Assembly Bill No. 313.
Assembly Bill No. 320.
Assembly Bill No. 338.
Assembly Bill No. 425.
Assembly Bill No. 428.
Assembly Bill No. 451.
Assembly Bill No. 499.
Assembly Bill No. 501.
Assembly Bill No. 516.
Assembly Bill No. 602.
Assembly Bill No. 615.
Assembly Bill No. 701.
Assembly Bill No. 795.
Assembly Bill No. 836.
Assembly Bill No. 875.
Assembly Bill No. 892.
Assembly Bill No. 893.
Assembly Bill No. 894.
Assembly Bill No. 895.
Assembly Bill No. 896.
Assembly Bill No. 897.
Assembly Bill No. 898.
Assembly Bill No. 899.
Assembly Bill No. 900.
Assembly Bill No. 901.
Assembly Bill No. 902.
Assembly Bill No. 903.
Assembly Bill No. 904.
Assembly Bill No. 905.
Assembly Bill No. 906.
Assembly Bill No. 908.
Assembly Bill No. 910.
Assembly Bill No. 911.
Assembly Bill No. 912.
Assembly Bill No. 913.
Assembly Bill No. 914.
Assembly Bill No. 915.
Assembly Bill No. 916.
Assembly Bill No. 917.
Assembly Bill No. 918.
Assembly Bill No. 919.
Assembly Bill No. 920.
Assembly Bill No. 921.
Assembly Bill No. 922.
Assembly Bill No. 923.
Assembly Bill No. 924.
Assembly Bill No. 987.
Assembly Bill No. 1063.
Assembly Bill No. 1131.
Assembly Bill No. 1168.
Assembly Bill No. 1223.
Assembly Bill No. 1228.
Assembly Bill No. 1229.
Assembly Bill No. 1231.
Assembly Bill No. 1268.
Assembly Bill No. 1275.
Assembly Bill No. 1276.
Assembly Bill No. 1310.
Assembly Bill No. 1363.
Assembly Bill No. 1430.
Assembly Bill No. 1432.
Assembly Bill No. 1436.
Assembly Bill No. 1502.
Assembly Bill No. 1612.
Assembly Bill No. 1614.
Assembly Bill No. 1624.
Assembly Bill No. 1722.
Assembly Bill No. 1742.
Assembly Bill No. 1784.
Assembly Bill No. 1785.
Assembly Bill No. 1786.
Assembly Bill No. 1787.
Assembly Bill No. 1789.
Assembly Bill No. 1824.
Assembly Bill No. 1896.
Assembly Bill No. 1913.
Assembly Bill No. 1925.
Assembly Bill No. 1941.

Assembly Bill No. 2202.
Assembly Bill No. 2039.
Assembly Bill No. 2055.
Assembly Bill No. 2109.
Assembly Bill No. 2255.
Assembly Bill No. 2258.
Assembly Bill No. 2341.
Assembly Bill No. 2415.
Assembly Bill No. 2444.
Assembly Bill No. 2445.
Assembly Bill No. 2446.
Assembly Bill No. 2561.
Assembly Bill No. 2609.
Assembly Bill No. 2610.
Assembly Bill No. 2611.
Assembly Bill No. 2612.
Assembly Bill No. 2613.
Assembly Bill No. 2615.
Assembly Bill No. 2651.
Assembly Bill No. 2678.
Assembly Bill No. 2679.
Assembly Bill No. 2681.
Assembly Bill No. 2688.
Assembly Bill No. 2690.
Assembly Bill No. 2732.
Assembly Bill No. 2743.
Assembly Bill No. 2766.
Assembly Bill No. 2783.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 35.
Assembly Concurrent Resolution No. 29.
And reports the same correctly enrolled, and presented to the Governor on this eighteenth day of March, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2786.
And reports the same correctly enrolled, and presented to the Governor on this nineteenth day of March, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman.

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. King, the Assembly was declared at recess until the hour of two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 465—An act to add sections 1701.5, 1706.5, 1706.6 and 1713.5 to the Insurance Code, relating to insurance.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 465 read first time, and referred to Committee on Insurance.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Morgan:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act authorizing the Department of Natural Resources, acting through the State Park Commission, to enter into lease contracts, with option to purchase, for the use as State parks of ocean beaches and other lands, and making an appropriation therefor.

Referred to Committee on Introduction of bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Morgan

An act authorizing the Department of Natural Resources, acting through the State Park Commission, to enter into lease contracts, with option to purchase for the use as State parks of ocean beaches and other lands, and making an appropriation therefor.

CALL, Chairman

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Reaves, Redwine, Richie, Robertson, Sawtelle, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2804: By Mr. Morgan—An act authorizing the Department of Natural Resources, acting through the State Park Commission, to enter into lease contracts, with option to purchase for the use as State parks of ocean beaches and other lands, and making an appropriation therefor.

Bill read first time and referred to committee on State Grounds and Parks.

Reports of Standing Committees—(Resumed).

On Revenue and Taxation.

The following reports of standing committees were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred

Assembly Bill No. 1243.

Respectfully reports the same back with the recommendation: Do pass as amended

BOYLE, Chairman.

The above reported bill ordered on second reading calendar

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 1184.

Respectfully reports the same back with the recommendation: Do pass as amended

LORE, Chairman.

The above reported bill ordered on second reading calendar

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1244.

Assembly Bill No. 1245.

Respectfully reports the same back without recommendation, as amended.

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred.
Assembly Bill No. 1676.
Respectfully reports the same back with the recommendation: Do pass as amended.
CLARK, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER. Your Committee on Social Service and Welfare, to which was referred:
Assembly Bill No. 1.
Respectfully reports the same back with the recommendation: Do pass as amended
LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:
Assembly Bill No. 1342.
Respectfully reports the same back with the recommendation: Do pass as amended.
BAYNHAM, Chairman.

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 2345. **Assembly Bill No. 2762.**
Assembly Bill No. 2547. **Senate Bill No. 146.**
Respectfully reports the same back with the recommendation: Do pass as amended.
PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 2186. **Assembly Bill No. 2189.**
Assembly Bill No. 2187. **Assembly Bill No. 2190.**
Assembly Bill No. 2188.
Respectfully reports the same back without recommendation, as amended.
PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 1496.
Assembly Bill No. 2385.
Respectfully reports the same back without recommendation, as amended.
O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:
Assembly Bill No. 1250.
Respectfully reports the same back without recommendation, as amended.
HAWKINS, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Assembly Bill No. 1581.
Assembly Bill No. 1775.
Respectfully reports the same back without recommendation, as amended.
DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

On Public Charities and Corrections.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No. 1177.

Respectfully reports the same back with the recommendation: Do pass as amended.

PELLETIER, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 824.
Assembly Bill No. 1195.

Respectfully reports the same back with the recommendation: Do pass as amended.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 406.
Assembly Bill No. 2794.

Respectfully reports the same back with the recommendation: Do pass as amended.

TURNER, Chairman.

The above reported bills ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2111.

Respectfully reports the same back without recommendation, as amended.

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2587.

Respectfully reports the same back with the recommendation: Do pass.

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 534.

Respectfully reports the same back with the recommendation: Do pass.

LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1720.
Assembly Bill No. 1833.
Assembly Bill No. 2279.
Senate Bill No. 181.
Senate Bill No. 929.

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred:

Assembly Bill No. 1069.

Respectfully reports the same back with the recommendation: Do pass.

SHEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Assembly Bill No. 292.

Respectfully reports the same back with the recommendation: Do pass.

REAVES, Chairman.

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1824.

Respectfully reports the same back with the recommendation Do pass

O'DONNELL, Chairman

The above reported bill ordered on second reading calendar.

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1937.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred:

Assembly Bill No. 1132.

Respectfully reports the same back with the recommendation: Do pass as amended

CASSIDY, Chairman

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 2195.

Respectfully reports the same back without recommendation as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1062.

Respectfully reports the same back with the recommendation Do pass

SAWALLISCH, Chairman

The above reported bill ordered on second reading calendar.

Notice of Motion to Reconsider Assembly Bill No. 1760 Continued.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 1760 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2423 Waived.

Mr. Hunt waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2423 was passed

Assembly Bill No. 2423 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 618.

In compliance with a notice given on a previous day, Mr Peek moved that the vote whereby Assembly Bill No 618 was passed be reconsidered.

Demand for Previous Question.

Messrs. Flint, Morgan, Reaves, Pelletier and Sawallisch demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No 618

The roll was called, and Assembly Bill No 618 refused reconsideration by the following vote:

AYES—Andreas, Boyle Cassidy, Clark Dawson Dilworth, Donahue Donnelly Flint, Glick, Hawkins, Hersinger, Kepple Lore Mayo McMurray Muldoon Pat-

terson, Peek, Pelletier, Richie, Robertson, Rosenthal, Tenney, Turner, Voigt, Watson, Weber, Welsh, and Yorty—30

NOES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cronin, Crowley, Dannenbrink, Desmond, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Meehan, Miller, Eleanor, Millington, Morgan, O'Donnell, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, and Williamson—39

Assembly Bill No. 618 ordered transmitted to the Senate

Hon. James J. Boyle in the Chair.

At two o'clock and thirty-five minutes p m., Hon. James J. Boyle, member of the Assembly from the Seventy-Second District in the chair

Third Reading of Assembly Bills.

Assembly Bill No. 1912—An act to authorize counties to convey and transfer to flood control districts within such counties drainage systems and works constructed in drainage improvement districts organized pursuant to an act entitled "An act to promote the drainage of wet, swamp and overflow lands, and to promote the public health in the communities in which they lie," approved March 21, 1903, or pursuant to the Drainage District Improvement Act of 1919, and prescribing the terms and conditions and the effect of such conveyance and transfer and fixing liabilities with respect to obligations of such drainage districts.

Motion to Amend Assembly Bill No. 1912.

Mr Yorty moved to amend Assembly Bill No. 1912 as follows:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, after "May", add a comma and the following: "if prior thereto a majority of the qualified voters in such county vote in favor thereof at an election called by the board of supervisors for such purpose,"

Amendment read, and refused adoption by the following vote:

AYES—Beene, Boyle, Breed, Cunningham, Dilworth, Field, Hawkins, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Miller, Eleanor; Patterson, Pelletier, Reaves, Voigt, and Yorty—19.

NOES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, King, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Peek, Redwine, Robertson, Sawallisch, Sheehan, Stream, Tenney, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—46.

Assembly Bill No. 1912 read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—54.

NOES—Boyle, Cunningham, Field, Hawkins, Hunt, Kepple, Latham, Lore, Pelletier, Reaves, Voigt, and Yorty—12.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1912.

Mr. Yorty gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1912 was this day passed

The Speaker in the Chair.

At two o'clock and forty minutes p m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 1913—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section, to be numbered 13½, relating to the conveyance and transfer to such district of drainage systems and works of drainage improvement districts and for the assumption of liability for the payment of bonds of drainage districts issued for the construction of the drainage systems and works so conveyed and transferred.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—Boyle, Cunningham, Field, Hawkins, Hunt, Kepple, Latham, Lore, Pelletier, Reaves, and Yorty—11.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1913.

Mr. Yorty gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1913 was this day passed.

Assembly Bill No. 1138—An act to amend sections 4 and 6 of, and to add section 11.5 to, the Optometry Law, relating to the practice of optometry.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1734—An act to amend section 261a of the Code of Civil Procedure of the State of California, to authorize the appointment of two additional assistant secretaries, one additional stenographic secretary, a phonographic reporter to assist the superior court in any county, or city and county having a population of 900,000 inhabitants or over, and fixing the compensation therefor, and authorizing mileage for such employees under certain circumstances.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67

NOES—Robertson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2596—An act to add a new section to the Code of Civil Procedure to be numbered section 811, relating to actions against usurpers of public offices and franchises.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly,

Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 289—An act to add a new section to the Political Code, to be numbered 4076a, relating to procedure for audit, allowance and payment or rejection of claims in counties governed by freeholders' charters.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—68

NOES—None

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1223—An act to amend sections 81, 504, 511, 525, 550, 576, 590 and 602 of, and to add sections 512 and 596 5 to, the Vehicle Code, relating to vehicles, the operation and equipment thereof, and certain crimes in relation thereto.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns Hugh M, Burns, Michael J. Call, Cassidy, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—65

NOES—None

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1223.

Mr. Flint gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1223 was this day passed.

Assembly Bill No. 1219—An act to amend section 375 of the Vehicle Code, relating to fees for special plates.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M. Burns, Michael J., Call, Cassidy, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—56

NOES—Crowley, Dilworth, Donnelly, Gilbert, Heisinger, Hunt, Mayo, O'Donnell, Robertson, and Yorty—10.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1391—An act to add a new article to Chapter I, Part III, Division IV of the School Code to be known as Article IVa, relating to the cancellation of school district warrants

Bill read third time, and passed by the following vote: .

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond,

Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2270—An act to amend section 1.250 of the School Code, relating to the appointment of supervisors of attendance by county superintendents of schools.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Leave of Absence.

Mr Corwin was granted leave of absence for the balance of this legislative day, on motion of Mr Stream

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1057—An act to amend section 1 of an act entitled "An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available," approved June 7, 1935, relating to city treasurers.

Motion to Amend Assembly Bill No. 1057.

Mr Lyon moved to amend Assembly Bill No. 1057 as follows:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out "an act entitled 'An act to provide' ", and strike out lines 2 to 4, inclusive, and in line 5, strike out "approved June 7 1935, be, and the same", and insert in lieu thereof the following: "the act cited in the title hereof,".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "Registration of bonds and interest coupons."

Amendments adopted.

Request for Unanimous Consent.

Mr Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No 1057, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1057, as Amended.

Assembly Bill No. 1057—An act to amend section 1 of an act entitled "An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available,' approved June 7, 1935, relating to city treasurers.

Assembly Bill No 1057, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth,

Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Approval of Journals.

On motion of Mr. King, the Assembly Journals of Monday, March 1, 1937; Tuesday, March 2, 1937; Wednesday, March 3, 1937; Thursday, March 4, 1937, Friday, March 5, 1937, Monday, March 8, 1937; Tuesday, March 9, 1937; Wednesday, March 10, 1937; Thursday, March 11, 1937; and Friday, March 12, 1937 were approved as corrected by the Minute Clerk.

Appointment of Special Committee.

The Speaker announced the appointment of Messrs. Desmond, Chairman, Meehan, Martin, and Gannon, and Miss Miller, and Mrs. Daley, as a Special Committee to assist in the arrangement and preparations for the Legislative Reception.

Hon. Charles W. Lyon in the Chair.

At three o'clock and fifty minutes p.m., Hon. Charles W. Lyon, member of the Assembly from the Fifty-Ninth District, in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1861—An act for the relief of certain assessment districts and for that purpose empowering municipal corporations to render financial aid to such districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—65

NOES—Yorty—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 780—An act relating to the redemption of property sold to irrigation districts for delinquent assessments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Gluck, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—62

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 19—Relative to memorializing Congress to enact legislation relating to disabled veterans.

Assembly Joint Resolution No. 19 read, and adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue,

Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick Hawkins Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan Stream, Tenney, Thorp Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—65

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 36—Relative to memorializing the President and the Congress of the United States to enact bill H R. 4009, which proposes to appropriate $50,000,000 to cooperate with the States of the United States in the eradication of noxious weeds, and urging the Secretary of Agriculture to expedite consideration favorable to said bill.

Assembly Joint Resolution No. 36 read, and adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, and Yorty—62.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 795—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 49a and 57 thereof relating to the definition and regulation of the business of banking.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Leonard, Lore, Maloney, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—55

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 501—An act to amend section 954 of the Streets and Highways Code of the State of California, relating to the abandonment of highways.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan Stream, Tenney, Thorp, Turner, Voigt Walker, Watson, Weber, Williamson, and Yorty—65

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At four o'clock and five minutes p m., Hon William Moseley Jones, Speaker of the Assembly, in the chair

Leave of Absence.

Mr. Garland was granted leave of absence for the balance of this legislative day, on motion of Mr. Andreas.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1742—An act to add section 786.5 to the Fish and Game Code, relating to the sale of cooked lobsters and shellfish

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 772—An act to amend section 10 of the State Civil Service Act, relating to lists of preliminary requirements for eligibility for examination.

Motion to Amend Assembly Bill No. 772.

Mr Latham moved to amend Assembly Bill No. 772 as follows.

Amendment No. 1.

On page 2, line 15, of the printed bill, strike out "applicant", and insert in lieu thereof the following: "application"

Amendment adopted.

Request for Unanimous Consent.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Bill No. 772, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 772, as Amended.

Assembly Bill No. 772—An act to amend section 10 of the State Civil Service Act, relating to lists of preliminary requirements for eligibility for examination.

Assembly Bill No. 772, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 797—An act to amend an act entitled "An act to define the liability of stockholders in California State banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," approved April 24, 1931, by amending section 1 thereof and adding a new section, to be numbered section 1.1, thereto.

Motion to Amend Assembly Bill No. 797.

Mr Williamson moved to amend Assembly Bill No 797 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "section 1 of and to add section 1.1 to".

Amendment No. 2.

On page 1, lines 5 and 6 of the title of the printed bill, strike out "by amending section 1 thereof and adding a new section, to be numbered section 1 1, thereto", and insert in lieu thereof the following: "relating to liability of stockholders"

Amendments adopted

Request for Unanimous Consent.

Mr. Williamson asked for unanimous consent to take up Assembly Bill No 797, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed

Mr. Yorty withheld his consent

Assembly Bill No. 797 ordered to reprint and re-engrossment.

Assembly Bill No. 1815—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Love, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1895—An act to add section 663 5 to the Political Code, relating to the powers of the State Board of Control

Bill read third time, and passed by the following vote

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1189—An act to amend section 5 of the Retail Sales Tax Act of 1933 as amended in 1935, relating to the exemption of vessels.

Bill read third time, and passed by the following vote.

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Love, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—Peek—1

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1190—An act to amend section 4 of the Use Tax Act of 1935.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth,

Donohue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64

NOES—King and Peek—2.

Title read and approved. Bill ordered transmitted to the Senate

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2352 re-referred to Committee on Social Service and Welfare

Assembly Bill No 1824 re-referred to Committee on Agriculture.

Assembly Bill No. 2055 re-referred to Committee on Judiciary General.

Assembly Constitutional Amendment No. 28 re-referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 30 re-referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No 35 re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 14 re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 1721 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1275 re-referred to Committee on Judiciary General.

Assembly Bill No. 615 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1464 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2269 re-referred to Committee on Education.

Assembly Bill No 1896 re-referred to Committee on Ways and Means.

Assembly Bill No. 2783 re-referred to Committee on Fish and Game.

Assembly Bill No. 1436 re-referred to Committee on Fish and Game.

Assembly Bill No 2258 re-referred to Committee on Fish and Game.

Assembly Bill No 2255 re-referred to Committee on Fish and Game.

Assembly Bill No. 2561 re-referred to Committee on Fish and Game.

Assembly Bill No. 1897 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No 2415 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1131 re-referred to Committee on Education.

Assembly Bill No. 1624 re-referred to Committee on Education.

Assembly Bill No. 1268 re-referred to Committee on County Government

Assembly Joint Resolution No. 21 re-referred to Committee on Federal Relations.

Assembly Bill No. 103 re-referred to Committee on Labor and Capital.

Assembly Bill No. 1612 re-referred to Committee on Labor and Capital.

Assembly Bill No. 1614 re-referred to Committee on Labor and Capital.

Assembly Joint Resolution No. 5 re-referred to Committee on Labor and Capital.

Assembly Bill No. 1430 re-referred to Committee on Public Morals.

Assembly Bill No. 1228 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1229 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1231 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 862 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 243 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2027 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1786 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 208 re-referred to Committee on Education.

Assembly Bill No 428 re-referred to Committee on Education.

Assembly Bill No. 987 re-referred to Committee on Education.

Assembly Bill No. 2109 re-referred to Committee on Public Morals.

Assembly Bill No. 875 re-referred to Committee on Public Morals.

Assembly Bill No. 2766 re-referred to Committee on Revenue and Taxation.

Resolutions.

The following resolutions were offered:

By Messrs. Cassidy, Breed, Dannenbrink, Meehan, Donihue, Johnson, and Miller.

House Resolution No. 104.

WHEREAS, An outstanding American, Ralph Vernon Richmond, supervisor from the first district in Alameda County for the past 13 years, has been called to the Great Beyond; and the members of the Legislature have learned with profound regret and deep sorrow of the passing of Ralph Vernon Richmond; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day, it do so out of respect to the memory of the late Ralph Vernon Richmond; and be it further

Resolved, That this resolution be spread upon the Journal of the Assembly and that suitably engrossed copies be transmitted to the members of the family.

Request for Unanimous Consent.

Mr. Cassidy asked for, and was granted, unanimous consent to take up House Resolution No. 104, at this time, without reference to committee or calendar.

House Resolution No 104 read, and unanimously adopted.

By Mr. Hawkins:

House Resolution No. 105.

WHEREAS, There exist in the various States of the Union housing conditions that are incompatible with American standards of living; and

WHEREAS, It is imperative that these conditions be remedied and it is necessary that Federal aid and cooperation be rendered to the various States and cities in their efforts to correct slum and bad housing conditions; and

WHEREAS, There are now pending in the Congress many meritorious measures to permit the Federal Government to aid and cooperate with the States and the cities in correcting such conditions; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and the Congress of the United States are hereby respectfully urged to enact all necessary legislation to permit the cooperation of the United States with the cities and States of America in bringing proper housing within the reach of those of low income; and be it further

Resolved, That copies of this resolution be transmitted by the Clerk of the Assembly to the President and Vice President of the United States, to the Speaker of the House of Representatives and to each Senator and member of the House of Representatives from the State of California.

Request for Unanimous Consent.

Mr. Hawkins asked for, and was granted, unanimous consent to take up House Resolution No. 105, at this time, without reference to committee or calendar.

House Resolution No. 105 read, and unanimously adopted.

By Mr. Meehan:

House Resolution No. 106.

WHEREAS, The Biennial Report of the State Board of Equalization, covering the period from July 1, 1934, to June 30, 1936, has just been printed; and

WHEREAS, Much material of interest to the members of the Legislature is contained in this report; now, therefore, be it

Resolved by the Assembly of the State of California, That pages 1 to 11, inclusive, of said printed report, dealing with matters of general concern affecting the revenue system, and pages 29 and 30 thereof, containing certain tables comparing revenues and expenditures and summarizing revenues collected by the State Board of Equalization, be printed in the Assembly Daily Journal.

Request for Unanimous Consent.

Mr. Meehan asked for, and was granted, unanimous consent to take up House Resolution No. 106, at this time, without reference to committee or calendar.

House Resolution No. 106 read, and adopted.

By Mr. Morgan:

House Resolution No. 107-108.

WHEREAS, The members of this Assembly have learned with pleasure that Mr. Oliver G. Tullis, a worthy and respected merchant of Santa Monica, has this day completed a full 50 years in business, now, therefore, be it

Resolved, That this Assembly hereby offers its hearty congratulations to the said Oliver G. Tullis, and wishes him continued health and happiness.

Request for Unanimous Consent.

Mr. Morgan asked for, and was granted, unanimous consent to take up House Resolution No. 107-108, at this time, without reference to committee or calendar.

House Resolution No 107-108 read, and adopted.

Motion to Print Report in Journal.

On motion of Mr. Donihue, the following report of the Special Assembly Committee on Auditing was ordered printed in the Journal:

REPORT OF THE SPECIAL ASSEMBLY COMMITTEE ON AUDITING.

To the Honorable William Moseley Jones, Speaker, and to the Members of the Assembly of the California Legislature, Fifty-Second Session, 1937:

The Special Assembly Committee on Auditing was created by a resolution adopted by the Assembly during the fifty-first session of the State Legislature, copy of which resolution is attached hereto and made a part of this report.

Following the adoption of the resolution and pursuant to its provisions, the Speaker of the Assembly appointed the following members of the Assembly as members of said committee.

Leon M. Donihue, Chairman, Fifteenth District;
Ford A. Chatters, Thirty-Eighth District;
C. C. Cottrell, Thirty-First District;
Ralph W. Evans, Forty-Sixth District;
C. Don Field, Forty-Third District.

From the time of the appointment of the committee it has continuously functioned until the date of this report. Meetings of the commitee have been held in Sacramento, San Francisco, Oakland, San Jose, Los Angeles, and Long Beach.

The oral testimony given before the committee extends over approximately 5,000 pages. The reports of the investigators, including auditors and accountants, are voluminous and this report is, of necessity, limited only to the more important of the matters investigated.

The committee wishes to acknowledge the cooperation of Governor Frank F. Merriam, who came to its assistance by appropriating to the committee $20,000 from his secret service fund after the original Assembly appropriation of $5,000 had been exhausted

Summary of Findings and Recommendations.

Within the time at its disposal, the committee carried its investigation into several phases of State Government, which are treated in detail in the body of the report. These include: State auditing procedure; administration of tax law, particularly the sales tax and gasoline tax statutes, by the State Board of Equalization; liquor administration; and administration of the Horse Racing Act, by the California Horse Racing Board.

1. AUDITING.

Finding: The State of California, with more than $400,000,000 handled in its biennial transactions, has no thorough or complete system of auditing and accounting in its administrative departments. The major auditing of departmental budgets that has been attempted has been in the nature of a checking of the additions and subtractions; that is, the balancing of departmental reports, and even this work at the time your committee made its examination was from two to seven years behind current departmental fiscal transactions. We are happy to report that following our examination, additional help was employed to bring this work up to date. There has been very little, if any, auditing that did go beyond departmental reports for the purpose of determining whether the taxpayer was receiving value received for tax dollars spent.

Sound policy dictates independence for auditors. It likewise dictates that the Legislature, having made appropriations and specifications for specified purposes, should most carefully and zealously seek to ascertain that the mandates of the laws had been followed. It should also decide whether administration was economical and efficient. Members of the Legislature are responsible to the people and are aware of the burden of the taxation.

Recommendations: A permanent standing Committee on State Audits and Accounts should be formed by the Legislature composed of members of both houses. At the outset, it might be advisable to proceed slowly and merely require the present auditing staff or agencies to make such special audits as the joint committee may request and to report to the joint committee all special and regular audits made. Such audit reports and findings shall include all material required by said committee.

It may be as time goes on and as the joint committee profits by its accumulated experience, the joint committee and the Legislature may see the wisdom of having full control over the selection and management of the State auditing personnel, as is in effect in some foreign and domestic governments. However, for the present this committee recommends only the first step and leaves the rest for whatever experience may determine to be the best.

2. ADMINISTERING OF TAX LAW.

According to the testimony of those engaged in administering the Sales Tax Law, large sums estimated as high as $2,000,000 in the Los Angeles area alone, since the inception of the act have escaped collection; in seeking the cause of this weakness, the committee found that some confusion or inefficiency would naturally be present in the early period of the law's application, which confusion and inefficiency probably would be eliminated as experience developed familiarity with the problems involved A more serious cause in the loss of the collection of the tax has been due to the fact that reports of errors in the tax returns and reports of delinquencies in the payment of the tax and miscellaneous reports requiring investigation, auditing, and possibly adjustments in the field, have been held up too long in the Sacramento office of the State Board of Equalization. The committee is not able to say whether the delay in sending these reports to the various divisions is excusable or not; however, if the fact should be that an enlarged personnel is necessary to speed up the handling of sales tax returns, the committee wishes to point out that the increased cost would undoubtedly be returned to the State many fold, stopping evasions and delinquencies.

The State Board of Equalization also is charged with the duty of assessing and levying the gas tax and the truck taxes, but in these instances payments are made directly to the Controller.

Recommendations: In studying the mechanics of levying and collecting taxes, your committee had the benefit and advice of various State officials experienced and familiar with the subject and university professors and certified public accountants who had given special attention to the subject. Practically all the authorities were agreed on the proposition that it was not the best arrangement to have the tax levying and the tax collecting functions in any one governmental agency. They were further agreed that it was the best modern practice to have a State Tax Commission handle the levy or assessment of all State taxes, payment of which should be made to another State department

It appears to your committee that in recent years the State Board of Equalization has been placed in charge of administering laws dealing with subjects entirely

outside of the purpose for which the State Board of Equalization originally was designed and created.

Your committee believes that the levy and assessment of all taxes now being handled by the State Board of Equalization be placed in charge of a new State Tax Commission, and that the taxation system of the State, in so far as the levy and collection of taxes is concerned, be hereafter aimed at centralizing the levying with this State Tax Commission and the collecting with some other department of the government, possibly under the Treasurer's office.

There are, of course, many ways of creating a new tax commission, several of which may be equally effective in attaining an independent, impartial, and efficient commission.

The Legislature will no doubt have various ideas on this particular phase of the subject. As a suggestion and beginning point, the committee points out that a tax commission of five, appointed by different officials or departments of the government, would accomplish the desired objective; for example, one member to be appointed by each of the following: Governor, Controller, Treasurer, Senate, and Assembly. We would recommend that their terms be for six years and that they be staggered so that experienced persons would always be in office.

3. LIQUOR ADMINISTRATION—BOARD OF EQUALIZATION

Finding: The committee found State liquor control and enforcement inefficient and somewhat chaotic, largely due to the lack of uniform enforcement throughout the State. This condition was partially due to the practice of permitting each board member to determine the policy of enforcement within his district. This practice the committee vigorously condemns as it is a circumvention of the intention of the Liquor Control Act, which contemplated a five member board control instead of one man control in each of four districts.

At this writing, this condition has been partially corrected by placing liquor enforcement under the control of the Chief Liquor Enforcement Officer, which tends at least towards uniform enforcement.

The evidence gathered by this committee on liquor licensing and enforcement does not reflect with credit on the State Board of Equalization, upon whom rests the responsibility for administering the Beverage Control Act. Your committee could list innumerable instances of lax enforcement methods that permitted a certain amount of corruption and that have made the public skeptical of the possibility of an honest administration of this act. Numerous instances of irregularity in law enforcement are presented in the report section on liquor control and in the transcript of committee hearings on file with this report.

The taxation phase of liquor control investigation showed serious inefficiency, resulting in evasion of liquor excise taxes and in some instances the sale of bootleg liquor in licensed places.

Recommendation: The administration of the liquor laws should be placed in an Alcoholic Beverage Commission, divorced entirely from the State Board of Equalization, which is primarily a tax adjusting body. It would be advisable to provide for an appointive commission of five or seven members with staggered terms of sufficient length to remove them as far as possible from outside selfish influences seeking special favors. This commission might well be selected in the manner hereinbefore suggested for a State Tax Commission.

The committee, in making this recommendation, has not been unmindful of the advantage of governmental control under a system that would remove the profit motive from the distribution of liquor. The committee, however, has attempted to deal with the problem in a practical way. The fact is that the people themselves have voted for private operation within the past few years and in view of the tremendous investments now in the business, it has seemed to your committee that a recommendation so extreme at this time would not be acceptable.

4. ADMINISTRATION OF HORSE RACING ACT—STATE HORSE RACING BOARD

This subject has been fully covered by this committee in reports previously filed with the Assembly—see majority report on file in the Assembly Daily Journal of January 18, 1937, and minority report in Assembly Daily Journal of January 20, 1937.

During the course of this committee's investigation into the affairs of the State Board of Equalization, it was called to the attention of the committee that the section of the State Constitution listing the officers of the State subject to impeachment by the Legislature does not include members of the State Board of Equalization. Your committee can see no reason for an exception in the case of that office, and believes that those members should be answerable to the Legislature in the same manner as are the several other elective officials named.

Your committee therefore recommends a constitutional amendment to make this correction.

Resolution.

WHEREAS, The subject of finances is at the present time one of the most important subjects confronting the State; and

WHEREAS, A check on the expenditure of State money is equally as important as the raising of State money; and

WHEREAS, The State auditing is now done by the Department of Finance and the head of that department is appointed by the Governor; and

WHEREAS, The heads of the various departments to be audited also are appointed by the Governor, with the result that the auditing department is directly under the control of the Executive who, through his appointive powers, is responsible for the administration of the various departments to be audited; and

WHEREAS, It is generally recognized and conceded that every audit in private as well as State business should be absolutely independent and free from any superior control or influence; and further

WHEREAS, Under the system now in effect auditing of some of the departments of the State is done only after intervals of two to six years time, which is a condition that should be changed; now, therefore, be it

Resolved, by the Assembly, That a Special Assembly Committee on Auditing, consisting of five members of the Assembly, be appointed by the Speaker to study the financial affairs and auditing systems and conditions of the State, and its various departments, and to report thereon to the Legislature at its fifty-second regular session; and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, information and access to records as the committee request; and be it further

Resolved, That the committee is authorized to do all things necessary to make a complete investigation of the matters herein referred to and to require a production of, and access to, books, documents, reports, and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article XIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and the committee is hereby authorized to sit during the session of the Legislature and during the interval between sessions, at such places in the State as the committee shall from time to time determine; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $5,000 or so much thereof as may be necessary is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments to be made by warrants of the State Controller drawn against the contingent fund upon written order of the chairman of the committee.

Section I. Auditing and Accounting.

AUDITING PROCEDURE.

The State of California makes no adequate auditing of its State expenditures. This is true, notwithstanding the fact that it annually collects more revenues from its citizens than does most any other State Government in the Union.

In brief, the State sees to it that the records that it does get are correct on their face, but no comprehensive audit is made by any disinterested auditor to ascertain whether the goods and services paid for are actually delivered and rendered, and whether the State gets "value received."

Post-Auditing Far Behind.

Specifically, the committee found at the time of its investigations, the following:

1. The audits that have been made for at least the past 20 years have not been adequate.
2. That bond redemptions and coupon payments have not been completely audited since 1915.
3. That the State Treasurer ordinarily holds in his vaults from $175,000,000 to $185,000,000 in securities, and that two audits only have been made of these in the past five years.
4. That the deposit account of the State's fiscal agent in New York had never been completely audited and reconciled with the Treasurer's records.
5. That interest upon State money held in deposit in banks had not been checked in detail by the auditing agency of the State; and that the banks do not make simultaneous reports to the State Treasurer and State Controller of money flow, so that the Controller is dependent upon the Treasurer for his advices.
6. That an audit of the $150,000 revolving fund in the Treasurer's Office had never been made by the auditing agency of the State.
7. That the revolving funds of several departments had been misused frequently by some of the employees thereof, in some instances for personal accommodations.
8. That $3,000,000 of the State's money is split into 99 revolving funds and that many of them have never been properly audited.
9. That there was considerable padding of expense claims in the transportation of prisoners to State institutions by the San Francisco sheriff's office, under the administration of a former sheriff of that city and county.

10. That the Department of Finance, charged with the duty of post-auditing and making the audit of State finances, was from two to seven years behind in the performance of its duty. Within a few weeks after this committee began its labors, the staff of auditors was materially increased and several new assignments begun, but there is no reasonable prospect that all State bureaus, boards, commissions and offices can be completely audited for several years.

In all fairness to the Department of Finance, it must be admitted that the money allowed them in the budget for auditing was not sufficient to permit full and complete audits that were necessary for a proper safeguarding of the State's interest.

Proper Auditing Requisites.

Without the finances to employ a large staff of auditors, nor the time to permit an extended investigation, this committee was able to do little more than ascertain the nature and extent of the auditing that has been done.

The committee's principal efforts were to investigate the circumstances and conditions surrounding the auditing done by the State, the manner in which audits were made and concluded, and whether the machinery provided by law was adequate for its purpose.

It should be noted here that numerous recommendations made by the auditors of the Department of Finance were never carried out by the particular department involved. This illustrates the need for an absolutely independent system of auditing, either by an outside auditing agency, or by a staff of auditors responsible and accountable to the Legislature, and not to the department whose books of account they are required to audit.

In addition to the pre-auditing of claims, performed by the Controller, there are two kinds of post-auditing which should be done to insure that the State of California gets value for its dollars.

One necessary kind of auditing is concerned with auditing the books, vouchers, records and accounts of the several departments, to ascertain whether the balances struck by the department agree with the total of items representing receipts and expenditures. The second sort of auditing, which is never overlooked in private business, is based upon the correctness of the records, but which goes much further. It seeks to find out whether the reported expenditures were in fact made, and whether the State of California got full consideration for taxpayers' money spent. The committee was unable to discover any auditing of the latter kind which is being done.

Efficiency of Administration Not Investigated

There is a prevailing view that the department or board charged with the administration of a law is in duty bound to spend the State's revenues as directed by law, and to get full consideration therefor—but it is not sufficient that the head of each department is responsible by law for expenditures made by his department. It is the function of auditors to see that it is being and has been done.

Changes should be made in the law to affirmatively require that complete and intensive post-auditing be made. Legal, efficient and economical administration of the laws governing the handling and expenditure of State funds would appear to be not less important than accurate bookkeeping records for the shelves.

Independent Auditing a Crying Need.

If our auditing system is intended to do no more than re-check the accuracy and completeness of the figures of departments, we might well save the State the cost of much of its auditing. But it is certain that taxpayers expect the State Government to watch, with jealous care, the spending of the half billion which California will collect from its taxpayers during the next two years. Clearly, if the execution of our laws is to be assuredly legal, efficient and business like, there must be changes in the auditing of the State.

Auditing a Guide Toward Economy.

In the opinion of this committee, default in the performance of auditing can be ended by the creation of an independent State Bureau of Audits and Accounts. It should be fully separate from every agency which collects or expends public funds. The laws should be sufficiently broad to permit and require the bureau to determine whether revenue laws are properly administered, and whether economy and efficiency have been practiced by department heads and employees. Cost of the bureau would be saved many times over. Elimination of leaks in revenue collection would result in greater efficiency and economy of administration.

EXPENSE ACCOUNTS.

The far-flung business of the State of California provides an additional means of wastage of the State's revenues. Payment of living expenses and transportation charges of public officers and employees annually costs the State a large sum of money.

Boards which, under the law, have to hold meetings at stated times in Sacramento, and officials who have duties to perform in various cities of the State all collect the traveling costs, including hotels and meals, from the State. Much of this, but far from all, is strictly legitimate.

In other words, the head of a department who comes from Los Angeles can continue to "live" in Los Angeles during his entire tenure of office, and if he spends most of his time in Sacramento or elsewhere, he draws $8 a day in addition to his salary. A State car, of course, is also assigned to the department head

It is not customary in private business to pay an employee's living expenses in the city where he spends most of his time. The same rule ought to apply to the public's business. Regardless of legal domicile, no living expenses should be paid an employee when incurred in the city where he actually spends the most of his time. One accepting public office is presumed to accept it for the opportunity to render a service to the public and is paid therefor by the salary provided by law.

Another habit of recent years has been attendance at conventions. Results are of questionable value, and the cost, measured in dollars and inattention to duty, has been great. It would seem desirable that the lesser conventions be ignored more often. The executive head can end this by refusing to permit approval of many out-of-State trips.

Your committee has not made a careful and detailed study of the "wandering evil" that would permit it to recommend specific legislation at this time as a cure. It is our suggestion that a thorough survey and study of this situation be made by the present committee on governmental reorganization and that said committee submit corrective legislation to a subsequent session of the Legislature that will eliminate abuses resulting from this practice. Such an investigation could be conducted entirely in Sacramento and would pay for itself many times over.

This committee recommends:

1. That the State Board of Control be authorized to make rules and regulations in regard to reimbursable expenditures of all State employees and officers.
2. That out-of-State trips be curtailed.
3. That meetings of boards located in Sacramento be more often held there.
4. That a long range survey of the expense account problem be made.

Section II. Taxation and Regulation of Liquor Traffic.

(Agency: State Board of Equalization.)

LIQUOR CONTROL.

Rumors of irregularity and evidence of dissatisfaction with the California liquor control system preceded the committee's investigation. Another legislative agency, the Senate Civil Service Committee headed by Senator Sanborn Young of Los Gatos, during 1935, uncovered evidence of corruption of liquor regulation. When the Senate Civil Service Committee made these discoveries, removal of certain liquor officers in southern California resulted.

SYMPTOMS OF CONTROL FAILURE

The revelations made to the Senate Civil Service Committee were not the only symptoms of failure of California liquor control. Keeping pace with rumors of graft was an increasing public conviction that an independent liquor control commission must be created. For example, the California League of Municipalities early in 1936 passed a resolution demanding removal of liquor control powers from the Board of Equalization.

This committee approached its investigation of liquor control from a standpoint of taxation, and found that full development of conditions required exhaustive examinations of methods of regulation. In both fields, taxation and regulation, the committee found inefficiency.

It was strikingly illustrated that in most instances whenever the interests of good administration in the general public's interest clashed with selfish group desires, backed up with a certain amount of voting support, the latter group won out and sound administration suffered. This is the essence of the weakness of placing liquor control in a public agency that can not afford, from a political standpoint, to antagonize too many minority groups.

AMENDMENTS NEEDED NOW

In presenting the detail of findings, the committee will make two general divisions: (1) Taxation, and (2) Regulation. The committee has recommended an independent liquor commission, to be created through a constitutional amendment. The mechanics of amending the Constitution make it obvious that some time must pass before such a commission can be created and can begin to function. The hereinafter recommended amendments to the statutory Alcoholic Beverage Control Act should be made at once, in order that liquor control conditions immediately can be improved as much as possible, pending creating of a new liquor commission.

TAXATION.

Excise taxes, at rates varying from 2 cents a gallon on beer and light wines to 80 cents a gallon on distilled spirits, are the principal source of revenue to the State from the traffic in liquor.

Tax stamps are the means of collecting the excise tax on distilled spirits The committee found that the Board of Equalization, in 1935, abandoned the essential protective features of the tax stamps—serial numbers—and attempted to award to a contractor with influential connections, a highly lucrative tax stamp contract.

Excise Liquor Tax Stamps.

Under the provisions of the Alcoholic Beverage Control Act, section 33, it is provided that the excise liquor tax stamps shall be of such size, type and character as the board shall determine, and of such character, design and process as to insure to the State the maximum amount of protection against counterfeiting According to Rule 15 of the regulations of the State Board of Equalization governing traffic in alcoholic beverages, it was provided that these stamps be serially numbered The action of the board in this regard was subsequently abandoned and stamps now bear no mark by which they may be traced, nor do they provide any means by which the packages to which they are subsequently affixed can be traced back from the hands of the retailer to the wholesaler

The information presented to the committee is that every State, including the District of Columbia, using liquor tax stamps, uses stamps serially numbered The Federal Government requires that its excise liquor tax stamps likewise be serially numbered The purpose is to insure a means of identifying and tracing particular packages of liquor. By requiring the person affixing the stamp to the package to keep a record of the number of stamps, the contents of the package to which it is affixed and the person to whom it is sold or delivered, this end would be attained.

This committee recommends:

(1) That the Alcoholic Beverage Control Act be amended so as to provide that excise tax stamps be serially numbered; and be affixed over outlet of bottle or container in same manner as affixed by Federal Government, that the wholesaler keep a written record showing the serial number of each stamp purchased, the nature of the contents of the package to which it is affixed, and the name and address of the person, firm or corporation to whom such package is transferred; that the wholesaler be required at monthly intervals to file a duplicate of such record, verified by oath, with the agency responsible.

(2) That laws of the State governing award of public contracts be strengthened to assure competitive bidding and award on merit, with, however the requirement that California concerns, California labor and California products be given the preference, all other things being equal

Tax Collection Inefficiency

In the actual collection of the excise tax on distilled spirits, the committee found laxity in enforcement.

Section 22 of the Alcoholic Beverage Control Act provides that the licensed wholesalers shall report quarterly to the Board of Equalization the amount of alcoholic beverages manufactured or sold during the preceding quarter

Section 30 exempts from the excise tax all alcoholic beverages sold and actually exported from this State by a licensed manufacturer or importer-exporter. This section requires every manufacturer and importer to report such exportation to the board in such detail as the board might require, otherwise the exemption becomes invalid. The section further directs the exporter to execute an export certificate, and that such certificate must be completed and on file in the office of the board within 30 days after the close of the calendar month in which the shipments were made, and that the filing of any certificate beyond the 30-day period is of no effect in claiming the exemption.

Also exempted from the tax are sales by a jobber or wholesaler to another bona fide, licensed wholesaler.

$2,000,000 Revenue Loss

It was testified before the committee, by a high executive officer of the Board of Equalization, that the State failed to collect the excise tax on 25 per cent of all distilled spirits sold at retail in California The Board of Equalization officials said that the liquor escaping the excise tax largely was bootleg The same officer said the State collected $7,000,000 in liquor taxes during the preceding year That figure represented the amount of excise stamps sold to wholesalers. On the basis of that figure, if 25 per cent of the liquor sold in California escaped the excise tax, then it is apparent that the State lost revenue of more than $2,000,000 during the year.

All liquor sold at retail is subject to the sales tax, as well as the excise tax The Board of Equalization officials admitted that they had never made an effort to compare the amount of liquor on which retail sales tax was paid with the amount on which excise tax was paid. If the sales tax showed sale of liquor in excess of the amount on which excise tax was paid, a ready means of identifying either sale of bootleg or sale of untaxed legal liquor would be in the hands of administrative officials

One other readily available method of determining whether the State was collecting fully the excise tax on liquor was found to have been either overlooked or

avoided by the Board of Equalization. That method was a comparison of gallonage on which State tax was paid with gallonage reported by wholesalers to the Federal Government. Board of Equalization officials admitted they had never attempted this reconciliation.

No Check With United States Reports.

Prior to the August, 1936, hearing of the committee, no comparison of the records of any manufacturer or importer of alcoholic beverages had been made with the returns and reports that such manufacturer or importer filed with the Federal Government. The Federal officers, charged with the collection of revenue on the manufacture and sale of alcoholic beverages, exert a far more stringent supervision over manufacturers, importers and exporters of alcoholic beverages than do those of the State of California, and a comparison of the returns and reports filed with the Board of Equalization with those filed with the Federal Alcohol Tax Unit would give much valuable information to State officers.

Having determined that the Board of Equalization failed to use two obvious methods of checking on excise tax collections—i. e., comparison with retail sales tax returns and comparison with Federal alcohol tax unit records—the committee attempted to learn if the board had made any audit of its own of the records of its licensed wholesalers and importers.

Prior to the latter part of 1936, when the committee was engaged in this phase of its investigation, only 10 per cent of the manufacturers and wholesalers of distilled spirits had had their books checked by any of the auditors of the Board of Equalization and, as stated above, no comparison had been made, even in the case of the 10 per cent that had been audited, of the records of such wholesalers with the records of sales filed by them with the Federal Government.

Tax Deficiency Exposed.

In this regard, the committee took at random six representative wholesale firms in the State of California, and had a comparison made between the amount of excise tax liquor stamps purchased by these wholesalers with the number of gallons of distilled spirits the same wholesalers reported to the Federal Government that they had sold covering the same period of time. It was disclosed that the reports made to the Federal Government showed that they had sold distilled spirits amounting to one-sixth more than the gallonage for which they had purchased excise tax stamps from the State of California.

For the year covered by the investigation $7,000,000 worth of excise liquor stamps had been purchased by the wholesalers in this State. If this sum in fact represents but five-sixths of the amount of taxable liquor that was sold by the wholesalers, it is manifest that the State had lost in taxes the sum of $1,400,000. Allowing for necessary adjustments that may have to be made in these figures due to causes not developed in the course of the examination, nevertheless, the differential is so great as to justify some affirmative action being taken whereby it is made mandatory on the State officers to check the Federal and State reports filed by the wholesalers.

Export Claims Not Checked.

When investigating whether any check was made to ascertain if the export certification filed, and for which exemption from taxes was claimed, did in fact represent alcoholic beverages that had been exported from the State, it was learned that no such check had been made by the Board of Equalization. Thus, exemptions from taxes could be procured by any manufacturer or exporter merely by filing a certificate of exportation within 30 days and claiming pro rata deduction in the tax payable.

Section 33 of the Alcoholic Beverage Control Act provides that the tax assessed upon the sale of distilled spirits shall be collected by means of attaching to each package containing such distilled spirits stamps equivalent to the amount of the tax imposed upon the sale of the contents of the package. The act further provides that the stamps shall be delivered by the wholesalers to the holders of on-sale and off-sale licenses when such licensees purchase the liquor from the wholesalers, and the duty is placed upon the purchaser to immediately attach the necessary stamp or stamps to each bottle or container in the package.

The committee learned that this section of the law was subject to serious abuse with resulting loss of revenue to the State. There were instances where the wholesaler delivered to the retailer the unbroken packages of distilled spirits accompanied by the requisite amount of stamps, and the retailer failed to affix the stamps to the containers. The retailer returned the stamps, through various channels, to the wholesaler and received credit therefor. Other instances came to the committee's attention wherein a retailer affixed the stamps to but one bottle or container and refilled such bottle from others of like character on which no stamps had been affixed.

Unlawful Wholesale Exemptions.

Other testimony before the committee was that in many instances individuals purchased, from a wholesaler, distilled spirits upon the representation that the purchaser was himself a wholesaler. Under the law, where one wholesaler sells to a retailer he must accompany such sale with the requisite amount of stamps. In

many instances the person represented to be a wholesaler was not one in fact, but was a retailer who used the liquor so purchased to refill bottles on which stamps had been affixed.

The committee was advised that the reason why excise tax stamps were required to be placed on the bottles by the retailer, instead of the wholesaler, was merely because of the greater convenience in having the retailer do so, than to cause the wholesaler to affix the stamps at the time the liquor is received on his premises, and that to have the stamps affixed by the wholesaler would destroy some of the beauty of the original package. The committee is of the opinion that neither the convenience of the wholesaler, nor the aesthetic effect of the original package adequately compensate the State of California for the loss of revenue running into seven figures.

Lack of Agency Cooperation.

There should be brought to the Legislature's attention the lack of cooperation between the State Bureau of Food and Drugs and the Board of Equalization, in so far as there are violations of the Food and Drugs Act by the retail sellers of alcoholic beverages. The evidence discloses that in many instances where a seller of alcoholic beverages had diluted the contents of an original package or had substituted a different product for the one originally contained therein, or had added some substance to the original package, that arrests have been made by the officers of the Bureau of Food and Drugs. It should be remembered that one of the channels through which untaxed liquor is sold to the public is where a retail liquor dealer takes an original container on which the tax has been paid and refills or dilutes the same with an untaxed preparation. This results in loss of revenue to the State and accounts for part of the $2,000,000 annual loss heretofore referred to.

In each case where a conviction was obtained on charges of bottle or liquor dilution, the Bureau of Food and Drugs reported to the State Board of Equalization the detail of the offense. In no case, up to the time of our inquiry, had the board taken action.

The Alcoholic Beverage Control Act fails to provide any penalty for the possession of untaxed alcoholic beverage. Therefore, if an employee of the Board of Equalization apprehends an individual in possession of a quantity of untax-paid alcohol, there is no penalty against the wrongdoer now in the law, the only penalty is confiscation of the liquor. Further, if this individual is transporting the untax-paid alcohol by means of an automobile, truck or other vehicle, the act does not give the employee of the State of California the authority or power to confiscate the car or truck in which the transportation is being made.

Excise Tax Recommendations.

In connection with administration of the liquor excise tax, the Committee recommends:

(1) That the Alcoholic Beverage Control Act be amended to require a reconciliation of excise tax-paid liquor gallonage with retail sales tax-paid liquor gallonage. This may call for provision in the Retail Sales Tax Act for a proper segregation of tax paid on liquor sales.

(2) That a study be made of the form of report required from wholesalers by the Federal Government, and that a similar form of report be adopted for use by the State. This will facilitate comparisons between such reports, and do away with any pretended excuse that the difference in the forms provided is responsible for any discrepancies that may occur in the figures.

(3) That wherever wholesalers and manufacturers are required to render a periodical report of their activities to the liquor enforcement agency, that a failure to do so, for a period of 30 days after the report should have been filed, shall automatically cause a suspension of the particular license or permit.

(4) That the Liquor Division auditing staff be increased to permit necessary audits, checks and reconciliations of books, records and reports affecting collection of the excise tax on liquor at intervals of not more than 90 days.

(5) That the Alcoholic Beverage Control Act be amended to require liquor tax stamps must be affixed on each bottle either at the point of manufacture or by the wholesaler or importer, at the point where the liquor first comes to rest within the jurisdiction of the State of California.

(6) That the laws governing the Bureau of Foods and Drugs, State Department of Health, be amended to require that officers of the bureau shall immediately notify the State Liquor Administrator, or his successor, and the Chief Liquor Control Officer in the district involved, or his successor, of all cases, of arrests by officers of the bureau for liquor bottle refilling or dilution; and that the Alcoholic Beverage Control Act be amended to provide that State liquor officers must investigate, and where warranted take action toward license suspension or revocation.

(7) That the Alcoholic Beverage Control Act be amended to provide adequate penalties for possession of untax-paid liquor, and to further provide for the confiscation of any vehicle of transportation used in transporting untax-paid alcoholic beverages.

Beer and Wine Taxation.

Wine and beer enjoy a favored position in the tax-regulatory structure of California Liquor Laws. Instead of the 80-cent a gallon excise tax borne by distilled spirits, beer and wine pay the nominal tax of 2 cents a gallon.

In such a situation, it is obvious that the marketing of an alcoholic product with the semblance and effect of distilled spirits and the tax and regulatory status of wine would open great possibilities of commercial profit.

The drinking public by now is familiar with concoctions known as "ready mixed" cocktails. The advertising represents these drinks as "highballs" or "fizzes," or some other variety of hard liquor drink. Originally, the incentive for these preparations was the desire to find some means of purveying hard liquor by the drink, at a time when the first California liquor amendment specifically prohibited sale by the drink. To evade this prohibition, the manufacturers conceived the premise that ready-mixed cocktails and fizzes, when sufficiently diluted with carbonated water, might have the approximate alcoholic content by volume of wine. These ready-mixed drinks appeared on the market, advertising themselves as "cocktails," but legally claiming refuge within the definition of wine.

Incentive for Concoctions.

After the California liquor control amendment was modified to permit sale of hard liquor, by the drink with meals in bona fide eating places, the original incentive for these ready-mixed "wine cocktails" was removed. But other attractions remained for the manufacturers. If these drinks could be maintained in the status of wine, they could be sold under a tax of 2 cents a gallon, while competing made-to-order cocktails paid on their alcoholic ingredient 80 cents a gallon. Further, a wine classification permitted sale of these products in wine and beer taverns, enjoying a low license rate, while restaurants and bars serving hard liquor paid a high license fee.

These were the circumstances and motives which the committee encountered in its investigation of the "Jinricky" cocktails. Certain companies had placed these cocktails on the market, under the trade names "Tux Old Fashioned," "Tux Highball," "Tux Fiz," "Jinricky Highball," "Jinricky Sour," "Kick's Highball," and "Kick's Cocktail." It will be noted that the trade name used on each of these concoctions was one designed to convey to the public that the contents were in fact distilled spirits.

Federal Classification.

The State Board of Equalization, in 1935, had directed the discontinuance of the sale of these products on the ground that they were distilled spirits and at that time could not legally be sold in the State of California. It is interesting to record that these products were classified by the Federal Government as hard liquor or distilled spirits, and every bottle had affixed to it the United States Government strip stamp, required to be affixed to all distilled spirit beverages, which evidenced the tax collected by the Government therefor.

Later on, the State Board of Equalization changed this ruling back to a wine classification, upon a showing made before it that the formula used in manufacturing the products had been changed to comply with the law.

Much evidence was introduced before this committee as to just what was done in order to change into wine that which the Federal Government considered to be distilled spirits, for the purpose of taxation by the Board of Equalization. Much jumbling of words occurred as to the meaning of subparagraphs (d) and (e) of section 2 of the Alcoholic Beverage Control Act, and as a result this committee is of the opinion that the definition of "distilled spirits," and "wine" should be redrafted so as to classify such products under distilled spirits.

Change in Law Needed.

The committee recommends:

(1) That the wine definition in section 2 of the Alcoholic Beverage Control Act be amended so as to provide that any product obtained by the fermentation of grapes or other agricultural products, whether or not containing natural or added sugar, that is fortified with grape brandy, ethyl alcohol, spirits of wine, whisky, rum, brandy, gin or other distilled spirits, including all dilutions and mixtures thereof, wherein alcoholic content is increased by ten per cent or more of alcohol by volume, shall be classified and taxed as distilled spirits.

The investigation in this phase also disclosed that a closer supervision should be maintained and provided for, over the wine and beer industry and the sale of wine and beer at retail.

At the present time, all that is required is that the manufacturer or importer render a monthly report to the State Board of Equalization showing the amount of such beverages sold by the manufacturer or importer, during the preceding calendar month. While in most instances the honesty of the manufacturer and importer will insure to the State the full return of the tax, nevertheless, the law is not stringent enough to do away with those loopholes by which unscrupulous manufacturers can defraud the State of a large amount of tax.

Federal Checking Method.

The committee is informed that as a check upon the amount of sales made by wholesalers, manufacturers and importers of beers and wines, the Federal Government has evolved a plan whereby it can compute, to some degree of mathematical certainty, what tax should have been paid, based upon formulas showing the amount of wines and beers that should have been produced by the use of certain quantities of hops, grapes, etc. The committee has been unable to get full details as to the Federal plan.

The committee recommends:

That an investigation of the Federal plan be made, and the same incorporated into the laws of California, if deemed appropriate, or if the Legislature be not in session, that the same be adopted as a rule by the Board of Equalization.

Fixers and Racketeers.

An attendant evil coupled with the administration of the Liquor Control Act has been the large number of so-called "fixers," "leaches," "racketeers," "hangers-on," and people of this type with pretended political power, who claim to be able to obtain special licensing favors, fix violation complaints, and obtain special concessions from the Liquor Administration Board. This is an evil that probably will exist to some extent under any administration. Your committee, however, feels that the failure of the Board of Equalization to establish and maintain uniform regulations throughout the State of California, frequently-changed policy rulings, lack of firmness and consistency in policy, and failure to establish and carry out a vigorous policy of license revocation and punishment for liquor law violations, permitted more than ordinary chaos throughout the State under which there thrived a system of "racketeering" involving liquor dealers paying for protection to individuals claiming powerful influence. This permitted "leaches" to prey upon those honestly intending and desiring to obey the law by collecting so-called protection money.

We feel that the Board of Equalization, in its hearings, should carefully scrutinize the merits and demerits of the applicant and the application, and the facts surrounding the matter before it, and refuse to heed or consider the solicitations of individuals interceding on behalf of the applicant or the matter pending before the board. Your committee believes that the general recommendations that we have made will tend to minimize these evils.

Liquor Enforcement and Gambling.

Outstanding was the attitude taken by some enforcement officers of the Board of Equalization relative to the conduct of open gambling by and on the premises of license holders. At the hearing held in San Jose it developed that three of the more prominent road houses in the vicinity, were not only engaged in the sale of alcoholic beverages on the premises, but were conducting such sales well after the hour of two o'clock in the morning, and that on each of these premises there was being operated openly for the use of the public such prohibited games of chance as black jack, craps, roulette, etc. Investigators for the committee, though unknown in any of these places, had no difficulty in gaining admittance, purchasing chips, and gambling in each of these road houses. Such conditions are not restricted to the vicinity of San Jose. Our investigation has shown that this condition is not uncommon throughout California.

The committee inquired as to the attitude of the Board of Equalization relative to the conduct of gambling on premises where liquor is sold under State license. The reply made by Mr. Don Marshall, San Francisco liquor enforcement chief, was that the board did not concern itself with any violations of the law except violations of the provisions of the Alcoholic Beverage Control Act, the board had no grounds for revoking licenses, irrespective of what other public offenses and crimes might be committed by the license holder wherein he used his premises as the arena for such crime. Mr. Marshall has furthermore stated that they considered all violations of the law, other than the Alcoholic Beverage Control Act, fell within the purview of the local law enforcement officers and that it was not part of their business to interfere.

The "public welfare" section of the liquor laws was enacted in order to authorize license revocation for just such offenses as gambling. Enforcement officials have ignored that section.

In addition to these major gambling games it was found that practically every retail on-sale liquor establishment was operating one or more slot machines or pin ball games, or both, upon the licensed premises. This slot machine and pin ball business has in many instances grown into a racket. The evidence disclosed that these petty gambling machines are not owned by the liquor licensee but are placed in such establishments on a commission basis, the license holder receiving anywhere from 20 per cent to 40 or 50 per cent of the amount of money going through the machines. While the amount of each individual play is small, running from 5 cents to 50 cents, the profits are enormous. Some liquor licensees testified that they cleared enough out of their percentage from the operations of the machines to pay their rent and overhead.

Slot Machine Racket.

The owners of these machines, i. e., those who place them in the establishments, had in many instances banded together in protective organizations. In some districts, rivalry between two or more of such protective organizations has been keen, and all manner and means of influence, from injuring the business of such on-sale liquor establishments to violence, has been resorted to in order that the machines of one or another operator be used exclusively.

In order to furnish additional grounds for compelling a license holder to use a particular kind of machine or the machine of a particular individual or organization, the same tactics have been resorted to as in the case of revocation of licenses. The owners of the machines claimed to have such influence with the Board of Equalization that, if individual license holders did not use their particular machine, then their licenses would be revoked.

In San Luis Obispo County a protective organization was formed to combat any efforts that would be made by the Board of Equalization to prohibit the use of these machines by the holders of liquor licenses. According to testimony before the committee, a fund was collected for the avowed purpose of influencing the members of the Board of Equalization in order that they would desist from interfering with the operation of any liquor establishment that had slot machines and pin ball games upon its premises. The evidence of this was sent to the district attorney of San Luis Obispo County.

The committee recommends:

That the Alcoholic Beverage Control Act be amended so as to provide that any wilful violations of any criminal statute of the State, including the gambling statutes, conducted and committed on the premises of a license holder, and by such license holder, or with his consent, shall constitute grounds for the immediate revocation of such license; and making it a duty of the enforcement officers of the Board of Equalization, or their successors, to enforce such provisions.

2.00 A.M. Closing Law.

Some controversy has arisen as to whether licensees engaged in the on-sale of liquor are required to desist from such sales at the hour of two o'clock in the morning. This investigation has disclosed that, in the same localities, some establishments are required to close promptly at two o'clock under penalty of losing their license, while others are allowed to run to a much later hour, in some instances not closing at all, without molestation from the enforcement officers.

The committee recommends:

That the Alcoholic Beverage Control Act, and the penal statutes, be amended to make it mandatory that all places engaged in the sale of alcoholic beverages must discontinue such sales at the same hour and that making of a sale after that hour shall be cause for immediate revocation of the license.

Quarterly License Evil.

Section (8) of the Alcoholic Beverage Control Act provides that all retail on-sale licenses shall be issued on a calendar year basis, and shall automatically expire at midnight on the last day of December of the year for which issued All other licenses shall be issued on the basis of a fiscal year, commencing July 1st, and ending June 30th, and shall automatically expire at midnight on the last day of June of the year for which issued.

The foregoing provisions of the act make it mandatory that all licenses issued under authority of the act shall be on a yearly basis and does not, either directly or by implication, authorize the issuance of licenses for quarterly periods

Despite the foregoing provisions of the act, the Board of Equalization has seen fit to adopt a policy whereby licenses are issued for three-month periods, and this policy has been pursued despite the fact that on July 2, 1935, a resolution of the Board of Equalization was adopted whereby it was ordered that no quarterly on-sale distilled spirits licenses be issued after the close of the year 1935. The action of the board in issuing quarterly licenses has resulted in loss of revenue to the State of California. Before showing just how this loss occurs we call attention to the fact that the issuance of quarterly licenses increases the amount of work that has to be done by the board with a corresponding increase in the cost of enforcing the Alcoholic Beverage Control Act Investigations, hearings, bookkeeping the issuance of licenses, etc., instead of having to be done but once in every 12 months as to each license, have to be done four times

System Costly to State.

Turning to the loss sustained by the State, the committee found the following interesting facts: Of all licenses issued during the first quarter of 1936, the number for which no renewals were applied for or granted for the second quarter amounted to 322. Of these holding licenses throughout the second quarter but who did not renew or were denied licenses for the third quarter the sum was 525 The licensees who did not apply for or renew their licenses for the fourth quarter, though holding licenses during the third quarter, were 565. The supervising auditor in charge of the Liquor Control Office of the State Board of

Equalization has testified that the greater number of on-sale liquor licenses are issued in districts where the fee is $117.50 per quarter. It is a mere matter of figures to show that if all of these licenses had been issued to the end of the license period prescribed by the act, that the State would have received an additional $300,017.50 under this one item alone. It is debatable of course whether the same number of applicants for a quarterly license would have applied and paid for an annual license.

The committee recommends:

That under and in conformity with section (8) of the Alcoholic Beverage Control Act all licenses be issued on an annual basis, and that the full fee therefor be paid when the license is originally granted.

Concealment of Ownership.

The committee discovered several instances wherein Rule 5 of the Board of Equalization has been used to defeat an order of the board revoking a license for a particular premises. Thus, where one has committed some offense or has so conducted his business in a manner that the Board of Equalization has permanently revoked such license, a subterfuge has been resorted to so as to defeat the order of the board. Some member of the family, some silent partner, or some close friend appears as an alleged bona fide purchaser of the premises and the business. As such, he applies to the board for a new license and if his record justifies the same, such license is issued. In fact, the new licensee has no interest in the place at all, and the old licensee continues to operate it under the name of the new licensee.

Interest of Manufacturer.

Attention is called to the various provisions of the Alcoholic Beverage Control Act that prohibits a manufacturer, rectifier, distiller, etc., from holding any interest in an establishment holding an on-sale license. The investigation by this committee has disclosed that said sections of the act have been disregarded and that the machinery for the enforcement thereof is inadequate

The committee recommends:

(1) That the Alcoholic Beverage Control Act be amended so as to require that at the time of filing an application for an on-sale permit, such application must contain a true statement to the effect that no manufacturer, rectifier, distiller, etc., has any interest in the establishment, and as above, making it a felony to file a false statement in this regard.

(2) That the Alcoholic Beverage Control Act be further amended to provide that every holder of a liquor license must report in writing to the Board of Equalization any change in the ownership or business of such licensee, together with the names and addresses of any persons who have acquired any active or beneficial interest in the ownership, and that a failure to so report be punished with an appropriate penalty.

Prosecution Delayed.

In the course of the committee investigation it was developed that, in many instances where arrests have been made by the enforcement officers of the Board of Equalization, immediate interest was lost in the outcome of such prosecution. Instances were found where cases had been allowed to remain dormant in the dockets of the courts because no activity was shown by the enforcement officers Experience has shown that honest prosecutions promptly pressed to final judgment result either in creating a decent respect for the provisions of the law, or in the repeal of such law if it does not meet with the public approval, but an indifference to the law, shown by the persons charged with its enforcement, can produce no other result in the public mind than a contempt for such law

The committee recommends:

That the Alcoholic Beverage Control Act be amended so as to make it the duty of the liquor law enforcement officers to press to a final hearing all cases in which they have caused an arrest to be made; that such enforcement officers be required to report to their superior officer and to the State Liquor Administrator all arrests, followed by reports showing all stages and results of the particular prosecution, and making it a ground for discharge of such employees not to render such reports.

Section III. Gasoline Tax.

GASOLINE TAX.

Your committee deemed it advisable to consider the method used in assessing and collecting gasoline taxes for the State of California, but for reasons which will appear obvious, undertook no extensive investigation of the subject. Many rumors of shortages in the collection of taxes had been heard as well as rumors that the State was not receiving the full amount of tax moneys due it from gasoline because of a temperature adjustment method of measuring gasoline by reducing the actual gallonage to a 60°F basis.

The revenue laws of the State of California provide for the collection of the tax on gasoline under the act known as the "Motor Vehicle Fuel License Tax Act" and section 3 thereof is the section that applies to gasoline taxes and, in part, reads as follows:

"Said license tax shall be according to or measured by the gallonage of motor vehicle fuel refined, manufactured, produced, blended, or compounded by such distributor in this State and so distributed by him in this State."

It will be noted that the above provision of law makes the gasoline tax not a sales tax upon the consumer but a tax upon the distributor. The distributor in the majority of instances is the refinery or the large company.

The question that your committee tried to determine was whether the amount of gasoline tax collected from the consumer by the retail outlets, such as service stations, was the same in amount as that remitted to the State of California by the distributor.

Your committee employed a certified public accountant of Los Angeles to examine the books of two companies for the months of June, July, and November, 1935. These audits were designed merely as a test to determine just what method was used by the large distributors or refineries. We find that in many instances the two companies tested remitted tax payment to the State of California on the basis of the exact gallonage refined and distributed irrespective of temperature, and in many instances remitted taxes on the adjusted gallonage basis of 60°F. The difference for one company for a three months' period totaled 23,720 gallons, and for the second for a month's period, was 6,997 gallons.

We find that it is a custom of the trade to reduce gasoline pumped to a 60°F. basis on certain billings to buyers and that this custom has caused some confusion, conflicting ideas and resulting discussion as to whether the tax paid the State should be paid on the gallonage of gasoline reduced to the 60°F. basis or on the actual gallonage irrespective of temperature adjustment. For example, and in order to make this matter clear, we set forth here two sample invoices with the name of the consignee and the company left out, illustrating the 60°F billing.

Invoice No. 1

Date		*At Loading Temperature 70°F.*	*Net Shipment at 60°F.*
7-9-35	Truck 402	2700	2684
	Trailer 403	3625	3603
		6325	6287

Invoice No. 2.

Date		*At Loading Temperature 84°F.*	*Net Shipment at 60°F.*
7-15-35	Tank Car	8000	7883

From the first sample invoice you will note that in one truck and trailer 6,325 gallons were actually loaded at 70°F. and that this was reduced to 6,287 gallons at 60°F. or a difference of 38 gallons in one truck and trailer load. A further illustration exists in the second invoice of one carload lot loaded July 15, 1935, in which 8,000 gallons were loaded at 84°F. and reduced to 7,883 gallons at 60°F or a difference of 117 gallons. If the State is entitled to a gasoline tax on these differences in gallonage, as shown on the two invoices, it can readily be seen that the State has been and is losing a very large amount of revenue. So large in fact, that this committee urges that the whole subject be a matter of further study and audit. It may be expected that auditing in this field would have to be extensive and necessarily expensive but would be one that would pay for itself many times, with the further advantage that it would finally settle this controversial matter.

Conclusion.

In bringing this report to a conclusion, the committee wishes to emphasize that much remains undone. Literally hundreds of complaints, verbal and written, were received by the committee. Further, the committee's investigation frequently brought an added increment of new evidence defining proper spheres of inquiry. Within the time available to the committee, it was necessary to concentrate on those phases of investigation originally opened, leaving for future consideration other examination of governmental departments.

The investigation has disclosed that there is in this State an imperative need for a committee, vested with the powers and duties of this committee, to continue the work heretofore commenced and to investigate every branch of the State Government in order to ascertain whether it is operating in strict accordance with the law and in an efficient manner.

Bills and resolutions carrying into effect the recommendations contained in this report, are being submitted for the approval of the Legislature.

This report is being signed by the various members of the committee with the understanding that if, upon further consideration, any member of the committee wishes to file in his own behalf an additional or supplemental report, he may do so.

Respectfully submitted.

LEON M. DONIHUE, Chairman.
FORD A. CHATTERS.
C. C. COTTRELL.
RALPH W. EVANS.
C. DON FIELD

Adjournment.

At four o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late Ralph Vernon Richmond, supervisor from the first district in Alameda County for the past 13 years, until one o'clock and thirty minutes p.m., Tuesday, March 23, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SECOND LEGISLATIVE DAY
SEVENTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 23, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Hawkins, the further reading of the Journal of Monday, March 22, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Baynham, on motion of Mr. Kepple.

Mr. Corwin, on motion of Mr. Stream.

Mr. Waters, on motion of Mr. Morgan.

Guests Extended Privilege of Assembly Floor.

On request of Mr Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Benjamin Jones, Miss Gwynne Jones, Miss Charolotte Jones, and Mrs. Evelyn Jones, from Lakeport, California.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John N. Straub, Beverly Hills; Miss Bertha Straub, Beverly Hills; Miss Katherine Blind, Beverly Hills; Mrs. Charles Gibson, New York City.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Polley.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to T. J. Roberts, J. C. Reynolds and Frank Lawrence.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Wm. Worthington and Ray Hatfield, high school teachers from Inglewood.

On request of Mr. Sheehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Alex. J. McDonald, President of the Democratic Club of San Francisco.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Father Daniel J. Keenan, Pastor, St. Joseph's Church, Los Banos.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Alfred E. Paonessa.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Alfred E. Paonessa of Los Angeles.

Assistant Chief Clerk Greenburg Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred:
Assembly Bill No. 2007.
Respectfully reports the same back with the recommendation: Do pass.

MILLER, Chairman.

The above reported bill ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:
Assembly Bill No. 1193. **Assembly Bill No. 1533.**
Assembly Bill No. 1532. **Senate Bill No. 433.**
Respectfully reports the same back with the recommendation: Do pass.

ANDREAS, Chairman.

The above reported bills ordered on second reading calendar.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred:
Assembly Bill No. 467. **Assembly Bill No. 763.**
Assembly Bill No. 761. **Assembly Bill No. 1666.**
Assembly Bill No. 762.
Respectfully reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred:
Assembly Bill No. 249.
Respectfully reports the same back without recommendation, as amended.

MILLINGTON, Chairman.

The above reported bill ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 361—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 12 thereof relating to the powers of the Reclamation Board, and section 37 (a) thereof relating to the application of moneys appropriated or made available under Chapter 176, California Statutes of 1925;

Senate Bill No. 404—An act to amend sections 252, 254, 257, 265, 269, 271, 276 and 277 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Senate Bill No. 514—An act to regulate auctions.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 361 read first time, and referred to Committee on Conservation.

Senate Bill No. 404 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 514 read first time, and referred to Committee on Judiciary General.

SENATE CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 32.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 363—*An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District based upon assessments levied by the Reclamation Board upon lands in said district," approved May 27, 1919, as amended, by amending the title thereof to include refunding bonds, by amending section 50 thereof relating to redemption of land sold for delinquent assessments and the conveyancing of lands not redeemed, by amending section 59 thereof relating to the authorization, issuance, sale and application of the proceeds of refunding bonds, and by adding a new section to said act to be numbered 60, giving to said act a short title, and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency and providing that this act shall take effect immediately upon its passage.*

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 363 read first time, and referred to Committee on Conservation.

SENATE CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 379—An act to authorize boards of trustees of school districts to pay certain claims;

Senate Bill No. 7—An act to amend section 4 of the Old Age Security Act of the State of California, relating to aid to the aged.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 379 read first time, and referred to Committee on Education.

Senate Bill No 7 read first time, and referred to Committee on Social Security and Welfare.

SENATE CHAMBER, SACRAMENTO, March 22, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 17.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

The above reported bill ordered to enrollment.

Second Reading of Assembly Bills.

Assembly Bill No. 1184—An act to provide for the permanent relief and rehabilitation of the indigent and unemployed families of the State of California by the removal of such families to new rural communities to be located upon large tracts of good agricultural land, and providing for loans by the State Department of Social Welfare to a nonprofit, cooperative agricultural association created to carry out such purpose, and to make an appropriation therefor.

Committee Amendments to Assembly Bill No. 1184.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 2 line 19, of the printed bill, as amended on March 8th strike out "and marketing", and at the end of line 19 strike out the period, and insert in lieu thereof the following: "to be used by the units producing these products or for similar units established by the association, or for the benefit of other State welfare agencies, or to be marketed by the association for the benefit of the unit producing them but not in competition with agencies producing similar products where such competition might, in the opinion of the Department of Social Welfare, tend to create further unemployment anything in this act to the contrary notwithstanding."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 46, 47 and 48, and insert in lieu thereof the following: "vided that eligibility for the relief benefits provided under this act shall be limited, so far as residential requirements are concerned, to the requirements for eligibility of unemployed indigents for State relief."

Amendment No. 3.

On page 3, line 7, of the printed bill, as amended, following the word "hereunder," insert the following words, "and such funds as may be secured from any other source,".

Amendment No. 4.

On page 3, line 8, of the printed bill, as amended, strike out the word "immediately".

Amendment No. 5.

On page 3, line 9 of the printed bill, strike out the comma, and insert in lieu thereof: "in California,".

Amendment No. 6.

On page 3 of the printed bill, following line 48, add the following new sections:

'SEC. 12. The association shall keep such records as will at all times show the money invested in lands or improvements by the association; together with the receipts and expenditures of all projects established by it, and such other statistical information as will help in making an analysis of the program. The records required by this section shall be open to the Director of the Department of Social Welfare; and to the Legislature.

SEC. 13. The association may make such arrangements for amortization of the loans; for the establishment of a necessary reserve; for bonding; or for reimbursement, as will not only make it possible and convenient for the association to repay such loans, but also to protect itself and the State against the return of beneficiaries to State relief rolls, in cases where money has been advanced by the State Department of Social Welfare to the association, for future benefits which would have accrued had the beneficiaries remained on the State rolls."

Amendment No. 7.

On page 2, line 32, of the printed bill, as amended, strike out the word "entitled", and insert in lieu thereof the word: "permitted".

Amendment No. 8.

On page 3, line 37, of the printed bill, after "or", insert the following "if such funds are not appropriated or are insufficient then".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1243—An act to provide for the levy and collection of a tax upon the income of corporations and to provide for the disposition of revenues therefrom.

Committee Amendments to Assembly Bill No. 1243.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 18, of the printed bill, insert a comma after the word "section".

Amendment No. 2.

On page 4, line 16, of the printed bill, after "erty", and before the words "to be allowed", insert the following: "used in the trade or business".

Amendment No. 3.

On page 4, line 32, of the printed bill, after the word "sections", insert the following: "23(m),".

Amendment No. 4.

On page 5 of the printed bill, strike out all of that portion of line 14 following the word "expenses"; strike out all of lines 15 to 17, both inclusive, and insert in lieu thereof the following: "the amounts returned to their patrons, whether members or nonmembers, upon the basis of the purchases or sales or both made by or for them.".

Amendment No. 5.

On page 5 of the printed bill, strike out all of that portion of line 20 following the word "basis,"; strike out all of lines 21 and 22, and insert in lieu thereof the following: "the amounts returned to their patrons, whether members or nonmembers, upon the basis of the business activities carried on by or for them.".

Amendment No. 6.

On page 9 of the printed bill, strike out lines 24 to 51, both inclusive, and insert in lieu thereof the following:

"SEC. 18. (a) If any taxpayer fails to make and file a return required by this act on or before the due date of the return or the due date as extended by the commissioner, then unless it is shown that such failure is due to reasonable cause and not due to wilful neglect, 5 per cent of the tax shall be added to the tax for each 30 days or fraction thereof elapsing between the due date of the return and the date on which filed, but the total addition shall not exceed 25 per cent of the tax. The amount so added to the tax shall be due and payable upon notice and demand from the commissioner.

If any taxpayer, upon notice and demand by the commissioner, fails or refuses to make and file a return required by this act, the commissioner is authorized to make an estimate of the net income and to compute and levy the amount of the tax due under this act from any available information, and in such case 25 per cent of the tax (in addition to the amounts added under the provisions of paragraph (1) of this subsection) shall be added to the tax and shall be due and payable upon notice and demand from the commissioner.

(b) If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, 5 per cent of the total amount of the deficiency (in addition to such deficiency and other additions provided in this section) shall be assessed, collected, and paid in the same manner as if it were a deficiency.

If any part of any deficiency is due to fraud with intent to evade tax, then 50 per cent of the total amount of the deficiency (in addition to such deficiency and other additions provided in this section) shall be assessed, collected and paid in the same manner as if it were a deficiency.

(c) If the tax imposed by this act (whether determined by the commissioner or the taxpayer) or any installment or portion thereof is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax interest upon such unpaid amount at the rate of 6 per cent per year from the date prescribed for its payment until it is paid.

If the time for the payment of the tax or any installment thereof is extended by the commissioner, there shall be collected as part of such tax interest thereon at the rate of 6 per cent a year from the date upon which such payment should have been made if no extension had been granted until the date the tax is paid.

Interest upon the amount determined as a deficiency shall be assessed and paid at the same time as the deficiency at the rate of 6 per cent per year from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed.

Where a deficiency, or any interest or additional amounts assessed in connection therewith, or any addition to the tax in case of delinquency provided for in subsection (a) of this section, is not paid in full within ten days from the date of notice and demand from the commissioner, there shall be collected as a part of the tax, interest upon the unpaid amount at the rate of 6 per cent a year from the date of such notice and demand until it is paid."

Amendment No. 7.

On page 10 of the printed bill, strike out lines 1 to 45, inclusive

Amendment No. 8.

On page 11, line 27, of the printed bill, strike out ". which", and insert in lieu thereof the following: ". Such determination"

Amendment No. 9.

On page 11, line 29, of the printed bill, after the word "determination", and before the period, insert the following: "unless within such 60 day period the determination is modified in which event it shall become final upon the expiration of 60 days from the time it is modified."

Amendment No. 10.

On page 11 of the printed bill, between lines 48 and 49, insert the following

"Where before the expiration of the time prescribed in this section for the assessment of the tax, both the commissioner and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

Any amount of tax in excess of that disclosed by the return, due to a mathematical error, notice of which has been mailed to the taxpayer, shall not be considered a deficiency assessment within the meaning of this section. The taxpayer shall have no right of protest or appeal as herein provided, based on such notice, nor shall such assessment or collection be prohibited by any of the provisions of this section."

Amendment No. 11.

On page 12 of the printed bill, strike out all that portion of line 23 following the word "notice."; strike out all of lines 24 and 25, and strike out all that portion of line 26 preceding the words "the commissioner's".

Amendment No. 12.

On page 12, line 35, of the printed bill, strike out ". which", and insert in lieu thereof the following " Such determination"

Amendment No. 13.

On page 12, line 37, of the printed bill, after the word "determination", and before the period, insert the following: "unless within such 60 day period the determination is modified in which event it shall become final upon the expiration of 60 days from the time it is modified"

Amendment No. 14.

On page 13 of the printed bill between lines 21 and 22, insert the following

"Upon the adjudication of bankruptcy of any taxpayer in any bankruptcy proceeding or the appointment of a receiver for any taxpayer in any receivership proceeding before any court of the United States or of any State or Territory or of the District of Columbia, any deficiency (together with all interest, additional amounts, or additions to the tax provided for by law) determined by the commissioner in respect of a tax imposed by this act upon such taxpayer may be immediately assessed. In such cases the trustee in bankruptcy or receiver shall give notice in writing to the commissioner of the adjudication of bankruptcy or the appointment of the receiver, and the running of the statute of limitations on the making of assessments shall be suspended for the period from the date of adjudication in bankruptcy or the appointment of the receiver to a date 30 days after the date upon which the notice from the trustee or receiver is received by the commissioner; but the suspension under this sentence shall in no case be for a period in excess of two years Claims for the deficiency and such interest, additional amounts and additions to the tax may be presented, for adjudication in accordance with law, to the court before which the bankruptcy or receivership proceeding is pending, despite the pendency of proceedings for the redetermination of the deficiency in pursuance of a petition to the Board of Equalization but no petition for any such redetermination shall be filed with said board after the adjudication of bankruptcy or the appointment of the receiver. Any portion of the claim allowed in such bankruptcy or receivership proceeding which is unpaid shall be paid by the taxpayer upon notice and demand from the commissioner after determination of such proceeding and may be collected in the manner provided in this act for the collection of delinquent taxes at any time within six years after termination of such proceeding"

Amendment No. 15.

On page 13, lines 40 and 41, of the printed bill, strike out the words "pay its tax under protest and".

Amendment No. 16.

On page 13 of the printed bill, strike out all of line 43 and strike out that portion of line 44 preceding the word "Such".

Amendment No. 17.

On page 14, line 7, of the printed bill, after the word "claim", and before the period, insert the following: "; provided, that no action shall be filed if the taxpayer has appealed to the State Board of Equalization from the action of the commissioner with respect to any refund claim; and provided further, that the six months period provided for acting on refund claims may be extended with the consent of the taxpayer in which event the 90 day period for instituting action to recover the amount claimed as an overpayment shall commence running when the claim for refund is acted upon or when the extension expires if no action has been taken prior thereto".

Amendment No. 18.

On page 16 of the printed bill, between lines 16 and 17, insert the following:

"SEC 25 The commissioner, whenever he deems it necessary to insure compliance with the provisions of this act, may under rules and regulations prescribed by him, require any individual, partnership, corporation, joint stock company or association, having control, receipt, custody, disposal or payment of funds of any taxpayer or owning any money to any taxpayer, to deduct and withhold the tax due from such taxpayer and make return thereof and pay the tax to the commissioner. Any individual, partnership, corporation, joint stock company or association failing or refusing to deduct and withhold the tax due from any taxpayer as required by the commissioner pursuant to this subsection shall be personally liable for such tax, and the amount of such tax may be collected from such individual, partnership, corporation, joint stock company or association in the same manner as if such individual, partnership, corporation, joint stock company or association were the taxpayer."

Amendment No. 19.

On page 16, line 17 of the printed bill, strike out "25" and insert in lieu thereof the number "26".

Amendment No. 20.

On page 16, line 25, of the printed bill, strike out "26", and insert in lieu thereof the number "27".

Amendment No. 21.

On page 16, line 36, of the printed bill, strike out "27", and insert in lieu thereof the number "28".

Amendment No. 22.

On page 17, line 1, of the printed bill, strike out "28", and insert in lieu thereof the number "29".

Amendment No. 23.

On page 17, line 29, on the printed bill, strike out "29", and insert in lieu thereof the number "30".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1244—An act to amend sections 2, 3, 4, 7, 8, 9, 10, 12, 18, 19, 20, 21, 23, 25, 26, 27, 32 and 34 of the "Personal Income Tax Act of 1935".

Committee Amendments to Assembly Bill No. 1244.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the numeral "12," and before the numeral "18" insert the numeral "15,".

Amendment No. 2.

On page 2, line 28, of the printed bill, after the word "resident", and before the words "of some", insert the following: ", within the meaning of that term as herein defined,".

Amendment No. 3.

On page 2 of the printed bill, strike out all that portion of line 29 following the word "country", except the period.

Amendment No. 4.

On page 2 of the printed bill, strike out that portion of line 33 following the word "resident", strike out all of lines 34 and 35, and in line 36, strike out the word "years".

Amendment No. 5.

On page 4 of the printed bill strike out lines 35 to 39, both inclusive

Amendment No. 6.

On page 10, lines 31 and 32, of the printed bill, strike out "other than taxes paid or accrued to this State under this act", and insert in lieu thereof the following: "which are deductible under the provisions of this subsection".

Amendment No. 7.

On page 15 of the printed bill, strike out all that portion of line 27, following the period; strike out all of lines 28 to 33, both inclusive, and strike out all that portion of line 34 preceding the word "For".

Amendment No. 8.

On page 17 of the printed bill, strike out all that portion of line 23 following the period, and strike out all of lines 24 to 26, both inclusive.

Amendment No. 9.

On page 18, line 51, of the printed bill, strike out "subsection", and insert in lieu thereof the word "subsections".

Amendment No. 10.

On page 19 of the printed bill, between lines 22 and 23, insert the following:

"SEC. 9. Section 15 of said act is hereby amended to read as follows:

Sec. 15. Interest and Additions to the Tax.

(a) Failure to File Return.

(1) If any taxpayer fails to make and file a return required by this act on or before the due date of the return or the due date as extended by the commissioner, then unless it is shown that such failure is due to reasonable cause and not due to wilful neglect, 5 per cent of the tax shall be added to the tax for each 30 days or fraction thereof elapsing between the due date of the return and the date on which filed, but the total addition shall not exceed 25 per cent of the tax. The amount so added to the tax shall be due and payable upon notice and demand from the commissioner.

(2) If any taxpayer, upon notice and demand by the commissioner, fails or refuses to make and file a return required by this act, the commissioner is authorized to make an estimate of the net income and to compute and levy the amount of the tax due under this act from any available information, and in such case 25 per cent of the tax (in addition to the amounts added under the provisions of paragraph (1) of this subsection) shall be added to the tax and shall be due and payable upon notice and demand from the commissioner.

(b) Additions to the Tax in Case of Deficiencies.

(1) Neglect.—If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, 5 per cent of the total amount of the deficiency (in addition to such deficiency and other additions provided in this section) shall be assessed, collected, and paid in the same manner as if it were a deficiency.

(2) Fraud.—If any part of any deficiency is due to fraud with intent to evade tax, then 50 per cent of the total amount of the deficiency (in addition to such deficiency and other additions provided in this section) shall be assessed, collected and paid in the same manner as if it were a deficiency.

(c) Interest.

(1) General Rule.—If the tax imposed by this act (whether determined by the commissioner or the taxpayer) or any installment or portion thereof is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax interest upon such unpaid amount at the rate of 6 per cent per year from the date prescribed for its payment until it is paid.

(2) Interest in Case of an Extension.—If the time for the payment of the tax or any installment thereof is extended under the provisions of section 13 of this act, there shall be collected as part of such tax interest thereon at the rate of 6 per cent a year from the date upon which such payment should have been made if no extension had been granted until the date the tax is paid.

(3) Interest on Deficiencies.—Interest upon the amount determined as a deficiency shall be assessed and paid at the same time as the deficiency at the rate of 6 per cent per year from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed.

(4) Interest where Taxes not Paid within Ten Days of Notice and Demand.—Where a deficiency, or any interest or additional amounts assessed in connection therewith under subsections (a)(1) and (b) and (c)(3) of this section, or any addition to the tax in case of delinquency provided for in subsection (a)(1) and (2) of this section, is not paid in full within ten days from the date of notice and demand from the commissioner, there shall be collected as a part of the tax, interest upon the unpaid amount at the rate of 6 per cent a year from the date of such notice and demand until it is paid. If any part of such amount prorated to any unpaid installment is not paid in full on or before the date prescribed for the payment of such installment, there shall be collected as a part of the tax, interest

upon the unpaid amount at the rate of 6 per cent a year from such date until it is paid.

Amendment No. 11.

On page 19, line 23, of the printed bill, strike out "9", and insert in lieu thereof the numeral "10".

Amendment No. 12.

On page 20, line 43, of the printed bill, strike out "10", and insert in lieu thereof the numeral "11".

Amendment No. 13.

On page 22 of the printed bill, between lines 10 and 11, insert the following: "Where before the expiration of the time prescribed in this section for the assessment of the tax, both the commissioner and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon."

Amendment No. 14.

On page 22, line 18, of the printed bill, strike out "11", and insert in lieu thereof the numberal "12".

Amendment No. 15.

On page 22 of the printed bill, strike out that portion of line 45 following the word "notice,"; strike out all of lines 46 and 47, and strike out that portion of line 48 preceding the words "the commissioner's".

Amendment No. 16.

On page 23, line 45, of the printed bill, strike out "12", and insert in lieu thereof the numeral "13".

Amendment No. 17.

On page 25, line 15, of the printed bill, strike out "13", and insert in lieu thereof the numeral "14".

Amendment No. 18.

On page 26 of the printed bill, strike out that portion of line 12 following the word "tax", and strike out all of line 13, except the period.

Amendment No. 19.

On page 26, line 14, of the printed bill, strike out "14", and insert in lieu thereof the numeral "15".

Amendment No. 20.

On page 26, line 52, of the printed bill, after the word "for", and before the word "taxes", insert the words "net income".

Amendment No. 21.

On page 27, line 1, of the printed bill, after the word "on", and before the word "income", insert the word "net".

Amendment No. 22.

On page 27, line 6, of the printed bill, after the word "country", and before the word "bears", insert the following: "and also taxable under this act".

Amendment No. 23.

On page 27, line 18, of the printed bill, strike out "15", and insert in lieu thereof the numeral "16".

Amendment No. 24.

On page 27, line 29, of the printed bill, after "otherwise.", and before the word "The", insert the following: "Within 30 days after receiving a request for a certificate, the commissioner shall either issue the certificate or notify the person requesting the certificate of the amount of tax that must be paid or the amount of bond, deposit or other security that must be furnished as a condition of issuing the certificate."

Amendment No. 25.

On page 28, line 5, of the printed bill, after the word "trust." and before the words "the tax", insert the following: "notices proposing to assess"; strike out the word "assessed", and insert in lieu thereof the word "mailed".

Amendment No. 26.

On page 28 of the printed bill, strike out all that portion of line 10 following the word "thereof"; strike out all of lines 11 to 24, both inclusive, and strike out all of line 25 except the period.

Amendment No. 27.

On page 28, line 35, of the printed bill, strike out "16", and insert in lieu thereof the numeral "17".

Amendment No. 28.

On page 28, line 38, of the printed bill, after the word "Decedents", and before the period, insert the following: "and Grantors, Assessment and Collection of Tax from Persons Secondarily Liable Therefor."

Amendment No. 29.

On page 28, line 45, of the printed bill, after the word "thereon," and before the word "shall", insert the words "on the income of any taxpayer".

Amendment No. 30.

On page 28, line 46, of the printed bill, strike out "any", and insert in lieu thereof the word "the".

Amendment No. 31.

On page 28, line 51, of the printed bill, after the word "thereof", and before the period, insert the following: "; provided, however, that the commissioner may at any time release all or any portion of such property from the lien if he determines that the continuance of the lien on such property or any portion thereof is unnecessary to the collection of the taxes on the income of the decedent."

Amendment No. 32.

On page 28 of the printed bill, after line 51, add the following as separate paragraphs:

"(b) Upon recording an abstract of judgment, or a copy thereof, with the county recorder of any county for any taxes due from the grantor or beneficiary of a trust on income of the trust, which is taxable to the grantor or beneficiary under the provisions of subsections (c), (d), (g) or (h) of section 12, the amount of such taxes shall constitute a lien upon all property of the trust in such county owned by it or which it may afterwards and before the lien expires acquire, which lien shall have the force, effect and priority of a judgment lien.

(c) The taxes imposed by this act upon any taxpayer for which any person other than the taxpayer is liable may be assessed against such person in the same manner as is provided in section 19 for the assessment of deficiencies and may be assessed at any time within which deficiency assessments may be made against the taxpayer. The provisions of section 28 and other provisions of this act respecting the collection of taxes shall apply to the collection of such taxes from such person to the same extent and with the same force and effect as though such person were the taxpayer."

Amendment No. 33.

On page 29 of the printed bill, strike out lines 1 to 52, both inclusive

Amendment No. 34.

On page 30 of the printed bill, strike out lines 1 to 23, both inclusive.

Amendment No. 35.

On page 30, line 24, of the printed bill, strike out "17", and insert in lieu thereof the numeral "18"

Amendment No. 36.

On page 31, line 22, of the printed bill, strike out "18", and insert in lieu thereof the numeral "19".

Amendment No. 37.

On page 31, line 33, of the printed bill, strike out "19", and insert in lieu thereof the numeral "20".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1245—An act to amend sections 4, 6, 8, 9, 12, 13, 14, 19, 20, 21, 23, 25, 27, 30 and 32 of, and to add a new section to be numbered 13 (a) to, the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations.

Committee Amendments to Assembly Bill No. 1245.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "19, 20, 21," and after the numeral "23," insert the numeral "24,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the numeral "30", insert ", 31, 32"; strike out "32", and insert in lieu thereof the numeral "33"

Amendment No. 3.

On page 5, line 11, of the printed bill, after "erty", and before the words "to be allowed", insert the following: "used in the trade or business"

Amendment No. 4.

On page 5, line 27, of the printed bill, after the word "sections", insert "23(m),"

Amendment No. 5.

On page 5 of the printed bill, between lines 46 and 47, insert the following

"(i) In the case of a bank or corporation, contributions or gifts made within the taxable year to or for the use of a corporation, trust, community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes or the prevention of cruelty to children (but only if such contributions are gifts are to be used within the United States exclusively for such purposes), no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation: to an amount which does not exceed 5 per cent of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner."

Amendment No. 6.

On page 5, line 47, of the printed bill, strike out "(i)", and insert in lieu thereof the letter "(j)".

Amendment No. 7.

On page 6, line 9, of the printed bill, strike out "(j)", and insert in lieu thereof the letter "(k)".

Amendment No. 8.

On page 6, line 18, of the printed bill, strike out "(k)", and insert in lieu thereof the letter "(l)".

Amendment No. 9.

On page 6 of the printed bill, strike out all that portion of line 28 following the word "expenses"; strike out all of lines 29 to 31, both inclusive, and insert in lieu thereof the following: "the amounts returned to their patrons, whether members or nonmembers, upon the basis of the purchases or sales or both made by or for them"

Amendment No. 10.

On page 6, line 32, of the printed bill, strike out "(l)", and insert in lieu thereof the letter "(m)".

Amendment No. 11.

On page 6, line 33, of the printed bill, strike out "all", and strike out all of lines 34 to 36, both inclusive, and insert in lieu thereof the following "the amounts returned to their patrons, whether members or nonmembers, upon the basis of the business activities carried on by or for them."

Amendment No. 12.

On page 6, line 37, of the printed bill, strike out "(m)", and insert in lieu thereof the letter "(n)".

Amendment No. 13.

On page 6 of the printed bill, between lines 47 and 48, insert the following:

"(o) If a bank or corporation is allowed a deduction under this section for an obligation and is subsequently discharged from liability therefore without having made full payment thereof, the amount of such obligation shall constitute income to the bank or corporation in the year in which the liability is discharged. If an obligation is not paid within four years of the date on which incurred, it shall be presumed that the bank or corporation has been discharged from liability therefore unless it can be established that (1) the obligation was incurred in good faith, (2) the bank or corporation still intends to satisfy the obligation in full, and (3) the obligation has not been paid either because the bank or corporation was financially unable to make payment or because it was unable to locate the creditor, or because the obligation is not due."

Amendment No. 14.

On page 9 of the printed bill, strike out all that portion of line 26 following "A"; strike out all of line 27; strike out all that portion of line 28 preceding "this State"; and insert in lieu thereof the following: "corporation which incorporates or organizes under the laws of this State or qualifies to do business"

Amendment No. 15.

On page 9, line 30, of the printed bill, strike out the words "bank or".

Amendment No. 16.

On page 9 of the printed bill, strike out all of line 33, strike out the words "days after the close of" in line 34, and insert in lieu thereof the following: "(c) If a bank or corporation commences to do business in this State during".

Amendment No. 17.

On page 9, line 38, of the printed bill strike out "Said", and insert in lieu thereof the word "The", after the word "return", and before the words "shall also", insert the words "for the first taxable year which shall be filed within two months and 15 days after the close of that year.".

Amendment No. 18.

On page 9 of the printed bill, strike out all that portion of line 45 following the word "year"; strike out all of line 46 and insert in lieu thereof the following "a tax based on the income for the first taxable year computed under the law and at the rate applicable to the second taxable year, the"

Amendment No. 19.

On page 9 of the printed bill, strike out all that portion of line 49 preceding the words "for that year"

Amendment No. 20.

On page 10 of the printed bill, strike out all of lines 8 to 12, both inclusive.

Amendment No. 21.

On page 10, line 18, of the printed bill, strike out "b", and insert in lieu thereof "c".

Amendment No. 22.

On page 10, line 22, of the printed bill, strike out "(b)."

Amendment No. 23.

On page 10, line 33, of the printed bill, strike out "(b).".

Amendment No. 24.

On page 10, line 40 of the printed bill, strike out "(b),".

Amendment No. 25.

On page 10, line 42, of the printed bill, strike out "or con-".

Amendment No. 26.

On page 10 of the printed bill, strike out all that portion of line 43 preceding the words "of this", and insert in lieu thereof the following: "of a bank or corporation as defined in subdivision (h)".

Amendment No. 27.

On page 10 of the printed bill, strike out all of lines 45 to 52, both inclusive, and insert in lieu thereof the following

"(h) Where, pursuant to a reorganization of a bank or corporation, all or a portion of the business or property of a bank or corporation, a party to the reorganization is transferred to another bank or corporation, a party to the reorganization, the income of the transferor from the business or property so transferred for the taxable year in which the transfer occurs and for the preceding taxable year, if at the time of the transfer the transferor has not become subject to a tax measured by such income, shall be included in the measure of the tax on the transferee. The transferee shall, pursuant to the provisions of sections 4 and 26 of this act, be entitled to the same offset against said tax as would have been allowed the transferor had the reorganization not occurred.

(i) If the taxable year of the transferee is the same as the taxable year of the transferor, the income of the transferor, which pursuant to subdivision (h) is included in the measure of the tax of the transferee, shall be reported by the transferee at the same time as the transferor would have been required to report such income had the reorganization not occurred and had the transferor continued in business; the tax measured by such income shall be due and payable from the transferee at the same time it would have been due and payable from the transferor. If the taxable year of the transferee is different from the taxable year of the transferor, such income shall be reported by the transferee at the same time the transferor would have been required to report such income had the reorganization not occurred and had the transferor changed its taxable year to a taxable year ending at the same time as that of the transferee; the tax measured by such income shall be due and payable from the transferee at the same time as it would have been due and payable from the transferor."

Amendment No. 28.

On page 11 of the printed bill, strike out all of lines 1 to 3, both inclusive, strike out all of line 4 except the word "The", and insert in lieu thereof "(j)"

Amendment No. 29.

On page 11, line 11, of the printed bill, after the word "effected", and before the period insert the following: ", or (4) a merger or consolidation"

Amendment No. 30.

On page 11 of the printed bill, strike out all of lines 16 to 52

Amendment No. 31.

On page 12 of the printed bill, strike out all of lines 1 to 12, both inclusive

Amendment No. 32.

On page 12, line 13, of the printed bill, strike out "(m)", and insert in lieu thereof "(k)".

Amendment No. 33.

On page 12, line 36, of the printed bill, strike out "(n)", and insert in lieu thereof "(l)".

Amendment No. 34.

On page 13, line 4, of the printed bill, strike out "(o)", and insert in lieu thereof "(m)".

Amendment No. 35.

On page 13, line 10, of the printed bill, strike out "(b)", and insert in lieu thereof "(c)".

Amendment No. 36.

On page 13, line 18, of the printed bill, strike out "(p)", and insert in lieu thereof "(n)".

Amendment No. 37.

On page 13, line 22, of the printed bill, strike out "(q)", and insert in lieu thereof "(o)".

Amendment No. 38.

On page 16 of the printed bill, strike out all of lines 35 to 52, both inclusive.

Amendment No. 39.

On page 17 of the printed bill, strike out all of lines 1 to 50, both inclusive.

Amendment No. 40.

On page 18 of the printed bill, strike out lines 1 to 3, both inclusive.

Amendment No. 41.

On page 18, line 4, of the printed bill, strike out "12", and insert in lieu thereof the numeral "9".

Amendment No. 42.

On page 19 of the printed bill, strike out all of lines 11 to 30, both inclusive, and insert in lieu thereof the following:

"All taxes and interest imposed under this act must be paid to the commissioner in the form of remittances payable to the Franchise Tax Commissioner, and he shall transmit such payments daily to the State Treasurer.

All moneys received by the State Treasurer shall be deposited by him in a special fund in the State Treasury, to be designated the bank and corporation franchise tax fund, and moneys in said fund shall, upon the order of the State Controller, be transferred into the general fund of the State, or drawn therefrom for the purpose of refunding to taxpayers hereunder.

SEC. 10. Section 24 of said act is hereby amended to read as follows:

Sec. 24. (a) If any taxpayer fails to make and file a return required by this act on or before the due date of the return or the due date as extended by the commissioner, then unless it is shown that such failure is due to reasonable cause and not due to wilful neglect, five per cent of the tax shall be added to the tax for each 30 days or fraction thereof elapsing between the due date of the return and the date on which filed, but the total addition shall not exceed 25 per cent of the tax. The amount so added to the tax shall be due and payable upon notice and demand from the commissioner.

If any taxpayer, upon notice and demand by the commissioner, fails or refuses to make and file a return required by this act, the commissioner is authorized to make an estimate of the net income and to compute and levy the amount of the tax due under this act from any available information, and in such case 25 per cent of the tax (in addition to the amounts added under the provisions of paragraph (1) of this subsection) shall be added to the tax and shall be due and payable upon notice and demand from the commissioner.

(b) If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, 5 per cent of the total amount of the deficiency (in addition to such deficiency and other additions provided in this section) shall be assessed, collected, and paid in the same manner as if it were a deficiency.

If any part of any deficiency is due to fraud with intent to evade tax, then 50 per cent of the total amount of the deficiency (in addition to such deficiency and other additions provided in this section) shall be assessed, collected and paid in the same manner as if it were a deficiency.

(c) If the tax imposed by this act (whether determined by the commissioner or the taxpayer) or any installment or portion thereof is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax interest upon such unpaid amount at the rate of 6 per cent per year from the date prescribed for its payment until it is paid.

If the time for the payment of the tax or any installment thereof is extended by the commissioner, there shall be collected as part of such tax interest thereon at the rate of 6 per cent a year from the date upon which such payment should have been made if no extension had been granted until the date the tax is paid.

Interest upon the amount determined as a deficiency shall be assessed and paid at the same time as the deficiency at the rate of 6 per cent per year from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed.

Where a deficiency, or any interest or additional amounts assessed in connection therewith, or any addition to the tax in case of delinquency provided for in subsection (a) of this section, is not paid in full within ten days from the date of notice and demand from the commissioner, there shall be collected as a part of the tax, interest upon the unpaid amount at the rate of 6 per cent a year from the date of such notice and demand until it is paid."

Amendment No. 43.

On page 19, line 31, of the printed bill, strike out "13", and insert in lieu thereof the numeral "11".

Amendment No. 44.

On page 20 of the printed bill, between lines 42 and 43, insert the following.

"Where before the expiration of the time prescribed in this section for the assessment of the tax, both the commissioner and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon."

Amendment No. 45.

On page 21, line 30, of the printed bill, strike out "14", and insert in lieu thereof the numeral "12".

Amendment No. 46.

On page 22 of the printed bill, strike out that portion of line 6 following the word "notice,"; strike out all of line 7 and 8, and strike out that portion of line 9 preceding the words "the commissioner's"

Amendment No. 47.

On page 22, line 45, of the printed bill, strike out "Controller of the State", and insert in lieu thereof the word "commissioner".

Amendment No. 48.

On page 23, line 7, of the printed bill, strike out "15", and insert in lieu thereof the numeral "13".

Amendment No. 49.

On page 24 of the printed bill, between lines 48 and 49, insert the following.

"SEC. 14. Section 31 of said act is hereby amended to read as follows.

Sec. 31. At any time within three years after the delinquency of any tax, penalties, and interest, or any installment thereof, the commissioner may bring an action in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California to collect the amount delinquent, together with penalties, and interest, and such action shall be tried in the county of Sacramento unless the court, with the consent of the Attorney General, orders a change of place of trial. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure, relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings, herein provided for. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the commissioner showing the delinquency shall be prima facie evidence of the levy of the tax, penalties, and interest, of the delinquency and of compliance by the commissioner and the State Board of Equalization with all the provisions of this act in relation to the computation and levy of the tax

At any time within which an action can be brought to collect any delinquent amounts as provided in the preceding paragraph, the commissioner may collect the tax, together with penalties and interest, in the following manner: The commissioner shall seize any property, real or personal, owned by the bank or corporation against whom the tax is assessed, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest, and any penalty or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale Notice of such intended sale and the time and place thereof, shall be given to such delinquent bank or corporation and to all persons appearing of record to have an interest in such property, in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to said bank or corporation at its last known place of business in this State if any, and, in the case of any person

appearing of record to have an interest in such property, addressed to such person at the last known place of residence, if any, and depositing the same in the United States Mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said ten-day period The said notice shall contain a description of the property to be sold, together with a statement of the amount of the taxes, interest, penalties and costs, the name of the bank or corporation, and the further statement that, unless such taxes, interest, penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice

At any such sale, the property shall be sold by said commissioner or his duly authorized agent in accordance with law and said notice, and the commissioner shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of said bank or corporation. If, upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs due the State from such bank or corporation, any such excess shall be returned to the bank or corporation and a receipt therefor obtained; provided, however, that if any person having an interest in or lien upon the property has filed with the commissioner prior to any such sale notice of such interest or lien the commissioner shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction.

If, for any reason, the receipt of such bank or corporation shall not be available, the commissioner shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such bank or corporation or its successor through reorganization, merger, or consolidation, or its stockholders upon dissolution

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the commissioner shall be or be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act."

Amendment No. 50.

On page 24, line 49, of the printed bill, strike out '16', and insert in lieu thereof the numeral '15'

Amendment No. 51.

On page 26, line 7, of the printed bill strike out 'Controller', and insert in lieu thereof the word 'commissioner"

Amendment No. 52.

On page 26 of the printed bill, strike out lines 34 and 35, and insert in lieu thereof the following:

"SEC. 16. Section 33 of said act is hereby amended to read as follows

Sec. 33. Any bank or corporation which has suffered the suspension or forfeiture provided for in the preceding section may be relieved therefrom upon making application therefor in writing to the commissioner and upon payment of the tax and the interest and penalties for nonpayment of which the suspension or forfeiture occurred, together with all other taxes, deficiencies, interest and penalties due under the act, and upon the issuance by the commissioner of a certificate of revivor. Application for such certificate on behalf of any domestic bank or corporation which has suffered such suspension may be made by any stockholder or creditor or by a majority of the surviving trustees or directors thereof, application for such certificate may be made by any foreign bank or corporation which has suffered such forfeiture or by any stockholder or creditor thereof

Before such certificate of revivor is issued by the commissioner he shall obtain from the Secretary of State an endorsement upon such application of the fact that the name of such bank or corporation is not one which is likely to mislead the public or which is the same as, or resembles so closely as to tend to deceive, the name of a foreign or domestic bank or corporation which is authorized to transact business in this State or a name which is under reservation. If the name of such bank or corporation is one which is likely to mislead the public or is the same as, or resembles so closely as to tend to deceive, the name of a foreign or domestic bank or corporation which is authorized to transact business in this State, or a name which is under reservation, the Secretary of State shall not endorse such statement upon such application until the bank or corporation therein named, if it be a domestic bank or corporation, files in his office amended articles of incorporation changing its name, or, if it be a foreign bank or corporation, files in his office a copy of such document changing its name as may be required by the law of the State or other jurisdiction under which it was incorporated, which copy

shall be certified in the manner prescribed by section 405 of the Civil Code. Upon the issuance of such certificate by the commissioner the bank or corporation therein named shall become reinstated but such reinstatement shall be without prejudice to any action, defense or right which has accrued by reason of the original suspension or forfeiture. The certificate of revivor shall be prima facie evidence of such reinstatement and such certificate may be recorded in the office of the county recorder of any county of this State

SEC. 17. The provisions of this act effecting changes in the computation of taxes imposed by the Bank and Corporation Franchise Tax Act shall be applied only in the computation of the taxes for taxable years commencing after December 31, 1937. The remaining provisions of this act shall become effective on the effective date of this act."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1676—An act to add three new sections to the School Code to be numbered 1.120a, 5.64 and 5.95, and to add to Chapter II of Part IV of Division II of the School Code a new article to be known as Article VIII, relating to the testing of hearing and sight of pupils in the schools of the public school system

Committee Amendment to Assembly Bill No. 1676.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 10, of the printed bill, after the word "district", insert the following: "or by contract with a duly authorized agency."

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1—An act to amend sections 2, 2½, 3, 4, 14, 17 and 18, to add sections 4½, 5, and 25, and to repeal section 8 of the Old Age Security Act of the State of California, relating to aid to the aged.

Committee Amendments to Assembly Bill No. 1.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "17 and 18", and insert in lieu thereof the following: "16, 17, 18, 18½, and 24".

Amendment No. 2.

On page 1, line 6, of the printed bill, following the semicolon, insert the following: "provided, however, that registration as a voter shall be accepted as prima facie evidence of citizenship;".

Amendment No. 3.

On page 2, line 19, of the printed bill, after the word "hospital", insert the following "not exceeding 30 days in duration".

Amendment No. 4.

On page 2, line 23, of the printed bill, strike out "definite", and strike out the comma after the word "time".

Amendment No. 5.

On page 3 of the printed bill, strike out lines 23 to 27, inclusive

Amendment No. 6.

On page 3, line 41, of the printed bill, after the word "firewood", insert the following: "or water".

Amendment No. 7.

On page 3, line 43, of the printed bill, strike out "of wearing apparel", and insert in lieu thereof the following: "other than regular contributions by relatives legally responsible under this act".

Amendment No. 8.

On page 3, line 46, of the printed bill, following the word "granted", insert the following: "or paid to any person the assessed value of whose real property, as assessed by the assessor of the county or city and county, or, if married, the assessed value of the combined real property of the husband and wife, as assessed by the assessor of the county or city and county, at the time such person makes application for aid exceeds $3,000, nor shall any such aid be granted or paid"

Amendment No. 9.

On page 4, line 3, of the printed bill, following the word "policy", insert the following: "or policies".

Amendment No. 10.

On page 4, line 4, of the printed bill, after the word "has", insert the following: "or have".

Amendment No. 11.

On page 4 of the printed bill, strike out lines 5, 6 and 7, and insert in lieu thereof the following: "the date of application, if the value of the policy or policies at maturity is in an amount".

Amendment No. 12.

On page 4 of the printed bill, strike out lines 30 to 51, inclusive, and on page 5, strike out lines 1 to 7, inclusive.

Amendment No. 13.

On page 5, line 8, of the printed bill, strike out "Sec 6", and insert in lieu thereof the following: "Sec. 5".

Amendment No. 14.

On page 5, line 11, of the printed bill, after the word "person," insert the following: "the board of supervisors shall request".

Amendment No. 15.

On page 5, line 13, of the printed bill, strike out "may maintain an action", and strike out line 14, and insert in lieu thereof the following: "to proceed against the kindred in the order of their responsibility to support. Upon such demand the district attorney or other civil legal officer of the county or city and county granting aid shall, on behalf of said county or city and county, maintain an action, in the superior court of the county or city and county granting such aid, against said relatives, in the order named, to recover for said county or city and county such por-".

Amendment No. 16.

On page 5, line 17, of the printed bill, following the word "state", strike out "and"; strike out lines 18 and 19, and insert in lieu thereof the following: "in proportion to the contributions of the county or city and county and the State".

Amendment No. 17.

On page 5, line 23, of the printed bill, strike out "Sec 7", and insert in lieu thereof the following: "Sec 6".

Amendment No. 18.

On page 5, line 30, of the printed bill, strike out "sixty", and insert in lieu thereof the following: "ninety".

Amendment No. 19.

On page 5, line 32, of the printed bill, strike out "and an entry to that effect", strike out line 33, and insert in lieu thereof a period and the following: "Such extension shall be subject to the approval of the State Department of Social Welfare.".

Amendment No. 20.

On page 5, line 34, of the printed bill, strike out "within sixty days after", and insert in lieu thereof the following: "upon".

Amendment No. 21.

On page 5, line 45, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "but in no event shall the aid commence prior to the date of application."

Amendment No. 22.

On page 6, line 4, of the printed bill, after the word "monthly", insert the following: "in advance".

Amendment No. 23.

On page 6 of the printed bill, strike out lines 5 and 6, and insert in lieu thereof the following: "city and county. Such pay-".

Amendment No. 24.

On page 6, line 7, of the printed bill, strike out "in check or in cash", and insert in lieu thereof the following: "by warrant".

Amendment No. 25.

On page 6, line 14, of the printed bill, strike out "selected by the applicant", and insert in lieu thereof the following: "acceptable to the recipient".

Amendment No. 26.

On page 6, line 28, of the printed bill, strike out "Sec. 8", and insert in lieu thereof the following: "Sec. 7".

Amendment No. 27.

On page 6, line 35, of the printed bill, strike out "Sec. 9", and insert in lieu thereof the following: "Sec. 8".

Amendment No. 28.

On page 6 of the printed bill, following line 45, insert the following:

"SEC. 9. Section 18½ of the act cited in the title hereof is hereby amended to read as follows:

Sec. 18½. Any person qualified for and receiving aid hereunder, in any county or city and county of the State, who removes to another county or city and county in the State, shall be entitled to aid under the provisions of this act after one year of residence in the county or city and county to which he has removed; and the removal of any person receiving aid hereunder from one county or city and county to another within this State shall not work a forfeiture during such one year period of the aid previously awarded under this act The county to which such person has removed shall provide the necessary medical and/or hospital care if needed during the one year period of establishment of residence under this section. The county providing such medical and/or hospital care may demand payment of the county granting the aid in an amount not in excess of the cost thereof and it shall be a proper charge and the duty of the county granting the aid under the provisions of this section to pay such medical and/or hospital charges."

Amendment No. 29.

On page 5 of the printed bill, strike out lines 36 to 43, inclusive, and in line 44, strike out "herein provided.", and insert in lieu thereof the following: "any If any applicant or recipient is dissatisfied with the action of the board of supervisors with respect to his application or receipt of aid, he shall upon filing a petition with the State Department of Social Welfare have the right of appeal and be accorded an opportunity for a fair hearing. The Chief of the Division for the Aged in the State Department of Social Welfare shall set such appeal for hearing before the State Social Welfare Board and shall give all parties concerned written notice of the time and place of such hearing. At such hearing the applicant or recipient may appear in person and/or by counsel of his own choosing.

The State Social Welfare Board shall consider the appeal, and shall dismiss the appeal or award aid as prescribed in this act. The county board of supervisors shall then pay to such aged person the sum awarded, if any, by the State Social Welfare Board."

Amendment No. 30.

On page 6 of the printed bill, strike out lines 46 to 51, inclusive, and insert in lieu thereof the following:

"SEC. 10. Section 16 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 16. The State Department of Social Welfare shall have the power to and shall prescribe the form of application, the manner and form of all reports and such additional rules and regulations as are necessary for the carrying out of the provisions of this act, and not inconsistent therewith. Such rules and regulations shall be binding upon the boards of supervisors of the various counties and cities and counties.

SEC. 11. Section 24 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 24. During such times as grants in aid are provided or made available to the States by the United States Government as assistance to aged persons, the Governor of the State of California is hereby authorized and empowered to enter into and execute on behalf of this State all necessary agreements in connection therewith which may be required by the United States Government Any money refunded under the provisions of section 10 of this act shall be repaid to the county or city and county, to the State and to the United States Government in the following proportions: One-half to the United States Government and the remainder equally to the county or city and county and the State

SEC. 12. Section 25 is hereby added to the act cited in the title hereof to read as follows:

Sec. 25. No person receiving aid under the provisions of this act shall be deemed a pauper by reason thereof.

SEC. 13. Section 8 of the act cited in the title hereof is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1342—An act to amend section 52 of the Public Utilities Act.

Committee Amendments to Assembly Bill No. 1342.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "Act", and insert in lieu thereof the following: "Act, relating to financial transactions of public utilities"

Amendment No. 2.

On page 1 of the printed bill, strike out line 20, and insert in lieu thereof the following: "of its obligations, or for the reorganization or readjustment of its indebtedness or capitalization upon a merger, consolidation or other reorganization, or for the retirement of or in exchange for one or more outstanding stocks or stock certificates or other evidence of interest or ownership of such public utility, or bonds, notes or other evidence of indebtedness of such public utility, with or without the payment of cash, or for the reimbursement of moneys actually"

Amendment No. 3.

On page 2 of the printed bill, between lines 12 and 13, insert the following:

"Subject to the foregoing and subsequent provisions of this section any public utility may issue bonds or other interest bearing securities maturing at periods of more than twelve months after the date thereof, and may issue one or more classes of preferred stock which may have attached thereto warrants entitling the holder thereof to subscribe for shares of common stock in such amounts, at such future date or dates, at such price or prices and on such terms and conditions as may be specified in said warrants: such bonds, or other interest bearing obligations and such preferred stock also may be issued with provision therein that the same may be converted into shares of common stock in such amounts, at such future date or dates, at such price or prices and on such terms and conditions as may be specified in such bonds or other interest bearing obligations or in the certificates representing such preferred stock."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2345—An act to amend section 1343 of the Fish and Game Code, relating to seals and sea lions.

Committee Amendment to Assembly Bill No. 2345.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out the word "human", and insert in lieu thereof the following: "humane".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2547—An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn

Committee Amendment to Assembly Bill No. 2547.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "2 and 2½", and insert in lieu thereof the following: "1½, 2, 2½ and 3".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2762—An act to amend section 698 of the Fish and Game Code, relating to black bass.

Committee Amendment to Assembly Bill No. 2762.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "May 1", and insert in lieu thereof the following: "May 29".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2186—An act to amend section 713 of the Fish and Game Code, relating to taking white bass

Committee Amendment to Assembly Bill No. 2186.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 3, of the printed bill, after the period, insert the following "White sea bass (cynoscion nobilis) may be taken with hook and line at any time There shall be a bag limit on white sea bass of five per day between July 1st and August 31st."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2187—An act to amend section 717 5 of the Fish and Game Code, relating to the possession limit on boat of yellowtail, white sea bass or barracuda.

Committee Amendment to Assembly Bill No. 2187.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 3, of the printed bill, after the period, insert the following 'It is unlawful between May 1st and August 31st for any person to have in possession on any boat, barge or vessel, more than 500 pounds of yellowtail, 500 pounds of white sea bass or 500 pounds of barracuda, per person. Between May 1st and August 31st, not more than 2500 pounds of yellowtail, barracuda or white sea bass may be possessed on any boat, barge or vessel at any one time. It is unlawful for anglers to take more than five barracuda per day between May 1st and June 30th, or to take more than five yellowtail per day between June 1st and July 31st or to take more than five white sea bass per day between July 1st and August 31st."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2188—An act to amend section 731 of the Fish and Game Code, relating to taking barracuda.

Committee Amendment to Assembly Bill No. 2188.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 3, of the printed bill, after the period, insert the following "Barracuda not less than three pounds in weight may be taken with hook and line at any time. It is unlawful between May 1st and June 30th for any person to take more than five barracuda per day."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2189—An act to amend section 733.5 of the Fish and Game Code, relating to taking of yellowtail

Committee Amendment to Assembly Bill No. 2189.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 3, of the printed bill, after the period insert the following:

"Yellowtail may be taken with hook and line at any time. However, it is unlawful between June 1st and July 31st for any person to take more than five yellowtail per day."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2190—An act to amend section 867 and 868 of the Fish and Game Code, relating to the consumption, impooling and taking of yellowtail.

Committee Amendments to Assembly Bill No. 2190.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, strike out "867 and".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "867", and insert in lieu thereof the following:

"868. It is unlawful to use any net to take yellowtail, barracuda or white sea bass between June 1st and July 3d."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1496—An act to amend an act entitled "An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof: To recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10, of the Seventy-Third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately," approved June 11, 1935, by amending each section of said act, to add new sections to be numbered 22, 23 and 24, and to repeal sections 3a, 6a, 15a, 16a and 20a of said act and to provide for the execution of marketing agreements and the issuance of licenses by the Director of Agriculture regulating the handling of agricultural commodities in intrastate commerce, and to declare the urgency of this act, and that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1496.

The following amendments were submitted by the committee:

Amendment No. 1.

On pages 1 and 2 of the printed bill, strike out the last eight lines of the title, and insert in lieu thereof the following: "1935, by amending sections 1, 2, 3, 4, 5, 6, 6a, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of said act, to add a new section to be numbered 2a, and to repeal sections 3a, 16a, 20a, and 21 of said act and to provide for the execution of marketing agreements and the issuance of marketing orders by the Director of Agriculture regulating the handling of agricultural commodities in intrastate commerce, and to declare the urgency of this act, and that this act shall take effect immediately."

Amendment No. 2.

On page 2 of the printed bill, strike out line 36, and insert in lieu thereof the following: "State in growing for market".

Amendment No. 3.

On page 2 of the printed bill, strike out lines 38 to 40 inclusive.

Amendment No. 4.

On page 2, line 41, of the printed bill, strike out the parenthesized figure "(4)", and insert in lieu thereof the parenthesized figure "(3)".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 43 to 45, inclusive, and insert in lieu thereof the following:

"(4) 'To handle' means to market in intrastate commerce, any agricultural commodity, excepting the marketing of any agricultural commodity by a producer thereof to another person for the purpose of grading, processing, packing, or otherwise preparing such agricultural commodity for movement into the channels of trade."

Amendment No. 6.

On page 3 of the printed bill, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"(5) 'Marketing order' means an order issued by the Director of Agriculture, pursuant to this act, governing the handling of any agricultural commodity within this State."

Amendment No. 7.

On page 3, line 9, of the printed bill, strike out the parenthesized figure "(7)", and insert in lieu thereof the parenthesized figure "(6)".

Amendment No. 8.

On page 3, line 13, of the printed bill, strike out the parenthesized figure "(8)", and insert in lieu thereof the parenthesized figure "(7)".

Amendment No. 9.

On page 3, line 15, of the printed bill, strike out the parenthesized figure "(9)", and insert in lieu thereof the parenthesized figure "(8)".

Amendment No. 10.

On page 3, line 17, of the printed bill, strike out the parenthesized figure "(10)", and insert in lieu thereof the parenthesized figure "(9)".

Amendment No. 11.

On page 3, line 24, of the printed bill, strike out the parenthesized figure "(11)", and insert in lieu thereof the parenthesized figure "(10)".

Amendment No. 12.

On page 3, line 34, of the printed bill, strike out the parenthesized figure "(12)", and insert in lieu thereof the parenthesized figure "(11)".

Amendment No. 13.

On page 3 of the printed bill, strike out lines 40 to 44, inclusive, and insert in lieu thereof the following:

"SEC. 2a. A new section is hereby added to said act to read as follows:

Sec. 2a. The provisions of this act shall apply to agricultural commodities, as defined in section 2, provided the movement of such agricultural commodities into interstate commerce is regulated or controlled by marketing agreements or marketing orders executed or issued under laws of the United States.

SEC. 3. Section 3 of said act is hereby amended to read as follows:

Sec. 3. Subject to the provisions of this act, the director is hereby authorized and empowered to enter into marketing agreements with, issue marketing orders to, and enforce the provisions of such marketing agreements or marketing orders upon, persons engaged in".

Amendment No. 14.

On page 3, line 51, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 15.

On page 4, line 4, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 16.

On page 4, line 7, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 17.

On page 4, line 15, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 18.

On page 4, line 29, of the printed bill, strike out the word "representative".

Amendment No. 19.

On page 4, line 34, of the printed bill, strike out the words "Said plan may be operated", and insert in lieu thereof the words "The proposed marketing agreement or marketing order may be administered".

Amendment No. 20.

On page 4, line 38, of the printed bill, strike out the words "Said plan", and insert in lieu thereof the words "The proposed marketing agreement or marketing order".

Amendment No. 21.

On page 4, line 40, of the printed bill, strike out the words "Said plan", and insert in lieu thereof the words "The proposed marketing agreement or marketing order".

Amendment No. 22.

On page 4, line 42, of the printed bill, strike out the words "Said plan", and insert in lieu thereof the words "The proposed marketing agreement or marketing order".

Amendment No. 23.

On page 4, line 43, of the printed bill, strike out the words "agricultural commodities", and insert in lieu thereof the words "the particular agricultural commodity".

Amendment No. 24.

On page 4, line 44, of the printed bill, and continuing into line 45, strike out the word "commodities", and insert in lieu thereof the word "commodity".

Amendment No. 25.

On page 4, line 46, of the printed bill, strike out the word "commodities", and insert in lieu thereof the word "commodity".

Amendment No. 26.

On page 4, of the printed bill, strike out line 48, and insert in lieu thereof the following: "modity and to provide an adequate standard of living to the"

Amendment No. 27.

On page 4, line 51, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order"

Amendment No. 28.

On page 5, line 2, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 29.

On page 5, line 5, of the printed bill, strike out the word "licenses", and insert in lieu thereof the words "marketing orders".

Amendment No. 30.

On page 5, line 8, of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "6a".

Amendment No. 31.

On page 5 of the printed bill, strike out lines 11 to 13 inclusive and insert in lieu thereof the following: "size or quality thereof, which may be marketed, or transported to market, in intrastate commerce during any specified period or periods, by all handlers thereof."

Amendment No. 32.

On page 5, line 19, of the printed bill, strike out the words "at said", and insert in lieu thereof the words "in such".

Amendment No. 33.

On page 5 of the printed bill, strike out lines 27 and 28, and insert in lieu thereof the following: "which each handler may market or transport to market in intrastate commerce, during any specified period or periods, under a"

Amendment No. 34.

On page 5 of the printed bill, strike out lines 35 and 36, and insert in lieu thereof the following: "thereof, to be marketed or transported to market in intrastate commerce during any".

Amendment No. 35.

On page 5, line 48, of the printed bill, strike out the words and comma, "or product,".

Amendment No. 36.

On page 5, line 49, of the printed bill, after the word and comma "thereof," insert the following: "or the representative value of such commodity or of any grade, size, or quality thereof,".

Amendment No. 37.

On page 6, line 12, of the printed bill, after the word "agreement", insert the words "the amount".

Amendment No. 38.

On page 6, line 16 of the printed bill strike out the word and number "Section 7", and insert in lieu thereof the word and number "Section 6a"

Amendment No. 39.

On page 6 of the printed bill, strike out lines 18 to 24, inclusive, and insert in lieu thereof the following

"SEC. 6a (1) Marketing agreements executed and marketing orders issued under this act shall provide for the selection by the director, or a method

Amendment No. 40.

On page 6, line 28, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 41.

On page 6, line 31, of the printed bill, strike out the word "license" and insert in lieu thereof the words "marketing order"

Amendment No. 42.

On page 6, line 34, of the printed bill, strike out the word "license" and insert in lieu thereof the words "marketing order"

Amendment No. 43.

On page 6, line 36, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 44.

On page 6 of the printed bill, strike out lines 37 and 38, and insert in lieu thereof the following:

"(e) To collecting from each handler fees or assessments representing his pro-rata share of such".

Amendment No. 45.

On page 6 of the printed bill, strike out lines 46 to 51, inclusive, and insert in lieu thereof the following: "handler his pro-rata share of any unexpended balances which are not so required. The fees or assessments provided for herein shall not exceed 1½ per cent in the aggregate, of the gross dollar volume of sales of the agricultural commodity regulated, by such handler during the marketing season next preceding the execution of any marketing agreement or the issuance of any marketing order pursuant to this act.

(2) Marketing agreements executed and marketing orders issued under this act may:

(a) Prohibit unfair methods of competition and unfair trade practices in the handling of agricultural commodities regulated by such marketing agreements or marketing orders;

(b) Contain any other terms and conditions incidental to, and not inconsistent with, the terms and conditions specified in sections 6 and 6a, and necessary to effectuate the other provisions of such marketing agreement or marketing order"

Amendment No. 46.

On page 7, line 1, of the printed bill, strike out the word and figure "Section 8" and insert in lieu thereof the word and figure "Section 7"

Amendment No. 47.

On page 7, line 3, of the printed bill, strike out the figure "8", and insert in lieu thereof the figure "7".

Amendment No. 48.

On page 7 of the printed bill, strike out line 5, and insert in lieu thereof the following: "marketing agreement without issuing a marketing order, issue a marketing order".

Amendment No. 49.

On page 7, line 7, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 50.

On page 7, line 8, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 51.

On page 7, line 12, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 52.

On page 7, line 16, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 53.

On page 7 of the printed bill, strike out lines 19 to 24, inclusive, and insert in lieu thereof the following: "director, have been engaged in the production for market of the commodity regulated by such marketing order, or, (2) by producers who, during such representative period, have produced for market at least 65 per cent

of the volume of such commodity produced for market and regulated by such marketing order."

Amendment No. 54.

On page 7, line 29, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 55.

On page 7, line 34, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 56.

On page 8, line 1, of the printed bill, strike out the word and number "Section 9", and insert in lieu thereof the word and number "Section 8".

Amendment No. 57.

On page 8 of the printed bill, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following:

"SEC. 8. (1) Whenever a marketing order is issued hereunder to any member of a class of persons, an identical marketing order shall be issued to all members of the same class of persons.

(2) Upon the issuance of any marketing order or any amendment thereof, a notice of said marketing order or amendment shall be posted".

Amendment No. 58.

On page 8, line 12, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 59.

On page 8 of the printed bill, strike out line 16, and in lieu thereof insert the following: "said marketing order to all known persons subject thereto whose names and addresses".

Amendment No. 60.

On page 8, line 20, of the printed bill, strike out the word and number "Section 10", and insert in lieu thereof the word and number "Section 9".

Amendment No. 61.

On page 8, line 22, of the printed bill, strike out the number "10", and insert in lieu thereof the number "9"

Amendment No. 62.

On page 8, line 24, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 63.

On page 8, line 29, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 64.

On page 8, line 34, of the printed bill, strike out the comma and words ", or license", and insert in lieu thereof the words "or marketing order".

Amendment No. 65.

On page 8, line 39, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 66.

On page 8, line 42, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 67.

On page 8, line 46, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 68.

On page 8, line 47, of the printed bill, strike out the word and number "Section 11", and insert in lieu thereof the word and number "Section 10".

Amendment No. 69.

On page 8, line 49, of the printed bill, strike out the number "11", and insert in lieu thereof the figure "10".

Amendment No. 70.

On page 8, line 51, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 71.

On page 9, line 3, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 72.

On page 9, line 4, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 73.

On page 9, line 12, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 74.

On page 9, line 15, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 75.

On page 9, line 16, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 76.

On page 9, line 20, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 77.

On page 9, line 24, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 78.

On page 9, line 26, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 79.

On page 9, line 30, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 80.

On page 9, line 39, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 81.

On page 9, line 40, of the printed bill, strike out the number "9", and insert in lieu thereof the number "7".

Amendment No. 82.

On page 9, line 41, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 83.

On page 9, line 42, of the printed bill, strike out the word and number "Section 12", and insert in lieu thereof the word and number "Section 11".

Amendment No. 84.

On page 9, line 44, of the printed bill, strike out the number "12", and insert in lieu thereof the number "11".

Amendment No. 85.

On page 9 of the printed bill, strike out line 45, and insert in lieu thereof the following: "enforce all rules and regulations necessary or desirable".

Amendment No. 86.

On page 9 of the printed bill, strike out line 47, and insert in lieu thereof the following: "law. Every general rule or regulation of the director".

Amendment No. 87.

On page 9, line 52, of the printed bill, after the word "rule", strike out the comma.

Amendment No. 88.

On page 10, line 1, of the printed bill, strike out the words "regulation or order", and insert in lieu thereof the words "or regulation".

Amendment No. 89.

On page 10, line 2, of the printed bill, strike out the words "An order", and insert in lieu thereof the words "A rule or regulation".

Amendment No. 90.

On page 10, line 9, of the printed bill, strike out the word "order", and insert in lieu thereof the word "regulation".

Amendment No. 91.

On page 10 of the printed bill, strike out lines 13 to 30, inclusive, and in lieu thereof insert the following:

"SEC. 13. Section 12 of said act is hereby amended to read as follows:

Sec. 12. (1) All persons subject to a marketing agreement or marketing order executed or issued hereunder shall maintain books and records reflecting their operations under said marketing agreement or marketing order and shall furnish

to the Director of Agriculture, or his duly authorized or designated representative, such information as may be requested by them relating to operations under said marketing agreement and marketing order, and shall permit the inspection by said director or his duly authorized or designated representatives, of such portions of such books and records as relate to operations under the said marketing agreement and marketing order.

(2) Information obtained by any person hereunder shall be confidential and shall not be by him disclosed to any other person except in a court proceeding under this act, or to a person with like right to obtain such information, or any attorney representing the State or an administrative agency created hereunder, in connection with the execution or enforcement of this act or any marketing agreement or marketing order issued hereunder.

(3) For the purpose of carrying out the terms of this act the director may hold hearings, take testimony, administer oaths, subpena witnesses and issue subpenas for the production of relevant books, records or documents of any kind

(4) No person shall be excused from attending and testifying or from producing documentary evidence before the director in obedience to the subpena of the director on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture But no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may be so required to testify, or produce evidence, documentary or otherwise, before the director in obedience to a subpena issued by him; provided, that no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

SEC. 14. Section 13 of said act is hereby amended to read as follows

Sec 13. The director may confer and cooperate with the legally constituted authorities of other States and of the United States, in order to secure uniformity in the administration of Federal and State marketing agreements, statutes, or orders and in the regulations thereby prescribed, and said Director of Agriculture shall have power to conduct hearings jointly with the Secretary of Agriculture of the United States, and may exercise his powers under this act to effect such uniformity of administration and regulation not inconsistent with the provisions of this act.

SEC. 15. Section 14 of said act is hereby amended to read as follows

Sec. 14. (1) Every person who violates any provision of any marketing agreement or marketing order to which he is subject shall be guilty of a misdemeanor and on con-".

Amendment No. 92.

On page 10, line 37, of the printed bill, strike out the parenthesized number "(3)", and insert in lieu thereof the parenthesized number "(2)".

Amendment No. 93.

On page 10 of the printed bill, strike out lines 39 and 40, and insert in lieu thereof the following: "agreement executed, or marketing order issued, by the director, or any amendment thereto, or any rule or regulation duly made or promulgated thereunder,".

Amendment No. 94.

On page 10, line 48, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing agreement or marketing order".

Amendment No. 95.

On page 10, line 50, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing agreement or marketing order".

Amendment No. 96.

On page 10, line 51, of the printed bill, strike out the parenthesized number "(4)", and insert in lieu thereof the parenthesized number "(3)"

Amendment No. 97.

On page 11 of the printed bill, strike out lines 5 to 9 inclusive, and insert in lieu thereof the following: "visions of any marketing agreement or marketing order, or rule or regulation duly made or promulgated thereunder, to which he is subject."

Amendment No. 98.

On page 11, line 10, of the printed bill, strike out the parenthesized number "(5)", and insert in lieu thereof the parenthesized number "(4)".

Amendment No. 99.

On page 11, line 11, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 100.

On page 11, line 12, of the printed bill, strike out the parenthesized number "(3)", and insert in lieu thereof the parenthesized number "(2)".

Amendment No. 101.

On page 11, line 14, of the printed bill, strike out the parenthesized number "(6)", and insert in lieu thereof the parenthesized number "(5)".

Amendment No. 102.

On page 11, line 15, of the printed bill, strike out the number "16".

Amendment No. 103.

On page 11, line 28, of the printed bill, strike out the parenthesized number "(7)", and insert in lieu thereof the parenthesized number "(6)".

Amendment No. 104.

On page 11, line 29, of the printed bill, strike out the number "16".

Amendment No. 105.

On page 11, line 35, of the printed bill, strike out the abbreviated word and numeral "SEC. 15", and insert in lieu thereof the abbreviated word and numeral "SEC. 16".

Amendment No. 106.

On page 11, line 38, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 107.

On page 11, line 39, of the printed bill, strike out the number "7", and insert in lieu thereof the number "6a".

Amendment No. 108.

On page 11, line 47, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 109.

On page 12 of the printed bill, strike out lines 1 to 37, inclusive.

Amendment No. 110.

On page 12, line 38, of the printed bill, strike out the abbreviated word and number "Sec. 17", and insert in lieu thereof the parenthesized number "(3)".

Amendment No. 111.

On page 12, line 39, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 112.

On page 12, line 44, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 113.

On page 12, line 50, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 114.

On page 12 of the printed bill, strike out lines 51 and 52

Amendment No. 115.

On page 13 of the printed bill, strike out lines 1 to 7, inclusive

Amendment No. 116.

On page 13, line 8, of the printed bill, strike out the parenthesized number "(2)", and insert in lieu thereof the parenthesized number "(4)".

Amendment No. 117.

On page 13, line 14, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 118.

On page 13, line 16, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 119.

On page 13, line 17, of the printed bill, strike out the parenthesized number "(3)", and insert in lieu thereof the parenthesized number "(5)".

Amendment No. 120.

On page 13 of the printed bill, strike out lines 20 to 26, inclusive

Amendment No. 121.

On page 13, line 27, of the printed bill, strike out the words and numbers "SEC. 19. Section 19", and insert in lieu thereof "SEC. 17. Section 16".

Amendment No. 122.

On page 13, line 29, of the printed bill, strike out the number "19", and insert in lieu thereof the number "16".

Amendment No. 123.

On page 13, line 35, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 124.

On page 13, line 40, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 125.

On page 14 of the printed bill, strike out lines 3 to 14, inclusive, and insert in lieu thereof the following:

"(3) A common carrier, as such, operating over a regular route, or between fixed termini, shall not be criminally or civilly liable under this act for violation thereof by a consignor or consignee, where such common carrier accepts a shipment of an agricultural commodity without knowledge of the unlawful character of such shipment, and provided a record of every such shipment within or from this State is kept by such common carrier showing the date of shipment, character and quantity of shipment, origin and destination of such shipment, and the names of the consignor and consignee. Such records shall be open to inspection at all reasonable hours by or on the written order of the director."

Amendment No. 126.

On page 14, line 15, of the printed bill, strike out the words and numbers "SEC. 21. Section 21", and insert in lieu thereof the words and numbers "SEC 18. Section 17".

Amendment No. 127.

On page 14, line 17, of the printed bill, strike out the number "21", and insert in lieu thereof the number "17".

Amendment No. 128.

On page 14 of the printed bill, strike out lines 24 to 26, inclusive, and insert in lieu thereof the following:

"SEC. 19. Section 18 of said act is hereby amended to read as follows:

Sec. 18. Any marketing agreement or license, or both, and"

Amendment No. 129.

On page 14 of the printed bill, strike out lines 31 to 33, inclusive, and insert in lieu thereof the following: "for amendment and termination. The term "license", as it may appear elsewhere in this act, is deemed identical in meaning and application with the term "marketing order" as defined and used in these amendments, and shall be so construed in reading this act.

SEC. 20. Section 19 of said act is hereby amended to read as follows ".

Amendment No. 130.

On page 14, line 34, of the printed bill, strike out the number "23", and insert in lieu thereof the number "19".

Amendment No. 131.

On page 14, line 46, of the printed bill, strike out the word "licenses", and insert in lieu thereof the words "marketing orders".

Amendment No. 132.

On page 14 of the printed bill, strike out lines 49 and 50, and insert in lieu thereof the following:

"SEC. 21. Section 20 of said act is hereby amended to read as follows:".

Amendment No. 133.

On page 15, line 1, of the printed bill, strike out the number "24", and insert in lieu thereof the number "20".

Amendment No. 134.

On page 15 of the printed bill, strike out line 3, and in lieu thereof insert the following:

"SEC. 22. Section 3a of said act is hereby repealed "

Amendment No. 135.

On page 15 of the printed bill, strike out lines 4 and 5

Amendment No. 136.

On page 15, line 6, of the printed bill, strike out the number "28", and insert in lieu thereof the number "23".

Amendment No. 137.

On page 15, line 7, of the printed bill, strike out the number "29", and insert in lieu thereof the number "24".

Amendment No. 138.

On page 15 of the printed bill, after line 7, add a new line to read as follows "SEC. 25. Section 21 of said act is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2385—An act to repeal Articles 1, 3, and 5 and to amend Article 4 of Chapter 8, Division V of the Agricultural Code and to add a new article to be numbered 1 to Chapter 8, Division V of the Agricultural Code, all relating to eggs and egg products

Committee Amendments to Assembly Bill No. 2385.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 44, of the printed bill, after the word "development", strike out the semicolon and the word "may", and all of lines 45 and 46, and insert in lieu thereof a period.

Amendment No. 2.

On page 2, line 49, of the printed bill, after the word "development", strike out the semicolon, and the words "may contain not more", and all of line 50, and insert in lieu thereof a period.

Amendment No. 3.

On page 3, line 12, of the printed bill, after the word "the", strike out the words "Standards of quality of 'checks' ", and insert in lieu thereof the following: "quality of 'Standard checks' ".

Amendment No. 4.

On page 3 of the printed bill, between lines 23 and 24, insert the following:

"1102.2. In any given lot of eggs, in any one container or case containing subcontainers or group of containers each containing one dozen of eggs or less or in any bulk lot of more than one dozen eggs, there shall be allowed:

(a) Not more than 10 per cent, by count, of eggs below the requirements of the "specials" and "extras" standards of quality relating to condition of air cell, yolks and whites, but in no case may such eggs allowed in this tolerance be below the requirements of the next lower standard of quality.

(b) Not more than 2 per cent, by count, of eggs in any of the quality standards, which are not "reasonably clean" or "sound".

(c) Not more than 3 per cent, by count, of eggs below the standards of size specified.

Individual containers or subcontainers or bulk lots, of one dozen eggs, shall not have more than two eggs which fail to meet the standards for which the above tolerances are allowed."

Amendment No. 5.

On page 3, line 45, of the printed bill, after the word "When", insert the word "being", and after the words "delivered to", insert the words "or when in possession of".

Amendment No. 6.

On page 3 of the printed bill, between lines 46 and 47, insert the following:

"(c) When packed for sale to the United States Army or Navy.

(d) When packed for shipment or being shipped to points outside of California.

(e) When packed for purposes of cold storage or when in cold storage.

(f) The owner or person in possession of eggs which are to be used or disposed of as provided in this section must, upon the demand of any enforcing officer, give to such officer a sworn statement in writing made before a notary public specifying that the eggs will be disposed of as provided in this section."

Amendment No. 7.

On page 4, line 13, of the printed bill, after the word "sell", insert a comma, and after the word "shell", in said line, insert a comma.

Amendment No. 8.

On page 4, line 14, of the printed bill, strike out the word "food".

Amendment No. 9.

On page 4, line 16, of the printed bill, after the word "eggs", strike out the comma and the words "or to sell or transport any mislabeled eggs", and insert in lieu thereof a period.

Amendment No. 10.

On page 4, line 29, of the printed bill, after the word "eggs", strike out the words "or processed eggs", and insert in lieu thereof the following: "or eggs below the quality grade of extras".

Amendment No. 11.

On page 4, line 31, of the printed bill, after the word "fresh", strike out the semicolon and the remainder of the line, and all of line 32, and insert in lieu thereof a period.

Amendment No. 12.

On page 5, line 19, of the printed bill, after the word "article", insert the following: "in conformity with rules and regulations promulgated by the director".

Amendment No. 13.

On page 5, line 22, of the printed bill, after the word "article", insert the following: "or prosecutions hereunder".

Amendment No. 14.

On page 5, line 22, of the printed bill, after the word "director", strike out the word "may", and insert in lieu thereof the word "shall".

Amendment No. 15.

On page 5 of the printed bill, strike out all of line 35 except the letter "(c)", and strike out all of line 36.

Amendment No. 16.

On page 6 of the printed bill, strike out all of lines 3 to 10, inclusive.

Amendment No. 17.

On page 6, line 11, of the printed bill, strike out the number "1106.3", and insert in lieu thereof the number "1106.2".

Amendment No. 18.

On page 6, line 31, of the printed bill, strike out the number "1106.4", and insert in lieu thereof the number "1106.3".

Amendment No. 19.

On page 7, line 14, of the printed bill, after the word "misdemeanor", strike out the remainder of the line, and all of lines 15 to 17, inclusive, and insert in lieu thereof a period.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1250—An act to establish a Department of Unemployed Cooperative Reciprocal Economy.

Committee Amendments to Assembly Bill No. 1250.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to add Article XXI, consisting of sections 721 to 723.11, to Chapter III of Title I of Part III of the Political Code, relating to the establishment of the Department of Self-Help Cooperatives of the State of California to provide an alternative to charity, relief, and work-relief."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 28, inclusive, and on page 2, strike out lines 1 to 51, inclusive, and insert in lieu thereof the following:

"SECTION 1. Article XXI, consisting of sections 721 to 723.11, is hereby added to Chapter III of Title I of Part III of the Political Code, to read as follows:

ARTICLE XXI.

The Department of Self-Help Cooperatives

721. There is hereby created a department of the government of the State of California to be known as the Department of Self-Help Cooperatives. The department shall be conducted under the control of an executive officer to be known as the Director of Self-Help Cooperatives, which office is hereby created. The director shall be appointed by and hold office at the pleasure of the Governor, and shall receive a salary of $3,000 per annum. Before entering upon the duties of his office the director shall execute an official bond to the State of California in the penal sum of $25,000, conditional upon the faithful performance of his duties.

722. There is hereby created within the Department of Self-Help Cooperatives a board consisting of five members, of which board the director of the department shall be a member ex officio, and shall be the executive officer of the board, and shall preside at all its meetings. Each member of the board except the ex officio member shall receive a salary of $2,500 per year and shall be appointed by the Governor, with the advice and consent of the Assembly, and shall hold office at his pleasure. The members of the board shall in all cases be drawn from among persons qualified by ability and experience in the field of cooperatives and cooperative activities.

In all the business of the department the board shall take action, make rules and regulations, establish qualifications for applications for loans and for credit as hereinafter provided, and in general conduct the business of the department by majority vote of its members, and the director shall be charged with the efficient administration of the said business, and with carrying out the rules, regulations and mandates of the board.

723. It is the purpose of this article to make the unemployed self-sustaining through the medium of producer and consumer cooperatives and cooperative enterprises, to organize and carry out a comprehensive unemployed cooperative work and service program to rehabilitate the unemployed, to provide for and establish proper facilities for such purposes, to relieve the taxpayers of this State from the burden of relief expenditures, to make unemployed persons and families and persons with incomes insufficient to sustain a decent condition of life self-supporting, to provide machinery capable of absorbing the shocks of unemployed relief burdens and expenditures against future economic depressions, to acquire natural resources, real estate, tools and equipment to be used by unemployed persons in producer and consumer cooperatives and cooperative enterprises coming within the provisions of this act.

723.1. The board shall meet at such times and places in this State as it shall designate; it shall be provided with offices in the State buildings of this State; it shall have authority to appoint and shall appoint such clerks, attorneys, stenographers, secretaries and other employees as shall from time to time be necessary for the proper and expeditious conduct of its business. All of the persons so employed in the said department and by the board shall be persons, so far as is practicable who shall have had two or more years experience in cooperatives or cooperative activity.

723.2. All the salaries of all the officers and appointees of the Department of Self-Help Cooperatives, and of all those in its several divisions, boards and units, shall be paid in the same manner and at the same time as the salaries of other State officers are paid.

723.3. The board shall adopt a seal or emblem which seal or emblem shall appear upon all papers, documents, certificates and other forms used in or in connection with the conduct of its business.

723.4 For the purpose of carrying out the provisions of this article, and of effectuating a program of reducing the relief burden upon the taxpayers of this State, and of making the unemployed self-sustaining through the medium of producer and consumer cooperatives, and in general carrying out the provisions of section 723, it is provided as follows:

723.5 Any producer and consumer cooperative desiring to qualify itself to make application for funds or for other benefits under this article, shall apply to the board for such benefits upon such terms and conditions and in such manner as the board shall prescribe.

723.6 Such application shall contain, among other things, a statement of The names of the officers of the said cooperative; the address or place of business or headquarters of said cooperative; the purpose for which the same was organized, and the date upon which the same was first qualified to conduct business, the number of members of said cooperative; the number of male members of said cooperative and the number of female members thereof; the number of families of said cooperative and the number of persons in each such family; whether or not the constitution, by-laws or other governing law of said cooperative provides that any distribution to members of accumulated surpluses is made upon a participation basis to all members directly proportionate to their participation or contribution thereto, or to the activities of said cooperative, the percentage of the membership of said cooperative of persons who are actually eligible for relief under the laws of this State or of the United States then in force and effect, as distinguished from craftsmen who may be members of such cooperative by reason of necessity for their services as instructors or supervisors; whether or not the members of said cooperative conduct the same upon a democratic basis among themselves, and in such manner that each member of such cooperative is entitled to one vote; whether or not in voting, proxies are permitted; the nature of the principal product of said cooperative; and a statement of the then existing liabilities and assets of said cooperative, and a general statement of the ownership thereof, and the manner that the said assets were accumulated by said cooperative.

723.7 Said application shall thereafter conclude with a statement of the amount of funds that is desired by it, and the purpose for which the same is to be used; if real or personal property or natural resources or other assets are applied for, then a statement of the same, as desired, and a statement of the purposes for which the same are to be used; and the period for which said funds or real or personal property or natural resources are to be used.

723.8 After the receipt by the board of such application, which shall be received and filed by it in all cases without the payment by the applicant cooperative of any fee or charge whatsoever, the board shall fix a date for a hearing upon the said application, which hearing may or may not be public, as the board shall determine. Upon the said hearing the board shall determine the propriety of the application,

and after a full and fair inquiry thereon, shall approve or reject the said application, and in approving the same, may grant the sum of money prayed for therein, or may increase or decrease the same, or may increase or decrease the allotment of real or personal property or natural resources or other assets that are applied for therein. The board shall have the power in conducting such hearings, to take testimony, subpoena witnesses, require the appearance before it of any interested parties, as in a court of law.

723.9. In passing upon said application, or upon granting any benefit sought to be obtained by any cooperative under the provisions of this article, the board shall be guided in general by the following rules of interpretation.

(a) A cooperative entitled to the benefits of this article shall be operated by its members and engaged in the production and exchange of labor, goods and services as alternative to living off Federal, State, city or county relief or private charity.

(b) A cooperative entitled to the benefits of this article shall be a self-help producer and consumer cooperative organized under a system of participant management.

(c) A cooperative entitled to the benefits of this article shall be a nonprofit organization, operating upon a democratic basis wherein each member has one vote and no proxies are allowed, and wherein any distribution to members of accumulated surpluses shall be made upon a participation basis to all members directly proportionate to their participation in the production thereof, and in which not less than 90 per cent of the persons members thereof are actually eligible for relief.

723.10. Upon the approval by the board of any such application, any grant of funds or moneys to the cooperative shall be made upon a basis of the sum of $1,500 per family for rehabilitation purposes. The board may place qualifications or restrictions upon the use of such funds of money, and upon any allotments of real or personal property or natural resources or other assets allowed to any such cooperative. Grants of funds and moneys to any such cooperative may be designated for administration expenses, for a specific enterprise, or for use to be paid out as part cash wages supplementing the credit or "point" wage commonly used in self-help cooperative units.

723.11. Any and all property or properties acquired by cooperatives under the provisions of this article with funds acquired from the State or from the Federal Government through the State, shall remain the property of the State of California. The board shall have the power to provide for the repayment of the grants or funds allowed to the cooperatives or for the payment for real or personal property or natural resources or other assets acquired by the cooperatives under the provisions of this article, and may fix the terms and conditions of such repayment, and shall in all cases amortize the same at periods of 20 years. Upon the full and complete discharge of such obligations the title to such funds and properties or other assets shall pass to the cooperative. The funds and grants so made and the obligations established by the grants or funds may be paid or repaid by the cooperative in cash, or labor, or services, or commodities as and when the same are available. Such payments shall be acceptable to the board, according to the terms of the grant or allotment made by it to any such cooperative. When payments are made in commodities they shall be transferred or delivered only to other State agencies or institutions, and on such terms as shall be established by the board. Provided, however, that commodities may be exchanged by the cooperative for payment in whole or in part for other commodities of different kinds.

SEC. 2. The sum of $5,000,000 is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for carrying out the provisions of this act.

SEC. 3. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1775—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources.

Committee Amendment to Assembly Bill No. 1775.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, after the period in line 22, add the following: "The department is authorized to accept class advertising and subscriptions on a

commission basis and to publish such advertising in such publications and to sell such publications."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1581—An act to add a new section to the Political Code to be numbered 696, relating to a Fact Finding Bureau in the Department of Finance.

Committee Amendment to Assembly Bill No. 1581.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 8, of the printed bill, strike out the following: "as to the reason thereof", and insert in lieu thereof the following: "from the department head or other responsible officer as to the reason such recommendations have not been followed."

Amendment adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1177—An act to amend the title of and sections 1, 2, 3, 4, 7, 9 and 10 and to add sections 7A, 7B, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act.

Committee Amendments to Assembly Bill No. 1177.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the word "sections", and insert in lieu thereof "section".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, strike out the following: "2, 3, 4, 7, 9, and".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, as amended, strike out the following figures: "10" and "7A, 7B,".

Amendment No. 4.

On page 1, line 3 of the title of the printed bill, as amended, after the figures "23", strike out the comma and insert the word "and".

Amendment No. 5.

On page 1, line 3 of the title of the printed bill, as amended, strike out ", 25 and 26".

Amendment No. 6.

On page 2, line 24, of the printed bill, as amended, commencing with the word "No", strike out to and including the word "same", on line 29, and insert in lieu thereof "No person shall be required as a condition of relief authorized under this act to accept employment as a "strike-breaker", nor shall any person be required to accept employment as a condition precedent to eligibility to relief under this act if the wages paid for said employment are less than the general prevailing rate of wages being paid for the kind or class of employment in the community in which such employment is offered"

Amendment No. 7.

On page 2, line 32, of the printed bill, as amended, strike out the following: "or of an oath,".

Amendment No. 8.

On page 2, line 35, of the printed bill, as amended, strike out the comma and insert in lieu thereof the word "and".

Amendment No. 9.

On page 2, line 35, of the printed bill, as amended, strike out "and shall", at the end of said line, and insert in lieu thereof a period

Amendment No. 10.

On page 3, line 6, of the printed bill, as amended, strike out all of said page, and all of pages 4, 5, 6, 7, 8, 9, 10, 11 and to and including line 10 on page 12

Amendment No. 11.

On page 12, line 11, of the printed bill, as amended, strike out the figures "11", and insert in lieu thereof the figure "4"

Amendment No. 12.

On page 12, line 24, of the printed bill, as amended, strike out the figures '12", and insert the figure "5".

Amendment No. 13.

On page 12, line 35, of the printed bill, as amended, strike out the figures "13", and insert in lieu thereof the figure "6".

Amendment No. 14.

On page 12, line 42, of the printed bill, as amended, strike out the figures "14", and insert in lieu thereof the figure "7".

Amendment No. 15.

On page 13, line 22, of the printed bill, as amended, strike out the figures "15", and insert in lieu thereof the figure "8".

Amendment No. 16.

On page 14, line 5, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", exclusive of any aid or relief granted by said county or city and county to any person in any institution of said county or city and county."

Amendment No. 17.

On page 14, line 43, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "provided, however, that the State shall not advance or pay to any county or city and county any sum under this section for aid or relief furnished by said county to any person in any institution of said county or city and county."

Amendment No. 18.

On page 16, line 28, of the printed bill, as amended, strike out the figures "16", and insert in lieu thereof the figure "9".

Amendment No. 19.

On page 16 of the printed bill, as amended, commencing at line 42, strike out the remainder of said page, down to and including line 16 on page 17

Amendment No. 20.

On page 17, line 17, of the printed bill, as amended, strike out the figures '18", and insert in lieu thereof the figures "10".

Amendment No. 21.

On page 17, line 20, of the printed bill, as amended, strike out the figures "21", and insert in lieu thereof the figures "20".

Amendment No. 22.

On page 17, line 31, of the printed bill, as amended, strike out the figures "19", and insert in lieu thereof the figures "11".

Amendment No. 23.

On page 17, line 34, of the printed bill, as amended, strike out the figures "22", and insert in lieu thereof the figures "21".

Amendment No. 24.

On page 18, line 13, of the printed bill, as amended, strike out the figures "20" and insert in lieu thereof the figures "12".

Amendment No. 25.

On page 18, line 16, of the printed bill, as amended, strike out the figures "23", and insert in lieu thereof the figures "22".

Amendment No. 26.

On page 18, line 24, of the printed bill, as amended, after the word "reports", insert the following: ", uniform rules to be applicable to all counties of the State for determining eligibility for aid under this act."

Amendment No. 27.

On page 18 of the printed bill, as amended, commencing at line 43, strike out the remainder of said page, and all of pages 19 and 20, down to and including line 15 on page 21.

Amendment No. 28.

On page 21, line 16 of the printed bill, as amended, strike out the figures "22", and insert in lieu thereof the figures "13".

Amendment No. 29.

On page 21, line 19, of the printed bill, as amended, strike out the figures "25", and insert in lieu thereof the figure "9".

Amendment No. 30.

On page 21, line 21, of the printed bill, as amended, strike out the figures "23", and insert in lieu thereof the figures "14".

Amendment No. 31.

On page 21, line 23, of the printed bill, as amended, strike out the figures "26", and insert in lieu thereof the figures "24".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 824—An act to repeal section 2 2102 of the School Code and to amend section 5 667 thereof, relating to persons employed by school districts in positions requiring certification qualifications declaring the urgency thereof and providing that this act shall go into immediate effect.

Committee Amendments to Assembly Bill No. 824.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2, line 10, of the printed bill, after the word "such", insert the word "unionization,".

Amendment No. 2.

On page 2, line 18, of the printed bill, after the word "any", insert the word "probationary".

Amendment No. 3.

On page 2 of the printed bill, after line 23, insert the following:

"Nothing in this section shall be construed so as to nullify or in any manner affect the classification of any employee of a district now or hereafter classified as a permanent employee thereof by operation of this or any other provision of law"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1195—An act to repeal an act entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929, to repeal an act entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of the State and educational institutions supported in whole or in part by the State," approved June 19, 1929, to repeal Part IV of Division V of the School Code, and to add to said Division V of said School Code, a new part to be known as Part IV, all relating to a retirement system for persons serving the State, counties and school districts in teaching and other positions, and for the superintending, administration and supervision of colleges, schools and classes maintained by the State and for the schools thereof, declaring the urgency thereof and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1195.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 12 to 16, both inclusive of the title, and insert in lieu thereof the following "Part IV, all relating to a retirement system for the retirement of officers and employees of the State, counties and school districts rendering service of an educational nature, declar-".

Amendment No. 2.

On page 2, line 30, of the printed bill, after the word "Employer", insert the words: "or "employing agency"".

Amendment No. 3.

On page 3 of the printed bill, after line 45, insert the following:
"(28) "Compensation" shall mean remuneration in cash payable by the employer."

Amendment No. 4.

On page 5, line 4, of the printed bill, strike out the word "a", and insert in lieu thereof the words "the teachers' ".

Amendment No. 5.

On page 5, line 44, of the printed bill, after the word "fund", insert the following: "as a reserve against deficiencies in interest earned in other years, losses under investments, and other contingencies".

Amendment No. 6.

On page 6, line 11, of the printed bill, after the word "necessary", insert a comma and the following: "provided that no action of the board, other than correction of errors in calculating the annuity at the time of retirement, shall change the annuity payable to a person retired prior to the date such action is taken".

Amendment No. 7.

On page 6, line 42, of the printed bill, after the word "included", insert a comma and the following: "subject to subsection (j) of this section,".

Amendment No. 8.

On page 7, line 31, of the printed bill, after the word "status", insert the following: "which in this State is".

Amendment No. 9.

On page 7, line 47, of the printed bill, after the period, insert the following: "No time shall be included under this section, for which, or on the basis of which, a member is entitled to receive a pension for other than Naval or Military service from any source other than this system or a local fund."

Amendment No. 10.

On page 7 of the printed bill, after line 47, insert the following:
"(k) Time served in teaching positions in publicly supported universities or colleges in the United States.
(l) Time served in teaching positions in schools supported by the United States Government.
(m) Time served in a position in which, without a change in duties attached thereto, the occupant thereof subsequently qualifies as being in a status requisite to membership herein."

Amendment No. 11.

On page 9, line 35, of the printed bill, strike out the word "do", and insert in lieu thereof the word "did".

Amendment No. 12.

On page 10, line 41, of the printed bill, after the comma, insert the following: "and receive credit thereunder for service which would be credited hereunder to a member,".

Amendment No. 13.

On page 10, line 43, of the printed bill, after the word "chapter", insert a period and the folowing: "A member whose membership is terminated by this paragraph shall be considered, solely for the purpose of section 5.860 hereof, as ceasing to be employed in a status requisite to membership herein."

Amendment No. 14.

On page 11, line 15, of the printed bill, after the word "board", insert the following: "or to pay amounts due from said member to the retirement system".

Amendment No. 15.

On page 11, line 20, of the printed bill, after the word "file", insert the words "or pay".

Amendment No. 16.

On page 11, line 23, of the printed bill, after the word "filed", insert the following: "or such payment has been made".

Amendment No. 17.

On page 11 of the printed bill, beginning in line 36, strike out the following: "and who has not done so,".

Amendment No. 18.

On page 11, line 37, of the printed bill, after the second comma, insert the following: "at the option of, and".

Amendment No. 19.

On page 11, line 38, of the printed bill, after the word "by", insert a comma.

Amendment No. 20.

On page 12, line 36, of the printed bill, after the word "year", insert the following: "to members who are in service, without interruption".

Amendment No. 21.

On page 12, line 36, of the printed bill, after the period, insert the following: "The Retirement Board by rule may modify the method, described in the sentence next preceding, of determining the amount of contributions to be deducted from each salary payment, if the service of a member be interrupted by absence without compensation."

Amendment No. 22.

On page 12, line 40, of the printed bill, after the word "predecessor", insert the following: "or who was a member of the State Employees' Retirement System while serving in a status requisite for membership in this retirement system or its predecessor".

Amendment No. 23.

On page 12, line 43, of the printed bill, after the word "exempt", insert the following: "or while a member of said other system".

Amendment No. 24.

On page 13, line 17, of the printed bill, strike out the words "to claimed", and insert in lieu thereof the following: "from persons hereafter retired, because of".

Amendment No. 25.

On page 14, line 1, of the printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment No. 26.

On page 14, line 2, of the printed bill, strike out the following: "1936", and insert in lieu thereof the following: "1937".

Amendment No. 27.

On page 14, line 3, of the printed bill, after the first word "the", insert the following: "month next following the".

Amendment No. 28.

On page 14, line 4, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "and if no month be entered in said notice, or if the month entered be earlier than the month next following said month of execution, the member shall be considered as having stated that the deduction shall commence with the month next following said execution."

Amendment No. 29.

On page 14, line 43, of the printed bill, after the period, insert the following: "The county superintendent may draw requisitions in the same manner to transfer contributions deducted from salary payments earned prior to July 1, 1937, from funds of school districts to the permanent fund and annuity deposit fund."

Amendment No. 30.

On page 16, line 42, of the printed bill, after the comma, insert the following: "or of the similar contribution required by Part IV repealed hereby,"

Amendment No. 31.

On page 16, line 42, of the printed bill, after the word "is", insert the words "or has been".

Amendment No. 32.

On page 16, line 50, of the printed bill, after the period, insert the following: "Adjustments to correct any other errors in payments to or by the Retirement Board may be made in the same manner."

Amendment No. 33.

On page 18, line 6, of the printed bill, after the word "section", insert a comma and the following: "or of the similar contribution required by Part IV repealed hereby".

Amendment No. 34.

On page 18, line 6, of the printed bill, after the word "is", insert the words "or has been".

Amendment No. 35.

On page 18, line 39, of the printed bill, after the period, insert the following: "The Retirement Board may withhold for one year payment of contributions upon termination of employment as provided in this section, if the person to whom the contributions are payable, previously had been paid contributions under this section and had again become a member hereof within one year after said payment."

Amendment No. 36.

On page 19, line 10, of the printed bill, after the period, insert the following: "Retirement salaries being paid to persons who were credited with less than 30 years of service and were not credited with service rendered by them outside the State, shall be adjusted in such manner that retirement salaries paid to such persons for time after June 30, 1937, shall be in amounts at which said salaries would now be fixed if credit for said service outside the State had been granted in the same manner as for persons credited with at least 30 years of service."

Amendment No. 37.

On page 19, line 21, of the printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment No. 38.

On page 19 of the printed bill, beginning in line 38, strike out the following: "of any and all claims", and insert in lieu thereof the following: "of the board and system".

Amendment No. 39.

On page 19 of the printed bill, following line 39, insert the following:

"If any person entitled to a benefit from the system shall be a minor who has no guardian of his estate, said benefit not to exceed $500 may be paid to the person entitled to the custody of the minor to hold for the minor, upon the written statement, duly acknowledged and verified, of such person that the total estate of the minor does not exceed $1,000 in value, and such payment shall be full and complete discharge and acquittance of the board and system. Such person shall account to the minor for the money when the minor reaches the age of majority."

Amendment No. 40.

On page 19, line 50, of the printed bill, strike out the following: "amount payable by the", and insert in lieu thereof the following "board and"

Amendment No. 41.

On page 20 of the printed bill, beginning in line 2, strike out the word "a", and strike out the following: "which has occurred on or after July 1, 1935".

Amendment No. 42.

On page 23, line 21, of the printed bill, strike out the word "The", and insert in lieu thereof the following: "Retirement shall become effective and the".

Amendment No. 43.

On page 23, line 26, of the printed bill, after the word "such", insert the following: "retirement becomes effective or".

Amendment No. 44.

On page 23, line 36, of the printed bill, after the period, insert the following: "Upon receipt of proof satisfactory to the Retirement Board, that a warrant drawn in payment of a retirement allowance or in payment of any other amount due from the retirement system, has been lost, the Controller upon the request of the Retirement Board shall issue a duplicate warrant in payment of the same amount, without requiring a bond from the payee, and any loss incurred in connection therewith shall be charged against the fund from which the payment was made."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 406—An act to amend section 5 of the Alcoholic Beverage Control Act, relating to license fees, declaring the urgency hereof, and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 406.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 5", and insert in lieu thereof the following "sections 3, 5, and 6".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "license fees", and insert in lieu thereof the following "licenses"

Amendment No. 3.

On page 1 of the printed bill strike out lines 1, 2, and 3, and insert in lieu thereof the following:

"SECTION 1. Section 3 of the Alcoholic Beverage Control Act is hereby amended to read as follows:

Sec. 3. No person shall perform any act or acts which constitute such person a manufacturer, rectifier, importer, wholesaler or retailer of any alcoholic beverage

within the meaning of this act or shall package, label, or sell any alcoholic beverage, unless such person is authorized to do so by a license duly issued pursuant to the provisions of this act. Any person violating any provision of this section shall be guilty of a misdemeanor.

Nothing in this act, however, shall be construed as requiring a license for the privilege of soliciting orders for the sale of alcoholic beverages manufactured without the State of California prior to the importation of or transportation into this State of such alcoholic beverages.

SEC. 2. Section 5 of said act is hereby amended to read as follows:

Sec. 5. The following are the types of licenses to be issued under this act and the annual fees to be charged therefor:

1.	Beer manufacturer's license	$750.00 per year
2	Wine manufacturer's license, 1000 gallons or less per year	5 00 per year
	Over 1,000 gallons to 2,500 gallons per year	10.00 per year
	Over 2,500 gallons to 5,000 gallons per year	20.00 per year
	Over 5,000 gallons to 20,000 gallons per year	40.00 per year
	Over 20,000 to 100,000 gallons per year	75.00 per year
	Over 100,000 to 200,000 gallons per year	100.00 per year
	Over 200,000 gallons to 1,000,000 gallons per year	150 00 per year
	For each 1,000,000 gallons or fraction thereof over 1,000,000 gallons an additional	100.00 per year
3.	Distilled spirits manufacturer's license	250.00 per year
4.	Still license (per still)	10.00 per year
5.	Rectifier's license	250.00 per year
6.	Fruit brandy manufacturer's license	150.00 per year
7.	Distilled spirits and wine importers license	No fee
8.	Beer importers license	No fee
9	Wine bottling or packaging license	10.00 per year
10.	Distilled spirits bottling or packaging license	250 00 per year
11.	Beer bottling or packaging license	500 00 per year
12.	Distilled spirits wholesaler's license	250 00 per year
13	Beer and wine wholesaler's license	50 00 per year
14.	Retail package off-sale beer and wine license	10.00 per year
15.	Retail package off-sale distilled spirits license for the first $10,000 retail sales per year	100.00 per year
	For each $1,000 retail sales or fraction thereof over $10,000 per year	10.00 per year
16	Industrial alcohol dealer's license	50.00 per year
17	On-sale beer license	25 00 per year
18	On-sale beer and wine license	75 00 per year
19	On-sale beer and wine license for trains (per train)	15 00 per year
20	On-sale beer and wine license for boats (per boat)	50.00 per year
21	On-sale distilled spirits license	As set by the board

The fees specified above shall be reduced 25 per cent for each full quarter of a year elapsing between the first day of the year for which the license is issued and the date on which the application for the license is filed with the board; provided, that where an application clearly indicates that the applicant does not desire to exercise the privileges granted by the license applied for until on or after the beginning of the quarterly period following the quarterly period in which the application is filed with the board, such fees shall be reduced 25 per cent for each full quarter of a year elapsing between the first day of the year for which the license is issued and the date so indicated in the application.

Where the fee for any license is graduated according to the amount of alcoholic beverages manufactured or sold under the license, and the license is applied for after the beginning of the year, the amount of alcoholic beverage authorized to be manufactured or sold under the license shall be reduced proportionately with the reduction in fee provided in the preceding paragraph in accordance with such rules and regulations as the board may prescribe.

SEC. 3. Section 6 of said act is hereby amended to read as follows:

Sec. 6. Except as otherwise provided in this act and subject to the provisions of section 22 of Article XX of the Constitution, the licenses provided for in the preceding section shall authorize the person to whom issued to exercise the following rights and privileges and no others at the premises for which issued during the year for which issued.

(a) Any manufacturer's license authorizes the person to whom issued to become a manufacturer of the alcoholic beverage specified in the license, to package, mix, flavor and color and label the same and to export or sell such alcoholic beverages to persons holding licenses issued by the board authorizing the sale of such alcoholic beverage; provided, that a wine manufacturer's license authorizes the manufacture of grape brandy to be used exclusively for fortifying purposes by its holder on the premises for which issued.

(b) A still license authorizes the person to whom issued to own or possess the number of stills indicated in the license upon the premises for which issued

(c) A rectifier's license authorizes the person to whom issued to cut, blend, mix, flavor, color and bottle distilled spirits and to export or sell such products to persons holding licenses issued by the board authorizing the sale of distilled spirits.

(d) Any importer's license authorizes the person to whom issued to become an importer of alcoholic beverages specified in the license and to export such alcoholic beverage.

No fee shall be charged for an importer's license and such license shall be issued only to the holder of a manufacturer's, rectifier's, or wholesaler's license and shall be issued for the same period as such license.

(e) A bottling or packaging license authorizes the labeling, bottling or packaging of the alcoholic beverages specified in the license.

(f) Any wholesaler's license authorizes the sale of the alcoholic beverage specified in the license only to persons holding licenses issued by the board authorizing the sale of such alcoholic beverage.

(g) Any off-sale beer and wine license authorizes the sale, to consumers only and not for resale, of beer in packages and in quantities of 31 gallons or less, per sale and the sale of wine in packages and in quantities of 52 gallons or less, per sale for consumption off the premises where sold.

(h) An off-sale distilled spirits license authorizes the sale, to consumers only and not for resale, of distilled spirits in quantities of less than five gallons per sale and in packages of one gallon or less for consumption off the premises where sold

(i) An industrial alcohol dealer's license authorizes the sale of undenatured ethyl alcohol or other distilled spirits in packages of more than one gallon for use in the trades, professions or industries.

(j) Any on-sale license authorizes the sale of the alcoholic beverage specified in the license for consumption on the premises where sold. An on-sale beer and an on-sale beer and wine license also authorizes the exercise, with respect to the particular beverage or beverages mentioned in such license, of the rights and privileges granted by an off-sale beer and wine license. On trains and boats, under such licenses, alcoholic beverages may be sold only to passengers or employees

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows:

The manufacture of alcoholic beverages, particularly wine, and the raising of wine grapes are important and growing industries in this State, and are the source of livelihood of many thousands of citizens. It is necessary for the continued growth and prosperity of these industries that the market for their products in other States be free from discriminatory restrictions. Such restrictions have been imposed by the Legislatures of several States and further restrictions are proposed by pending legislation in many of the States in which the Legislatures are now in session. The enactment of such legislation will imperil the industry and commerce of this State, and result in unemployment. The legislation proposed by this act is part of a plan for the elimination of interstate restrictions upon the sale of alcoholic beverages. It is necessary that this act take immediate effect, in order that the Legislatures of other States may be persuaded to refrain from enacting further discriminatory legislation and that they may be impelled to repeal existing discriminatory provisions in their laws."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2794—An act relating to alcoholic beverages, prohibiting licensees under the Alcoholic Beverage Control Act from transporting or importing into this State, purchasing, receiving, possessing, or selling alcoholic beverages manufactured in any State, the laws, rules, or regulations of which discriminate against alcoholic beverages manufactured in this State or against persons selling or dealing therein, defining discriminatory laws, providing for the enforcement of the provisions hereof, and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 2794.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, after "laws", insert the following: "and".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 9 and 10 of the title and insert in lieu thereof the following: "the provisions hereof."

Amendment No. 3.

On page 3, line 35, of the printed bill, strike out the semicolon, and insert in lieu thereof a comma and the following: "or the registration, without fee, of wholesalers and manufacturers of this State doing business with licensees of said State, or the making of reports by such wholesalers and manufacturers, of the kind and quantity of alcoholic beverages shipped, delivered, or sold by them to licensees of such State;".

Amendment No. 4.

On page 4, line 22, of the printed bill, strike out "10", and insert in lieu thereof the following: "9".

Amendment No. 5.

On page 6 of the printed bill, strike out lines 40 to 52, inclusive, and on page 7, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SEC. 19. The provisions of this act shall go into effect on February 1, 1938."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2111—An act to add sections 25.4 and 25.6 to the Alcoholic Beverage Control Act, relating to bonds required of certain licensees.

Committee Amendments to Assembly Bill No. 2111.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 19, of the printed bill, after "act", insert the following: "and with all other laws of the State of California relating to the sale of alcoholic beverages".

Amendment No. 2.

On page 2, line 38, of the printed bill, strike out "of California", and insert in lieu thereof the following "or any other law of the State of California relating to the sale of alcoholic beverages".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2587—An act to repeal section 397c of the Penal Code relating to the sale of intoxicating liquors and to enact a new section to be known as section 398 of the Penal Code relating to the sale of alcoholic beverages, the act to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1824—An act to amend an act entitled "An act to conserve the agricultural wealth of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purpose of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, as amended, by amending sections 2, 8, 9, 10, 13, 18, 19.1, 22 and 22.5, all relating to the institution and enforcement of agricultural proration programs

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1720—An act to amend section 493.5 of the Fish and Game Code, relating to chumming in District 20.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1833—An act to amend section 786 of the Fish and Game Code, relating to lobsters.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2279—An act to amend section 453 of the Fish and Game Code, relating to possession after season.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1069—An act to add section 3658b to the Political Code, relating to county maps for tax purposes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 292—An act relating to the State prisons and the care and maintenance of prisoners therein; and to provide for the reimbursement of the State on account thereof in certain cases.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2195—An act to amend sections 500, 501, 503, 504, and 505 of the Vehicle Code, relating to felonies and other offenses.

Committee Amendments to Assembly Bill No. 2195.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "504,".

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out "direct", and insert in lieu thereof "proximate".

Amendment No. 3.

On page 1 of the printed bill, between lines 11 and 12, insert the following:

"For the purpose of this section, (1) the phrase 'in a negligent manner' is defined as meaning without that degree of care which an ordinarily reasonable and prudent person would have exercised under like circumstances, or without such attention to the nature or probable consequences of the act or omission as a prudent man ordinarily bestows in acting in his own concerns, and (2) contributory negligence on the part of the deceased is no defense."

Amendment No. 4.

On page 1 of the printed bill, strike out lines 17, 18 and 19, and insert in lieu thereof the following: "does any act forbidden by law or neglects any duty imposed by law in the driving of such vehicle which act or neglect proximately causes bodily injury to any person, or when so driving in such condition proximately causes bodily injury to any person, is guilty of a".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 15 to 32, both inclusive

Amendment No. 6.

On page 2, line 33, of the printed bill, strike out "SEC. 5.", and insert in lieu thereof "SEC. 4."

Amendment No. 7.

On page 2 of the printed bill, strike out lines 36 and 37, and insert in lieu thereof the following: "vehicle upon a highway in such a reckless or careless manner as to indicate a disregard for the safety of".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1132—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans, and of hospitals rendering services under any such hospital service plans.

Committee Amendments to Assembly Bill No. 1132.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act to add Chapter 11a, comprising sections 11491 to 11519, inclusive, to Part 2, Division 2, of the Insurance Code, and to repeal Chapter 386 of the Statutes of 1935, all relating to nonprofit hospital service plans, including the regulation and control of corporations operating such plans."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 26, inclusive.

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 1 to 51, inclusive.

Amendment No. 4.

On page 3 of the printed bill, strike out all of lines 1 to 52, inclusive.

Amendment No. 5.

On page 4 of the printed bill, strike out all of lines 1 to 52, inclusive; and on page 5 strike out all of lines 1 to 51, inclusive

Amendment No. 6.

On page 6 of the printed bill, strike out all of lines 1 to 42, inclusive, and insert in lieu thereof the following:

"SECTION 1. Chapter 11a, comprising sections 11491 to 11519, is hereby added to Part 2, Division 2 of the Insurance Code, to read as follows:

CHAPTER 11a NONPROFIT HOSPITAL SERVICE PLANS.

Article 1 Scope of Chapter.

11491 This chapter shall not apply to nor govern any corporation which is organized for profit which contemplates any pecuniary gain to its shareholders or members, or which conducts or is authorized by its articles of incorporation to conduct any business whatsoever on a profit basis. This chapter shall not authorize nor be construed to authorize, directly or indirectly, any corporation to operate a hospital service plan on a profit basis. No corporation subject to the provisions of this chapter shall own or operate any hospital nor engage in any business other than that of establishing, maintaining and operating a nonprofit hospital service plan

Article 2 Definitions.

11493 "Hospital services" as used in this chapter may include any or all of the following services maintenance and care in hospital, nursing care, drugs, medicines, physiotherapy transportation material appliances and their upkeep.

Article 3 Formation and Organization of Nonprofit Hospital Service Plan Corporations

11495 Any corporation heretofore or hereafter organized under the laws of the State of California without capital stock for the sole purpose of maintaining and operating a hospital service plan, as provided in this chapter, and which does not contemplate pecuniary gain or profit to its members, may undertake and operate a hospital service plan for rendering hospital service to its subscribers under and subject to the provisions of this chapter

11496 Persons desiring to form a nonprofit hospital service corporation shall incorporate pursuant to the provisions of this chapter and the provisions of Division First, Part IV, Title XII, of the Civil Code of the State of California, so far as the provisions of said Civil Code are applicable and not inconsistent with this chapter

11497. No corporation operating under the provisions of this chapter shall enter into any contract for the rendering of hospital services to the subscribers of a hospital service plan with any hospital wholly or partly supported by taxation, except where such hospital is the only hospital in the county where it is located, or is a hospital maintained and operated by a university, or in connection with a State college or the University of the State of California in conjunction with and as a part of its educational and administrative program.

11498 At least two-thirds of the directors of such a corporation shall be composed equally of duly appointed representatives of hospitals with which the corporation has contracts for the rendering of hospital services and duly qualified and licensed practicing physicians holding a valid and unrevoked certificate to practice medicine and surgery or a physician and surgeon certificate, issued under the provisions of the State Medical Practice Act in the State of California

11499. Any corporation heretofore operating under Chapter 9 of this part, but which has issued and outstanding hospital service contracts only, may be transformed to operate under and pursuant to this chapter as follows:

(1) Such corporation shall first amend its articles to conform to the provisions of this chapter.

(2) A copy of the articles of incorporation as theretofore last amended, certified by the Insurance Commissioner, together with a certificate of amendment thereof prepared pursuant to the provisions of section 362b of the Civil Code, shall be submitted to the Secretary of State for filing and endorsement, and filed with the county clerks pursuant to that section Such certificate of amendment shall set forth in full the articles of incorporation as amended The filing thereof with the Secretary of State shall be in lieu of the incorporation otherwise herein required under the provisions of Division First, Part IV, Title XII, of the Civil Code of the State of California

(3) A copy of such certificate of amendment certified by the Secretary of State, shall promptly be filed with the commissioner

(4) Such filing shall be in lieu of the proceedings required by section 11496. Thereafter such corporation shall comply with all requirements of this chapter except those required by section 11496.

(5) For the purpose of determining whether or not the transforming corporation has sufficient assets to comply with this chapter, the deposit of such corporation made and held pursuant to section 10830, shall be deemed its assets, and the reserves and liabilities required by this chapter shall be as herein prescribed in respect to contracts outstanding at the time of issue of certificate of authority to operate under this chapter.

(6) Contracts issued in compliance with Chapter 9 of this part, and outstanding at the time of issue of certificate of authority under this chapter, may be continued in force, reinstated, and renewed under this chapter without change of provisions, except as such change may be necessary or advisable at or following the next renewal or reinstatement.

Article 4 Commencement of Business

11501. No corporation subject to the provisions of this chapter shall establish, maintain and operate its hospital service plan unless and until it shall have procured a certificate of approval from the State Department of Public Health approving the hospital, or hospitals, with which such corporation has entered, or proposes to enter, into contracts for the furnishing of hospital service to its subscribers and such corporation shall not enter into any contract with any hospital within this State for the furnishing of hospital service to its subscribers unless the hospital with which it contracts has procured a certificate of approval from said department, provided, however, that hospital services may be rendered to the subscriber in a hospital not holding a certificate of approval if the subscriber requiring hospitalization has removed from or is absent from the State, or in cases of emergency where immediate treatment is necessary and removal to an approved hospital would endanger the life or health of the subscriber The State Department of Public Health shall not issue any certificate of approval provided for in this chapter unless and until the applicant therefore shall have established to the satisfaction of said department that the hospitals wherein subscribers to hospital service plans concerned are to be hospitalized possess adequate physical facilities, mechanical equipment, and personnel for the study, diagnosis, treatment and care of patients

11502. The State Department of Public Health, before issuing its certificate authorizing any hospital to furnish hospital services under any hospital service plan, shall cause the hospital to be inspected by an inspector appointed by the said department The report of such inspection shall be filed with the State Department of Public Health. If the State Department of Public Health shall find after such inspection that the hospital making application to render hospital services under the hospital service plan fully complies with and possesses the standards set forth in this section, it shall issue its certificate of approval upon the payment of a registration fee, not to exceed twenty-five cents ($.25) per bed, computed upon the daily average number of beds, other than bassinets, occupied during the preceding calendar year, but in no event less than fifteen dollars ($15.00) per hospital

11503 The State Department of Public Health shall have the right and power to investigate, regulate and enforce the hospital standards set forth in sections 11501 and 11502 of this chapter in respect to all hospitals furnishing and rendering hospital services under the provisions of this chapter and to revoke certificates of approval theretofore issued to any hospital, or any hospital service corporation. Upon complaint deemed by the department to be sufficient to warrant such action, or upon its own motion, the State Department of Public Health shall hold a hearing at which the corporation or hospital under investigation and against which action is proposed to be taken shall have the right to be heard. At least ten days' written notice of the time and place of such hearing shall be served upon or mailed to said corporation and said hospital. At such hearing the department shall have the right to order and direct the corporation or the hospital, as the case may be, and within such period of time as the board may prescribe to remedy and remove the causes complained of and in which to comply with the acts and things required in such order, and may continue the hearing until the expiration of said period of time. If the department upon final hearing shall find that its order has not been complied with, and that the hospital does not possess the hospital standards set forth in sections 11501 and 11502, or that services are rendered by the hospital service corporation in and through hospitals not possessing said standards, the board shall enter its order revoking the certificate of approval to any such hospital or hospital service corporation and shall notify the Commissioner of Insurance in writing of the fact of such revocation and of the fact that the services rendered under the hospital service plan are not being rendered by hospitals holding certificates of approval Upon receipt of such notice, it shall be the duty of the Commissioner of Insurance to revoke his certificate of authority to the establishment, maintenance and operation by such corporation of a nonprofit hospital service plan

11504 No corporation shall establish maintain or operate a nonprofit service plan as authorized by the provisions of this chapter unless it shall first have procured a certificate of authority from the Commissioner of Insurance of this State for the establishment, maintenance and operation of said hospital service plan

11505 The Commissioner of Insurance shall not issue his certificate of authority to any corporation proposing to establish, maintain or operate a nonprofit hospital service plan until such corporation shall have established:

(a) That the corporation has entered into contracts with hospitals holding certificates of approval issued by the State Department of Public Health and having an aggregate bed capacity sufficient to render the services contemplated to be furnished under the hospital service plan.

(b) That the contract proposed to be entered into by such corporation with those who may become subscribers is not such as will work a fraud or injustice upon such subscribers or any person.

(c) That the rates, dues, fees or other periodic charges to be imposed upon subscribers and the fees, rates or other considerations to be paid for services rendered to subscribers, are not such as will, after providing for such legal reserves as the Insurance Commissioner may deem necessary and reasonable, result in profit to such corporation, and are such as will enable such corporation to furnish or provide the hospital services which it proposes to make available to its subscribers without impairment of the legal reserves fixed and required by the Insurance Commissioner, and without a constant depletion of the assets of such corporation

Article 5 Finances and Reserves.

11507. No corporation subject to the provisions of this chapter shall establish, maintain or operate a hospital service plan unless it shall have and at all times maintain a reserve fund equal to the following minimum amounts in relation to the number of subscribers to its plan:

Number of Subscribers	Amount of Reserve Fund
2500 or less	$10,000 00
2501 to 3500 inclusive	12,500 00
3501 to 4500 inclusive	15,000 00
4501 to 5500 inclusive	17,500 00
5501 and above	20,000 00

In computing said reserve fund, the commissioner shall include the amounts agreed to be paid by contracting hospitals to the corporation or its equivalent value of hospital service to be rendered without charge by the contracting hospital to the hospital service corporation

11508 A corporation organized hereunder shall be deemed to be insolvent if its reserve fund shall be impaired so as to be less than the amounts set forth in this section of the chapter. In determining whether there has been an impairment of the reserve fund of the hospital service corporation, the unexpired portions of all premiums, dues or other payments received by and paid to the corporation on contracts then in force shall be deemed a liability.

11509 Every corporation subject to the provisions of this chapter shall annually, on or before the first day of March, file in the office of the Commissioner of Insurance of this State a statement verified by at least two of the principal officers of said corporation, showing its condition and affairs as of the thirty-first day of December then next preceding, which shall be in such form as shall be required by said commissioner and shall contain statements relative to the matters required to be established as a condition precedent to maintaining or operating a nonprofit hospital service plan and to other matters as said commissioner shall prescribe.

11510 All acquisition costs in connection with the solicitation of subscribers to such hospital service plan shall at all time be subject to the approval of the Commissioner of Insurance, and the administrative expenses for any calendar year of any such corporation organized under this chapter, including acquisition costs, shall be limited to 25 per cent of the aggregate amount of gross premiums actually received during that year. If the commissioner shall find that acquisition costs of any corporation operating under the provisions of this chapter are excessive, or that the administrative expenses exceed the amount above stated, such finding shall be sufficient ground to justify the commissioner in revoking his consent to the establishment, maintenance and operation by such corporation of the hospital service plan

Article 6. The Contract.

11512. No hospital service contract shall be entered into between a corporation proposing to furnish or provide any one or more of the services authorized under this chapter and a subscriber:

(a) Unless the entire consideration therefore is expressed in the contract;

(b) Unless the times at which the benefits or services to the subscriber take effect and terminate are stated in a portion of the contract above the evidence of its execution;

(c) If the contract purports to entitle more than one person to benefits or services, except that a husband and wife and their child or children may secure the benefits under one contract if the contract is issued and marked as a family contract;

(d) Unless every printed portion and any endorsement or attached papers is plainly printed in type of which the face is not smaller than ten points;

(e) Unless the exceptions of the contract are printed with greater prominence than the benefits to which they apply;

(f) Unless, if any portion of such contract purports, by reason of the circumstances under which an illness, injury or disablement is incurred to reduce any service to less than that provided for the same illness, injury or disablement incurred under ordinary circumstances, such portion is printed in bold-faced type and with greater prominence than any other text of the contract;

(g) If the contract contains any provisions purporting to make any portion of the charter, constitution or by-laws of such nonprofit corporation a part of the contract unless such portion is set forth in full in the contract,

(h) Unless such contract for hospital service contains in black-faced type not less than ten point the following provisions

"Nothing in this contract contained shall in any way or manner restrict or interfere with the right of the subscriber to select the contracting hospital or to make a free choice of his attending physician, who shall be the holder of a valid and unrevoked physician and surgeon's certificate issued by the Board of Medical Examiners of the State of California and who is a member of, or acceptable to, the attending staff and board of directors of the hospital in which said hospital services are to be provided and rendered."

11513. A hospital service contract shall not be issued or delivered in this State until:

(a) A copy of the form thereof, and, if more than one class of risks is written, of the classification of risks, and the consideration payable by the subscriber pertaining thereto are filed with the commissioner

(b) Either:

(1) Thirty days expires without notice from the commissioner after such copy is filed, or,

(2) The commissioner gives his written approval prior to that time.

11514. If the commissioner notifies the corporation, in writing, that the filed form does not comply with the requirements of law, specifying the reasons for his opinion, it is unlawful for the corporation thereafter to issue any contract in such form.

Article 7. Exemptions, Exceptions and Special Provisions

11517. The provisions of this code governing domestic incorporated insurers, their business, and their contracts shall so far as applicable and not inconsistent herewith, govern corporations subject to this chapter and the business and contracts of such corporations, except that such corporations, their business and contracts shall not be subject to the following provisions of this code

Article 2, Chapter 1, Part 2, Division 1.
Article 7, Chapter 1, Part 2, Division 1.
Article 10, Chapter 1, Part 2, Division 1
Article 11, Chapter 1, Part 2, Division 1
Article 12, Chapter 1, Part 2, Division 1
Article 13, Chapter 1, Part 2, Division 1.
Chapter 4, Part 2, Division 2.
Part 4, Division 2.

Section 2. Chapter 386 of the Statutes of 1935, being, "An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans," approved July 5, 1935, is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1062—An act to amend sections 20 and 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to awards and disposition thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 534—An act to amend sections 2, 3, 4, and 21 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 146—An act to amend sections 1250 and 1251 of the Fish and Game Code, relating to deer.

Committee Amendment to Senate Bill No. 146.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 13, of the printed bill, after the word "having", insert the words "not more than", and in the same line strike out the words "at least one", and insert in lieu thereof the word "either".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 929—An act to add section 37 to the Fish and Game Code, relating to disposition of game.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 181—An act to amend section 1177 of the Fish and Game Code, relating to game birds.

Bill read second time, and ordered on third reading calendar.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the Governor's veto to Assembly Bill No 331 was continued until the next legislative day.

Notice of Motion to Withdraw House Resolution No. 54 Continued.

On motion of Mr. Yorty, the consideration of his notice of motion to withdraw House Resolution No. 54 from the Committee on Public Utilities was continued until the next legislative day.

Reconsideration of Assembly Bill No. 1760.

In compliance with a notice given on a previous day, Mr. Welsh moved that the vote whereby Assembly Bill No. 1760 was passed be reconsidered.

The roll was called, and Assembly Bill No 1760 reconsidered by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Consideration of Assembly Bill No. 1760.

Assembly Bill No. 1760—An act to amend section 627 of the Penal Code, relating to trespass on real property.

Motion to Amend Assembly Bill No. 1760.

Mr. Desmond moved to amend Assembly Bill No 1760 as follows:

Amendment No. 1.

On page 1, line 25, of the printed bill, before "game", insert the following: "State or Federal".

Amendment adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 1760, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1760 as Amended.

Assembly Bill No. 1760—An act to amend section 627 of the Penal Code, relating to trespass on real property.

Assembly Bill No. 1760, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Reconsideration of Assembly Bill No. 1223.

In compliance with a notice given on a previous day, Mr. Hornblower moved that the vote whereby Assembly Bill No 1223 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1223 reconsidered by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66

NOES—None.

Consideration of Assembly Bill No. 1223.

Assembly Bill No. 1223—An act to amend sections 81, 504, 511, 525, 550, 576, 590 and 602 of, and to add sections 512 and 596 5 to, the Vehicle Code, relating to vehicles, the operation and equipment thereof, and certain crimes in relation thereto

Motion to Amend Assembly Bill No. 1223.

Mr Hornblower moved to amend Assembly Bill No 1223 as follows:

Amendment No. 1.

On page 4, line 11, of the printed bill, after the word "any", insert the following: "spur".

Amendment adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1223, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1223, as Amended.

Assembly Bill No. 1223—An act to amend sections 81, 504, 511, 525, 550, 576, 590 and 602 of, and to add sections 512 and 596 5 to, the Vehicle Code, relating to vehicles, the operation and equipment thereof, and certain crimes in relation thereto.

Assembly Bill No. 1223, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Daw-

son, Desmond, Dilworth, Donohue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—71

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 1913 Waived.

Mr. Yorty waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1913 was passed.

Assembly Bill No. 1913 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 1912 Waived.

Mr. Yorty waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1912 was passed.

Assembly Bill No. 1912 ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 2395—An act amending section 6.471 of the School Code, relating to purchasing powers of boards of school trustees and boards of education.

Motion to Amend Assembly Bill No. 2395.

Mr. Gannon moved to amend Assembly Bill No. 2395 as follows:

Amendment No. 1.

On page 1, line 9, of the printed bill, after the letters "tra", insert the following "or cadets".

Amendment adopted.

Request for Unanimous Consent.

Mr. Gannon asked for, and was granted, unanimous consent to take up Assembly Bill No. 2395, as amended, at this time, without reference to reprint, committee or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2395, as Amended.

Assembly Bill No. 2395—An act amending section 6.471 of the School Code, relating to purchasing powers of boards of school trustees and boards of education.

Assembly Bill No. 2395, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donohue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—73

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 516—An act to add section 869 to the Fish and Game Code, relating to tuna.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 263—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority, and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provision of this act, and to make an appropriation therefor," approved June 16, 1913, relating to the powers of the State Civil Service Commission.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67

NOES—Hawkins, and Richie—2.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 263.

Mr. Richie gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 263 was this day passed.

Assembly Bill No. 809—An act to amend section 3819 of the Political Code, relating to an action to recover a tax paid under protest.

Motion to Amend Assembly Bill No. 809.

Mr. Dannenbrink moved to amend Assembly Bill No. 809 as follows.

Amendment No. 1.

On page 1, lines 3 and 4, of the printed bill, strike out the following: "Payment of taxes under protest. Action within six months. Amount due county from State."

Amendment No. 2.

On page 1, line 14, of the printed bill, strike out the period, and insert in lieu thereof a comma; and in line 15, strike out "Action to recover tax. And", and insert in lieu thereof the following: "and".

Amendment No. 3.

On page 2, line 6, of the printed bill, strike out "Amount due county from State."

Amendments adopted.

Request for Unanimous Consent.

Mr. Dannenbrink asked for, and was granted, unanimous consent to take up Assembly Bill No. 809, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 809, as Amended.

Assembly Bill No. 809—An act to amend section 3819 of the Political Code, relating to an action to recover a tax paid under protest.

Assembly Bill No. 809, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick Hawkins, Heisinger, Hornblower, Hunt Johnson, Kepple, King, Kuchel, Latham Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner Voigt, Walker Watson, Weber, Williamson, Yorty, and Mr Speaker—68.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1434—An act to amend section 1024 of the Probate Code, relating to the payment of inheritance and personal property taxes before distribution.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—71

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1363—An act to amend section 4088 of the Political Code, relative to the call and redemption of county bonds

Bill read third time, and passed by the following vote.

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—73

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2333—An act to amend section 3785 of the Political Code, relating to the execution in duplicate and recordation of tax deeds to the State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch Scudder Sheehan Stream Tenney, Thorp, Turner, Voigt, Walker, Watson Weber, Welsh, Williamson Yorty, and Mr Speaker—71

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1063—An act authorizing the removal of the Stephen M White statue from the city of Los Angeles to the city of San Pedro.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1276—An act to amend section 2 801 of the School Code, relating to liability in damages of school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2732—An act to amend the title and sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, as amended, relating to cleaning and dyeing.

Motion to Amend Assembly Bill No. 2732.

Mr King moved to amend Assembly Bill No 2732 as follows:

Amendment No. 1.

On page 12, line 25, of the printed bill, after "practices", insert the following: ", which term shall include the failure to observe the requirements of municipal ordinances concerning dry-cleaning".

Amendment adopted.

Request for Unanimous Consent.

Mr King asked for, and was granted, unanimous consent to take up Assembly Bill No 2732, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 2732, as Amended.

Assembly Bill No. 2732—An act to amend the title and sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging

and/or pressing, providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, as amended, relating to cleaning and dyeing

Assembly Bill No 2732, as amended, read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—Cottrell—1.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 216—An act to amend section 1103 of the Fish and Game Code, relating to the registration of vessels.

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gilbert, Glick, Hawkins, Hunt, Kepple, Kuchel, Latham, Levey, Lore, Maloney, Martin, McMurray, Meehan Miller, Eleanor, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, and Mr. Speaker—49.

NOES—Breed, Call, Crowley, Dannenbrink, Dawson, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, King, Leonard, Lyon, Miller, George P., Millington, Reaves, Sawallisch, Tenney, Weber, Williamson, and Yorty—22.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 216.

Mr Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 216 was this day passed.

Assembly Bill No. 451—An act to amend section 3719 of the Political Code, relating to the temporary borrowing of money by counties, cities and school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Domhue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—72

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 892—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Daw-

son, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 893—An act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof, within municipal corporations.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 894—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 895—An act to legalize refunding bonds heretofore issued or sold or to be issued and sold by municipalities, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 896—An act to validate the organization and existence of municipal improvement districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—76

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 897—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 898—An act to legalize bonds heretofore issued and sold or to be issued and sold by port districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such port districts voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds

Bill read third time, and passed by the following vote.

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 899—An act to legalize revenue bonds heretofore issued or sold or to be issued and sold by port districts, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read third time, and passed by the following vote·

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp,

Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 900—An act to validate the organization and existence of public utility districts.

Bill read third time, and passed by the following vote.

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 901—An act to legalize bonds heretofore issued and sold or to be issued and sold by public utility districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 902—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 903—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp,

Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 904—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 905—An act to validate bonds of flood control districts, including refunding bonds, and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 908—An act confirming and validating the formation or organization and existence of sanitary districts

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 910—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin,

Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 911—An act to confirm and validate the boundaries of municipal utility districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 912—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any municipal utility district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 913—An act confirming and validating the formation or organization and existence of irrigation districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 914—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin,

Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 915—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 916—An act to legalize bonds heretofore issued and sold or to be issued and sold by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—76

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 917—An act to legalize refunding bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such refunding bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp,

Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 918—An act to validate the organization and existence of water conservation districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 919—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 920—An act to legalize bonds heretofore issued and sold or to be issued and sold by bridge and highway districts

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 921—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any municipal water district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp,

Turner, Voigt, Walker Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 922—An act to validate the organization and existence of county water districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 923—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any joint highway district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 924—An act to validate the organization and existence of municipal water districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 10—An act to amend sections 1269a and 1269c of the Civil Code, relating to the sale, mortgage or exchange of a homestead by the husband or wife of an insane or incompetent person.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 28—An act to repeal setions 249 and 250 of the Political Code, relating to the Judiciary Committee.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Leave of Absence.

Mr. Flint was granted leave of absence for the balance of this legislative day, on motion of Mr Glick.

Third Reading of Assembly Bills—(Resumed).

Assembly Concurrent Resolution No. 15—Relative to the celebration of Admission Day as a legal holiday

Point of Order.

Mr. King arose to the following point of order: That there was not $2,500 in the contingent fund.

Ruling on Point of Order.

The Speaker ruled the point of order not well taken.

Motion to Amend Assembly Concurrent Resolution No. 15.

Mr. Hawkins moved to amend Assembly Concurrent Resolution No 15 as follows

Amendment No. 1.

On page 1, lines 14 and 15, of the printed measure as amended, strike out "all of which members shall be native sons.".

Demand for Previous Question.

Messrs. Johnson, Andreas, Reaves, Desmond and Glick demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment to Assembly Concurrent Resolution No. 15.

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh, M. Burns, Michael J. Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—60.

NOES—Breed, Dilworth, Heisinger, Johnson, Kepple, Kuchel, Latham, Lyon, Martin, and Morgan—10.

Request for Unanimous Consent.

Mr Millington asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 15, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Concurrent Resolution No. 15, as Amended.

Assembly Concurrent Resolution No. 15—Relative to the celebration of Admission Day as a legal holiday.

Motion to Amend Assembly Concurrent Resolution No. 15.

Mr. King moved to amend Assembly Concurrent Resolution No. 15 as follows

Amendment No. 1.

In the last line of the bill, strike out the period, insert a comma, and add the following "Provided that the appropriation herein contained from the Assembly contingent fund shall be effective only to the extent of the unappropriated money in the Assembly contingent fund at the time requisition be made for the expenditure thereof."

Amendment refused adoption by the following vote.

AYES—Andreas, Boyle, Cassidy, Clark, Crowley, Daley, Dannenbrink, Garland, Gilbert, Glick, Hawkins, Hunt, King, Lore, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr Speaker—33

NOES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Dawson, Desmond, Dilworth, Donahue, Field, Fulcher, Gannon, Garibaldi, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, Millington, Morgan, Peyser, Redwine, Sawallisch, Sheehan, Stream, Thorp, Walker, and Weber—36

Assembly Concurrent Resolution No. 15 read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—62

NOES—Crowley, Gilbert, Lore, Reaves and Richie—5

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Withdrawal and Re-reference of Senate Bill No. 259.

On motion of Mr. Lyon, Senate Bill No. 259 was withdrawn from the Committee on Crime Problems, and re-referred to the Committee on Judiciary General.

Withdrawal and Re-reference of Assembly Bill No. 648.

On motion of Mr. Rosenthal, Assembly Bill No. 648 was withdrawn from the Committee on Public Morals, and re-referred to the Committee on Ways and Means.

Withdrawal and Re-reference of Assembly Bill No. 404.

On motion of Mr. Boyle, Assembly Bill No. 404 was withdrawn from the Committee on Ways and Means, and re-referred to the Committee on Judiciary General.

Withdrawal and Re-reference of Assembly Bill No. 1761.

On motion of Mr. Desmond, Assembly Bill No. 1761 was withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Revenue and Taxation

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 32—An act to amend section 528 of the Political Code, relating to the publication of laws of each session of the Legislature.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—61.

NOES—Dannenbrink—1.

Title read and approved Bill ordered transmitted to the Senate.

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Concurrent Resolution No. 34: By Mr. Mayo—Relative to adjournment out of respect for Colonel Charles Goff Thomson, deceased.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 34, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 34.

Assembly Concurrent Resolution No. 34—Relative to adjournment out of respect for Colonel Charles Goff Thompson, deceased.

Assembly Concurrent Resolution No. 34 read, and unanimously adopted.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 33—An act to amend section 410 of the Political Code, relating to the laws, resolutions, and Journals of the Legislature.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 320—An act to amend section 5 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to the needy blind.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth,

Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—63

NOES—None.

Assembly Bill No. 320 read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 320.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 320 was this day passed.

Assembly Bill No. 279—An act to amend section 978a of the Code of Civil Procedure, relating to undertakings on appeal.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2341—An act to amend section 583b of the Penal Code of the State of California, prohibiting the wearing by a person not entitled to do so of the badge, lapel button, rosette, or other recognized and established insignia of any secret society, order or organization, fraternal or religious order or denomination, or of any sect, church or religious denomination.

Motion to Amend Assembly Bill No. 2341.

Mr. Hornblower moved to amend Assembly Bill No. 2341 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "583b", and insert in lieu thereof the following: "538b".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "583b", and insert in lieu thereof the following: "538b".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "583b", and insert in lieu thereof the following: "538b".

Amendments adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 2341, as amended, at this time, without ref-

erence to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2341, as Amended.

Assembly Bill No. 2341—An act to amend section 538b of the Penal Code of the State of California, prohibiting the wearing by a person not entitled to do so of the badge, lapel button, rosette, or other recognized and established insignia of any secret society, order or organization, fraternal or religious order or denomination, or of any sect, church or religious denomination.

Assembly Bill No. 2341, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker; Watson, Weber, Yorty, and Mr. Speaker—64.

NOES—Welsh—1.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2341.

Mr. Welsh gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2341 was this day passed.

Assembly Bill No. 2341 ordered to reprint.

Assembly Bill No. 2678—An act to amend section 707 of the Code of Civil Procedure, relating to rents and profits during the period of redemption.

Bill read third time, and refused passage by the following vote:

AYES—Andreas, Beene, Breed, Call, Cottrell, Cronin, Crowley, Dannenbrink, Desmond, Gannon, Garibaldi, Garland, Kepple, Kuchel, Martin, Miller, George P., Millington, Muldoon, Peyser, Redwine, Rosenthal, Sawallisch, Scudder, Voigt, Walker, and Weber—26.

NOES—Boyle, Cassidy, Clark, Daley, Dawson, Dilworth, Donihue, Field, Fulcher, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Lore, Maloney, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Sheehan, Stream, Tenney, Turner, Watson, Welsh, Yorty, and Mr. Speaker—36.

Notice of Motion to Reconsider Assembly Bill No. 2678.

Mr. Dannenbrink gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2678 was this day refused passage.

Assembly Bill No. 2688—An act to amend section 1946 of the Civil Code, relating to notices of intention to terminate hiring of real property.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1785—An act to amend section 32d of the California Irrigation District Act, relating to the payment of principal or interest on funding or refunding bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 602—An act to amend the Political Code by adding thereto a new section to be numbered 4049b, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

Bill read third time, and refused passage by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Call, Clark, Cottrell, Dilworth, Field, Fulcher, Gannon, Garibaldi, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Millington, Morgan, Peyser, Reaves, Redwine, Sawallisch, Scudder, Stream, Thorp, and Walker—32

NOES—Andreas, Boyle, Cassidy, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Pelletier, Richie, Rosenthal, Sheehan, Tenney, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—36.

Notice of Motion to Reconsider Assembly Bill No. 602.

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 602 was this day refused passage.

Assembly Bill No. 1310—An act to amend section 4140 of the Political Code, authorizing notations of revenue stamps by county recorder and the affixing of said stamps by registrar of land titles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2398—An act authorizing the State of California, cities, counties, cities and counties and other political subdivisions to sell and otherwise dispose of real property acquired on tax sale and to cancel assessments for delinquent taxes and other levies upon any sale, by any other political subdivision and providing for the division of receipts from such sales.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawal-

lisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65.

NOES—Reaves—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 425—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by amending section 12 thereof, relating to flood control bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2202—An act adding section 3671e to the Political Code, providing for enforcing tax liabilities imposed by States extending like comity to this State and providing for bringing suit in other States to collect taxes due this State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Watson, Weber, Yorty, and Mr Speaker—59.

NOES—Desmond, King, Richie, Tenney, and Welsh—5.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. Patrick J. McMurray in the Chair.

At five o'clock and twenty-five minutes p.m., Hon. Patrick J. McMurray, member of the Assembly from the Twenty-Fourth District, in the chair.

Assembly Bill No. 499—An act to amend section 4041k of the Political Code, of the State of California, relating to the vacation of easements.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Weber, and Welsh—53.

NOES—King, Tenney, and Yorty—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 34—An act to amend section 737 of the Penal Code, relating to officers liable to impeachment.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Yorty—60

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 34.

Mr. Donihue gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 34 was this day passed.

Assembly Bill No. 2679—An act to amend section 2898 of the Civil Code, relating to priority of mortgages for price.

Bill read third time, and refused passage by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Garibaldi, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, Patterson, Peyser, Redwine, Rosenthal, Sawallisch, Sheehan, Walker, Watson, Weber, Welsh, and Yorty—39.

NOES—Boyle, Breed, Crowley, Fulcher, Gilbert, Hunt, King, Latham, Leonard, O'Donnell, Pelletier, Reaves, Stream, and Tenney—14.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2679.

Mr. Rosenthal moved to expunge the record and rescind the action whereby the Assembly refused passage to Assembly Bill No. 2679.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Garibaldi, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Yorty—55.

NOES—None.

Consideration of Assembly Bill No. 2679.

Assembly Bill No. 2679—An act to amend section 2898 of the Civil Code, relating to priority of mortgages for price

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, and Yorty—57.

NOES—Gilbert, and Hunt—2.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 210 re-referred to Committee on Ways and Means.

Assembly Bill No. 4 re-referred to Committee on Ways and Means.

Assembly Bill No. 2611 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2681 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2651 re-referred to Committee on Education.

Assembly Bill No 1907 re-referred to Committee on Revenue and Taxation.

The Speaker in the Chair.

At five o'clock and forty-five minutes p m., Hon William Moseley Jones, Speaker of the Assembly, in the chair.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Martin:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to the erection of the first unit of the Southern California Prison and making an appropriation therefor.

Referred to Committee on Introduction of Bills

By Mr. Meehan:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 1098 to the Political Code, relating to elections

Referred to Committee on Introduction of Bills

By Mr. Robertson.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bills, the titles of which read as follows:

An act to amend the "Use Tax Act of 1935," approved June 25, 1935, by amending section 4 thereof relating to exemptions, by adding "Newsprint" to the tangible personal property exempt from the tax imposed by such act

Also:

An act making an appropriation to pay the claim of the Thirty-Seventh District Agricultural Association against the State of California

Referred to Committee on Introduction of Bills.

By Mr. Welsh:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof

Referred to Committee on Introduction of Bills

By Mr. Hunt:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 486 of the Civil Code relating to regulations of trains and penalties.

Referred to Committee on Introduction of Bills

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them:

By Mr. Martin:

An act relating to the erection of the first unit of the Southern California Prison and making an appropriation therefor.

By Mr. Robertson:

An act to amend the "Use Tax Act of 1935," approved June 25, 1935, by amending section 4 thereof relating to exemptions, by adding "Newsprint" to the tangible personal property exempt from the tax imposed by such act.

By Mr. Robertson:

An act making an appropriation to pay the claim of the Thirty-Seventh District Agricultural Association against the State of California.

By Mr. Meehan:

An act to add section 1098 to the Political Code, relating to elections

By Mr. Welsh:
An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof.

By Mr. Hunt:
An act to amend section 486 of the Civil Code relating to regulations of trains, and penalties.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M. Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Domihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—66.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2805: By Mr. Martin—An act relating to the erection of the first unit of the Southern California Prison and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2806: By Mr. Robertson—An act to amend the "Use Tax Act of 1935," approved June 25, 1935, by amending section 4 thereof relating to exemptions, by adding "Newsprint" to the tangible personal property exempt from the tax imposed by such act

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2807: By Mr. Robertson—An act making an appropriation to pay the claim of the Thirty-seventh District Agricultural Association against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2808: By Mr. Meehan—An act to add section 1098 to the Political Code, relating to elections.

Bill read first time, and referred to Committee on Elections.

Assembly Bill No. 2809: By Mr. Welsh—An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2810: By Mr. Hunt—An act to amend section 486 of the Civil Code relating to regulations of trains, and penalties.

Bill read first time, and referred to Committee on Public Utilities.

Report Printed in Journal.

The following portion of the Biennial Report of the State Board of Equalization was ordered printed in the Journal pursuant to the terms of House Resolution No 106, adopted March 22, 1937:

PARTIAL BIENNIAL REPORT OF THE STATE BOARD OF EQUALIZATION.

Matters of General Concern Affecting the Revenue System.

PRESENT TAX STRUCTURE SOUND.

Changes in the revenue system, made largely upon recommendation of the State Board of Equalization, have combined with better economic conditions to give California a sound tax structure.

This improvement is to be noted especially in State finances, but the close relationship between the central and local governments makes it possible to say that the entire fiscal structure is sounder than it has been in several years.

If present sources of revenue are left undisturbed and if public expenditures are kept reasonably in check, there should be a substantial surplus in the State Treasury within the next two years.

PROPOSED CHANGES REQUIRE SCRUTINY.

Numerous measures will be urged at the present legislative session, proposing amendment or repeal of existing tax laws, or enactment of new revenue statutes. A regard for the public interest requires careful evaluation of these proposals

Thorough comprehension of basic facts is essential to the effective solution of any human problem. This is particularly true in the field of taxation, where haphazard experimentation is apt to be fraught with disastrous results.

Until we can assure ourselves that a new tax law is really a better tax law, we shall be much better off without its enactment. Nor should we abandon tried and effective revenue measures until we know what the effect will be on the functions of government.

UNWISE CHANGES DISTURB BUSINESS.

Under modern conditions, the public has come to expect a great deal of government, and all business is oriented accordingly. Disturbance in State revenues is reflected immediately in unsettled commercial conditions. Tinkering with tax laws has an unwholesome effect not only on the government but on private business as well.

REPORT GIVES ESSENTIAL FACTS.

Realizing this, the State Board of Equalization has endeavored to present in the following biennial report data setting forth in detail its activities of the past two years, particularly from the standpoint of the actual operation of the present revenue laws.

During the biennium the board has developed steadily as the major taxing unit of the State Government. As an indication of this increased activity, combined with the substantial gain in revenues resulting from improved economic conditions, reports of the various divisions show a gain of more than $117,000,000 in revenue assessments for the 1934-1936 biennium as compared with the previous two-year period.

REVENUES REGISTER SUBSTANTIAL GAINS.

For the eighty-sixth fiscal year (July 1, 1934, to June 30, 1935), revenues assessed by the board amounted to $143,873,707.21. Of this amount, $2,763,761.65 or 1.92 per cent, was expended for costs of administration. For the eighty-seventh fiscal year (July 1, 1935, to June 30, 1936), the total revenues assessed amounted to $172,879,325.31, of which $3,095,159.99 was spent for administration, or 1.79 per cent of the assessments.

Revenues and expenditures under the jurisdiction of the board for the biennium included:

	Revenues	*Administrative expense*	*Percentages; expense to revenues*
General administration		$114,040 37	
Insurance tax	$13,407,278 75	9,120 00	0.0680
Valuation of utilities	60,000,000 00	219,940 91	0.3666
Motor transportation tax	3,671,523 21	660,763 62	17.9970
Motor vehicle fuel tax	86,789,398 51	215,083 89	0.2478
Retail sales tax and use tax	133,893,092 74	2,869,919 95	2.1434
Liquor licenses and control	8,189,975 78	1,516,103 56	18.5239
Excise taxes on alcoholic beverages	10,801,763 53	252,946 25	2.3417
Totals for biennium	$316,753,032 52	$5,858,921 55	1.8497

Indicative of the general upward trend in returns from taxes administered by the board, the records show that collections under the retail sales tax amounted to $60,538,156.53 during the eighty-sixth fiscal year and, with the addition of the use tax, jumped to $73,064,256.01 in the eighty-seventh fiscal year. The present forecast is an annual income in excess of $80,000,000 from this single source of revenue.

SALES TAX MEETS COSTS OF EDUCATION.

This estimated income is approximately the amount required for the State's outlay for the support of common schools and for the maintenance of the University of California, the State colleges and other State establishments for public education.

This form of tax now has become a well-established part of the revenue system, not only in this State but also in a substantial number of other States. The fact that the per capita yield, after making due allowances for differences in per capita income and for exemptions, is higher in this State than in any other jurisdiction, is evidence of efficient administration.

FIELD WORK BRINGS RESULTS.

The high yield and effective administration have been largely the results of the organization of a program of field audits and investigations. It is essential that this phase of the work be further developed. The funds heretofore appropriated have been insufficient to provide the staff of auditors required by the large number of taxpayers and great volume of work. A relatively small increase in the staff would produce additional revenues many times its cost and would permit more effective administration of these tax acts.

FURTHER SALES TAX EXEMPTIONS UNWISE.

Exemption of food products, through the 1935 amendment, has done much to remove such irritation as the buying public may have felt because of the sales tax. Those, who by reason of limited resources, have been required to spend a relatively large share of their income for food doubtless have found this exemption of appreciable benefit.

Other exemptions will be advocated during the current legislative session The wisdom of allowing them is subject to serious question. Individually many of the proposals may appear to have merit, but their enactment would tend to impair materially the effectiveness of the tax

If the sales tax is to continue as a successful revenue measure, it must be kept on as broad a base as possible Its principal value as a source of public funds is the universality of its application Extending to practically all retail sales of personal property, it is producing a large amount of revenue at a low rate. This can continue only so long as the base of the tax is left undisturbed

One additional exemption will undoubtedly lead to another Soon others will follow, supported by the argument that they are fully as meritorious as those allowed previously. Exemptions, reasonable enough when considered individually, will form a vicious cycle destroying the usefulness of the measure, and will plunge the State back into the "tax crisis" from which it was rescued through the adoption of the Sales Tax Act

USE TAX PROTECTS LOCAL MERCHANTS

The Use Tax Act has accomplished its purpose of placing California retailers on equal terms with their out-of-state competitors Adopted in 1935 upon recommendation of this board, the act applies only to the use of property which has not been reached under the sales tax It imposes the same rate on the sales price of the property as would have been collected from the retailer had the sales tax been applicable

Thus, the device of buying property out of California to avoid paying the sales tax is no longer effective An equivalent use tax must be paid. Local merchants are not deprived of any business because of a tax advantage accruing to their out-of-state competitors

More than $2,500,000 has accrued directly from the use tax during the year and a half since the law has been in force. But, as above indicated much more revenue is attributable to the use tax. Trade, which otherwise might have been diverted from California retailers, has been retained here and has swelled sales tax collections substantially Moreover, since the tax rates are identical and but one report is used for both sales and use tax payments, taxpayers frequently make no distinction between the gross receipts subject to the different taxes. Much "sales tax" revenue is doubtless, strictly speaking, collected under the use tax law

CHANGE IN USE TAX UNWISE.

Changes will be advocated in the use tax The Legislature will be told that the law is of doubtful validity or that it is productive of hardships in certain instances

After reviewing the entire problem, and obtaining competent legal advice, the board is convinced that the California Use Tax Act will avoid successfully the pitfalls of unconstitutionality besetting any measure dealing with goods which have moved in interstate or foreign commerce The act has been drawn to conform to the United States Supreme Court decisions holding similar laws constitutional and, if left undisturbed, should be able to withstand the assaults of those who seek to have it declared invalid.

Incalculable harm may result if there is any tinkering with the use tax at this stage of developments No court has held the act unconstitutional Our legal advisers say that, in its present form, the law should be upheld by the United States Supreme Court, under a ruling consistent with recent decisions There is everything to gain and nothing to lose in retaining this law upon the statute books without substantial amendment.

GROSS INCOME TAX INADEQUATE.

Repeal of the sales tax and the use tax, as well as the net income tax, has been urged. In replacement, a gross income tax is proposed. Nothing in the experience of any other State, compared with what has transpired in California, lends support to such a change.

Estimated revenues from the sales and use taxes alone during the next biennium are in excess of $183,000,000. Income tax revenues for the same period have been estimated at $33,000,000, making a total of more than $216,000,000

Advocates of the change cite the success of the gross income tax in Indiana. In that State, with a population approximately half that of California, the tax on gross income yields less than $17,000,000 per year, yet the rates are as high as are feasible, and apply to foodstuffs exempt from tax here.

Comparison on basis of population would indicate a yield of $35,000,000 annually from a similar tax in California. Making allowance for trade factors might increase this to $50,000,000, although there is no assurance of such a yield There would be, at most, a biennial revenue of $100,000,000 from the gross income tax to replace $216,000,000. A deficit of more than $100,000,000 would result.

This brief review of the situation should serve to convince those interested in the solvency of government of the undesirability of scrapping our present tax laws in order to substitute a gross income tax. Moreover, administrative expense would be greatly increased, because instead of limiting our accounts to some 180,000 retailers as we now do, the number of individual taxpayers would be multiplied many times. The tax yield would be cut in half, but the expense of administration would be doubled.

OTHER TAX YIELDS INCREASED.

Gratifying results have been obtained by the board from other tax measures, as well, entrusted to our administration. During the past biennium the yield from the motor vehicle fuel tax has jumped from $39,922,123 for the year ended June 30, 1935, to $46,847,585 for the second half of the two-year period, with allowance for differences in rates. No other State approaches our yield from gasoline taxes in proportion to the number of vehicles licensed for operation.

Motor vehicle transportation license tax yields have also shown marked gain. In the first year of the biennium the 3 per cent gross receipts tax on motor vehicle operators was $1,128,650. This increased to $2,011,477 for the year ended June 30, 1936 Part of the gain is attributable to extension of the tax to common carriers, taxed prior to January 1, 1935, under a different law, but, again, California has established an enviable record for the amount of tax obtained. No State with a comparable statute has found it as productive of revenue.

LIQUOR TAX REVENUES GAIN.

During the first half of the biennial period covered by this report, the only special excise tax applicable to alcoholic beverages was the tax at 2 cents per gallon on beer and wine. This amounted to $1,573,537 for the year ended June 30, 1935. With the addition of the excise tax at 80 cents per gallon distilled spirits, the revenue from liquor taxes rose to $9,228,225 in the following year, making a total of $10,801,762 for the biennium. At the conclusion of the first year's experience with respect to the distilled spirits excise, it was found that 9,166,237 gallons had been taxed. This means that California collected a tax on 1.482 gallons of distilled spirits for every inhabitant of the State The nearest approach to this figure is that for Illinois, where 1.07 gallons were taxed per capita.

California's distilled spirits tax collections are so much greater than those of any other State, in proportion to population, that the comparison points to the definite conclusion that we have had the most effective administration of the tax

LIQUOR LICENSES BRING MORE FEES.

Liquor license fees collected during the first half of the biennium amounted to $3,725,261 and, during the following year, increased to $4,464,714, making a total of $8,189,975 for the two year period. A substantial part of this gain was due to changes, effective July 1, 1935, in the amounts of fees and dates of payment, but some of the additional revenue is attributable to a greater number of licenses

The board does not regard increased revenue as a prime objective in liquor license administration. Consequently, in the absence of upward adjustment of fees, further substantial gains from this source are not anticipated.

Inasmuch as this report is concerned with revenue matters, no attempt will be made here to discuss the social problems involved in the sale of alcoholic beverages. It may be observed, however, that any design to augment revenues by increasing the number of places at which such beverages may be obtained is subject to serious criticism.

NEW UTILITY ASSESSMENTS INCLUDED

For the first time in the history of the State, this report includes schedules of *ad valorem* assessments made by the board, covering approximately one-seventh of the taxable wealth in California. Most of this property is owned by public utilities (railroads, car and express companies, gas and electric companies, telephone

and telegraph companies); but intercounty pipe lines and ditches, regardless of the character of ownership, are also assessed by the board. In pursuance of a constitutional amendment (Article XIII, section 14) adopted in 1933, the first valuations were made in 1935. Upon undertaking this work, the board found itself faced with three major problems:

(1) Valuation of the various utility companies, pipe line or ditch systems as a whole;

(2) Segregation of the value of the component items of property in the several taxing jurisdictions; and

(3) Equalization of these assessments with those made by local assessors so that common tax rates might be applied equitably.

UTILITY SYSTEM VALUATION ESSENTIAL.

From the very nature of their business, public utilities hold in single ownership vast properties of varied types located in numerous taxing jurisdictions. This circumstance was doubtless the underlying factor responsible for the constitutional provision that such holdings should be centrally assessed, even though taxed in the same manner as other property.

Recognizing the need for finding the system value of a utility in order to determine the worth of the component parts, the board has had valuation studies made with respect to each utility as a whole. Similar studies had been completed earlier for the purposes of comparing gross receipts tax burdens on utility property and *ad valorem* tax burdens on common property, under the system of separation of sources prevailing prior to amendment of the Constitution in 1933.

Thus, although much work of an exacting nature was involved, this task did not present an unfamiliar problem. Access was had to the earlier studies, which were brought down to date, and the board was enabled to find system values for the taxpayers whose properties it must assess.

APPORTIONMENT OF SYSTEM VALUE DIFFICULT.

The second problem was mechanically a much greater task than the first. Aside from the difficulty of determining to what extent each of the properties contributed to the value of the system containing it, the board was compelled to ascertain the exact location of these properties, assigning each to the proper taxing jurisdiction.

Even under most favorable conditions, apportioning for taxation a seventh of the wealth in the State, comprised in the system values of about 400 companies many with far flung activities, would present a serious problem. Under the conditions actually existing, the task was appalling.

ALMOST 5,000 TAX DISTRICTS IN STATE.

In addition to 58 counties and 281 cities, there are in California 2,820 elementary school districts, 315 high school and junior college districts, and 1,496 special districts of various kinds, making a total of 4,970 distinct tax levying entities. Despite occasional consolidations, the number is increasing and soon will exceed 5,000.

An unfortunate feature of these districts aside from the fact that they are so numerous, is that one does not necessarily leave off where another begins. On the contrary, they overlap in a most irregular manner. Occasionally, a single piece of property will be included in as many as 12 districts, each with distinct power to tax. Instances of seven or eight districts overlapping are not at all uncommon; four or five are the rule.

STATE HAS 11,862 DIFFERENT TAX RATES.

To meet this situation, the board has devised a system whereby the State is divided into "code areas" each including a geographical unit in which all the property is subject to a common group of taxes. There are 11,862 such areas in California. This is merely another way of saying that there are almost 12,000 different tax rates applicable to property within the State.

By indicating on the assessment rolls which we prepare, the "code area" for each parcel assessed, we have simplified the task of apportionment, but the fact remains that there are too many separate taxing jurisdictions. Only in the City and County of San Francisco is but one "code area" found. At the other extreme, there are 4,882 "code areas" in the county of Los Angeles alone.

Legislation tending to reduce the number of taxing jurisdictions would be of benefit not only to taxpayers but to those engaged in tax administration. From the taxpayer's standpoint, eight or ten tax rates, each determined independently and applying to a single piece of property, offer a serious threat. From the administrator's standpoint, this divided responsibility leads to misunderstanding and makes efficiency difficult to attain.

VALUES EQUALIZED THROUGHOUT STATE.

When the State Board of Equalization was created in 1879, its prime constitutional function was the equalization of assessed values between the counties. At that time the State, in common with the counties, derived its principal support from *ad valorem* taxes. The State rate applied to the values determined by county assessors

Equalization between individual assessments within counties was left to local boards, but, after this function was performed, the assessment level for one county might vary considerably in comparison with that in another. An unequal distribution of the State tax load would result; hence, the necessity for a State Board of Equalization.

In 1911, however, State *ad valorem* taxes were abandoned with the inauguration of the system of separation of sources whereby certain utility and other property was taxed exclusively for State purposes. The need for equalization between counties ceased, and for 25 years the function lost its practical significance

State *ad valorem* taxes have never been resumed, but now that the utility property is assessed by the board and entered on local tax rolls, the necessity for equalization on a State-wide basis has returned During the interval of a quarter of century, large discrepancies in assessing standards and practices had developed among the local assessors.

Extensive studies were made to determine the level of assessment of property valued by county assessors, and, after public hearings, the board ordered equalization of assessment rolls of 34 counties, through percentage adjustments of 1937 valuations as follows

County	*Percentage*	*County*	*Percentage*
Alpine	—10	San Bernardino	+50
Butte	+10	San Joaquin	+16
Contra Costa	+27	San Mateo	+85
Del Norte	+10	Santa Barbara	+15
El Dorado	+ 7	Santa Clara	+10
Humboldt	+ 8	Santa Cruz	+40
Imperial	+10	Shasta	+30
Inyo	+50	Sierra	+17
Kern	+35	Sonoma	+40
Marin	+35	Stanislaus	+25
Mariposa	—10	Sutter	+25
Mendocino	+25	Trinity	+20
Merced	+40	Tulare	+20
Modoc	+50	Tuolumne	+50
Orange	+35	Ventura	+15
Plumas	—10	Yolo	+10
Riverside	+50	Yuba	+ 5

— indicates decrease
+ indicates increase

No change was made in the assessment rolls of those counties not listed.

Following further studies and hearings, the board found it necessary in 1936 to equalize three county tax rolls by increasing the assessments as follows:

County	*Percentage*
Fresno	20
Kings	80
Tehama	10

In those cities which have separate assessors for purposes of municipal taxation, special studies were made to determine the variation between the level of county and city assessments, and, after public hearings, orders were made to adjust accordingly the level of public utility assessments for municipal taxation The details of this work appear in schedules appended to this report.

CHANGE HAS BENEFITED TAXPAYER

Definite benefit to taxpayers generally may be found from the revision of the California tax system following adoption of the 1933 constitutional amendment. Not only has the State taken over school costs amounting to some $40,000,000 annually financing these from the proceeds of the sales tax instead of from county *ad valorem* levies, but there has been returned to local tax rolls utility property assessed at approximately $900,000,000 Annual *ad valorem* taxes on this utility property amount to $30,000,000 This means that tax burdens of at least $70,000,000 per year have been removed from common property owners. Moreover, the new law has resulted in greater uniformity in assessments and assessment practices.

LOCAL TAX OFFICIALS OF GREAT HELP.

The board is most grateful to county assessors and other tax officials throughout the State for their splendid cooperation during the biennium. Without their generous assistance, much that has been accomplished for the betterment of the revenue system could not have been achieved. The people of California are most fortunate in the intelligent devotion to public service which characterizes the work of their local tax officials.

EXPENDITURE LIMITATION OF PROVEN VALUE.

After four years' experience with expenditure limitation, the wisdom of its adoption in 1933 is demonstrated. When relief to the property taxpayer was planned through transfer of school costs and return of utility property to the local

tax base, it was recognized that, as the burden of local taxes became less oppressive the pressure to increase expenditures would grow.

In the absence of complete data as to actual needs of each of the local units of government, the expenditures for the fiscal year 1932-1933 were taken as a starting point. The basic plan contemplates that an annual increase not exceeding 5 per cent should suffice to meet the need for additional expenditures.

During the past biennium there have been fewer instances of expenditures in excess of the limitation than were noted in the preceding years. In many cases the occasion for exceeding the limit arose from cooperation with the Federal Government in public works projects. Now that local authorities have become accustomed to the limitation, the tendency to exceed it seems to have decreased.

Removal of any restraint would be followed inevitably by substantially greater expenditures and higher taxes. There is unremitting pressure on local taxing authorities by many well organized groups to spend more money out of the public treasury. These advocates of projects requiring appropriations are so intent on the benefits to be derived that they give little thought to the ultimate effect on the taxpayer. Frequently, there is no organized opposition and the funds are spent.

If, on the other hand, the taxing authorities can point to a limitation which can not be exceeded save in case of real emergency, much can be accomplished to combat this tendency to spend first and think later.

LIMITATION METHODS NEED REVISION.

Unless the Legislature enacts new laws on the subject, there will be no expenditure limitation after June 30, 1937. Although the acts passed in 1933 and 1935 have been of definite value, it is to be hoped that 1937 may bring some improvement in this type of legislation.

Continuance of the limitation on a percentage basis, without adequate facilities for a review of all budgets, may be expected to result in a large number of automatic increases to the maximum allowable. Always safeguarding democratic control of government, some provision could be made for more effective review of proposed expenditures of public funds.

STATE TAX ADMINISTRATION EFFICIENT

As already shown, California taxes, administered by the State Board of Equalization, yield more revenue than is realized relatively in any other State in the Union. This productivity of tax laws is achieved at comparatively low cost.

The ratio of total revenues to total administrative expense as shown in the table on page 29 of this report is 1.8497 per cent. When liquor licenses are eliminated from revenues, and liquor regulation from expenditures, thus confining consideration to actual tax administration, the percentage drops to 1.4—a record among tax commissions throughout the country.

Low administrative cost has not been achieved, however, at the price of efficiency. The revenues produced show conclusively that our tax assessment and administration have been exceptionally effective. The board finds itself indebted in no small degree to an efficient staff whose cooperation has made these results possible.

LIQUOR CONTROL TRANSFER LOGICAL.

Whenever a feasible plan is devised to transfer liquor regulation to some other administrative authority, we shall be glad to be relieved of this responsibility. Given to us in 1933 upon the repeal of prohibition through an amendment of the Federal Constitution, the task of alcoholic beverage control is one of such magnitude as to merit the attention of those who have no other administrative duties to perform.

Our willingness to have liquor law enforcement in other hands is not occasioned by any thought that the board's administration of these duties has been inacceptable to the people, who defeated so decisively the recent ballot proposals to transfer this responsibility. If, however, the Legislature and people should see fit to relieve us of the duties of liquor regulation, the board would have a better opportunity to devote its effort toward further improvement of tax administration. We believe that, with the cooperation of county assessors and other local tax officials, a well balanced, efficiently administered revenue system has been achieved. We would like to make it even better. Our principal interest is in tax administration. Elimination of other responsibilities would be consistent with the fundamental purposes for which the board was created.

REPORT IN REVISED FORM

This is the thirty-second biennial report of the State Board of Equalization. Although departures from previous reports are evident in style and arrangement, the continuity of the basic tax figures published by the board for more than 60 years has been maintained. To make these essential data more convenient of reference, the size of the report has been reduced through elimination of detailed statistics, which we believe have not been of general interest.

Charts and graphs have been used to illustrate some of the features of the State tax structure, so that the taxpayer may obtain a general knowledge of the operation of the revenue system without resort to detailed statistics. The increasing interest

of citizens in the subject of taxation will justify, we hope, our effort in this report not only to disseminate tax statistics but to prepare and compile these data in forms which will be concise, understandable and useful.

Comparison of Revenues and Expenditures for the Biennium July 1, 1934, to June 30, 1936

	Revenues assessed	*Expenditures by State Board of Equalization*	*Percentages Expenditures to revenues*
For the 86th Fiscal Year, July 1, 1934, to June 30 1935			
General administration		$14,404 95	
Insurance tax	$6,638,806 02	4,560 00	0 0687
Valuation of utilities	30,000,000 00	102,985 32	0 3433
Motor transportation tax	1,399,850 47	407,595 31	29 1171
Motor vehicle fuel tax	39,930,995 59	114,087 99	0 2857
Retail sales tax	60,605,255 53	1,198,262 56	1 9772
Liquor licenses and control	3,725,261 68	881,377 33	23 6595
Excise taxes on alcoholic beverages	1 573,537 92	20,488 10	1 3020
Totals	$143,873 707 21	$2 763,761 56	1 9210
For the 87th Fiscal Year, July 1, 1935, to June 30, 1936.			
General administration		$79,635 42	
Insurance tax	$6,768,472 73	4,560 00	0 0674
Valuation of utilities	30,000,000 00	116,955 59	0 3899
Motor transportation tax	2,271,672 74	253,168 31	11 1446
Motor vehicle fuel tax	46,858,402 92	100,995 90	0 2155
Retail sales tax and use tax	73,287,837 21	1 671,657 39	2 2809
Liquor licenses and control	4,464,714 10	635,729 23	14 2390
Excise taxes on alcoholic beverages	9,228,225 61	232,458 15	2 5190
Totals	$172 879 325 31	$3 095 159 99	1 7904
Total for Biennium, July 1, 1934, to June 30, 1936			
General administration		$114,040 37	
Insurance tax	$13,407,278 75	9,120 00	0 0680
Valuation of utilities	60,000,000 00	219,940 91	0 3666
Motor transportation tax	3,671,523 21	660,763 62	17 9970
Motor vehicle fuel tax	86,789,398 51	215,083 89	0 2478
Retail sales tax and use tax	133 893,092 74	2,869,919 95	2 1434
Liquor licenses and control	8,189,975 78	1 517,106 56	18 5230
Excise taxes on alcoholic beverages	10,801 763 53	252,946 25	2 3417
Totals for biennium	$316,753,032 52	$5,858,921 55	1 8497

Summary of Revenues From Assessments and Collections Made by the State Board of Equalization For the 86th (1934-35) and 87th (1935-36) Fiscal Years

	86th fiscal year 7/1/34 to 6/30/35	*87th fiscal year 7/1/35 to 6/30/36*	*Total for biennium 7/1/34 to 6/30/36*
Taxes levied on insurance companies	$6,638 806 02	$6 768,472 73	$13 407 278 75
Estimated local taxes levied on properties of public utilities on which assessed value is fixed by State Board of Equalization	30,000,000 00	30 000,000 00	60,000,000 00
Motor transportation license tax and licenses			
Taxes levied	$1,128,650 47	$2,011,477 74	$3,140,128 21
Licenses collected	271 200 00	260,195 00	531,395 00
Totals	$1 399,850 47	$2,271 672 74	$3,671,523 21
Motor vehicle fuel tax			
Taxes levied	$39,922,123 33	$46,847,585 42	$86,769,708 75
Licenses collected	8 872 26	10,817 50	19 689 76
Totals	$39 930,995 59	$46,858 402 92	$86,789,398 51
Retail sales tax and use tax			
Taxes levied and collected	$60 538,186 53	$73 064,256 01	$133,602,442 54
Permit fees collected	67,069 00	223,581 20	290,650 20
Totals	$60,605,255 53	$73,287,837 21	$133,893,092 74
Liquor licenses collected	$3,725,261 68	$4,464,714 10	$8,189,975 78
Taxes on alcoholic beverages			
Taxes levied on beer and wines	$1,573,537 92	$1,895,235 26	$3,468,773 18
Taxes collected on distilled spirits		7,332,990 35	7,332,990 35
Totals	$1,573,537 92	$9,228,225 61	$10,801,763 53
Grand totals	$143,873,707 21	$172,879,325 31	$316 753,032 52

Resolutions.

The following resolutions were offered:

By Mr. Patterson:

House Resolution No. 109.

WHEREAS, On March 23, 1890, an individual was born whose advent undoubtedly caused joy to his parents, and whose continued existence has certainly caused joy to all of his associates, and particularly in more recent years to the members of this Assembly; and

WHEREAS, Since that memorable day of his birth, he has accumulated, in addition to a vast store of legal learning, not only a charming wife, but two delightful children, one of whom is a Page in this Assembly, and the other of whom, to the grief of this Assembly, is barred by reason of her sex from such position, and

WHEREAS, John Gee Clark has ever shown himself to be courteous and patient as a man, and progressive and liberal as a statesman; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly, by reason of the profound affection and respect the members thereof hold for him, felicitates the Honorable John Gee Clark on this, his birthday, and wishes him a happy birthday, and many more of them.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up House Resolution No. 109, at this time, without reference to committee or calendar.

House Resolution No. 109 read, and unanimously adopted.

By the Committee on Attaches:

House Resolution No. 110.

Resolved, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly, as follows

	Per day
Effective March 19, 1937—	
Alice Dolman, Stenographer	$5 00
Effective March 20, 1937 (close of day)—	
Albert Day, Journal Clerk	7 00
Blanche Black, Assistant Journal Clerk	5 00
Alva Archer, Stenographer	5 00
Lois Pine, Stenographer	5 00
Bea Rae, Stenographer	5 00
Agnes Shearer, Stenographer	5 00
Margaret Burns, Stenographer	5 00

Resolved, further, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts and the Treasurer is hereby directed to pay the same:

	Per day
Commencing March 22, 1937—	
Blanche Black, Journal Clerk	$7 00
Walter W. Feeley, Assistant Journal Clerk	5 00
Mary Burns, Stenographer	5 00
Roberta Hansen, Stenographer	5 00
Helen Hutchings, Stenographer	5 00
Rose Klimovich, Stenographer	5 00
Cecelia Mass, Stenographer	5 00
Elsie Morebeck, Stenographer	5 00
Margaret Quiggle, Stenographer	5 00

Resolved, further, That the compensation of the above named attaches shall be on a six day per week basis.

House Resolution No. 110 read, and adopted by the following vote

AYES—Andreas, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donnahue, Donnelly, Field, Fulcher, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—61

NOES—None.

By Mr. Miller:

House Resolution No. 111.

WHEREAS, Mr. Edward Keating, editor and manager of the newspaper "Labor," has kindly forwarded to members of the Assembly copies of that valuable paper; and

WHEREAS, Said newspaper is one of America's foremost labor publications, and is the official newspaper of 15 recognized standard railroad labor organizations; now, therefore, be it

Resolved by the Assembly of the State of California, That the appreciation of this body for the copies of "Labor" be expressed to Mr. Edward Keating, and through him to the organizations sponsoring that publication; and be it further

Resolved, That a copy of this resolution be transmitted by the Clerk of the Assembly to Mr. Edward Keating, editor and manager of "Labor," Washington, D. C.

House Resolution No. 111 read and referred to Committee on Labor and Capital.

By Messrs. Williamson, McMurray, Meehan, Crowley, and Morgan, and Miss Miller.

House Resolution No. 112.

WHEREAS, The practice among Christians of setting apart the hours from twelve to three on Good Friday for devotion having obtained so largely in California, that it would seem but right not only to favor such hallowed practice, but also to give opportunity to all who desire to recall during these hours the mystery which Christians celebrate; be it

Resolved, That it is the sense of the Assembly of the State of California, that adjournment be taken at twelve o'clock m., on Friday, March 26, 1937, to enable all who wish to participate in the exercises which mark these hours so notable in the world's history.

Request for Unanimous Consent.

Mr. Morgan asked for, and was granted, unanimous consent to take up House Resolution No. 112, at this time, without reference to committee or calendar.

House Resolution No. 112 read, and adopted.

Motion to Print Report in Journal.

On motion of Mr. Cassidy, the following report of the Special Committee on Institutions was ordered printed in the Journal:

REPORT OF SPECIAL COMMITTEE ON INSTITUTIONS.

Honorable William Moseley Jones, Speaker, Fifty-Second Session, 1937, Assembly of the State of California, Sacramento, California.

Your Special Committee on Institutions heretofore appointed in accordance with the resolution herewith submits a partial report specifically covering the Veterans Home of California at Yountville. The Veterans Home of California is maintained for the care of any eligible veterans who have been residents of California for at least six (6) years and part of the cost of maintenance of each member of the Veterans Home is borne by the Federal Government.

Your committee investigated, particularly, the condition of the buildings in which these men were being housed, fed and cared for. In examining these facilities we find that a condition exists which is a disgrace to the State of California. Many of these buildings were completed about 1883 and they are gradually falling to pieces. For example, the barracks, buildings which are of a type of construction widely used in the early 80's, are three-story buildings in which are housed 637 men. In case of fire it would be almost a certainty that the members living on the third floor of these old ramshackle wooden buildings would be unable to escape.

The budget has recommended $324,000 for construction. Of this amount $260,000 is for the erection of additional barracks sufficient to house 200 men. In order to bring the conditions at this institution to a place where these men are properly housed and taken care of, your committee recommends that there be included in Item No. 122, as shown in the budget submitted by the Governor, the following additional items:

Two (2) additional barracks to take care of all of the men now housed in the old insanitary buildings	$520,000 00
Addition to the hospital providing extra beds	200,000 00
New mess hall	300,000 00
Mechanical service lines to these new buildings	35,000 00
Present item for construction in the budget	324,000 00
Total	$1,379,000 00

This construction is absolutely essential to protect these men, who are wards of the State of California, and unless this is done immediately there exists a very great danger of a holocaust. The responsibility for any loss of lives will be squarely upon the shoulders of this body, in case of failure to appropriate the necessary funds to remedy the existing conditions.

With reference to the water situation. Supply of this institution is very precarious, it has been necessary several times in the last three years for the Commandant to take extreme measures for the conservation of water. For taking baths water has been restricted and even shaving facilities have been cut down in an attempt to protect the small and inadequate supply of water.

Your committee strongly urges that the sum of $1,250,000 be appropriated for the purpose of securing a water supply for this institution. Such a supply, when acquired, can also be used to take care of the needs of other institutions in the Napa Valley and its environs.

Respectfully submitted.

CASSIDY, Chairman.
McMURRAY.
REAVES.
Members, Special Committee on Institutions

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred:

The request of Mr. Heisinger that 500 extra copies of the Dairy Industries Investigation Committee report be printed as a separate document,

Also: The request of Mr. Dawson that 500 extra copies of the Klamath River Investigation be printed as a separate document;

Respectfully reports the same back with the recommendation that the requests be granted

PEEK, Chairman

Report read and adopted.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 50.
Assembly Bill No. 292.
Assembly Bill No. 534.
Assembly Bill No. 1062.
Assembly Bill No. 1277.
Assembly Bill No. 1720.
Assembly Bill No. 1833.
Assembly Bill No. 2279.
Assembly Bill No. 2587.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Assembly Bill No. 1628 re-referred to Committee on Education.

Assembly Bill No. 3 re-referred to Committee on Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 3. **Assembly Bill No. 1628.**

And reports the same correctly engrossed. CUNNINGHAM, Chairman.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 2802.

Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means. PEEK, Chairman.

The above reported bill re-referred to Committee on Ways and Means

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1335.

Respectfully reports the same back with the recommendation: Do pass as amended.

O'DONNELL, Chairman

The above reported bill ordered on second reading calendar

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred:

Assembly Bill No. 1599. **Assembly Bill No. 766.**

Respectfully reports the same back with the recommendation: Do pass as amended

MILLINGTON, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred

Assembly Bill No. 260. **Assembly Bill No. 469.**
Assembly Bill No. 436. **Assembly Bill No. 1688.**

Respectfully reports the same back with the recommendation: Do pass as amended

DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 2687.

Respectfully reports the same back without recommendation, as amended.

MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 21.

Respectfully reports the same back without recommendation, as amended

HUNT, Chairman

The above reported bill ordered on second reading calendar

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred

Assembly Bill No. 266. **Assembly Bill No. 278.**
Assembly Bill No. 276. **Assembly Bill No. 830.**

Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: Your Committee on Education, to which was referred

Assembly Bill No. 1469.

Respectfully reports the same back with the recommendation: Do pass as amended

CLARK, Chairman

The above reported bill ordered on second reading calendar

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred:

Assembly Bill No. 1641.

Respectfully reports the same back without recommendation, as amended

CASSIDY, Chairman

The above reported bill ordered on second reading calendar

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred

Assembly Bill No. 483.
Assembly Bill No. 1072.
Assembly Bill No. 2376.

Respectfully reports the same back with the recommendation: Do pass as amended

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred.
Assembly Bill No. 1429.
Respectfully reports the same back without recommendation, as amended.
ROSENTHAL, Chairman

The above reported bill ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:
Senate Bill No. 200.
Assembly Bill No. 890.
Assembly Bill No. 1870.
Respectfully reports the same back without recommendation, as amended
KING, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred.
Assembly Bill No. 322.
Respectfully reports the same back with the recommendation: Do pass as amended.
KING, Chairman.

The above reported bill ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Senate Bill No. 215.	**Assembly Bill No. 1473.**
Senate Bill No. 216.	**Assembly Bill No. 1474.**

Respectfully reports the same back with the recommendation: Do pass as amended.
RICHIE, Chairman

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred.
Assembly Bill No. 1487.
Respectfully reports the same back with the recommendation: Do pass.
KING, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 873.
Assembly Bill No. 933.
Respectfully reports the same back with the recommendation: Do pass.
ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred:
Assembly Concurrent Resolution No. 33.
Respectfully reports the same back with the recommendation: Be adopted.
PEEK, Chairman.

The above reported bill ordered to engrossment.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 104.	**Assembly Bill No. 869.**
Senate Bill No. 431.	**Assembly Bill No. 1467.**
Senate Bill No. 432.	**Assembly Bill No. 1880.**

Respectfully reports the same back with the recommendation: Do pass.
CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937

MR SPEAKER. Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 1224.
Assembly Bill No. 1466.
Assembly Bill No. 1689.
Assembly Bill No. 1786.
Assembly Bill No. 2689.
Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred
Assembly Bill No. 298.
Assembly Bill No. 2749.
Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred.
Assembly Bill No. 2277.
Senate Bill No. 338.
Senate Bill No. 632.
Respectfully reports the same back with the recommendation: Do pass.

RICHIE, Chairman.

The above reported bills ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 1253.
Respectfully reports the same back with the recommendation: Do pass

MULDOON, Chairman

The above reported bill ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:
Assembly Constitutional Amendment No. 32.
Respectfully reports the same back with the recommendation: Be adopted

HUNT, Chairman

The above reported bill ordered to engrossment.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 352.
Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 2798.
Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar

Adjournment.

At four o'clock p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late Colonel Charles Goff Thomson, until one o'clock and thirty minutes p.m., Wednesday, March 24, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-THIRD LEGISLATIVE DAY
EIGHTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 24, 1937

At one o'clock and thirty minutes p m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Boyle, the further reading of the Journal of Tuesday, March 23, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Corwin, on motion of Mr. Stream.

Mr. Waters, on motion of Mr. Cunningham.

Mr. Baynham, on motion of Mr. Andreas.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mary Smyth of San Francisco, sister of Chief Clerk James G. Smyth.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George W. Clark, vice president of Van Nuys High School.

On request of Messrs. Dannenbrink and Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles M. Gallagher, Deputy Collector of Internal Revenue.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sylvester Andriano of San Francisco and Mr and Mrs. Chas. W. Reale of Oakland.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Eddie Meyer of San Rafael.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Agnes L. McEven of Hemet, Riverside County, daughter of F. T. Lyndenberger, a member of this Assembly in 1895.

On request of Mr. Kepple, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Sidney A. Hatch, and son, Sidney A. Hatch Jr., and daughter, Minnie Lee Hatch of North Whittier.

Presentation of Petition.

The following petition was received and filed

By Mr. Speaker:

From several organizations, urging pardon for Thomas J. Mooney.

Assistant Chief Clerk Greenburg Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 33.
Assembly Constitutional Amendment No. 32.
Assembly Bill No. 2598.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 797.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:
House Resolution No. 111.
Respectfully reports the same back with the recommendation: Be adopted.

FLINT, Chairman.

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred.
Assembly Bill No. 965.
Assembly Bill No. 2378.
Respectfully reports the same back without recommendation, as amended.

FLINT, Chairman.

The above reported bills ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:
Assembly Bill No. 2313.
Respectfully reports the same back without recommendation, as amended.

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:
Assembly Bill No. 2326.
Assembly Bill No. 2692.
Assembly Bill No. 2693.
Respectfully reports the same back with the recommendation: Do pass
FLINT, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:
Assembly Joint Resolution No. 5.
Respectfully reports the same back with the recommendation: Be adopted.
FLINT, Chairman.

The above reported bill ordered to engrossment.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Senate Bill No. 679.
Assembly Bill No. 2223.
Respectfully reports the same back with the recommendation: Do pass.
DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Assembly Bill No. 990.
Respectfully reports the same back with the recommendation: Do pass as amended
DONIHUE, Chairman

The above reported bill ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 1757.
Respectfully reports the same back with the recommendation: Do pass
MULDOON, Chairman

The above reported bill ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 23, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following

Senate Bill No. 753—An act to amend section 32a of the California Irrigation District Act, relating to the issuance of funding and refunding bonds and the approval of plans and modifications of plans for refunding of indebtedness of irrigation districts, and declaring the urgency thereof.

Senate Bill No. 636—An act to amend section 1 of an act entitled "An act granting certain tide lands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof," approved May 1, 1911, relating to the use and transfer of such lands; declaring the urgency thereof; and providing this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 753 read first time, and referred to Committee on Irrigation.

Senate Bill No. 636 read first time, and referred to Committee on Commerce and Navigation.

SENATE CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 626—An act to add a new chapter to be numbered Chapter 9 to Division V of the Agricultural Code, relating to grades and standards for nursery stock;

Senate Bill No. 1066—An act to amend sections 840, 842, 844, 845 and 845.1 of, and to add sections 842.6, 844.1, 844.2 and 844.3 to, the Agricultural Code, relating to honey standards;

Senate Bill No. 1089—An act to add section 5 to an act entitled "An act creating a reclamation district to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said district," approved May 26, 1913, relating to the disposition of funds impounded for the payment of outlawed bonds of said district;

Senate Bill No. 628—An act to amend section 5 of an act entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to enforcement of the act;

Senate Bill No. 459—An act to amend sections 11690, 11691 and 11702 of the Insurance Code and to add sections 11556.5 and 11705.5 thereto, all relating to the workmen's compensation insurance.

Senate Bill No. 901—An act to amend section 1195 of the Insurance Code, relating to investments by domestic incorporated insurers;

Senate Bill No. 613—An act to amend section 96 of the "Bank Act," relating to deposits of money received by State Treasurer from trust companies;

Senate Bill No. 149—An act to amend section 11 of the California District Securities Commission Act, relating to the levy of annual assessments by irrigation districts, providing that said section shall remain in effect until November 1, 1939, declaring this act an emergency measure enacted under the police power, providing that this act shall not apply to refunding bonds of irrigation districts issued pursuant to a plan or readjustment confirmed in any proceedings under the Federal Bankruptcy Act, and authorizing the levy of assessments in accordance with the terms of such bonds;

Senate Bill No. 429—An act to amend sections 731, 732 and 733 of the Agricultural Code, relating to butter cutting and wrapping licenses;

Senate Bill No. 610—An act to amend section 32e of the California Irrigation District Act, relating to the irrevocable allocation of proceeds of contract to payment of principal or interest on bonds and to revenue bonds.

Senate Bill No. 434—An act to amend the County Water District Act, approved June 10, 1913, as amended, relating to county water districts, by amending section 31 thereof and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 12.1, granting to county water districts the powers of mosquito abatement districts, and section 37.1, relating to segregation of items of property on the assessment roll.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 626 read first time, and referred to Committee on Agriculture.

Senate Bill No. 1066 read first time, and referred to Committee on Agriculture.

Senate Bill No. 1089 read first time, and referred to Committee on Conservation.

Senate Bill No. 628 read first time, and referred to Committee on Conservation.

Senate Bill No. 459 read first time, and referred to Committee on Insurance.

Senate Bill No. 901 read first time, and referred to Committee on Insurance.

Senate Bill No. 613 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 149 read first time, and referred to Committee on Irrigation.

Senate Bill No. 429 read first time, and referred to Committee on Agriculture.

Senate Bill No. 610 read first time, and referred to Committee on Irrigation.

Senate Bill No. 434 read first time, and referred to Committee on County Government.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Concurrent Resolution No. 35: By Mr. Weber—Relative to requesting and directing the Division of Highways and the California Highway Commission to locate, or relocate, State highways so as to avoid congested areas, and requesting and directing boards of education to locate or establish any new school buildings or grounds so as to minimize traffic hazards to pupils.

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 35, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 35.

Assembly Concurrent Resolution No. 35—Relative to requesting and directing the Division of Highways and the California Highway Commission to locate, or relocate, State highways so as to avoid congested areas, and requesting and directing boards of education to locate or establish any new school buildings or grounds so as to minimize traffic hazards to pupils

Assembly Concurrent Resolution No. 35 read and adopted by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Hornblower, Johnson, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Robertson, Sheehan, Stream, Turner, Weber, Welsh, Williamson, and Yorty—45.

NOES—Burns, Michael J., Crowley, Daley, Flint, Gilbert, Glick, Heisinger, Hunt, Kepple, King, Kuchel, Latham, Leonard, Lore, Mayo, Miller, Eleanor; Morgan, Peek, Riche, Rosenthal, Sawallisch, Scudder, Tenney, Voigt, Walker, Watson, and Mr. Speaker—27.

Title read and approved. Bill ordered to print, and transmitted to the Senate

Assembly Constitutional Amendment No. 47: By Mr. Donihue—Proposed amendment to Article IV, section 18, of the Constitution, relative to impeachment.

Introduced, and referred to Committee on Constitutional Amendments.

Notice of Motion to Withdraw Assembly Bill No. 1021.

Mr. Hunt gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 1021 from the Committee on Public Morals, and have it placed upon the calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 2007—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1193—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section, number 3a, relating to the use of reservoirs and adjacent land for recreational purposes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1532—An act to amend section 384 of the Penal Code of the State of California amending subdivision 11 thereof, relating to the refusal of a person summoned to render assistance in combating forest, brush, or grass fires when ordered so to do by certain county officers.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1533—An act to amend the Political Code of the State of California by adding thereto a new section to be designated section 3346, to authorize county fire wardens, county officers charged with the duty of preventing or combating forest, brush or grass fires, or any officers of a county fire protection district, to summon any able-bodied person within the county, or within the fire protection district, to assist in combating a forest, brush or grass fire.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 467—An act to provide for the maintenance of storm drain improvements, and of other water courses or drainage channels; the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts; defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 761—An act to amend sections 8, 9, 12 and 14 of an act entitled "An act to promote drainage," approved March 18, 1885, relating to drainage districts and to the manner of levying and collecting district assessments therein

Bill read second time, and ordered to engrossment.

Assembly Bill No. 763—An act to add a new section to the Political Code to be numbered 3454½, relating to actions by or against reclamation districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 762—An act authorizing suits against the State to quiet title against it to swamp and overflowed lands by certain persons entitled to the benefits of an act entitled "An act for the protection of settlers on public lands claimed by the State," approved March 10, 1874.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1666—An act to amend sections 2906, 2907, 2908, 2910, 2911, 2914, 2915, 2917, 2919 and 2920 of the Political Code, and repealing sections 2916 and 2918, relating to franchises to construct and maintain public and private wharves, chutes, piers and slips.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 249—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands.

Re-reference of Assembly Bill No. 249.

On motion of Mr. Dannenbrink, Assembly Bill No. 249 was withdrawn from the calendar, and re-referred to the Committee on Conservation.

Assembly Bill No. 1335—An act to add section 813.5 to the Agricultural Code, relating to celery.

Committee Amendments to Assembly Bill No. 1335.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "add section 813.5 to", and insert in lieu thereof the following: "amend section 813.5 of".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 29, inclusive, and on page 2, strike out all of lines 1 to 30, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 813.5 of the Agricultural Code is hereby amended to read as follows:

813.5 Celery shall be free from pink rot and free from serious damage caused by blackheart, insects, and seed stem.

Serious damage means injury to:

(a) Blackheart, which is decayed or wet, and which affects one or more branches composing the heart of the stalk.

(b) Insects, when more than four branches are each affected by more than an aggregate area of one square inch.

(c) Seed stem, the length of which is more than four times the diameter of the stalk measured at a point two inches above the point of attachment of the outer branches to the root.

Not more than 10 per cent, by count, of the stalks of celery in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance, shall be allowed for any one cause.

Celery when packed in any container shall be so tightly packed that it is not possible, without damaging or injuring the celery, to place additional stalks in the container and shall be uniform in size, which means that the stalks of celery, (a) when packed three and one-half dozen or less to the crate, do not vary in size more than would tightly pack a one-half dozen size larger or smaller than the size count as marked, and (b) when packed with more than three and one-half dozen to the crate, do not vary in size more than would tightly pack a one dozen size larger or smaller than the size count as marked.

Not more than a total of 10 per cent, by count, of the stalks of celery in any one container may vary from the uniform in size requirement.

Celery which fails to meet the uniform in size requirement shall be considered as complying with this section, if the container in which it is packed is plainly and conspicuously marked, on the outside of the end or side which bears any other markings required by this section, in letters not less than one-half inch in height, with the words 'irregular sizes.'

All containers of celery shall bear upon them in plain sight and in plain letters on one outside end or side, the name of the person who first packed or authorized the packing of the celery, or the name under which such packer is engaged in business, together with a sufficiently explicit address to permit ready location of such packer, and in figures not less than three-fourths of an inch in height, the number of stalks in the container. The number of stalks in the container may be expressed in numerical count, or in dozens and one-half dozens. If expressed in dozens and one-half dozens the number must be followed by the term 'Doz.' or 'Dozen,' in like size letters or type. When containers of celery are marked as containing less than 36 stalks, the actual number of stalks in 95 per cent of the containers in any lot, shall not vary more than two under or two over the count as marked and when marked as containing 36 or more stalks the actual number of stalks in 95 per cent of the containers in any lot, shall not vary more than three under or three over the count as marked.

'Stalks' when used in this section shall mean the individual celery plant."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1599—An act authorizing the Division of State Lands to grant, convey and sell by deed, or any other proper legal conveyance, all the right, title and interest of the State of California in and to certain tide, overflowed and submerged lands described herein.

Committee Amendment to Assembly Bill No. 1599.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 8, and insert in lieu thereof the following

"Those portions of Section thirty-five (35), Township six (6) North, Range eleven (11) West, Mount Diablo Meridian, owned by the State of California below ordinary high water mark of Bodego Bay"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 766—An act to amend section 3466a of the Political Code, relating to lands sold for delinquent reclamation district assessments.

Committee Amendment to Assembly Bill No. 766.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the word and figure "Section 1", insert the following. "Section 3466a of the Political Code is hereby amended to read as follows:

Sec. 3466a. After the lapse of one year from and after the expiration of the period of redemption of any land sold to the district, or county treasurer as trustee for the district, either pursuant to the provisions of section 3466, 3480 or section 3480a of this code, the county treasurer of the main county, when and as directed by the board of trustees of the district, may in their discretion then sell any land remaining unsold, to the highest bidder for cash at the front door of the courthouse of the main county of the district after giving previous notice of such sale, and the time and place of holding the same, by publication thereof in some newspaper published in the county in which the land to be sold or some portion thereof is situated for two times, to wit: once a week for two successive weeks. It shall be sufficient to describe said land in said notice by reference number as set forth in the assessment lists to which reference shall be made in said notice, and to the date and time of filing same, for further particulars. Such lands may at the option of the district be sold without notice to any person paying therefor an amount equal to the amount required to be paid respectively upon such sales under the provisions of sections 3466 and 3480 of this code. The trustees of the district shall have the right to reject any and all bids and no bid shall be accepted for an amount less than such price as shall be approved by them. No parcel shall be sold for an amount less than the fair market value thereof as such value shall be ascertained by the board of trustees. One or more parcels of such land may be included in the same notice and sold severally at the time and place set forth in said notice. Upon such last mentioned sale being made as herein provided the said county treasurer shall execute a deed to the purchaser conveying the land sold, upon payment of the price bid, which deed shall have the effect of conveying title to the land sold to the purchaser free of encumbrance, except district assessments (including the unpaid balance of said assessment for the delinquency of which said property was sold) which upon the date of the sale herein provided had not been called, and except as may be otherwise provided by law, and such deed duly executed and acknowledged shall be *prima facie evidence that all the proceedings for the levy and collection of the delinquent* assessment for which said land was sold, and all of the proceedings for the sale of said land have been duly and regularly taken, and all notices required to be given or published have been so duly given and published for the time and manner as required by law.

Where any land has been sold for a delinquent assessment, pursuant to the provisions of sections 3466, 3480 or 3480a of the Political Code for a delinquent assessment or installment of the same and no redemption has been made and the time for redemption has expired, the district shall have the right to the possession of the land so sold and unredeemed and the board of trustees shall have the right to bring and maintain any and all actions in equity or law in connection with said land and the protection of the district's rights therein to the same extent as any other owner; and the costs and expenses of such action or actions shall be a charge against the district. The board of trustees shall also have the right to expend funds of the district in such amounts that may from time to time be necessary for the purpose of retiring any and all liens against such land superior to the title of the county treasurer therein. The trustees of the district shall have the management and control of, and right to lease out to a tenant or tenants for such reasonable rental and upon such terms as such trustees may deem advisable, any and all lands in the district which have been sold to the county treasurer, as trustee, for delinquent assessments, where the time for redemption has expired and said lands remain unsold

and to receive and collect the rental for the same. All rentals collected or moneys received by the trustees of the district from such lease of land or for the use or occupation of such land may be applied by them to the payment of the incidental expenses of holding and leasing said lands and to the payment of any other incidental expenses of, or legal charge against the district or for the purpose of purchasing any outstanding bonds of the district matured or unmatured together with the coupons thereunto appertaining at not more than the face value of such bonds plus the accrued interest thereon; which said bonds and/or coupons when so purchased shall be forthwith delivered to the county treasurer and canceled, and to the payment of any call of any maintenance assessment on any tract of land theretofore bought in by county treasurer as trustee of the district for a delinquent installment of any assessment theretofore levied on any such tract of land and then remaining unsold by said county treasurer; provided, however, that after the period of redemption has expired all rentals collected or moneys received from lease of land sold to the county treasurer as trustee of the district pursuant to the provisions of section 3480 or 3480a of this code or for the use or occupation of such land, less the incidental expenses of leasing or holding the same and less the amount required to pay any called or delinquent installment of any maintenance assessment on any tract of land which has been theretofore bought in by the said county treasurer for the payment of any delinquent installment of any assessment theretofore levied on any such tract of land, and then remaining unsold by such county treasurer, shall, in the event said district shall be in default for interest or principal payments on any of said bonds issued by said district, be deposited in said county treasury of the main county, to the credit of the bond fund of the district. An amount equal to the revenues derived from each tract by reason of the leasing, use or occupation thereof, less the incidental expenses of leasing and holding same, shall be credited by the county treasurer on the assessment lists against the delinquent charges on said tract. The provisions hereof shall apply to all lands heretofore sold for delinquency to a district or to the county treasurer, as trustee as well as to future sales under assessments whether heretofore, or hereafter to be, levied."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 260—An act to amend section 4300g of the Political Code, relating to witness fees.

Committee Amendments to Assembly Bill No. 260.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 27, of the printed bill, strike out the italicized words "or criminal cases", and insert in lieu thereof the following: "cases only".

Amendment No. 2.

On page 2, line 1, of the printed bill, strike out the italicized words "or criminal".

Amendment No. 3.

On page 2, line 2, of the printed bill, insert at the beginning of the line, the word "only".

Amendment No. 4.

On page 2, line 2, of the printed bill, strike out the italicized words "one way", and insert the words "in going"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 436—An act to add a new section to the Civil Code, to be numbered 3052a, relating to jewelers' liens.

Committee Amendments to Assembly Bill No. 436.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, after the word "work", strike out the comma and insert in lieu thereof a period, and strike out the following: "whether added to such article or articles or otherwise".

Amendment No. 2.

On page 1, line 20, of the printed bill, after the word "mail", strike out the comma, and insert the following: "with return receipt demanded,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 469—An act to amend section 710 of the Code of Civil Procedure, relating to execution on moneys due from a governmental agency to a judgment debtor.

Committee Amendments to Assembly Bill No. 469.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 25, of the printed bill, as amended, between the words "debtor", and "or", insert the following: "by,".

Amendment No. 2.

On page 1, line 25, of the printed bill, as amended, after the word "owes", insert the following, "to,".

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 3 to 11, both inclusive, and insert in lieu thereof the following:

"(e) The judgment creditor may state in the affidavit any fact or facts tending to establish the identity of the judgment debtor No public officer or employee shall be liable for failure to perform any duty imposed by this section unless sufficient information is furnished by the abstract or transcript together with the affidavit to enable him in the exercise of reasonable diligence to ascertain such identity therefrom and from the papers and records on file in the office in which he works. The word "office" as used herein does not include any branch or subordinate office located in a different city."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1688—An act to add a new section to the Code of Civil Procedure, to be numbered 1166a, relating to unlawful detainer

Committee Amendment to Assembly Bill No. 1688.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, after the word "is", insert the word "not".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2687—An act to amend section 74 of the "State Housing Act," relating to keeping animals or poultry in apartment houses, hotels or dwelling houses

Committee Amendment to Assembly Bill No. 2687.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 26, inclusive, and insert in lieu thereof, the following:

"SEC. 74. It shall be unlawful for any person to keep any horse, cow, calf, swine, sheep, goat, rabbit, mule, or other animal, chicken, pigeon, goose, duck or other poultry, in any hotel or any part thereof, or for the keeper of any hotel to permit any such animal or poultry therein; nor shall any such animal or poultry, nor shall any stable or other enclosure for the keeping of any such animal or poultry be kept or maintained within twenty feet of any window or door of such hotel *It shall be unlawful for any person to keep any horse, cow, calf, swine, sheep, goat,* rabbit, mule, dog, cat, monkey, marmoset, or other animal, chicken, pigeon, goose, duck or other poultry in any apartment house or any part thereof, or for the keeper of any apartment house to permit any such animal or poultry therein; nor shall any such animal or poultry, nor shall any stable or other enclosure for the keeping of any such animal or poultry be kept or maintained within twenty feet of any window or door of such apartment house. It shall be unlawful for any person to keep or permit to be kept any horse, cow, calf, swine, sheep, goat, rabbit, mule, chicken, pigeon, goose, duck or other poultry in any dwelling or any part thereof; nor shall any such animal or poultry, nor shall any stable or other enclosure for the keeping of any such animal or poultry be kept or maintained within".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 21—Proposed amendment to Article XI, section 12 and Article IV, section 31 of the Constitution, relative to the powers of the State Legislature to levy taxes for county, city and other municipal purposes, and the making of gifts to counties, cities and other municipal corporations.

Committee Amendments to Assembly Constitutional Amendment No. 21.

The following amendments were submitted by the committee:

Amendment No. 1.

Strike out all of the title of the printed measure, and insert the following new title:

"Assembly Constitutional Amendment No. 21—A resolution proposing to the people of the State of California an amendment to the Constitution of said State by amending section 31 of Article VI thereof, relating to gifts to municipal corporations and the apportionment of funds out of the State Treasury for county, city and county, city or other municipal purposes"

Amendment No. 2.

On page 1, line 6, of the printed measure, strike out "section 12 of Article XI, and".

Amendment No. 3.

On page 1 of the printed measure, strike out all of lines 9 to 21, inclusive.

Amendment No. 4.

On page 2 of the printed measure, strike out all of lines 1 to 4, inclusive

Amendments adopted.

Assembly Constitutional Amendment No. 21 ordered to reprint, and engrossment.

Assembly Bill No. 266—An act to amend sections 376 and 377 of, and to add section 377.5 to, the Code of Civil Procedure, all relating to actions for wrongful death.

Committee Amendments to Assembly Bill No. 266.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 3 to 18, inclusive, and insert in lieu thereof the following:

"376. The parents of a legitimate unmarried minor child, acting jointly, may maintain an action for the injury of such child caused by the wrongful act or neglect of another. If either parent shall fail on demand to join as plaintiff in such action or is dead or can not be found, then the other parent may maintain such action and the parent, if living, who does not join as plaintiff must be joined as a defendant and, before trial or hearing of any question of fact, must be served with summons either personally or in a proper case by publication. The respective rights of the parents to any award shall be determined in the trial of the case and declared in the judgment.

A mother may maintain an action for such an injury to her illegitimate unmarried minor child. A guardian may maintain an action for such an injury to the ward.

All such actions may be maintained against the person causing the injury, or if such person be dead, then against his personal representative, or if such person be employed by another person who is responsible for his conduct, then also against such employer or his personal representative. The death of the child shall not abate the parent's cause of action for his injury as to damages accruing to the parents or either of them before his death.

If an action may be maintained pursuant to section 377 of this code for wrongful death of any such child, the action authorized by this section shall be consolidated therewith for trial on motion of any interested party."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 21 to 27, inclusive, and lines 1 to 24, inclusive, on page 2, and insert in lieu thereof the following:

"377. When the death of a person is caused by the wrongful act or neglect of another, an action for damages may be maintained by or for the benefit of the persons named herein against the person causing the death or his personal representative, whether or not the wrongdoer dies before or after the death of the injured party. If the wrongdoer is employed by another person, natural or corporate, who is responsible for such acts, the action may also be maintained against such employer

or his personal representative in case of his death, whether or not the employer dies before or after the death of the injured party.

The action shall be maintained for the benefit of the following persons as beneficiaries.

(a) The deceased's spouse, minor children, including acknowledged and adopted children, parents including mothers of illegitimate children, and illegitimate children in case of the death of the mother thereof, or in case of the death of the father if such child is actually dependent upon said father.

(b) If there be no such persons or if such persons die before recovering damages, then the action may be maintained for the benefit of such other persons as were dependent in whole or in part upon the deceased for support at the time of the wrongful act or neglect and who at that time were relatives not further removed than the third degree of consanguinity or were members of the deceased's household other than employees.

If any beneficiary specified herein shall die prior to judgment, his claim or interest shall cease, but this shall not affect the rights of other beneficiaries or abate any pending action in which the deceased is not the sole beneficiary. A defense or bar against one beneficiary shall not affect the rights of other beneficiaries.

The action shall be brought by the personal representative of the deceased, or if he has not been appointed or if he shall fail to bring action on demand, then any beneficiary specified herein may bring such action. Such action shall be brought for the benefit of all persons who may be beneficiaries entitled under this section.

All persons who may be entitled to claim benefits under this section may intervene or be joined as parties plaintiff, or if they shall fail or refuse on demand to join as plaintiffs in the action or can not be found or ascertained, they may be joined as defendants, but non-joinder of a beneficiary shall not defeat or abate the action. Before the trial of any question of fact, all defendants must be served with summons either personally or in a proper case by publication.

The elements of damage to be considered by the jury or the trier of facts shall include the following:

(1) Support, maintenance or other loss of pecuniary benefits which might reasonably have been expected from the deceased if he had lived.

(2) Reasonable funeral and all other expenses incidental to the death, if incurred or paid.

(3) In the case of a spouse, parent or child, the pecuniary worth of the comfort, society, nurture and protection of the deceased.

The respective rights of the beneficiaries in any award of damages shall be determined in the trial of the case and the jury or the court shall find the damages, if any, suffered by each party for whose benefit the action is maintained, whether plaintiff or defendant, as well as for the plaintiff or plaintiffs bringing the suit. If any such actions be separately brought, or if an action be brought by the personal representative for the benefit of the estate of the deceased for damages which accrued prior to his death, the same shall be consolidated on motion of any uninterested party.

The judge before whom the action was tried, or in the event of his inability to act, any judge of the court in which the action was pending, may allow reasonable attorneys' fees and expenses to the personal representative of the deceased, or to one or more of the beneficiaries, or both, to such extent as may be equitable. Any amount so allowed shall be a lien upon the judgment. Nothing herein contained shall preclude the personal representative from contracting to pay attorneys' fees, with the approval of the probate court; or preclude any other person from contracting to pay attorneys' fees if such person is legally capable of entering into such contract.

The personal representative may compromise any action to which he is a party with the approval of the court in which the action is pending. If no action is pending such approval shall be obtained from the probate court. Prior to any such approval, the personal representative shall petition such court in writing for such approval and the petition shall state the terms of the proposed compromise and the reasons therefor. Notice of hearing such petition shall be given to all parties to the action or if no action is pending, to the beneficiaries entitled to recover under the provisions of this section. Such notice shall be given in the manner provided by Part 2, Title V of this code. Upon the hearing, the court shall first determine whether notice has been given as provided herein and a recital of due notice in the court's order shall be conclusive thereon. The court shall then determine whether to approve or disapprove such proposed compromise. In the event of approval the court shall also equitably determine the extent of the respective interests of the beneficiaries in the amount to be paid in compromise."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 276—An act to amend sections 49 and 1624 of, add sections 43.5, 159 O, 1060.5, and 1624 5 to, and to repeal section 3319

of, the Civil Code, all relating to causes of action based upon criminal conversation, seduction, alienation of affections and breach of promise.

Committee Amendments to Assembly Bill No. 276.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "1590, 1666.5 and 1624.5", and insert in lieu thereof the following, "and 1590"

Amendment No. 2.

On page 1, lines 3, 4 and 5 of the title of the printed bill, strike out "based upon criminal conversation, seduction, alienation of affections and breach of promise".

Amendment No. 3.

On page 1, line 6, of the printed bill, strike out "an adult person", and insert in lieu thereof the following "a person over the age of legal consent

Amendment No. 4.

On page 1 of the printed bill, strike out lines 9 to 22, inclusive, and insert in lieu thereof the following:

"1590. Where either party to a contemplated marriage in this State makes gifts of money or property to the other on the basis or assumption that the marriage will take place, in the event that the donee refuses to enter into the marriage as contemplated or that it is given up by mutual consent, the donor may recover such gifts or such part of their value as may, under all of the circumstances of the case be found by a court or jury to be just"

Amendment No. 5

On page 2, line 7, of the printed bill, strike out "minor person", and insert in lieu thereof the following, "person under the age of legal consent

Amendment No. 6.

On page 2 of the printed bill, strike out lines 9 and 10

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 278—An act to amend sections 125, 374, 375, 1881, and 1973 of, and to add sections 341.5 and 1973.5 to, the Code of Civil Procedure, relating to causes of action for seduction, criminal conversation, alienation of affections, or breach of promise of marriage.

Committee Amendments to Assembly Bill No. 278.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "sections 341.5 and 1974.5", and insert in lieu thereof "section 341.5

Amendment No. 2.

On page 1, lines 3, 4 and 5 of the title of the printed bill, strike out "for seduction, criminal conversation, alienation of affections or breach of promise of marriage"

Amendment No. 3.

On page 1, line 4, of the printed bill, strike out "or breach of contract to marry,".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following

"374. An unmarried female below the age of legal consent may prosecute as plaintiff an action for her own seduction and may recover therein such damages actual or exemplary, as may be just"

Amendment No. 5.

On page 2 of the printed bill, strike out lines 7 to 13, inclusive, and insert in lieu thereof the following:

"375. The parent entitled to the services and earnings of an unmarried legitimate female below the age of legal consent may maintain as plaintiff an action for seduction of such child. If both parents are equally entitled to the services and earnings, the father, or on his failure to act, the mother of an unmarried female below the age of legal consent may maintain the action. A mother may maintain an action for the seduction of her own illegitimate daughter below the age of legal consent. In any action brought under this section, every element of damages to either spouse may be recovered. Such action may be maintained even though the

child be not living with or in the services of the plaintiff at the time of the seduction or afterwards and there be no loss of services."

Amendment No. 6.

On page 4 of the printed bill, strike out lines 11 to 18, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 830—An act to add section 956 to the Civil Code, relating to survival of things in action.

Committee Amendment to Assembly Bill No. 830.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 3 to 9, inclusive, and insert in lieu thereof the following:

"956. A thing in action, or right of action, however arising, shall not abate or be lost or destroyed by reason of the death of any person or party thereto, but it shall survive in favor of or against the executors or administrators of any deceased person having the right of action or subject to the liability.

The provisions of this section shall extend to existing and future things in action, but shall not apply to any right to recover a penalty or exemplary damages nor shall this action abrogate special provisions as to survival or abatement of statutory rights of action.

SEC. 2. Section 573 of the Probate Code is hereby amended to read as follows

573. Actions, however arising, which survive the death of a party may be maintained by and against executors and administrators of the deceased person in all cases in which the same might have been maintained by or against their respective testators or intestates.

SEC. 3. Section 574 of the Probate Code is hereby amended to read as follows:

574. All persons having any claim however arising against the estate of a deceased person, who may have any right of action thereon against his executor or administrator, shall be deemed creditors of such decedent and must file or present their claims under the provisions of this code in order to maintain an action thereon."

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1469—An act to repeal sections 2.1223 and 6.523 of the School Code, relating to reports of books purchased for any school district.

Committee Amendments to Assembly Bill No. 1469.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "and 6.523", and insert in lieu thereof a comma and the following: "6.523 and 6.561½"

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out the following: "and 6.523", and insert in lieu thereof a comma and the following: "6.523 and 6.561½".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1641—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans.

Committee Amendments to Assembly Bill No. 1641.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the word "of", insert the following: "establishing and".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike the word "plans", and insert in lieu thereof "fund".

Amendment No. 3.

On page 1, line 1, of the printed bill, after "Section 1", strike out the remainder of the bill, and insert in lieu thereof the following:

This act shall govern any corporation which may have for one of its purposes the establishment, maintenance and operation of a hospital service fund.

SEC. 2. A hospital service fund shall be incorporated pursuant to the provisions of this act and the provisions of Title I, Part IV, Division First of the Civil Code of the State of California, so far as the provisions of said Civil Code are applicable and not inconsistent with this act.

SEC. 3. Nothing in this act shall be construed to include or apply to organizations conducted under a lodge system, or to associations of employees, or members of churches, labor unions, charitable or fraternal societies where such persons are associated for the purpose of providing benefits among themselves, or to any corporation formed for nonprofit purposes, or to any admitted insurer.

SEC. 4. (a) The term hospital service fund shall mean a corporation which has complied with the provisions of this act and which agrees for certain payments or for a stated sum for a stipulated period to issue to its members service contracts, providing hospital service in hospitals.

(b) Hospital service as provided in this act, may include any or all of the following services: maintenance and care in hospital, nursing care, use of operating room, use of delivery room, administration of anesthetics, anesthetics, laboratory examinations, X-ray photographs, physiotherapy, drugs, medicines, bandages, supplies, transportation, material, appliances and their upkeep.

(c) The term member, shall mean any individual, family or group holding a service contract issued by a hospital service fund. A member, as such, shall not be regarded as a member of the corporation nor shall he have any voting power, property rights or interest therein.

(d) The term service contract shall mean a contract, bond or certificate issued by the hospital service fund to its members.

(e) The term hospital shall mean any hospital in which the member desires to be hospitalized.

(f) The term commissioner shall mean the Insurance Commissioner of this State.

SEC. 5. No hospital service fund shall issue any service contract without first procuring from the commissioner a certificate of authority.

SEC. 6. The commissioner shall not issue a certificate of authority, except renewals, to any hospital service fund, until:

(a) It files with him the following:

(1) A formal application for the certificate of authority in such form and detail as the commissioner requires, executed under oath by its president or other principal officer.

(2) A copy of its charter or articles of incorporation and its by-laws.

(3) If it is not subject to the Corporate Securities Act, a certificate from the Secretary of State that it is a California corporation of record in his office.

(4) If it is subject to the Corporate Securities Act, a certificate from the Corporation Commissioner that it has filed an application for a permit to issue securities or shares, or that a permit to issue securities or shares has been granted.

(b) It pays to the commissioner an annual fee of ten ($10) dollars.

(c) It deposits the required cash or securities with the commissioner.

(d) It pays a filing fee of twenty-five ($25) dollars.

SEC. 7. The commissioner shall not issue a certificate of authority to a hospital service fund if the name of such fund is likely to mislead the public or which is the same as or resembles so closely as to tend to deceive (1) the name of an existing hospital service fund, or (2) the name of an admitted insurer.

SEC. 8. Every certificate of authority issued to a hospital service fund shall expire annually on July 1st of each year, unless sooner revoked or suspended.

SEC. 9. For the renewal of a certificate of authority, the hospital service fund shall pay an annual fee of ten ($10) dollars to the commissioner. Upon receipt of this fee the commissioner shall, subject to the provisions of section 10 hereof, issue a certificate of authority.

SEC. 10. The commissioner shall refuse to renew or may revoke or suspend the certificate of authority of a hospital service fund, whenever, after a hearing, he finds any of the following circumstances exist:

(a) The hospital service fund has violated any provisions of this act.

(b) It is insolvent.

(c) Its assets are less than its liabilities.

(d) It or its officers refuse to submit to an examination.

(e) It is transacting business fraudulently.

The commissioner shall give notice of such revocation or suspension to the public in such manner as he deems proper.

SEC. 11. The commissioner shall give written notice to the hospital service fund of such refusal, revocation or suspension of any certificate of authority.

SEC. 12. Every hospital service fund, before issuing any service contract, shall deposit ten thousand ($10,000) dollars with the commissioner as a guarantee fund for the security and protection of its members holding service contracts.

SEC. 13. Any such deposit may be made either in lawful money of the United States or in any of the securities authorized for investment of the assets of domestic incorporated insurance companies.

SEC. 14. After the deposit has been approved by the commissioner, it shall forthwith be deposited with the State Treasurer, in packages marked with the name of the hospital service fund from which received. The Treasurer shall give his receipt therefor to the commissioner.

SEC. 15. Such deposit may, with the approval of the commissioner, be exchanged by the hospital service fund from time to time for other assets of like character and value.

SEC. 16. So long as the depositing hospital service fund continues solvent, it shall receive the interest and dividends on any securities in the deposit.

SEC. 17. Such deposit shall be subject to final sale, transfer or disposal of the proceeds thereof by the commissioner for the security and protection of the members of the hospital service fund, only on the order of a court of competent jurisdiction.

SEC. 18. Whenever the hospital service fund shall have cancelled or transferred all outstanding service contracts, and shall have satisfied all obligations against it, it may, with the approval of the commissioner, discontinue its business and withdraw its deposit.

SEC. 19. Every hospital service fund shall, out of its net earnings, establish and maintain a reserve which, when fully made up, shall amount to twenty-five thousand dollars ($25,000). This reserve may be invested in securities as provided for in section 31 of this act.

SEC 20. Whenever its reserve does not amount to twenty-five thousand dollars ($25,000), such hospital service fund shall annually transfer to such reserve fund at least 25 per cent of its net profits for the preceding year, or such lesser sum which, together with previous transfers, shall amount to twenty-five thousand dollars ($25,000).

SEC. 21. The reserve shall be maintained as a further security to the holders of service contracts issued by the hospital service fund. If at any time such reserve is impaired by reason of depreciation or loss, the amount of the impairment shall be restored in the manner provided for its accumulation.

SEC. 22. Dividends upon shares of stock in hospital service funds shall only be paid out of net profits. For determining net profit, no dues, fees or other periodic charges paid by members shall be considered a liability.

SEC. 23. Shares of stock in a hospital service fund may be issued only pursuant to a permit from the Division of Corporations

SEC. 24 No service contract shall be issued or delivered to any person, until.

(a) A copy of the form thereof and a statement of the rates, dues, fees or other periodic charges to be paid by members therefor are filed with the commissioner

(b) A copy of all indorsements, waivers, riders or other papers to be attached to the service contract has been filed with the commissioner.

SEC. 25 No service contract shall be issued or delivered to any person in this State:

(a) Unless it contains a provision specifying the service or benefits promised

(b) Unless the entire consideration therefor is expressed in the service contract.

(c) Unless the times at which the benefits or services to the member take effect are stated in the service contract.

(d) Unless every printed portion and any indorsements or attached papers are printed in type of which the face is not smaller than ten point

(e) Unless the exceptions of the service contract are printed with the same prominence as the statement of the benefits or services to which they apply

(f) Unless any portion of the charter, constitution or by-laws of such hospital service fund which is made a part of the service contract is set forth in full in the service contract.

(g) Unless it contains the following provision:

"Nothing in this contract contained shall in any way or manner restrict or interfere with the right of the member to choose his attending physician, surgeon or dentist, providing such physician, surgeon or dentist is a member of, or acceptable to the attending staff of the hospital in which the member desires to be hospitalized."

(h) Unless a provision is contained therein whereby a lapsed service contract may be reinstated.

(i) Unless a provision is contained therein that the hospital service fund will pay the hospital direct for such hospital service as the member receives, or will reimburse the member if he has already paid such bill for hospital services, to the extent provided in the service contract.

(j) Unless a provision is contained therein providing for cancellation of the service contract.

(k) Unless a statement in not less than fourteen point type is contained therein stating "This is not an insurance contract."

(l) Unless a provision is contained therein that nothing in the service contract shall affect any workman's compensation or employers' liability law

(m) Unless a provision is contained therein that in event of epidemics or major catastrophes hospital service will be provided as rapidly as available facilities in hospitals will permit.

(n) Unless a provision is contained therein that services of physicians, surgeons or dentists are not provided for under the service contract.

(o) Unless a provision is contained therein that a grace period of not less than ten (10) days will be allowed the member for the payment of dues, fees or other periodic charges.

SEC 26 Any hospital service fund organized in accordance with the provisions of this act shall be exempt from all provisions of the Insurance Code of this State unless otherwise specifically designated herein, not only in governmental relations with the State but for every other purpose, and no law hereafter enacted shall apply to such a fund unless it be expressly designated therein.

SEC 27. Every hospital service fund shall, annually, on or before the first day of March, file in the office of the commissioner a statement verified by at least two of the principal officers of said fund, showing its financial condition on the thirty-first day of December next preceding, which shall be in such form as shall be required by said commissioner.

SEC 28 Any hospital service fund may assume the liabilities of any persons, firm or association engaged in providing hospital service, at the rate of 75 cents for each person, liability with respect to whom is assumed by such hospital service fund Upon such assumption, the hospital service fund shall issue to each person, liability with respect to whom has been assumed, a service contract pursuant to the provisions of this act.

SEC. 29 The commissioner or any deputy commissioner or examiner for the commissioner, or any other person whom he shall appoint, shall have the power of visitation and examination into the affairs of any hospital service fund operating pursuant to the provisions of this act, and free access to all the books, papers and documents that relate to the business of the fund, and may summon and qualify witnesses under oath and may examine the officers, agents and/or employees of such fund or any other person in relation to the affairs, transactions and conditions of said fund The costs and expenses of examinations under this section shall be an obligation of and shall be paid by the fund examined.

SEC 30 All money received by the commissioner from licenses, filing fees and charges for examinations shall be disposed of by him in the same manner as are receipts of a similar nature from domestic incorporated insurance companies

SEC. 31. The surplus funds of any hospital service fund may be invested only in securities permitted by the law of this State for the investment of assets of domestic insurance companies, and such securities shall be valued according to the methods used in valuing similar securities held by domestic incorporated insurance companies.

SEC. 32. Nothing in this act contained shall be construed as permitting any hospital service fund to furnish hospital service other than through hospitals. All such hospital service may only be provided in established hospitals

SEC. 33 Any person or corporation violating any of the provisions of this act shall be guilty of a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 483—An act to amend sections 3, 8, and 9 of the Inheritance Tax Act of 1935, relating to the lien of inheritance taxes.

Committee Amendments to Assembly Bill No. 483.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill as amended, strike out ", 8 and 9", and insert in lieu thereof the following "and 9"

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following "; provided, that unless sued for within five years after they are due and legally demandable, such taxes shall cease to be a lien as against any bona fide purchaser, mortgagee, lessee, or beneficiary under a deed of trust."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out all of lines 3 to 52, inclusive.

Amendment No. 4.

Strike out all of page 3 of the printed bill as amended

Amendment No. 5.

Strike out all of page 4 of the printed bill, as amended.

Amendment No. 6.

Strike out all of page 5 of the printed bill, as amended.

Amendment No. 7.

On page 6, line 1, of the printed bill, as amended, strike out "3", and insert in lieu thereof the numeral "2".

Amendment No. 8.

On page 6, line 13, of the printed bill, as amended, following the semicolon, insert the following: "and the same shall remain a charge on such real estate until paid, subject to the limitations contained in section 3 of this act.".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1072—An act to amend section 9 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, to provide for the inclusion of officers and employees in any county forester's or county fire warden's department within such retirement and pension system

Committee Amendment to Assembly Bill No. 1072.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 11, of the printed bill, after the comma following the word "laborers", insert the following: "employees of county fire protection districts,".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2376—An act making bonds issued by California Toll Bridge Authority legal investments for certain purposes.

Committee Amendments to Assembly Bill No. 2376.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the word "investments", insert "and security".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following. "; and providing that this act become effective immediately."

Amendment No. 3.

On page 1, line 10, of the printed bill, after the words "bonds of", insert "the State,".

Amendment No. 4.

On page 1, line 14, of the printed bill, after the words "bonds of", insert "the State,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1429—An act further postponing sales under deeds of trust and mortgages in cases in which sales have been postponed under the Mortgage and Trust Deed Moratorium Act of 1935, and authorizing the superior court, upon the filing of an appropriate supplemental petition, to order the further postponement of such sales on account of existing defaults in the payment of principal sums or installments thereof and authorizing the court to order the payment of such sums at such times and in such amounts as to the court may

seem equitable; delaying actions against guarantors and extending the statute of limitations in certain cases; postponing sales and foreclosure decrees in other cases for failure to pay installments of principal falling due during the period of the Mortgage and Trust Deed Moratorium Act of 1935; declaring the urgency thereof and that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1429.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 1 to 7, inclusive.

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 8, and insert in lieu thereof the following:

"SECTION 1. At any time before July 1, 1937".

Amendment No. 3.

On page 1, line 9, of the printed bill, strike out the following: "after the effective date of this act".

Amendment No. 4.

On page 1, line 14, of the printed bill, following the comma, insert the following: "or pursuant to said section as amended,".

Amendment No. 5.

On page 2, line 7, of the printed bill, strike out the numeral "5", and insert in lieu thereof the numeral "7".

Amendment No. 6.

On page 2, line 8, of the printed bill, strike out the numeral "3", and insert in lieu thereof the numeral "2".

Amendment No. 7.

On page 2, line 17, of the printed bill, strike out the numeral "4", and insert in lieu thereof the numeral "3".

Amendment No. 8.

On page 2, line 19, of the printed bill, strike out the numeral "3", and insert in lieu thereof the numeral "2".

Amendment No. 9.

On page 2, line 22, of the printed bill, strike out the numeral "5", and insert in lieu thereof the numeral "7".

Amendment No. 10.

On page 2 of the printed bill, between lines 22 and 23 thereof, insert the following:

"SEC. 4. In any case in which an obligation secured by a deed of trust or mortgage on real property executed before June 21, 1935, is payable in installments, and the only default in the obligation secured by said deed of trust or mortgage consists of the failure to pay when due installments of the principal sum of such obligation which became due according to the terms thereof between the effective date of the Mortgage and Trust Deed Moratorium Act of 1935 and July 1, 1937 the trustor or mortgagor, or his or her successor in interest, at any time prior to July 1, 1937, may file a verified petition in the superior court of the county in which such real property or any part thereof is situated praying for an order postponing a sale under such deed of trust or mortgage, as provided for in section 7 In such petition the petitioner shall allege the payment as of the date of the filing of such petition of all obligations secured by said deed of trust or mortgage other than payment of installments of the principal sum falling due between the effective date of the Mortgage and Trust Deed Moratorium Act of 1935 and July 1, 1937, and shall set forth equitable grounds for the order prayed for Nothing contained in this section shall apply to any case in which a sale has been held or a decree of foreclosure rendered prior to the date of the filing of the petition, nor to any case in which a trustor or mortgagor is in default at the time of the filing of his petition in any obligation secured by such deed of trust or mortgage other than failure to pay said installments of the principal sum, nor to any case in which the entire principal sum has theretofore become due by the terms of the instrument other than by the acceleration of the due date of the principal sum by reason solely of the failure to pay said installments when due

SEC. 5. A copy of such petition shall be served upon the trustee and the beneficiary under such deed of trust or upon the mortgagee under such mortgage, as the case may be, in the manner provided by law for the service of summons in a civil action

A notice of pendency of such petition shall be recorded in each county in which any of such property is situated, and on the date of such recordation a copy thereof shall be mailed, postage prepaid, to such trustee and beneficiary or to such mortgagee at their respective places of residence or business if known to the petitioner. Such notice of pendency shall state the name of the petitioner, the nature of the petition, and the book and page of the records of the county recorder in which the mortgage or deed of trust is recorded. After the filing of such petition and the recording and mailing of the notice of the pendency thereof no sale under the power of sale shall be held under such deed of trust or mortgage until the court either dismisses the petition or makes an order in the matter pursuant to section 7 of this act."

Amendment No. 11.

On page 2, line 34, of the printed bill, following the word "reasonable", insert the following: "but to a date not later than January 1, 1939".

Amendment No. 12.

On page 2, line 42, of the printed bill, strike out the following: "but in any case within eighteen months of the date of".

Amendment No. 13.

On page 2, line 43 of the printed bill, strike out the following: "said order"

Amendment No. 14.

On page 2 of the printed bill, strike out all of lines 51 and 52

Amendment No. 15.

On page 3 of the printed bill, strike out all of lines 1 to 31, inclusive

Amendment No. 16.

On page 3, line 32 of the printed bill strike out the numeral "7", and insert in lieu thereof the numeral "8".

Amendment No. 17.

On page 3, line 49, of the printed bill strike out the numeral "8", and insert in lieu thereof the numeral "9"

Amendment No. 18.

On page 4, line 4, of the printed bill, strike out the numeral "9" and insert in lieu thereof the numeral "10".

Amendment No. 19.

On page 4, line 12, of the printed bill strike out the numeral "10" and insert in lieu thereof the numeral "11"

Amendment No. 20.

On page 4, line 25, of the printed bill, strike out the numeral "11", and insert in lieu thereof the numeral "12".

Amendment No. 21.

On page 4, line 28, of the printed bill, strike out the numeral "12" and insert in lieu thereof the numeral "13".

Amendment No. 22.

On page 4, line 37, of the printed bill, strike out the numeral "13", and insert in lieu thereof the numeral "14".

Amendment No. 23.

On page 4, line 40, of the printed bill, strike out the numeral "14", and insert in lieu thereof the numeral "15".

Amendment No. 24.

On page 4, line 47, of the printed bill, strike out "February 1," and insert in lieu thereof the following: "July 1,".

Amendment No. 25.

On page 5, line 11, of the printed bill, strike out the word "February", and insert in lieu thereof the word "July".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 890—An act to amend section 1 of an act entitled "An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately," approved February 1, 1935, relating to the foreclosure of special assessment bonds.

Committee Amendments to Assembly Bill No. 890.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 1 of", and insert in lieu thereof the following: "the title and sections 1, 3, 4, and 4a of, and add sections 6 and 7 to,".

Amendment No. 2.

On page 1, line 7 of the title of the printed bill, after "bonds", insert a comma and the following: "validating the commencement and prosecution of proceedings heretofore taken, and declaring the urgency of this act, to take effect immediately".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "Section 1 of", and insert in lieu thereof the following: "The title of".

Amendment No. 4.

On page 1 of the printed bill, between lines 2 and 3, insert the following: "An act in relation to and regulating the commencement and prosecution of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and validating the commencement and prosecution of proceedings heretofore taken, and declaring the urgency hereof, and providing that it shall take effect immediately.

SEC. 2. Section 1 of said act is hereby amended to read as follows:".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 3 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. Except as otherwise provided in this act, no proceeding at law or otherwise shall be commenced or prosecuted to foreclose or enforce the lien of any special assessment bond issued for any public improvement in the State of California which constitutes a lien upon any real property described in said bond, until February 28, 1939; provided, however, that this act shall not prohibit the commencement and prosecution of any such proceeding in any case where any interest upon any such bond is delinquent at the time of the commencement of such proceeding.

SEC. 3. Section 3 of said act is hereby amended to read as follows:

Sec. 3 The period of time within which any proceeding or action must be taken or commenced to foreclose or enforce the lien of any such special assessment bond pursuant to any law or laws is hereby extended for such period of time as such foreclosure or enforcement is prohibited by law. The periods of time prescribed by sections 581, 581a, 581b and 583 of the Code of Civil Procedure are hereby extended in the case of any such proceeding affected by this act, for the period of time during which the foreclosure or enforcement of such lien is prohibited by law.

SEC. 4. Section 4 of said act is hereby amended to read as follows:

Sec. 4. This act shall not be deemed to prohibit the prosecution of any such proceeding commenced prior to the date that this amending act takes effect where any interest upon such bond was delinquent at the time such proceeding was commenced.

SEC. 5. Section 4a of said act is hereby amended to read as follows:

Sec. 4a. Anything to the contrary in any other statute notwithstanding, the officer charged with the duty of receiving payment on account of such bond is, until February 28, 1939, authorized to accept the payment of any interest and penalties for delinquencies in payment thereof upon any such bond without the payment of any installment of principal due or past due upon such bond; provided, that he has not received notice pursuant to any statute that an action or proceeding has been commenced to enforce the lien of such bond.

SEC. 6. A new section is added to said act to be numbered section 6 and to read as follows:

Sec. 6. Whenever, prior to the date this amending act takes effect, any such proceedings have been commenced and prosecuted to foreclose or enforce the lien of any such bond, where the interest upon such bond was delinquent at the time such proceedings were commenced, the commencement and prosecution of such proceedings are hereby legalized, ratified and declared valid to all intents and purposes.

SEC. 7. A new section is added to said act to be numbered section 7 and to read as follows:

Sec. 7. The term "prosecution" or "prosecuted" as used in this act as amended, shall be deemed to include all steps subsequent to the commencement of any action or proceeding to foreclose or enforce such bond and leading up to and including the issuance and delivery of a deed pursuant to the foreclosure or enforcement of such bond.

SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the mean-

ing of section 1, Article IV of the Constitution of the State of California, and shall take effect immediately.

The following is a statement of the facts constituting such necessity: The peace, safety and welfare of the citizens of this State are dependent upon immediate relief from the payment of the principal or installments thereof due upon said special assessment bonds. Because of the special economic crisis, the owners of property upon which such special assessment bonds are a lien are unable to pay the principal due thereon and unless foreclosure and enforcement of such bonds are delayed where such principal or installments thereof are unpaid, such owners will lose their property and will suffer great financial loss."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2798—An act relating to the deduction of tare upon the purchase of farm products.

Committee Amendments to Assembly Bill No. 2798.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 8 to 11, inclusive.

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out "Sec. 4.", and insert in lieu thereof the following: "Sec. 3."

Amendment No. 3.

On page 1, line 16, of the printed bill, strike out "Sec. 5.", and insert in lieu thereof the following: "Sec. 4."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1870—An act for the relief of certain assessment districts and for that purpose empowering incorporated cities to render financial aid to such districts and to declare the urgency of this act, to take effect immediately.

Committee Amendments to Assembly Bill No. 1870.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 2 and 3, of the printed bill, strike out "Road District Improvement Act of 1907 and amendments thereof or the".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "thereof".

Amendment No. 3.

On page 1, line 21, of the printed bill, strike out "county", and insert in lieu thereof the following: "city".

Amendment No. 4.

On page 1, line 25, of the printed bill, after the period, insert the following: "The amount so contributed or transferred for any district shall not exceed 80 per cent of the total face value of all outstanding unpaid bonds and matured bond coupons of such district."

Amendment No. 5.

On page 2 of the printed bill, strike out lines 13 to 19, inclusive, and insert in lieu thereof the following: "may be issued and sold under the provisions of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction and completion thereof," in effect February 25, 1901, or any other law of this State now or hereafter existing governing the issuance and sale of general obligations of municipal corporations, for the purpose of providing funds with which to purchase or redeem such bonds or coupons or make the contributions or transfers provided in this act to be made and for any other purpose for which funds may be expended under this act. The ordinance calling the election need not contain any statement as to the estimated cost of the proposed public improvement. The interest rate on the bonds need not be the same during the entire term thereof, but different rates may be fixed for one or more interest payments on such bonds. If the bonds are to be issued for the purpose of providing funds with which to purchase or redeem such bonds or coupons or make the contributions or transfers provided in this act to be made, the ordinance calling the election shall briefly and generally state what

bonds or coupons are to be purchased or redeemed or what contributions or transfers are proposed to be made and the total principal amount of bonds or coupons to be purchased or redeemed."

Amendment No. 6.

On page 2 of the printed bill, strike out lines 33 to 36, inclusive, and insert in lieu thereof the following:

"SEC 5. Bonds or coupons purchased or redeemed under the provisions of this act may be purchased or redeemed at not to exceed 80 per cent of the face value thereof, and any bonds or coupons so purchased may be held as the property of such city by the treasurer of such city, and presentment for payment thereof may be made from time to time by such city as directed by its city council in the same manner as though such bonds or coupons were owned or held by a natural person The city council of such city may, in its sole discretion, publicly cancel or destroy all or any portion of the bonds or coupons so purchased or redeemed The city council may retain all or any portion of the bonds or coupons as hereinbefore provided, and in connection with such bonds or coupons so retained may by ordinance forever waive any right or rights vested in such city by reason of the ownership of such bonds or coupons The city council may also reduce the rate of interest upon bonds or coupons retained or may reduce the face value of any bonds or coupons so retained or may forever waive the right of such city as owner of such bonds or coupons to require an annual levy upon the lands within the district to pay principal and interest on bonds due or past due at the date of the annual tax levy in such district. In the event any rights acquired by any city under such bonds or coupons be waived or the interest rate or face value thereof reduced, as above provided, an appropriate notation of that fact shall be plainly stamped printed or written across the face thereof."

Amendment No. 7.

On page 2 of the printed bill, between lines 47 and 48 insert the following

"Any moneys accruing to any city as a result of or through the ownership of bonds or coupons purchased or redeemed under this act through the collection of principal or interest from district interest and sinking funds shall be deposited in the general fund of such city. In the event city bonds have been issued to provide funds with which to purchase or redeem district bonds and coupons, then and in that event moneys accruing to such city in the cases above specified shall, so far as necessary, be set apart in the treasury of such city to be applied to payment of the principal and interest of the bonds of such city so issued"

Amendment No. 8.

On page 2, line 52, of the printed bill, strike out ", or the Road District Improvement Act of 1907 and".

Amendment No. 9.

On page 3, line 1, of the printed bill, strike out "amendments thereof".

Amendment No. 10.

On page 3, line 34, of the printed bill, before "be declared", insert the following: "may".

Amendment No. 11.

On page 3, line 44, of the printed bill, strike out "the Road District Improvement Act of 1907".

Amendment No. 12.

On page 3, line 45, of the printed bill, strike out "and", preceding "the Acquisition".

Amendment No. 13.

On page 4, line 19, of the printed bill, after "State", insert the following: "and to cities in this State".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 322—An act granting to the city of Los Angeles and the city of Long Beach the right to adjust and straighten, and to survey, locate and establish dividing lines and property lines between tidelands and submerged lands heretofore granted to said cities and the lands abutting thereon, and to release certain lands from all tideland trusts

Committee Amendments to Assembly Bill No. 322.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out the period and insert in lieu thereof the following: "and authorizing suits against such municipalities to quiet title to such lands released from said trusts"

Amendment No. 2.

On page 2 of the printed bill, after line 10, add the following paragraph: "Authority and permission is hereby granted to the owner of said abutting lands to bring an action against any such municipality to quiet title in him to any of said tide or submerged lands lying landward or above the dividing or property line determined and established as provided in this act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1473—An act to amend section 330a of the Penal Code, relating to gambling by use of slot machines and other devices

Committee Amendment to Assembly Bill No. 1473.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 3 and 4, of the printed bill, strike out the following: "Gambling by Use of Slot Machines Prohibited. Dice Having More Than Six Faces"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1474—An act to add section 335a to the Penal Code, relating to the seizure and destruction of machines or devices prohibited by the lottery and gambling laws.

Committee Amendment to Assembly Bill No. 1474.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the following: "Sec"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1487—An act to add section 3366a to the Political Code, relating to license taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 873—An act to amend section 26 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, relating to subrogation procedure.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 933—An act to add a new section to the Labor Code, to be numbered 3862, relating to employer's writ of execution as lien claimant.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 869—An act to amend section 6.471 of the School Code, relating to powers and duties of board of school trustees and city boards of education.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1467—An act to amend sections 4.962, 4.963, 4.964, 4.1010, and to add two new sections to be numbered 4.967 and 4.968, of the School Code, relating to school district bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1880—An act to amend section 1973 of the Code of Civil Procedure, relating to agreements required to be in writing and to be subscribed by the party to be charged

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1224—An act to amend section 5.190 of the School Code, relating to health and development certificates

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1466—An act to amend section 109 of the Code of Civil Procedure, relating to justices of the peace.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1689—An act to amend section 1161 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1786—An act to amend section 170 of the Code of Civil Procedure by adding a new subsection thereto to be known as subsection 7, relating to disqualification of judges in actions or proceedings by or against the Reclamation Bureau of the State of California or any irrigation, reclamation, levee, swamp land or drainage district, or any public agency or trustee, officer, or employee thereof.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2689—An act to amend section 1862 of the Civil Code, relating to the sale of unclaimed baggage or other personal property in the possession of the keeper of any hotel, inn, boarding or lodging house, furnished apartment house or furnished bungalow court.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 298—An act to amend section 1 of an act entitled "An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State," approved June 25, 1935, relating to limitations on expenditures under said act

Bill read second time and ordered to engrossment.

Assembly Bill No. 2749—An act to add section 4041.65 to the Political Code, relating to the powers and duties of boards of supervisors and authorizing boards of supervisors to accept title to real property, to permit the erection of buildings on public lands for museum and art gallery purposes, to permit such buildings to be operated, maintained and managed by the donors thereof or by boards of trustees appointed by the donors, or otherwise, and to permit the boards of supervisors to delegate authority to such boards of trustees, and to permit the boards of supervisors to appropriate money for the support of the same.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2277—An act to amend section 1203 1 of the Penal Code, relating to probation

Bill read second time, and ordered to engrossment

Assembly Bill No. 1253—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 13, 15, 19 and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale, or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 352—An act to add a new section to the Civil Code, to be numbered 137 5, relating to attorney's fees granted in actions for divorce or separate maintenance.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1757—An act to regulate the operation, conduct, sanitation, use and maintenance of trailer camps and trailer coaches.

Bill read second time, and ordered to engrossment

Second Reading of Senate Bills.

Senate Bill No. 433—An act to provide for the consolidation of Coachella Valley County Water District and Coachella Valley Storm Water District, and to provide for the carrying on of the functions of the consolidated district.

Bill read second time and ordered on third reading calendar.

Senate Bill No. 200—An act to authorize the creation and establishment of a public utilities commission within any city, city and county, county, local governmental agency, society, association, authority or entity rendering service to the public, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs of construction or acquisition of public utilities and extensions, repairs, replacements and improvements to public utilities; for the acquisition, production, purchase, sale and distribution of products, commodities, energy or services of such public utilities, and providing for the payment of such bonds and the interest thereon

Committee Amendment to Senate Bill No. 200.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 6, line 13, of the printed bill, after the word "with", strike out the words "water and electric energy, gas, transportation, telephone"; and in line 14, strike out the words "and telegraph service, or any of them", and insert in lieu thereof the following: "such public utility services as are now or may hereafter be authorized by the Constitution or laws of the State of California".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 215—An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions.

Committee Amendment to Senate Bill No. 215.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out "(or)".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 216—An act to add Chapter Va, comprising sections 852 to 852.4, inclusive, to Title III of Part II of the Penal Code, relating to the pursuit and arrest of persons accused of crime.

Committee Amendment to Senate Bill No. 216.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 6, of the printed bill, after "State", insert the following: "or admit him to bail for such purpose"

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 104—An act to add a new section to the School Code to be numbered 5 751, relating to the salaries of persons employed by school districts in positions requiring certification qualifications.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 338—An act to amend section 1228 of the Penal Code, relating to capital punishment.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 632—An act to amend section 1603 of the Penal Code, relating to the confinement of prisoners.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 431—An act to repeal sections 2 123, 3.610, 3.611 and 3.612 of the School Code and to add thereto two new sections to be numbered 4.192 and 4.193, all relating to the furnishing of facilities and supplies by the county superintendent of schools for the education of children residing in the county.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 432—An act to amend sections 2.2010 and 2.2011 of the School Code, relating to unified school districts.

Bill read second time, and ordered on third reading calendar.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr King, the consideration of his notice of motion to reconsider the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 263 Continued.

On motion of Mr Richie, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 263 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 216 Continued.

On motion of Mr. Hornblower, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 216 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 320 Waived.

Mr Hornblower waived his notice of motion to reconsider the vote whereby Assembly Bill No. 320 was passed.

Assembly Bill No 320 ordered transmitted to the Senate

Notice of Motion to Reconsider Assembly Bill No. 2341 Waived.

Mr. Welsh waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2341 was passed.

Assembly Bill No 2341 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 2678 Continued.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day.

Reconsideration of Assembly Bill No. 34.

In compliance with his notice given on a previous day, Mr. Donihue moved that the vote whereby Assembly Bill No. 34 was passed be reconsidered.

The roll was called, and Assembly Bill No. 34 reconsidered by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Fulcher.

Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 34 ordered on third reading calendar.

Third Reading of Assembly Bills.

Assembly Bill No. 1722—An act to amend sections 1620, 1621, 1622, 1623, and 1624 of the Streets and Highways Code, relating to the use of road funds by counties and authorizing the acquisition of rights of way by purchase or condemnation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1858—An act to repeal sections 980 and 981 and to amend section 1029 of the Streets and Highways Code, relating to public roads and highways and the powers and duties of county boards of supervisors, county surveyors, and county road commissioners in relation thereto.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 34—An act to amend section 737 of the Penal Code, relating to officers liable to impeachment.

Motion to Amend Assembly Bill No. 34.

Mr. Lyon moved to amend Assembly Bill No. 34 as follows:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, strike out "the judges of municipal courts,".

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 34, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 34, as Amended.

Assembly Bill No. 34—*An act to amend section 737 of the Penal Code,* relating to officers liable to impeachment.

Assembly Bill No. 34, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1217—An act to amend sections 158, 371.5, 374, 379 and 384 of, and to add section 162 to the Vehicle Code, relating to the registration of vehicles and fees therefor.

Motion to Amend Assembly Bill No. 1217.

Mr. Garland moved to amend Assembly Bill No. 1217 as follows:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 8 to 15, inclusive.

Amendment adopted.

Request for Unanimous Consent.

Mr. Breed asked for, and was granted, unanimous consent to take up Assembly Bill No. 1217, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1217, as Amended.

Assembly Bill No. 1217—An act to amend sections 158, 371.5, 374, 379 and 384 of, and to add section 162 to the Vehicle Code, relating to the registration of vehicles and fees therefor.

Assembly Bill No. 1217, as amended, read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1225—An act to add section 53 to the Vehicle Code, and to amend section 372 thereof, relating to weight fees for commercial vehicles.

Motion to Amend Assembly Bill No. 1225.

Mr. Breed moved to amend Assembly Bill No. 1225 as follows:

Amendment No. 1.

On page 2, line 8, of the printed bill, after the word "use", strike out the remainder of line 8, and all of lines 9 and 10, and insert in lieu thereof the following: "or a weight fee payable for a maximum gross weight in excess of that permitted in accordance with other provisions of this act."

Amendment adopted.

Assembly Bill No. 1225 ordered to reprint, and re-engrossment.

Assembly Bill No. 2610—An act to amend section 689 of the Code of Civil Procedure, relating to third party claims to property levied upon under writs of execution and attachment.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 18—An act to amend section 527 of the Political Code, relating to printed documents.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2612—An act to add a new section to Chapter I of Title X of Part II of the Code of Civil Procedure, to be numbered 730, and relating to sales by sheriffs under mortgage foreclosures.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—67.

NOES—Lore, and Robertson—2.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2613—An act to add a new section to Chapter I of Title X of Part II of the Code of Civil Procedure, to be numbered 730, and relating to sales by sheriffs under mortgage foreclosures.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2615—An act to amend section 1057 of the Code of Civil Procedure, relating to the requisites of and corporation sureties on undertakings and bonds authorized or required by law.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laugh-

lin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—71.

NOES—Robertson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1362—An act to amend section 4 of an act entitled "An act authorizing the filing of notices of liens for internal revenue taxes payable to the United States of America and the discharges thereof in the office of the county recorder, prescribing the manner of filing and indexing the same and fixing the compensation therefor," approved June 22, 1923.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Crown, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—Robertson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 313—An act to amend section 4307 of the Political Code, relating to county charges.

Motion to Amend Assembly Bill No. 313.

Mr. Cunningham moved to amend Assembly Bill No. 313 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended before the word "Charges", insert the figure "1."

Amendment No. 2.

On page 1, line 7, of the printed bill, as amended, before the word "The", insert the figure "2."

Amendment No. 3.

On page 1, line 16, of the printed bill, as amended, before the word "The", insert the figure "3."

Amendment No. 4.

On page 1, line 21, of the printed bill, as amended, before the word "The", insert the figure "4."

Amendment No. 5.

On page 2, line 1, of the printed bill, as amended, before the word "The", insert the figure "5."

Amendment No. 6.

On page 2, line 3, of the printed bill, as amended, before the word "All", insert the figure "6."

Amendment No. 7.

On page 2, line 7, of the printed bill, as amended, before the word "The", insert the figure "7."

Amendment No. 8.

On page 2, line 19, of the printed bill, as amended, before the word "The", insert the figure "8."

Amendment No. 9.

On page 2, line 21, of the printed bill, as amended, before the word "The", insert the figure "9."

Amendment No. 10.

On page 2, line 24, of the printed bill, as amended, before the word "The", insert the figure "10."

Amendment No. 11.

On page 2, line 26, of the printed bill, as amended, before the word "The", insert the figure "11."

Amendment No. 12.

On page 2, line 34, of the printed bill, as amended, before the word "The", insert the figure "12."

Amendment No. 13.

On page 2, line 41, of the printed bill, as amended, before the word "Every", insert the figure "13."

Amendment No. 14.

On page 2, line 44, of the printed bill, as amended, before the word "The", insert the figure "14"

Amendment No. 15.

On page 2, line 48, of the printed bill, as amended, before the word "The", insert the figure "15."

Amendments adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 313, as amended, at this time, without reference to reprint, or calender, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 313, as Amended.

Assembly Bill No. 313—An act to amend section 4307 of the Political Code, relating to county charges.

Assembly Bill No. 313, as amended, read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65

NOES—Lore, and Robertson—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Assembly Bill No. 2609—An act to amend section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2690—An act to amend section 827 of the Civil Code, relating to notice of change in terms of leases

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Yorty—62.

NOES—Hunt, Latham, Lyon, and Mr. Speaker—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 701—An act to add section 48b to "The California Irrigation District Act." relating to the discharge, compromise, and purchase of overlapping tax or assessment liens and titles on district-owned property.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1925—An act to amend section 4264 of the Political Code, relating to salaries of county officers in counties of the thirty-fifth class.

Motion to Amend Assembly Bill No. 1925.

Mr. Garibaldi moved to amend Assembly Bill No. 1925 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out line 20, and insert in lieu thereof the following:

"1. The auditor, two thousand four hundred dollars per".

Amendment adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Assembly Bill No. 1925, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1925, as Amended.

Assembly Bill No. 1925—An act to amend section 4264 of the Political Code, relating to salaries of county officers in counties of the thirty-fifth class.

Assembly Bill No. 1925, as amended, read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—Dannenbrink, Donnelly, Gilbert, Heisinger, and Johnson—5.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1502—An act to amend section 3 of "An act declaring the conditions upon which an irrigation district may be dissolved, prescribing the procedure therefor and the winding up of the affairs of the district when dissolved." approved May 18, 1919, relating to irrigation districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine,

Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1784—An act to amend section 32e of the California Irrigation District Act, relating to the irrevocable allocation of proceeds of contract to payment of principal or interest on bonds and to revenue bonds

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1787—An act to amend section 15 of the California Irrigation District Act, relating to the powers and duties of the board of directors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1789—An act to amend section 47 of the California Irrigation District Act, relating to redemption of property sold for delinquent assessments.

Bill read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2444—An act to add section 13 to an act entitled "An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expense thereof." approved May 23, 1923, relating to application of the "District Investigation Act of 1933" to such districts formed or proposed.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine,

Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.
NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2445—An act to add section 13 to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to application of the "District Investigation Act of 1933" to such districts formed or proposed.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—71.
NOES—None

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2446—An act to add section 31 to "An act to allow and provide for the organization, incorporation and maintenance of fire districts to be governed by board of fire commissioners; to provide for the equipment and maintenance of fire departments and the acquisition of all property necessary therefor," approved March 4, 1881, relating to the application of the "District Investigation Act of 1933" to such districts formed or proposed.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, and Mr. Speaker—67
NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 13—An act to add sections 8.5, 8.6 and 12.5 to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to county fire protection districts

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger Hornblower, Hunt, Johnson, Kepple, King Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Tenney, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr Speaker—66
NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 836—An act to add two new sections to the Political Code to be numbered 3667a and 3667b and to amend section 3669 of said code, all relating to the taxation of insurance companies under the provisions of section 14 of Article XIII of the Constitution of this State, and providing that this act shall take effect immediately under the provisions of section 1 of Article IV of said Constitution.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1432—An act to amend sections 7, 8, 18 and 20 of the "Inheritance Tax Act of 1935," relating to inheritance taxation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1277—An act to amend the title of an act entitled "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay insurance to protect their officers against such liability," approved June 19, 1931, and approved as amended June 10, 1933, extending the provisions of the act to liability in damages of such officers in the case of injuries to persons arising because of the negligence of the district, or its officers or employees.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2587—An act to repeal section 397c of the Penal Code, relating to the sale of intoxicating liquors and to enact a new

section to be known as section 398 of the Penal Code relating to the sale of alcoholic beverages, the act to take effect immediately.

Bill read third time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—Dannenbrink—1.

Assembly Bill No. 2587 read third time, and passed by the following vote.

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2587.

Mr. Dannenbrink gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2587 was this day passed.

Assembly Bill No. 1720—An act to amend section 493.5 of the Fish and Game Code, relating to chumming in District 20.

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Weber, Williamson Yorty, and Mr. Speaker—61.

NOES—Flint, Gilbert, Hunt, King, and Reaves—5.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1720.

Mr. Flint gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1720 was this day passed.

Assembly Bill No. 1833—An act to amend section 786 of the Fish and Game Code, relating to lobsters.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal Sawallisch Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66

NOES—Heisinger—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2279—An act to amend section 453 of the Fish and Game Code, relating to possession after season.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 50 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2039 re-referred to Committee on Fish and Game.

Assembly Bill No. 1059 re-referred to Committee on Roads and Highways.

Withdrawal and Re-reference of Assembly Bills.

On motion of Mr. O'Donnell, Assembly Bill No. 1826 was withdrawn from the Committee on Ways and Means, and re-referred to the Committee on Live Stock and Dairies.

On motion of Mr. Meehan, Assembly Bill No. 2253 was withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Labor and Capital.

Reconsideration of Assembly Bill No. 602.

In compliance with a notice given on a previous day, Mr. Field moved that the vote whereby Assembly Bill No. 602 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 602 reconsidered by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Consideration of Assembly Bill No. 602.

Assembly Bill No. 602—An act to amend the Political Code by adding thereto a new section to be numbered 4049b, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

Motion to Amend Assembly Bill No. 602.

Mr. Boyle moved to amend Assembly Bill No. 602 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the following: "4049b", and insert in lieu thereof the following: "4049.5"

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out the following. "4049b", and insert in lieu thereof the following: "4049.5".

Amendment No. 3.

On page 1, line 13, of the printed bill, strike out the period, and insert in lieu thereof the following: "; provided, however, that any advertising authorized hereunder shall contain the statement that it is issued or authorized by order of the board of supervisors, but no such advertising shall contain the name of any member of said board; and no such official or candidate for such office shall be permitted to speak on any radio program authorized under this section."

Amendments read, and adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—Desmond, Garland, Gilbert, Heisinger, King, and Tenney—6.

Notice of Motion to Reconsider Amendments to Assembly Bill No. 602.

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments to Assembly Bill No. 602 were this day adopted.

Reconsideration of Amendments to Assembly Bill No. 602.

In compliance with a notice previously given, Mr. Boyle moved that the vote whereby the amendments to Assembly Bill No. 602 were adopted, be reconsidered.

The roll was called, and amendments to Assembly Bill No. 602 refused reconsideration by the following vote:

AYES—Burns, Hugh M., Garland, and O'Donnell—3.

NOES—Andreas, Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

Request for Unanimous Consent.

Mr. Field asked for unanimous consent to take up Assembly Bill No. 602, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Mr. Heisinger withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Field moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 602, as amended, at this time.

The roll was called and the Rules temporarily suspended by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty and Mr. Speaker—60.

NOES—Dilworth, Donihue, Gilbert, and Heisinger—4

Consideration of Assembly Bill No. 602, as Amended.

Assembly Bill No. 602—An act to amend the Political Code by adding thereto a new section to be numbered 4049.5, authorizing boards of

supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

Assembly Bill No. 602, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Call, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—Cassidy, Crowley, Donihue, Heisinger, Patterson, and Richie—6.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1168—An act to amend sections 3h, 5, 9c, 10, 12, 12a, and 18 of and to add two new sections to the California Real Estate Act to be numbered 10a, 10b, and 10c, respectively, relating to the regulation and licensing of real estate brokers and salesmen, and to the disposition of money in the real estate fund.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Motion to Amend Title to Assembly Bill No. 1168.

Mr. Scudder moved to amend the title as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "10,", insert the following: "11,".

Amendment adopted. Title, as amended, read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1168.

Mr. Reaves gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1168 was this day passed.

Resolution.

The following resolution was offered:

By the Committee on Attaches:

House Resolution No. 113.

Resolved, That the following named persons be and they are hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite their names, and the Controller is hereby directed to draw his warrants in favor of the persons below listed for the said respective amounts, and the Treasurer is hereby directed to pay the same:

	Per day
Effective March 20, 1937—	
Alice Dolman, Stenographer	$5 00
Effective March 23, 1937—	
Dick Robertson, Assistant Sergeant-at-Arms	5 00
Bob Geyer, Page	2 50
John Geyer, Page	2 50
Barton Dempster, Page	2 50
John O'Donnell, Page	2 50
Joseph James McShane, Jr., Page	2 50
John Peter Redwine, Page	2 50
Bob Domanskey, Page	2 50
Richard Kepple, Page	2 50

Effective March 23, 1937—	*Per day*
Bob Boyle, Page	$2 50
Tom Boyle, Page	2 50
Stanley Clark, Page	2 50
Bill Latham, Page	2 50
Hugh P. Donnelly, Page	2 50
Robert Vance, Page	2 50
Kenneth Glick, Page	2 50
Mario Glick, Page	2 50
Louise King, Page	2 50
Barbara Ann Garland, Page	2 50
Betty Sue Garland, Page	2 50
Lucia Tenney, Page	2 50
Agnes O'Donnell, Page	2 50
Ann Miller, Page	2 50
Beverly Kepple, Page	2 50

Resolved, further, That the compensation of the above named attaches shall be for one day only.

House Resolution No 113 read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—65.

NOES—None.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to prohibit the employment by the State, or any political subdivision thereof, or any municipal corporation, or any other publicly supported municipal corporation, of any married woman whose husband is earning $1,500 per year, and to require information from all persons employed whose spouses are also employed, and from their employers, concerning their employment

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Heisinger:

An act to prohibit the employment by the State, or any political subdivision thereof, or any municipal corporation, or any other publicly supported municipal corporation, of any married woman whose husband is earning $1,500 per year, and to require information from all persons employed whose spouses are also employed, and from their employers, concerning their employment

CALL, Chairman

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—67

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated

Assembly Bill No. 2811: By Mr. Heisinger—An act to prohibit the employment by the State, or any political subdivision thereof, or any municipal corporation, or any other publicly supported municipal corporation, of any married woman whose husband is earning $1,500 per year, and to require information from all persons employed whose spouses are also employed, and from their employers, concerning their employment.

Bill read first time, and referred to Committee on Judiciary General.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred

Assembly Bill No. 441. **Senate Bill No. 167.**
Assembly Bill No. 442. **Senate Bill No. 450.**

Respectfully reports the same back with the recommendation: Do pass

MEEHAN, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 1275.
Senate Bill No. 259.

Respectfully reports the same back with the recommendation Do pass

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 2415.
Assembly Bill No. 1230.
Assembly Bill No. 1231.

Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred

Assembly Bill No. 40.
Assembly Bill No. 42.

Respectfully reports the same back with recommendation. Do pass.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 541. **Assembly Bill No. 1194.**
Assembly Bill No. 669. **Assembly Bill No. 2183.**
Assembly Bill No. 670.

Respectfully reports the same back with the recommendation: Do pass.

GILBERT, Chairman

The above reported bills ordered on second reading calendar.

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Attaches, to which was referred:
Assembly Bill No. 29.
Respectfully reports the same back with the recommendation: Do pass.

VOIGT, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Attaches, to which was referred:
Assembly Bill No. 22.
Respectfully reports the same back with the recommendation: Do pass as amended.

VOIGT, Chairman.

The above reported bill ordered on second reading calendar.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:
Assembly Bill No. 584.
Assembly Bill No. 579.
Assembly Bill No. 2773.
Respectfully reports the same back with the recommendation: Do pass as amended.

GILBERT, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR SPEAKER Your Committee on Elections, to which was referred:
Assembly Bill No. 444.
Respectfully reports the same back without recommendation, as amended.

GILBERT, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 30.
Respectfully reports the same back without recommendation, as amended.

ROBERTSON, Chairman

The above reported bill ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 2132.
Respectfully reports the same back with the recommendation: Do pass as amended.

MULDOON, Chairman

The above reported bill ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Assembly Bill No. 2787.
Assembly Bill No. 1229.
Assembly Bill No. 856.
Respectfully reports the same back without recommendation, as amended.

DONNELLY, Chairman.

The above reported bills ordered on second reading calendar.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1937.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred:
Assembly Bill No. 2551.
Respectfully reports the same back with the recommendation: Do pass as amended.

TENNEY, Chairman.

The above reported bill ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
Assembly Bill No. 2375.
Respectfully reports the same back without recommendation, as amended.

MEEHAN, Chairman

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 1214.
Assembly Bill No. 1203.
Senate Bill No. 448.
Respectfully reports the same back with the recommendation: Do pass as amended

HORNBLOWER, Chairman.

The above reported bills ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Senate Bill No. 539.
Assembly Bill No. 1907.
Assembly Bill No. 1765.
Respectfully reports the same back with the recommendation: Do pass.

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Senate Bill No. 897.
Assembly Bill No. 771.
Respectfully reports the same back with the recommendation: Do pass as amended

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred
Assembly Bill No. 2196.
Assembly Bill No. 2197.
Assembly Bill No. 2198.
Respectfully reports the same back without recommendation, as amended.

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:
Assembly Concurrent Resolution No. 34.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, March 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:
Senate Bill No. 120—An act relating to the electrification of fences.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 120 read first time, and referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, March 24, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:
Senate Bill No. 377—An act to amend section 401 of the Vehicle Code, relating to liability for operation of authorized emergency vehicles.

Senate Bill No. 205—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor;

Senate Bill No. 1036—An act to amend section 4255 and repeal section 4255a of the Political Code, relating to compensation of officers of counties of the twenty-sixth class;

Senate Bill No. 849—An act to add a new section to be numbered 862.26½ to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, empowering cities of the sixth class to employ economic or financial experts;

Senate Bill No. 306—An act to amend section 1033 of the Code of Civil Procedure, relating to cost bills in superior, municipal and justices' courts;

Senate Bill No. 423—An act to amend sections 3, 5, 6, 7, 9 and 11 of, and to add sections 16 and 17 to, an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof;

Senate Bill No. 593—An act to add section 1872 to the Code of Civil Procedure, relating to expert testimony;

Senate Bill No. 264—An act to add section 134 to the Streets and Highways Code, relating to the acquisition of property within cities for highway purposes;

Senate Bill No. 937—An act to add a new section, to be numbered 112, to the Streets and Highways Code, relating to official grades of State highways within cities.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 377 read first time, and referred to Committee on Motor Vehicles

Senate Bill No. 205 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 1036 read first time, and referred to Committee on County Government.

Senate Bill No. 849 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 306 read first time, and referred to Committee on Judiciary Codes

Senate Bill No. 423 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 593 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 264 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 937 read first time, and referred to Committee on Roads and Highways.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 516.

Mr Reaves moved to expunge the record, and rescind the action whereby the Assembly, on March 22, 1937, passed Assembly Bill No 516

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Boyle, Breed, Call, Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawtelle, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Williamson, Yorty, and Mr Speaker—57.

NOES—None

Re-reference of Assembly Bill No. 516.

On motion of Mr Reaves, Assembly Bill No 516 was re-referred to the Committee on Fish and Game

Adjournment.

At five o'clock p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late Gerry Schofield, former member of the Assembly from the Fifty-Second District, until one o'clock and thirty minutes p.m., Thursday, March 25, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FOURTH LEGISLATIVE DAY
EIGHTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 25, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assistant Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Tenney, the further reading of the Journal of Wednesday, March 24, 1937, was dispensed with

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Corwin, on motion of Mr. Stream.

Mr. Waters, on motion of Mr. Cunningham

Guests Extended Privilege of Assembly Floor.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to N. J. Kirk, Vice President of White Log Taverns, Incorporated.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Vance.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Georgette Judith Hatfield of San Francisco.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to History Club, Oakdale Union High School, as follows: L. Accorne, B. Acker, E. Artist, M. Arnett, B. Brush, F. Braves, W. Campbell, T. Brennan, C. Charlesworth, L. Chittenden, A. Colman, M. Corbett, R. Corbett, P. Crosby, D. Dardano.

I. Dardano, A. Fahey, Henry Fritz, B. Garrison, P. Gatos, B. Gilbert, F Gilbert, C. Hall, M. Hanna, A. Hartzog, I. Hoskins, V. Hoskins, A. Jenkins, Isabelle Keown, Barbara Keeler, J. Lammers, C. Lewis, C. Loughlin, M. Mackedon, A. Mullins, M. Mullins, J. Morris, L. O'Hara, M. J. Philbrick, P. Redding, D. Smee, L. Sipes, B. J. Staley, A. Stanley, E. Stude, B. Stone, V. Todd, D. Todd, M. Thorp, R. Ward, M. Weigart, F. Weimer, F. Wetzeig, and Miss Enos, and Roy Miller, bus driver.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Arthur J. Lonergan of Oakland.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to H. M. Werre, principal of Alhambra High School, Dale R Stoddard, vice principal, and Lawrence B. White, director of adult education

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. L. Walton, principal of Caruthers Union High School.

On request of Mr. Garibaldi, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Riverside Grammar School, eighth grade students, and Hilmar Union High School students and teachers

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Bessie Keller of the faculty of Roosevelt High School of Oakland, and the following students, members of the Junior Statesmen of America: Etelvina Simoes, Callie Zigenu, Anna Bay, Margie Hall, Joan Brashares, Leta Craft, Wilda Suerstedt, Perry Bardellina, Raymond Shaphard, Dorothy Tudder, Marvin Carlos, Cecil Osmond, Bod Raschen, Bill Nieman, and Henry Tietz.

On request of Mrs. Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John B. Elliott.

On request of Messrs. Johnson and Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Professor and Mrs. John Haley.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Thomas McDonough and E. H. Forward of Oakland.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joseph Sherman, Fire Warden of Orange County, and Mrs Sherman.

On request of Mr. Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Homer F. Potter, Exalted Ruler of San Francisco Lodge No. 3, B. P. O. E.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Elsa Wiedemann and Mrs. Bert Carter of Vallejo.

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From several organizations, urging pardon for Thomas J. Mooney.

From Farm Credit Administration, regarding Assembly Joint Resolution No. 33.

From Arlin E. Stockburger, regarding Easement No. 338, Huntington Beach.
From Automobile Wreckers Association of San Diego, regarding Assembly Bills Nos. 2209 and 2210.
From Alfred Steiner, demanding an investigation by the Legislature.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 298.
Assembly Bill No. 352.
Assembly Bill No. 467.
Assembly Bill No. 761.
Assembly Bill No. 762.
Assembly Bill No. 763.
Assembly Bill No. 869.
Assembly Bill No. 873.
Assembly Bill No. 933.
Assembly Bill No. 1193.
Assembly Bill No. 1224.
Assembly Bill No. 1253.
Assembly Bill No. 1467.
Assembly Bill No. 1487.
Assembly Bill No. 1532.
Assembly Bill No. 1533.
Assembly Bill No. 1666.
Assembly Bill No. 1689.
Assembly Bill No. 1757.
Assembly Bill No. 1880.
Assembly Bill No. 2007.
Assembly Bill No. 2277.
Assembly Bill No. 2689.
Assembly Bill No. 2749.
Assembly Bill No. 29.
Assembly Bill No. 40.
Assembly Bill No. 42.
Assembly Bill No. 406.
Assembly Bill No. 441.
Assembly Bill No. 442.
Assembly Bill No. 541.
Assembly Bill No. 669.
Assembly Bill No. 670.
Assembly Bill No. 824.
Assembly Bill No. 1194.
Assembly Bill No. 1230.
Assembly Bill No. 1245.
Assembly Bill No. 2223.
Assembly Bill No. 2692.
Assembly Bill No. 2693.
Assembly Bill No. 2794.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1184.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 17.
Assembly Concurrent Resolution No. 32.
And reports the same correctly enrolled, and presented to the Governor on this twenty-fifth day of March, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 24, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:
Senate Bill No. 112.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 490—An act to amend the "American River Flood Control District Act," approved May 28, 1927, as amended, by adding a new section thereto to be numbered "Section 16a" relating to the issuance of refunding bonds at a lower interest rate in exchange for outstanding bonds of the district, and containing a provision declaring this act to be an emergency matter, stating the facts constituting such emergency and providing that this act shall take effect immediately upon its passage.

Senate Bill No. 445—An act to repeal an act entitled "An act providing for the setting aside of moneys raised for building purposes by school districts for three fiscal years and the expenditures of such moneys thereafter," approved April 22, 1929, and to add to Chapter I of Part III of Division IV of the School Code a new article to be known as Article IIa, relating to accumulation and expenditure of funds by school districts for capital outlay purposes;

Senate Bill No. 265—An act to amend section 24 of the Direct Primary Law, relating to party conventions;

Senate Bill No. 989—An act to amend section 2.971 of the School Code, relating to election of boards of education;

Senate Bill No. 312—An act to repeal Chapter 2 of Part I of Division VI of the Welfare and Institutions Code, comprising sections 5250 to 5288, inclusive, to add a new Chapter 2 thereto, comprising sections 5250 to 5264, inclusive, to repeal Chapters 3 and 4 of Part IV of Division VI of the Welfare and Institutions Code, comprising sections 7000 to 7081, inclusive, and to add a new Chapter 3 thereto, comprising sections 7000 to 7015, inclusive, relating to homes for the feeble-minded

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 490 read first time and referred to Committee on Conservation.

Senate Bill No. 445 read first time, and referred to Committee on Education.

Senate Bill No. 265 read first time, and referred to Committee on Elections.

Senate Bill No 989 read first time, and referred to Committee on Education.

Senate Bill No. 312 read first time, and referred to Committee on Social Service and Welfare.

SENATE CHAMBER, SACRAMENTO, March 25, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 378—An act to amend sections 402, 404, 410, and 415 of the Vehicle Code, and to add thereto sections 410.5, 415.5, 417 and 418, relating to civil liability and financial responsibility of owners and operators of vehicles;

Senate Bill No. 710—An act to amend section 468 of the Civil Code, relating to the construction, operation and abandonment of railroads;

Senate Bill No. 711—An act to repeal an act approved April 15, 1880, entitled "An act to compel railroad corporations, or individuals owning railroads, to operate their roads," and to repeal an act approved February 9, 1897, entitled "An act to provide for the management and operation of railroads above certain elevations," relating to the operation of railroads and prescribing penalties for failure to comply therewith.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 378 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No 710 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 711 read first time, and referred to Committee on Public Utilities.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Levey:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act authorizing the removal of the monument or statue in memory of Chief Solano from its present location on the highway near Fairfield to the grounds of the courthouse at Fairfield in the county of Solano.

Referred to Committee on Introduction of Bills.

By Mr. Sheehan (By request):

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 147 and 158 of, and to add sections 158.4, 158.5, 177.5, 177.6 and 209 to, the Vehicle Code, relating to license plates and devices therefor.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them

By Mr. Sheehan (By request):

An act to amend sections 147 and 158 of, and to add sections 158.4, 158.5, 177.5, 177.6 and 209 to, the Vehicle Code, relating to license plates and devices therefor.

By Mr. Levey:

An act authorizing the removal of the monument or statue in memory of Chief Solano from its present location on the highway near Fairfield to the grounds of the courthouse at Fairfield in the county of Solano.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2812: By Mr. Sheehan (By request)—An act to amend sections 147 and 158 of, and to add sections 158.4, 158.5, 177.5, 177.6 and 209 to, the Vehicle Code, relating to license plates and devices therefor.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2813: By Mr. Levey—An act authorizing the removal of the monument or statute in memory of Chief Solano from its present location on the highway near Fairfield to the grounds of the courthouse at Fairfield in the county of Solano.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Concurrent Resolution No. 36: By Messrs. Maloney, Cronin, Dawson, Levey, McMurray, Williamson, Hornblower, Sheehan, and Peyser—Relative to approving certain amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco, at an election held therein on the ninth day of March, 1937.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 36, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 36.

Assembly Concurrent Resolution No. 36—Relative to approving certain amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco, at an election held therein on the ninth day of March, 1937.

Assembly Concurrent Resolution No. 36 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J. Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate

Second Reading of Assembly Bills.

Assembly Bill No. 965—An act to add a new section to be known as section 16a to "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any change for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended.

Committee Amendments to Assembly Bill No. 965.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 16a to", and insert in lieu thereof the following: "sections 16a and 16b to an act entitled,".

Amendment No. 2.

On page 1, line 11 of the title of the printed bill, strike out "as amended", and insert in lieu thereof the following: "relating to employment agencies".

Amendment No. 3.

On page 1 of the printed bill, after line 14, add the following:

"SEC. 2. A new section is hereby added to said act to be numbered 16b and to read as follows:

Sec. 16b. No contract between an employment agency and an applicant for employment shall continue in force and effect for more than one year from the date of the making thereof. Any provision in such a contract providing for its continuance for more than one year from the date of signing is void. After one year from the date of the making of such a contract, no further fees, compensation, or commission shall accrue to the agency. This section shall apply to all types of employment agencies, including theatrical employment agencies, and motion picture employment agencies as defined in this act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2378—An act to add section 212a to the Labor Code, relating to deductions from wages or salary of employee.

Committee Amendments to Assembly Bill No. 2378.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "212a", and insert in lieu thereof the following: "211.5".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "employee", insert the following: "and prescribing a penalty for violation thereof".

Amendment No. 3.

On page 1 line 1 of the printed bill strike out "212a", and insert in lieu thereof the following "211 5".

Amendment No. 4.

On page 1, line 3, of the printed bill, strike out "212a", and insert in lieu thereof the following: "211 5".

Amendment No. 5.

On page 1, line 6, of the printed bill, after the period, insert the following: "Violation of any part of this section is a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2313—An act for the care and treatment of inebriates, providing for the maintenance of hospitals and hospital facilities and for the admission thereto, and making an appropriation

Committee Amendments to Assembly Bill No. 2313.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 2.

On page 1, line 22, of the printed bill, after the period, add the following: "The department is hereby authorized and directed to make rules and regulations necessary or convenient to carry out the provisions of this act."

Amendment No. 3.

On page 1, line 23 of the printed bill, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 4.

On page 2, line 1, of the printed bill, strike out "stimulants", and insert in lieu thereof the following: "alcoholic beverages".

Amendment No. 5.

On page 2 of the printed bill, following line 9, add the following:

"SEC. 4. The department is hereby authorized to use the moneys appropriated by this act for the care and treatment of persons as provided herein and for the maintenance of wards or wings in existing buildings, or the erection of hospitals upon receipt of sufficient funds, and for such other facilities as it may deem necessary.

SEC. 5. There is hereby appropriated annually to the Department of Institutions for the purposes of this act out of the alcoholic beverage control fund a sum of money equal to 5 per cent of all money paid into said fund under the excise tax provisions of the Alcoholic Beverage Control Act, the amount thereof to be ascertained by the Controller, and to be expended by the department in the manner provided by law."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2692—An act declaring it to be a misdemeanor for any individual person or corporation knowingly to transport or furnish transportation which brings or carries any person to or toward a place where such person is to render services formerly rendered by an employee who has ceased to render the same to or as a result of a labor dispute, unless such person has been a resident for more than one month immediately preceding the date of employment, or attempt to employ, of the the county wherein he is to render services.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2693—An act declaring it to be a misdemeanor for any natural person or corporation to hire or employ, or procure or assist in the hiring or employment of any person to do or perform services

formerly rendered by an employee who has ceased to render the same due to, or as a result of, a labor dispute unless such person has been a resident for more than one month immediately preceding the date of employment, or attempt to employ, of the county wherein he is to render services, and defining a labor dispute.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2326—An act to amend section 1 of an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913, as amended, and to add thereto a new section to be known as section 1½, relating to advertisements or solicitation for employees while negotiations to establish working conditions or to settle labor disputes are pending, and requiring a copy of said advertisement and a statement identifying the employer concerned to be filed with the Labor Commissioner where such identity does not appear in such advertisement or solicitation.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2223—An act to amend section 737ww, of the Political Code, relating to the salary of judges of the county of Sonoma.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 990—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts.

Committee Amendment to Assembly Bill No. 990.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, after line 25, insert the following:

"SEC. 2. The present members of the State Board of Equalization shall continue in office until their successors as herein provided are elected at the next gubernatorial election and qualify."

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 441—An act to amend the title of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds," approved May 11, 1923, Statutes 1923, page 308, as amended, and to add section 6, relating to the reassessment, refunding, repayment or adjustment of assessments or bonds and the contribution of public funds therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 442—An act to amend the title of an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties, and upon property and rights of way owned by counties, and for establishing and changing the grades of any such highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent

certain assessments for the cost thereof, and providing a method for the payment of such bonds." approved June 3, 1921, Statutes 1921, page 1658, as amended, and to add section 12, relating to the reassessment, refunding, repayment or adjustment of assessments or bonds and the contribution of public funds therefor.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1275—An act to amend the title of and section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition on public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, extending the provisions of the act to liability in damages of school districts in the case of injuries to persons arising because of the negligence of the district, or its officers or employees.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2415—An act to amend section 735.3 of the Agricultural Code.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1230—An act to amend section 508 of the Agricultural Code, relating to cheese standards

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1231—An act to amend section 621 of the Agricultural Code, relating to factory licenses.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 40—An act to repeal section 537 of the Political Code, relating to warrants for wages of State printing employees

Bill read second time, and ordered to engrossment.

Assembly Bill No. 42—An act to repeal section 532 of the Political Code, relating to contracts for paper.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 541—An act to add a new section to the Political Code, to be numbered section 1143, relating to boards of election.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 669—An act to amend the Direct Primary Law, approved June 16, 1913, as amended, by amending section 22 thereof to provide for the canvass of the returns of primary elections by the registrar of voters or county clerk of a county when directed so to do by the board of supervisors of said county.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 670—An act to amend sections 1278, 1280, 1281a and 1282 of the Political Code of the State of California to authorize the canvass of the returns of any election held throughout the county by the registrar of voters or the county clerk of the county whenever the board of supervisors of a county shall determine that the returns shall be canvassed in that manner, and providing for the declaration of the result by the board of supervisors of the canvass of returns.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1194—An act to amend section 1097 of the Political Code, relating to registration of electors.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2183—An act to amend the School Code by adding thereto three new sections, to be numbered 2.973, 2.974, and 2.975, relating to the election and recall of members of city boards of education, the cost and expense of such elections, and for the consolidation of such elections.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 29—An act to amend section 237 of the Political Code, relating to temporary officers and employees of the Senate and Assembly.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 22—An act to amend section 268 of the Political Code, relating to the compensation of officers and attaches of the Senate and Assembly.

Committee Amendment to Assembly Bill No. 22.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out lines 4 to 24, inclusive, and strike out all of page 2, and insert in lieu thereof the following: "the Senate and of the Assembly, such salaries as shall be fixed by resolution of the respective houses."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 584—An act to amend section 1197 of the Political Code, relating to election ballots

Committee Amendments to Assembly Bill No. 584.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "of", add a comma and the following "and to add section 1188.5 to.".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the word "ballots", add the following: "and the nomination of Presidential Electors".

Amendment No. 3.

On page 1 of the printed bill, after the enacting clause, and before line 1 thereof, add the following:

"SECTION 1. Section 1188.5 is hereby added to the Political Code to read as follows:

1188.5 Whenever a group of candidates for Presidential Electors equal in number to the number of Presidential Electors to which this State is entitled files a nomination paper with the Secretary of State under the provisions of section 1188, such nomination paper may contain the name of the candidate for President of the United States and the name of the candidate for Vice President of the United States for whom all of such electors pledge themselves to vote.

When such group so designates the Presidential and Vice Presidential candidates for whom they pledge themselves to vote, the names of such Presidential candidate and Vice Presidential candidate designated by such group shall be printed on the ballot as provided by section 1197."

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "Section 1.", and insert in lieu thereof the following: "Sec. 2."

Amendment No. 5.

On page 1 of the printed bill, strike out line 7, and in line 8, strike out "dent of the United States,".

Amendment No. 6.

On page 1 line 10, of the printed bill, after the comma which follows the syllable "drawn" add the following "except those candidates for Electors for

President and Vice President of the United States who have either been nominated by the respective State Conventions of their political parties or who have designated the names of those candidates for President and Vice President of the United States for whom they pledged themselves to vote in conformity with section 1188.5 of this code,".

Amendment No. 7.

On page 2, line 17, of the printed bill, after the first word "of", add the following: "those".

Amendment No. 8.

On page 2, line 18, of the printed bill, after the second "President", add the following: "who have either been nominated by the State Conventions of their respective political parties or who have designated the names of the candidates for whom they pledged themselves to vote in accordance with section 1188.5 of this code,".

Amendment No. 9.

In line 6 of the "Instructions to Voters on the ballot which is inserted between pages 8 and 9 of the printed bill, after the word "Presidential", add the following: "and Vice Presidential".

Amendment No. 10.

On the ballot which is inserted between pages 8 and 9 of the printed bill, under the heavy black line which is under the names of the various Presidential candidates, and immediately to the right of the line which is designated as perforated line, add 22 blank spaces of the same dimension, with squares to the right thereof of the same dimensions as that blank space and square respectively which appear immediately below the name of the Republican candidate for Vice President.

Amendment No. 11.

On page 9, line 36, of the printed bill, after "Presidential", add the following: 'and Vice Presidential".

Amendment No. 12.

On page 9 of the printed bill, between lines 41 and 42, add the following:

"If a group of candidates for electors has been nominated under the provisions of section 1188 of this code and has under the provisions of section 1188.5 of this code designated the names of the candidates for that President and Vice President of the United States for whom such candidates have pledged themselves to vote, but which candidates have not designated themselves as representing any political party, then the instructions to voters shall also contain the following:

To vote for those electors who have pledged themselves to vote for a candidate for President and for Vice President not supported by any particular political party, stamp a cross (+) in the square opposite the names of such Presidential and Vice Presidential candidates."

Amendment No. 13.

On page 9, line 42, of the printed bill, strike out "10", and insert in lieu thereof the following: "11".

Amendments adopted

Bill read second time, ordered to reprint, and engrossment.

Assembly Bill No. 579—An act to amend sections 4, 5, 6 and 12 of the Direct Primary Law, relating to primary elections.

Committee Amendments to Assembly Bill No. 579.

The following amendments were submitted by the committee

Amendment No. 1.

On page 4 of the printed bill, between lines 29 and 30, insert the following "----------".

Amendment No. 2.

On page 5, line 44, of the printed bill, strike out the word "and"

Amendment No. 3.

On page 5, line 45, of the printed bill, strike out the words "occupation are", and insert in lieu thereof the following: "is".

Amendment No. 4.

On page 6 of the printed bill, between lines 44 and 45, insert the following: "----------".

Amendment No. 5.

On page 8, line 29, of the printed bill, after "said", insert the following: "sponsor".

Amendment No. 6.

On page 9, line 47, of the printed bill, strike out the words "and occupation are", and insert in lieu thereof the following: "is".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2773—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Committee Amendment to Assembly Bill No. 2773.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, between lines 9 and 10, insert the following: "unless the county clerk waives his right to make such appointments in which case the board of supervisors shall appoint the inspectors,".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 444—An act to amend the Political Code of the State of California by amending section 1142 thereof; by adding a new section to be designated section 1142b to provide for the publication of the designated polling places in a newspaper of general circulation or in one or more newspapers of general circulation at various places in the county, and by amending section 4058 to provide for publication of the notice of election in the same manner.

Committee Amendments to Assembly Bill No. 444.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 6, line 43, of the printed bill, strike out the word "The", and insert the following: "In each county of the first class the".

Amendment No. 2.

On page 6, line 44, of the printed bill, strike out the word "designated", and insert in lieu thereof the following: "names of the election officers appointed and the"; and after the word "places", strike out "as determined", and insert in lieu thereof the word "designated".

Amendment No. 3.

On page 6, line 45, of the printed bill, after the word "supervisors", insert the following: "for each election precinct"; and strike out the word "any", and in lieu thereof insert "a"; and after the word "daily", insert the following: ", semiweekly".

Amendment No. 4.

On page 6, line 46, of the printed bill, after the word "in", strike out the remainder of said line, and all of lines 47, 48, 49 and 50

Amendment No. 5.

On page 7 of the printed bill, strike out all of line 1.

Amendment No. 6.

On page 7, line 2, of the printed bill, strike out the following: "in the following manner", and insert in lieu thereof the following: "as hereinafter provided, for two issues, the last publication to be at least one week before the day such election is to be held".

Amendment No. 7.

On page 7 of the printed bill, strike out all of lines 4, 5, 6, 7, 8, 9, 10 and 11, and insert in lieu thereof the following. "incorporated city or town within such county, other than the county seat thereof, shall be published in such daily newspaper of general circulation published in said city or town, or if there is no such daily newspaper, then such semiweekly newspaper of general circulation published in said city or town, or if there is no such daily or semiweekly newspaper, then in such weekly newspaper of general circulation published in said city or town as the board of supervisors of said county shall determine will give to the electors in said city or town adequate notice of said election."

Amendment No. 8.

On page 7, line 12, of the printed bill, after the word "designating", insert the following. "the list of names of the election officers and".

Amendment No. 9.

On page 7 of the printed bill, strike out all of lines 13 to 38, inclusive, and insert in lieu thereof the following: "the unincorporated territory of said county, and in the city in which the county seat of said county is located, and in each or any city in which there is no newspaper of general circulation published daily, semiweekly or weekly, in such daily, semiweekly or weekly newspapers of general circulation published in that portion of said unincorporated territory or county seat and circulated within such unincorporated territory, county seat or city in which no daily, semiweekly or weekly newspaper is published, deemed by the board of supervisors of said county to be those newspapers which will give to the electors of the various portions of the unincorporated territory, the county seat and the cities or towns in which no daily, semiweekly or weekly newspaper is published, adequate notice of said election.

The price to be paid for the publication of the notice herein prescribed shall be determined by the board of supervisors and shall be based upon a "legal square" as said term is defined by said board of supervisors, and said price shall be graduated according to circulation of the newspapers in which such notice is printed with a minimum rate for newspapers of 2,000 circulation or less."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 30—An act to repeal sections 241, 242, 243, and 244 of the Political Code, relating to the Controller.

Committee Amendment to Assembly Bill No. 30.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, after the figures "244", insert the following: "of the Political Code".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2132—An act to amend sections 1, 2, 3, 3a, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 of the "Funeral Directors and Embalmers Law," relating to the regulation of funeral directors and embalmers and the transportation of and traffic in dead human bodies, and to the State Board of Funeral Directors and Embalmers and the State Department of Professional and Vocational Standards and the powers and duties of said board and said department and each thereof in relation thereto.

Committee Amendments to Assembly Bill No. 2132.

The following amendments were submitted by the committee:

Amendment No. 1.

Strike out lines 1 and 2 of the title of the printed bill, and in line 3 of the title, strike out "28", and insert in lieu thereof the following: "An act to amend sections 1, 3, 5 and 10, and to repeal section 9".

Amendment No. 2.

Strike out lines 7, 8, 9 and 10 of the title of the printed bill, and insert in lieu thereof the following: "and Embalmers"

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1, 2 and 3, and insert in lieu thereof the following

"SECTION 1. Section 1 of said act is hereby amended to read as follows

Section 1. This act shall be known as the Funeral Directors and Embalmers Law. There is hereby created a board to be known as the State Board of Funeral Directors and Embalmers, consisting of five members, with a minimum of five consecutive years' experience, immediately preceding their appointment, in the preparation and disposition of dead human bodies and in the practice of embalming, appointed by the Governor and removable by him for incompetency or improper conduct. On and after January 15, 1938, one member of the board shall be a person who is a licensed embalmer without any financial interest in any funeral establishment. Such board is a continuation of the Board of Embalmers and Funeral Directors for all purposes. Except as herein provided, the term of office of the members of the board shall be four years and they shall hold office until the appointment and qualification of their successors. The terms of the members

of the board in office when this amendment takes effect shall expire as follows: One member January 15, 1934; one member January 15, 1935, one member January 15, 1936; two members January 15, 1937. Such terms shall expire in the same relative order as to such members as the terms for which they hold office before this amendment takes effect, except that members whose terms would have expired on the same day shall determine their relative order by lot. Vacancies occurring under the provisions of this section shall be filled by appointment for the unexpired term.

SEC. 2. Section 3 of said act is hereby amended to read as follows:

Sec 3. The term "funeral director," as herein used, is a person, partnership, corporation, association, or other organization engaged in or conducting, or holding himself or itself out as engaged in (a) preparing, for the burial or disposal and directing and supervising for burial or disposal of dead human bodies, (b) maintaining a funeral establishment for the preparation for the disposition or for the care of dead human bodies, and (c) who shall, in connection with his or its name or funeral establishment, use the words "funeral director," or "undertaker," or "mortician," or any other title implying that he or it is engaged as a "funeral director," as herein defined. Every person who is not a licensed funeral director and who buries or disposes of dead human bodies, is guilty of a misdemeanor. A "funeral establishment" as the term is used herein, shall be understood to mean a place of business conducted at a specific street address or location devoted exclusively to the care and preparation for burial or transportation of human dead bodies and consisting of (a) a chapel wherein funeral services may be conducted, (b) a preparation room equipped with tile or cement floor, necessary drainage and ventilation, and containing necessary instruments and supplies for the preparation and embalming of human dead bodies for burial or transportation, and (c) a display room containing a stock of funeral caskets and shipping cases. The said board may adopt such rules as may be reasonable and proper to define what shall be deemed to be necessary drainage and ventilation, and what instruments, supplies and merchandise shall be deemed to be necessary and suitable in such funeral establishment.

The term "embalmer," as herein used, is a person engaged, or holding himself out as engaged, in the practice of disinfecting or preserving dead human bodies, or preparing for the transportation by railroad express company or common carrier of human bodies dead of contagious or infectious disease.

The term "apprentice" as herein used is a person engaged in the study of the art of embalming under the instruction and supervision of a regularly licensed embalmer of and practicing in the State of California.

The regular course of apprenticeship shall be two years, provided that the apprentice shall be entitled to two weeks' vacation each year, without leave of absence from the board.

The person desiring to engage as an apprentice shall make application for registration as an embalmer's apprentice, to said board upon a form provided by the board, which application shall state that the applicant is over eighteen years of age, holds a high school certificate, or possesses the equivalent of a high school education, and is of good moral character. On and after the first day of January, 1935, an applicant for registration as apprentice must hold a junior college diploma or must have completed a full two years' college course. Said application must be verified by the oath of applicant and be accompanied by a fee of one dollar. The secretary of the board shall whenever it appears to him that no reason exists for the denial of such application and that such application is regular upon its face, have the power to issue to the applicant, a certificate of apprenticeship, without submitting said application to the board. If, however, any doubt exists as to the qualifications of the applicant, said application shall be submitted to the board and may be accepted or rejected by a majority vote of the board.

A certificate of apprenticeship issued as herein provided shall be signed by the apprentice and shall be renewable annually upon the payment by the holder on the first day of January of each year of an annual renewal fee of one dollar. Failure to pay said renewal fee during the month of January of any year shall cause said certificate to become delinquent, in which case it shall be renewed only upon the payment of a penalty of five dollars, in addition to said renewal fee. The board shall mail on or before the first day of January of each year to each registered apprentice at his last known address a notice that his renewal fee is due and payable and that, if not paid by the first of February, the penalty for renewal will be five dollars, in addition to said renewal fee.

All apprentices registered as provided herein shall be under the supervision and control of said board and shall be required to report to said board semiannually on January 15 and July 15 upon forms provided by the board, showing the work which such apprentices have performed during the semiannual period preceding the first of the month on which such report is made, including the number of hours served and the number of bodies the apprentice has assisted in embalming or otherwise preparing for disposition during said period. The information contained in said report shall be certified to as correct by the funeral director in whose establishment said apprentice has been employed during said period and by the embalmer under whom he has served during said period.

Said board shall have power to grant leaves of absence and to grant extensions thereof to apprentices registered under the provisions of this act, provided that no credit shall be given to an apprentice upon his apprenticeship for the period during which he is absent from duty on leave, and provided further that no more than an aggregate of twelve months' leave of absence shall be granted to any apprentice during the term of his apprenticeship. Application for leave of absence and for extension thereof shall be made by the apprentice upon a form provided by and addressed to said board. Upon the termination of a leave of absence or any extension thereof, the apprentice shall report to the board the fact that he has resumed his duties as an apprentice and shall submit to the board affidavits subscribed by the funeral director in whose establishment he has resumed his duties and by the embalmer under whom he is apprenticed, confirming this fact. Failure to so report within ten days after the expiration date of any leave of absence or extension thereof shall automatically cancel the registration of such apprentice

The board shall have power to suspend or revoke a certificate of apprenticeship, after notice and upon complaint and hearing, where the said apprentice is guilty of any of the following acts or omissions:

1. Failure to devote not less than an average of eight hours per day, six days per week, to the duties of his apprenticeship;
2. Failure to make any semiannual report to the board as required hereunder;
3. Absence from duty except on vacation for an aggregate of more than ten days in any six months or twenty days in any year, without leave of absence granted by the board;
4. Gross immorality;
5. Being on duty as an apprentice while under the influence of liquor;
6. Disobedience of proper orders or instructions of his superior;
7. Violation of any provision of this act or any rule or regulation of the board is made hereunder;
8. Soliciting business for a funeral director or for an embalmer;
9. Failure to complete his two year course of apprenticeship within three years after registration;
10. Fraud or misrepresentation in obtaining a certificate of registration as an apprentice;

An apprentice who has allowed his certificate of apprenticeship to lapse or who has had his certificate of apprenticeship suspended or revoked may within one year after such suspension or revocation make application for reregistration, but not more than two such reregistrations shall be allowed by the board. The board may, when the circumstances warrant, allow an apprentice credit under a reregistration for time actually served under a previous registration, provided that if the previous registration has been suspended or revoked upon any of the grounds set forth in this section not more than 75 per cent of the time previously served shall be credited on the reregistration.

SEC. 3. Section 5 of said act is hereby amended to read as follows

Sec. 5. In order to qualify for a license as an embalmer, the applicant must comply with each of the following requirements

(a) He shall be over twenty-one years of age.

(b) He shall be a person of good moral character

(c) He shall hold a junior college diploma or shall have completed a full two years' college course.

(d) He shall have had a full course of instruction in an embalming school of the Class A type, as rated by the Conference of Embalmers Examining Board of the United States, Inc. An applicant for a license as an embalmer, who registered as an apprentice with the board on or after October 1, 1937, shall have completed the course of instruction and have passed the required examination before undertaking the required period of apprenticeship.

(e) He shall pass an examination, which shall include the subjects of: theory and practice of embalming; anatomy, including histology, embryology and dissection; pathology, bacteriology; hygiene, including sanitation and public health; chemistry, including toxicology; and restorative art, including plastic surgery and demisurgery.

(f) He shall have completed a two year course of apprenticeship under an embalmer licensed and engaged in practice as an embalmer in this State, and shall have assisted at the embalming of not less than fifty dead human bodies while so apprenticed. The course of instruction under subdivision (d) shall constitute the equivalent of nine months of the two year period required for an apprenticeship

The application must be in writing, and verified, on a form provided by and addressed to said board, and must be accompanied by a fee of twenty-five dollars and by affidavits of at least two reputable residents of the county in which the applicant resides or proposes to engage in the practice of an embalmer to the effect that the applicant is of good character

If the applicant fails in the examination he may be reexamined at the next succeeding examination without an additional fee.

SEC. 4. Section 10 of said act is hereby amended to read as follows

Sec. 10. Every licensed funeral director and every licensed embalmer shall pay annually, a fee for the renewal of his or its license. The renewal fee payable by a licensed funeral director shall be fifteen dollars but the board may reduce the fee to not less than seven dollars and fifty cents. The renewal fee payable by a licensed embalmer shall be five dollars but the board may reduce the fee to not less than two dollars. The board shall mail on or before the first day of January of each year to each licensed funeral director and to each licensed embalmer addressed to him at his last known address, a notice that his renewal fee is due and payable and that if such fee is not paid by the first of February the penalty of ten dollars will be added to the renewal fee, and in no case shall said penalty or additional fee upon account of such delinquency be waived. Upon the receipt of such fees the board shall cause the renewal certificate to be issued

SEC. 5. Section 9 of said act is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2787—An act to create a Dairy Industry Commission to investigate the dairy industry of the State of California, to prescribe its powers and duties, and to make an appropriation therefor.

Committee Amendments to Assembly Bill No. 2787.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 6, of the printed bill, after "Los Angeles", insert the following "city".

Amendment No. 2.

On page 1, line 7, of the printed bill, after "San Francisco", insert the following: "city".

Amendment No. 3.

On page 2 of the printed bill, strike out lines 12 to 20, inclusive, and insert in lieu thereof the following:

"(a) Investigate all public health problems and phases of the dairy industry as they relate to sanitation and hygiene in the industry;

(b) Study all complaints, misunderstandings, and grievances which result from the supervision of the industry from a public health standpoint;

(c) Investigate all dairy industry laws and ordinances as they relate to production, transportation, and marketing of milk and dairy products in relation to public health."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1229—An act to amend section 673 of the Agricultural Code, relating to dairy containers.

Committee Amendment to Assembly Bill No. 1229.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 20, of the printed bill, as amended, following the word "brand", insert the words "and the members of any association which is the registrant.".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 856—An act to amend section 672 of the Agricultural Code, relating to dairies and dairy products.

Committee Amendments to Assembly Bill No. 856.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "section 672", and insert in lieu thereof the words "sections 671 and 672"

Amendment No. 2.

On page 1 of the printed bill, strike out line 2 of the title, and insert in lieu thereof the following: "to containers and equipment for milk and dairy products"

Amendment No. 3.

On page 1 of the printed bill, immediately following the enacting clause, insert the following:

"SECTION 1. Section 671 of the Agricultural Code is hereby amended to read as follows:

671. Any person or association engaged in receiving, producing, manufacturing, packing, canning, bottling, handling or selling milk or any product thereof in containers, cabinets or other dairy equipment marked or otherwise identified with the name of such person or association or with any fictitious or other name or word or with any mark or device whatsoever, and any association or corporation, the members or directors of which are so engaged, may file with the department a description of the name or word, mark, or device so used, and an application for registration of the same as a brand, accompanied by a fee of five dollars for each separate brand. There shall be included as a part of each brand the words, 'Registered in California' or the abbreviation, 'Reg. Cal.' The applicant shall also cause such description to be printed once a week for three successive weeks in one or more newspapers of general circulation published in the locality in which the principal place of business of said applicant is situated. The department may refuse to register a brand when it appears that the same or a similar brand has been previously registered by another unless the prior registrant gives his written consent to the subsequent registration Whenever it appears that two or more applicants have applied for the registration of the same or similar brands, the director may after hearing determine the right of prior ownership in such brand; and when such right of prior ownership is determined the director shall refuse to register, or shall cancel the registration of any duplicate or similar brand. Any person acquiring any container, cabinet or other dairy equipment marked with a brand registered under the provisions of this section, by purchase or by other lawful means, and having the written consent of the registrant of such brand to use the same on the particular container, cabinet or other dairy equipment so acquired or to use such brand on containers generally, shall so notify the department and shall not thereafter be required again to file and publish said description but shall acquire as a part of said purchase all such benefit as the vendor had under this code as to the particular containers, cabinets or other dairy equipment so acquired or as to containers generally, dependent on the form of such written consent."

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out the numeral "1", and insert in lieu thereof the numeral "2"

Amendment No. 5.

On page 1, line 7, of the printed bill, strike out the word "two", and insert in lieu thereof the word "seven".

Amendment No. 6.

On page 1, line 10, of the printed bill, strike out the word "two", and insert in lieu thereof the word "seven".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2551—An act to add a new section to be numbered 6.53 to the School Code, relating to inspection of school buildings

Committee Amendments to Assembly Bill No. 2551.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", fixtures and school building equipment."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 4 to 11, inclusive, and insert in lieu thereof the following: "education of each municipal corporation, and not less than 30 days prior to, nor more than 15 days subsequent to the beginning of each school term, shall have made by duly authorized persons an inspection and examination of all boilers, plumbing equipment, electrical works, and all mechanical appliances in every school building in the district which is used by pupils, and ascertain what work of construction, alteration, repair, or replacement is necessary in order that all fixtures, equipment, and appliances in said building shall be safe. Further, the structural elements of said building shall be inspected and examined by a structural engineer at least once every three years to ascertain what work of construction, alteration, or repair is necessary in order to make such building structurally safe. The person making an inspection or examination under this section shall file his report thereof in writing with the board of trustees or board of education and if any work is necessary to be done according to said report to make said

fixtures, equipment, and appliances of said building safe for occupancy, such trustees or board of education shall proceed to have such work done and defects corrected."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2375—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as subsequently amended, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 20 and 22½ thereof and by adding thereto new sections numbered 6¾ and 9¾a, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the authorization of the issuance and sale of revenue bonds for the purpose of retiring, paying, funding and refunding outstanding bonds on certain conditions and prescribing the form thereof and the amount for which the same may be issued; also providing for the acquisition in eminent domain of real property for the purpose of exchange of the same for real property needed for the purpose of such bridges; also providing for the acquisition of property and rights of way and for the lease, sale, exchange or other disposition of any property or interest therein not necessary for the purposes of any such bridge; and providing that this act become effective immediately.

Committee Amendments to Assembly Bill No. 2375.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, after the word "sections", insert the following "13,".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, strike out "and 9-¾a", and insert in lieu thereof the following: ", 6.8, 6.9, and 9.8".

Amendment No. 3.

On page 1, line 12 of the title of the printed bill, after the semicolon, insert the following: "also providing that the California Toll Bridge Authority may enter into indentures or agreements containing provisions for the amount, form, maturities, registration, transfer and interchange of bonds, the terms and conditions upon which the same shall be issued, sold, paid, retired, funded, and refunded, sinking funds, minimum reserve requirements, and the appointment of a trustee to represent the holders of such bonds, and providing that all benefits or obligations pertaining to any bonds issued under said act shall inure to and continue for the benefit of any additional or funding or refunding bonds issued thereunder, also providing that all bonds and all income therefrom issued under said act shall be exempt from taxation, except transfer, inheritance, and estate taxes;".

Amendment No. 4.

On page 3, line 4, of the printed bill, after the word "bonds", insert the following: "or the date upon which outstanding bonds will be paid pursuant to call or agreement with the holders thereof".

Amendment No. 5.

On page 3, line 5, of the printed bill, after the semicolon, insert the following "also authorizing said California Toll Bridge Authority from time to time upon terms and conditions approved by it to enter into indentures or agreements providing for the amount, form, maturities, registration transfer and interchange of bonds and coupons, the terms upon which the same shall be issued, sold, paid, retired, funded and refunded, providing for a sinking fund and minimum reserve requirements, providing that there shall be raised in each year by tolls (in addition to current operating and maintenance expenses and insurance costs) amounts necessary for interest, sinking fund, redemption and reserve requirements, and such other provisions for the protection of the holders of bonds as it may approve, including provisions that in the event of refusal or failure to comply with this act or any other act or agreement the holders of such bonds or any issue thereof then outstanding may, in accordance with appropriate procedure specified therein, appoint a trustee to represent the holders of such bonds or of such issue in the matter of exercising and prosecuting on their behalf such rights and remedies as may be

available to them, also providing that all benefits or obligations imposed by this or by any other act with respect to making provision for the payment of expenses in connection with any toll bridge or bridges shall, notwithstanding the retirement or discharge of any bonds issued under this act inure to and continue for the benefit of any additional, funding or refunding bonds issued under this act, also providing that all bonds and the income therefrom issued under any of the provisions of this act shall at all times, be exempt from taxation except for transfer, inheritance and estate taxes;".

Amendment No. 6.

On page 4, line 38, of the printed bill, strike out "without compensation.".

Amendment No. 7.

On page 4, line 43, of the printed bill, strike out "or private person".

Amendment No. 8.

On page 5, line 5, of the printed bill, after the word 'Authority', insert a comma

Amendment No. 9.

On page 5, line 7, of the printed bill, strike out the word "interest", and insert in lieu thereof the following: "interests".

Amendment No. 10.

On page 5, line 17, of the printed bill, after the word "issue", insert the following: "and sell or exchange".

Amendment No. 11.

On page 5, line 23, of the printed bill, strike out the words "are to be paid", and insert in lieu thereof the following, "have matured or are about to mature"

Amendment No. 12.

On page 5, line 28, of the printed bill, strike out the words "a like principal amount of".

Amendment No. 13.

On page 5, line 35, of the printed bill, after the word "authorized", strike out the semicolon, and insert in lieu thereof the following: ", and any and all reserve or other funds applicable to the payment of said bonds so funded or refunded, may, if so directed by the California Toll Bridge Authority, be transferred to any reserve or other funds provided with respect to such funding or refunding bonds."

Amendment No. 14.

On page 5 of the printed bill, strike out lines 40 to 42, inclusive, and insert in lieu thereof the following: "in this section, and except as modified by the express terms of such funding or refunding bonds or the proceedings authorizing their issuance, all the provisions of this act shall apply to such funding or refunding bonds and to the issuance and sale or exchange thereof and the holders thereof shall be"

Amendment No. 15.

On page 5 of the printed bill, strike out lines 45 to 47, inclusive, and insert in lieu thereof the following: "therefor. Any such funding".

Amendment No. 16.

On page 6, line 6, of the printed bill, after the word "maturity", insert the following: "or payment".

Amendment No. 17.

On page 6, line 8, of the printed bill, after the word "sale", insert the following: "or the date upon which the bonds to be funded or refunded will be paid pursuant to call thereof or agreement with the holders thereof".

Amendment No. 18.

On page 6, line 9, of the printed bill, after the period, insert the following: "In connection with any issue or issues of bonds in this act authorized or provided for, the California Toll Bridge Authority may, in its discretion, provide for the issuance of bonds for the enlargement or extension of such toll bridge or bridges or other highway crossing, or to change the structure or design of such toll bridge or bridges or other highway crossing in order to afford new or greater facilities for any type or class of traffic, including railroad or interurban facilities, or to reimburse the California Toll Bridge Authority for expenditures made in connection with any of the foregoing purchases.

All bonds heretofore issued under the act of which this act is amendatory and now outstanding are hereby validated and declared binding in all respects.

SEC 2.5. A new section is hereby added to said act to read as follows:

Sec. 6.8. Whenever any bonds are to be issued under any of the provisions of this act, the California Toll Bridge Authority may from time to time, upon such terms and conditions in all respects as it may approve and consistently with the provisions of this act, enter into indentures or agreements containing any or all of the following provisions Providing for the amount, form, maturities, registra-

tion, transfer and interchange of such bonds and coupons and the terms and conditions upon which the same shall be issued, sold, paid, retired, funded and refunded, providing for a sinking fund and in addition thereto specifying minimum reserve requirements for such bonds, providing that as long as any of such bonds are outstanding there shall be raised in each year by tolls (in addition to the amount needed for current operating and maintenance expenses including insurance costs as may be required to be paid from such source) not less than the minimum amounts required for interest, sinking fund, redemption and reserve requirements for such bonds, and such other provisions for the protection of the holders of the bonds as it may approve, including, without limiting the foregoing, provisions that in the event of refusal or failure to comply with any provision of this act or any other applicable act, or of any agreement made with the holders of such bonds or of any issue thereof, the holders of a stated percentage in aggregate principal amount of such bonds, or of such issue thereof as the case may be, then outstanding may, in accordance with such appropriate procedure as may be provided in such agreement or indenture, appoint a trustee to represent all the holders of such bonds, or all the holders of such issue thereof, as the case may be, in the matter of exercising and prosecuting on their behalf such rights and remedies as may be available to such holders under the law.

All benefits conferred or obligations imposed by this or by any other act with respect to making provision for the payment, whether from tolls or other revenues received from the use and operation thereof or from other sources, of expenses in connection with the operation, maintenance and insurance of and the construction of approaches to any toll bridge or bridges or other highway crossing, shall, notwithstanding the retirement or discharge of any or all of the bonds issued by the California Toll Bridge Authority for the purpose of constructing such bridge, bridges or other highway crossing, inure to and continue for the benefit of any other bonds issued under this act as additional to or funding or refunding the bonds so originally issued.

SEC. 2 6. A new section is hereby added to said act to read as follows:

Sec. 6.9. All bonds and the income therefrom issued under any of the provisions of this act shall at all times be exempt from taxation, except for transfer, inheritance and estate taxes."

Amendment No. 19.

On page 6, line 12, of the printed bill, strike out "9-¾a", and insert in lieu thereof the following: "9.8".

Amendment No. 20.

On page 6, line 27, of the printed bill, after the word "evidence", insert the following "of all".

Amendment No. 21.

On page 6, lines 46 and 47, of the printed bill, strike out the comma and the following: "without the payment of compensation in any case therefor".

Amendment No. 22.

On page 7, line 2, of the printed bill, strike out the words "or other".

Amendment No. 23.

On page 7 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following: "such acquisition or construction, and should the pay-".

Amendment No. 24.

On page 7, lines 13, of the printed bill, strike out the words "or to the owner of such private property.".

Amendment No. 25.

On page 7 of the printed bill, strike out line 41, and insert in lieu thereof the following: "of the funds and revenues required for such purposes and".

Amendment No. 26.

On page 7, lines 45 and 46, of the printed bill, strike out the word "transferable".

Amendment No. 27.

On page 8, lines 3 and 4, of the printed bill, strike out the words ", conditions and restrictions for the joint or sole use thereof", and insert in lieu thereof the following: "and subject to such reservations".

Amendment No. 28.

On page 8 of the printed bill, after line 32, insert the following:

"SEC. 5.5. Section 13 of said act is hereby amended to read as follows.

Sec. 13. The proceeds from the sale of all bonds authorized under the provisions of this act shall be paid to the State Treasurer for the credit of the California Toll Bridge Authority and be deposited as demand deposits forthwith in such depositary or depositaries as may be authorized by law to receive deposits of State funds to the credit of a fund to be designated as the acquisition and construction fund of the particular toll bridge or bridges or other highway crossing for which such bonds were issued and sold, which fund shall at all times be kept segregated

and set apart from all other funds Such proceeds shall be paid out or disbursed solely for the acquisition or construction of such toll bridge or bridges or other highway crossing, the acquisition of the necessary lands and easements therefor and the payment of interest on such bonds during the period of actual construction and for a period of six months thereafter, only as the need therefor shall arise and the California Toll Bridge Authority may agree with the purchaser of said bonds upon any conditions or limitations restricting the disbursement of such funds that may be deemed advisable, for the purpose of assuring the proper application of such funds. All moneys in such fund and not required to meet current acquisition or construction costs of the toll bridge or bridges or other highway crossing for which such bonds were issued and sold, and all funds constituting surplus revenues which are not immediately needed for the particular object or purpose to which they must be applied or are pledged shall be invested in bonds and obligations eligible for investment of surplus State moneys; provided the California Toll Bridge Authority may provide in the proceedings authorizing the issuance of said bonds that the investment of such moneys shall be made only in particular bonds and obligations within the classifications eligible for such investment and such provisions shall thereupon be binding upon the said authority and all officials having anything to do with such investment. Any surplus which may exist in said acquisition and construction fund shall be applied to the retirement of bonds issued for the acquisition or construction of such toll bridge or bridges or other highway crossing by purchase or call and in the event such bonds can not be purchased at a price satisfactory to the California Toll Bridge Authority and are not by their terms callable prior to maturity such surplus shall be paid into the fund applicable to the payment of principal and interest of said bonds and shall be used for that purpose. The proceedings authorizing the issuance of bonds may provide limitations and conditions upon the time and manner of applying such surplus to the purchase and call of outstanding bonds and the terms upon which they shall be purchased or called and such limitations and conditions shall be followed and observed in the application and use of such surplus All bonds so retired by purchase or call shall be immediately canceled

All tolls or other revenues received from the operation of any toll bridge or bridges or other highway crossing acquired or constructed with the proceeds of bonds issued and sold hereunder shall be paid over by the Department of Public Works at least monthly to the State Treasurer who shall deposit the same forthwith in such depositary or depositaries as may be authorized by law to receive deposits of State funds to the credit of a special fund to be designated as the toll revenue fund of the particular toll bridge or bridges or other highway crossing producing such tolls or revenue, which fund shall at all times be kept segregated and set apart from all other funds.

From the money so deposited in each separate acquisition and construction fund as hereinabove provided, the State Treasurer shall transfer to the place or places of payment named in said bonds such sums as may be required to pay the interest as it becomes due on all bonds sold and outstanding for the construction of such particular toll bridge or bridges or other highway crossing during the period of actual construction and during the period of six months immediately thereafter. The Treasurer shall thereafter transfer from each separate toll revenue fund to the place or places of payment named in said bonds such sums as may be required to pay the interest on said bonds and redeem the principal thereof as such interest payments and bond redemptions fall due for all bonds issued and sold for the construction or acquisition of the particular toll bridge or bridges or other highway crossing producing the tolls or revenues so deposited in said toll revenue fund. All funds so transferred for the payment of principal or interest on bonds issued for any particular toll bridge or other highway crossing shall be segregated and applied solely for the payment of such principal and interest. The proceedings authorizing the issuance of bonds may provide for the setting up of a reserve fund or funds out of the tolls and other revenues not needed for the payment of principal and interest, as the same currently mature and for the preservation and continuance of such reserve fund in a manner to be provided therein, and such proceedings may also require the immediate application of all surplus moneys in such toll revenue fund to the retirement of such bonds prior to maturity, by call or purchase, in such manner and upon such terms and the payment of such premiums as may be deemed advisable in the judgment of said California Toll Bridge Authority.

The moneys remaining in each separate toll revenue fund after providing the amount required for interest and redemption of bonds as hereinabove provided, shall be held and applied as provided in the proceedings authorizing the issuance of said bonds. In the event the proceedings authorizing the issuance of said bonds do not require surplus revenues to be held or applied in any particular manner, they shall be allocated and used for such other purposes incidental to the acquisition, construction, operation and maintenance of such toll bridge or bridges or other highway crossing as the California Toll Bridge Authority may determine.

Warrants for payments to be made on account of such bonds shall be duly drawn by the State Controller upon request of the State Treasurer whenever the drawing of such warrants shall be required in order to make such payments.

Moneys required to meet the costs of acquisition or construction and all expenses and costs incidental to the acquisition or construction of any particular toll bridge or bridges or other highway crossing, or to meet the costs of operating, maintaining and repairing the same, shall be paid from the proper fund therefor upon demand of the Department of Public Works and after audit thereof in the manner provided by law and upon warrants drawn by the Controller.

All interest received or earned on money deposited in each and every fund herein provided for shall be credited to and become a part of the particular fund upon which said interest accrues.

The California Toll Bridge Authority may provide in the proceedings authorizing the issuance of bonds or may otherwise agree with the purchasers of bonds regarding the deposit of all moneys constituting the acquisition and construction fund and the toll revenue fund and provide for the deposit of such moneys at such times and with such depositaries or paying agents and upon the furnishing of such security as may meet with the approval of the purchasers of such bonds; provided, however, that the depositaries and security so provided for or agreed upon shall be qualified and eligible in accordance with the requirements of law.

Notwithstanding anything contained in this act the proceeds received from the sale of bonds and the tolls or other revenues received from the operation of any toll bridge or bridges or other highway crossings may be used to defray any expenses incurred by the California Toll Bridge Authority in connection with and incidental to the issuance and sale of bonds for the acquisition or construction of such toll bridge or bridges or other highway crossings, including expenses for the preparation of surveys and estimates and the making of inspections and examinations as may be required by the purchasers of such bonds; provided, however, that the proceedings authorizing the issuance of such bonds may contain appropriate provisions governing the use and application of said bond proceeds and toll or other revenues for the purposes herein specified."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1214—An act to amend section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Committee Amendments to Assembly Bill No. 1214.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2 of the printed bill, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following

"(g) A motor vehicle privately owned by any person who has been elected or appointed to perform on a full time basis the duties of a county sheriff, deputy county sheriff, or township constable when any such person operates such vehicle so owned by him in responding to emergency".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 33 and 34, and insert in lieu thereof the following:

"3. When the county does not furnish to such sheriff, deputy sheriff, or constable a publicly owned vehicle for the purposes hereinabove"

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1203—An act to regulate the business of selling used motor vehicles by dealers not residing in or having a permanent place of business in this State, and by resident dealers purchasing, handling and selling used motor vehicles received or acquired from nonresident dealers; requiring the registration of all used cars brought into this State for the purpose of sale to be registered with the Department of Motor Vehicles, and requiring all such dealers to execute and deliver to each purchaser of each used motor vehicle a bond idemnifying the purchaser against failure of title or breach of warranty or fraudulent misrepresentations, requiring the delivery of a certificate of title to the vendee; defining the term dealer and vendor, and providing penalties for the violation of the provisions of this act.

Committee Amendments to Assembly Bill No. 1203.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the words "person, firm or corporation who bring", and insert in lieu thereof the following: "other dealer who brings".

Amendment No. 2.

On page 1, line 10, of the printed bill, after the word "Vehicles", insert the words "upon application at its office in Sacramento or any of its regularly established branch offices other than stations at the State boundary line and".

Amendment No. 3.

On page 2 line 27, of the printed bill, after the word "the", insert the word "completed".

Amendment No. 4.

On page 2, line 30, of the printed bill, strike out the word "title", and insert in lieu thereof the word "ownership".

Amendments adopted

Bill read second time, ordered to reprint, and engrossment.

Assembly Bill No. 1907—An act imposing an excise tax on the use in this State of motor vehicle fuel, providing for the issuance of permits to the users of such fuel and for the levy, assessment and collection of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1765—An act to add section 5.4 to the Retail Sales Tax Act of 1933, relating to exemptions from taxation.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 771—An act relating to the exemption of household goods and personal property from taxation

Committee Amendment to Assembly Bill No. 771.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2, of the printed bill, strike out "the _____ day of _____, 193__," and insert in lieu thereof the following "the first day of July, 1938,".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2196—An act to amend sections 2, 19 and 20 of an act entitled "An act imposing a tax for the privilege of selling, renting or leasing tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 33 of said act; to renumber section 32½ of said act; relating to the taxation of the privilege of selling, renting or leasing tangible personal property.

Committee Amendments to Assembly Bill No. 2196.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following:

"An act to amend sections 2, 17, 19, 20, 23, 25 and 27 of an act entitled 'An'"

Amendment No. 2.

On page 1, line 11, of the title of the printed bill, after "32]", insert "as section 33".

Amendment No. 3.

On page 1, line 13, of the title of the printed bill, after "property", insert , and to provide that this act shall take effect immediately".

Amendment No. 4.

On page 3 of the printed bill, between lines 14 and 15, insert the following:

"SEC. 2. Section 17 of the act cited in the title hereof is hereby amended to read as follows:

"Sec 17 The burden of proving that a sale of tangible personal property was not a sale at retail shall be upon the person who made it, unless such person shall have taken from the purchaser a certificate signed by and bearing the name and address of the purchaser to the effect that the property was purchased for resale For the purpose of the proper administration of this act and to prevent evasion of the tax hereby imposed it shall be presumed that all gross receipts are subject to the tax hereby imposed until the contrary is established If the board is not satisfied with the return and payment of tax made by any retailer, it is hereby authorized and empowered to make an additional assessment of tax due from such retailer based upon the facts contained in the return or upon any information within its possession or that shall come into its possession. All additional assessments shall bear interest at the rate of one-half of one per cent per month, or fraction thereof, from the fifteenth day after the close of the period or periods, as the case may be, for which the additional assessment is imposed until the date of payment. If any part of the deficiency for which the additional assessment is imposed is due to negligence or intentional disregard of the act or authorized rules and regulations, a penalty of 10 per cent of the amount of the additional assessment shall be added thereto If any part of the deficiency for which the additional assessment is imposed is due to fraud or an intent to evade the tax, a penalty of 25 per cent of the amount of the additional assessment shall be added thereto. The board shall give to the retailer written notice of such additional assessment. Such notice may be served upon the retailer personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the retailer at his address as the same appears in the records of the board."

Amendment No. 5.

On page 3, line 15, of the printed bill, strike out "2", and insert in lieu thereof "3".

Amendment No. 6.

On page 3, line 43, of the printed bill, strike out "3", and insert in lieu thereof "4".

Amendment No. 7.

On page 4, strike out all of the printed bill after line 23, and insert in lieu thereof the following:

"SEC. 5. Section 23 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 23. If the board determines that any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected or computed, the board shall set forth that fact in the records of the board and shall certify to the State Board of Control the amount collected in excess of what was legally due, from whom it was collected, or by whom paid, and if approved by that board the same shall be credited on any taxes then due from the retailer under this act and the balance shall be refunded to the retailer, or his successors, administrators, executors or assigns, but no such credit or refund shall be allowed unless a claim therefor is filed with the State Board of Equalization within three years from the date of overpayment Every such claim must be in writing and must state the specific grounds upon which the claim is founded.

Interest shall be allowed and paid upon any overpayment of any tax if the overpayment was not made because of an error or mistake on the part of the retailer at the rate of 6 per centum per annum as follows

"(1) In the case of a credit, from the date of the overpayment to the date of the allowance of the credit Any interest allowed on any credit shall first be credited on any taxes due from the retailer under this act.

(2) In the case of a refund, from the date of the overpayment to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the board.

Any refund or any portion thereof which is erroneously made and any credit or any portion thereof which is erroneously allowed, may be recovered in an action brought by the Controller of the State in a court of competent jurisdiction in the county of Sacramento, in the name of the people of the State of California and such action shall be tried in the county of Sacramento unless the court with the consent of the Attorney General, orders a change of place of trial. The Attorney

General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for.

In the event that a tax has been illegally levied against a retailer the board shall certify such fact to the State Board of Control and said board shall authorize the cancellation of the tax upon the records of the board.

SEC. 6. Section 25 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 25. The board shall report to the Controller the amount of collections under this act and he shall keep a record thereof.

SEC. 7. Section 27 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 27. Every retailer shall keep such records, receipts, invoices and other pertinent papers in such form as the board may require.

The board or any person authorized in writing by it is hereby authorized to examine the books, papers, records and equipment and to investigate the character of the business of any person selling tangible personal property in order to verify the accuracy of any return made, or if no return was made by such person, to ascertain and assess the tax imposed by this act. The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of the provisions of this act in the collection of taxes, penalties and interest imposed by this act, and to that end may appoint such attorneys, accountants, auditors, investigators and assistants as it may deem necessary to enforce its powers and perform its duties under this act and may designate representatives to conduct hearings, prescribe regulations or perform any other duties imposed by this act or other laws of this State upon the board.

The board may prescribe the extent, if any, to which any ruling or regulation relating to this act shall be applied without retroactive effect.

SEC. 8. Section 33 of the act cited in the title hereof is hereby repealed and section 32½ is hereby renumbered to read as follows:

Sec. 33. Any violation of the provisions of this act, except as otherwise herein provided, shall be a misdemeanor and punishable as such.

SEC. 9. Effective July 1, 1937, all property, records, employees and unexpended budget allotment of appropriations relating to the record of assessments maintained by the Controller pursuant to section 25 of the Retail Sales Tax Act of 1933, as amended, shall be transferred to the State Board of Equalization.

SEC. 10. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately; provided, however, that the provisions hereof shall become operative on July 1, 1937."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2197—An act to amend sections 2, 3, 7, 11, 12 and 22 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately," approved June 25, 1935; to repeal section 32 of said act, to renumber sections 33 and 34 of said act; relating to the taxation of the storage, use or other consumption of tangible personal property

Committee Amendments to Assembly Bill No. 2197.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following:

"An act to amend sections 2, 3, 7, 9, 10, 11, 12, 17, 19, 22, 23 and 25 of an act"

Amendment No. 2.

On page 1, line 11, of the title of the printed bill after "34", insert "as sections 32 and 33 respectively,"

Amendment No. 3.

On page 1, line 12 of the title of the printed bill, after "property" insert ", and to provide that this act shall take effect immediately"

Amendment No. 4.

On page 4 of the printed bill, between lines 33 and 34, insert the following

"SEC. 4. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 9. If the board is not satisfied with the return and payment of the amount of tax herein required to be paid to the State by any person, it is hereby authorized and empowered to compute and determine the amount required to be paid based upon the facts contained in the return or upon any information within its possession or that shall come into its possession. All amounts determined to be due under the provisions of this section shall bear interest at the rate of one-half of one per cent per month, or fraction thereof, from the fifteenth day after the close of the period or periods, as the case may be, for which such amounts were required to be reported to the board until paid. If any part of the deficiency for which a determination of an additional amount due is made is due to negligence or intentional disregard of the act or authorized rules and regulations, a penalty of 10 per cent of such amount shall be added thereto If any part of the deficiency for which a determination of an additional amount due is made is due to fraud or an intent to evade the act of authorized rules and regulations, a penalty of 25 per cent of such amount shall be added thereto. The board shall give to the retailer or person storing, using or consuming tangible personal property written notice of its determination. Such notice may be served personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the retailer or person storing, using or consuming tangible personal property at his address as the same appears in the records of the board

SEC. 5. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec 10. If *any person neglects or refuses to make a return required to be* made by this act, the board shall make an estimate for the period or periods in respect to which such person failed to make a return, based upon any information in its possession or that may come into its possession, of the amount of the total sales price of tangible personal property sold or purchased by such person the storage use or other consumption of which in this State is subject to the tax imposed by this act, and upon the basis of said estimate compute and determine the amount required to be paid to the State, adding to the sum thus arrived at a penalty equal to 10 per cent thereof All amounts determined to be due under the provisions of this section shall bear interest at the rate of one-half of one per cent per month or fraction thereof, from the fifteenth day after the close of the period or periods, as the case may be, for which such amounts were required to be reported to the board until paid. If the neglect or refusal of any person to file a return as required by this act was due to fraud or an intent to evade this act or rules and regulations hereunder, a penalty of 25 per cent of the amount required to be paid by such person shall be added thereto in addition to the 10 per cent penalty as above provided Promptly thereafter the board shall give to such person written notice of such estimate, determination and penalty, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 9 hereof."

Amendment No. 5.

On page 4, line 34, of the printed bill, strike out "4", and insert in lieu thereof "6".

Amendment No. 6.

On page 5, line 15, of the printed bill, strike out "5", and insert in lieu thereof "7".

Amendment No. 7.

On page 5 of the printed bill, between lines 45 and 46, insert the following

"SEC. 8. Section 17 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 17. If the board determines that any amount, penalty or interest has been paid more than once, or has been erroneously or illegally collected or computed, the board shall set forth that fact in the records of the board and shall certify to the State Board of Control the amount collected in excess of what was legally due, from whom it was collected, or by whom paid to the board, and if approved by the State Board of Control the same shall be credited on any amounts then due from such person under this act and the balance shall be refunded to such person, or his successors, administrators, executors or assigns, but no such credit or refund shall be allowed unless a claim therefor is filed with the State Board of Equalization within three years from the date of overpayment. Every such claim must be in writing and must state the specific grounds upon which the claim is founded.

Interest shall be allowed and paid upon any overpayment of any amount of tax, if the overpayment was not made because of an error or mistake on the part of the person making such overpayment, at the rate of 6 per centum per annum as follows:

(1) In the case of a credit, from the date of the overpayment to the date of the allowance of the credit. Any interest allowed on any credit shall first be credited on any amounts due from the person to whom the credit is given under this act.

(2) In the case of a refund, from the date of the overpayment to a date preceding the date of the refund warrant by not more than 30 days, such date to be determined by the board.

Any refund or any portion thereof which is erroneously made and any credit or any portion thereof which is erroneously allowed, may be recovered in an action brought by the Controller of the State in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California and such action shall be tried in the county of Sacramento unless the court with the consent of the Attorney General, orders a change of place of trial. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for.

In the event that any amount has been illegally determined to be due from any person the board shall certify such fact to the State Board of Control and said board shall authorize the cancellation of the amounts upon the records of the board.

SEC. 9. Section 19 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 19. The board shall report to the Controller the amount of collections under this act and he shall keep a record thereof."

Amendment No. 8.

On page 5, line 46, of the printed bill, strike out "6", and insert in lieu thereof "10".

Amendment No. 9.

On page 6, strike out all of the printed bill after line 23, and insert in lieu thereof the following:

"SEC. 11. Section 23 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 23. If the board determines that any tax has been erroneously or illegally collected by a retailer from a purchaser and paid to the State, or erroneously paid by a purchaser to the State, the board shall set forth that fact in the records of the board and shall certify to the State Board of Control the amount of tax erroneously or illegally collected, the name of the person from whom it was collected, or who paid the same, and the name of the retailer, if any, by whom it was collected, and if approved by the State Board of Control, the same shall be refunded to the person from whom it was collected, or who paid the same, or his successors, administrators, executors or assigns, but no such credit or refund shall be allowed unless a claim therefor is filed with the State Board of Equalization within three years from the date of overpayment. Every such claim must be in writing and must state the specific grounds upon which the claim is founded.

Interest shall be allowed and paid upon any overpayment of any tax, if the overpayment was not made because of an error or mistake on the part of the person making such overpayment, at the rate of 6 per centum per annum as follows:

(1) In the case of a credit, from the date of the overpayment to the date of the allowance of the credit. Any interest allowed on any credit shall first be credited on any amounts due from the person to whom the credit is given under this act.

(2) In the case of a refund, from the date of the overpyament to a date preceding the date of the refund warrant by not more than 30 days, such date to be determined by the board.

SEC. 12. Section 25 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 25. Every retailer and every person storing, using or otherwise consuming in this State tangible personal property purchased from a retailer shall keep such records, receipts, invoices and other pertinent papers in such form as the board may require.

The board or any person authorized in writing by it is hereby authorized to examine the books, papers, records and equipment of any person selling tangible personal property and any person liable for the tax imposed by this act and to investigate the character of the business of any such person in order to verify the accuracy of any return made, or if no return was made by such person, to ascertain and determine the amount required to be collected by this act.

The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of the provisions of this act and to employ such attorneys, accountants, auditors, investigators, assistants and clerks as may be determined to be necessary for the efficient administration of this

act and may designate representatives to conduct hearings, prescribe regulations or perform any other duties imposed by this act or other laws of this State upon the board.

The board may prescribe the extent, if any, to which any ruling or regulation relating to this act shall be applied without retroactive effect.

SEC. 13. Section 32 of the act cited in the title hereof is hereby repealed.

SEC. 14. Section 33 of the act cited in the title hereof is hereby renumbered to read as follows:

SEC. 32 If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC. 15 Section 34 of the act cited in the title hereof is hereby renumbered to read as follows:

Sec. 33 This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately.

SEC. 16. Effective July 1, 1937, all property, records, employees and unexpended budget allotment of appropriations relating to the records of amounts determined to be due maintained by the Controller pursuant to section 19 of the Use Tax Act of 1935 shall be transferred to the State Board of Equalization.

SEC 17. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately; provided, however, that the provisions hereof shall become operative on July 1, 1937."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2198—An act imposing a tax upon the rolling stock of car companies and car-loaning companies, providing that such tax shall be in lieu of other taxes according to value, and providing for the administration of such tax.

Committee Amendments to Assembly Bill No. 2198.

The following amendments were submitted by the committee:

Amendment No. 1.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act providing for the assessment of, and imposing a tax upon, private cars and property incidental to their operation, defining the terms used in this act, providing that the tax hereby imposed shall be in lieu of all other taxes according to value and providing for the administration hereof."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 26, inclusive, and all of lines 1 to 17, inclusive, on page 2, and substitute in lieu thereof the following:

"SECTION 1. This act is known and may be cited as 'Private Car Tax Act of 1937'

SEC. 2. The following words, terms and phrases when used in this act, have the meanings ascribed to them in this section, except where the context indicates a different meaning:

(a) 'Private Car' shall mean and include a passenger car, sleeping car, dining car, express car, refrigerator car, oil or tank car, horse or stock car, fruit car, or car designed for the carrying of a special commodity, whether such car be owned by a sleeping car, dining car, drawing room car or palace car company, refrigerator, oil, stock or other car loaning, or other car company, or by a person engaged in manufacturing, commercial or other business, or by any other person, operated upon the railroads in this State, but does not include freight train cars and passenger train cars owned by railroad companies used or subject to use under the ordinary per diem agreement common to all railroads, or freight train or passenger cars handled under mileage or through line contract arrangements between companies, or cars owned by or leased to any railroad company operating in this State or by any railroad company operated as a part of the same railroad system as the company operating in this State, and used by such railroad company in the operation, maintenance, construction or reconstruction of its property and assessed and taxed in this State as a part of the property of a railroad company operating in this State.

(b) 'Person' shall mean and include any individual, firm, copartnership, joint adventure, association corporation, estate, trust, business trust, receiver, syndicate

or any other group or combination acting as a unit, and the plural as well as the singular in number.

(c) "Board" shall mean the State Board of Equalization.

(d) "In this State" or "in the State" means within the exterior limits of the State of California and includes all territory within such limits owned by or ceded to the United States of America.

SEC. 3. Private cars operated upon railroads, into, out of or through this State, shall be assessed by the board and taxed in the manner hereinafter prescribed.

SEC. 4. Each person whose private cars are operated upon the railroads in this State at any time during the calendar year 1937 must file with the board on or before the fifteenth day of April, 1938, a report under oath setting forth specifically the information prescribed by the board to enable it to make the assessment required herein. Each such person must file with the board a similar report with respect to the operation of his private cars for each calendar year thereafter on or before the fifteenth day of April following the close of the calendar year covered by the report.

SEC. 5. The board for good cause may extend for not to exceed 15 days the time for making any report required under the provisions of this act.

SEC. 6. If any person neglects or refuses to make a report required to be made by this act, the board shall make an estimate, based upon any information available to it, for the year in respect to which such person failed to make such report, of the matters required to enable the board to complete the assessment required herein, adding to the assessed value thus fixed a penalty equal to 10 per cent thereof. Thereupon the board shall give to such person written notice of such estimate and determination, the notice to be served personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the person at his address as the same appears in the records of the board.

SEC. 7. If the board is dissatisfied with the report filed hereunder by any person, it is hereby authorized and empowered to compute and determine the assessment based upon any information available to it.

SEC. 8. The value of private cars assessed hereunder by the board shall include all materials and supplies held, stored or used in this State by the person owning such private cars or the receiver or trustee in control thereof, for the purpose of repairing, improving, servicing and operating such cars, but the value thereof so assessed shall not include tools, shop equipment and other like items of personal property customarily kept or maintained at fixed locations for use in repairing, improving, servicing or operating such cars.

SEC. 9. In determining the value of private cars for the purposes of this act, the board shall equalize the value so determined with the average assessed value of tangible property throughout the State as fixed for the purposes of county taxation.

SEC. 10. In making assessments under this act, the board shall determine the average amount of private cars habitually in the State upon the basis of car mileage, track mileage or such other factors or combination thereof as may be reasonably calculated to establish the situs of such private cars, using the average amount so determined as the basis for the assessment of the property.

SEC. 11. The board shall complete the assessment of all property required to be assessed under the terms of this act on or before the third Monday in August of each year. Between the first Monday in August and the third Monday in August of each year, the assessments made hereunder by the board shall be open for inspection by all persons interested. At any time prior to the third Monday in August, the owner of any property assessed hereunder, or the one to whom it may be assessed, may be heard by the board upon a petition for reassessment.

SEC. 12. The board shall levy and extend against private cars assessed hereunder, for each year, a tax computed at the next preceding year's average rate of taxation in the State and enter such tax upon a record maintained by the board for that purpose. Such levy and extension shall be completed on or before the third Monday in August of each year.

SEC. 13. The average rate of taxation in the State shall be computed by adding the county, city, school district or other general or special taxes, not including special assessments, and dividing the amount so obtained by the total assessed valuation in the State as shown by the county tax rolls for the same year, provided that there shall not be included in such computation any amount levied solely against real estate or real estate and improvements.

SEC. 14. In the event that any property required to be assessed hereunder escapes assessment for any year, such property when discovered shall be assessed immediately by the board and the assessment so made shall be included among those to be completed on or before the third Monday in August following such discovery. Thereafter the assessment so included shall be treated as though made for the same year as such other assessments.

SEC. 15. On or before the fifteenth day of October, 1938, and the fifteenth day of October in each year thereafter, the board shall cause to be mailed to each person against whom a tax is levied hereunder a notice stating the amount of the

assessment, the rate and amount of tax and a demand that the tax be paid to the board not later than December 5th following.

SEC. 16. Failure to pay any tax levied hereunder on or before the fifth day of December following such levy shall result in the addition thereto of a penalty of 10 per cent of the amount thereof. Such failure shall not be excused nor shall any assessment or levy be invalidated because of the failure of the board to send the notice prescribed by section 15 hereof or of the person whose property is assessed to receive such notice.

SEC. 17. In the event that any person is delinquent in the payment of any obligation imposed hereunder the board may give notice of the amount of such delinquency by registered mail to all persons having in their possession or under their control any credits or other personal property belonging to such delinquent or owing any debts to such delinquent. Thereafter any person so notified shall neither transfer nor make other disposition of such credits, personal property or debts until the board shall have consented to a transfer or disposition thereof or until 30 days shall have elapsed from and after receipt of such notice. All persons so notified must advise the board within five days after receipt of such notice of any and all such credits, personal property or debts, in their possession, under their control or owing by them, as the case may be.

SEC. 18. Whenever any person shall be delinquent in the payment of the obligation imposed hereunder, the board may transmit notice of such delinquency to the Attorney General, who shall at once proceed to collect all sums due the State from any such person by appropriate legal action. In any suit brought to enforce the rights of the State hereunder, a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency and of compliance by the board with all provisions of this act in relation to the assessment of the property and computation and levy of the tax. In such action a writ of attachment may issue, and no bond or affidavit previous to the issuing of said attachment shall be required.

SEC. 19. All moneys received by the board in pursuance of the provisions of this act shall be transmitted to the State Treasurer and deposited in the State Treasury to the credit of the general fund. Copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller.

SEC. 20. The tax imposed hereunder shall constitute a lien upon, and shall have the effect of an execution duly levied against, any and all property, real, personal or mixed belonging to or owned by the person against whom such tax is levied. This lien shall attach on the first Monday in March of 1938 with respect to the taxes to be levied during that year and shall likewise attach on the first Monday in March of each year thereafter with respect to taxes to be levied during each such year. The lien shall not be removed until the tax is paid and the property subject to the lien thereof is sold in payment of the tax. The lien shall be paramount to all private liens or encumbrances of whatever character, and to the rights of any conditional vendor or other holder of the legal title, in or to any private car assessed hereunder.

SEC. 21. The tax imposed hereunder shall be in lieu of all other taxes, according to value, State, county, municipal and district, upon the private cars and property incidental to their operations, the value of which is included in their assessment hereunder.

SEC. 22. Every person whose property is subject to tax hereunder shall keep such records and other pertinent data with respect to the operation of his private cars in this State as the board may require, and the board, or its authorized representative, is hereby empowered to examine such records and data.

SEC. 23. Every railroad company with lines in this State shall keep such records and other data with respect to the operation of private cars over such lines as the board may require and shall make such records and data available to the board or its authorized representative on demand.

SEC. 24. The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt and enforce rules and regulations relating to the administration and enforcement thereof.

SEC. 25. If the board determines that any amount has been paid hereunder contrary to law, the board shall set forth that fact in its records and shall certify to the State Board of Control the amount collected in excess of what was legally due, from whom it was collected, or by whom paid to the board, and if the State Board of Control approves, such excess shall be credited on any amounts then due from such person under this act and the balance shall be refunded to such person, or his successors, administrators, executors or assigns.

SEC. 26. In the event that an amount has been illegally determined to be due from any person hereunder, the board shall certify such fact to the State Board of Control, and if the State Board of Control approves, it shall authorize the cancellation of the amounts upon the records of the board.

SEC. 27. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin under this act the assessment of property or the collection of any tax or other amounts herein required to be collected; but after payment

of any such tax or any such amount under protest, duly verified and setting forth the grounds of objection to the legality thereof, the person making the payment may bring an action against the State Treasurer in a court of competent jurisdiction in the county of Sacramento for the recovery of the amount paid under protest. No such action may be instituted more than 90 days after the tax or the amount herein required to be paid to the State has been paid and failure to bring suit within said 90 days shall constitute a waiver of any and all demands against the State on account of alleged overpayments. No grounds of illegality shall be considered by the court other than those set forth in the protest filed at the time of the payment of the tax or the amount herein required to be paid to the State.

SEC. 28. If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any taxes or amounts due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of 6 per cent per annum upon the amount found to have been illegally collected from the date of payment of such amount to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than 30 days, such date to be determined by the State Controller.

SEC. 29. In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any amount paid hereunder, when such action is brought by or in the name of an assignee of the person who had paid the amount sought to be recovered.

SEC. 30. Any violations of the provisions of this act shall be a misdemeanor and be punished by a fine not exceeding $1,000, or by imprisonment not exceeding one year, or both, at the discretion of the court, except that any person required to make, render, sign or verify any report hereunder or to furnish data or information to the board hereunder, who makes any false or fraudulent report or furnishes false or fraudulent data or information with intent to defeat or evade the assessment or levy required by law, shall be guilty of a misdemeanor and shall for each such offense be fined not less than three hundred dollars ($300) and not more than five thousand dollars ($5,000) or be imprisoned not exceeding one year in the county jail or be subject to both fine and imprisonment in the discretion of the court

SEC. 31. Nothing herein contained shall be construed as excusing the payment of any tax levied against property subject to taxation hereunder prior to the first day of January, 1938, and all laws imposing any such taxes shall remain in full force and effect, anything to the contrary in this act notwithstanding.

SEC. 32. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional."

Amendments adopted

Bill read second time, ordered to reprint, and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 679—An act to add section 352a to the Political Code relating to salaries or wages of State officers and employees.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 167—An act to amend sections 136 and 136.5 of the Streets and Highways Code, relating to contracts of the Department of Public Works.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 450—An act to amend section 304 of the Streets and Highways Code, relating to State Highway Route 4.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 259—An act relating to out-of-state parolee supervision and authorizing and directing the Governor to enter into compacts therefor.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 448—An act to add section 512 to the Vehicle Code, relating to speed limits in the vicinity of State institutions

Committee Amendment to Senate Bill No. 448.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 3, of the printed bill, after "512.", insert the following. "Speed Limit When Passing State Hospital or Veterans' Home."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 539—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 897—An act to add section 663b to the Political Code, relating to the collection of taxes and empowering the State Board of Control to discharge certain State departments, boards, commissions, officers or employees from accountability for the collection of taxes, the amount of which does not justify the cost of their collection.

Committee Amendments to Senate Bill No. 897.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "the", insert the following: "State".

Amendment No. 2.

On page 1, line 16, of the printed bill, after the second word "the", insert the following: "State".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading

Notices of Motions to Reconsider Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

On motion of Mr. Richie, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 263 was passed was continued until the next legislative day.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1168 was passed was continued until the next legislative day.

Notices of Motions to Reconsider Waived.

Mr. Hornblower waived his notices of motions to reconsider the votes whereby Assembly Bills Nos. 216 and 2587 were passed.

Assembly Bills Nos 216 and 2587 ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1757—An act to regulate the operation, conduct, sanitation, use and maintenance of trailer camps and trailer coaches.

Motion to Amend Assembly Bill No. 1757.

Mr. Laughlin moved to amend Assembly Bill No 1757 as follows:

Amendment No. 1.

On page 2, line 9, of the printed bill, strike out "Sights", and insert in lieu thereof the following: "Sites".

Amendment adopted.

Assembly Bill No 1757 ordered to reprint and re-engrossment

Assembly Bill No. 2598—An act to amend sections 771, 772, 1530, 1531 and 1534 of the Probate Code, relating to sales of estate property

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 797—An act to amend an act entitled "An act to define the liability of stockholders in California State banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," approved April 24, 1931, by amending section 1 thereof and adding a new section to be numbered section 1.1, thereto.

Bill read third time, and passed by the following vote.

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—60.

NOES—King, Peek, Reaves, Tenney, and Mr. Speaker—5.

Title read and approved

Notice of Motion to Reconsider Assembly Bill No. 797.

Mr. Peek gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 797 was this day passed.

Assembly Bill No. 1210—An act to amend sections 215 and 216 of the Vehicle Code, and to add thereto section 217, relating to the registration of vehicles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 5—Relative to memorializing the President and Congress to enact legislation requiring compulsory arbitration of labor disputes affecting the public interest

Assembly Joint Resolution No. 5 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—73.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 534—An act to amend sections 2, 3, 4, and 21 of the Old Age Security Act of the State of California, relating to aid to the aged.

Point of Order.

Mr. Boyle arose to the following point of order: That the bill carried an appropriation, and therefore should be re-referred to the Committee on Ways and Means.

Ruling on Point of Order.

The Speaker ruled that the point of order was not well taken.

Motion for Committee of the Whole.

Mr. Voigt moved that the Assembly resolve itself into a Committee of the Whole.

Motion lost.

Point of Order.

Mr. Levey arose to the following point of order: That there was no urgency clause in the bill, and that it should not be considered until such time as the Budget Bill had been passed

Point of order referred to the Legislative Counsel.

Ruling on Point of Order.

Upon recommendation of the Legislative Counsel, the Speaker ruled that the point of order was well taken.

Re-reference of Assembly Bill No. 534.

By order of the Speaker, Assembly Bill No. 534 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means

Third Reading of Assembly Bills—(Resumed).

House Resolution No. 111—*Expressing appreciation to Edward Keating.*

House Resolution No. 111 read, and adopted.

House Resolution No. 111.

WHEREAS, Mr. Edward Keating, editor and manager of the newspaper "Labor," has kindly forwarded to members of the Assembly copies of that valuable paper; and

WHEREAS, Said newspaper is one of America's foremost labor publications, and is the official newspaper of 15 recognized standard railroad labor organizations; now, therefore, be it

Resolved by the Assembly of the State of California, That the appreciation of this body for the copies of "Labor" be expressed to Mr. Edward Keating, and through him to the organizations sponsoring that publication; and be it further

Resolved, That a copy of this resolution be transmitted by the Clerk of the Assembly to Mr. Edward Keating, editor and manager of "Labor," Washington, D. C.

Assembly Bill No. 1532—An act to amend section 384 of the Penal Code of the State of California amending subdivision 11 thereof, relating to the refusal of a person summoned to render assistance in combating forest, brush, or grass fires when ordered so to do by certain county officers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—64

NOES—Desmond—1.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1533—An act to amend the Political Code of the State of California by adding thereto a new section to be designated section 3346, to authorize county fire wardens, county officers charged with the duty of preventing or combating forest, brush or grass fires, or any officers of a county fire protection district, to summon any able-bodied person within the county, or within the fire protection district, to assist in combating a forest, brush or grass fire.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—Desmond, Gilbert, Hunt, and Reaves—4.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1533.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1533 was this day passed.

Assembly Bill No. 467—An act to provide for the maintenance of storm drain improvements, and of other water courses or drainage channels; the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts; defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan,

Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1206—An act to add sections 34.5, 50, 51, 145.1, 604.1, 604.2, 604.3, 604.4, 682 and 682.1 to the Vehicle Code, relating to the transportation of certain inflammable liquids upon highways in this State.

Bill read third time.

Motion to Amend Assembly Bill No. 1206.

Mr. Breed moved to amend Assembly Bill No. 1206 as follows:

Amendment No. 1.

On page 3, line 11, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "code".

Amendment No. 2.

On page 4, line 39, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "code".

Amendment No. 3.

On page 5, line 17, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "code".

Amendment No. 4.

On page 5, line 43, of the printed bill, as amended, after "paragraphs", insert the following: "1.".

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out line 45, and insert in lieu thereof the following: "time this section becomes effective".

Amendment No. 6.

On page 5, line 46, of the printed bill, as amended, strike out "(a)", and insert in lieu thereof the following: "(b)".

Amendment No. 7.

On page 6, line 8, of the printed bill, as amended, strike out "(b)", and insert in lieu thereof the following: "(c)".

Amendment No. 8.

On page 6, line 25, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendment No. 9.

On page 6, line 47, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "(e)".

Amendment No. 10.

On page 7, line 5, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof the following: "(f)".

Amendment No. 11.

On page 7, line 8, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof the following: "(g)".

Amendment No. 12.

On page 7, line 16, of the printed bill, as amended, strike out "(g)", and insert in lieu thereof the following: "(h)".

Amendment No. 13.

On page 7, line 18, of the printed bill, as amended, strike out "(h)", and insert in lieu thereof the following: "(i)".

Amendment No. 14.

On page 7, line 30, of the printed bill, as amended, strike out "(i)", and insert in lieu thereof the following: "(j)".

Amendment No. 15.

On page 7, line 38, of the printed bill, as amended, strike out "(j)", and insert in lieu thereof the following: "(k)".

Amendment No. 16.

On page 7 of the printed bill, as amended, strike out lines 47 and 48

Amendment No. 17.

On page 8, line 1, of the printed bill, as amended, strike out "(k)", and insert in lieu thereof the following: "(l)".

Amendment No. 18.

On page 8, line 16, of the printed bill, as amended, strike out "(l)", and insert in lieu thereof the following: "(m)".

Amendment No. 19.

On page 8, line 26, of the printed bill, as amended, strike out "(m)", and insert in lieu thereof the following: "(n)".

Amendments adopted.

Assembly Bill No. 1206 ordered to reprint, and re-engrossment.

Assembly Bill No. 1941—An act to amend section 4 of the County Water District Act, approved June 10, 1913, as amended and relating to the organization of such districts, and to the election and appointment of directors thereof.

Motion to Amend Assembly Bill No. 1941.

Mr. Call moved to amend Assembly Bill No. 1941 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "approved June 10, 1913, as amended, and".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, after "to", insert the following: "elections therein, including".

Amendment No. 3.

On page 2, line 33, of the printed bill, after the period, insert the following "All the expenses of holding the elections provided for by this section or by succeeding sections of this act, except sections 25 and 25a, shall be borne by the district."

Amendments adopted.

Assembly Bill No. 1941 ordered to reprint, and re-engrossment.

Assembly Bill No. 1666—An act to amend sections 2906, 2907, 2908, 2910, 2911, 2914, 2915, 2917, 2919 and 2920 of the Political Code, and repealing sections 2916 and 2918, relating to franchises to construct and maintain public and private wharves, chutes, piers and slips.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Ghick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1446—An act to amend section 882 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Motion to Amend Assembly Bill No. 1446.

Mr. Lyon moved to amend Assembly Bill No. 1446 as follows.

Amendment No. 1.

On page 1, line 14, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that the jurisdiction of a class "A" justice's court shall not be extended to any such city court unless the incumbent judge thereof is an active member of the State Bar of California."

Amendment adopted.

Assembly Bill No. 1446 ordered to reprint, and re-engrossment.

Assembly Bill No. 824—An act to repeal section 2.2102 of the School Code and to amend section 5.667 thereof, relating to persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof and providing that this act shall go into immediate effect.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbring, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 824 read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1487—An act to add section 3366a to the Political Code, relating to license taxes

Bill read third time

Demand for Previous Question.

Messrs. Morgan, Johnson, Andreas, Yorty, and Richie demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1487.

The roll was called, and Assembly Bill No. 1487 passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Hornblower, Johnson, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—51.

NOES—Andreas, Baynham, Burns, Michael J., Crowley, Dilworth, Donnelly, Fulcher, Garibaldi, Garland, Heisinger, Hunt, Kepple, Kuchel, Leonard, Martin, Mayo, O'Donnell, Peek, Reaves, Scudder, Stream, Thorp, Turner, Walker, and Watson—25.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1487.

Mr. Kuchel gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1487 was this day passed.

Assembly Bill No. 869—An act to amend section 6.471 of the School Code, relating to powers and duties of board of school trustees and city boards of education.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1224—An act to amend section 1973 of the Code of Civil Procedure, relating to agreements required to be in writing and to be subscribed by the party to be charged.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sheehan, Thorp, Voigt, Walker, Watson Weber, Welsh, Williamson, and Yorty—59

NOES—Burns, Michael J., Garibaldi, King, Mayo, O'Donnell, Richie, and Tenney—7

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 1786—An act to amend section 170 of the Code of Civil Procedure by adding a new subsection thereto to be known as subsection 7, relating to disqualification of judges in actions or proceedings by or against the Reclamation Bureau of the State of California or any irrigation, reclamation, levee, swamp land or drainage district, or any public agency or trustee, officer, or employee thereof

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney Thorp, Voigt, Walker Watson Weber, Welsh, Williamson, and Mr. Speaker—71.

NOES—Yorty—1

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1786.

Mr Yorty gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1786 was this day passed.

Assembly Bill No. 2689—An act to amend section 1862 of the Civil Code, relating to the sale of unclaimed baggage or other personal property in the possession of the keeper of any hotel inn, boarding or lodging house, furnished apartment house or furnished bungalow court

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—58.

NOES—Dilworth, Gilbert, Hawkins, Hunt, King, Pelletier, Tenney, and Mr Speaker—8.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2689.

Mr. Rosenthal gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2689 was this day passed.

Assembly Bill No. 2277—An act to amend section 1203.1 of the Penal Code, relating to probation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—Hornblower—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1253—An act to amend section 1862 of the Civil Code, relating to the sale of unclaimed baggage or other personal property in the possession of the keeper of any hotel, inn, boarding or lodging house, furnished apartment house or furnished bungalow court.

Motion to Amend Assembly Bill No. 1253.

Mr. Tenney moved to amend Assembly Bill No. 1253 as follows:

Amendment No. 1.

On page 2, line 8, of the printed bill, after "of", insert "Public".

Amendment No. 2.

On page 2, line 13, of the printed bill, after "of", insert "Public".

Amendment No. 3.

On page 2, line 35, of the printed bill, after "of", insert "Public".

Amendment No. 4.

On page 2, line 40, of the printed bill, after "of", insert "Public".

Amendment No. 5.

On page 3, line 27, of the printed bill, after "of", insert "Public".

Amendment No. 6.

On page 4, line 9, of the printed bill, strike out "Secretary of the State Board", and insert in lieu thereof the following: "Director of the Department"

Amendment No. 7.

On page 4, line 30, of the printed bill, after "of", insert "Public".

Amendment No. 8.

On page 5, line 47, of the printed bill, strike out "Pure Food", and insert in lieu thereof the following: "Food and Drugs".

Amendment No. 9.

On page 6, line 3, of the printed bill, strike out "Foods and Drugs", and insert in lieu thereof the following: "Food and Drug Inspection".

Amendments adopted.

Bill ordered to reprint, and re-engrossment

Assembly Bill No. 352—An act to add a new section to the Civil Code, to be numbered 137.5, relating to attorney's fees granted in actions for divorce or separate maintenance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine,

Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—73.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 406—An act to amend section 5 of the Alcoholic Beverage Control Act, relating to license fees, declaring the urgency hereof, and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—Dilworth, and Miller, Eleanor—2.

Assembly Bill No. 406 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—Dilworth, and Miller, Eleanor—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2794—An act relating to alcoholic beverages, prohibiting licensees under the Alcoholic Beverage Control Act from transporting or importing into this State, purchasing, receiving, possessing, or selling alcoholic beverages manufactured in any State, the laws, rules, or regulations of which discriminate against alcoholic beverages manufactured in this State or against persons selling or dealing therein, defining discriminatory laws, providing for the enforcement of the provisions hereof, and providing that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1193—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by adding thereto a new section, number 3a, relating to the use of reservoirs and adjacent lands for recreational purposes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawal-

lisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Thorp:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to add section 4020.5 to the Political Code, relating to coroners

Referred to Committee on Introduction of Bills.

By Mr. Beene:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 603 of the Vehicle Code, relating to vehicles and animals on certain property

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR SPEAKER: Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr Thorp

An act to add section 4020.5 to the Political Code, relating to coroners

By Mr Beene:

An act to amend section 603 of the Vehicle Code, relating to vehicles and animals on certain property.

CALL, Chairman

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68

NOES—None

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2814: By Mr. Thorp—An act to add section 4020.5 to the Political Code, relating to coroners.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2815: By Mr. Beene—An act to amend section 603 of the Vehicle Code, relating to vehicles and animals on certain property.

Bill read first time, and referred to Committee on Motor Vehicles.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1616.
Assembly Bill No. 1836.
Assembly Bill No. 1837.
Assembly Bill No. 1838.
Assembly Bill No. 2659.
Senate Bill No. 29.
Senate Bill No. 34.
Senate Bill No. 35.
Senate Bill No. 36.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Joint Resolution No. 29.
Senate Joint Resolution No. 8.

Respectfully reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman.

The above reported bills ordered on third reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 2576.

Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 802.
Senate Bill No. 217.

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Civil Service, to which was referred:

Assembly Bill No. 1081.

Respectfully reports the same back with the recommendation: Do pass.

CROWLEY, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1624.
Assembly Bill No. 1628.
Senate Bill No. 379.

Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Irrigation, to which was referred:

Senate Bill No. 139.
Senate Bill No. 140.
Senate Bill No. 148.
Senate Bill No. 149.
Senate Bill No. 193.
Senate Bill No. 753.
Senate Bill No. 1099.

Respectfully reports the same back with the recommendation: Do pass.

GARLAND, Chairman

The above reported bills ordered on second reading calendar.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 1290. **Assembly Bill No. 1607.**
Assembly Bill No. 1568. **Assembly Bill No. 2215.**

Respectfully reports the same back with the recommendation: Do pass.

YORTY, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 817.
Assembly Bill No. 2584.

Respectfully reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means.

YORTY, Chairman.

The above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 2804.

Respectfully reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

YORTY, Chairman

The above reported bill re-referred to Committee on Ways and Means.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 1938.

Respectfully reports the same back with the recommendation: Do pass.

MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR SPEAKER Your Committee on County Government, to which was referred

Senate Bill No. 218. **Assembly Bill No. 1341.**
Assembly Bill No. 737. **Assembly Bill No. 1668.**

Respectfully reports the same back with the recommendation Do pass

LAUGHLIN, Chairman

The above reported bills ordered on second reading calendar.

On Aviation and Aircraft.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred:

Assembly Bill No. 1600.

Respectfully reports the same back with the recommendation: Do pass.

GLICK, Chairman.

The above reported bill ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 2607.

Respectfully reports the same back without recommendation, as amended.

KING, Chairman.

The above reported bill ordered on second reading calendar.

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred:

Assembly Bill No. 238.

Respectfully reports the same back without recommendation, as amended.

CASSIDY, Chairman.

The above reported bill ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1835.
Assembly Bill No. 1839.
Assembly Bill No. 1940.

Respectfully reports the same back with the recommendation: Do pass as amended

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Joint Resolution No. 21.
Assembly Joint Resolution No. 9.

Respectfully reports the same back with the recommendation: Be adopted as amended.

HEISINGER, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 2622.
Assembly Bill No. 2684.
Assembly Bill No. 2733.

Respectfully reports the same back without recommendation, as amended

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 754.

Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR SPEAKER. Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 85.

Respectfully reports the same back with the recommendation: Do pass as amended.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On Building and Loan Associations.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred:

Assembly Bill No. 2387.

Respectfully reports the same back without recommendation, as amended.

GARIBALDI, Chairman.

The above reported bill ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Senate Bill No. 636.

Respectfully reports the same back with the recommendation: Do pass as amended.

MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Civil Service, to which was referred:

Assembly Bill No. 854.
Assembly Bill No. 1817.

Respectfully reports the same back with the recommendation: Do pass as amended.

CROWLEY, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937

MR. SPEAKER: Your Committee on Civil Service, to which was referred
Assembly Bill No. 1610.
Respectfully reports the same back without recommendation, as amended.
CROWLEY, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 1123.
Assembly Bill No. 1355.
Assembly Bill No. 2014.
Respectfully reports the same back without recommendation, as amended.
CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Universities.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Universities, to which was referred:
Assembly Bill No. 1685.
Respectfully reports the same back with the recommendation: Do pass as amended
DANNENBRINK, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 3.
Assembly Bill No. 409.
Assembly Bill No. 2464.
Assembly Bill No. 2575.
Assembly Bill No. 2674.
Respectfully reports the same back with the recommendation: Do pass as amended.
ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO March 25, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:
Assembly Bill No. 2788.
Respectfully reports the same back with the recommendation: Do pass as amended.
YORTY, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Assembly Bill No. 2027.
Respectfully reports the same back without recommendation, as amended.
DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:
Assembly Bill No. 217.
Respectfully reports the same back with the recommendation: Do pass as amended.
MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:
Assembly Bill No. 412.
Assembly Bill No. 413.
Assembly Bill No. 414.
Assembly Bill No. 415.
Assembly Bill No. 417.
Assembly Bill No. 418.
Assembly Bill No. 419.
Assembly Bill No. 420.
Assembly Bill No. 421.
Assembly Bill No. 422.
Assembly Bill No. 1322.
Assembly Bill No. 1323.
Assembly Bill No. 1324.
Assembly Bill No. 1325.

Assembly Bill No. 1326
Assembly Bill No. 1327.
Assembly Bill No. 1329.
Assembly Bill No. 1330.
Assembly Bill No. 1331.
Assembly Bill No. 1332.

Respectfully reports the same back without recommendation, as amended
MALONEY, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 386.

Respectfully reports the same back without recommendation, as amended
DESMOND, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 1101.
Assembly Bill No. 2557.

Respectfully reports the same back with the recommendation: Do pass as amended
DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 341.
Assembly Bill No. 472.
Assembly Bill No. 1027.
Assembly Bill No. 1037.
Assembly Bill No. 1301.

Respectfully reports the same back with the recommendation: Do pass.
DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred
Assembly Bill No. 538.

Respectfully reports the same back with the recommendation: Do pass as amended
FLINT, Chairman

Second Reading of Assembly Bill No. 538—(Out of Order).

Assembly Bill No. 538—An act to diminish the causes of labor disputes injuriously affecting the welfare of the people of this State; to encourage the practice of collective bargaining between employers and representative employee groups, to insure to employees the right of self organization, including representation of employees and holding of elections among them; to define and prohibit unfair labor practices; to provide for the establishment of a California Labor Relations Board including provisions defining its duties and powers, for administration and assistance therein, and for enforcement and review of its findings and orders, and to provide for enforcement of this act and penalties for its violation

Committee Amendments to Assembly Bill No. 538.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2, line 28, of the printed bill, insert the following
"SEC 2. This act shall be liberally construed to effectuate its purposes"

Amendment No. 2.

On page 2 of the printed bill, strike out line 29

Amendment No. 3.

On page 2 of the printed bill, strike out lines 30 to 33, inclusive, and insert in lieu thereof the following.
"SEC. 3. Unless the context otherwise requires, the definitions hereinafter set forth shall govern the construction of such terms as used in this act"

Amendment No. 4.

On page 2, line 34, of the printed bill, strike out "(1) The term", and insert in lieu thereof the following: "Sec. 4."

Amendment No. 5.

On page 2, line 35, of the printed bill, strike out "3", and insert in lieu thereof the following: "20".

Amendment No. 6.

On page 2, line 36, of the printed bill, strike out "(2) The term", and insert in lieu thereof the following: "Sec. 5."

Amendment No. 7.

On page 2, line 39, of the printed bill, strike out "(3) The term", and insert in lieu thereof the following: "Sec. 6."

Amendment No. 8.

On page 3, line 1, of the printed bill, strike out "(4) The term", and insert in lieu thereof the following: "Sec. 7."

Amendment No. 9.

On page 3, line 17, of the printed bill, strike out "(5) The term", and insert in lieu thereof the following: "Sec. 8."

Amendment No. 10.

On page 3, line 19, of the printed bill, strike out "(6) The term", and insert in lieu thereof the following: "Sec. 9."

Amendment No. 11.

On page 3 of the printed bill, between lines 24 and 25, insert the following:

"SEC. 10. "Company union" means any committee, employee representation plan or association of employees which exists for the purpose, in whole or in part, of dealing with employers concerning grievances or terms and conditions of employment, which the employer has initiated or created or whose initiation or creation he has suggested, participated in, or the formulation of whose governing rules or policies or the conducting of whose management, operations, or elections, the employer participates in or supervises, or which the employer maintains, finances, controls, dominates, or assists in maintaining or financing, whether by compensating anyone for services performed in its behalf, or by donating free services, equipment, materials, office or meeting space, or anything else of value, or by any other means."

Amendment No. 12.

On page 3, line 25, of the printed bill, strike out "(7) The term", and insert in lieu thereof the following: "Sec 11."

Amendment No. 13.

On page 3, line 26, of the printed bill, strike out "in section 5", and insert in lieu thereof the following: "by this act".

Amendment No. 14.

On page 3, line 27, of the printed bill, strike out "(8) The term", and insert in lieu thereof the following: "Sec. 12."

Amendment No. 15.

On page 3, line 34, of the printed bill, strike out "(9) The term", and insert in lieu thereof the following: "Sec. 13."

Amendment No. 16.

On page 3 of the printed bill, strike out lines 37 to 46, inclusive, and insert in lieu thereof the following:

"SEC. 20. There is hereby created an administrative board, to consist of three members, to be appointed by the Governor from the State at large, and which shall be known and designated as the "Labor Relations Board of the State of California." The original members shall be appointed for a term extending to January 10, 1939. Thereafter the term of".

Amendment No. 17.

On page 4, line 5, of the printed bill, strike out "(b)", and insert in lieu thereof the following: "Sec. 21."

Amendment No. 18.

On page 4, line 10, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "Sec. 22."

Amendment No. 19.

On page 3 of the printed bill, strike out lines 16 to 19, inclusive, and in line 20, strike out "reappointment.", and insert in lieu thereof the following.

"SEC. 23. Each member of the board shall receive a salary of $7,500 a year, shall be eligible for reappointment and shall not engage in any other business, function, or employment."

Amendment No. 20.

On page 4, line 32, of the printed bill, strike out "(5,000)".

Amendment No. 21.

On page 4, line 35, of the printed bill, strike out "officers", and insert in lieu thereof the following: "officer".

Amendment No. 22.

On page 4, line 44, of the printed bill, strike out "(e)", and insert in lieu thereof the following: "Sec. 24."

Amendment No. 23.

On page 4 of the printed bill, between lines 48 and 49, insert the following:

"SEC. 25. The board may, by one or more of its members, or by such agents or agencies as it may designate, prosecute any inquiries necessary to its functions in any part of the State of California. A member who participates in such an inquiry shall not be disqualified from subsequently participating in a decision of the board in the same case."

Amendment No. 24.

On page 4, line 49, of the printed bill, strike out "(f)", and insert in lieu thereof the following: "Sec. 26."

Amendment No. 25.

On page 5 of the printed bill, between lines 3 and 4, insert the following:

"SEC. 27. For the purpose of all hearings and investigations, which, in the opinion of the board, are necessary and proper for the exercise of the powers vested in it by this act, the board, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the board shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the board, its member, agent, or agency conducting the hearing or investigation."

Amendment No. 26.

On page 5, line 4, of the printed bill, strike out "(g)", and insert in lieu thereof the following: "Sec. 28."

Amendment No. 27.

On page 5 of the printed bill, strike out lines 15 to 18, inclusive, and insert in lieu thereof the following: "same."

Amendment No. 28.

On page 5, line 19, of the printed bill, strike out "(h)", and insert in lieu thereof the following: "Sec. 29."

Amendment No. 29.

On page 5, line 27, of the printed bill, strike out "(i)", and insert in lieu thereof the following: "Sec. 30."

Amendment No. 30.

On page 5, line 31, of the printed bill, strike out "(j)", and insert in lieu thereof the following: "Sec. 31."

Amendment No. 31.

On page 5 of the printed bill, strike out lines 40 to 42, inclusive, and insert in lieu thereof the following: "Act. This act shall be interpreted and construed whenever possible with a view to uniformity with the decisions of the National Labor Relations Board interpreting and construing the National Labor Relations Act."

Amendment No. 32.

On page 5, line 43, of the printed bill, strike out "(k)", and insert in lieu thereof the following: "Sec. 32."

Amendment No. 33.

On page 5, line 47, of the printed bill, strike out "(*l*)", and insert in lieu thereof the following: "Sec. 33."

Amendment No. 34.

On page 5 of the printed bill, following line 49, insert the following:

"SEC. 34. The board, or any of its agents, or employees, shall not engage in any effort to mediate, conciliate, or arbitrate any labor dispute."

Amendment No. 35.

On page 6 of the printed bill, strike out lines 1 and 2.

Amendment No. 36.

On page 6, line 3, of the printed bill, strike out "4", and insert in lieu thereof the following: "40".

Amendment No. 37.

On page 6 of the printed bill, strike out lines 8 to 10, inclusive.

Amendment No. 38.

On page 6, line 11, of the printed bill, strike out "5.", and insert in lieu thereof the following: "50."

Amendment No. 39.

On page 6 of the printed bill, strike out lines 13 and 14, and insert in lieu thereof the following:

"SEC. 50.1 To spy upon, or keep under surveillance, whether directly or through agents, or any other person, any activities of employees or their representatives in the exercise of their rights under this act."

Amendment No. 40.

On page 6, line 15, of the printed bill, strike out "(2)", and insert in lieu thereof the following: "Sec. 50.2."

Amendment No. 41.

On page 6, line 19, of the printed bill, strike out "3 (*l*)", and insert in lieu thereof the following: "33".

Amendment No. 42.

On page 6 of the printed bill, between lines 21 and 22, insert the following:

"SEC. 50.3 The practices mentioned in sections 50.1 and 50.2 include, but are not limited to, the following practices: (a) Participating or assisting in, supervising, controlling, or dominating (1) the initiation or creation of any such employee organization or association, agency, or plan, or (2) the meetings, management, operation, elections, formulation or amendment of constitution, rules or policies, of any such employee organization or association, agency or plan; (b) urging the employees to join any such employee organization or association, agency or plan for the purpose of encouraging membership in the same; (c) compensating any employee or individual for services performed in behalf of any such employee organization or association, agency or plan, or donating free services, equipment, materials, office or meeting space, or anything else of value for the use of any such employee organization or association, agency or plan."

Amendment No. 43.

On page 6, line 22, of the printed bill, strike out "(3)", and insert in lieu thereof the following: "Sec. 50.4."

Amendment No. 44.

On page 6, line 25, of the printed bill, strike out "Provided that", and insert in lieu thereof a period.

Amendment No. 45.

On page 6, line 32, of the printed bill, strike out "6 (a)", and insert in lieu thereof the following "60"

Amendment No. 46.

On page 6, of the printed bill, between lines 33 and 34, insert the following:

"SEC. 50.5 To require an employee, or one seeking employment, as a condition of employment, to join any company union, or to refrain from forming or joining or assisting a labor organization of his own choosing; or to encourage membership in any company union, or discourage membership in any labor organization, by discrimination in regard to hire or tenure, or in any term or condition of employment."

Amendment No. 47.

On page 6, line 34, of the printed bill, strike out "(4)", and insert in lieu thereof the following "Sec. 50.6."

Amendment No. 48.

On page 6 of the printed bill, between lines 36 and 37, insert the following:

"SEC. 50.7. To distribute or circulate any blacklist of individuals exercising any right created or affirmed by this act or of members of a labor organization, or to inform any person of the exercise by any individual of such right, or of the membership of any individual in a labor organization, for the purpose of preventing individuals so blacklisted or so named from obtaining or retaining employment."

Amendment No. 49.

On page 6, line 37, of the printed bill, strike out "5", and insert in lieu thereof the following: "Sec. 50.8."

Amendment No. 50.

On page 6, lines 38 and 39, of the printed bill, strike out "6 (a)", and insert in lieu thereof the following "60".

Amendment No. 51.

On page 6, line 40, of the printed bill, insert the following:

"SEC. 50.9. To do any acts, other than those already enumerated in this section, which interfere with, restrain or coerce employees in the exercise of the rights guaranteed by section 40."

Amendment No. 52.

On page 6 of the printed bill, strike out lines 41 and 42.

Amendment No. 53.

On page 6, line 43, of the printed bill, strike out "6. (a)", and insert in lieu thereof the following: "60."

Amendment No. 54.

On page 7, line 1, of the printed bill, strike out "(b)", and insert in lieu thereof the following: "Sec. 61."

Amendment No. 55.

On page 7, line 7, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "Sec. 62."

Amendment No. 56.

On page 7, line 13, of the printed bill strike out "under section 7", and in eit in lieu thereof the following "authorized by this act".

Amendment No. 57.

On page 7, line 15, of the printed bill, after "representatives", insert the following: ", either before or after the aforesaid hearing, provided, however, that the board shall not have authority to investigate any question or controversy between individuals or groups within the same labor organization or between labor organizations affiliated with the same parent labor organization."

Amendment No. 58.

On page 7 of the printed bill, between lines 15 and 16, insert the following.

"SEC. 63. The board shall have power to determine who may participate in the election and to establish the rules governing any such election. Provided, that no election shall be directed by the board solely because of the request of an employer or of employees prompted thereto by their employer, nor shall any individuals employed only for the duration of a strike or lockout be eligible to vote in such election, nor shall such election be conducted on the employer's property during working hours, or with his participation, assistance or supervision.

SEC. 64. If, at an election conducted pursuant to this section, three or more nominees for exclusive collective bargaining representatives appear on the ballot and no one of them receives a majority of the votes cast at the election, the two nominees who received the highest number of votes shall appear on the ballot of a second election to be conducted hereunder, and the one receiving a majority of the votes cast at the second election shall be the exclusive representative of all the employees in such unit for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment.

SEC. 65. A labor organization nominated as the representative of employees shall be listed by name on the ballots authorized by section 62. No committee, employee representation plan or association of employees found by the board to be a company union shall be so listed on the ballots, certified or otherwise recognized as eligible to be the representative of employees under this act."

Amendment No. 59.

On page 7, line 16, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "Sec. 66."

Amendment No. 60.

On page 7, line 18, of the printed bill, strike out "subsection (c) of this section", and insert in lieu thereof the following "section 62".

Amendment No. 61.

On page 7 of the printed bill, strike out lines 25 to 27, inclusive

Amendment No. 62.

On page 7, line 28, of the printed bill, strike out "7 (a)" and insert in lieu thereof the following: "70."

Amendment No. 63.

On page 7, line 30, of the printed bill, strike out "(listed in section 5)".

Amendment No. 64.

On page 7, line 34, of the printed bill, strike out "(b)", and insert in lieu thereof the following: "Sec. 71."

Amendment No. 65.

On page 8, line 3, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "Sec. 72."

Amendment No. 66.

On page 8, lines 13 and 14, of the printed bill, strike out ", including reinstatement of employees with or without back pay,".

Amendment No. 67.

On page 8, line 15, of the printed bill, after "act", insert the following: ", including, but not limited to, (1) withdrawal of recognition from and refraining from bargaining collectively with any employee organization or association, agency or plan defined in this act as a company union or established, maintained or assisted by any action defined in this act as an unfair labor practice; (2) awarding of back pay; (3) reinstatement with or without back pay of any employee discriminated against in violation of this act or maintenance of a preferential list from which such employees shall be returned to work; (4) reinstatement with or without back pay of all employees whose work has ceased or whose return to work has been delayed or prevented as the result of the aforementioned, or any other unfair labor practice in respect to any employee or employees or maintenance of a preferential list from which such employees shall be returned to work".

Amendment No. 68.

On page 8, line 22, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "Sec. 73."

Amendment No. 69.

On page 8, line 28, of the printed bill, strike out "(e)", and insert in lieu thereof the following: "Sec. 74."

Amendment No. 70.

On page 8, line 31, of the printed bill, strike out "(f)", and insert in lieu thereof the following: "Sec. 75."

Amendment No. 71.

On page 8, line 51, of the printed bill, strike out "(g)", and insert in lieu thereof the following: "Sec. 76."

Amendment No. 72.

On page 9, line 4, of the printed bill, strike out "(h)", and insert in lieu thereof the following: "Sec. 77."

Amendment No. 73.

On page 9 of the printed bill, strike out lines 18 to 51, inclusive

Amendment No. 74.

On page 10 of the printed bill, strike out lines 1 and 2

Amendment No. 75.

On page 10, line 3, of the printed bill strike out "9 (a)", and insert in lieu thereof the following "90"

Amendment No. 76.

On page 10, line 6, of the printed bill, strike out "in which the board may elect to bring such", and strike out line 7, and in line 8, strike out "of Appeals for the district".

Amendment No. 77.

On page 10, line 13, of the printed bill, strike out "proceeding", and insert in lieu thereof the following "action"

Amendment No. 78.

On page 10, line 15, of the printed bill, strike out "proceeding" and insert in lieu thereof the following: "action".

Amendment No. 79.

On page 10, line 16, of the printed bill, strike out "proceeding", and insert in lieu thereof the following "action".

Amendment No. 80.

On page 10, line 21, of the printed bill, strike out "(b) In any proceeding", and insert in lieu thereof the following: "Sec. 91. In any action".

Amendment No. 81.

On page 10 of the printed bill, strike out lines 34 to 52, inclusive, and on page 11, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SEC. 92. All court actions or proceedings brought to enforce any provision of this act may be brought either in the name of the board or in the name of the people of the State of California, and the judgment, if in favor of the plaintiff, shall provide that the defendant pay all costs of suit No objection that has not been raised or urged before the board, its member, agent or agency, shall be considered by any court, unless the failure or neglect to raise or urge such objection shall be excused because of extraordinary circumstances The findings of the board as to the facts shall be prima facie evidence of the truth thereof."

Amendment No. 82.

On page 11, line 4, of the printed bill, strike out "(d)", and insert in lieu thereof the following "Sec. 93."

Amendment No. 83.

On page 11, lines 7 and 8, of the printed bill, strike out "any violation mentioned in section 5 hereof", and insert in lieu thereof the following: "the commission of any unfair labor practice".

Amendment No. 84.

On page 11, line 14, of the printed bill, insert the following

"SEC. 100. The provisions of this act shall not apply to disputes, employments, employers or employees subject to or included in the act of Congress known as the Railway Labor Act, as the same now stands, or as it may be hereafter amended or supplemented."

Amendment No. 85.

On page 11 of the printed bill, strike out lines 14 to 16, inclusive

Amendment No. 86.

On page 11, line 17, of the printed bill, strike out "10", and insert in lieu thereof the following: "101".

Amendment No. 87.

On page 11 of the printed bill, strike out lines 22 to 24, inclusive

Amendment No. 88.

On page 11, line 25, of the printed bill, strike out "11", and insert in lieu thereof the following "102"

Amendment No. 89.

On page 11, line 32, of the printed bill, strike out "12", and insert in lieu thereof the following: "103".

Amendment No. 90.

On page 11, line 33, of the printed bill, strike out "and superceded"

Amendment No. 91.

On page 11 of the printed bill, strike out lines 34 to 36, inclusive

Amendment No. 92.

On page 11, line 37, of the printed bill, strike out "13", and insert in lieu thereof the following: "104".

Amendment No. 93.

On page 11, line 46, of the printed bill, strike out "14", and insert in lieu thereof the following: "105".

Amendment No. 94.

On page 11 of the printed bill, following line 50, insert the following

"SEC. 106. The board is the administrative agency of the State for carrying into effect the declared policy of the State in favor of collective bargaining and against unfair labor practices as herein defined, and its proceedings, findings, orders, and decisions shall be given due weight by all branches and departments of the State Government."

Amendment No. 95.

On page 12 of the printed bill, strike out lines 1 and 2

Amendment No. 96.

On page 12, line 3, of the printed bill, strike out "15", and insert in lieu thereof the following: "115".

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Notice of Motion to Reconsider Assembly Bill No. 1720 Continued.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1720 was passed was continued until the next legislative day.

Adjournment.

At five o'clock and ten minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Friday, March 26, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FIFTH LEGISLATIVE DAY
EIGHTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 26, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Pevser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—69.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Dannenbrink, the further reading of the Journal of Thursday, March 25, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr Beene, on motion of Mr. Boyle
Mr Call, on motion of Mr. Boyle.
Mr. Corwin, on motion of Mr. Boyle.
Mr. Cottrell, on motion of Mr. Boyle
Mr. Mayo, on motion of Mr Boyle
Mr. Millington, on motion of Mr Boyle
Mr. Redwine, on motion of Mr. Boyle
Mr. Richie, on motion of Mr. Boyle.
Mr. Turner, on motion of Mr. Boyle.
Mr. Voigt, on motion of Mr. Boyle
Mr Waters, on motion of Mr Boyle

Guests Extended Privilege of Assembly Floor.

On request of Mr Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. E. M. Barkley,

principal, Miss Ellen W Hook, teacher, and the following students from Hamilton High School, Hamilton City: Fayne Porter, Bob Ramsaur, Morris Schaffert, Harold Warkentin, Albert Alberico, Harry Fujita, Jake Nickel, Alvin Maas, Norman Holecek, Paul Young, Alfred Enns, Jack Scyoc, John Quinn, Glenn Gunn, Alice Beck, Alice McMartin, Esther Suderman, Lillian Sullivan, Norma Scott, Enid Day, Martha Compton, Anna May Henning, Claire Price, Luella Reiser, Gertrude Ferry, Elsie Winter, Lorraine Schneider, Hazel Arbogast, Myrtis Ball, June Henning, Margaret Duncan, Alma Siemens, and Bertra Mason.

On request of Messrs. Cassidy and Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Henry Sweet of San Leandro.

On request of Mr. Yorty, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Frances Flakus of Los Angeles.

On request of Mr. Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Ethel Enders.

On request of Mr Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Adela Ballard and W. H. Rapson.

Presentation of Petitions.

The following petition was received and filed:

By Mr. Speaker.

From several organizations and individuals, urging pardon of Thomas J Mooney.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committee were received and read.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 260.
Assembly Bill No. 276.
Assembly Bill No. 322.
Assembly Bill No. 436.
Assembly Bill No. 1072.
Assembly Bill No. 1132.
Assembly Bill No. 1250.
Assembly Bill No. 1335.
Assembly Bill No. 1469.
Assembly Bill No. 1473.
Assembly Bill No. 1474.
Assembly Bill No. 1581.
Assembly Bill No. 1599.
Assembly Bill No. 1688.
Assembly Bill No. 1775.
Assembly Bill No. 2111.
Assembly Bill No. 2183.
Assembly Bill No. 2186.
Assembly Bill No. 2187.
Assembly Bill No. 2188.
Assembly Bill No. 2189.
Assembly Bill No. 2190.
Assembly Bill No. 2195.
Assembly Bill No. 2326.
Assembly Bill No. 2345.
Assembly Bill No. 2376.
Assembly Bill No. 2385.
Assembly Bill No. 2547.
Assembly Bill No. 2687.
Assembly Bill No. 2762.
Assembly Bill No. 2798

And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 469.
Assembly Bill No. 1177.
Assembly Bill No. 1225.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Kepple:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill the title of which reads as follows:

An act to amend section 1192 of the Code of Civil Procedure, relating to mechanics liens.

Referred to Committee on Introduction of Bills.

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano.

Referred to Committee on Introduction of Bills.

By Mr Baynham:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 13b to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing license fees

Referred to Committee on Introduction of Bills.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No 331 was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 263 Continued.

On motion of Mr. Richie, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 263 was refused passage was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2678 Continued.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1720 Continued.

On motion of Mr. Redwine, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1720 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1168 Continued.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1168 was passed was continued until the lext legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1533 Continued.

On motion of Mr. Hunt, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1533 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 797 Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 797 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1487 Continued.

On motion of Mr Kuchel, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1487 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1786 Continued.

On motion of Mr. Yorty, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1786 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2689 Continued.

On motion of Mr. Rosenthal, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2689 was passed was continued until the next legislative day

Resolutions.

The following resolutions were offered:

By Mr. Rosenthal:

House Resolution No. 114.

WHEREAS, The manufacture and distribution of munitions is an enterprise exclusively concerned with war and armed conflict, and one, which, in the event of war, becomes a major factor in its outcome, and which, in time of peace, contributes that which destroys mutual harmony and accord among Nations and makes for war, and

WHEREAS, The influence afforded private and often selfish interests by their control of munition manufacture and distribution is an improper exercise of power threatening the very authority of the Nation, and

WHEREAS The very essence of war is personal sacrifice and loss rather than the personal profit and gain which is the inevitable product of war for munition manufacturers, and

WHEREAS, Munitions constitute the most dangerous instrumentalities of destruction which the cunning and ingenuity of mankind has been able to devise, and

WHEREAS, Private control of these agencies of destruction and of the means for their production constitute a menace to the sovereignty and independence of the United States and to the peace of the world: now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California do petition that the Congress of the United States of America consider and do pass appropriate legislation for the acquisition, and for the administration as a public enterprise, and for the exclusive ownership and control by the people of the United States of munition factories and of agencies for the distribution of munitions; and be it further

Resolved, That a copy of this resolution be sent to the President and Vice President of the United States, the Speaker of the House of Representatives, and each of the members from California of the Senate and House of Representatives of the United States

Request for Unanimous Consent.

Mr Rosenthal asked for, and was granted, unanimous consent to have House Resolution No. 114 placed on the unfinished business calendar without reference to committee.

By Mr. Rosenthal:

House Resolution No. 115.

WHEREAS, War is the last, terrible resort of a people wherein the sovereign power demands of each citizen a full measure of sacrifice and loyalty, even unto the gift of life, and

WHEREAS, The successful conduct of war requires the rapid marshaling and the effective application of all National resources to the common purpose, and

WHEREAS, The free use of wealth and property is a lesser individual privilege and right than is the enjoyment of the freedom of person, and

WHEREAS, Historical experience in the United States provides precedence for the conscription of manpower, which practice shall doubtless be used in event of future war, and

WHEREAS, War inevitably provides opportunity for inordinate profit and gain to those possessed of wealth, and

WHEREAS, The misery and sacrifice of the Nation, and the urgent, emergency character of the situation produced by war can not justly be considered as appropriate occasion for extraordinary personal enrichment and private gain; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States of America consider and do adopt appropriate legislation for the conscription of wealth and the natural resources within these United States in the event of war; and be it further

Resolved, That a copy of this resolution be sent to the President and Vice President of the United States, the Speaker of the House of Representatives, and each of the members from California of the Senate and House of Representatives of the United States.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to have House Resolution No. 115 placed on the unfinished business calendar without reference to committee.

Second Reading of Assembly Bills.

Assembly Bill No. 1616—An act to authorize cities, counties, or county fire protection districts to perform services for each other in extinguishing fires and providing for the payment therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1836—An act to repeal an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to incorporated cities, and for the incorporation of such annexed territory in, and as a part of such municipalities, and for the districting, government, and municipal control of annexed territory," approved March 19, 1889.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1837—An act to repeal an act entitled "An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of the annexed territory," approved March 2, 1899

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1838—An act to repeal an act entitled "An act to provide for changing the boundaries of cities and municipal corporations, and to exclude territory therefrom," approved March 19, 1889.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2659—An act to amend sections 13a and 14 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes, to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or in part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any availa-

ble public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding."

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2576—An act to amend section 1a of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to the definition of civil engineering.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 802—An act to add section 929 to the Fish and Game Code, relating to and regulating the subject of fishing within the jurisdiction of the State of California.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1081—An act to amend section 10 of the State Civil Service Act, relating to examinations.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1624—An act to amend section 3.220 of the School Code, relating to the system of public instruction.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1628—An act to amend section 4.780 of the School Code, relating to the financial support of the public school system.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1568—An act to amend section 3596 of the Political Code, relating to the State burying ground.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1607—An act to amend section 716 of the Political Code, relating to State buildings and grounds

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2215—An act to authorize the Department of Finance to acquire, upon behalf and in the name of the State of California, by contract to purchase or otherwise, certain real property in the city of Sacramento, and to make the same available to agencies of the State.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1290—An act to add three new sections to the Political Code, to be numbered 4041.30, 4041.31 and 4041.32, relating to sale of lands dedicated for public parks.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1938—An act to amend section 1 of an act entitled "An act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including

the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof."

Bill read second time, and ordered to engrossment.

Assembly Bill No. 737—An act to amend section 4004 of the Political Code, relating to county assistance to special districts.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1341—An act to amend section 1550 of the Streets and Highways Code, relating to county road taxes

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1668—An act to amend sections 980, 981, 1024, 1025 and 1029, and to repeal sections 1020, 1021, 1022, 1023, 1026 and 1028 of the Streets and Highways Code, relating to the county road districts, their administration, and their special funds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1600—An act to amend an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, by adding to said act a new section numbered section 5 thereof permitting the City and County of San Francisco, by action of its board of supervisors, to grant to the Government of the United States for the use of the Navy Department certain portions of the tidelands described in the above mentioned act.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2607—An act to authorize the incorporated cities of the State of California to establish retirement systems for their policemen, firemen and other employees of said cities where there is not already established a retirement system for the said officers or employees of said cities and providing for the appointment by the Governor of a Retirement Commission for the general administration of the retirement systems established by the said incorporated cities within the State. The members of the city retirement board shall serve without additional compensation.

Committee Amendments to Assembly Bill No. 2607.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, as amended March 15, 1937, strike out all of the title, and insert in lieu thereof the following:

"An act authorizing any incorporated city within this State to adopt by ordinance a retirement or pension system for the retirement of officers and employees; providing for the creation of a retirement board and for the delegation of certain powers to such board; authorizing the creation of a pension and retirement fund and the levy of a special tax in connection therewith; authorizing the transfer of surplus funds; providing for joint contribution to said fund by officers and employees and the city; and authorizing any regularly established fire or police protection district to avail itself of the provisions of this enabling act"

Amendment No. 2.

On page 3 of the printed bill, as amended March 15, 1937, strike all of lines 18 to 52, both inclusive, and strike all of lines 1 to 52, both inclusive, on pages 4, 5, 6 and 7; and also strike all of lines 1 to 49, both inclusive, on page 8, and insert in lieu thereof the following:

"SECTION 1. Any city within this State is hereby authorized to adopt by ordinance a retirement or pension system for its officers and employees and provide for

the payment of retirement allowances, pensions, disability payments and death benefits, or any of them. Said ordinance shall provide for the appointment of a retirement board and for the delegation to such board of such powers and duties in relation to such system as may be deemed advisable to carry out the intent and purposes of this act.

It is intended by the provisions of this act to enable any city within this State to adopt such a retirement system as may be adaptable to the size and type of city involved.

SEC. 2. In said ordinance creating such system, there shall be designated the officers and employees who shall be included in such retirement system, and such city may by ordinance, from time to time add additional officers and employees to the list originally designated in the ordinance creating the system and membership of all officers and employees included in the retirement system shall be compulsory.

The legislative body of any city may maintain its own retirement fund or provide for the payment of benefits to eligible officers and employees, or their beneficiaries, by means of insurance, or may contract with the legislative body or governing board of any other city or county within the State, or with any State department or other competent agency for the performance of any service in connection with the establishment or administration of such retirement system or for the investment, care or administration of retirement funds or for any other service relating thereto.

SEC. 3. The ordinance establishing such pension or retirement system shall, among other things, provide for the following:

(a) The amount of benefits to be paid to any officers or employees, or their beneficiaries, and the terms and conditions upon which such benefits shall be paid.

(b) The contribution to be paid by such officer or employee to the pension and retirement fund, which shall be not less than 2½ per cent and not more than 8 per cent of such officer's or employee's monthly salary.

(c) The contribution to be paid by the city to the pension and retirement fund which shall not be less than 2½ per cent and not more than 8 per cent of the total amount of compensation paid to all officers and employees under said system.

(d) The personnel of the retirement board, which shall consist of not less than five members, at least two members of which shall be elected by the officers and employees who have been included in such retirement system.

(e) The adoption of rules and regulations for the administration of such retirement or pension system by the retirement board.

(f) The refunding to any officer or employee who withdraws from the retirement system, prior to retirement, of the amount of such officer's or employee's contribution, with such interest as may be credited to his contribution.

SEC. 4. The ordinance establishing said retirement system may provide that the amount of the retirement, compensation, or pension, may be predicated, in part, upon services rendered the city by an officer or employee prior to the establishment of the retirement system, and may provide that the contribution of officers and employees included in such retirement system, may be collected by deducting the amounts thereof from the salary or wages due such officers and employees.

SEC. 5. Nothing herein shall prohibit the enhancement of such fund by private or voluntary contributions nor the transfer to said pension and retirement fund of any surplus funds of said municipality which in the sound discretion of said legislative body may properly be used for such purpose.

SEC. 6. The legislative body of any city may levy and collect annually a special tax upon the assessable property within the city in the number of cents per $100 of assessable property as will be sufficient to raise the amount estimated by the said legislative body to be required to provide sufficient revenue to meet the obligation of the city to the said pension and retirement fund as defined and limited by subdivision (c) of section 3 hereof; which said rate of taxation may be in addition to the annual rate of taxation allowed by law to be levied in said city.

SEC. 7. No officer or employee who is retired under the provisions of this act, shall be entitled to receive any pension or retirement payment while engaged in any other remunerative employment whatsoever for any city, county, State, district or political subdivision, or for any publicly owned utility or service, or the Federal Government, and any pension or retirement payment so made shall be recoverable by said city for the benefit of said pension or retirement fund.

SEC. 8. The retirement board shall require competent medical proof before retiring any officer or employee for physical disability, and where, following retirement of a person for such reason, it subsequently appears that said disability has diminished or ceased, the retirement board shall reduce the retirement payment to correspond with the degree of disability and the retirement payment shall cease where the said disability has fully ceased. The determination of said retirement board shall be final and conclusive and shall not be modified or set aside except for fraud or abuse of discretion.

SEC. 9. This act shall not be deemed to repeal any existing acts under which pension or retirement systems may have been heretofore adopted, but is intended to be and is an enabling act providing an alternative procedure for the establishment of pension and retirement systems. Any regularly established fire or police

protection district is hereby authorized to adopt a pension or retirement system for its employees under the provisions of this enabling act."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 238—An act to amend section 1032 of the Military and Veterans Code, relating to the Veterans Home of California.

Committee Amendments to Assembly Bill No. 238.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after "code", insert the following: "and making an appropriation."

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out "twenty-four", and insert in lieu thereof the following: "twenty-seven".

Amendment No. 3.

On page 1 of the printed bill, after line 7, insert the following:

"SEC. 2. The sum of twelve thousand nine hundred and sixty dollars ($12,960), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to be expended by the Board of Directors of the Veterans' Home of California, in accordance with law, for the compensation of members of the band of the Veterans' Home of California."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1835—An act to repeal an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913

Committee Amendments to Assembly Bill No. 1835.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "repeal", and insert in lieu thereof the following: "amend section 2 of".

Amendment No. 2.

On page 1 of the printed bill, in the last line of the title, strike out the period, and insert in lieu thereof a comma and the following: "relating to the annexation of territory to municipal corporations".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 2. The legislative body of any municipal corporation, upon receiving a written petition therefor signed as hereinafter provided, containing a description of the new territory proposed to be annexed thereto, must, without delay, pass a resolution of intention to call a special election giving at least 50 days notice thereof, and submit to the electors residing in the territory proposed by such petition to be annexed to such municipal corporation the question, whether such territory shall be annexed to, incorporated in and made a part of such municipal corporation. The resolution shall specifically describe the boundaries of the territory so proposed to be annexed to such municipal corporation, and shall designate such territory by some appropriate name or other words of identification by which such territory may be referred to and indicated upon the ballots to be used at an election at which the question of such annexation is submitted. The resolution shall contain a notice of the day, hour, and place when and where any person owning real property within such territory so proposed to be annexed and having any objections to the proposed annexation, may appear before the legislative body and show cause why such territory should not be so annexed. Such hearing shall not be less than 15 nor more than 40 days from the date of the passage of said resolution.

The city clerk of the municipal corporation to which it is proposed to annex such territory shall cause a copy of the resolution to be published at least once a week for two successive weeks prior to the hearing, in a newspaper of general circulation published in the territory proposed to be annexed; if there be no such newspaper published in such territory then in a newspaper of general circulation published in the municipal corporation to which it is proposed to annex such territory; and if there be no such newspaper published in the municipal corporation a copy of the resolution shall be posted not less than 10 days before the hearing in at least three public places within the territory proposed to be annexed.

At any time not later than the hour set for hearing objections to the proposed election, any owner of property within the territory proposed to be annexed may make written protest against the proposed election. Such protest must be in writing and shall state the name or names of the owner or owners of the property affected thereby and the location and area of such property in general terms. At the time set for hearing protests the legislative body of such municipal corporation shall proceed to hear and pass upon all protests so made and if it be found that protest is made by the owners of a majority of separate parcels of property within the territory proposed to be annexed no further proceedings shall be taken in connection with the petition.

If it be found that protest is not made by owners of a majority of the separate parcels of property within the territory proposed to be annexed, the legislative body of such municipal corporation must without delay call a special election and submit to the electors, residing in the territory proposed to be annexed, the question whether such territory shall be annexed to, incorporated in, and made a part of such municipal corporation.

The petition hereinabove mentioned shall be signed by the owners of not less than one-fourth of the area of land in such territory representing not less than one-fourth of the assessed value of such territory according to the last preceding equalized assessment roll of the county or counties in which such territory is situated. The legislative body of the municipal corporation is hereby empowered to, and it shall be its duty to cause notice to be given of such election by the publication of a notice thereof in a newspaper of general circulation, if any such there be, printed and published outside of such municipal corporation, but in the county in which the territory so proposed to be annexed is situated, at least once a week for a period of four successive weeks next preceding the date of such election. If there be no such newspaper, then such legislative body shall cause notice of such election to be given by the posting thereof in three public places within the territory so proposed to be annexed at least four weeks next preceding the date of such election.

Such notice shall distinctly state the date of such election, and the proposition to be submitted, to wit, that it is proposed to annex to, incorporate in, and make a part of such municipal corporation the territory sought to be annexed, specifically describing the boundaries thereof. In addition to said description, such territory shall also be designated in such notice by some appropriate name or other words of identification, by which such territory may be referred to and indicated upon the ballots to be used at any election at which the question of such annexation is submitted as in this act provided. The electors in such territory shall be directed by such notice to vote upon such question in the manner hereinafter set forth in this section.

Such legislative body is hereby empowered, and it shall be its duty to establish, and in such notice of election to designate, the voting precinct or precincts and the place or places at which the polls will be open for such election in such territory so proposed to be annexed, which said place or places shall be that or those commonly used as voting places within such territory, if any such there be. The legislative body of such municipal corporation is empowered to, and it shall, appoint the officers of such election, who shall be, for each voting place in such territory, two judges and one inspector, each of whom shall be a qualified elector of the voting precinct in which he is appointed to act as an officer of such election.

Upon the ballots to be used at such election, there shall be printed the words "Shall (giving the name or other designation of the territory proposed to be annexed, as stated in the notice of election) be annexed to the city of (stating name of city). Opposite these words there shall be printed the words "Yes," and "No," and to the right of each of these last words there shall be a voting square. If an elector shall stamp a cross (x) in the voting square after the printed word "Yes," the vote of such elector shall be counted in favor of the annexation of the territory referred to in such proposition to the municipal corporation named therein; and if an elector shall stamp a cross (x) in the voting square after the printed word "No," the vote of such elector shall be counted against such annexation. The ballots used at such election, the opening and closing of the polls and the holding and conducting of such election, shall be

in conformity, as near as may be, with the laws of this State concerning general elections, except as herein otherwise provided.

The judges and inspector of such election for each polling place shall immediately on the closing of the polls, count the ballots, make up, certify and seal the ballots and tally sheets of the ballots cast at their respective polling places, doing so, as nearly as practicable, in the manner provided in the laws of this State relating to general elections, and they shall thereupon deliver the ballots, tally sheets and returns to and deposit the same with the clerk of the legislative body of such municipal corporation. Such legislative body shall, at the time provided for its regular meeting next after the expiration of three days from and after the date of said election, meet and proceed to canvass said returns, and such canvass shall be completed at such meeting, if practicable, and in any event, as soon as practicable, avoiding adjournment or adjournments, until said canvass is completed. Immediately upon the completion of such canvass, said legislative body shall cause a record thereof to be made and entered upon its minutes, stating the proposition submitted and showing the whole number of votes cast thereon in the territory proposed to be annexed, the number of votes cast therein in favor of annexation, and the number of votes cast therein against annexation."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1839—An act to amend sections 2, 4 and 5 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of incorporated and unincorporated territory or incorporated or unincorporated territory to municipal corporations and for the incorporation and consolidation of such annexed territory in and as a part thereof," approved May 31, 1929, relating to the annexation of territory to municipal corporations.

Committee Amendments to Assembly Bill No. 1839.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the first line of the title, and insert in lieu thereof the following: "An act to repeal "An act".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 23, inclusive, and insert in lieu thereof the following:

"SECTION 1. The act cited in the title hereof is hereby repealed."

Amendment No. 3.

Strike out all of pages 2 and 3 of the printed bill

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1940—An act to amend section 6d of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and relating to existing utilities therein.

Committee Amendment to Assembly Bill No. 1940.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 17, of the printed bill, following the word "ordinance", substitute a period for the comma, and strike out all of the remainder of said bill.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Joint Resolution No. 21—Relative to memorializing the President and Congress of the United States to enact legislation that would result in financial aid in the construction of a neuro-psychopathic hospital for veterans of the World War.

Committee Amendment to Assembly Joint Resolution No. 21.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 2, of the printed measure, after "neuro-psychopathic", insert the following: "hospital for".

Amendment adopted.

Bill ordered to reprint and engrossment.

Assembly Joint Resolution No. 9—Relative to memorializing the President and Congress to set up a Central Valley Project Authority, and to adopt necessary legislation therefor.

Committee Amendments to Assembly Joint Resolution No. 9.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 2 of the title of the printed measure, strike out "to set up a", and insert in lieu thereof the following "pertaining to the".

Amendment No. 2.

On page 1 of the printed measure strike out line 3 of the title, and insert in lieu thereof the following, "Project, and to enact necessary legislation".

Amendment No 3.

On page 1, line 5, of the printed measure, after "purposes", insert the following: ", the conservation of wild life,".

Amendment No. 4.

On page 1, lines 13 and 14, of the printed measure, strike out "to set up a Central Valley Project Authority".

Amendment No. 5.

On page 1, line 15, of the printed measure, after "Project", insert the following: "as quickly as possible, to acquire proper lands and watering places for migratory wild fowl,".

Amendment No. 6.

On page 1, line 16, of the printed measure, strike out "adopt", and insert in lieu thereof the following: "enact".

Amendments adopted.

Bill ordered to reprint and engrossment.

Assembly Bill No. 2684—An act relating to the relief of debtors and guarantors; permitting postponement of sales conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; declaring the urgency hereof, and providing that it shall take effect immediately

Committee Amendments to Assembly Bill No. 2684.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2, line 36, of the printed bill, strike out "January", and insert in lieu thereof the following: "June".

Amendment No. 2.

On page 3, line 25, of the printed bill, strike out "February", and insert in lieu thereof the following "July".

Amendment No. 3.

On page 3, line 30, of the printed bill, strike out "February", and insert in lieu thereof the following "July".

Amendment No. 4.

On page 4, line 9, of the printed bill, strike out "January" and insert in lieu thereof the following "June".

Amendment No. 5.

On page 4, line 42, of the printed bill, strike out "February", and in lieu thereof insert the following, "July"

Amendment No. 6.

On page 4, line 46, of the printed bill, strike out "February ", and insert in lieu thereof the following: "July".

Amendment No. 7.

On page 6, line 12, of the printed bill, strike out "February", and insert in lieu thereof the following "January".

Amendment No. 8.

On page 6, line 15, of the printed bill, strike out "February", and insert in lieu thereof the following, "July".

Amendment No. 9.

On page 6, line 26, of the printed bill, strike out "February", and insert in lieu thereof the following "July".

Amendment No. 10.

On page 6 of the printed bill, between lines 34 and 35, insert the following, "or any other provision of law.".

Amendment No. 11.

On page 6, line 42, of the printed bill, after "1935," insert the following: "or any other provision of law,".

Amendment No. 12.

On page 7, line 29, of the printed bill, after "1935," insert the following: "or by virtue of the provisions of Chapter 5, Statutes of 1937,".

Amendment No. 13.

On page 7, line 31, of the printed bill, strike out "February 1, 1939", and insert in lieu thereof the following "October 1, 1937".

Amendment No. 14.

On page 9 of the printed bill, between lines 23 and 24, insert the following:

"SEC. 30.5. If in any proceedings under this act the court has ordered that the time of sale under any deed of trust upon real property, or upon chattels necessary for the operation thereof, or upon chattels attached to real property, or under any mortgage on real property, or upon chattels attached to real property, or upon chattels necessary for the operation thereof, be postponed to February 1, 1939, the court shall, upon the motion of the petitioner and after such notice to all interested parties as the court shall reasonably prescribe, order that such sale shall not be held until after such date as the court considers just and equitable, but in no event shall such date be beyond July 1, 1939. In any case, where a sale has been postponed under the provisions of this act to February 1, 1939, and such sale is held after February 1, 1939, and before February 28, 1939, upon the motion of the petitioner, if filed prior to March 10, 1939, and after such notice to all interested parties as the court shall reasonably prescribe, the court shall have jurisdiction to order that such sale be set aside and to order that no other sale of that property shall be held until after such date as the court considers just and equitable, but in no event shall such date be beyond July 1, 1939."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2622—An act to define business opportunity brokers and salesmen; to provide for the regulation, supervision and licensing thereof by the State Real Estate Division and the Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof.

Committee Amendments to Assembly Bill No. 2622.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, after "sale," insert "rents, or offers to rent, or collects rent,".

Amendment No. 2.

On page 1, line 9, of the printed bill, after "prospective", insert "tenants or".

Amendment No. 3.

On page 1, line 10, of the printed bill, after "sale," insert "or the renting, leasing", and strike out the word "exchange", and insert in lieu thereof the word "exchanging".

Amendment No. 4.

On page 1, line 11, of the printed bill, after "business opportunity," insert "or interest therein,".

Amendment No. 5.

On page 1, line 17, of the printed bill, after "sale," insert "to rent, or offer to rent, or collect rent,".

Amendment No. 6.

On page 1, line 18, of the printed bill, after "or to offer to buy," insert "or to lease or offer to lease," and after "solicit", insert "for prospective tenants or purchasers,".

Amendment No. 7.

On page 1, line 19, of the printed bill, after "sale", insert "or the renting, leasing," and strike out the word "exchange", and insert in lieu thereof the word "exchanging".

Amendment No. 8.

On page 1, line 20, of the printed bill, after "tunity," insert "or interest therein,".

Amendment No. 9.

On page 2, line 23, of the printed bill, after "involved.", insert the following new paragraph: "As used in this act the word "broker" shall mean "business opportunity" broker, and the word "salesman" shall mean "business opportunity" salesman."

Amendment No. 10.

On page 2, line 26, of the printed bill, strike out the comma at the end of the line

Amendment No. 11.

On page 2, line 27, of the printed bill, strike out "both temporary and permanent,".

Amendment No. 12.

On page 2 of the printed bill, between lines 30 and 31, insert the following:

"SEC. 3a. The Real Estate Commissioner shall employ such deputies, clerks and employees as he may need to discharge in proper manner the duties imposed upon him by law. After qualifying as such, neither the Real Estate Commissioner nor any of the deputies, clerks or employees of the division shall be interested in any business opportunity company or any business opportunity brokerage firm, as director, stockholder, officer, member, agent or employee, or act as a business opportunity broker or business opportunity salesman within the meaning of this statute, or act as a copartner or agent for any other such broker or brokers, salesman or salesmen.

SEC. 3b. The deputies, clerks and employees shall perform such duties as may be deemed necessary to discharge the functions imposed by the provisions of this act. Such deputies, clerks and employees shall receive such compensation as shall be fixed by the State Personnel Board, subject to the general laws of the State of California. Such compensation shall be paid monthly on a certificate of the Real Estate Commissioner, and on the warrant of the Controller out of the State Treasury. Each deputy shall, after his appointment, take and subscribe to the constitutional oath of office and file the same in the office of the Secretary of State

SEC. 3c. It shall be the duty of the Real Estate Commissioner to enforce the provisions of this act, and he shall have full power to regulate and control the issuance and revocation of the licenses to be issued under the provisions of this act, and to perform all other acts and duties provided in this act and necessary for its enforcement."

Amendment No. 13.

On page 2, line 31, of the printed bill, strike out "3a", and insert in lieu thereof "3d".

Amendment No. 14.

On page 2, line 43, of the printed bill, after "shall", insert ", for the enforcement of this act,".

Amendment No. 15.

On page 2, line 45, of the printed bill, after "offices in", insert "such other cities as may be deemed necessary," and strike out "the City and County of San Francisco, in the city".

Amendment No. 16.

On page 2 of the printed bill, strike out all of line 46

Amendment No. 17.

On page 2, line 47, of the printed bill, strike out "may deem necessary,".

Amendment No. 18.

On page 2, line 52, of the printed bill, after "fund", strike out "to be", and strike out "'business", at the end of the line.

Amendment No. 19.

On page 3 of the printed bill, strike out all of line 1, and insert in lieu thereof the following: "real estate fund.' Moneys".

Amendment No. 20.

On page 3, line 18, of the printed bill, strike out "demand of the Board of Control."

Amendment No. 21.

On page 3, line 22, of the printed bill, after "department", insert "in the administration of this act", and strike out "All moneys in excess"

Amendment No. 22.

On page 3, of the printed bill, strike out all of lines 23 to 28, inclusive

Amendment No. 23.

On page 3, line 40, of the printed bill, after "No", strike out "real estate", and insert in lieu thereof "business opportunity".

Amendment No. 24.

On page 5, line 2, of the printed bill, strike out "any", and insert in lieu thereof the word "an".

Amendment No. 25.

On page 5, line 9, of the printed bill, after the word "of", strike out, "the rudimentary principles of business opportunity con-".

Amendment No. 26.

On page 5, line 10, of the printed bill, strike out "veyancing,"

Amendment No. 27.

On page 5, line 11, of the printed bill, after "mortgages," insert "chattel mortgages," and after "bills of sale," insert "liens,".

Amendment No. 28.

On page 5, line 12, of the printed bill, after "economics", insert a comma; and strike out the word "and" immediately following, and after the word "appraisals," insert "and the purchase, sale, renting and leasing of personal property".

Amendment No. 29.

On page 5, line 15, of the printed bill, strike out "canons of".

Amendment No. 30.

On page 5, line 47, of the printed bill, strike out "two", and insert in lieu thereof the word "fifteen", at the end of the line

Amendment No. 31.

On page 6 of the printed bill, between lines 35 and 36, insert the following:

"Sec. 9a. Any present resident of this State who has for two years immediately preceding the passage of this act continuously engaged in the capacity of business opportunity broker or salesman at one or more established places of business shall be granted a license as a business opportunity broker or salesman without examination by making application to the Division of Real Estate on or before six months after the effective date of this act, and upon paying the required fee."

Amendment No. 32.

On page 7 of the printed bill, after line 51, insert the following

"(11) Acting or conducting himself in a manner which would have warranted the denial of his application for a license, or for a renewal thereof."

Amendment No. 33.

On page 8, line 2, of the printed bill, after the word "license", insert "issued under this act".

Amendment No. 34.

On page 8, line 17, of the printed bill, before the word "fee", insert "an additional", and before the word "broker's", strike out the word "temporary".

Amendment No. 35.

On page 8, line 21, of the printed bill, strike out "tem-" at the end of the line.

Amendment No. 36.

On page 8, line 22, of the printed bill, before "business", strike out "porary".

Amendment No. 37.

On page 8, line 29, of the printed bill, before "fee", strike out "a", and insert in lieu thereof, "an additional".

Amendment No. 38.

On page 8, line 30, of the printed bill, strike out "temporary".

Amendment No. 39.

On page 8, line 33, of the printed bill, strike out "temporary".

Amendment No. 40.

On page 11 of the printed bill, between lines 9 and 10, insert the following new paragraph:

"No licensed broker shall employ or compensate directly or indirectly any person for performing any of the acts specified in section 2 of this act who is not a

licensed broker or who is not a salesman licensed under the broker employing, or paying the compensation to such person."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2733—An act to amend the title and sections 1, 2, 3, 4, 5, and 6 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," and to add a new section numbered 7, approved June 3, 1927, as amended, relating to clothes cleaning establishments.

Committee Amendments to Assembly Bill No. 2733.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 6 and 7 of the title of the printed bill, strike out "and to add a new section numbered 7,".

Amendment No. 2.

On page 3, line 41, of the printed bill, strike out "three (3)", and insert in lieu thereof the following: "eight (8)".

Amendment No. 3.

On page 4, line 2, of the printed bill, strike out ", but not by way of limitation.".

Amendment No. 4.

On page 5, lines 40 and 41, of the printed bill, strike out ", or a solvent meeting the requirements provided in section 7 hereof.".

Amendment No. 5.

On page 15, line 3, of the printed bill, strike out ", either".

Amendment No. 6.

On page 15, line 23, of the printed bill, after "solvent", insert the following: "of the chlorinated hydrocarbon type".

Amendment No. 7.

On page 16 of the printed bill, strike out lines 26 to 52, inclusive, and strike out everything on pages 17 and 18.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 754—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Committee Amendments to Assembly Bill No. 754.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 990", and insert in lieu thereof the following: "sections 990 and 992".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 5 to 28, inclusive, and strike out all of page 2, and insert in lieu thereof the following: "take fish, mollusks or crustaceans for profit within the inland or territorial waters of this State shall procure a Class A commercial fishing license.

2. Every person who brings or causes fish, mollusks, or crustaceans to be brought ashore at any point in the State for the purpose of selling the same, except persons holding a Class A commercial fishing license, shall procure a Class B commercial fishing license.

SEC. 2. Section 992 of said code is hereby amended to read as follows:

992. The annual license fee for a Class A fishing license shall be:

(a) If issued to a citizen of the United States who is a resident of this State, $10

(b) If issued to a citizen of the United States who is not a resident of this State, $50.

(c) If issued to a person not a citizen of the United States, $500.

The annual license fee for a Class B commercial fishing license shall be $10 for each person.

All license fees shall be paid to the commission or someone designated by it for that purpose.

As used in this section "citizen of the United States" includes a person who has declared his intention to become such a citizen in the manner prescribed by law."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 85—An act to amend section 1274 and to repeal section 1273 of the Fish and Game Code, relating to deer.

Committee Amendments to Assembly Bill No. 85.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "and to repeal section 1273".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"1274 In any district other than 1¾, not more than two deer may be taken during the open season, but not more than one deer may be taken within any one district in any two week period of time"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2387—An act to empower and authorize the institution of a suit and/or action against the people of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one Beesemeyer, and of men associated with him in the enterprise known and or designated as the Guaranty Building and Loan Association, and/or waive the statute of limitations by the State of California.

Committee Amendments to Assembly Bill No. 2387.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out the title and insert in lieu thereof the following:

"An act to empower and authorize the institution of a suit or action against the people of the State of California on behalf of former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, by reason of the defalcations of one Beesemyer, his servants agents, or associates, in the enterprise known or designated as the Guaranty Building and Loan Association, providing for allowance of reasonable counsel fees, and to waive the defense of the statute of limitations by the State of California to such suit or action"

Amendment No. 2.

On page 1, line 14 of the printed bill, strike out "Beesemeyer", and insert in lieu thereof the following: "Beesemyer"

Amendment No. 3.

On page 1, line 15, of the printed bill, strike out "Beesemeyer", and insert in lieu thereof the following: "Beesemyer".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 5 to 23, inclusive and insert in lieu thereof the following: "and which represented deposits by the depositors prior to the first day of January, 1931, which was illegally, unlawfully or wrongfully used or misappropriated by Beesemyer, his servants, agents, or associates contrary to the laws of this State, then in effect and governing the use of savings accounts on deposit with building and loan associations, banks or similar institutions for investment purposes.

SEC. 2 That the Guaranty Liquidating Corporation, a domestic corporation organized and existing under the laws of the State of California, as trustee for

and in behalf of the depositors, as herein defined, of the Guaranty Building and Loan Association of Los Angeles, is hereby empowered to institute a suit or action in the superior court of the State of California in and for the county of Los Angeles, against the people of the State of California, to determine and decree the liability, if any, of the State of California to such depositors by reason of the defalcations of Beesemyer as the word defalcation is herein defined. The court trying any such action may, in its discretion, grant reasonable counsel fees not to exceed 10 per cent of any recovery."

Amendment No. 5.

On page 2, line 25, of the printed bill, after "any", insert the following "suit or".

Amendment No. 6.

On page 2 of the printed bill, after line 26, insert the following:

"SEC. 4. Jurisdiction over the subject matter and of the State of California as defendant, in any suit or action instituted hereunder, shall be effected by the service of summons or other process on the Secretary of State, or the Governor or the Attorney General of the State of California, in like manner and with like effect and in accordance with the laws of the State made and applicable in the filing or prosecution of civil suits or actions between private parties."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 854—An act to add section 14b to the State Civil Service Act, relating to rehearing after decision by the State Personnel Board or the Civil Service Commission

Committee Amendments to Assembly Bill No. 854.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "sixty", and insert in lieu thereof the following: "thirty".

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out "thirty", and insert in lieu thereof the following: "sixty".

Amendment No. 3.

On page 1, lines 24 and 25, of the printed bill, strike out the comma which follows "Board", and strike out "or by its predecessor the State Civil Service Commission.".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1817—An act relating to the State civil service and declaring the urgency thereof and providing that this act shall take effect immediately.

Committee Amendment to Assembly Bill No. 1817.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "an", and insert in lieu thereof the following: "a full time".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1610—An act to add sections 5 and 6 and to amend the title of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State, and prohibiting certain political activities and providing penalties for the violation of said provision," approved April 11, 1935, relating to civil service for cities and counties.

Committee Amendments to Assembly Bill No. 1610.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to amend sections 1, 2, 3 and 4 and to amend the title of and to add section 5 to an".

Amendment No. 2.

On page 1, line 10 of the title of the printed bill, strike out "cities and counties", and insert in lieu thereof the following: "counties and cities".

Amendment No. 3.

On page 1, line 4, of the printed bill, strike out "cities and counties", and insert in lieu thereof the following: "counties and cities"

Amendment No. 4.

On page 1, line 7, of the printed bill, strike out "municipalities", and on page 1, line 8, strike out "and counties", and insert in lieu thereof the following: "counties and cities".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 11 to 22, inclusive, and insert in lieu thereof the following

"SEC. 2 Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Sec 1. The legislative body of any county or city within this State is hereby authorized to adopt by ordinance a personnel system, merit system, or civil service system, for the selection, employment, classification, advancement, suspension, discharge and retirement of appointive officers and employees. Such legislative body may provide for the appointment of a civil service commission or personnel officer and may delegate to such civil service commission or personnel officer such powers and duties in relation thereto as in its discretion may be deemed advisable.

It is intended by the provisions of this act to enable the legislative body of any county or city within this State to adopt such a personnel system, merit system, or civil service system as may be adaptable to the size and type of the county or city involved, such system may consist merely of the setting up of minimum standards of employment and qualifications for the various classes of employment in said county or city or may consist of a comprehensive civil service system as in the sound discretion of said legislative body may be for the best interests of the public service in said county or city.

SEC 3. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. In said ordinance creating such system said legislative body shall designate the departments, appointive officers or employees of the county or city which shall be placed under such merit system or civil service system, such legislative body may from time to time, by ordinance, add additional departments, appointive officers or employees of the county or city to the list originally designated in the ordinance creating such system Said legislative body shall not have the authority to withdraw any departments, appointive officers or employees from the operation of such system unless and until the withdrawal thereof shall have been submitted to the qualified electors of said county or city at a special or regular election held in said county or city and shall have been approved by not less than a two-thirds vote of the electors voting on such proposition

SEC. 4 Section 3 of the act is hereby amended to read as follows

Sec. 3 The legislative body of any county or city may contract with the legislative body or governing board of any other municipality or county within this State, or with any State department for the conducting of competitive examinations to ascertain the fitness of applicants for positions and employment in the county or city service, and for the performance of any other service in connection with personnel selection and administration.

SEC. 5 Section 4 of the act cited in the title hereof is hereby amended to read as follows

Sec 4. Any ordinance adopted by the legislative body of a county or city under the provisions of this act shall include the following provision and penalty: No person holding an office or place in any department placed by the legislative body under a merit system or civil service system pursuant to the provisions of this act shall seek or accept election, nomination or appointment as an officer of a political club or organization, or take an active part in a county or municipal political campaign favoring or opposing any candidates for election or for nomination to a public office, or serve as a member of a committee of such club or organization or circle, or seek signatures to any petition provided for by any law, or act as a worker at the polls, or distribute badges or pamphlets, dodgers or handbills of any kind favoring or opposing any candidate for election, or for nomination to a public office,

whether county or municipal, provided, however, that nothing in this act shall be construed to prevent any such officer or employee from becoming or continuing to be a member of a political club or organization, or from attendance at a political meeting, or from enjoying entire freedom from all interference in casting his vote or from seeking or accepting election or appointment to public office

Any wilful violation thereof or violation through culpable negligence, shall be sufficient grounds to authorize the discharge of any officer or employee

The provisions of this act, however, shall not apply to his activity in civil service matters, nor to matters regarding his economic welfare.

SEC. 6. Section 5 is hereby added to the act cited in the title hereof to read as follows:

Sec. 5. Upon petition of 5 per cent of the qualified votes of the respective counties and cities of the State to their respective boards of supervisors or city councils it shall be mandatory for such boards of supervisors or city councils to submit to the electors of their respective counties and cities for their approval and adoption at the next general election such a system as is herein provided

The qualified electors of the several counties and cities of the State are also hereby authorized to adopt, through initiative procedure, an ordinance setting up such a system as is herein provided."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1123—An act to amend section 3.331 of the School Code, relating to high school students residing in this State and attending high school in an adjoining State.

Committee Amendments to Assembly Bill No. 1123.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 3.331", and insert in lieu thereof the following: "sections 3.331, 3.334 and 3.337".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 27, both inclusive, and on page 2, strike out all of lines 1 to 15, both inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 3.331 of the School Code is hereby amended to read as follows:

3.331. The board of supervisors of counties in which high school students reside who are attending high school in an adjoining State, on the approval of the county superintendent of schools of the county in which they live, shall levy a tax on the taxable property of the county to be known as the county high school tuition tax. The minimum of the tax to be raised shall be an amount which, when added to the amount apportioned to the county from the State high school fund on account of the average daily attendance of pupils residing therein who attended high school in a high school district in an adjoining State during the preceding school year will produce a fund large enough to pay the tuition, and also the transportation not to exceed ten dollars per pupil per month, of any pupil or pupils in the county who attended high school for the previous school year in a high school district in any adjoining State

In the event high school students residing in the county and attending high school in an adjoining State reside in an elementary school district not in any high school district, the amount to be raised by the county high school tuition tax for the tuition and transportation of such pupils shall be one-half the cost of such tuition and transportation as hereinafter provided, less the amount of money apportioned to the county high school tuition fund of the county on account of the attendance of such pupils as hereinbefore provided and the board of supervisors of such county shall, on the approval of the county superintendent of schools, levy a tax on the taxable property of such elementary school district sufficient to provide one-half the cost of tuition and transportation of such pupils, as hereinafter provided, less the amount of money apportioned to the county high school tuition fund of such county on account of the attendance of such pupils as hereinbefore provided, but the rate of such tax shall not exceed seventy-five cents on the one hundred dollars, nor shall be less than the rate of tax which, if levied on the total assessed valuation of all high school districts of the county during the preceding school year, would have raised the total amount of money raised by taxes required by the budgets of such districts to be levied on the high school districts, including delinquent taxes, during the preceding school year The total of all moneys raised by taxes levied under the provisions of this section shall be placed in the county treasury to the credit of the county high school tuition fund, which fund is hereby created

SEC. 2. Section 3.334 of the School Code is hereby amended to read as follows.

3.334. The auditor of any county in which any tax is levied under the provisions of this article shall report to the county superintendent of schools the amount of money paid into the county high school tuition fund from such levies.

SEC. 3. Section 3.337 of the School Code is hereby amended to read as follows

3.337. The superintendent of schools of the county in California, on receiving a sworn statement from the parent or guardian of a pupil attending such high school, showing the actual cost of transportation of said pupil, not exceeding ten dollars per month, shall draw an order in favor of such parent or guardian on the high school fund in payment of such transportation.

The county superintendent of schools may in lieu of providing for the transportation of pupils as hereinbefore provided, purchase, maintain and operate school buses or contract with common or private carriers for the transportation of such pupils In all cases the cost of providing such transportation shall be paid from the county high school tuition fund."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1355—An act to add a new section to the School Code to be numbered 5 452, relating to the employment of teachers.

Committee Amendments to Assembly Bill No. 1355.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "a new section to the School Code to be numbered 5.452", and insert in lieu thereof the following "sections 5.452, 5.453, 5.454, 5 455, 5 456 and 5.457 to the School Code".

Amendment No. 2.

On page 1 of the printed bill, following line 7, add the following:

"SEC. 2 Section 5.453 is hereby added to the School Code to read as follows:

5.453. The county superintendent of schools shall prepare a list of all teachers in the county not having permanent tenure in any district, holding certificates qualifying them to teach in the public schools of such county, and who have taught for three years consecutively in such county, but not necessarily in the same school or district, the names on such list to be arranged in order of seniority of teaching, that teacher who has taught longest in the public schools of such county to be first on such list.

SEC. 3. Section 5.454 is hereby added to the School Code to read as follows.

5.454. Whenever a vacancy occurs in the teaching personnel of any school in a district neither employing a city superintendent of schools nor a district superintendent of schools, the governing board of the district in which such school is located shall obtain from the county superintendent of schools a list of those three teachers willing and qualified to teach in such school who are highest on the list described in section 5.453.

SEC. 4. Section 5.455 is hereby added to the School Code to read as follows:

5.455. In filling a vacancy described in section 5 454, the governing board of such district may request further names from the county superintendent if it does not employ any teacher from the first list furnished, but such employment shall be from the list described in section 5.453 unless there is no teacher thereon who is both willing and qualified to fill such vacancy.

SEC. 5 Section 5 456 is hereby added to the School Code to read as follows:

5.456. The name of any teacher may be removed from the list described in section 5.453:

(a) If such teacher has been dismissed during the school year for cause, under section 5.680.

(b) By proceedings and for causes specified in Article II, Chapter VII, Part III, Division V of this code.

SEC. 6. Section 5.457 is hereby added to the School Code to read as follows:

5.457. Nothing in this article shall affect the tenure of any teacher who is now or may hereafter be classified as a permanent employee under any provision in this code."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2014—An act to add a new section to the School Code, to be numbered 5.507, relating to employees in positions requiring certification qualifications

Committee Amendment to Assembly Bill No. 2014.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 23, inclusive, and insert in lieu thereof the following:

"5 507. In school districts situated within, or partly within, cities of the first and one-half class, all employees in positions specifically required by other sections of this code to be held by persons holding certificates or credentials of type or class specified by this code, and all other employees in positions the principal duties of which are as in this section specifically set forth, shall be required to hold general or special supervisory or administrative certificates or credentials or such special certificates or credentials as may be specified and issued by the State Board of Education. Positions subject to the provisions of this section include.

(a) Supervising the work of instructor;

(b) Supervising educational and vocational counselling and placement;

(c) Supervising the planning of courses of study;

(d) Supervising the selection, collection, preparation, classification or demonstration of material for any course or courses of study;

(e) Supervising the examination, selection, or assignment of teachers, principals, or other educational administrators.

(f) Supervising the preparation of budgets of funds to be used for educational purposes when this is the major function of a given position;

(g) Supervising the interpretation or evaluation from an educational standpoint of equipment, material, and housing when this is a major function of a given position.

(h) Supervising original research connected with the evaluation and the efficiency of the educational program;

(i) Administering or supervising the school health service;

(j) Administering or supervising the activities connected with the enforcement of the Compulsory Education Act, coordination of child welfare activities involving the school and the home, and school adjustments of the socially maladjusted pupils;

(k) Administering or supervising the library service;

(l) Administering or supervising the production and distribution of visual aids, instruction in their use and evaluation of illustrative material,

(m) Administering or supervising the cafeteria services involving functions of an educational nature;

(n) Administering or arranging institute sessions and other extra-curricular educational activities."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1685—An act to amend sections 4, 8, 9, 12, 25, 33, 38a, 39, 42, 49, 67, 78, 83, 85a, 86 and 108 of, and to add sections 3a, 33a, 75a and 83b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a Retirement System for Employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of employees of the University of California

Committee Amendments to Assembly Bill No. 1685.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2, line 8, of the printed bill, after "mean", insert the following "all".

Amendment No. 2.

On page 2 of the printed bill, strike out line 11, and insert in lieu thereof the following "all State service rendered as an employee of the university before the first day of".

Amendment No. 3.

On page 3, line 11, of the printed bill, strike out "members", and insert in lieu thereof the following: "member"

Amendment No. 4.

On page 3, line 23, of the printed bill, after "created", insert a comma

Amendment No. 5.

On page 3, line 29, of the printed bill, after "administration", insert a comma

Amendment No. 6.

On page 4, line 1, of the printed bill, after "service", insert the following: "credited, however, to be one-half year less than the total prior service"

Amendment No. 7.

On page 4, line 25, of the printed bill, strike out "section 65 of".

Amendment No. 8.

On page 7, line 29, of the printed bill, strike out "three", and insert in lieu thereof the following: "------".

Amendment No. 9.

On page 7, line 30, of the printed bill, strike out "twenty-five one-hundredths", and insert in lieu thereof the following: "------".

Amendment No. 10.

On page 7, lines 36 and 37, of the printed bill, strike out "three and twenty-five one-hundredths" and insert in lieu thereof the following: "------ and ------".

Amendment No. 11.

On page 7, line 40, of the printed bill, after "fund", insert the following: "or the vocational rehabilitation fund".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2575—An act to amend sections 1 and 8 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to the practice of civil engineering

Committee Amendment to Assembly Bill No. 2575.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "offering", and insert in lieu thereof the following: "offers".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2674—An act to add section 15.5 to, and to amend section 17 of, an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to the practice of civil engineering.

Committee Amendment to Assembly Bill No. 2674.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, after "engineer", add the following: "Any civil engineer possessing a seal in accordance with the provisions of section 14 hereof, in lieu of signing said plans, specifications, reports or documents may stamp the same with such seal."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 409—An act relating to trade practices and unfair discrimination

Committee Amendments to Assembly Bill No. 409.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following:

"An act making unlawful certain discriminations in price, in services or facilities furnished, or in payment for services or facilites to be rendered, in connection with the sale of commodities in the course of trade or commerce, and providing certain remedies for violation."

Amendment No. 2.

On page 1, line 2, of the printed bill, strike out: "'Person' means any person", and insert in lieu thereof the following: "(a) 'Person' means an individual, business trust".

Amendment No. 3.

On page 1, line 3, of the printed bill, after the comma, add the following: "any unincorporated".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 5, 6 and 7, and insert in lieu thereof the following:

"(b) "Price" as used herein means the net price to the buyer after the deduction of all discounts, rebates or other price concessions paid or allowed by the seller.

(c) "Commerce" means trade or commerce within this State."

Amendment No. 5.

On page 1, line 12, of the printed bill, after "quality", insert the following: "or to discriminate in price between different sections, communities or cities or portions thereof or between different locations in such sections, communities, cities or portions thereof in this State.".

Amendment No. 6.

On page 1, line 14, of the printed bill, after "monopoly", add the following: "in any line of commerce".

Amendment No. 7.

On page 1 of the printed bill, between lines 23 and 24, insert the following

"SEC. 4. Nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade."

Amendment No. 8.

On page 1, line 24, of the printed bill, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 9.

On page 2 of the printed bill, strike out lines 3 to 9, inclusive, and insert in lieu thereof the following: "Sec. 6. Upon proof".

Amendment No. 10.

On page 2, line 10, of the printed bill, strike out "such action", and insert in lieu thereof the following: "suit or other proceeding in which any violation of this act may be in issue".

Amendment No. 11.

On page 2, line 13, of the printed bill, strike out "Unless justification", and strike out lines 14, 15 and 16.

Amendment No. 12.

On page 2, line 17, of the printed bill, strike out "6", and insert in lieu thereof the following: "7".

Amendment No. 13.

On page 2 of the printed bill, strike out lines 23 and 24, and insert in lieu thereof the following:

"SEC. 8. In all transactions of sale and purchase it shall be unlawful for either party to such transaction to".

Amendment No. 14.

On page 2, line 27, of the printed bill, strike out "except for services rendered", and strike out line 28, and in line 29, strike out "merchandise,".

Amendment No. 15.

On page 2, line 33, of the printed bill, strike out "other than the per-", and strike out line 34, and insert in lieu thereof a period.

Amendment No. 16.

On page 2, line 35, of the printed bill, strike out "8", and insert in lieu thereof the following: "9".

Amendment No. 17.

On page 2, line 36, of the printed bill, after "State", add the following: "in the course of such commerce".

Amendment No. 18.

On page 2, line 41, of the printed bill, after the first "sale", add a comma.

Amendment No. 19.

On page 2, line 47, of the printed bill, strike out "9. It is unlawful for any person", and insert in lieu thereof the following:

"10. It is unlawful for any person engaged in commerce, in the course of such commerce".

Amendment No. 20.

On page 3, line 4, of the printed bill, strike out "10", and insert in lieu thereof the following: "11".

Amendment No. 21.

On page 3, line 5, of the printed bill, after "State", add the following: "in the course of such commerce".

Amendment No. 22.

On page 3 of the printed bill, strike out lines 10 to 39, inclusive, and insert in lieu thereof the following:

"SEC. 12. It shall be unlawful for any person engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by this act.

SEC. 13. Nothing in this act shall prevent a cooperative association from returning to its members, producers, or consumers the whole, or any part of, the net earnings or surplus resulting from its trading operations, in proportion to their purchases or sales from, to, or through the association.

SEC. 14. Any person injured by any violation, or who will suffer injury from any threatened violation, of this act, may maintain an action, in any court of general equitable jurisdiction of this State, to prevent, restrain or enjoin such violation or threatened violation. If in such action, a violation or threatened violation of this act shall be established, the court shall enjoin and restrain or otherwise prohibit such violation or threatened violation, and the plaintiff in said action shall be entitled to recover three-fold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee.

SEC. 15. In the event no injunctive relief is sought or required, any person injured by any violation of this act may maintain an action for damages alone in any court of general jurisdiction in this State, and the measure of damages in such action shall be the same as that prescribed by section 14.

SEC. 16. In any proceedings instituted or action brought in pursuance of the provisions of sections 14 and 15, the plaintiff, upon proof that he has been unlawfully discriminated against by the defendant, shall be conclusively presumed to have sustained damages equal to the monetary amount or equivalent of the unlawful discrimination; and in addition thereto, may establish such further damages, if any, as he may have sustained as a result of such discrimination.

SEC. 17. Any contract, express or implied, made by any person in violation of any of the provisions of this act, is declared to be an illegal contract and no recovery thereon shall be had."

Amendment No. 23.

On page 3, line 40, of the printed bill, strike out "14", and insert in lieu thereof the following: "18".

Amendment No. 24.

On page 3, of the printed bill, between lines 41 and 42, insert the following:

"SEC. 19. This act shall be known and designated as the "Anti-Price Discrimination Act" and its inhibitions against discrimination shall embrace any scheme of special concessions or rebates, any collateral contracts or agreements or any device of any nature whereby discrimination is, in substance or fact, effected in violation of the spirit and intent of this act."

Amendment No. 25.

On page 3, line 42, of the printed bill, strike out "15", and insert in lieu thereof the following: "21".

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2464—An act relating to the adoption of codes of fair competition for certain trades and industries within this State

Committee Amendment to Assembly Bill No. 2464.

The following amendment was submitted by the committee

Amendment No. 1.

On page 2, line 17, of the printed bill, after the period, insert the following: "Codes of fair competition heretofore adopted under an act entitled 'An act relating to the adoption of codes of fair competition for certain trades and industries within this State," approved July 20, 1935, by any local legislative body, and which may be in force and effect on the date when this act becomes effective, are hereby ratified and continued in force as though adopted under this act, subject to the right of such local legislative bodies to change, modify, alter or repeal the same."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 3—An act to amend sections 1, 3, 5, 6, 11 and 13 of the Unfair Practices Act, to repeal section 15 of said act, and to add sections 15, 16 and 17 thereto, all relating to unfair trade practices.

Committee Amendments to Assembly Bill No. 3.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, after 'section', insert the following "5.5,".

Amendment No. 2.

On page 2, line 31, of the printed bill, as amended, after "sell", strike out the comma.

Amendment No. 3.

On page 2, line 32, of the printed bill, as amended, strike out ", or output of a service trade,".

Amendment No. 4.

On page 2, line 35, of the printed bill, as amended, after "uct", insert a comma.

Amendment No. 5.

On page 4 of the printed bill, as amended, strike out lines 8 to 12, inclusive.

Amendment No. 6.

On page 4 of the printed bill, as amended, between lines 18 and 19, insert the following:

"SEC. 3.5. A new section to be numbered 5.5 is hereby added to the act cited in the title hereof to read as follows:

Sec. 5.5. In any proceeding for an injunction, if it is alleged that the act or acts of selling any article or product at less than cost, or giving away any article or product, or discriminating in price, have the effect of injuring or destroying competition, the court may issue an injunction without further proof."

Amendment No. 7.

On page 5, line 8, of the printed bill, as amended, after "or", insert the following "of".

Amendment No. 8.

On page 6, line 22, of the printed bill, as amended, strike out "said", and insert in lieu thereof the following: "this".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2788—An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city.

Committee Amendment to Assembly Bill No. 2788.

The following amendment was submitted by the committee

Amendment No. 1.

On page 2 of the printed bill, immediately following line 25, insert the following "Also reserving to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2027—An act relating to the establishment and maintenance of a Bureau of Safety in the Railroad Commission of this State.

Committee Amendments to Assembly Bill No. 2027.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 2, of the printed bill, as amended, strike out "and"

Amendment No. 2.

On page 2, line 3, of the printed bill, as amended, strike out "grade crossing accidents and", and insert in lieu thereof the following: "accidents and train".

Amendment No. 3.

On page 2, line 4, of the printed bill, as amended, strike out "; and to enforce".

Amendment No. 4.

On page 2, line 5, of the printed bill, as amended, after "of", strike out the comma

Amendment No. 5.

On page 2, line 7, of the printed bill, as amended, after "public", insert the following: "on railroads".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 217—An act to amend sections 1, 2 and 3 of an act entitled "An act relating to the registration of vessels and requiring a tax clearance as the prerequisite for registration," approved June 1, 1935, relating to the registration of vessels.

Committee Amendments to Assembly Bill No. 217.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "1,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 2 of the act cited in the title hereof is".

Amendment No. 3.

On page 2, line 3, of the printed bill, strike out "Sec. 3.", and insert in lieu thereof the following: "Sec. 2."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 412—An act to amend the Penal Code by adding a new section thereto to be numbered 608d, relating to the operation of vessels at excessive rates of speed or in such manner as to cause injury or damage to other vessels, and prescribing the penalty for violation thereof.

Committee Amendments to Assembly Bill No. 412.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "land", insert the following: ", other than vessels operating on rivers, inland waters or in harbors subject to jurisdiction or control of any harbor board, commission or other public authority".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out the word "five", and insert in lieu thereof the word "ten".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 413—An act to amend the Penal Code by adding a new section thereto, to be numbered 608j, relating to the lowering of lifeboats on vessels once a week, and prescribing a penalty for the violation of the provisions thereof.

Committee Amendment to Assembly Bill No. 413.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "upon", insert the following "harbor, river or other".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 414—An act to amend the Penal Code by adding a new section thereto, to be numbered 608h, prohibiting the operation of vessels at excessive rates of speed while passing other vessels, and prescribing the penalty for violation thereof.

Committee Amendments to Assembly Bill No. 414.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out from lines 4, 5, and 6, the following words: "other than ferries traveling solely within the limits of a bay or harbor, traveling through the territorial waters of this State, other than inland waters", and insert in lieu thereof the following: "traveling through the territorial waters of this State, other than rivers, inland waters or in harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out the word "five", and insert in lieu thereof the word "ten".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 415—An act to amend the Penal Code by adding a new section thereto, to be numbered 608g, relating to the operation of vessels going in or out of harbors of this State at night time or in a fog, mist or rain, providing for the maintenance of lookouts thereon and prohibiting the allowing of passengers within 100 feet of such lookout, and prescribing a penalty for violation thereof.

Committee Amendment to Assembly Bill No. 415.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out from lines 4, 5, and 6, the following words: "in or out of a harbor of this State, or while traveling within three miles of land "except vessels traveling solely through inland waters", and insert in lieu thereof the following: "through the territorial waters of this State other than rivers, inland waters or harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 417—An act to amend the Penal Code by adding a new section thereto, to be numbered 608e, relating to the operation of vessels at excessive rates of speed in fog, mist or rain, and prescribing the penalty for violation thereof.

Committee Amendment to Assembly Bill No. 417.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 6, of the printed bill, after the words "inland waters", insert "rivers and harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 418—An act to amend the Civil Code by adding thereto a new section to be numbered 975, relating to the providing of hospital, medical and nursing facilities for passengers on vessels over 1,000 gross tons, operating solely between ports in this State, and prescribing the penalty for violation thereof.

Committee Amendment to Assembly Bill No. 418.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the words "inland waters", and insert in lieu thereof the following: "rivers, inland waters or harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 419—An act to amend section 970 of the Civil Code, relating to the rules of navigation.

Committee Amendment to Assembly Bill No. 419.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 15, of the printed bill, strike out the words "inland waters", and insert "except rivers, harbors and other inland waters"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 420—An act to amend the Civil Code by adding a new section thereto, to be numbered 974, relating to liability for damages by a vessel, or its owner, when said vessel is operated at an excessive rate of speed, or in such manner as to cause damage or injury to other vessels or the contents, furnishings or fixtures thereof.

Committee Amendments to Assembly Bill No. 420.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the word "register", insert the following: "travelling through the territorial waters of this State, other than rivers inland waters or in harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out the word "five", and insert in lieu thereof the word "ten".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 421—An act to amend the Civil Code by adding a new section thereto, to be numbered 976, relating to lifeboat drills on vessels of 500 gross tons or over, providing for suitable life preservers and instructions for passengers, the rendering of reports by masters of vessels certifying compliance with the provisions of this section, and prescribing the penalty for violation thereof.

Committee Amendment to Assembly Bill No. 421.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "inland waters", and insert in lieu thereof "rivers, inland waters or harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 422—An act to amend the Civil Code by adding a new section thereto, to be numbered 977, relating to the speed of vessels of 1,000 gross tons or more, when moving through a fog, mist or rain, and to the payment of damages to other vessels or persons where the provisions of this section are violated.

Committee Amendments to Assembly Bill No. 422.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the words "inland waters", and insert in lieu thereof "rivers, inland waters and harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment No. 2.

On page 1, lines 6 and 7, of the printed bill, strike out the words "at a speed of not more than five miles per hour", and insert in lieu thereof the words "at a moderate

rate of speed in view of existing conditions, not exceeding however a speed in excess of five nautical miles per hour".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1322—An act to add a new section numbered 289a to the Harbors and Navigation Code, relating to the speed of vessels of 1,000 gross tons or more when moving through a fog, mist, or rain, and to the payment of damages to other vessels and other persons where the provisions of this section are violated.

Committee Amendments to Assembly Bill No. 1322.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the words "inland waters", and insert in lieu thereof "rivers, inland waters and harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment No. 2.

On page 1, lines 6 and 7, of the printed bill, strike out the words "at a speed of not more than five miles per hour", and insert in lieu thereof the words "at a moderate rate of speed in view of existing conditions, not exceeding however a speed in excess of five nautical miles per hour".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1323—An act to add a new section numbered 289 to the Harbors and Navigation Code, relating to lifeboat drills on vessels of 500 gross tons or over and prescribing penalties for the violation thereof.

Committee Amendment to Assembly Bill No. 1323.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "inland waters", and insert in lieu thereof "rivers, inland waters or harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1324—An act to add a new section numbered 288 to the Harbors and Navigation Code, relating to liability and damages for the negligent operation of vessels.

Committee Amendments to Assembly Bill No. 1324.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the word "register", insert the following: "travelling through the territorial waters of this State, other than rivers, inland waters or in harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out the word "five", and insert in lieu thereof the word "ten".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1325—An act to amend section 287 of the Harbors and Navigation Code, relating to rules of navigation

Committee Amendment to Assembly Bill No. 1325.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 15, of the printed bill, strike out the words "inland waters", and insert in lieu thereof the following: "except rivers, harbors and other inland waters".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1326—An act to add a new section numbered 286 to the Harbors and Navigation Code, relating to medical and hospital facilities on vessels over 1,000 gross tons and prescribing penalties for the violation thereof

Committee Amendment to Assembly Bill No. 1326.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the words "inland waters", and insert in lieu thereof the following: "rivers, inland waters or harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1327—An act to add a new section numbered 298 to the Harbors and Navigation Code, relating to the operation of vessels at excessive rates of speed in fog, mist, or rain, and prescribing the penalties for violation thereof.

Committee Amendment to Assembly Bill No. 1327.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the words "inland waters", insert "rivers and harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1329—An act to add a new section to be numbered 296 to the Harbors and Navigation Code, relating to the operation of vessels going in or out of harbors of this State at night time or in a fog, mist, or rain, providing for the maintenance of lookouts thereon, and prohibiting the allowing of passengers within 100 feet of such lookout, and prescribing penalties for violation thereof

Committee Amendment to Assembly Bill No. 1329.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out from lines 4, 5, and 6, the following words: "in or out of a harbor of this State, or while travelling within three miles of land "except vessels travelling solely through inland waters"", and insert in lieu thereof the following: "through the territorial waters of this State other than rivers, inland waters or the harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1330—An act to add a new section numbered 295 to the Harbors and Navigation Code, prohibiting the operation of vessels at excessive rates of speed while passing other vessels, and prescribing the penalty for violation thereof

Committee Amendments to Assembly Bill No. 1330.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out from lines 4, 5, and 6, the following words, "other than ferries travelling solely within the limits of a bay or harbor, travelling through the territorial waters of this State, other than inland waters", and insert in lieu thereof the following: "travelling through the territorial waters of this State, other than rivers, inland waters or in harbors subject to the jurisdiction or control of any harbor board, commission or other public authority".

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out the word "five", and insert in lieu thereof the word "ten".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1331—An act to add a new section numbered 294 to the Harbors and Navigation Code, relating to lifeboat drills on vessels, and prescribing a penalty for the violation of the provisions thereof.

Committee Amendment to Assembly Bill No. 1331.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "upon", insert the following "harbor, river or other".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1332—An act to add a new section numbered 293 to the Harbors and Navigation Code, relating to the negligent operation of vessels and prescribing penalties for the violation thereof

Committee Amendments to Assembly Bill No. 1332.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "land", insert the following: "other than vessels operating on rivers, inland waters or in harbors subject to jurisdiction or control of any harbor board, commission or other public authority"

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out the word "five", and insert in lieu thereof the word "ten".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 386—An act to amend section 224 of the Civil Code, relating to the adoption of children.

Committee Amendments to Assembly Bill No. 386.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "of", insert the following ", and to add section 227b to".

Amendment No. 2.

On page 1 of the printed bill, after line 28, insert the following.

"SEC. 2. Section 227b is hereby added to the Civil Code to read as follows.

227b. If any child heretofore or hereafter adopted under the foregoing provisions of this code shows evidence of being feebleminded, epileptic or insane as a result of conditions prior to the adoption, and of which conditions the adopting parents or parent had no knowledge or notice prior to the entry of the decree of adoption, a petition setting forth such facts may be filed by the adopting parents or parent with the court which granted the petition for adoption. If such facts are proved to the satisfaction of the court, it may make an order setting aside the decree of adoption

The petition must be filed within whichever is the later of the following time limits: (a) Within five years after the entering of the decree of adoption, or (b)

Within one year after the effective date hereof, if such a condition were manifest in the child within five years after the entering of the decree of adoption.

In every action brought under this section it shall be the duty of the district attorney of the county in which the petition is filed to represent the adopted child."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2557—An act to amend section 1431 of the Penal Code, relating to change of venue.

Committee Amendment to Assembly Bill No. 2557.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, after the words "when the defendant", insert the following: "and his attorney".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1101—An act to amend section 447 and section 448 of the Code of Civil Procedure, relating to pleading of written instruments.

Committee Amendment to Assembly Bill No. 1101.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 2, line 9, of the printed bill, after the word "instrument", insert the words "a copy of which is".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1027—An act to add section 1182.5 to the Penal Code, relating to evidence on motion for new trial.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1301—An act to add section 690.25 to the Code of Civil Procedure, relating to the levy of execution on interests in estates.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1037—An act to amend section 1127 of the Penal Code, relating to instructions and comment in criminal cases.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 472—An act to amend section 1500 of the Civil Code, relating to the extinction of pecuniary obligations.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 341—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 29—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 34—An act to add section 3a to the Improvement Bond Act of 1915, relating to the rate of interest of bonds issued under the act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 35—An act to add section 3a to "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to the rate of interest on bonds.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 36—An act to add section 60a to the Improvement Act of 1911, relating to the rate of interest of bonds issued under the act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 217—An act to amend section 799 of the Fish and Game Code, relating to abalones

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 379—An act to authorize boards of trustees of school districts to pay certain claims.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 139—An act to add a new section to the California Irrigation District Act to be numbered section 48 1, relating to time in which action may be commenced.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 140—An act to add a new section to the California Irrigation District Act to be numbered section 47.1, relating to time in which actions may be commenced

Bill read second time, and ordered on third reading calendar

Senate Bill No. 148—An act to add section 48b to the California Irrigation District Act, relating to the discharge, compromise, and purchase of overlapping tax or assessment liens and titles on district-owned property.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 149—An act to amend section 11 of the California District Securities Commission Act, relating to the levy of annual assessments by irrigation districts, providing that said section shall remain in effect until November 1, 1939, declaring this act an emergency measure enacted under the police power, providing that this act shall not apply to refunding bonds of irrigation districts issued pursuant to a plan or readjustment confirmed in any proceedings under the Federal Bankruptcy Act, and authorizing the levy of assessments in accordance with the terms of such bonds.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 193—An act relating to the redemption of property sold to irrigation districts for delinquent assessments.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 753—An act to amend section 32a of the California Irrigation District Act, relating to the issuance of funding and refunding bonds and the approval of plans and modifications of plans for refunding of indebtedness of irrigation districts, and declaring the urgency thereof.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1099—An act to amend section 42 of the California Irrigation District Act, relating to publication of the delinquent list

Bill read second time and ordered on third reading calendar.

Senate Bill No. 218—An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties, and also for investigating, gathering statistics and maintaining records as to matters affecting the economic welfare of their several counties and their inhabitants.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 636—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof," approved May 1, 1911, relating to the use and transfer of such lands; declaring the urgency thereof; and providing this act shall take effect immediately.

Committee Amendments to Senate Bill No. 636.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, after the word "may", insert the following: "give or".

Amendment No. 2.

On page 1, line 11, of the printed bill, as amended, strike out the words "the right", and insert in lieu thereof the following "such part of the tidelands and submerged lands described herein, whether filled or unfilled, as shall be required".

Amendment No. 3.

On page 1, line 12, of the printed bill, as amended, strike out the words "and highways upon, and structures", and insert in lieu thereof the following: ", highways, and transportation facilities thereof or thereto upon, and structures and facilities,".

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred:

Assembly Bill No. 636.

Respectfully reports the same back with the recommendation: Do pass.

LYON, Chairman

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 1500.
Assembly Bill No. 1501.
Assembly Bill No. 1573.
Assembly Bill No. 8.
Assembly Bill No. 1683.

Respectfully reports the same back with the recommendation: Do pass.

LORE, Chairman

The above reported bills ordered on second reading calendar.

On Public Charities and Corrections.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No. 1875.

Respectfully reports the same back with the recommendation: Do pass.

PELLETIER, Chairman

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 1249.
Assembly Bill No. 2623.
Respectfully reports the same back with the recommendation: Do pass as amended
CLARK, Chairman.

The above reported bills ordered on second reading calendar

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred:
Assembly Bill No. 1879.
Respectfully reports the same back without recommendation, as amended.
LORE, Chairman.

The above reported bill ordered on second reading calendar.

On State Colleges.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on State Colleges, to which was referred:
Assembly Bill No. 586. **Assembly Bill No. 2360.**
Assembly Bill No. 1697.
Respectfully reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.
BURNS, HUGH M., Chairman.

The above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on State Colleges, to which was referred:
Assembly Bill No. 614. **Assembly Bill No. 851.**
Assembly Bill No. 848.
Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means
BURNS, HUGH M., Chairman

The above reported bills re-referred to Committee on Ways and Means.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:
Assembly Bill No. 1283.
Respectfully reports the same back without recommendation, as amended.
SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

On Universities.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Universities, to which was referred:
Assembly Bill No. 188.
Respectfully reports the same back with the recommendation: Do pass as amended.
DANNENBRINK, Chairman.

The above reported bill ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:
Senate Bill No. 459.
Senate Bill No. 901.
Respectfully reports the same back with the recommendation: Do pass.
SAWALLISCH, Chairman.

The above reported bills ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 1813.
Respectfully reports the same back without recommendation, as amended.
O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 36.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 80—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Natural Resources, Division of Parks, over and appertaining to the State Burial Grounds to the Department of Finance of the State of California, and to repeal certain acts specified herein;

Senate Bill No. 282—An act to amend section 1425 of the Penal Code, relating to the criminal jurisdiction of justices' courts;

Senate Bill No. 399—An act to amend section 47 of the California Irrigation District Act, relating to redemption of property sold for delinquent assessments.

Senate Bill No. 560—An act to repeal an act entitled "An act relating to the attendance of pupils attending school in a district other than the district in which they reside," approved April 6, 1929; to repeal sections 3.174, 3.301, 3.302, 3.303 3.304, 3.305, 3.306, 3.307, 3.308, 3.309, 3.415 and 3.416 of the School Code; and to add three new sections to the School Code to be numbered 2.21, 2.22 and 3.301, all relating to the attendance of pupils residing in one district upon the schools of another district;

Senate Bill No. 643—An act to repeal "An act relating to the apportionment of moneys to elementary school districts," approved May 31, 1929; to repeal sections 4.784 and 4.796 of the School Code; and to amend sections 4.774, 4.785 and 4.797 thereof, all relating to the apportionment of funds to elementary school districts;

Senate Bill No. 649—An act to prohibit the interference with the delivery of food and medical supplies, and prescribing a penalty for the violation of the same;

Senate Bill No. 727—An act to add a new section to "The Personal Income Tax Act of 1935" to be numbered 20.5, relating to refunds;

Senate Bill No. 893—An act to amend sections 251, 308, 340, 344, 351, 352, 361, 368, 369, 374, 377, 404 and 425 of, to add four new sections to be numbered 503, 504, 505 and 506 to, and to repeal sections 603, 611, 641 and 642 of the Streets and Highways Code, relating to the descriptions of various State highway routes;

Senate Bill No. 904—An act to amend section 809 of the Agricultural Code, relating to walnuts.

Senate Bill No. 1051—An act to add section 366f to the Political Code, relating to the conditions of employment at the Preston School of Industry;

Senate Bill No. 1052—An act to add section 1278 to the Welfare and Institutions Code, relating to conditions of employment at Preston School of Industry.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 80 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 282 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 399 read first time, and referred to Committee on Irrigation.

Senate Bill No. 560 read first time, and referred to Committee on Education.

Senate Bill No. 643 read first time, and referred to Committee on Education.

Senate Bill No. 649 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 727 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 893 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 904 read first time, and referred to Committee on Agriculture.

Senate Bill No. 1051 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 1052 read first time, and referred to Committee on Prisons and Reformatories.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 98.
Assembly Bill No. 524.

Respectfully reports the same back with the recommendation: Do pass as amended

LORE, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1676.

And reports the same correctly re-engrossed

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 399.

Respectfully reports the same back without recommendation, as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 98—An act to amend section 2289 of the Political Code, relating to age of minor orphans, half orphans and abandoned children.

Committee Amendments to Assembly Bill No. 98.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "2289", and insert in lieu thereof the following: "2283, and to repeal sections 2284, 2287 and 2288 of, and to add sections 2284 and 2284a to,"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "age of".

Amendment No. 3.

On page 1 of the printed bill, strike out line 3 of the title, and insert in lieu thereof the following: "dren, declaring the urgency thereof and providing that it shall take effect immediately."

Amendment No. 4.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and on page 2, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 2283 of the Political Code is hereby amended to read as follows:

2283 There is hereby appropriated out of any money in the State Treasury not otherwise appropriated to each and every institution in this State conducted for the support and maintenance of needy minor orphans, half-orphans, abandoned children, or the child or children of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, and to each and every county, city and county, city, or town maintaining such orphans, half-orphans, abandoned children, or the child or children of a father who is incapacitated for gainful work by

permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or any or all of such classes of persons, and not in excess of the sum of $120 per annum for each such orphan, half-orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, supported and maintained in such institution or by such county, city and county, city, or town; but each abandoned child maintained by an institution must have been an inmate thereof for one year prior to such institution receiving aid therefor, as provided in this chapter, provided, however, that upon receiving such aid such institution shall also be entitled to reimbursement from the State for said year in a sum not in excess of $120 per annum for each such abandoned child where proof of abandonment sufficient to demonstrate the genuineness of the claim is presented to the State Board of Control; provided further, that in addition to the amount paid by the State for each orphan, half-orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, maintained in a private home or in an institution, the county, city and county, city, or town may pay for the support of such orphan, half-orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, an amount equal to the sum paid by the State, provided that in any case where any such orphan, half-orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, is denied aid by the county or city and county, upon a petition setting forth the facts in full as to the necessity of aid, verified by five reputable citizens of the county, city and county, city, or town, the applicant in any such case shall have the right of appeal direct to the State Board of Control for aid for such child and should this appeal be sustained by said board, payment must be made for the child as above provided

SEC. 2. *Sections 2284, 2287 and 2288 of the Political Code are hereby repealed*

SEC. 3. A new section to be numbered 2284 is hereby added to the Political Code to read as follows:

2284. 1. When and during such time as grants in aid are provided or made available by the United States Government for aid to dependent children in this State, the State Treasurer shall, from the sums so granted pay to each county and city and county (a) an amount which shall be used exclusively as aid to dependent children who come within the definition of dependent children under Title IV of the Federal Social Security Act, equal to one-third of the total sums expended as aid to such dependent children under this chapter, not counting so much of such expenditure with respect to any child for any month as exceeds the maximum provided in said Title IV, and (b) an additional amount equal to one-third of the total of the sums expended as administrative costs for aid to such dependent children

2. From the sums appropriated therefor by the State of California in section 2283 of this code, the State Treasurer shall pay to each county or city and county an additional amount which shall be used exclusively as aid to needy children eligible under this code equal to the amount provided to be paid by the State as aid for each child under said section after deducting therefrom that portion of the amount, if any, allowed under section 2284.1 (a) of this code which such State aid bears to the total amount of aid granted under this code to each child

3. From the sums appropriated therefor by the State of California in section 2283 of this code, the State Treasurer shall pay to each institution entitled thereto under this chapter aid in the amount provided in section 2283.

SEC. 4. A new section to be numbered 2284a is hereby added to the Political Code to read as follows:

2284a. The method of computing and paying the amount provided for in section 2283 and section 2284 of this code for each quarter, beginning with the quarter commencing April 1, 1937, shall be as follows

1. The State Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount to be paid for such quarter to each county or city and county under the provisions of section 2283 and 2284 of this code, such estimate to be based on a report filed by each county or city and county containing (a) its estimate of the total sum to be expended in such quarter in accordance with the provisions of this chapter, and stating the amount appropriated or made available by the county or city and county for such expenditure in such quarter, (b) records showing the number of needy children receiving aid under the authority of this chapter in the county, and (c) such other information and investigation as the State Department of Social Welfare may find necessary.

2. The State Department of Social Welfare shall then certify to the State Controller the amount so estimated by it, reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or

less than the amount which should have been paid to the county and city and county under this chapter for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the State Department of Social Welfare for such prior quarter

3. The State Controller shall thereupon draw the necessary warrants, and prior to the audit or settlement by the State Department of Social Welfare, and the State Controller, the State Treasurer shall pay to the treasurer of each county and city and county the amount so certified.

4. Reports of aid to needy children paid out under this chapter shall be presented by the respective counties and cities and counties at times and in the form prescribed by the State Department of Social Welfare. Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to said county or city and county as a credit to apply against advances made under subsection 1 of this section.

5. Claims for aid to needy children in institutions eligible under section 2283 of this code shall be presented by the institutions at times and in the form prescribed by the State Department of Social Welfare. Such claims shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, the State Controller shall draw the necessary warrant for the amount allowed in favor of the institution, and the State Treasurer shall pay the same on presentation.

SEC. 5. Claims for State aid granted under this act for the quarter ending March 31, 1937, shall be presented by the respective counties and cities and counties in the month of April, 1937. Upon receipt of each such claim the State Department of Social Welfare shall deduct from the amount thereof a sum equal to that portion of the amount, if any, theretofore claimed by or paid to such county or city and county from funds granted by the United States Government to the State of California for aid to dependent children which represents reimbursement of the amounts paid for such period as State aid under this act. The State Department of Social Welfare shall thereupon certify to the Controller the amount of the balance of said claim. The State Controller shall thereupon draw the necessary warrants and, prior to audit or settlement by the State Department of Social Welfare and the State Controller, the State Treasurer shall pay to the treasurer of such county the amount so certified.

Any deductions or additions determined upon audit of such claims by the State Department of Social Welfare and the State Controller shall be applied to reduce or increase the amount certified for any subsequent quarter as provided in section 2284a of this act.

SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health or safety within the meaning of section 1 of Article IV of the Constitution and shall take effect immediately.

The following is a statement constituting such necessity:

Under present law actual payment to the counties in reimbursement of the aid granted under this act is not possible until from three to twelve months after said aid has been paid out by such counties. The financial burden imposed by this waiting period has forced many counties to register warrants or borrow from banks in order to obtain the necessary funds. It is necessary that this measure, providing for payment of State and Federal reimbursement to the counties quarterly in advance, go into immediate effect so as to relieve the counties from the necessity and the cost of such borrowing."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 524—An act to amend section 4 of the Old Age Security Act of the State of California, approved May 28, 1929, as amended, relating to the signing of notices of aid which are to be recorded as liens.

Committee Amendments to Assembly Bill No. 524.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "4", and insert in lieu thereof the following: "15".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "as", and strike out lines 3 and 4, and insert in lieu thereof the following: "relating to aid to the aged, this act to take effect immediately."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and on page 2, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 15 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 15. (A) When and during such time as grants in aid are provided or made available by the United States Government for aid to the needy aged in this State, the State Treasurer shall pay to each county and city and county from the sums granted by the United States Government to the State of California for old age assistance, (1) an amount which shall be used exclusively as old age assistance equal to one-half of the total of the sums expended as old age assistance under this act, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (2) two and one-half per centum of said amount which shall be used for paying the costs of administering this act and for no other purpose.

(B) From the sums appropriated therefor by the State of California in section 21 of this act, the State Treasurer shall pay to each county and city and county an additional amount which shall be used exclusively for aid to needy aged equal to one-half of the amount paid by each county and city and county after deducting the amount paid to said county or city and county under section 15 A (1) of this act, except that the State shall pay the county and city and county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence, after deducting the amount paid under section 15 (A) (1) of this act.

(C) The method of computing and paying such amounts for each quarter, beginning with the quarter commencing April 1, 1937, shall be as follows:

(1) The State Department of Social Welfare shall, prior to the beginning of each quarter estimate the amount to be paid for such quarter to each county and city and county under the provisions of subdivisions (A), and (B) of this section such estimate to be based on a report filed by each county and city and county containing (a) its estimate of the total sum to be expended in such quarter in accordance with the provisions of this act, and stating the amount appropriated or made available by the county and city and county for such expenditures in such quarter, and if such amount is less than that portion of the total sum of such estimated expenditures which is required under this act to be paid each such county or city and county, the source or sources from which the difference is expected to be derived, (b) records showing the number of aged individuals receiving aid under authority of this act in the county, and (c) such other information and investigation as the State Department of Social Welfare may find necessary.

(2) The State Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county and city and county reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county and city and county under this act for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the State Department of Social Welfare for such prior quarter.

(3) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by the State Department of Social Welfare, and the State Controller, the State Treasurer shall pay to the treasurer of each county and city and county the amount so certified.

(D) (1) Reports of aid to aged paid out under this act shall be presented by the respective counties and cities and counties at times and in the form prescribed by the State Department of Social Welfare. (2) Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to said county or city and county as a credit to apply against advances made under terms of subsection (C) of this section. (3) The clerk of the board of supervisors of each county and city and county shall report monthly to the said State department in such manner and form as the latter may prescribe, the number of applications granted, and the grants of aid changed, revoked or suspended under this act by the board of supervisors during the preceding calendar month, together with copies of all applications received and a statement of the action of the board thereon.

SEC. 2. Claims for State aid granted under this act for the quarter ending March 31, 1937, shall be presented by the respective counties and city and county in the month of April, 1937. Upon receipt of each such claim the State Department of Social Welfare shall deduct from the amount thereof a sum equal to that portion of the amount, if any, theretofore claimed by or paid to such county or city and county from funds granted by the United States Government to the State of California for old age assistance which represents reimbursement of the amounts paid for such period as State aid under this act. The State Department of Social Welfare shall thereupon certify to the Controller the amount of the balance of

said claim. The State Controller shall thereupon draw the necessary warrants and, prior to audit or settlement by the State Department of Social Welfare and the State Controller, the State Treasurer shall pay to the treasurer of such county the amount so certified

Any deductions or additions determined upon audit of such claims by the State Department of Social Welfare and the State Controller shall be applied to reduce or increase the amount certified for any subsequent quarter as provided in subdivision (C) of section 15 of the act cited in the title hereof, as amended by this act.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health or safety within the meaning of section 1 of the Article IV of the Constitution and shall take effect immediately

The following is a statement of facts constituting such necessity:

Under present law actual payment to the counties in reimbursement of the aid granted under this act is not possible until from three to twelve months after said aid has been paid out by such counties. The financial burden imposed by this waiting period has forced many counties to register warrants or borrow from banks in order to obtain the necessary funds It is necessary that this measure, providing for payment of State and Federal reimbursement to the counties quarterly in advance, go into immediate effect so as to relieve the counties from the necessity and the cost of such borrowing."

Amendments adopted.

Bill read second time ordered to reprint and engrossment.

Assembly Bill No. 399—An act to amend section 1261 of the Agricultural Code, relating to produce dealers

Committee Amendments to Assembly Bill No. 399.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 1261", and insert in lieu thereof the following: "sections 1261, 1263, 1265, 1268, 1269, and 1273 and to repeal section 1272.5, as added by Chapter 715, Statutes of 1933".

Amendment No. 2.

On page 1, line 10, of the printed bill, after "stock products," insert the following: "hay, dried beans,".

Amendment No. 3.

On page 1, line 12, of the printed bill, after "milk products", insert the following "subject to the licensing and bonding provisions of Chapter 10 of Division IV"

Amendment No. 4.

On page 1, line 25, of the printed bill, after "who", insert the following. "contracts for or".

Amendment No. 5.

On page 2 of the printed bill, after line 18, insert the following:

"SEC. 2. Section 1263 of said code is hereby amended to read as follows:

1263. No person shall act as a commission merchant, dealer, broker or agent without having obtained a license as provided in this chapter. Every person, acting as a commission merchant, dealer, broker or agent as herein defined shall file an application with the director for a license to transact the business of commission merchant, dealer, broker, and/or agent, and such application shall be accompanied by the license fee herein provided for each specified class of business. Separate application shall be filed for each class of business

Such application shall in each case state the class or classes of farm products applicant proposes to handle, the full name of the person applying for such license, and if the applicant be a firm, exchange, association or corporation, the full name of each member of the firm, or the names of the officers of the exchange, association or corporation shall be given in the application. Such application shall further state the principal business address of the applicant in the State of California and elsewhere and the name or names of the person or persons authorized to receive and accept service of summons and legal notices of all kinds for the applicant. Such applicant shall further satisfy the director of his or its character, responsibility and good faith in seeking to carry on the business stated in the application.

In addition to the general requirements applicable to all classes of applications as in this section set forth, the following requirements shall apply to the class of application noted:

(a) Commission merchants: Each application shall include a schedule of commissions and charges for services, and such designated commissions and charges shall not be changed or varied for the license period except by written contract between the parties.

(b) Agents. Each application shall include such information as the director may consider proper or necessary, and shall include the name and address of applicant, and the name and address of each commission merchant, dealer or broker represented or sought to be represented by said agent, and the written indorsement or nomination of such commission merchant, dealer or broker.

The director shall thereupon issue to such applicant, a license entitling the applicant to conduct the business described in the application at the place named in the application for a year from the date thereof or until the same shall have been revoked for cause. Provided, however, that licenses of agents shall expire upon the date of expiration of the license of the principal for whom the agent acts. The director may also issue to each agent a card or cards, which shall bear the signature of said agent, separate cards being required for each principal. Any agent shall show said card or cards upon the request of any interested person.

Fraud or misrepresentation in making any application shall ipso facto work a revocation of any license granted thereunder. All indicia of the possession of a license shall be at all times the property of the State of California and each licensee shall be entitled to the possession thereof only for the duration of said license.

For filing the application herein described, each applicant must pay a fee as follows:

(a) Commission merchants: Twenty-five dollars for each year; provided, that a person licensed as a slaughterer under the provisions of Article 3 of Chapter 1 of Division III of this code shall be entitled to be licensed as a commission merchant without payment of further fees.

(b) Dealers: Twenty-five dollars for each year.

(c) Brokers: Twenty-five dollars for each year.

(d) Agents. One dollar for each year.

Should any commission merchant, dealer or broker fail, refuse, or neglect to apply for the renewal of a pre-existing license within thirty days after the expiration thereof, a penalty of forty per cent shall apply to and be added to the original fee of twenty-five dollars, and shall be paid by the applicant before the renewal license may be issued.

Any person who shall have been licensed as a commission merchant shall, upon application, be licensed also as a dealer and as a broker as defined herein, without payment of further fees, and shall thereupon conform to the parts of this chapter regulating the business of a dealer and/or broker. Any person who has applied for and received a license as a dealer or broker in the manner and upon payment of the fee herein set forth may apply for and secure a license as a commission merchant in addition to the license issued to him as such dealer or broker, without payment of further fee and upon further complying with those parts of this chapter regulating the licensing of a commission merchant. All licenses held by any licensee shall automatically expire on the expiration date of the particular license for which the license fee was paid.

SEC. 3. Section 1265 of said code is hereby amended to read as follows:

1265. Before any license is issued to any commission merchant, the applicant shall execute and deliver to the director a surety bond in the sum of five thousand dollars executed by the applicant as principal and by a surety company qualified and authorized to do business in this State as surety. Said bond shall be conditioned upon compliance with the provisions of the chapter and upon the faithful and honest handling of farm products in accordance with the terms of this chapter. Said bond shall be to the State in favor of every producer-consignor of farm products. Any producer-consignor of farm products claiming to be injured by the fraud, deceit or wilful negligence of any commission merchant may bring action upon said bond against both principal and surety in any court of competent jurisdiction to recover the damages caused by such fraud, deceit or wilful negligence, or the failure to comply with the provisions of this chapter. In case of failure by a commission merchant to pay producer-consignor creditors for farm products received from said consignors to be sold, the director shall proceed forthwith to ascertain the names and addresses of all consignor creditors of such commission merchant, together with the amounts due and owing to them and each of them by such commission merchant, and shall request all such consignor creditors to file a verified statement of their respective claims with the director. Such request shall be addressed to each known consignor creditor at his last known address. If a consignor creditor so addressed fails, refuses or neglects to file in the office of the director his verified claim as requested by the director within ninety days from the date of such request, the director shall thereupon be relieved of further duty or action hereunder on behalf of said consignor creditor. Upon ascertaining all claims and statements in the manner herein set forth, the director may then make demand upon the bond on behalf of those claimants whose statements have been filed, and shall have the power to settle or compromise said claims with the surety company on the bond, and is empowered in such cases to execute and deliver a release and discharge of the bond involved. Upon the refusal of the surety company to pay the demand, the director shall thereupon bring an action on the bond in behalf of said consignor creditors. Upon any action being commenced on said bond, the

director may require the filing of a new bond and immediately upon the recovery in any action on such bond such commission merchant shall file a new bond and upon failure to file the same within ten days in either case, such failure shall constitute grounds for the suspension or revocation of his license.

SEC. 4. Section 1268 of said code is hereby amended to read as follows:

1268. The director on his own motion may or upon the verified complaint of any interested party shall investigate, examine or inspect any transaction involving solicitation, receipt, sale or attempted sale of farm products by any person or persons acting or assuming to act as a commission merchant, dealer, broker or agent; failure to make proper and true account of sales and settlement thereof as in this chapter required, the intentional making of false statements as to condition, and quantity of any farm products received or in storage; the intentional making of false statements as to market conditions; the failure to make payment for farm products within the time required by this chapter; or investigate, examine or inspect any and all other injurious transactions, and in furtherance of any such investigation, examination or inspection, the director or any authorized representative may examine that portion of the ledgers, books, accounts, memoranda and other documents, farm products, scales, measures, and other articles and things used in connection with the business of such person relating to the transactions involved. When a producer-consignor, or seller, of farm products fails to obtain settlement satisfactory to him in any transaction after having notified the consignee, or buyer, a verified complaint may be filed with the director who shall undertake to effect a settlement, and in the event that he shall fail to effect such settlement, he shall cause a copy of such complaint, together with a notice of the time and place of hearing of such complaint, to be served personally or by mail upon such person. Such service shall be made at least ten days before the hearing, which shall be held at the place in which the transaction complained of is said to have occurred, or at the nearest office of the State Department of Agriculture, or in such other convenient place as the director in his discretion may determine. At the time and place appointed for such hearing the director or his agents, shall hear the parties to such complaint, and shall enter in the office of the director at Sacramento a decision either dismissing such complaint or specifying the facts established on such hearing. If upon such hearing the director determines from the facts specified that the licensee has violated any provision of section 1269 of this chapter, he shall, unless the offender has already made reparation to the person complaining, determine the amount of damage, if any, to which such person is entitled as a result of such violation, and shall make an order directing the offender to pay to such person complaining such amount on or before the date fixed in the order. A copy of such decision shall be furnished to each, every and all the respective parties thereto.

Should the licensee or respondent fail, refuse or neglect to attend such hearing after due and proper notice, the director is thereupon empowered to hear the complainant and, if the facts warrant, to enter the default of the licensee and to make such order as the facts may warrant.

SEC. 5. Section 1269 of said code is hereby amended to read as follows:

1269. The director may refuse to grant a license and may revoke or suspend any license, as the case may require, when he is satisfied of the existence of any of the following facts, the existence of which is hereby declared to be a violation of this chapter:

(a) That fraudulent charges or returns have been made by the applicant, or licensee, for the handling, sale or storage of, or for rendering of any service in connection with the handling, sale or storage of any farm products

(b) That the applicant, or licensee, has failed or refused to render a true account of sales, or to make a settlement thereon, or to pay for farm products received, within the time and in the manner required by this chapter.

(c) That the applicant, or licensee, has made any false statement as to the condition, quality or quantity of farm products received, handled, sold or stored by him.

(d) That the applicant, or licensee, directly or indirectly, has purchased for his or its own account farm products received by him upon consignment without prior authority from consignor together with price fixed by consignor or without promptly notifying the consignor of such purchase This shall not prevent any commission merchant from taking to account of sales, in order to close the day's business, miscellaneous lots or parcels of farm products remaining unsold, if such commission merchant shall forthwith enter such transaction on his account of sales.

(e) That the applicant, or licensee, has intentionally made any false or misleading statement as to the conditions of the market for any farm products.

(f) That the applicant, or licensee, has made fictitious sales or has been guilty of collusion to defraud the producer.

(g) That a commission merchant to whom any consignment is made has reconsigned such consignment to another commission merchant for the purpose of receiving, collecting, or charging by such means more than one commission for making the sale therefor for the consignor, unless by consent of such consignor.

(h) That the licensee was intentionally guilty of fraud or deception in the procurement of such license.

(i) That the licensee or applicant has failed or refused to file with the director a schedule of his charges for services in connection with produce handled on account of or as an agent of another; that the applicant, or licensee has indulged in any unfair practice.

(j) That the licensee has rejected, without reasonable cause, or has refused to accept, without reasonable cause, any farm product bought or contracted to be bought from a producer by such licensee.

(k) That the licensee has otherwise violated any provision of this chapter.

Previous violation by the applicant or by any person connected with him or it of any of the provisions of this chapter shall be good and sufficient ground for denial of a license.

SEC. 6. Section 1273 of said code is hereby amended to read as follows

1273. (1) Any person is guilty of a misdemeanor and is punishable by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year or by both who assumes or attempts to act as a commission merchant, dealer, broker or agent without a license, or who:

(a) Imposes false charges for handling or services in connection with farm products.

(b) Fails to account promptly, correctly, fully and properly and to make settlement therefor as herein provided.

(c) Intentionally makes false or misleading statement or statements as to market conditions.

(d) Makes fictitious sales or is guilty of collusion to defraud the producer.

(e) Directly or indirectly purchases for his own account, goods received by him upon consignment without prior authority from the consignor, or fails promptly to notify the consignor of such purchases, if any, on his own account. This clause does not prevent any commission merchant from taking to account of sales, in order to close the day's business, miscellaneous lots or parcels of farm products remaining unsold, if such commission merchant forthwith enters such transaction on his account of sales.

(f) Intentionally makes false statement or statements as to the grade, condition markings, quality or quantity of goods shipped or packed in any manner.

(g) Fails to comply in every respect with the provisions of this chapter.

(2) Civil suits and criminal prosecutions arising by virtue of any of the provisions of this chapter may be commenced and tried in either the county where the products were received by the commission merchant, dealer, broker or agent, or within the county in which the principal place of business of such commission merchant, dealer, broker or agent is located, or within the county in which the violation of this chapter occurred.

SEC. 7. Section 1272 5 of said code, as added by Chapter 715, Statutes of 1935, is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Third Reading of Assembly Bills.

Assembly Bill No. 1676—An act to add three new sections to the School Code to be numbered 1.120a, 5 64 and 5.95, and to add to Chapter II of Part IV of Division II of the School Code a new article to be known as Article VIII, relating to the testing of hearing and sight of pupils in the schools of the public school system.

Motion to Amend Assembly Bill No. 1676.

Miss Miller moved to amend Assembly Bill No. 1676 as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "2.121", and insert in lieu thereof the following "1.121".

Amendment No. 2.

On page 1, line 17, of the printed bill, as amended, strike out "; pro-", and strike out lines 18 and 19, and insert a period.

Amendments adopted.

Assembly Bill No. 1676 ordered to reprint, and re-engrossment.

Assembly Bill No. 1177—An act to amend the title of and sections 1, 2, 3, 4, 7, 9 and 10 and to add sections 7A, 7B, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 to an act entitled "An act to provide

for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act

Motion to Amend Assembly Bill No. 1177.

Mr. Meehan moved to amend Assembly Bill No. 1177 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of line 46, and down to and including the period in line 47

Amendment No. 2.

On page 2, line 52 of the printed bill, as amended, strike out the following "or of an oath".

Amendment No. 3.

On page 12, line 14, of the printed bill, as amended, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendment No. 4.

On page 12, line 27, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "4".

Amendment No. 5.

On page 12, line 38, of the printed bill, as amended, strike out the figure "6", and insert in lieu thereof the figure "5".

Amendment No. 6.

On page 12, line 45, of the printed bill, as amended, strike out the figure "7", and insert in lieu thereof the figure "6".

Amendment No. 7.

On page 13, line 25, of the printed bill, as amended, strike out the figure "8", and insert in lieu thereof the figure "7".

Amendment No. 8.

On page 13 of the printed bill, as amended, after the period in line 44, insert the following: "As to the quarter beginning July 1, 1937, such estimates shall be furnished as soon as may be after this amendment takes effect."

Amendment No. 9.

On page 16, line 7, of the printed bill, as amended, strike out the figure "9", and insert in lieu thereof the figure "8".

Amendment No. 10.

On page 16, line 43, of the printed bill, as amended, strike out the figure "10", and insert in lieu thereof the figure "9".

Amendment No. 11.

On page 16, line 45, of the printed bill, as amended, strike out the figure "21", and insert in lieu thereof the figure "20".

Amendment No. 12.

On page 17, line 5, of the printed bill, as amended, strike out the figure "11", and insert in lieu thereof the figure "10".

Amendment No. 13.

On page 17, line 7, of the printed bill, as amended, strike out the figure "22", and insert in lieu thereof the figure "21".

Amendment No. 14.

On page 17, line 38, of the printed bill, as amended, strike out the figure "12", and insert in lieu thereof the figure "11".

Amendment No. 15.

On page 17, line 40, of the printed bill, as amended, strike out the figure "23", and insert in lieu thereof the figure "22".

Amendment No. 16.

On page 20, line 45, of the printed bill, as amended, strike out the figure "13", and insert in lieu thereof the figure "12".

Amendment No. 17.

On page 20, line 46, of the printed bill, as amended, strike out the figure "25" and insert in lieu thereof the figure "23".

Amendment No. 18.

On page 20, line 48, of the printed bill, as amended, strike out the figure "9", and insert in lieu thereof the figure "23".

Amendment No. 19.

On page 21, line 1, of the printed bill, as amended, strike out the figure "14", and insert in lieu thereof the figure "13".

Amendment No. 20.

On page 21, line 1, of the printed bill, as amended, strike out the figure "26", and insert in lieu thereof the figure "24".

Amendment No. 21.

On page 21 of the printed bill, as amended, after line 6, insert the following: "SEC. 14. The provisions of this act providing for payments or advances by the State are not intended to and do not constitute an appropriation of money for such payments. Such payments or advances shall be made only in the event that moneys are made available therefor by another provision of law."

Amendments adopted.

Assembly Bill No. 1177 ordered to reprint, and re-engrossment.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No 1245 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 2186 re-referred to Committee on Fish and Game.

Assembly Bill No. 2187 re-referred to Committee on Fish and Game.

Assembly Bill No. 2188 re-referred to Committee on Fish and Game.

Assembly Bill No 2189 re-referred to Committee on Fish and Game.

Assembly Bill No. 2190 re-referred to Committee on Fish and Game.

Assembly Bill No 2385 re-referred to Committee on Agriculture.

Assembly Bill No. 1250 re-referred to Committee on Unemployment.

Assembly Bill No 1775 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1581 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2111 re-referred to Committee on Public Morals.

Assembly Bill No. 2195 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 2687 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 276 re-referred to Committee on Judiciary Codes.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 581.
Assembly Bill No. 583.
Assembly Bill No. 2385.
Respectfully reports the same back without recommendation, as amended

O'DONNELL, Chairman

The above reported bills ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 1601.
Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Chairman

The above reported bill ordered on second reading calendar

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 278.
Assembly Bill No. 890.
Assembly Bill No. 1641.
Assembly Constitutional Amendment No. 21.
Assembly Joint Resolution No. 29.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Adjournment.

At twelve o'clock m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day, until eleven o'clock a.m., Monday, March 29, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SIXTH LEGISLATIVE DAY
EIGHTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 29, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names.

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Latham, the further reading of the Journal of Friday, March 26, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Redwine, on motion of Mr. Field.

Mr. Corwin, on motion of Mr. Stream.

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Peek, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Myrtelle Gunsel, City Auditor of Long Beach.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ed Hill of Richmond.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Geo. W. Artz, Jr.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry S. Young of Chula Vista.

On request of Mr Fulcher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Margaret Young.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr Geo A. Morrison, and Donald E. Morrison, of Alhambra.

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Max Podley, vice president of the Santa Monica High School Student Body.

On request of the San Francisco Delegation the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Alice Maloney, daughter of Assemblyman Thomas Maloney of San Francisco.

On request of Mr. Kuchel, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank Pospaw of Placentia, Mrs. Frank Pospaw, and Mr Wm. Arnold of Los Angeles.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs John Stewart of Hemet

On request of Mr Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs W. Wray of Davis, Mrs Geo Burnell of Pasadena, Mrs Earl Shoesmith of Tracy, Mrs. John Stewart of Hemet, Mrs. Walter Higgins of Ukiah, Mrs. H. P. Dyer of San Francisco, Mrs Allen of San Diego, Mrs Geo. Rigg of Oakland, and Mrs. Jessie Williamson of Oakland, members of the State Board of California Federation of Women's Clubs.

Presentation of Petition.

The following petition was received and filed

By Mr. Speaker:

From several organizations and individuals, urging pardon of Thomas J. Mooney

Assistant Clerk Berry Reading.

Communication.

The following communication was received and read.

By Mrs. Daley.

INDIANAPOLIS, IND., March 29, 1937.

Hon. Jeanette E. Daley,
General Assembly, Sacramento.

Eleven o'clock Friday morning, April 2d, is quite satisfactory It will be necessary for me to leave Sacramento immediately after luncheon Friday in order to fill engagements in San Francisco. Kindest regards.

PAUL V. McNUTT

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1323.
Assembly Bill No. 1324.
Assembly Bill No. 1325.
Assembly Bill No. 1326.
Assembly Bill No. 1327.
Assembly Bill No. 1330.
Assembly Bill No. 1331.
Assembly Bill No. 1332.
Assembly Bill No. 1341.
Assembly Bill No. 1342.
Assembly Bill No. 1355.
Assembly Bill No. 1496.
Assembly Bill No. 1568.
Assembly Bill No. 1600.
Assembly Bill No. 1607.
Assembly Bill No. 1616.
Assembly Bill No. 1668.
Assembly Bill No. 1685.
Assembly Bill No. 1817.
Assembly Bill No. 1835.
Assembly Bill No. 1836.
Assembly Bill No. 1837.
Assembly Bill No. 1838.
Assembly Bill No. 1839.
Assembly Bill No. 1870.
Assembly Bill No. 1938.
Assembly Bill No. 1940.
Assembly Bill No. 2014.
Assembly Bill No. 2132.
Assembly Bill No. 2197.
Assembly Bill No. 2198.
Assembly Bill No. 2215.
Assembly Bill No. 2313.
Assembly Bill No. 2375.
Assembly Bill No. 2378.
Assembly Bill No. 2387.
Assembly Bill No. 2464.
Assembly Bill No. 2551.
Assembly Bill No. 2557.
Assembly Bill No. 2575.
Assembly Bill No. 2576.
Assembly Bill No. 2659.
Assembly Bill No. 2674.
Assembly Bill No. 2733.
Assembly Bill No. 1.
Assembly Bill No. 22.
Assembly Bill No. 30.
Assembly Bill No. 85.
Assembly Bill No. 98.
Assembly Bill No. 217.
Assembly Bill No. 266.
Assembly Bill No. 341.
Assembly Bill No. 409.
Assembly Bill No. 412.
Assembly Bill No. 413.
Assembly Bill No. 414.
Assembly Bill No. 415.
Assembly Bill No. 417.
Assembly Bill No. 418.
Assembly Bill No. 419.
Assembly Bill No. 420.
Assembly Bill No. 421.
Assembly Bill No. 422.
Assembly Bill No. 444.
Assembly Bill No. 472.
Assembly Bill No. 524.
Assembly Bill No. 579.
Assembly Bill No. 584.
Assembly Bill No. 737.
Assembly Bill No. 766.
Assembly Bill No. 771.
Assembly Bill No. 802.
Assembly Bill No. 830.
Assembly Bill No. 854.
Assembly Bill No. 856.
Assembly Bill No. 965.
Assembly Bill No. 1027.
Assembly Bill No. 1037.
Assembly Bill No. 1081.
Assembly Bill No. 1101.
Assembly Bill No. 1123.
Assembly Bill No. 1195.
Assembly Bill No. 1203.
Assembly Bill No. 1214.
Assembly Bill No. 1243.
Assembly Bill No. 1244.
Assembly Bill No. 1290.
Assembly Bill No. 1322.
Assembly Bill No. 2773.
Assembly Bill No. 2787.
Assembly Bill No. 2788.
Assembly Joint Resolution No. 9.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 21.
Assembly Bill No. 3.
Assembly Bill No. 990.
Assembly Bill No. 1206.
Assembly Bill No. 1229.
Assembly Bill No. 1253.
Assembly Bill No. 1446.
Assembly Bill No. 1757.
Assembly Bill No. 1941.
Assembly Bill No. 2027.
Assembly Bill No. 2607.
Assembly Bill No. 1177.
Assembly Bill No. 1676.

And reports the same correctly re-engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Concurrent Resolution No. 34.

And reports the same correctly enrolled, and presented to the Governor on this twenty-sixth day of March, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Gannon:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 269 of the Code of Civil Procedure, relating to phonographic reporters.

Referred to Committee on Introduction of Bills.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 26, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 21—An act to add section 377f to the Penal Code, relating to racing;

Senate Bill No. 92—An act to amend section 627 of the Penal Code, relating to trespass;

Senate Bill No. 98—An act to add section 1.4 to the State Narcotic Act, relating to habit-forming narcotic and other dangerous drugs and substances;

Senate Bill No. 233—An act to amend section 421 of the Fish and Game Code, relating to sporting fishing licenses;

Senate Bill No. 511—An act to amend sections 800, 803, 804, 814 and 815 of the Military and Veterans Code, relating to veterans' farm and home purchase

Senate Bill No. 528—An act to establish a State park to be known as the "William Brown Ide Memorial Park" in the city of Red Bluff, authorizing the Department of Natural Resources to select and purchase suitable lands for such park, and making an appropriation therefor,

Senate Bill No. 656—An act to amend section 124 of the Vehicle Code, relating to the administration of the California Highway Patrol;

Senate Bill No. 824—An act to amend section 755 of the Probate Code, relating to sales of property of the estates of decedents;

Senate Bill No. 820—An act to amend section 4300 of the Political Code, relating to public administrator's fees.

Senate Bill No. 869—An act to amend section 19 of the "Inheritance Tax Act of 1935," relating to inheritance taxation and more particularly to the time of payment to the State Treasurer of inheritance taxes collected by the county treasurers and interest thereon.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No 21 read first time and referred to Committee on Public Morals.

Senate Bill No 92 read first time, and referred to Committee on Irrigation.

Senate Bill No. 98 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 233 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 511 read first time, and referred to Committee on Soldiers and Sailors Affairs.

Senate Bill No. 528 read first time, and referred to Committee on State Grounds and Parks.

Senate Bill No. 656 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No 824 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 820 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 869 read first time, and referred to Committee on Revenue and Taxation.

SENATE CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Joint Resolution No. 30.
Assembly Joint Resolution No. 36.
Assembly Bill No. 1679.
Assembly Bill No. 1680.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended:

Assembly Joint Resolution No. 1.
Assembly Joint Resolution No. 4.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 968 An act making bonds issued by California Toll Bridge Authority legal investments for certain purposes;

Senate Bill No. 1094 An act to amend section 3714 of the Political Code, relating to annual financial estimates of counties.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 968 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 1094 read first time, and referred to Committee on County Government.

Second Reading of Assembly Bills.

Assembly Bill No. 1249—An act to amend section 6 2 of the School Code, relating to powers of boards of school trustees and city boards of education.

Committee Amendment to Assembly Bill No. 1249.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 7 to 12, inclusive, and insert in lieu thereof the following: "written in any admitted insurer."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2623—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5 1135, 5.1136, and 5 1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered section 5.1139 to the School Code

Committee Amendments to Assembly Bill No. 2623.

The following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to repeal an act entitled "An act to permit governing boards of school districts to provide for the payment of retirement salaries to the teachers and other employees thereof in the manner prescribed by this act", approved June 19, 1929, and to add a new part to Division V of the School Code, to be known as Part V, all relating to the retirement by school districts of employees thereof."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 23, both inclusive, and strike out all of pages 2, 3, 4 and 5, and insert in lieu thereof the following

"SECTION 1 The act cited in the title hereof is hereby repealed.

SEC. 2. A new part is hereby added to Division V of the School Code to be known as Part V, and to read as follows:

Part V—Retirement of Employees by School Districts

5.1100. In any school district in which employees of the district are not entitled to the benefits of a pension or retirement system maintained by a city, city and county, or county in which said district, or a part thereof, is located, the governing board of such district shall have power, in its discretion, to submit to the qualified electors of such district, and upon petition signed by not less than ten per cent (10%) of such qualified electors, such governing board shall submit, to said qualified electors of the district, the proposition of establishing a plan for a district retirement salary under the provisions of this article, to be paid by the district to all teachers fulfilling the requirements of said plan in the public schools of such district, and to such other employees of the district as the said governing board may determine, or, in the case of a petition, such other employees as may be specified in such petition, who may be retired under such plan as provided in this part, and to provide, out of funds of the district, a portion of the cost thereunder, including expenses incident to the administration of the plan, subject, however, to the provisions of this Part V. The word "teachers" as used in this Part V shall mean and be construed to mean all employees of school districts in positions requiring certification qualifications.

5.1101. The proposition of establishing such plan may be submitted to the electors of the district at any general or special election called and held in such district, and governing bodies of school districts desiring to submit such proposition to the electors of their respective districts are authorized to call and hold such elections.

If the governing board calling such an election is the governing board of more than one school district and calls elections in two or more districts to submit to the electors of the respective districts, on the same day, in the same territory, or in territory which is in part the same, the question whether a district retirement plan shall be established in such respective districts, such elections may be consolidated by order of such governing board. Within the territory affected by such order of consolidation, the election precinct polling places, and voting booths, shall, in every case, be the same; there shall be only one set of election officers in each such precinct; the propositions to be voted upon within the respective districts may be set forth on one ticket or ballot; all proceedings had in the premises shall be recorded in one set of election papers; and such election shall be held in all respects as though there were only one election.

Such election or elections may be consolidated with any other election under the provisions of an act entitled, "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, as amended.

The election shall be called by posting notices, signed by a majority of the governing board of the district, in at least three public places in the district, or, if more than one district is affected, then in at least three public places in each of the districts affected, not less than ten days before the election. If there is a newspaper of general circulation published in the district, or districts, notice must be published in such a newspaper at least once, and at least ten days prior to the election.

In all respects not otherwise specified herein, the election shall be called and held, the returns thereof canvassed and the result announced in the manner provided by law for the holding of elections for the purpose of authorizing bonds of such school district or districts, so far as the provisions of such laws are applicable.

There shall be printed on the ballots to be used at such election the proposition: "Shall the governing board of (here insert the name of the district or districts under the control of the board submitting the proposition) school district (or districts) be authorized to establish a plan for a district retirement salary for the teachers and such other employees of such district (or districts) as such governing board may determine." To the right of such proposition shall be printed the words "Yes" and "No" with voting squares.

If, at such election, a majority of the voters voting on such proposition cast their ballots in favor of the proposition, such governing board shall have the power, and it shall be its duty, to establish a district retirement salary for the teachers and for such other employees of the district as such board may determine.

If a majority of such voters on the proposition cast their votes in the negative, such governing board shall not submit such proposition again within a period of six months after the date of such election.

5.1102. Every teacher and every other employee of any school district for which such plan for district retirement shall be adopted as herein provided, who is employed by such district at the time of the adoption of such plan, and who signs an agreement to be subject to the burdens of such district retirement plan, shall be entitled

to the benefits and subject to the burdens of such plan and of this Part V. Every teacher employed in the public schools of the districts after the adoption of the provisions of this part by the governing boards of the districts, and such other employees as the boards may determine, shall be bound by the benefits and burdens of this part.

5 1103. That such plan shall not be adopted or established until the governing board, after such inquiry and hearing as it may direct, shall find that the respective contributions of said teachers and other employees and the district provided for in said plan, are substantially in accordance with the more recent generally prevailing rates of such contributions in public institutions which have established retirement systems, and that such plan is in accordance with sound business practice and with recognized actuarial methods.

That such plan may provide that the retirement salary shall be a stipulated monthly sum, or that all benefits under the retirement feature of said plan shall be based upon the monthly salary for each year of future active service in the district earned by said employee up to the date of retirement and upon the average monthly salary earned by the teacher or other eligible employee during the year immediately preceding the adoption of said plan and the number of years of past active service of said employee in the district, and subject to such provisions as may be made in said plan for minimum benefits, but no employee with less than ten years' service in the district prior to normal retirement age shall receive the benefit of any such minimum, provided, however, that in no instance shall such retirement benefits be based upon or allowed for any amount of salary in excess of the sum of $500 per month.

That such governing board, after the adoption of such plan, shall at regular intervals, each not exceeding a period of five years, secure a general survey and actuarial report of said plan, and said board shall from time to time amend said plan in such manner as may be found to be advisable to meet changed conditions, or as, in the light of experience, may be considered necessary.

A plan under which, as a part thereof, the district establishing the plan agrees to pay to employees who may become entitled to retirement salaries within a specified period, not exceeding fifteen years after the establishment of such plan, a specified sum or sums, which, during the life expectancy of such employees, will be approximately equal in the aggregate, to the aggregate difference during such life expectancy, between the maximum salary paid to employees in the respective class or classes of the retiring employees, and the salaries paid to beginning employees in such class or classes, shall be construed to comply with the requirements of this section.

For the purpose of providing funds which may be necessary to make the payments required by any such district retirement plan, district taxes shall be levied and collected annually by such respective districts at the same time and in the same manner as other district taxes are levied and collected. Such tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes.

5 1104. Every district retirement plan adopted pursuant to the provisions hereof, shall provide that only those teachers and other employees who have served as teachers or employees of the district for at least 20 years of full time service immediately preceding such retirement, including all years so served prior to July 1, 1937, and who shall have reached a minimum age specified in such district retirement plan, which age shall be not less than 60 years, shall be entitled to a district retirement salary, provided that such plan may provide for the retirement of teachers or other employees on account of disability after 15 years of service immediately prior to the retirement, the proportion of the disability retirement salary to the full retirement salary to be specified in the plan. Anything herein contained to the contrary notwithstanding, absence from service by reason of a leave of absence granted by the governing board of the district shall not be construed to interrupt the years of continuous service required by this section or by any district retirement plan adopted pursuant to the provisions hereof. Provided, that time of service may be counted in the aggregate and fractions of years amounting to whole years may be counted as whole years when payments by the teacher or other employee have been made for all of the time so counted.

5 1105. The governing boards of the districts shall in all cases determine the teachers and other employees who are entitled to retirement salaries, as provided in this part, and make and keep a list, which said list of such teachers and other employees shall be known as the retired list. For the purpose of making such retired list the boards may take testimony and examine witnesses under oath which said oath may be administered by any member of the board.

5 1106. The governing boards of the school districts shall have power to make all necessary and proper rules and regulations in aid or furtherance of the provisions of this part and in order to carry out and administer such provisions. A majority of the governing board of the district shall constitute a quorum for the transaction of all business under this part.

5 1107. All incidental expenses, including actual and necessary clerical or other help, incurred in carrying out the provisions of this part shall be paid out of the

said fund at the same time and in the same manner as other expenditures are paid from district funds, but the members of the said governing boards shall discharge the powers, duties, purposes, responsibilities and jurisdiction conferred or imposed upon said governing board under this part without extra or additional compensation

5.1108 The governing board of a district establishing such retirement plan, shall, as part of the plan, provide for the administration of the funds and the payment of retirement salaries by a "District Retirement Board" to be composed of not less than three nor more than seven members, who shall serve without compensation, and upon which retirement board the governing board of the district shall be represented and the teachers and other employees of the district subject to the plan shall be represented in proportion to the respective numbers of such teachers and other employees covered by the plan, by representatives chosen by such teachers and other employees by secret ballot All members of such retirement board shall serve for such terms as may be specified by the governing board in establishing the plan.

5.1109 The governing board of any district establishing such a plan must transfer, at least once each year, to the district retirement board established in such plan all sums in the district retirement fund, after paying incidental expenses, and thereafter said district retirement board shall have charge and control of such funds and of the payment of all retirement salaries and annuities payable therefrom. Said district retirement board shall have power to invest such funds in the manner in which funds under the control of the public school teacher's retirement salary fund board, established by Part IV of this code, or any successor to said board, may be invested.

5.1110. The retirement salaries provided for in this act shall be in addition to any other retirement salaries received by any teacher under Part IV of this division or as may be otherwise provided by law.

5.1111. The retirement salaries provided for in this act, for all employees other than teachers, shall be in addition to any other retirement salaries that may be provided by law.

SEC. 3. This act is hereby declared to be an urgency measure within the meaning of section 1, Article IV of the Constitution of the State of California, and it is deemed necessary for the immediate preservation of the public peace, health, and safety that this law shall go into immediate effect, and therefore this act shall become effective immediately.

The following is a statement of the facts constituting such necessity: The School Code was amended by the Legislature at its 1935 session to permit governing boards of school districts to discharge teachers who have reached the age of 65 years, which amendment will become effective September 1, 1937 Many boards of education desire to take advantage of the provisions of said amendment, and to avoid the hardships which will follow the discharge of many teachers aged 65 years or more and to avoid the possibility of placing such teachers and their families and dependents on relief rolls of their respective counties, such boards desire to establish district retirement plans for their employees, as authorized herein. This act requires that the establishment of such plan be submitted to the vote of the people of the school district, and many municipal and school district elections are to be held during the months of April and May, 1937, at which such propositions can be submitted to the voters of the respective districts, at a large saving to the taxpayers of the respective districts"

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division 1 of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive

Committee Amendments to Assembly Bill No. 1879.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out the semicolon and "or, in", and insert in lieu thereof a period and the following: "In".

Amendment No. 2.

On page 1, line 13, of the printed bill, after "vacancy," insert the following: "the member shall hold only".

Amendment No. 3.

On page 2, line 11, of the printed bill, after "103.", insert the following: "The Board of Social Welfare hereby established shall succeed to and is hereby invested with

all of the duties, powers, purposes, responsibilities and jurisdiction under this chapter, unless otherwise herein expressly provided."

Amendment No 4.

On page 2, line 15, of the printed bill, strike out "The", and insert in lieu thereof the following: "Except as otherwise provided by law, the".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 32 to 37, inclusive, and insert in lieu thereof the following:

"105. The board may appoint and employ an executive officer, who shall act as the secretary of the board, shall be the Director of the Department of Social Welfare, and shall serve at the pleasure of the board."

Amendment No. 6.

On page 2, line 41, of the printed bill, insert a comma after "ence".

Amendment No 7.

On page 2 of the printed bill, strike out lines 46 to 49, inclusive, and insert in lieu thereof the following:

"107. The board may employ such assistance as seems to it necessary for the administration of this chapter, subject to the provisions of the civil service laws."

Amendment No. 8.

On page 4, line 4, of the printed bill, strike out "if", and insert in lieu thereof the following: "or".

Amendment No. 9.

On page 4, lines 49 and 50, of the printed bill, strike out "board of public welfare or welfare commission", and insert in lieu thereof "county welfare agency".

Amendment No. 10.

On page 4, line 52, of the printed bill, strike out "board of".

Amendment No. 11.

On page 5, line 1, of the printed bill, strike out public welfare or county welfare commission", and insert in lieu thereof the following: "welfare agency".

Amendment No. 12.

On page 5, line 2, of the printed bill, strike out "either of".

Amendment No. 13.

On page 5, line 35, of the printed bill, after "special reports", insert the following: "at any time".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1500—An act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such housing authorities in cities, and cities and counties, having a population of more than 15,000 and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for a certification of the bonds by the Attorney General; to confer remedies on obligees of housing authorities; and to declare an emergency.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1501—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain and to provide that this act shall take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1573—An act to authorize cities, cities and counties, towns, counties, and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks, playgrounds, streets, and other improvements and facilities, by exercising certain other powers and by making agreements relating

to such aid; to authorize cities, cities and counties, towns, counties and other political subdivisions to contract with respect to the sums to be paid them for improvements, services and facilities to be provided for the benefit of housing projects; to require certain cities, cities and counties, and counties to make an appropriation for the first year's administrative expenses of housing authorities; to authorize certain cities, cities and counties, towns and counties to pay moneys to housing authorities; and to declare an emergency.

Motion to Amend Assembly Bill No. 1573.

Mr. Dannenbrink moved to amend Assembly Bill No. 1573 as follows.

Amendment No. 1.

On page 3, line 52, of the printed bill, strike out the word "shall", and insert in lieu thereof the following: "may".

Amendment No. 2.

On page 4, line 3, of the printed bill, strike out the word "shall", and insert in lieu thereof the following: "may".

Amendment No. 3.

On page 4, line 4, of the printed bill, after the article "a", and before the word "donation", insert the following: "loan or".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 8—An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1683—An act to add section 2263 to the Political Code, relating to courses in social service in the California School for the Blind.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 636—An act to amend sections 2, 3, 4, 7, 9, 11, 17, 22 and 23, and to add sections 24a and 24b to an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1875—An act to add section 5.5 and to amend sections 6 and 10 of "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by this State or any of its political subdivisions, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, relating to aid to the needy blind.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1283—An act to amend section 100 of, and to add section 122 to, the Insurance Code, and to add Chapter 14 to Part 2 of Division 2 of said code, providing for the regulation of insurance against the need for medical and hospital services, defining such services, providing standard provisions for such insurance, maintenance of reserves for the protection of insureds under such insurance pro-

viding for the licensing of persons entering into such contracts and rendering such services and providing penalties for the violation thereof.

Committee Amendments to Assembly Bill No. 1283.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, after the word "medicine", strike out the period, and insert "nor is it intended to apply to duly organized and existing employees' hospital associations or the hospital departments of any employer which are maintained in whole or in part by contributions from such employers and their employees."

Amendment No. 2.

On page 6, line 26, of the printed bill, after the word "State", strike out the period, and insert the following ", nor nonprofit hospital associations or hospital departments any of which are chiefly maintained by dues or contributions from employees of a common employer or of a group of affiliated employers, the services of which are confined to such employees, their dependents and members of their families and persons disabled in or by reason of the operations of the employer or group of employers.

11540.82 This chapter shall not affect fraternal orders, lodges, churches, labor unions, cooperative and nonprofit societies or organizations organized for mutual benefit of their members and families."

Amendment No. 3.

On page 6, line 27, of the printed bill, strike out "11540.82", and insert in lieu thereof "11540.83".

Amendment No. 4.

On page 2, line 6, of the printed bill, following the word "surgery", insert "or physician and surgeon certificate".

Amendment No. 5.

On page 5, line 29, of the printed bill, strike out the word "the", immediately preceding the word "practice".

Amendment No. 6.

On page 5, line 29, of the printed bill, strike out the words "of medicine", immediately following "practice".

Amendment No. 7.

On page 6, line 24, of the printed bill, following the word "medicine", insert "and surgery or a physician and surgeon certificate"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 188—An act for the construction of two radio broadcast stations and the maintenance and operation thereof by the University of California, and making an appropriation therefor

Committee Amendment to Assembly Bill No. 188.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of said bill from line 7 to line 22, both inclusive, being section 2 and section 3 of said bill

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1813—An act to amend section 762 of the Agricultural Code, relating to quality of tomatoes for canning purposes.

Committee Amendments to Assembly Bill No. 1813.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out "Subsection (1), section", and insert in lieu thereof the following: "Section".

Amendment No. 2.

On page 1 of the printed bill, between lines 2 and 3, insert the following:

"762. Tomatoes shall be suitable for canning purposes, and except in the case of the pear or plum types shall be vine-ripened. Tomatoes shall be acceptable if

spray residue thereon can be removed by washing according to common commercial canning practice. No tomato shall be regarded as suitable for canning purposes if

(a) Any worm or worms are present which have penetrated beyond the outer fleshy wall or fleshy core of the tomato.

(b) In excess of 10 per cent of the weight of the tomato can not be used for canning purposes, due to damage caused by worms.

(c) In excess of 10 per cent of the weight of the tomato can not be used for canning purposes, due to the presence of mold.

(d) In excess of 20 per cent of the weight of the tomato can not be used for canning purposes, due to presence of rot

(e) In excess of 25 per cent of the weight of the tomato can not be used for canning purposes, due to the presence of sunburn or sunscald.

(f) In excess of 25 per cent of the weight of the tomato can not be used for canning purposes, due to the presence of growth cracks

(g) In excess of 25 per cent of the weight of the tomato can not be used for canning purposes, due to the tomato being green or yellow at the butt (stem end).

(h) The tomato is sufficiently overripe, shriveled, frozen or frosted to make it useless for canning purposes."

Amendment No. 3.

On page 1, line 8, of the printed bill, after "chapter", strike out the comma, and insert in lieu thereof a period.

Amendment No. 4.

On page 1 of the printed bill, strike out lines 9 and 10, and insert in lieu thereof the following: "Such color shall be determined by examination of both the surface of the tomato and the fleshy part thereof."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2385—An act to repeal Articles 1, 3 and 5 and to amend Article 4 of Chapter 8, Division V of the Agricultural Code, and to add a new article to be numbered 1 to Chapter 8, Division V of the Agricultural Code, all relating to eggs and egg products.

Committee Amendments to Assembly Bill No. 2385.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 24, of the printed bill, as amended, after the word "show", strike out the words "traces of".

Amendment No. 2.

On page 3, line 4, of the printed bill, as amended, after the word "sound", strike out the comma and the words "provided they are not leakers", and insert in lieu thereof a period.

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 25 to 41, inclusive, and insert in lieu thereof the following:

"1102.2 Tolerances—The maximum number of eggs allowed as a tolerance in any case or lot of 30 dozen shall not exceed

(a) SPECIALS: Five per cent may consist of eggs not reasonably clean or sound, 10 per cent may consist of Extras

(b) EXTRAS: Five per cent may consist of eggs not reasonably clean or sound, 10 per cent may consist of Standards.

(c) STANDARDS: Fifteen per cent may consist of eggs not reasonably clean or sound.

(d) SIZE: Two per cent may be eggs of the next lower size than specified

On lots of less than 30 dozen eggs proportional tolerances shall be allowed; provided, however, that no lot or container of one dozen eggs shall include more than two eggs of any or all of the grades or qualities permitted in the above stated tolerances."

Amendment No. 4.

On page 4 of the printed bill, as amended, strike out lines 19 to 23, inclusive, and insert in lieu thereof the following:

"(f) When packed in accordance with the standards of grade and quality promulgated by the United States Department of Agriculture; provided, however, that containers and subcontainers bear proper certificate to the effect that such eggs have been graded by a Federal-State inspector."

Amendment No. 5.

On page 4 of the printed bill, as amended, between lines 41 and 42, insert the following:

"Eggs being delivered to any person in the State for candling, grading or storing are exempt from the provisions of this section.

The owner or person in possession of eggs which are to be used or disposed of as herein provided, or as provided in section 1103.2. must, upon the demand of any enforcing officer, give to such officer a sworn statement in writing made before a notary public specifying that the eggs were packed for such disposal."

Amendment No. 6.

On page 4, line 43, of the printed bill, as amended, strike out the words, "in manufacturing products for resale", and insert in lieu thereof the words, "for manufacturing purposes."

Amendment No. 7.

On page 6, line 27, of the printed bill, as amended, strike out the word "may", and insert in lieu thereof the word "shall".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 581—An act to add section 326 to the Agricultural Code, relating to the labeling of meat and meat food products.

Committee Amendments to Assembly Bill No. 581.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "326", and insert in lieu thereof the following: "303.1".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "326", and insert in lieu thereof the following: "303.1".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "326", and insert in lieu thereof the following: "303.1".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 583—An act to add section 325 to the Agricultural Code, relating to uninspected meat and meat food products

Committee Amendment to Assembly Bill No. 583.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "325", and insert in lieu thereof the following: "311.1".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "325", and insert in lieu thereof the following: "311.1".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "325", and insert in lieu thereof the following: "311.1".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1601—An act to add a new section to be numbered 302.5 to the Agricultural Code, relating to meat inspection.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 459—An act to amend sections 11690, 11691 and 11702 of the Insurance Code and to add sections 11556.5 and 11705.5 thereto, all relating to the workmen's compensation insurance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 901—An act to amend section 1195 of the Insurance Code, relating to investments by domestic incorporated insurers.

Bill read second time, and ordered on third reading calendar.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 33 was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 263 Waived.

Mr. Richie waived his notice of motion to reconsider the vote whereby Assembly Bill No. 263 was passed.

Assembly Bill No. 263 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1168.

In compliance with a notice given on a previous day, Mr. Latham moved that the vote whereby Assembly Bill No. 1168 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1168 refused reconsideration by the following vote:

AYES—Andreas, Cassidy, Clark, Daley, Dawson, Domhue, Flint, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Leonard, Lore, Maloney, McMurray, Meehan, Millington, Muldoon, Pelletier, Reaves, Richie, Robertson Sheehan, Tenney, Turner, Welsh, Yorty, and Mr. Speaker—32

NOES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cronin, Crowley, Cunningham, Desmond, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland Heisinger, Johnson, Kepple, Kuchel, Latham, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Morgan, Patterson, Peek, Rosenthal, Sawdlisch, Scudder, Stream, Thorp Walker, Watson, and Weber—36.

Assembly Bill No. 1168 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 1533 Continued.

On motion of Mr. Hunt, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1533 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 797 Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 797 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1487 Waived.

Mr. Kuchel waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1487 was passed.

Assembly Bill No. 1487 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 1786 Waived.

Mr. Yorty waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1786 was passed.

Assembly Bill No. 1786 ordered transmitted to the Senate.

Consideration of House Resolution No. 114.

House Resolution No. 114—Petitioning Congress to pass legislation for the acquisition of munition factories and distributing agencies for munitions during the time of war

House Resolution No. 114 read and adopted.

Consideration of House Resolution No. 115.

House Resolution No. 115—Petitioning Congress to adopt legislation for the conscription of wealth and the natural resources of the United States during the time of war

House Resolution No. 115 read and adopted.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Baynham:

An act to add section 13b to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing license fees.

By Mr. Crowley:

An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano.

By Mr. Kepple:

An act to amend section 1192 of the Code of Civil Procedure relating to mechanics liens.

By Mr. Gannon:

An act to amend section 269 of the Code of Civil Procedure, relating to phonographic reporters.

CALL, Chairman

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—66.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2816: By Mr. Baynham—An act to add section 13b to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing license fees.

Bill read first time, and referred to Committee on Public Morals.

Assembly Bill No. 2817: By Mr. Crowley—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2818: By Mr Kepple—An act to amend section 1192 of the Code of Civil Procedure relating to mechanics liens

Bill read first time, and referred to Committee on Judiciary Codes.

Assemby Bill No. 2819: By Mr. Gannon—An act to amend section 269 of the Code of Civil Procedure, relating to phonographic reporters.

Bill read first time, and referred to Committee on Judiciary Codes.

Withdrawal and Re-reference of Assembly Bill No. 934.

On motion of Mr. Cronin, Assembly Bill No. 934 was withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Labor and Capital.

Re-reference of Assembly Bill No. 1202.

On motion of Mr. Hornblower, Assembly Bill No. 1202 was withdrawn from the calendar, and re-referred to the Committee on Motor Vehicles.

Recess.

At twelve o'clock and ten minutes p.m., on motion of Mr King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened

Speaker Jones in the chair.

Special Order Set For Assembly Bill No. 1177.

On motion of Mr. Meehan, the consideration of Assembly Bill No 1177 was made a special order of business for Tuesday, March 30, 1937, at two o'clock and thirty minutes p m.

Third Reading of Assembly Bills.

Assembly Bill No. 2547—An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1132—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans, and of hospitals rendering services under any such hospital service plans.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2100—An act to establish a Labor Code, thereby consolidating and revising the law relating to labor and employment relations, and to repeal acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Richie Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1218—An act to amend sections 372, 702, 703, 704, and 705 of the Vehicle Code, relating to fees and weights of vehicles.

Motion to Amend Assembly Bill No. 1218.

Mr. Lyon moved to amend Assembly Bill No. 1218 as follows

Amendment No. 1.

On page 1, line 21, of the printed bill, after "vehicle", insert the following: "when equipped wholly with pneumatic tires"

Amendment No. 2.

On page 2 of the printed bill, after line 11, insert the following

"(d) Any vehicle designed, used or maintained as described in subdivision (a) hereof other than an electric vehicle when not equipped wholly with pneumatic tires shall pay fees for registration amounting to twice the fees imposed upon other vehicles having corresponding weights as specified in subdivision (c) hereof."

Amendments read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Lyon, Martin, Meehan, Millington, Morgan, Muldoon, O'Donnell, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—50

NOES—Beene, Breed, Burns, Michael J., Call, Cronin, Dilworth, Field, Hornblower, Johnson, Leonard, Maloney, Sheehan, Stream, and Williamson—14.

Request for Unanimous Consent.

Mr. Breed asked for, and was granted unanimous consent to take up Assembly Bill No. 1218, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1218, as Amended.

Assembly Bill No. 1218—An act to amend sections 372, 702, 703, 704, and 705 of the Vehicle Code, relating to fees and weights of vehicles.

Assembly Bill No. 1218, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—Fulcher, Muldoon, and Robertson—3.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 269—An act to add to the Labor Code sections 1120 and 1121 to be known as Chapter 7 of Part 3 of Division II, relating to the disciplining or discharging of any employee upon a report by a special agent, detective or so-called spotter, and repealing an act relating to the same subject.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond,

Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 338—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus

Motion to Amend Assembly Bill No. 338.

Mr. Rosenthal moved to amend Assembly Bill No 338 as follows.

Amendment No. 1.

On page 1 of the title of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following: "An act to add a new section to the Labor Code to be numbered 1682".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, strike out "tion 2a thereto"

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "act cited", and insert in lieu thereof the following: "Labor Code".

Amendment No. 4.

On page 1, line 2, of the printed bill, strike out "in the title hereof, to be numbered 2a," and insert in lieu thereof the following: "to be numbered 1682.".

Amendment No. 5.

On page 1, line 3, of the printed bill, strike out "Sec. 2a ", and insert in lieu thereof the following: "1682."

Amendments adopted.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 338, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 338, as Amended.

Assembly Bill No. 338—An act to add a new section to the Labor Code to be numbered 1682, relating to free employment bureaus

Assembly Bill No. 338, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2743—An act to amend section 4a of the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the

keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1667—An act to amend section 1 of an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts," approved March 22, 1905, relating to the granting of franchises.

Motion to Amend Assembly Bill No. 1667.

Mr. Dannenbrink moved to amend Assembly Bill No. 1667 as follows:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out "that certain act entitled "An act", and strike out lines 2 to 5, inclusive, and in line 6, strike out "22, 1905," and insert in lieu thereof the following: "the act cited in the title hereof".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "Street Franchises Granted on Condition."

Amendments adopted.

Request for Unanimous Consent.

Mr. Dannenbrink asked for, and was granted, unanimous consent to take up Assembly Bill No. 1667, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1667, as Amended.

Assembly Bill No. 1667—An act to amend section 1 of an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts," approved March 22, 1905, relating to the granting of franchises.

Assembly Bill No. 1667, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell,

Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 761—An act to amend sections 8, 9, 12 and 14 of an act entitled "An act to promote drainage," approved March 18, 1885, relating to drainage districts and to the manner of levying and collecting district assessments therein.

Bill read third time, and passed by the following vote

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 763—An act to add a new section to the Political Code to be numbered 3454½, relating to actions by or against reclamation districts.

Bill read third time, and passed by the following vote·

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 762—An act authorizing suits against the State to quiet title against it to swamp and overflowed lands by certain persons entitled to the benefits of an act entitled "An act for the protection of settlers on public lands claimed by the State," approved March 10, 1874.

Bill read third time, and passed by the following vote·

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—67

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1335—An act to amend sections 2906, 2907, 2908, 2910, 2911, 2914, 2915, 2917, 2919 and 2920 of the Political Code, and repealing sections 2916 and 2918, relating to franchises to construct and maintain public and private wharves, chutes, piers and slips.

Bill read third time, and passed by the following vote·

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser,

Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1599—An act authorizing the Division of State Lands to grant, convey and sell by deed, or any other proper legal conveyance, all the right, title and interest of the State of California in and to certain tide, overflowed and submerged lands described herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 260—An act to amend section 4300g of the Political Code, relating to witness fees.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 292—An act relating to the State prisons and the care and maintenance of prisoners therein; and to provide for the reimbursement of the State on account thereof in certain cases.

Motion to Amend Assembly Bill No. 292.

Mr. Stream moved to amend Assembly Bill No. 292 as follows:

Amendment No. 1.

On page 2, line 25, of the printed bill, strike out "capital", and insert in lieu thereof the following: "capita".

Amendment adopted.

Assembly Bill No. 292 ordered to reprint, and re-engrossment.

Assembly Bill No. 2326—An act to amend section 1 of an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913, as amended, and to add thereto a new section to be known as section 1½, relating to advertisements or solicitation for employees while negotiations to establish working conditions or to settle labor disputes are pending, and requiring a copy of said advertisement and a statement identifying the employer concerned to be filed with the Labor Commissioner where such identity does not appear in such advertisement or solicitation.

Motion to Amend Assembly Bill No. 2326.

Mr. Tenney moved to amend Assembly Bill No. 2326 as follows.

Amendment No. 1.

On page 2, line 24, of the printed bill, after "made,", insert the following: "such person, firm, association or corporation, or an officer or agent thereof".

Amendment adopted.

Assembly Bill No. 2326 ordered to reprint, and re-engrossment.

Assembly Bill No. 670—An act to amend sections 1278, 1280, 1281a and 1282 of the Political Code of the State of California to authorize the canvass of the returns of any election held throughout the county by the registrar of voters or the county clerk of the county whenever the board of supervisors of a county shall determine that the returns shall be canvassed in that manner, and providing for the declaration of the result by the board of supervisors of the canvass of returns.

Motion to Amend Assembly Bill No. 670.

Mr. Gannon moved to amend Assembly Bill No. 670 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, commencing with the word "of", strike out the remainder of the title, and insert in lieu thereof the following: "relating to the canvass of the returns of elections and the declaration of the results thereof".

Amendment No. 2.

On page 1, line 3, of the printed bill, after the word "meet", insert a comma

Amendment No. 3.

On page 1, line 11, of the printed bill, after the word "If", insert a comma.

Amendment No. 4.

On page 1, line 19, of the printed bill, after the word "received", insert a comma.

Amendment No. 5.

On page 2, line 10, of the printed bill, after the word "county", strike out the comma.

Amendment No. 6.

On page 2, line 37, of the printed bill, after the word "officers", strike out the word "of", and insert in lieu thereof the word "or".

Amendment No. 7.

On page 3, line 13, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 8.

On page 3, line 19, of the printed bill, strike out the word "votes", at the beginning of said line, and insert in lieu thereof the word "vote".

Amendments adopted.

Assembly Bill No. 670 ordered to reprint, and re-engrossment.

Assembly Bill No. 669—An act to amend the Direct Primary Law, approved June 16, 1913, as amended, by amending section 22 thereof to provide for the canvass of the returns of primary elections by the registrar of voters or county clerk of a county when directed so to do by the board of supervisors of said county.

Motion to Amend Assembly Bill No. 669.

Mr. Glick moved to amend Assembly Bill No. 669 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "amend", insert the following: "section 22 of".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, commencing with the word "approved", strike out the remainder of the said title, and insert in lieu thereof the following: "relating to the canvass of the returns of primary elections."

Amendment No 3.

On page 1, line 1, of the printed bill, strike out "Said act is hereby amended by amending sec-", and insert in lieu thereof the following: "SEC 22 of the act cited in the title hereof is hereby amended".

Amendment No. 4.

On page 1, line 2, of the printed bill, strike out the following: "tion 22 thereof".

Amendment No. 5.

On page 2, line 17, of the printed bill, strike out the comma.

Amendment No. 6.

On page 2, line 33, of the printed bill, strike out the word "members", and insert in lieu thereof the following: "member".

Amendments adopted.

Assembly Bill No 669 ordered to reprint, and re-engrossment.

Assembly Bill No. 584—An act to amend section 1197 of the Political Code, relating to election ballots.

Motion to Amend Assembly Bill No. 584.

Mr Heisinger moved to amend Assembly Bill No 584 as follows

Amendment No. 1.

On page 9, lines 42 and 43, of the printed bill, as amended, strike out "but which candidates have not designated themselves as representing any political party,".

Amendment adopted.

Assembly Bill No. 584 ordered to reprint, and re-engrossment.

Assembly Bill No. 906—An act to amend section 23 of the District Investigation Act of 1933 so as to exclude sanitary districts from the operation of said act.

Motion to Amend Assembly Bill No. 906.

Mr Williamson moved to amend Assembly Bill No 906 as follows.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the words "sanitary districts", insert "county sanitation districts, fire protection and county fire protection districts."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 16 and 23

Amendments adopted.

Assembly Bill No 906 ordered to reprint, and re-engrossment

Third Reading of Senate Bills.

Senate Bill No. 744—An act to amend section 2 of the State Contract Act, relating to the State Department of Finance.

Motion to Amend Senate Bill No. 744.

Mr. Gannon moved to amend Senate Bill No. 744 as follows:

Amendment No. 1.

On page 2, line 9, of the printed bill, as amended, strike out "or"

Amendment adopted.

Senate Bill No. 744 ordered to reprint, and third reading calendar

Senate Bill No. 895—An act to amend section 61 of the Bank Act, relating to investments in registered warrants of this State.

Motion to Amend Senate Bill No. 895.

Mr Williamson moved to amend Senate Bill No. 895 as follows:

Amendment No. 1.

On page 3, line 6, of the printed bill, strike out the period, and insert the following: ", or consolidated Federal Home Loan Bank bonds or debentures issued by the Federal Home Loan Bank Board in accordance with the provisions of the Federal Home Loan Bank Act."

Amendment adopted.

Senate Bill No. 895 ordered to reprint, and third reading calendar.

Senate Bill No. 218—An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties, and also for investigating, gathering statistics and maintaining records as to matters affecting the economic welfare of their several counties and their inhabitants.

Motion to Amend Senate Bill No. 218.

Mr Call moved to amend Senate Bill No. 218 as follows

Amendment No. 1.

On page 1 of the printed bill, strike out line 2, and insert in lieu thereof the following: "in each of the several counties within the State of California, when four-fifths of the members thereof vote therefor, are".

Amendment adopted.

Senate Bill No. 218 ordered to reprint, and third reading calendar.

Senate Bill No. 448—An act to add section 512 to the Vehicle Code, relating to speed limits in the vicinity of State institutions

Motion to Amend Senate Bill No. 448.

Mr. Crowley moved to amend Senate Bill No 448 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the figure "512", and insert in lieu thereof the figure: "512.5".

Amendment No. 2.

On page 1, line 2, of the printed bill, strike out the figure "512", and insert in lieu thereof the following: "512.5.".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out the figure "512", and insert the following: "512.5".

Amendments adopted.

Senate Bill No. 448 ordered to reprint, and third reading calendar.

Senate Bill No. 214—An act granting to the city of Pittsburg and its successors certain salt, marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon, and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands for wharf out privileges hereby granted.

Motion to Amend Senate Bill No. 214.

Mr. Sawallisch moved to amend Senate Bill No. 214 as follows:

Amendment No. 1.

On page 3 of the printed bill, between lines 7 and 8, insert the following:

"SEC 6 The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for any authorized public use without compensation to the city, its successors or assigns, or any person, firm or public or private corporation, claiming under it, except that in the event improvements have been placed upon the property taken by the State for public use, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest."

Amendment No. 2.

On page 3, line 8, of the printed bill, strike out the figure "6", and insert in lieu thereof "7".

Amendments adopted.

Senate Bill No. 214 ordered to reprint, and third reading calendar.

Notice of Motion to Reconsider Assembly Bill No. 2689 Continued.

On motion of Mr. Rosenthal, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2689 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2678 Continued.

On motion of Mr Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day

Notice of Motion to Reconsider Assembly Bill No. 1720 Waived.

Mr Flint waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1720 was passed.

Assembly Bill No. 1720 ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Reconsideration of Assembly Bill No. 1168.

Mr King moved to expunge the record and rescind the action whereby the Assembly on this day refused reconsideration to Assembly Bill No 1168.

Point of Order.

Mr Scudder rose to the following point of order: That Assembly Bill No. 1168 had gone to the Senate, and therefor was not the property of the House.

Ruling on Point of Order.

The Speaker ruled that the point of order was not well taken

The question being on the motion to expunge the record and rescind the action whereby Assembly Bill No 1168 was refused reconsideration.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. King moved a call of the Assembly.

Request for Roll Call.

On request of Messrs. Hunt, Latham, and Reaves, the Speaker ordered a roll call taken on the motion for a call of the Assembly

The roll was called, and the call of the Assembly ordered by the following vote.

AYES—Andreas, Call, Cassidy, Clark, Crowley, Daley, Desmond, Donohue, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, King, Kuchel, Laughlin, Maloney, McMurray, Meehan, O'Donnell, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Tenney, Turner, Watson, Williamson, Yorty, and Mr. Speaker—34.

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Hunt Johnson, Kepple, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor Millington, Muldoon, Peek, Sawallisch, Scudder, Sheehan, Stream, Thorp, and Weber—33

Time, four o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donohue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Meehan,

Miller, Eleanor, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—71

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Muldoon.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the conduct of investigations to determine in cooperation with the Federal Government suitable methods of beach protection and restoration and to promote and encourage the healthful recreation of the people, and providing an appropriation therefor.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 116. **Senate Bill No. 176.**
Senate Bill No. 614. **Senate Bill No. 550.**

Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 66.
Senate Bill No. 808.
Assembly Bill No. 2785.

Respectfully reports the same back with the recommendation: Do pass as amended.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 411.
Assembly Bill No. 1730.

Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman.

The above reported bills ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 61.
Assembly Bill No. 2136.

Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 516.
Senate Bill No. 730.
Respectfully reports the same back with the recommendation: Do pass as amended.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 348.
Assembly Bill No. 2255.
Senate Bill No. 90.
Senate Bill No. 156.
Senate Bill No. 419.
Senate Bill No. 428.
Senate Bill No. 498.
Senate Bill No. 499.
Senate Bill No. 714.
Senate Bill No. 852.
Senate Bill No. 1018.

Respectfully reports the same back with the recommendation: Do pass

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Banking, to which was referred:
Assembly Bill No. 1433.
Respectfully reports the same back without recommendation, as amended.

WILLIAMSON, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 8.
Assembly Bill No. 238.
Assembly Bill No. 1429.
Assembly Bill No. 1500.
Assembly Bill No. 1501.
Assembly Bill No. 1601.
Assembly Bill No. 1683.
Assembly Bill No. 1875.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Muldoon:

"An act to provide for the conduct of investigations to determine in cooperation with the Federal Government suitable methods of beach protection and restoration and to promote and encourage the healthful recreation of the people, and providing an appropriation therefor."

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M.; Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2820: By Mr. Muldoon—An act to provide for the conduct of investigations to determine in cooperation with the Federal Government suitable methods of beach protection and restoration and to promote and encourage the healthful recreation of the people, and providing an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Motion to Increase Special Committee.

On motion of Mrs. Daley, the Special Committee to receive and entertain the Hon. Paul V. McNutt was increased by two members.

Appointments to Special Committee.

Pursuant to the above motion, the Speaker announced the appointment of Messrs. Tenney and Gannon to said Special Committee

Motion Relative to Adjournment.

Mr. Williamson moved that the Assembly adjourn at the hour of three o'clock p.m., on Monday, April 3, 1937.

Motion carried.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 495—An act to add sections 3a and 12a to the California Districts Securities Commission Act, relating to the certification of bonds as available for legal investments and to the issuance of certificates of deposit for securities so certified;

Senate Bill No. 357—An act to repeal sections 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555 and 1556 of the Penal Code, and to add sections 1548, 1548.1, 1548.2, 1548.3, 1549, 1549.1, 1549.2, 1549.3, 1550, 1550.1, 1550.2, 1550.3, 1551, 1551.1, 1551.2, 1551.3, 1552, 1552.1, 1552.2, 1553, 1553.1, 1553.2, 1554, 1554.1, 1554.2, 1555, 1555.1, 1555.2, 1556, 1556.1 and 1556.2 to the Penal Code, all relating to proceedings against fugitives from justice and proceedings in this State against persons charged with crime in other States, and to make the law uniform with reference thereto;

Senate Bill No. 491—An act to amend sections 3197 and 3198 of, and to add sections 3197a, 3197b and 3197c to, the Political Code, relating to trade-marks;

Senate Bill No. 199—An act to add sections 1128 and 1129 to the Probate Code, relating to establishing a procedure for transfer of testamentary trusts after final distribution;

Senate Bill No. 875—An act to amend the California Irrigation District Act by amending section 61 thereof, relating to the incurring of indebtedness;

Senate Bill No. 62—An act to amend sections 1 and 1c of, and to add sections 1e, 1.5 and 13.5 to, the State Narcotic Act, relating to habit forming, narcotic and other dangerous drugs and substances;

Senate Bill No. 230—An act to add section 751.5 to the Agricultural Code, relating to the certification of barley;

Senate Bill No. 308—An act to amend section 80 of the Agricultural Code, relating to agricultural districts;

Senate Bill No. 33—An act to amend sections 2, 5, 21 and 23 of, and to add section 22.1 to the "Personal Property Brokers Act," relating to interest and charges;

Senate Bill No. 444—An act to amend section 1 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, as amended, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 495 read first time, and referred to Committee on Irrigation.

Senate Bill No 357 read first time, and referred to Committee on Crime Problems.

Senate Bill No 491 read first time, and referred to Committee on Judiciary General.

Senate Bill No 199 read first time, and referred to Committee on Judiciary Codes

Senate Bill No. 875 read first time, and referred to Committee on Irrigation.

Senate Bill No 62 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 230 read first time, and referred to Committee on Agriculture.

Senate Bill No. 308 read first time, and referred to Committee on Agriculture.

Senate Bill No. 33 read first time, and referred to Committee on Financial Institutions.

Senate Bill No. 444 read first time, and referred to Committee on Crime Problems.

SENATE CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 1103—An act to amend sections 270 and 270a of the Penal Code, relating to failure to provide;

Senate Bill No. 637—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees;

Senate Bill No. 638—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors;

Senate Bill No. 537—An act to amend an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such district to defray the expenses thereof," approved May 23, 1923, as amended, by adding a new section, to be numbered 10c, relating to maintenance of fire fighting equipment by cities within county fire protection districts;

Senate Bill No. 538—An act to amend an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, by amending section 7, relating to annual levy of taxes upon property in county fire protection districts.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 1103 read first time, and referred to Committee on Social Service and Welfare

Senate Bill No. 637 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 638 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 537 read first time, and referred to Committee on County Government.

Senate Bill No. 538 read first time, and referred to Committee on County Government.

SENATE CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 774—An act to add a new section to the Agricultural Code, to be numbered 1079, relating to the disposal of funds received under the provisions of Chapter 7 of Division V of said code, to declare the urgency thereof, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 774 read first time, and referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 7—Relative to memorializing Congress to enact legislation relating to disabled veterans.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Joint Resolution No. 7 referred to Committee on Federal Relations.

SENATE CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 6—Relative to memorializing the President and Congress of the United States to enact legislation that would result in financial aid in the construction of a neuro-psychopathic hospital for veterans of the World War.

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California amendments to the Constitution of said State by amending sections 2 and 34 of Article IV thereof, relating to sessions of the Legislature.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Joint Resolution No. 6 referred to Committee on Federal Relations.

Senate Constitutional Amendment No. 4 referred to Committee on Constitutional Amendments.

Withdrawal and Re-reference of Senate Bill No. 1089.

On motion of Mr. Millington, Senate Bill No. 1089 was withdrawn from the Committee on Conservation, and re-referred to the Committee on Drainage, Swamp and Overflowed Lands.

Withdrawal and Re-reference of Assembly Bill No. 1888.

On motion of Mr. Millington, Assembly Bill No. 1888 was withdrawn from the Committee on Conservation, and re-referred to the Committee on Drainage, Swamp and Overflowed Lands.

Withdrawal and Re-reference of Senate Bill No. 361.

On motion of Mr. Millington, Senate Bill No. 361 was withdrawn from the Committee on Conservation, and re-referred to the Committee on Drainage, Swamp and Overflowed Lands.

Withdrawal and Re-reference of Senate Bill No. 363.

On motion of Mr. Millington, Senate Bill No. 363 was withdrawn from the Committee on Conservation, and re-referred to the Committee on Drainage, Swamp and Overflowed Lands.

Further Proceedings Under Call of the Assembly Dispensed With.

At five o'clock p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. King.

The roll of absentees was called, and the motion to expunge the record and rescind the action whereby Assembly Bill No. 1168 was refused reconsideration lost by the following vote:

AYES—Andreas, Baynham, Boyle, Call, Cassidy, Clark, Daley, Dawson, Donihue, Flint, Fulcher, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Kuchel, Laughlin, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Tenney, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—40

NOES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Johnson, Kepple, Latham, Leonard, Levey, Lyon, Martin, Miller, Eleanor; Millington, Muldoon, Peek, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, and Weber—35.

Re-reference of Bills.

On motion of Mr. Thorp, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1601 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1496 re-referred to Committee on Agriculture

Assembly Bill No. 1184 re-referred to Committee on Ways and Means.

Assembly Bill No. 1 re-referred to Committee on Ways and Means.

Assembly Bill No 1244 re-referred to Committee on Revenue and Taxation.

Assembly Constitutional Amendment No. 21 re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 266 re-referred to Committee on Judiciary Codes

Assembly Bill No. 278 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 830 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1641 re-referred to Committee on Hospitals and Asylums

Assembly Bill No. 890 re-referred to Committee on Muncipal Corporations.

Assembly Bill No. 1870 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 965 re-referred to Committee on Labor and Capital.

Assembly Bill No. 2378 re-referred to Committee on Labor and Capital.

Assembly Bill No. 2313 re-referred to Committee on Public Morals.

Assembly Bill No. 2132 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2787 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1229 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 856 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 2375 re-referred to Committee on Roads and Highways.

Assembly Bill No. 2197 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2198 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2607 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 2733 re-referred to Committee on Judiciary General.

Assembly Bill No. 2387 re-referred to Committee on Building and Loan Associations.

Assembly Bill No. 1123 re-referred to Committee on Education.

Assembly Bill No. 1355 re-referred to Committee on Education.

Assembly Bill No 2014 re-referred to Committee on Education.

Assembly Bill No. 2027 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 412 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 413 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 414 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 415 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 417 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 418 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 419 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 420 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 421 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1322 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1323 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1324 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1325 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1326 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1327 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1330 re-referred to Committee on Commerce and Navigation.

Assembly Bill No 1331 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 1332 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 238 re-referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1421 re-referred to Committee on Judiciary General.

Senate Bill No. 200 re-referred to Committee on Municipal Corporations.

Adjournment.

At six o'clock p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day, until one o'clock and thirty minutes p m., Tuesday, March 30, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SEVENTH LEGISLATIVE DAY
EIGHTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 30, 1937

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called and the following members answered to their names.

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns Michael J., Call, Cassidy, Clark, Cottrell Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt Johnson, Kepple, King, Kuchel, Latham Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—74.

Quorum present.

Prayer.

Prayer was offered by Rev Wm F Ehmann, Chaplain of the Assembly

Reading of the Journal Dispensed With.

On motion of Mr Glick the further reading of the Journal of Monday, March 29, 1937, was dispensed with

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr Waters, on motion of Mr Cunningham

Mr Corwin, on motion of Mr. Stream.

Mr Peyser, on motion of Mr McMurray

Mr Redwine, on motion of Mr. Field

Motion to Print Prayer in Journal.

On motion of Mr Martin, the prayer offered by Rev Wm F Ehmann was ordered printed in the Journal.

Dear Lord, as we pause and look above,
Fill our hearts with Thy great love
Bless us through every moment of this day,
Help us in whatever we do or say.

Eternal Father here within this Assembly Chamber one of our number is indeed burdened and heavy-hadened. Destruction of property, loss of possessions and now she whom this one loves dearest his beloved wife, is stricken and yonder in another city fights courageously for her life and against the possible loss of sight

Thou art our refuge and our strength, O God, an ever present help in time of need, we need Thee at this moment and ask that Thou wilt richly bless Assemblyman Corwin and his family. Grant, O Lord, that the one afflicted be relieved from any intense bodily pain and that her sight be not destroyed Give unto this family a newness of life which shall be to them a joy beyond any joy they have ever known

Guests Extended Privilege of Assembly Floor.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Civics and Commercial Law classes of Esparto Union High School, F. B. Hopkins and Jeanette Greenwood, teachers, and the following students: Luella Archer, Thomas Archer, William Bahlman, Angelina Bei, Daryl Cadannasso, Janice Combs, Betty Covert, Frank Creamer, Wyatt Duncan, Chris Eowan, Mary Eowan, Winifred Erickson, Elmer Fitts, Harold Flesher, Joe Hartmann, John Hatanaka, Roy Hatanaka, Alfred Hayes, Bernick Hayes, Gladys Herman, Jane Holck, Bob Hulsman, Ellen Jensen, Robert Johnson, Jim Judy, LaVern Judy, Alfred Keisler, Howard Lederer, Ruth Lider, Margy Lloyd, Nieves Marcho, Teresa Marco, Robert Mast, Thelma McKinney, Haroldy Mezger, Francis Mezger, Chiyo Matsutani, Lucille Morrin, Doris Nardinelli, Agnes Ness, Leland Nichols, Irving Nordindall, Jack Oakes, Jim Panniagua, Julia Pescaglina, Waverly Peirce, Lloyd Rominger, Bill Rooney, Eftimeo Salonitis, Elton Shell, June Small, Ellaine Sovereign, Helen Spidell, Fred Stahl, Alfred Storz, Bob Stotts, Elbert Tadlock, Bill Thompson, Norman Tharp, Victoria Vanucci, George Wanshop, Fred Weaver, Maurice Wood, Sidney Wood, and Polly Woupious

On request of Mr Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sylvan School, Eugene M. Knight, teacher, and the following eighth grade students: Bob Wilder, Billy McIntyre, Donald Call, Doris Ware, Nila Ruth Clover, Donna May Thomas, Alice Urakawa, Billy Falkenstein, Charles Dent, Donald Pickering, Clarence Filkill, Wallace Boquist, Louise Crane, Marjory Cable, Stanley Stafford, Martena Terry, Paulena Terry, Mary Flint, Jack Van Maren, Bruce Ellithorp, Leon Ford, Marguerite Odell, Richard Root, Gary Whyte, Helen Gates, Wilbur Doll, Ethel Erickson, Doris Dever, Virginia Wagner, Harvey Gibson, Johnny Ciani, Claude Leiser, Carrie Neifert, Burley Lee Harper, Jean Ducan, Eldon Herr and Grace Sweitzer, and Mr. Alton Healey; driver.

On request of Mr Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant R. J. Wallace, Fresno Police Department, Geo. R. Sykes, Jr., Deputy County Treasurer, Fresno County.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to M A Pass and Bruce Gibson of San Mateo, and Chester Lipman of Burlingame.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry S O'Brien of Pasadena.

On request of Mr Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. E Pope, and Arthur L Maganini of Oakland

On request of Mr Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Modesto Citizenship Class of the Modesto Union High School, Miss Bernice Wood,

instructor, and Mrs. Becky Arnapole, Mrs. D. H. Brown, Mr. Heinreck Becke, Miss June Chapin, Mr. Joe C. Coito, Mrs. Katharina De Ve, Mr. and Mrs. Bromley Hill, Mrs. Celia Kaplan, Mr. Dan Mellia, Mr. C. H. Pritchard, Mr. Jean J. Page, Mrs Maud Teat, Mrs. Joanna Osterberg, Mrs. G. A. Velthoen, Mr. Louis Blattler, Mr. Joe Blattler, Eustace Rojas, Mrs. Annie Beltrami, Mrs. Anna Murray, Mrs. Clarence Aldrich, Miss Elizabeth McRoberts, Mrs. Asenath Raynor, and Mr Manuel V. Bettencourt.

On request of Mrs Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Julia C Osburn of El Centro, sister of Assemblywoman Jeanette E. Daley.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Margaret Walsh, Mrs. Geo. Mackey, Miss Helen McMurray, sisters of Assemblyman McMurray, and nephews—Noel Mackey and Alieen McBryan of Sacramento.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hartley Caldwell.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs. I. Kapean and daughter Helen

Presentation of Petition.

The following petition was received and filed:

By Mr. Speaker:

From several organizations and individuals, urging pardon of Thomas J. Mooney.

Assistant Clerk Berry Reading.

Notice of Motion to Withdraw Senate Bill No. 200 from Committee.

Mr Donnelly gave notice, in compliance with Rule 58, that he would move to withdraw Senate Bill No. 200 from the Committee on Municipal Corporations, and have it placed upon the calendar.

Withdrawal and Re-reference of Assembly Bill No. 978.

On motion of Mr. Gilbert, Assembly Bill No. 978 was withdrawn from the Committee on Elections, and re-referred to the Committee on Education.

Explanation of Vote on Assembly Bill No. 269.

By Mr. Miller:

Prior to consideration of Assembly Bill No. 269, I was called from the Assembly Chamber for a conference on one of the relief bills.

Had I been at my desk when the roll was called, I would have voted for this bill.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 386.
Assembly Bill No. 399.
Assembly Bill No. 538.
Assembly Bill No. 1329.
Assembly Bill No. 1610.
Assembly Bill No. 2196.
Assembly Bill No. 2622.
Assembly Bill No. 2684.
Assembly Bill No. 754.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred, **Senate Bill No. 330.**

Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman

The above reported bill ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred, **Assembly Bill No. 2796.**

Respectfully reports the same back without recommendation, as amended

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred, **Assembly Bill No. 2055.** **Assembly Bill No. 1638.** **Assembly Bill No. 64.**

Respectfully reports the same back without recommendation, as amended.

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred, **Assembly Bill No. 1834.**

Respectfully reports the same back with the recommendation: Do pass as amended.

ROSENTHAL, Chairman

The above reported bill ordered on second reading calendar

On Aviation and Aircraft.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1937.

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred **Assembly Bill No. 632.**

Respectfully reports the same back with the recommendation: Do pass as amended

GLICK, Chairman.

The above reported bill ordered on second reading calendar.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred **Assembly Bill No. 252.**

Respectfully reports the same back with the recommendation: Do pass as amended.

MILLER, GEORGE P., Chairman.

The above reported bill ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred, **Assembly Bill No. 867.**

Respectfully reports the same back without recommendation, as amended.

MILLER, GEORGE P., Chairman.

The above reported bill ordered on second reading calendar.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 2084.

Respectfully reports the same back with the recommendation: Do pass as amended

YORTY, Chairman

The above reported bill ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 2813.

Respectfully reports the same back with the recommendation: Do pass.

YORTY, Chairman

The above reported bill ordered on second reading calendar

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Senate Bill No. 378.
Senate Bill No. 413.

Respectfully reports the same back with the recommendation: Do pass.

HORNBLOWER, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 1794.
Assembly Bill No. 1586.
Assembly Bill No. 2799.
Assembly Bill No. 323.
Assembly Bill No. 206.
Senate Bill No. 555.

Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 658.
Assembly Bill No. 1270.

Respectfully reports the same back without recommendation, and be re-referred to Committee on Financial Institutions.

ROSENTHAL, Chairman.

The above reported bills re-referred to Committee on Financial Institutions.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1764.

Respectfully reports the same back without recommendation, as amended.

KING, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 2607.

Respectfully reports the same back with the recommendation. Do pass.

KING, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1625.
Assembly Bill No. 1626.
Assembly Bill No. 208.

Respectfully reports the same back without recommendation, as amended.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1034.
Assembly Bill No. 1798.

Respectfully reports the same back with the recommendation: Do pass as amended

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred.

Assembly Bill No. 135.
Assembly Bill No. 954.
Assembly Bill No. 977.
Assembly Bill No. 983.
Assembly Bill No. 1800.

Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Senate Bill No. 18.
Senate Bill No. 19.

Respectfully reports the same back with the recommendation: Do pass.

CRONIN, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 1137.
Assembly Bill No. 1139.
Assembly Bill No. 1721.

Respectfully reports the same back with the recommendation: Do pass as amended

CRONIN, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 494.
Assembly Bill No. 1491.

Respectfully reports the same back without recommendation, as amended

CRONIN, Chairman

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 292.
Assembly Bill No. 670.
Assembly Bill No. 669.
Assembly Bill No. 906.
Assembly Bill No. 2326.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 188.
Assembly Bill No. 348.
Assembly Bill No. 581.
Assembly Bill No. 583.
Assembly Bill No. 1249.
Assembly Bill No. 1283.
Assembly Bill No. 1573.
Assembly Bill No. 1813.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, March 29 1937

MR. SPEAKER: Your Committee on Elections, to which was referred.

Assembly Bill No. 1728.
Assembly Bill No. 2808.

Respectfully reports the same back with the recommendation: Do pass.

GILBERT, Chairman.

The above reported bills ordered on second reading calendar.

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 30, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 547—An act to amend subsection 5, and to add a new subsection to be numbered 10 to section 675 of the Political Code, empowering the Director of Finance to execute grants to real property belonging to the State to the United States of America, and to withdraw from sale public lands of the State;

Senate Bill No. 68—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined;

Senate Bill No. 225—An act to amend section 588 of the Vehicle Code, relating to angle parking;

Senate Bill No. 277—An act to add a new section to the Agricultural Code to be numbered section 132.5, relating to pest control;

Senate Bill No. 442—An act to amend section 1075 of the Agricultural Code, pertaining to economic poisons;

Senate Bill No. 441—An act to amend sections 1022, 1032, and 1037 of the Agricultural Code, relating to fertilizing materials;

Senate Bill No. 1028—An act to add section 2b to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to boundaries of municipal corporation;

Senate Bill No. 286—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages and areas contiguous thereto;

Senate Bill No. 945—An act to amend section 4241 of the Political Code, relating to the compensation of county officers in counties of the twelfth class.

J. A. BEEK, Secretary of Senate
By F ALFRED BLATZ, Assistant Secretary

Senate Bill No. 547 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 68 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 225 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 277 read first time, and referred to Committee on Agriculture.

Senate Bill No. 442 read first time, and referred to Committee on Agriculture.

Senate Bill No. 441 read first time, and referred to Committee on Agriculture.

Senate Bill No. 1028 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 286 read first time, and referred to Committee on County Government.

Senate Bill No. 945 read first time, and referred to Committee on County Government.

Second Reading of Assembly Bills.

Assembly Bill No. 2785—An act relating to radio intercommunication service between the State and several counties in the State and authorizing the State and the counties to enter into agreements in respect thereto and to defray the cost of such service.

Commitee Amendments to Assembly Bill No. 2785.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 3 and 4, of the printed bill, strike out "acting through the Bureau of Criminal Identification and Investigation".

Amendment No. 2.

On page 1, line 5, of the printed bill, after the word "radio", insert the following: "police".

Amendment No. 3.

On page 1, line 6, of the printed bill, strike out "supplementing the State's teletype system".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 411—An act to amend section 588 of the Vehicle Code, relating to parking.

Committee Amendments to Assembly Bill No. 411.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out the period, and insert in lieu thereof the following: "; except that local authorities may provide otherwise under the following circumstances ".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 9 to 15, inclusive, and insert in lieu thereof the following:

"(a) Where a State highway within a city is divided into two separate roadways with one-way traffic on each such roadway, each of which is not less than 50 feet in width from curb to curb, and the local legislative body has by ordinance permitted diagonal parking upon any of such roadways.

(b) Where a State highway is within a business district and the roadway thereof is surfaced and delineated by curbs on each side thereof, and such surfaced roadway between curbs is more than 65 feet in width, and there are no street car or other railway tracks on such roadway."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1730—An act to amend sections 220 and 222 of the Vehicle Code, relating to reports of stolen vehicles.

Committee Amendments to Assembly Bill No. 1730.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "signed"

Amendment No. 2.

On page 1, line 5, of the printed bill, after "report", insert the following: 'based on reliable information".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1433—An act to amend section 15 of the Bank Act, relating to the escheat of bank deposits unclaimed for more than 20 years, and requiring the deposit thereof and the increase and proceeds thereof, with the State Treasurer and providing a penalty for failure to make such deposits.

Committee Amendments to Assembly Bill No. 1433.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill strike out the title, and insert in lieu thereof the following:

"An act to amend section 15 of the Bank Act relating to the escheat of bank deposits unclaimed for more than 20 years and requiring the deposit thereof and the increase and proceeds thereof with the State Treasurer and providing for an action or proceeding to enforce such deposit; providing a penalty for failure to make such deposit and for an action to enforce the same; providing for certain reports and for nonliability of banks in case of suits by depositors and the defense of such suits"

Amendment No. 2.

On page 2, line 17, of the printed bill, strike out the words "all such", and all of lines 18 to 36, both inclusive, on said page 2, and insert in lieu thereof the following:

"All such amounts which shall have been on deposit with such bank for more than 20 years prior to the effective date of this act, together with the increase and pro-

ceeds thereof, shall be so deposited within 90 days from the effective date thereof, and as to all other such amounts, the same, together with the increase and proceeds thereof, shall be so deposited within 60 days from the expiration of said period of 20 years. All said amounts of money, with the increase and proceeds thereof, shall escheat to the State. The State Controller is hereby authorized to commence an action in mandate or other appropriate proceeding against any bank or banks which shall fail to deposit such amounts of money, with the increase and proceeds thereof, with the State Treasurer as hereinabove provided. Any bank which shall fail to deposit such amounts of money with the increase and proceeds thereof, as herinbefore provided, shall incur a penalty to the State of California in a sum of money equal to 1 per cent per month of the total amount of such deposit and the increase and proceeds thereof, from the last date upon which said deposit and the increase and proceeds thereof could have been deposited with the State Treasurer in compliance with the provisions of this act to the date of the deposit of such deposit and the increase and proceeds thereof with the State Treasurer, such penalty to be recovered in an action to be commenced by the State Controller, and the proceeds to be paid into the general fund of the State Treasury. Such penalty shall be in addition to any and all other obligations, requirements, penalties and forfeitures herein provided for."

Amendment No. 3.

On page 2 of the printed bill, strike out line 37, and strike out that part of line 38 on the same page reading "mant for 20 years".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 61—An act to amend sections 67 and 68 of the Fish and Game Code, relating to fish and game districts.

Committee Amendments to Assembly Bill No. 61.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "declaring the urgency of this act, to take effect immediately."

Amendment No. 2.

On page 1, line 8, of the printed bill, after "Santa Barbara," insert the following: "San Luis Obispo,"

Amendment No. 3.

On page 1, line 14, of the printed bill, strike out "San Luis Obispo,".

Amendment No. 4.

On page 1 of the printed bill, after line 15, insert the following

"SEC. 3. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into immediate effect. The following is a statement of the facts constituting such necessity

The seasons for the taking of certain fish and game within this State varies as between District 3 and District 4. By placing San Luis Obispo, Santa Barbara, and Ventura counties in District 3, rather than leaving them in District 4, a fire hazard, which is due to the presence of numerous hunters in areas subject to conflagration, will be eliminated. In order that the provisions of this act may become effective prior to the deer hunting season of 1937 it is necessary that this act take immediate effect."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2136—An act to add section 240 to the Fish and Game Code providing for and establishing a game refuge

Committee Amendments to Assembly Bill No. 2136.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend section 64 of the Fish and Game Code, relating to fish and game districts."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 9, and insert in lieu thereof the following:

"SECTION 1. Section 64 of the Fish and Game Code is hereby amended to read as follows:

64. District 1¾. The following shall constitute Fish and Game District 1¾. Those portions of the county of Modoc not included in other districts and that portion of the county of Siskiyou lying east of the Weed-Klamath Falls Highway between the north line of the county of Siskiyou and the town of Weed and east of the Pacific Highway between the town of Weed and the junction of Pacific Highway and the McCloud-Fall River Mills Highway and north and east of the McCloud-Fall River Mills Highway to the Siskiyou and Shasta County line and that part of Shasta County lying north and east of the McCloud-Fall River Mills Highway to its junction with the road to Lake Britton at Dickson Flat and east of that road through Burney Falls State Park to its junction with the Hat Creek Lassen Highway at the Redding-Alturas Highway and east of the Hat Creek Lassen Highway to Lassen Volcanic National Park and north and east of the north and east boundary of Lassen Volcanic National Park to its junction with the Lassen County line. That part of Lassen County north and east of the north and east boundary of the Lassen Volcanic National Park to its junction with the north line of District 25 and east of the east boundary of District 25 to its junction with the Lassen-Plumas County line approximately one mile southeast of Coyote Peak in S. 24 T. 28 N. R. 10 E. and north and west of the Plumas-Lassen County line between the boundary of District 25 and the Susanville-Taylorsville Road That part of Plumas County lying east of the Susanville Taylorsville Road between its junction with the Lassen-Plumas County line and Taylorsville and north and east of the Taylorsville Genesee Road between Taylorsville and Genesee and north and east of the road from Genesee to a point on Indian Creek about one-half mile southeast of Genesee and south and east of the road from that point to Little Grizzly Creek approximately one and one-half miles southwest of Genesee and east of the road up Little Grizzly Creek and down Big Grizzly Creek to Beckwith-Reno Junction Highway and north of the Beckwith-Reno Junction Highway from the Big Grizzly Creek Road east to Lassen-Plumas County line, and that part of Lassen County lying east of the Plumas-Lassen County line from Beckwith Pass south to its junction with the Lassen-Sierra County line and north of the Lassen-Sierra County line from its junction with the Lassen-Plumas County line east to the State line between Nevada and California."

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2055—An act relating to real estate subdivisions and the making and recording of maps, and granting certain powers to cities, cities and counties, and counties in connection therewith, making certain acts misdemeanors, prescribing penalties therefor, and repealing acts or portions of acts in conflict herewith.

Committee Amendments to Assembly Bill No. 2055.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "certain", and insert in lieu thereof "limited".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "cities and of counties, and", and insert in lieu thereof "cities and of counties, provided, however, that".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 5 and 6, and in line 7, strike out "decision", and after "review", insert "as to its reasonableness", and strike out "a".

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 8 to 15, inclusive, and in line 16, strike out "such answer.", and insert in lieu thereof "the superior court in and for the county in which such land is situated. Any subdivider or person claiming to be aggrieved by the decision of such a governing body may within 90 days after the rendering of such decision bring a special proceeding in said superior court to determine the reasonableness thereof, and any such proceeding shall take precedence over all matters upon the calendar of said court, criminal, probate, eminent domain and forceable entry and unlawful detainer proceedings excepted."

Amendment No. 5.

On page 1, line 16, of the printed bill, strike out "All surveys", and insert in lieu thereof "The design, improvement and survey data".

Amendment No. 6.

On page 2, line 19, of the printed bill, insert a comma after "county", and insert the following: "under the powers herein granted and within the limitations herein set forth, regulating the design and improvement of land subdivisions."

Amendment No. 7.

On page 2, line 25, of the printed bill, strike out "regu-", and in line 26, strike out "lating land subdivision."

Amendment No. 8.

On page 2 of the printed bill, strike out all of lines 36 to 38, inclusive, and insert in lieu thereof "(g) 'Subdivision' shall mean any land or portion thereof shown on the last preceding tax roll as a unit or as contiguous units which is divided for the purpose of sale, whether immediate or future, by any subdivider into five or more parcels within any one year period, except (1) any parcel or parcels of land which contain less than five acres and which abuts upon dedicated streets or highways, and in which street opening or widening, in the subdivision thereof, is not required by the governing body, and where the lot design meets its approval, and (2) any parcel or parcels of land subdivided into lots or parcels, each of a net area of two and one-half acres or more, a tentative map of which has been submitted to the governing body and has been approved by it as to street alignment and widths, drainage provisions and lot design; in either case there shall be filed a record of survey map pursuant only to the provisions of Chapter 506, Statutes of 1933 and any amendments thereto."

Amendment No. 9.

On page 2, line 44, of the printed bill, after the word "on", insert "the design and improvement of".

Amendment No. 10.

On page 2 of the printed bill, between lines 45 and 46, insert:

"(j) 'Design' shall mean street alignment, grades and widths, and alignment and widths of drainage courses, and minimum lot area and width.

(k) 'Improvement' shall mean only such street work and utilities to be installed, or agreed to be installed, by the subdivider on the land dedicated or to be dedicated for streets, highways and public ways, as is necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs, as a condition precedent to the approval and acceptance of the final map thereof."

Amendment No. 11.

On page 2, line 52, of the printed bill, strike out "a map of such subdivision", and strike out all of line 53, and on page 3, strike out line 1, and in line 2, strike out "is located and until", and after "survey", insert "map".

Amendment No. 12.

On page 3, line 8, of the printed bill, after "or", insert "which was physically subdivided"; and after "with", insert ", or which was physically subdivided and was exempt from".

Amendment No. 13.

On page 3, line 13, of the printed bill, strike out "the", and insert in lieu thereof "a".

Amendment No. 14.

On page 3, line 21 and line 23, of the printed bill, before the word "map", insert "map or".

Amendment No. 15.

On page 3, line 33, of the printed bill, after the word "the", insert "map or maps of a".

Amendment No. 16.

On page 3, line 36, of the printed bill, after "of", insert "the map or maps of".

Amendment No. 17.

On page 3, line 38, of the printed bill, strike out "The only street grading and", and strike out all of lines 39 to 41, inclusive.

Amendment No. 18.

On page 3, line 42, of the printed bill, after "on", insert "the map or maps of".

Amendment No. 19.

On page 3, line 43, of the printed bill, strike out "forty", and insert in lieu thereof "thirty".

Amendment No. 20.

On page 3, line 46, of the printed bill, after "the", insert "map or maps of a".

Amendment No. 21.

On page 4, line 10, of the printed bill, after "concerning", insert "the map or maps of".

Amendment No. 22.

On page 4 of the printed bill, strike out all of lines 37 to 52, inclusive, and insert in lieu thereof "all of its provisions. If the subdivider does not elect to prepare and record a final map, then before proceeding with the sale of any part of the subdivision, he shall file, in the office of the county recorder, a record of survey map conforming, in respect to design, to the approved tentative map or maps; in which event the governing body may require only such street grading and surfacing and drainage provisions reasonably necessary for lot access and local neighborhood traffic and drainage needs. The construction of any of the foregoing improvements may be accomplished as provided in section 20."

Amendment No. 23.

On page 5, line 1, of the printed bill, strike out the figure "12", and insert in lieu thereof the figure "11".

Amendment No. 24.

On page 5, line 2, of the printed bill, after "the", insert "tentative map or maps of a".

Amendment No. 25.

On page 5 of the printed bill, strike out all of line 7, and insert in lieu thereof "parcels or parts thereof as shown on the".

Amendment No. 26.

On page 5, line 22, of the printed bill, strike out "the local ordinance may provide that".

Amendment No. 27.

On page 6, line 5, of the printed bill, strike out "recorded", and insert in lieu thereof "record".

Amendment No. 28.

On page 6, line 34, of the printed bill, strike out the period at the end thereof, insert a comma, and add the following: "except those parcels other than streets, intended for the exclusive use of the lot owners in such subdivision, their licensees, visitors, tenants and servants."

Amendment No. 29.

On page 7, line 51, of the printed bill, after "applicable", insert "to record of survey maps".

Amendment No. 30.

On page 8, line 42, of the printed bill, after "ments", insert "including penalties and costs".

Amendment No. 31.

On page 9 of the printed bill, strike out lines 14 to 22, inclusive, and in line 23, strike out "money.", and insert in lieu thereof "streets, require that the subdivider, at his option, either improve or agree to improve said streets. In the event an agreement for the improvement of the streets is entered into, if required by the governing body, said agreement shall be secured by a good and sufficient bond in an amount not in excess of the cost of the improvement; provided, however, the subdivider, at his option, in lieu of the agreement to construct improvements, and the bond herein provided for, may enter into a contract with said governing body, secured by a faithful performance bond, if required by the governing body, in an amount not to exceed the estimated cost of said improvement, by which he agrees, within such time as may be provided in said contract, to initiate and to consummate proceedings under an appropriate special assessment act for the formation of a special assessment district covering said subdivision or part thereof, for the financing and construction of designated improvements upon the streets dedicated by such map. In lieu of any bond, a deposit may be made, either with the proper governing body or a responsible escrow agent or trust company, subject to the approval of such governing body, of money or negotiable bonds of the kind approved for securing deposits of public money. Upon the execution, by the subdivider, of either one of the aforesaid agreements or contracts and the posting of the required bond, or the deposit of the required money or negotiable bonds, the map of such subdivision shall forthwith be approved and accepted for recordation."

Amendment No. 32.

On page 10, line 5, of the printed bill, strike out "sections 13, 14 and 15;" and insert in lieu thereof "section 13 (a) (b),".

Amendment No. 33.

On page 10, line 15, of the printed bill, after "map", insert "or the filing of a record of survey map".

Amendment No. 34.

On page 11, line 50, of the printed bill, strike out "'Land", and in line 51, strike out "Subdivision Act.' ", and insert in lieu thereof "'Subdivision Map Act' ".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 516—An act to add section 869 to the Fish and Game Code, relating to tuna.

Committee Amendment to Assembly Bill No. 516.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "nets", strike out "in any district", and the period after the word "time", and insert "in districts where nets are not prohibited".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 348—An act to amend section 1015 of the Fish and Game Code, relating to packing and reduction licenses.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2255—An act to amend sections 990, 991, 992 and 993 of the Fish and Game Code, relating to commercial licenses.

Bill read second time, and ordered on third reading calendar.

Second Reading of Senate Bills.

Senate Bill No. 116—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended, by amending sections 1, 2, 3 and 5 thereof, relating to deposits of State moneys.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 614—An act to add section 461 to the Political Code, relating to the insurance of funds and securities in the custody of the State Treasurer.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 176—An act authorizing the Director of Finance to provide for the sale or lease of certain lands known as "Guadalupe Canal," located in Section 10, T 3 S., R 5 W., M. D M., in the county of San Mateo.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 550—An act to amend sections 4 and 11 of, and to add section 6.1 to, the State Contract Act, relating to State contracts, and to the notice required therefor, the qualifications of bidders thereon, and the rights and remedies of bidders thereon in case of mistake

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 66—An act authorizing the State of California through its proper officers, departments or agencies to issue duplicate bonds, coupons, warrants or other evidences or indebtedness of the State of California, when the originals have been lost or destroyed, providing for the State to take security against loss or damage that may be incurred on account of the loss and the issuance of the duplicates

Committee Amendments to Senate Bill No. 66.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, beginning in the first line of the title, after the word "State", strike out "of California through its proper officers, departments or agencies", and insert in lieu thereof the word "Treasurer".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, after the word "destroyed," insert the following words: "to stop payment of such lost or destroyed bonds, coupons, or other evidences of indebtedness, and to pay such bonds, coupons, or other evidences of indebtedness, if his records show them to be outstanding and unpaid, and".

Amendment No. 3.

On page 1, line 8 of the title of the printed bill, after the words "of the", strike out the words "loss and", and insert in lieu thereof the following "lost instruments and the payment thereof or".

Amendment No. 4.

On page 1, line 2, of the printed bill, strike out the words "Board of Control", and insert in lieu thereof the word "Treasurer"

Amendment No. 5.

On page 1 of the printed bill, strike out all of line 6 beginning with the word "it"; all of lines 7, 8, 9, 10, and line 11, down to and including the word "agency"; and insert in lieu thereof the following. "the said State Treasurer shall endeavor to stop payment on such lost or destroyed bonds, coupons, or other evidences of indebtedness, and shall notify the State's Fiscal Agent in New York to endeavor to stop payment of such items The State Treasurer".

Amendment No. 6.

On page 1, line 13, of the printed bill, after the word "similar", insert the following: "to the lost or destroyed instruments".

Amendment No. 7.

On page 1, line 15, of the printed bill, after the word "time", strike out the remainder of line 15, all of line 16, down to and including the word "Control." in line 17, and insert in lieu thereof the following "such new instruments are issued, or if the bonds, coupons, or other evidences of indebtedness have matured and become due and payable, the State Treasurer may pay such bonds, coupons, or other evidences of indebtedness if his records show them to be outstanding and unpaid. The owner shall, in all cases, give security totaling double the amount of the bonds, coupons, or other evidences of indebtedness so lost or destroyed, such security to be specified and approved by the State Treasurer,".

Amendment No. 8.

On page 1, line 20, of the printed bill, strike out the words ", and shall pay all cost and expense", and insert in lieu thereof the following. " The owner shall pay all costs and expenses".

Amendment No. 9.

On page 1, line 22, of the printed bill, strike out the words "officer, department or agency", and insert in lieu thereof the word "Treasurer".

Amendment No. 10.

On page 2, line 3, of the printed bill, strike out the words "officer, department or agency to show cause why it", and insert in lieu thereof the words "Treasurer to show cause why he".

Amendment No. 11.

On page 2, line 8, of the printed bill, strike out the words "officer, department or agency", and insert in lieu thereof the word "Treasurer".

Amendment No. 12.

On page 2, line 17, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 13.

On page 2, line 17, of the printed bill, after the word "State", strike out the remainder of the line down to and including the word "agency", in line 18, and insert in lieu thereof the word "Treasurer"

Amendment No. 14.

On page 2, line 21, of the printed bill, after the word "security", strike out the remainder of the line, and all of line 22, and insert in lieu thereof the following "as required by the said State Treasurer"

Amendment No. 15.

On page 2, line 29, of the printed bill, strike out all the line after the word "that," and insert in lieu thereof the following: "if both the original and duplicate instruments are presented to, and paid by, the State Treasurer, he shall not be held responsible for the duplicate payment but may rely on the security pledged by the owner at the time the duplicate instrument is issued."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 808—An act to provide for reporting and transmitting fines and forfeitures from judges and magistrates to the State Treasurer.

Committee Amendments to Senate Bill No. 808.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out the word "Treasurer", and insert in lieu thereof the word "Controller".

Amendment No. 2.

On page 1, line 23, of the printed bill, strike out the word "Treasurer", and insert in lieu thereof the word "Controller".

Amendment No. 3.

On page 1, line 25, of the printed bill, strike out the word "Treasurer", and insert in lieu thereof the word "Controller".

Amendment No. 4.

On page 2, line 2, of the printed bill, strike out the word "Treasurer", and insert in lieu thereof the word "Controller".

Amendment No. 5.

On page 2, line 3, of the printed bill, strike out the word "Treasurer", and insert in lieu thereof the word "Controller".

Amendment No. 6.

On page 2, line 8, of the printed bill, strike out the word "Treasurer", and insert in lieu thereof the word "Controller".

Amendment No. 7.

On page 2, line 15, of the printed bill, strike out the word "Treasurer", and insert in lieu thereof the word "Controller".

Amendments adopted

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 730—An act to amend section 2 of the Fish and Game Code, relating to definitions.

Committee Amendment to Senate Bill No. 730.

The following amendment was submitted by the committee

Amendment No. 1.

On page 2 of the printed bill, strike out lines 8 and 9

Amendment adopted

Bill read second time, ordered to reprint and third reading

Senate Bill No. 90—An act to amend section 1340 6 of the Fish and Game code, relating to bears.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 156—An act to amend section 797 of the Fish and Game code, relating to abalones.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 419—An act to amend section 698 of the Fish and Game code, relating to black bass.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 428—An act to amend section 493 of the Fish and Game code, relating to night fishing.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 498—An act to amend section 812 of the Fish and Game code, relating to mussels.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 499—An act to amend section 808.5 of the Fish and Game code, relating to jackknife clams.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 714—An act to amend section 48 and to repeal section 1412 of the Fish and Game Code, relating to fines and cost of trials

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 852—An act to amend sections 1201, 1202 and 1203, and to add section 1203.4 to the Fish and Game Code, relating to quail.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1018—An act to amend section 1200 of the Fish and Game Code, relating to doves.

Bill read second time, and ordered on third reading calendar.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2678 Continued.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day

Reconsideration of Assembly Bill No. 1533.

In compliance with a notice given on a previous day, Mr Hunt moved that the vote whereby Assembly Bill No. 1533 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1533 reconsidered by the following vote:

AYES—Andreas, Boyle, Call, Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Leonard, Levey, Lore, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Stream, Tenney, Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—43.

NOES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cunningham, Field, Gannon, Garibaldi, Johnson, Kepple, Kuchel, Latham, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Sawallisch, Scudder, Sheehan, Thorp, and Walker—25.

Assembly Bill No. 1533 placed on third reading calendar

Special Order.

The hour of two o'clock p.m., having arrived, the special order heretofore set for this hour was taken up.

Consideration of Special Order Deferred.

On motion of Mr. Meehan, the consideration of the special order was deferred for one hour.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. King:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 7 of an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees, providing for their duties and compensation; providing for the inspection of petroleum and gas wells, requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, relating to records.

Referred to Committee on Introduction of Bills

By Mr. Williamson:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend sections 4160 and 4161 of the Political Code, and to add a new section thereto, to be numbered 4174a, relating to the liability and duties of sheriffs

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937

MR. SPEAKER: Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them

By Mr. Williamson:

An act to amend sections 4160 and 4161 of the Political Code, and to add a new section thereto, to be numbered 4174a, relating to the liability and duties of sheriffs.

By Mr. King:

An act to amend section 7 of an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, relating to records.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cromin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson,

Peek, Pelletier, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—66.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2821: By Mr. Williamson—An act to amend sections 4160 and 4161 of the Political Code and to add a new section thereto to be numbered 4174a, relating to the liability and duties of sheriffs.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2822: By Mr. King—An act to amend section 7 of an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, relating to records.

Bill read first time, and referred to Committee on Oil Industries.

Assembly Concurrent Resolution No. 37: By Mr. King—Relative to underpaid State employees and proper salary adjustments for certain State employees in low salary bracket classifications.

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 37, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 37.

Assembly Concurrent Resolution No. 37—Relative to underpaid State employees and proper salary adjustments for certain State employees in low salary bracket classifications

Assembly Concurrent Resolution No 37 read.

Demand for Previous Question.

Messrs. O'Donnell, Heisinger, Muldoon, Dannenbrink, and Turner demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No 37

The roll was called, and Assembly Concurrent Resolution No. 37 adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—74.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 2689 Waived.

Mr. Rosenthal waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2689 was passed.

Assembly Bill No. 2689 ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1676—An act to add three new sections to the School Code to be numbered 1.120a, 5 64 and 5.95, and to add to Chapter II of Part IV of Division II of the School Code a new article to be known as Article VIII, relating to the testing of hearing and sight of pupils in the schools of the public school system

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—Hunt—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1342—An act to amend section 52 of the Public Utilities Act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2345—An act to amend section 1343 of the Fish and Game Code, relating to seals and sea lions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—62.

NOES—Clark, King, Patterson, Peek, Tenney, and Yorty—6

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1615—An act to amend sections 10 and 12 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said Mining Bureau, and to provide for the appointment, duties and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, as amended.

Motion to Amend Assembly Bill No. 1615.

Mr. Williamson moved to amend Assembly Bill No. 1615 as follows

Amendment No. 1.

On page 2, line 6, of the printed bill, strike out "and the dissemination of other information".

Amendment read, and refused adoption by the following vote:

AYES—Breed, Burns, Michael J., Cassidy, Cronin, Dawson, Dilworth, Donihue, Levey, Maloney, O'Donnell, Scudder, Sheehan, Weber, and Williamson—14.

NOES—Baynham, Beene, Boyle, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Martin, Mayo, Miller, Eleanor; Miller George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—50.

Assembly Bill No 1615 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Donihue, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65

NOES—Dilworth, O'Donnell, and Williamson—3.

Title read and approved. Bill ordered transmitted to the Senate.

Special Order.

The hour of three o'clock p.m., having arrived, the special order heretofore set for this hour was taken up.

Assembly Bill No. 1177—An act to amend the title of and sections 1, 2, 3, 4, 7, 9 and 10 and to add sections 7A, 7B, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or

attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act

Motion to Amend Assembly Bill No. 1177.

Mr. Reaves moved to amend Assembly Bill No 1177 as follows, and requested that the amendments be voted upon separately:

Amendment No. 1.

On page 2 of the printed bill, as amended in the Assembly March 26th, strike out all of lines 31 to 52, inclusive.

Demand for Previous Question.

Messrs. Morgan, Dannenbrink, Muldoon, Reaves, and Miller demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Amendment No. 1.

The roll was called, and Amendment No 1 refused adoption by the following vote:

AYES—Burns, Michael J., Cassidy, Dannenbrink, Flint, Gilbert, Hawkins, Heisinger, Hunt, King, Lore, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, and Tenney—19.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donnhue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—56.

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out all of lines 1 to 5, inclusive.

On motion of Mr. Reaves, Amendment No. 2 was withdrawn

Amendment No. 3.

On page 6, line 35, of the printed bill, as amended, after the word "eligible", insert "or was eligible".

Amendment No. 4.

On page 6, line 33, of the printed bill, as amended, after the word "eligible", insert "or was eligible".

Amendment No. 5.

On page 6, line 38, of the printed bill, as amended, after the word "of", insert "eligibility or".

Amendment No. 6.

On page 6, line 40, of the printed bill, as amended, after the word "furnished", insert the words "or withheld from".

Amendments Nos. 3, 4, 5 and 6 read, and refused adoption by the following vote:

AYES—Burns, Michael J, Cassidy, Flint, Gilbert, Heisinger, Hunt, King, Patterson, Reaves, Rosenthal, and Tenney—11.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M, Call, Clark Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnhue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—57

Assembly Bill No. 1177 read third time.

Motion to Amend Assembly Bill No. 1177.

Mr. Lore moved to amend Assembly Bill No. 1177 as follows, and requested that the amendments be voted upon separately:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 1", and insert in lieu thereof the following: "sections 1 and 10 of,".

Consideration of Amendment No. 1 Deferred.

Mr. Lore requested that the consideration of Amendment No. 1 be deferred

Request granted.

Amendment No. 2.

On page 2, line 36, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", but the declarant shall not be required to swear to such declaration of eligibility."

Demand for Previous Question.

Messrs. Morgan, Desmond, Dannenbrink, Andreas, and Miller demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the adoption of Amendment No. 2.

The roll was called, and Amendment No 2 adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Donihue, Flint, Garibaldi, Gilbert, Ghek, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Lore, Martin, Meehan, Miller, George P., Patterson, Peek, Pelletier, Rosenthal, Sawallisch, Tenney, Voigt, Welsh, Williamson, Yorty, and Mr. Speaker—36.

NOES—Beene, Breed, Call, Crowley, Dawson, Desmond, Dilworth, Field, Fulcher, Gannon, Garland, Hornblower, Kuchel, Latham, Leonard, Maloney, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Reaves, Robertson, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Weber—32.

Amendment No. 3.

On page 3 of the printed bill, as amended, between lines 5 and 6, insert the following:

"SEC. 3. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 10. (a) Subject to the provisions of this act, a person, in order to be entitled to aid, must be a resident of the State of California and of the county wherein application is made. In determining the place of residence for purposes of relief the following rules are to be observed:

1. It is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he returns in seasons of repose.

2. The residence of the father, while he has legal custody of the minor, or in case he has not such legal custody, the residence of the mother while she remains unmarried and has the legal custody of the minor, is the residence of the unmarried minor child, and the residence of an orphan is that of the last deceased person who had his legal custody. The residence of a dependent child who has been declared free from the custody and control of his parent or parents, by order of the juvenile court, is not changed by change of the residence of the parent or parents.

3. Neither the domicile or residence of the husband shall be deemed the domicile or residence of the wife if they are living separately or apart, and in such case each may have a separate domicile or residence dependent upon proof of the fact and not upon legal presumption.

4. A person shall be deemed a resident of the State of California within the meaning of this act:

A. Who shall have lived continuously in the State for a period of three years with the intent to make it his home.

B. Who during the three-year period aforementioned shall not have received any public or private relief or support from friends, charitable organizations or relatives other than from legally responsible relatives; but the time spent in a public institution or on parole therefrom shall not be counted in determining the matter of residence in this or another State.

C. Who has not lost his residence by remaining away from this State for an uninterrupted period of one year, except in the case of one called elsewhere for labor or other special or temporary purpose.

(b) A person who is a resident of California within the meaning of this act shall be deemed a lawful resident of the county wherein he applies for aid if he has resided therein continuously for one year immediately preceeding his application for assistance. In case the applicant has no such residence, the county wherein he last resided continuously for one year immediately preceding his application shall be responsible for his support. In case the applicant has no such year's residence within three years preceding application, that county shall be responsible for his support wherein he was present for the longest time during the said three-year period But the time spent in a public institution or on parole therefrom or in a private charitable institution shall not in any case be counted in determining the matter of county residence.

(c) Every county or city and county may give such emergency relief to dependent nonresidents as the respective boards of supervisors may deem necessary.

(d) A county may incur all necessary expenses in transporting a nonresident indigent to another State or county when information at hand reasonably tends to show that such person has a legal residence in such State or county, unless other funds are available for such purpose.

(e) Whenever the respective boards of supervisors deem it best for the welfare of a family or in the public interest that an indigent remain in a county not responsible for his support, the county responsible for the support of the indigent may agree to support such indigent in the county not so responsible; provided, however, that no such indigent may in this manner be deemed to have acquired a residence in said nonresponsible county. Such agreement shall be made by the responsible county with the nonresponsible county, and a record or copy thereof shall be sent to and filed in the office of the State Department of Social Welfare.

(f) In case of a dispute between counties as to the responsibility for an indigent, either county may submit the dispute to the State Department of Social Welfare The decision of the department thereon shall be final.

(g) Under rules and regulations promulgated by the State Department of Social Welfare, the counties or cities and counties shall grant aid to indigent persons who do not meet the residence qualifications of this section."

Motion to Re-refer Assembly Bill No. 1177.

Mr. Voigt moved that Assembly Bill No. 1177 be re-referred to the Committee on Public Charities and Corrections

Demand for Previous Question.

Messrs. Welsh, Latham, Boyle, Cunningham, and Miller demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to re-refer Assembly Bill No 1177 to the Committee on Public Charities and Corrections.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Breed, Call, Cronin, Dawson, Donihue, Levey, Maloney, McMurray, Miller, George P., Patterson, Richie, Sheehan, Voigt, and Williamson—14.

NOES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Rosenthal, Sawallisch, Scudder, Stream, Tenney Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—58.

The question being on the adoption of Amendment No. 3

Hon. William B. Hornblower in the Chair.

At four o'clock and forty minutes p.m., Hon. William B. Hornblower, member of the Assembly from the Twenty-third District, in the chair.

The Speaker in the Chair.

At four o'clock and fifty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Demand for Previous Question.

Messrs Morgan, Stream, Andreas, Gannon and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Amendment No. 3.

The roll was called, and Amendment No. 3 adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Daley, Dannenbrink, Donihue, Flint, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Peek, Pelletier, Reaves, Richie, Sheehan, Stream, Tenney, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—41.

NOES—Beene, Breed, Call, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Fulcher, Gannon, Garland, Kuchel, Latham, Leonard, Levey, Lyon, Millington, Morgan, Muldoon, O'Donnell, Redwine, Robertson, Scudder, Thorp, and Walker—26.

Consideration of Amendment No. 1.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 1", and insert in lieu thereof the following: "sections 1 and 10 of".

Amendment No. 1 adopted.

Amendment No. 4.

On page 3, line 6, of the printed bill, as amended, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 4".

Amendment No. 5.

On page 3, line 19, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "5".

Amendments Nos. 4 and 5 adopted.

Amendment No. 6.

On page 3, line 24, of the printed bill, as amended, strike out ", disposes, exchanges".

Amendment No. 6 read, and refused adoption by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Cunningham, Donihue, Flint, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, King, Lore, Martin, McMurray, Meehan, Miller, George P., Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Tenney, Williamson, Yorty, and Mr. Speaker—31.

NOES—Beene, Breed, Burns, Hugh M., Call, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Welsh—41.

Amendment No. 7.

On page 3, line 30, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6".

Amendment No. 8.

On page 3, line 37, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "7".

Amendment No. 9.

On page 4, line 17, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "8".

Amendment No. 10.

On page 7, line 1, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "9".

Amendment No. 11.

On page 7, line 10, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "10".

Amendments Nos. 7, 8, 9, 10, and 11 adopted.

Amendment No. 12.

On page 7, line 18, of the printed bill, as amended, after the comma, insert the following: "and in all cases where relief is furnished by the counties or cities and

counties, under rules and regulations promulgated by the State Department of Social Welfare, to persons who have not the residence qualifications provided in section 10 of this act,".

Amendment No. 12 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—55.

NOES—Beene, Breed, Cassidy, Crowley, Desmond, Fulcher, Gannon, Garland, Leonard, Millington, Muldoon, Robertson, Scudder, Stream, and Thorp—15.

Amendment No. 13.

On page 7, line 24, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "11".

Amendment No. 13 adopted.

Amendment No. 14.

On page 8 of the printed bill, as amended, between lines 4 and 5, insert the following:

"The State Department of Social Welfare is authorized, in its discretion, to receive agricultural and other commodities donated for the use of eligible relief recipients by the Federal Government, its agencies and other sources and it shall distribute and account for such commodities in accordance with any requirement of the donator."

Amendment No 14 read, and adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—58.

NOES—Desmond, Fulcher, Gannon, Leonard, Millington, Scudder, and Thorp—7.

Amendment No. 15.

On page 8, line 5, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "12".

Amendment No. 16.

On page 8, line 36, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "13".

Amendment No. 17.

On page 8, line 41, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "14".

Amendment No. 18.

On page 8, line 47, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "15".

Amendments Nos 15, 16, 17, and 18 adopted

Request for Unanimous Consent.

Mr Andreas asked for, and was granted, unanimous consent to take up Assembly Bill No 1177, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1177, as amended.

Assembly Bill No. 1177—An act to amend the title of and sections 1 and 10 of, and to add sections 7A, 7B, 14 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to

the counties and cities and counties charged with the duty of providing aid and relief under said act

Motion to Amend Assembly Bill No. 1177.

Mr. Hawkins moved to amend Assembly Bill No. 1177 as follows:

Amendment No. 1.

On page 2, line 30, of the printed bill, as amended, after "offered", insert the following "or if such employment involves personal domestic service".

Demand for Previous Question.

Messrs. Cunningham, Flint, Reaves, Yorty, and Kepple demanded the previous question.

The question being put, Shall the main question be now put?

Demand for previous question sustained

The question being on the adoption of the amendment by Mr Hawkins.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Burns, Michael J., Domhue, Flint, Gilbert, Hawkins, Hunt, King, Lore, Meehan, Miller, George P., Reaves, Richie, Rosenthal, Tenney, and Yorty—15.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple Kuchel, Leonard, Maloney, Martin, McMurray, Miller Eleanor; Millington, Morgan, Muldoon, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—50.

Motion to Amend Assembly Bill No. 1177.

Mr. Hornblower moved to amend Assembly Bill No 1177 as follows, and requested that the amendments be voted upon separately.

Amendment No. 1.

On page 2, lines 3 and 4, of the present bill, as amended, strike out "and are not otherwise fully aided and relieved".

Amendment No 1 read, and adopted by the following vote:

AYES—Baynham, Beene, Burns, Hugh M., Call, Cottrell, Cronin, Daley, Dawson, Desmond, Donnelly, Field, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, Leonard, Levey, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Voigt, Walker, Weber, and Williamson—36.

NOES—Andreas, Boyle, Breed, Cassidy, Crowley, Dannenbrink, Dilworth, Domhue, Flint, Fulcher, Gilbert, Glick, Hawkins, Hunt, King, Kuchel, Lore, Meehan, Miller, George P., Muldoon, Peek, Richie, Rosenthal, Tenney, Watson, Welsh, Yorty, and Mr. Speaker—28.

Amendment No. 2.

On page 2, line 23, of the present bill, as amended, after the period insert "The products of such work relief shall only be used in the problem of relief and as a part of the aid being extended, and not as a supplement thereto, and shall not be used to otherwise compete with the products of industrial pursuits."

Amendment No. 2 read, and adopted by the following vote.

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Dawson, Desmond, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hornblower, Kuchel, Latham, Leonard, Levey, Maloney, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Redwine, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Weber, Williamson, and Mr. Speaker—39.

NOES—Andreas, Baynham, Burns, Hugh M., Clark, Cunningham, Daley, Dannenbrink, Dilworth, Domhue, Flint, Fulcher, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Lore, Martin, Meehan, O'Donnell, Peek, Pelletier Reaves, Richie, Rosenthal, Tenney, Turner, Watson, Welsh, and Yorty—32.

Amendment No. 3.

On page 2, line 30, of the present bill, as amended, after the period, insert "In no event shall the wage, salary or compensation paid in any month to any indigent on

work relief be increased or extended beyond the amount set and determined as the maximum family or relief case budget for said indigent for aid and relief as provided by this act."

Amendment No. 3 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Special Order Set for Assembly Bill No. 1177.

On motion of Mr. Hornblower, the further consideration of Assembly Bill No. 1177 was made a special order of business for Wednesday March 31, 1937, at two o'clock p.m

Assembly Bill No 1177 was ordered to reprint and re-engrossment

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 444 re-referred to Committee on Elections.

Assembly Bill No. 2196 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2684 re-referred to Committee on Judiciary General.

Assembly Bill No. 2622 re-referred to Committee on Judiciary General.

Assembly Bill No. 754 re-referred to Committee on Fish and Game.

Assembly Bill No. 1610 re-referred to Committee on Civil Service.

Assembly Bill No. 1329 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 386 re-referred to Committee on Judiciary Codes.

Assembly Bill No 399 re-referred to Committee on Agriculture.

Assembly Bill No. 1283 re-referred to Committee on Insurance.

Assembly Bill No. 1813 re-referred to Committee on Agriculture

Assembly Bill No. 581 re-referred to Committee on Agriculture

Assembly Bill No. 583 re-referred to Committee on Agriculture.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Assembly Bill No. 2803.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bill ordered to enrollment

SENATE CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 11.
Assembly Bill No. 1682.
Assembly Bill No. 291.
Assembly Bill No. 1562.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 546—An act to amend sections 3, 4, 5, 6, 7, 8, 10, 14 and 16 of an act entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911, relating to the powers and duties of the Division of State Lands with respect thereto,

Senate Bill No. 720—An act to amend sections 305 and 307 of the Agricultural Code, relating to slaughtering establishments and meat inspection;

Senate Bill No. 81—An act to add section 1576.5 to the Penal Code, relating to hours of labor of guards at State prisons;

Senate Bill No. 737—An act to amend section 531 of the Political Code, relating to the State Printing Plant;

Senate Bill No. 516—An act to amend section 4041.18 of the Political Code, relating to construction of public buildings;

Senate Bill No. 1102—An act to amend sections 3, 4, 5 and 6 of "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts;

Senate Bill No. 545—An act to repeal "An act to provide for the survey and creation of camp sites on State lands," approved May 15, 1923 (Chapter 155, Statutes of California, 1923);

Senate Bill No. 549—An act to amend section 3805c of the Political Code, providing for the cancellation of assessments on certain lands of the State

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 546 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No 720 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 81 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 737 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 516 read first time, and referred to Committee on County Government.

Senate Bill No. 1102 read first time, and referred to Committee on County Government.

Senate Bill No. 545 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 549 read first time, and referred to Committee on Governmental Efficiency and Economy.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 2016.
Respectfully reports the same back without recommendation, as amended.

O'DONNELL, Chairman

The above reported bill ordered on second reading calendar

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR SPEAKER: Your Committee on Insurance, to which was referred:
Senate Bill No. 465.
Respectfully reports the same back with the recommendation: Do pass as amended.

SAWALLISCH, Chairman

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR SPEAKER. Your Committee on Agriculture, to which was referred:
Senate Bill No. 515.
Respectfully reports the same back with the recommendation: Do pass
O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:
Assembly Bill No. 810. **Assembly Bill No. 991.**
Assembly Bill No. 989. **Assembly Bill No. 444.**
Respectfully reports the same back with the recommendation: Do pass as amended.
GILBERT, Chairman.

The above reported bills ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER. Your Committee on Agriculture, to which was referred:
Assembly Bill No. 866.
Assembly Bill No. 2331.
Respectfully reports the same back with the recommendation: Do pass.
O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Assembly Bill No. 1012.
Respectfully reports the same back without recommendation, as amended.
DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 1468. **Assembly Bill No. 1653.**
Assembly Bill No. 1650. **Assembly Bill No. 1654.**
Assembly Bill No. 1651.
Respectfully reports the same back without recommendation, as amended.
DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 200. **Assembly Bill No. 963.**
Assembly Bill No. 387. **Assembly Bill No. 2614.**
Assembly Bill No. 830. **Assembly Bill No. 2616.**
Assembly Bill No. 831. **Assembly Bill No. 2617.**
Assembly Bill No. 962.
Respectfully reports the same back with the recommendation: Do pass.
DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Reaves:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend the title and sections 1 and 4 of, and to add section 21 to, an act entitled "An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control," approved July 20, 1935, relating to pest control.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Reaves:

An act to amend the title and sections 1 and 4 of, and to add section 21 to, an act entitled "An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control," approved July 20, 1935, relating to pest control.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2823: By Mr. Reaves—An act to amend the title and sections 1 and 4 of, and to add section 21 to an act entitled "An act to regulate the practice of structural pest control, to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control," approved July 20, 1935, relating to pest control

Bill read first time, and referred to Committee on Building and Construction

Notice of Motion to Withdraw Bill.

Mr. Desmond gave notice, in compliance with Rule 58, that he would move to withdraw Senate Bill No 888 from the Committee on Municipal Corporations, and have it placed upon the calendar.

Request to Print Report.

Mr. Donihue requested that 1,000 copies of the Report of the Special Assembly Committee on Auditing be printed as a separate document.

Request referred to Committee on Rules

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 188—An act for the construction of two radio broadcast stations and the maintenance and operation thereof by the University of California, and making an appropriation therefor

Motion to Amend Assembly Bill No. 188.

Mr. Patterson moved to amend Assembly Bill No 188 as follows

Amendment No. 1.

Strike out lines 1 and 2 of the title of the printed bill, as amended, and insert in lieu thereof the following "An act to provide radio broadcasting facilities for the Univer-".

Amendment adopted

Assembly Bill No. 188 ordered to reprint, and re-engrossment.

Assembly Bill No. 1341—An act to amend section 1550 of the Streets and Highways Code, relating to county road taxes

Motion to Amend Assembly Bill No. 1341.

Mr. Watson moved to amend Assembly Bill No. 1341 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, following the word "purposes", insert the following: "in each road district".

Amendment No. 2.

On page 1, lines 6 and 7, of the printed bill, strike out the words "for the ensuing year".

Amendment No. 3.

On page 1, line 8, of the printed bill, following the word "tax", which first occurs in said line 8, insert the words "in each such road district"

Amendment No. 4.

On page 1, line 11, of the printed bill, following the word "property", insert the words "in the district".

Amendments adopted.

Assembly Bill No 1341 ordered to reprint, and re-engrossment

Third Reading of Senate Bills.

Senate Bill No. 668—An act to amend section 1030 of the Political Code, relating to office hours.

Motion to Amend Senate Bill No. 668.

Mr. Donihue moved to amend Senate Bill No. 668 as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out "four-thirty", and insert in lieu thereof the following: "five".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, strike out "other than", and insert in lieu thereof the following. "except Saturdays and".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended, after the period at end of said line, insert the following: "On Saturdays such offices shall be closed for the transaction of business."

Amendments adopted.

Senate Bill No 668 ordered to reprint, and third reading calendar.

Resolution.

The following resolution was offered:

By Mr. Fulcher:

House Resolution No. 117.

WHEREAS, We have learned with profound regret of the passing of Frank J. Powers, formerly a member of this House, also formerly a State Senator, a prominent stockman and agricultural leader, also the father of the present Senator Harold J. Powers; and

WHEREAS, He was known far beyond the reaches of the district for which he served so long with great honor and distinction; and

WHEREAS, He was an esteemed and outstanding citizen and made his contribution to the welfare of this State; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns today, it adjourn out of respect to Frank J. Powers.

Request for Unanimous Consent.

Mr. Fulcher asked for, and was granted, unanimous consent to take up House Resolution No 117, at this time, without reference to committee or calendar

House Resolution No. 117 read, and unanimously adopted

Notice of Motion to Reconsider Assembly Bill No. 797 Lapsed.

Mr. Peek's notice of motion to reconsider the vote whereby Assembly Bill No. 797 was passed, lapsed

Assembly Bill No. 797 ordered transmitted to the Senate

Adjournment.

At six o'clock p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late Frank J. Powers, former member of the Assembly and Senate, until one o'clock and thirty minutes p.m., Wednesday, March 31, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-EIGHTH LEGISLATIVE DAY
EIGHTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 31, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Dawson, the further reading of the Journal of Tuesday, March 30, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr Waters, on motion of Mr. Cunningham.

Mr Corwin, on motion of Mr. Stream.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Willa Youngberg, Mrs. Annette Gatto, and Mr. Jack MacArthur, teachers, and the following students of Pittsburg Junior High School: Group I: Wilma Richards, Captain, Barbara Irvine, Norma Julian, Loretta Malmberg, Jesse Smith, James Perkins, Tony Ambrosini, Paul Henoch, Jack Bastian, John Arcidiacano, Carl Colombo, and Harold Haag; Group II: Martha Steen Captain; Pearl Fenton, Carmen Felix Cleo York, Claire Woods, Helen Mae Sims, Geraldine O'Brien, Bill McDermott, Warren Perry, and Gloria Soper; Group III:

Anna May Mason, Captain; Irene Spina, Oretta York, Lois Davis, Marjorie Kelly, Arthur Blockson, Philip Terranova, Mario Magnoli, Bill Kramer, Barbara Hansen, and Dorothy Baker; Group IV: Phyllis Jorgensen, Captain, Elvera Sbranti, Mary Elizabeth Girot, Dorothy Musetti, Josephine Moriel, June Anderson, George Gellepes, Ernest Luedo, Neno Costa, Howard Patterson, Dick Anderson, and Rosemary Rookaird, Group V: Evelyn McDermott, Captain; Cyril Bruno, Richard Nelson Jack Laederick, Frances Aiello, Josephine Usino, Salvatore Russo, Angelo Alaimo, Anna Costanza, Katherine Brown, and Betty Perry; Group VI: Tony Smylie, Captain; John [illegible], Bill King, Leslie Booth, Ethel Jacops, Elizabeth Duncan, [illegible] Peck Josephine Cardinalli, Marie Viscuso, Havard Hubbard, [illegible] Mortimore, and Betty Mae Hudson; Group VII: Josie Calomoneri, Captain, Rose Balesteri, Irene Dragoin, Carmen Alonso, Eleanor Linschied, Patricia Wise, Fortune Ferre, Charles Kundert, Robert Leonard, Jack Woodyard, and Alan O'Neil; Group VIII: James Hargrave, Captain, Marguerite Harris, Elisabeth Jones, Marie Cardinale, [illegible] Dings, Bernice Carusa, Angelina Costanza, Annabelle Minor, Doris Christianson, Virginia Scott, Margaret E Benedict and [illegible] Richards, Group IX Marian McAvoy Captain, Shirley Sellick, Marjory Dunkley, Grace Cardinale, Geraldine Bonari, Isabelle Lopez Genevieve Leber, Mary Ong, Luis Basterrechea, Manuel Lopez, and [illegible] Byrd.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Arthur C. Collier of Oakland.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Dean Agnew and Donald C. Allen of Oakland.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Al Fisher of Los Angeles.

On request of Messrs Miller, Meehan, Dannenbrink, and Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Phillip Reilly of Oakland.

Presentation of Petition.

The following petition was received and filed

By Mr. Speaker:

From several organizations, urging pardon of Thomas J. Mooney

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committees were received, filed and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 1.
Assembly Joint Resolution No. 4.
Assembly Joint Resolution No. 30.
Assembly Joint Resolution No. 36.
Assembly Bill No. 1679.
Assembly Bill No. 1680.

And reports the same correctly enrolled, and presented to the Governor on this thirty-first day of March, 1937, at eleven o'clock

CUNNINGHAM, Chairman.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 45.

Respectfully reports the same back with the recommendation: Be adopted.

HUNT, Chairman.

The above reported bill ordered on third reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 1052.
Assembly Bill No. 71.
Assembly Bill No. 2378.
Assembly Bill No. 2441.
Assembly Bill No. 2675.

Respectfully reports the same back with the recommendation: Do pass.

FLINT, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 103.
Assembly Bill No. 2694.

Respectfully reports the same back with the recommendation: Do pass as amended.

FLINT, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 61.
Assembly Bill No. 2623.
Assembly Bill No. 1730.
Assembly Bill No. 2785.
Assembly Bill No. 2136.

And reports the same correctly engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 188.
Assembly Bill No. 584.
Assembly Bill No. 516.
Assembly Bill No. 1177.

And reports the same correctly re-engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 590.
Assembly Bill No. 592.

Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 1612.
Assembly Bill No. 1614.

Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

FLINT, Chairman.

The above reported bills re-referred to Committee on Ways and Means.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:
Assembly Bill No. 295.
Assembly Bill No. 1235.
Respectfully reports the same back with the recommendation: Do pass.

TURNER, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:
Assembly Bill No. 1306.
Respectfully reports the same back without recommendation, as amended.

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred the request of Mr Donihue, that 1,000 copies of the report of the Special Assembly Committee on Auditing be printed as a separate document—respectfully reports the same back with the recommendation that the request be granted.

PEEK, Chairman.

Report read, and adopted, on motion of Mr Donihue

Third Reading of Assembly Bills.

Assembly Bill No. 771—An act relating to the exemption of household goods and personal property from taxation

Motion to Amend Assembly Bill No. 771.

Mr Latham moved to amend Assembly Bill No 771 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "act", insert the following: "to add sections 3616 and 3616.1 to the Political Code,".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, after the period, insert the following: "Section 3616 is hereby added to the Political Code to read as follows: 3616."

Amendment No. 3.

On page 1, line 6, of the printed bill, as amended, strike out "This act is intended to apply", and insert in lieu thereof the following: "Section 3616.1 is hereby added to the Political Code to read as follows:
3616.1. Section 3616 applies".

Amendment No. 4.

On page 1, line 11, of the printed bill, as amended, strike out "the provisions hereof", and insert in lieu thereof the following: "its provisions".

Amendments adopted.

Assembly Bill No. 771 ordered to reprint, and re-engrossment

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 30, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency:
Assembly Bill No. 462.
And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on unfinished business calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 2796—An act to amend sections 89, 90, 124, 468, 511, 740 and 758 and to add sections 91, 511.5 and 511.6 of the Vehicle Code, relating to speed laws and speed zones.

Committee Amendments to Assembly Bill No. 2796.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "(A)", and insert in lieu thereof the following: "(a)".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "(a)", and insert in lieu thereof the following: "(b)".

Amendment No. 3.

On page 1, line 9, of the printed bill, strike out "fifty feet", and insert in lieu thereof the following: "fifty per cent".

Amendment No. 4.

On page 1, line 13, of the printed bill, after "more", insert the following: "along intersecting streets along highways as specified in subdivisions (a) and (b) of this section".

Amendment No. 5.

On page 1, line 15, of the printed bill, strike out "distance", and insert in lieu thereof the following: "distances".

Amendment No. 6.

On page 1, line 22, of the printed bill, strike out "(A)", and insert in lieu thereof the following: "(a)".

Amendment No. 7.

On page 1, line 26, of the printed bill, strike out "(a)", and insert in lieu thereof the following: "(b)".

Amendment No. 8.

On page 2, line 29, of the printed bill, strike out "511", and insert in lieu thereof the following: "510".

Amendment No. 9.

On page 2, line 32, of the printed bill, strike out "(A)", and insert in lieu thereof the following: "(a)".

Amendment No. 10.

On page 2, line 34, of the printed bill, strike out the comma.

Amendment No. 11.

On page 2, line 36, of the printed bill, after "any", insert the following: "such".

Amendment No. 12.

On page 2, line 44, of the printed bill, before "other", insert the following: "any".

Amendment No. 13.

On page 2, line 52, of the printed bill, before "any", insert the following: "such intersection and".

Amendment No. 14.

On page 3, line 2, of the printed bill, after "along", insert the following: "all".

Amendment No. 15.

On page 3, line 6, of the printed bill, strike out "(B)", and insert in lieu thereof the following: "(b)".

Amendment No. 16.

On page 3, line 14, of the printed bill, strike out "(C)", and insert in lieu thereof the following: "(c)".

Amendment No. 17.

On page 3, line 19, of the printed bill, strike out "(D)", and insert in lieu thereof the following: "(d)".

Amendment No. 18.

On page 3, line 26, of the printed bill, strike out "(E) Fifty", and insert in lieu thereof the following: "(e) Forty-five".

Amendment No. 19.

On page 4, line 51, of the printed bill, after "code", insert a comma and the following: "provided, however, no local authority shall establish such zone on any State highway, except by permission of the Department of Public Works following review of the written findings".

Amendment No. 20.

On page 5, line 14, of the printed bill, strike out "business, residence", and insert in lieu thereof the following: "business or residence district".

Amendment No. 21.

On page 5, line 15, of the printed bill, strike out "business, residence", and insert in lieu thereof the following: "business or residence district".

Amendment No. 22.

On page 6, line 8, of the printed bill, strike out "three-", and insert in lieu thereof the following: "five-".

Amendment No. 23.

On page 6 of the printed bill, between lines 20 and 21, insert the following: "(f) Such signs shall be erected at a height of not less than four nor more than ten feet from the ground and shall be placed on the right-hand side of the highway at the entrance thereof into such district."

Amendment No. 24.

On page 6, line 21, of the printed bill, strike out "(f)", and insert in lieu thereof the following: "(g)".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1638—An act relating to and prescribing a five and one-half day week in retail establishments in California, and providing penalties for the enforcement of its provisions.

Committee Amendments to Assembly Bill No. 1638.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to promote public health and comfort of persons employed by providing for at least thirty-six consecutive hours of rest in every calendar week in retail establishments, and providing penalties for the enforcement of its provisions."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. The words and phrases mentioned in this section as used in this act shall be construed as follows:

Employer shall mean a person, firm or corporation which employs any person to work, labor or exercise skill in connection with the operation of any business, vocation or occupation.

Retail establishment means a place where one or more persons are employed, in which goods, wares or merchandise are offered for sale at retail and includes building, shed, structure or any part thereof occupied in connection with the business of such establishment.

SEC. 2. Every employer operating any retail establishment shall allow every person, except those specified in section 3, employed in, about or in connection with such business or service, at least 36 consecutive hours of rest in every calendar week.

SEC. 3 This act shall not apply to necessary repairs to boilers, machinery, equipment or power or to licensed druggists in the preparation and sale of medical prescriptions and first aid supplies."

Amendment No. 3.

On page 1, line 13, of the printed bill, strike out "SEC. 2", and insert in lieu thereof the following "SEC. 4."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 64—An act to amend section 2 of an act entitled "An act to carry into effect the provisions of section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof," relating to interest charges and compensation.

Committee Amendments to Assembly Bill No. 64.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "and", and insert in lieu thereof the following: "or"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 5 to 13, inclusive, and insert in lieu thereof the following: "excess of 1 per cent per month, except that a minimum charge of 25 cents per month may be made in any case where the monthly charge permitted by this section would otherwise be less than 25 cents"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1834—An act to amend section 2167b of the Political Code, relating to persons mentally disordered and bordering on insanity, but not dangerously insane

Committee Amendments to Assembly Bill No. 1834.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "Creation of office of psychopathic parole officer."

Amendment No. 2.

On page 1, line 26, of the printed bill, strike out "Duties and powers."

Amendment No. 3.

On page 2, line 28, of the printed bill, strike out "Expenses."

Amendment No. 4.

On page 2, lines 45 and 46, of the printed bill, strike out "Care of persons mentally sick, or addicted to intemperate use of alcohol or stimulants."

Amendment No. 5.

On page 3, line 12, of the printed bill, strike out "Payment of expense."

Amendment No. 6.

On page 3, line 33, of the printed bill, after the semicolon, add the following "with the exception, however, that the provision for payment of said expense out of county funds shall not apply to persons addicted to the intemperate use of alcohol or stimulants".

Amendment No. 7.

On page 3, line 34, of the printed bill, strike out "Transfer of custody."

Amendment No. 8.

On page 3, line 46, of the printed bill, strike out "Construction"

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 632—An act to amend section 7 of, and to add section 15 to, the California Air Navigation Act, relating to rules and regulations and their enforcement.

Committee Amendments to Assembly Bill No. 632.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the comma which follows "of", and strike out "and to add section 15 to,"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 13 to 26, inclusive

Amendments adopted

Bill read second time ordered to reprint and engrossment

Assembly Bill No. 252—An act providing for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939, providing for the construction of a State Building therefor and the gardening and improvement of its surrounding

grounds, creating a California Commission for the Golden Gate International Exposition to have charge and control of said State Exhibit and Building, defining its powers and duties and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 252.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, after the word "building", insert the words "or buildings"

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, strike out the word "its", and insert in lieu thereof the word "the".

Amendment No. 3.

On page 1, line 7 of the title of the printed bill, after the word "building", and before the comma, insert the words "or buildings".

Amendment No. 4.

On page 2, line 12, of the printed bill, after the word "of", strike out "_____ hundred thousand", and insert in lieu thereof the following: "five million".

Amendment No. 5.

On page 2, line 16, of the printed bill, after the word "act", strike out the comma, and insert in lieu thereof a period, and strike out balance of said line, and all of lines 17, 18, 19, 20, 21, 22, and the following words in line 23 "State Building's surrounding grounds.", and insert in lieu thereof the following: "In carrying out the purposes of this act the commission shall have the power and it shall be its duty to provide for the acquisition, collection, transportation, installation and maintenance of a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939 by its sponsor, the San Francisco Bay Exposition, a California nonprofit corporation, and the construction of a State Building or buildings for said State Exhibit and the gardening and improvement of the grounds surrounding the State Building or buildings and the rental of such space as the commission may deem adequate for any part or parts of said State Exhibit and for the supply of utility services in connection with said State Exhibit and for the entertainment of distinguished guests, the transportation of public school children to and from said exposition at such times and on such occasions as the commission may approve and for the compensation of the assistants employed by the commission and for all other expenses as may be deemed necessary by the commission to carry out the purposes of this act".

Amendment No. 6.

On page 2, line 30, of the printed bill, after the word "industry", insert the words "education, recreation".

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 867—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions.

Committee Amendments to Assembly Bill No. 867.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2, line 1, of the printed bill, after the comma which follows "undertaking", add the following: "or extra curricular activities, including the radio broadcasting thereof when unsponsored".

Amendment No. 2.

On page 2 of the printed bill, after line 13, add the following:

"This section shall not apply to the broadcast of any of the aforementioned events, ceremonies, or activities."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2084—An act to amend section 7 of an act entitled "An act to provide that the Department of Natural Resources, through

the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner, to make an appropriation for carrying out the purposes of this act, and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas.

Committee Amendments to Assembly Bill No. 2084.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "or funds", and insert in lieu thereof the following: "and, after deducting therefrom all moneys appropriated to the veterans' dependents' education fund by section 898 of the Military and Veterans Code, and all rents, bonuses and royalties accruing from the use of State school land,"

Amendment No. 2.

On page 1, line 18, of the printed bill, after the period, add the following: "Out of said fund the commission shall also purchase forest and brush covered lands having present or potential park or recreational values. In making such purchases the commission shall also consider as a primary factor in selecting such areas the possible future value to the State of such areas as watersheds and reservoir sites. The Department of Public Works shall assist in the selection of such sites, upon request of the commission."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2813—An act authorizing the removal of the monument or statute in memory of Chief Solano from its present location on the highway near Fairfield to the grounds of the courthouse at Fairfield in the county of Solano

Bill read second time, and ordered to engrossment

Assembly Bill No. 1794—An act licensing and regulating persons engaged in the business of writing, procuring and furnishing bail and bail bonds in criminal actions and providing penalties for the violation thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1586—An act to add a new section to the State Bar Act, to be numbered section 29a, providing against the disbarment, suspension, or discipline of a member of the State Bar for statements concerning a judge during an election campaign.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2799—An act to amend section 737s, as amended, of the Political Code of the State of California to provide an annual salary for each of the judges of the superior court in and for the county of Los Angeles of $10,000.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 323—An act to amend Chapter 34, Statutes of 1927, entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said act," approved March 31, 1927, by adding a new section thereto to be known as 47a, forbidding any member of the State Bar from practicing law in any other than his own name or jointly with other active members of the State Bar; and

repealing all laws and parts of acts and laws in conflict therewith, and providing penalty for the violation thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 206—An act to amend section 403 of the Vehicle Code, relating to liability for injuries or death of guests.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1764—An act to amend sections 16, 71, 72, 73, 74 and 75 of the "Improvement Act of 1911," approved April 7, 1911, as amended.

Committee Amendments to Assembly Bill No. 1764.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following. ", 71, 72, 73, 74 and".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out all of the language following "16", and strike out all of lines 4 to 21, inclusive, and insert in lieu thereof the following language:

"At any time within ten days from the date of the first publication of the notice of award of contract, any owner of, or other persons having any interest in, any lot or land liable to assessment, who claims that any of the previous acts or proceedings, relating to said improvement, are irregular, defective, erroneous or faulty, may file with the clerk of the city council a written notice specifying in what respect said acts and proceedings are irregular, defective, erroneous or faulty. Said notice shall state that it is made in pursuance of this section. All objections to any act or proceeding occurring prior to the time within which such objections are permitted to be filed in relation to said improvement, not made in writing and in the manner and at the time aforesaid, shall be waived, provided the resolution of intention to do the work has been actually published, as provided in this act. At any time after bids have been received and prior to the date fixed for the beginning of work, the legislative body conducting the proceedings may bring an action in the superior court of the county in which the city lies to determine the validity or invalidity of such proceedings and the validity or invalidity of any contract entered or to be entered pursuant thereto. Any contractor to whom a contract has been awarded may, if he believes that the proceedings are in any respect defective, erroneous or faulty and that a contract entered pursuant thereto would be invalid, bring such an action to determine the validity or invalidity of such proceedings and of such contract. Such action shall be in the nature of a proceeding *in rem*, and jurisdiction of all parties interested may be had by publication of summons for at least once a week for three (3) weeks in some newspaper of general circulation published in the county where the action is pending, such paper to be designated by the court having jurisdiction of the action. Said summons shall contain a general description of the boundaries of the assessment district. Jurisdiction shall be complete within ten (10) days after the full publication of such summons in the manner herein provided. Anyone interested may, at any time before the expiration of said ten (10) days, appear and by proper proceedings contest the validity of such proceedings and contract or uphold the same. Such action shall be speedily tried and judgment rendered declaring the matter so contested either valid or invalid. Either party shall have the right to appeal to the Supreme Court at any time within thirty (30) days after the rendition of such judgment, which appeal must be heard and determined within three (3) months from the time of taking such appeal. The motion for a new trial of any such action must be heard and determined within ten (10) days from the filing of the notice of intention.

The court hearing the said action, in inquiring into the regularity, legality or correctness of the proceedings and of the contract made or proposed to be made, must disregard any error, irregularity or omission which does not affect the substantial rights of the parties to said action or proceeding. Any rules of pleadings and practice provided by the Code of Civil Procedure which are not inconsistent with the provisions of this act are applicable to the action herein provided for. All costs of the action provided for in this section may be allowed and apportioned between the parties or taxed to the losing party in the discretion of the court. If the validity of the proceedings and of the contract or proposed contract is sustained, the validity of such proceedings or contract shall not thereafter be contested in any action, suit or proceeding, and the judgment entered in the action herein provided for shall be conclusive evidence of the validity of such contract

and of all proceedings prior thereto. In the action herein provided, all findings, conclusions and determinations of the legislative body which conducted the proceedings shall be conclusive in the absence of actual fraud.

In the event an action is commenced under the provisions of this section to determine the validity of any contract or proposed contract, if the contract has not been signed, the contractor shall not be obligated to sign the same until a judgment sustaining the validity of the proceedings and the proposed contract has become final, and if the contractor has signed and executed the contract, he shall not be obligated to begin work until a judgment sustaining the validity of the proceedings and contract has become final. If, in the action, any judgment be entered holding the contract invalid, the contractor shall be discharged and relieved of all obligation under the contract, and he and his sureties shall be discharged and relieved of all obligation upon any bond or bonds required by law in connection with such contract."

Amendment No. 3.

On page 1, line 22, of the printed bill, strike out "Sections 71, 72, 73, 74 and 75 of said act are", and insert in lieu thereof the following: "Section 75 of said act is".

Amendment No. 4.

On page 1, line 24, of the printed bill, strike out the figure "1", and insert in lieu thereof the figure "5": in the same line, following the second period, insert the following: "The deed, when duly acknowledged or proved, is primary evidence of the regularity of all proceedings theretofore had, and conveys to the grantee the absolute title to the lands described therein, as of the date of the expiration of the period for redemption, free of all encumbrances, except the lien for State, county and municipal taxes.

No action, suit or proceeding to set aside, cancel or in any manner attack or question the validity of any sale for delinquency, or any proceedings prior thereto, or to quiet title to the lands sold, or any portion thereof, against the purchaser at such sale shall be commenced or maintained by any person unless the same shall be commenced within one (1) year after the date of the certificate of sale, and after said year has expired all persons shall be barred from commencing or prosecuting any such action, suit or proceeding, and after said year has expired, any and all persons shall likewise be barred in any action, suit or proceeding from asserting or maintaining that the said sale, or any proceedings prior thereto, was invalid.

Any action, suit or proceeding attacking or contesting the validity of any deed issued under the provisions of this act, or the validity of the proceedings subsequent to the issuance of the certificate of sale, must be brought within six (6) months after the issuance of such deed, and if the validity of said deed or of said proceedings is not contested within said six (6) months' period, thereafter it shall not be contested or questioned in any action, suit or proceeding.

In the event any sale of lands for delinquency in the payment of principal or interest of any bond is held illegal or invalid, or any deed issued to the purchaser at any such sale is held illegal or invalid for any reason whatsoever, the lands described in the bond shall not be released from the lien of the assessment but shall be and remain subject to further proceedings for the enforcement of said assessment, and said further proceedings may include an additional sale or sales or the issuance of a new deed or deeds, but, in any event, the lien of the assessment shall continue until a valid sale is had and a valid deed issued."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2607—An act to authorize the incorporated cities of the State of California to establish retirement systems for their policemen, firemen and other employees of said cities where there is not already established a retirement system for the said officers or employees of said cities and providing for the appointment by the Governor of a Retirement Commission for the general administration of the retirement systems established by the said incorporated cities within the State. The members of the city retirement board shall serve without additional compensation.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1625—An act to amend section 1 2 of the School Code, relating to pupils in the public schools.

Committee Amendments to Assembly Bill No. 1625.

The following amendments were submitted by the committee·

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 1.2 of the", and insert in lieu thereof the following. "repeal Article II of Chapter I of Part 1 of Division III of the School Code and to add a new article to be known as Article II to Chapter I of Part I of Division III of the said".

Amendment No. 2.

On page 1, line 2, of the printed bill, strike out "pupils in the public schools", and insert in lieu thereof the following: "the care and education of Indian children attending the public schools, declaring the urgency thereof and providing that this act shall take effect immediately".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Article II of Chapter I of Part I of Division III of the School Code is hereby repealed.

SEC. 2. A new article to be known as Article II is hereby added to Chapter 1 of Part I of Division III of the School Code, to read as follows:

3.10. There is hereby created in the county treasury of each county receiving Federal funds for the education and care of Indian children in accordance with contracts between the State Department of Education and the United States Government a special fund to be known as the county Indian school reimbursement fund.

3.11. The county superintendent of schools of each county shall on or before June 30, 1937, transfer to the county Indian school reimbursement fund any balances to the credit of any school district of said county of funds derived from the Federal Government for the education and care of Indian children, together with any balances of moneys to the credit of any county fund derived from the same source.

3.12. The county superintendent of schools shall credit to the county Indian school reimbursement fund any moneys hereafter received from the Federal Government or from the State Department of Education under the terms of the contract between said Federal Government and the State Department of Education for the education and care of Indian children.

3.13. The county superintendent of schools of each county is hereby authorized to make temporary transfers from the unapportioned county elementary school fund and from the unapportioned county high school fund of his county in such amounts and at such times as he deems necessary to meet expenses incurred with the approval of the Superintendent of Public Instruction for the education and care of Indian children attending the public schools of the county. The amounts so transferred shall be repaid to said unapportioned county school funds from the apportionments of Federal funds subsequently received in the county Indian school reimbursement fund.

3.14. Such portion of the moneys received in the county Indian school reimbursement fund as may not be required for repayment of temporary transfers made from the unapportioned county school funds may be expended by the county superintendent of schools for the education and care of Indian children attending the public schools of the county in accordance with the provisions of a contract between the State Department of Education and the Federal Government and subject to the approval of the Superintendent of Public Instruction.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution, and shall take effect immediately. The facts constituting such necessity are as follows:

The Superintendent of Public Instruction is responsible under the terms of an agreement entered into by him with the Secretary of the Interior of the United States Government for the expenditure of approximately $200,000 a year allotted to California for the care and education of Indian children enrolled in the public schools of the State. It has not been possible to administer this money as efficiently as is desired because of the lack of legislation establishing a uniform procedure for the expenditure of these funds in the various counties of the State. This measure establishes such a procedure, and its enactment will promote and facilitate the health and welfare of the Indian children who are the beneficiaries of the aid provided by the Federal Government through the Superintendent of Public Instruction"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1626—An act to amend section 5.124 of the School Code, relating to the teaching force of the public schools

Committee Amendments to Assembly Bill No. 1626.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 5.124 of", and insert in lieu thereof the following: "add a new section to".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, strike out the comma, and insert in lieu thereof the following. "to be numbered 5.736,".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "Section 5.124 of", and insert in lieu thereof the following: "A new section is hereby added to".

Amendment No. 4.

On page 1 of the printed bill, beginning in line 1, strike out "is hereby amended", and insert in lieu thereof the following: "to be numbered 5.736 and to".

Amendment No. 5.

On page 1 of the printed bill, following line 2, insert the following:

"5.736. The governing board of any school district is hereby authorized to employ such substitute employees of the district as it may deem necessary from month to month and to adopt a salary schedule for such employees.

The provisions of this section shall not be construed as modifying or repealing any law fixing a minimum annual salary, or salaries for employees of districts."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 208—An act to add a new section to the School Code to be numbered 2.95, relating to the powers and duties of superintendents of school districts.

Committee Amendment to Assembly Bill No. 208.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 9, of the printed bill as amended, after the period, insert the following: "Any deputy city superintendent of schools, or assistant city superintendent of schools, or district superintendent may be elected for a term of four years."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1034—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.55, relating to the participation of pupils in public exhibitions.

Committee Amendments to Assembly Bill No. 1034.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 24, of the printed bill, after "undertaking,", insert the following: "or extra curricular activities including broadcasts thereof".

Amendment No. 2.

On page 2, line 5, of the printed bill, after "school.", insert the following: "Nothing in this section shall be construed to prohibit the radio broadcast of the aforementioned events, ceremonies or activities."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1798—An act to amend section 5.721 of the School Code, relating to absence from duty.

Committee Amendment to Assembly Bill No. 1798.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 14 and 15, and insert in lieu thereof the following: "Such leave".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 135—An act expressing assent by the State of California to the provisions and purpose of an act passed by the Congress of the United States entitled "An act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges," approved June 29, 1935, and to authorize and empower the Regents of the University of California to receive all grants of money appropriated under the said above entitled act of the Congress of the United States, and to apply, use and expend said grants of money for the purposes and in accordance with the terms, conditions, and requirements set forth in the act of the Congress aforesaid.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 954—An act to amend section 4.974 of the School Code of the State of California, relating to the expenses for the issuance of school bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 977—An act to repeal section 2 1209 of the School Code, relating to the grading of schools by county superintendents of schools.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 983—An act to repeal Article II of Chapter II of Part II of Division II of the School Code, relating to the governing board of a newly organized school district.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1800—An act to amend section 5 722 of the School Code, relating to leaves of absence.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1137—An act to add Chapter 7, comprising sections 3000 to 3152, inclusive, to Division II and to add section 30005 to Division XXX of the Business and Professions Code, relating to the practice of optometry and repealing acts and parts of acts specified herein.

Committee Amendments to Assembly Bill No. 1137.

The following amendments were submitted by the committee

Amendment No. 1.

On page 4, line 28, of the printed bill, strike out ", an oculist or an optometrist".

Amendment No. 2.

On page 4, line 29, of the printed bill, after the second "or", and preceding the second "from", insert the following "a duly licensed physician and surgeon, oculist or optometrist".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1139—An act to amend section 10½ of the Optometry Law, relating to the unlawful practice of optometry

Committee Amendment to Assembly Bill No. 1139.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, after line 29, insert the following "The provisions of this subdivision do not apply to the advertising of goggles, sunglasses, colored glasses or occupational eye-protective devices, provided the same are so made as not to have refractive values."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1721—An act relating to the sale, disposition of, advertising, and control through licensing and otherwise, of prophylactics and contraceptives.

Committee Amendments to Assembly Bill No. 1721.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 21 to 24, inclusive.

Amendment No. 2.

On page 1, line 25, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof the following: "(d)".

Amendment No. 3.

On page 2, line 4, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof the following: "(e)".

Amendment No. 4.

On page 2, line 6, of the printed bill, as amended, strike out "(g)", and insert in lieu thereof the following: "(f)".

Amendment No. 5.

On page 2, line 22, of the printed bill, as amended, strike out "have power to".

Amendment No. 6.

On page 2, line 23, of the printed bill, as amended, strike out "to issue licenses and to", and insert in lieu thereof the following: "shall issue licenses and shall".

Amendment No. 7.

On page 2, line 38, of the printed bill, as amended, after "All", insert the following: "sheath".

Amendment No. 8.

On page 2 of the printed bill, as amended, strike out lines 41 to 43, inclusive, and insert in lieu thereof the following: "manufacturer. They shall not be affected within one hour by application of lubricants commonly used, such as various prophylactic ointments, petroleum jellies, or mineral oils, usually present in lubricating creams.

The board shall adopt and promulgate from time to time, and shall have jurisdiction over, the establishing of such standards relating to and governing prophylactics as may be deemed necessary by it in the interest of disease prevention."

Amendment No. 9.

On page 2, lines 46 and 47, of the printed bill, as amended, strike out " ; to seize stocks illegally held; to", and insert in lieu thereof the following: ". The board shall".

Amendment No. 10.

On page 2, lines 48 and 49, of the printed bill, as amended, strike out " ; and to make seizure of", and insert in lieu thereof the following "and shall seize".

Amendment No. 11.

On page 2, line 50, of the printed bill, as amended, strike out "holding", and insert in lieu thereof the following: "and may hold".

Amendment No. 12.

On page 2, line 51, of the printed bill, as amended, strike out "the occupier and the owner", and insert in lieu thereof the following: "and the occupier".

Amendment No. 13.

On page 3, line 2, of the printed bill, as amended, strike out " The total of", and insert in lieu thereof the following: "and".

Amendment No. 14.

On page 3 of the printed bill, as amended, strike out lines 3 and 4, and insert in lieu thereof the following: "funds are to be used for the enforcement of this act in such manner as to insure compliance".

Amendment No. 15.

On page 3, line 6, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "two".

Amendment No. 16.

On page 3, line 7, of the printed bill, as amended, strike out "Importer,".

Amendment No. 17.

On page 3, line 16, of the printed bill, as amended, strike out "$25", and insert in lieu thereof the following. "$50".

Amendment No. 18.

On page 3, line 27, of the printed bill, as amended, strike out "his", and insert in lieu thereof the following: "the manufacturer's".

Amendment No. 19.

On page 3 of the printed bill, as amended, strike out lines 30 to 37, inclusive, and insert in lieu thereof the following: "lactics to physicians."

Amendment No. 20.

On page 3, line 46, of the printed bill, as amended, strike out "prophylactics", and insert in lieu thereof the following: "prophylactic".

Amendment No. 21.

On page 4, line 30, of the printed bill, as amended, after "firm", insert the following: ", partnership".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 494—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick and the afflicted.

Committee Amendments to Assembly Bill No. 494.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend section 10 of the State Medical Practice Act, approved June 2, 1913, as amended, relating to courses of study required of applicants for certification under said act."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1." insert the following: "Section 10 of the State Medical Practice Act is hereby amended to read as follows:

Sec. 10. Applicants for any form of certificates shall file satisfactory evidence of having pursued in any legally chartered school or schools, approved by the board, a resident course of instruction covering and including the following minimum requirements:

FOR A "PHYSICIAN'S AND SURGEON'S CERTIFICATE"

Group 1. Anatomy, including embryology and histology	14	to	18½	per cent
Group 2. Physiology	4½	to	6	per cent
Group 3. Biochemistry	3½	to	4½	per cent
Group 4. Pathology, bacteriology and immunology	10	to	13	per cent
Group 5. Pharmacology, including materia medica and toxicology	4	to	5	per cent
Group 6. Preventive medicine and hygiene	3	to	4	per cent
Group 7. General medicine, neurology and psychiatry, pediatrics, dermatology and syphilis	20	to	26½	per cent
Group 8. General surgery, orthopedic surgery, urology, ophthalmology, otolaryngology, roentgenology	13	to	17½	per cent
Group 9. Obstetrics and gynecology	4	to	5	per cent
Total	76	to	100	per cent
Electives	24		0	per cent
Total number of hours required			4000	hours

FOR A "DRUGLESS PRACTITIONER CERTIFICATE"

Group 1. 600 hours.	
Anatomy	485 hours
Histology	115 hours
Group 2. 270 hours.	
Elementary chemistry and toxicology	70 hours
Physiology	200 hours
Group 3. 235 hours.	
Elementary bacteriology	40 hours
Hygiene	45 hours
Pathology	150 hours
Group 4. 370 hours.	
Diagnosis	370 hours
Group 5. 260 hours.	
Manipulative and mechanical therapy	260 hours
Group 6. 265 hours.	
Gynecology	100 hours
Obstetrics	165 hours
Total	2000 hours

FOR A CERTIFICATE TO PRACTICE CHIROPODY

Group 1. 320 hours.	
Anatomy	256 hours
Histology	64 hours
Group 2. 160 hours.	
Chemistry	64 hours
Physiology	96 hours
Group 3. 192 hours.	
Bacteriology	96 hours
Hygiene	32 hours
Pathology	64 hours
Group 4. 224 hours.	
Diagnosis:	
Syphilis	64 hours
Dermatology	96 hours
Physical diagnosis of diseases affecting the feet	64 hours
Group 5 1040 hours	
Manipulative and mechanical therapy:	
Didactic and clinical chiropody	704 hours
Orthopedics	208 hours
Surgery	128 hours
Group 6 64 hours	
Materia medica and therapeutics	64 hours
Total	2000 hours

provided that on and after July 1, 1930, the minimum requirements of groups five and six and the total number of hours of instruction of the above schedule "For a certificate to practice chiropody" shall be as follows

Group 5 1665 hours	
Manipulative and mechanical therapy:	
Didactic and clinical chiropody	1329 hours
Orthopedics	208 hours
Surgery	128 hours
Group 6. 64 hours.	
Materia medica and therapeutics	64 hours
Total	2625 hours

FOR A CERTIFICATE TO PRACTICE MIDWIFERY

Group 1. 150 hours.	
Anatomy	75 hours
Physiology	75 hours
Group 2. 265 hours.	
Hygiene and sanitation	100 hours
Obstetrics	165 hours
Total	415 hours

In the course of study herein outlined the hours required shall be actual work in the classroom, laboratory, clinic or hospital, and at least 80 per cent of actual attendance shall be required, provided, that the hours herein required in any subject need not exceed 75 per cent of the number specified, but that the total number of hours in all the subjects of each group shall not be less than the total number specified for such group

Be it further enacted that an applicant for a "physician's and surgeon's" certificate, whose application is based on a diploma issued to him by a foreign medical school approved by the Board of Medical Examiners of this State (a) must furnish documentary evidence satisfactory to said board that he has completed a resident course of instruction in said approved medical school equivalent to that required in this section for a physician and surgeon applicant and (b) that subsequent thereto said applicant had issued to him a medical diploma and in addition to the requirements hereinbefore mentioned, said applicant (c) must also file documentary evidence satisfactory to the board that he has been admitted or licensed to practice medicine and surgery in the country wherein is located the institution wherein he pursued his medical course of instruction referred to herein, unless applicant presents evidence satisfactory to the board that he was graduated during the World War period and was prevented by race or alienage from becoming so licensed, in the country wherein is located the institution wherein he pursued his medical course of instruction and in addition thereto, said applicant (d) must present documentary evidence satisfactory to the board that he has completed either the senior or fourth or final year in an approved medical school in the United States, or, in lieu thereof, said applicant (e) must file evidence satisfactory to the board that he has served at least one year in residence in a hospital located in the United States and approved by the board for internship."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1491—An act to add Chapter 11B to Part 2 of Division 2 of the Insurance Code, authorizing the creation, organization and government, and providing for the regulation of public associations to be known as medical service associations, defining medical service contracts, providing standard provisions for such contracts, providing for the deposit of security by medical service associations, providing for certificates of authority for associations entering into medical service contracts, and rendering through members medical services and providing for the powers and liabilities of medical service associations

Committee Amendments to Assembly Bill No. 1491.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the words "General Provisions", and insert in lieu thereof the words: "Scope of Chapter".

Amendment No. 2.

On page 1, line 11, of the printed bill, after the comma immediately following the word "surgeons", insert the words: "and subject to the provisions of subdivision (h) of section 11503, dentists,".

Amendment No. 3.

On page 1, lines 14 and 15, of the printed bill, strike out the words: "from physicians and surgeons".

Amendment No. 4.

On page 2 of the printed bill, between lines 7 and 8, insert the following:

"11501.2. This chapter applies only to associations formed and operating pursuant to its provisions and to contracts issued by such associations.

Article 2. Definitions.

11501.6 "Medical service contract" is an agreement by a medical service association to provide to the beneficiary named therein, in consideration of a sum certain, the professional services of physicians therein included and the services of dentists for such dental services as may be provided therein (together with, if so provided therein, all or any part of the hospital service enumerated in any act regulating nonprofit hospital service plans) for a specified period in the event that the beneficiary is in need thereof.

11501.7. "Physician" or "physician and surgeon" means a person who holds an unrevoked physician's and surgeon's certificate issued to him by the Board of Medical Examiners of this State.

11501.8. "Dentist" means a person who holds an unrevoked dentist's certificate issued to him by the Board of Dental Examiners of this State.

11501.9. When used in this chapter "Association" or "Medical service association" means a medical service association formed under this chapter.

Article 3. Formation and Purposes of Medical Service Associations.

11502.1. In counties having a population of more than 2,000,000, a group of physicians comprising at least 26 per cent of the physicians engaged in active practice within a city having a population of more than 100,000 may form a medical service association.

11502.2. In counties having a population of more than 2,000,000 a group of physicians comprising at least 26 per cent of the physicians engaged in active practice within their county may form a medical service association. With the exception of associations formed in cities having a population of more than 100,000, there may be but one association operating within each of such counties. Associations formed under this section may not operate in cities having an association formed under the preceding section and in determining the number of physicians in active practice there shall be excluded all physicians actively practicing in those cities in which an association has been formed.

11502.3. In counties having a population of more than 200,000 and not more than 2,000,000 a group of physicians comprising at least 26 per cent of the physicians engaged in active practice within their county may form a medical service association.

11502.4. In counties having a population of 200,000 or less, a group of physicians comprising at least 51 per cent of the physicians engaged in active practice within their county may form a medical service association.

11502.5. A group of physicians engaged in active practice within a group of contiguous counties or within a city in which an association may be formed and a county or group of contiguous counties adjoining the county in which such city is situated and comprising with respect to each county or city at least the minimum proportion of physicians required in the preceding sections of this article for such county or city, may form one association to operate in all of the counties or counties and cities in which such physicians are engaged in active practice.

11502.6. Medical service associations formed pursuant to this chapter are to be formed for the purpose of furnishing, within the cities, counties or groups of contiguous counties in which they are formed, professional services of physicians or physicians and dentists, and for the purpose of providing hospital services, to those persons who may enter into medical service contracts therefor.

11502.7. Each medical service association shall be known and designated by the name of the city, county or of one or more of the counties within which it is formed, followed by the words: "Medical service association". No other name may be used by a medical service association in the conduct of its affairs. Persons or private associations of persons not operating under this chapter may not conduct their affairs under any name which includes the words "Medical service association".

Article 4. Organization and Government.

Amendment No. 5.

On page 2 of the printed bill, strike out all words in lines 8 to 41, inclusive.

Amendment No. 6.

On page 2, line 46, of the printed bill, strike out the word "above", and insert in lieu thereof the word "herein".

Amendment No. 7.

On page 2, line 49, of the printed bill, after the word "surgeon", insert the words: "or, as hereinafter provided, a dentist".

Amendment No. 8.

On page 2 of the printed bill, at lines 51 and 52, strike out the words: "and surgeons practicing within the county or counties included in the association's territory", and insert in lieu thereof the following: "and, subject to the provisions of this section, all dentists, who are engaged in active practice within the city, county or counties included in the association's territory and who agree to abide by the articles of association, by-laws and regularly adopted rules and regulations of the association."

Amendment No. 9.

On page 3 of the printed bill, between lines 34 and 35, insert the following: "(h) The association may admit as members, at the option of its board of directors, dentists who are practicing in the city, county or counties included in the association's territory for the purpose of providing such dental care as may be included in medical service contracts. Those services, incidental to the treatment of disease and injuries of the jaws and their dependent tissues which may be performed by dentists, shall be excluded from all medical service contracts issued by the association until such time as it exercises the option referred to above."

Amendment No. 10.

On page 3, line 39, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "5".

Amendment No. 11.

On page 3, line 50, of the printed bill after the word "county", insert the words: "except as otherwise provided in this chapter".

Amendment No. 12.

On page 4 of the printed bill, strike out all words in lines 4 to 32, inclusive, and insert in lieu thereof the following:

"11504.2. No association formed under this chapter shall operate or do business unless it shall have and at all times maintain a reserve fund equal to the sum of all amounts payable to persons other than beneficiaries plus the amount of unearned premiums plus an amount equal to the following minimum sums in relation to the number of beneficiaries to whom it has issued or has agreed to issue medical service contracts:

Number of Beneficiaries	*Amount of Reserve Fund*
1,000 or less	$5,000 00
1,001 to 2,000, inclusive	7,500 00
2,001 to 3,000, inclusive	10,000 00
3,001 to 4,000, inclusive	12,500 00
4,001 to 5,000, inclusive	15,000 00
5,001 to 6,000, inclusive	17,500 00
6,001 to 7,000, inclusive	20,000 00

7,001 and above, $20,000.00 plus $200 00 for each additional 100 beneficiaries or fraction thereof.

If the association includes hospital services in its medical service contracts, then it shall have and at all times maintain in addition to the amounts above required, a reserve fund equal to the minimum amounts required for nonprofit hospital service plan corporations This additional reserve fund shall be computed as provided in any chapter now or hereafter contained in this code and governing nonprofit hospital service plans."

Amendment No. 13.

On page 4, line 47, of the printed bill, after the word "unlawful", insert the words: "for any medical service association".

Amendment No. 14.

On page 5, line 6, of the printed bill, strike out the word "medical", and insert in lieu thereof the word "professional".

Amendment No. 15.

On page 5, line 28, of the printed bill, insert after the word "physician" in each place that it appears in said line 26, the words: "or dentist"

Amendment No. 16.

On page 5, line 33, of the printed bill, after the word "physician" insert the words: "or dentist".

Amendment No. 17.

On page 5, line 39, of the printed bill, after the word "physician" insert the words: "or dentist".

Amendment No. 18.

On page 5, line 41, of the printed bill, after the word "physician", insert the words: "or dentist".

Amendment No. 19.

On page 5, line 44, of the printed bill, after the word "physician", insert the words: "or dentist".

Amendment No. 20.

On page 5, line 46, of the printed bill, strike out the word "medical", and insert in lieu thereof the word "professional".

Amendment No. 21.

On page 6, line 8, of the printed bill, strike out the word "medical", and insert in lieu thereof the word "professional".

Amendment No. 22.

On page 6, line 21, of the printed bill, strike out the word "medical", and insert in lieu thereof the word "professional".

Amendment No. 23.

On page 6, lines 30 and 31, of the printed bill, strike out the words "of physicians and surgeons".

Amendment No. 24.

On page 6, line 34, of the printed bill, strike out the word "and".

Amendment No. 25.

On page 6, line 41, of the printed bill, strike out the period, and insert a semicolon, and immediately after the semicolon, insert the word "and".

Amendment No. 26.

On page 6 of the printed bill, between lines 41 and 42, insert the words:

"(k) If the contract includes hospital services, unless the requirements as to contract form of any act regulating nonprofit hospital service plans are fulfilled,

or, if applicable, unless the requirements as to contract form of section 10310 of this code are fulfilled."

Amendment No. 27.

On page 7, lines 5 and 6, of the printed bill, strike out the words: "will not, in his discretion,", and substitute the words: "he has found, after due examination of the material facts, will not".

Amendment No. 28.

On page 7, line 7, of the printed bill, after the word "thereof", insert the words: "or in unreasonable compensation to members of any association for services rendered".

Amendment No. 29.

On page 7, line 8, of the printed bill, strike out the words: "will not, in his discretion,", and substitute the words: "he has found, after such examination, will not".

Amendment No. 30.

On page 7, line 13, of the printed bill, strike out the figure "4", and substitute the figure "6".

Amendment No. 31.

On page 7 of the printed bill, between lines 37 and 38, insert the following:

"11514. Every medical service association shall keep records sufficient and complete for the purpose of furnishing at all times the information required to be reported to the commissioner under this chapter and sufficient to furnish complete information as to services rendered. Such records shall be subject to examination pursuant to the provisions of Article 4, Chapter 1, Part 2, Division 1 of this code."

Amendment No. 32.

On page 7, line 39, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "7".

Amendment No. 33.

On page 8, line 4, of the printed bill, after the word "physicians", insert the words: "or physicians and dentists".

Amendment No. 34.

On page 8 of the printed bill, strike out all words in lines 9 to 13, inclusive, and insert in lieu thereof the words:

"11515.3. Medical service associations formed and operating strictly in accordance with this chapter shall not be subject to any other provisions of this code not specifically referred to in this chapter, nor to any statute relating to insurance, whether now existing or hereafter enacted, except when expressly designated therein."

Amendment No. 35.

On page 8, line 15, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "8".

Amendment No. 36.

On page 8, line 31, of the printed bill, strike out the word "is", and all following words to and including the word "public" in line 38, and insert in lieu thereof the following: "shall be deemed to be insolvent if its reserve fund shall be impaired so as to be less than the amounts required to be maintained by the provisions of this chapter. In determining whether there has been an impairment of the reserve fund, the unexpired portions of all premiums received by and paid to the association on medical service contracts then in force shall be deemed a liability."

Amendment No. 37.

On page 8, line 40, of the printed bill, strike out the words "Article 7. Miscellaneous."; at line 42, strike out the figures "11518.1", and insert in lieu thereof the following: "Section 2"; and in line 46, strike out the figures "11518.2", and insert in lieu thereof the words: "Section 3".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2016—An act to amend section 120 of the Agricultural Code, relating to nurserymen licenses.

Committee Amendment to Assembly Bill No. 2016.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 26, of the printed bill, after "only", insert the following: "and who do not grow such plants".

Amendment adopted.

Bill read second time, ordered to reprint, and engrossment.

Assembly Bill No. 866—An act to amend section 1152 of the Agricultural Code, pertaining to marketing.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2331—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 4041.29, relating to agricultural research by counties.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 810—An act to amend section 1142 of the Political Code, relating to elections.

Committee Amendment to Assembly Bill No. 810.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 4 of the printed bill, strike out lines 20 and 21.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 989—An act to amend the Direct Primary Law, approved June 16, 1913, as amended, by adding thereto a new section to be designated section 22a, to authorize the board of supervisors, canvassing board or election commission to recount the voted ballots in precincts where the precinct returns show a total of votes cast for all candidates for an office, or a total of votes cast for and against any proposition, in excess of the number of votes cast in the precinct, and providing that the board or commission may in its discretion appoint a special recounting board for this purpose.

Committee Amendments to Assembly Bill No. 989.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, at line 1 of the title, strike out the word "amend", and insert in lieu thereof "add section 22a to".

Amendment No. 2.

On page 1 of the printed bill, at line 1 of the title, commencing with the word "approved", strike out the remainder of said title, and insert in lieu thereof the following: "relating to the recounting of ballots".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out the whole thereof, and insert in lieu thereof the following: "A new section, to be numbered 22a, is hereby added to the act cited in the title hereof, and".

Amendment No. 4.

On page 1, line 2, of the printed bill, strike out the following: "a new section to be designated section 22a".

Amendment No. 5.

On page 1, line 5, of the printed bill, strike out the following: "or a total of votes cast for and against any proposition,".

Amendments adopted.

Bill read second time, and ordered to reprint and engrossment.

Assembly Bill No. 991—An act to amend the Political Code of the State of California by amending section 1281a and by adding thereto a new section to be designated 1281b, to authorize the board of supervisors, canvassing board or election commission to recount the voted ballots in precincts where the precinct returns show a total of votes cast for all candidates for an office, or a total of votes cast for and against any proposition, in excess of the number of votes cast in the precinct, and providing that the board or commission may in its discretion appoint a special recounting board for this purpose.

Committee Amendment to Assembly Bill No. 991.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 27, of the printed bill, strike out the following: "later than three days", and insert in lieu thereof the following "less than three days nor more than six days".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 444—An act to amend the Political Code of the State of California by amending section 1142 thereof; by adding a new section to be designated section 1142b to provide for the publication of the designated polling places in a newspaper of general circulation or in one or more newspapers of general circulation at various places in the county, and by amending section 4058 to provide for publication of the notice of election in the same manner.

Committee Amendment to Assembly Bill No. 444.

The following amendment was submitted by the committee

Amendment No. 1.

On page 4, line 40, of the printed bill, as amended, after the period, insert the following:

"Except in counties of the first class he shall also publish the list of the names of the election officers appointed and the polling places designated for each election precinct in any daily or weekly newspaper of general circulation published in the county, or city and county where the election is to be held, for two issues, the last publication to be at least one week before the day such election is to be held."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1012—An act to amend an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to the pension of county and township peace officers.

Committee Amendment to Assembly Bill No. 1012.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, commencing with the word "have", strike out the remainder of said line, and all of line 17, and insert in lieu thereof the following: "be entitled to all the rights and benefits provided for in this act and have accredited to him for the purposes of this act the service for which he shall have made such deposit."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1468—An act to amend section 1058 of the Code of Civil Procedure, relating to bonds when State is a party.

Committee Amendment to Assembly Bill No. 1468.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, commencing with the word "People", strike out the remainder of said line, and down to and including the period in line 4.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1650—An act to amend section 1027 of the Probate Code, relating to the time within which distribution shall be made to the State of California of property to which there are no known heirs or persons entitled to succeed thereto, providing for reports to the State Controller by executors and administrators in estates of deceased persons where there are no known heirs or persons entitled to succeed to such estates, and providing that failure to report shall be cause for revocation of letters.

Committee Amendments to Assembly Bill No. 1650.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 12, and insert in lieu thereof the following: "date of settlement of said final account. If the court distribute the estate otherwise than to identified persons, referred to by name in such decree, it shall be conclusively presumed that such distribution was made to the State of California, irrespective of the phraseology employed in the decree of distribution. The money or other property so".

Amendment No. 2.

On page 1 of the printed bill, strike out line 15, and insert in lieu thereof the following: "tribution, within which time any person, other than as provided in section 1026 of this code, may appear in the".

Amendment No. 3.

On page 2 of the printed bill, strike out line 4, and insert in lieu thereof the following: "State of California."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1651—An act to amend section 1274 of the Code of Civil Procedure, relating to sales by the State Controller of escheated property received by the State Treasurer in cases where the owners are unknown or can not be found, or where such property has finally escheated to the State of California.

Committee Amendments to Assembly Bill No. 1651.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the period following the last word in the title, and insert in lieu thereof a comma, and add the following: "providing for the disposition of the proceeds and creating certain funds in the State Treasury."

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out the figure "1060", together with the comma following.

Amendment No. 3.

On page 1, line 13, of the printed bill, strike out the figure "1061" and the comma following, and the figure "1062" and the comma following.

Amendment No. 4.

On page 2, line 12, of the printed bill, after the word "Controller", insert the following: "at the State Capitol at Sacramento, California, or at the county seat of the county, or city and county, wherein said real property, or some part thereof is situated, as he may elect,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1653—An act to add a new section to be numbered 1268 to Part III, Title VIII of the Code of Civil Procedure, relating to escheat of money and property deposited with or received by the State Treasurer in cases where the owners are unknown or can not be ascertained or found, where the same remains unclaimed for five years or more, and authorizing the State Controller to commence actions concerning such moneys and property to determine the ownership

thereof, awarding the same to the persons entitled thereto, providing for the escheat of such moneys and property to the State and providing the procedure in such actions

Committee Amendments to Assembly Bill No. 1653.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to add a new section to be numbered 1268 to Part III, Title VII of the Code of Civil Procedure, relating to and providing for actions by the State Controller for the escheat of unclaimed money and property deposited with or received by the State Treasurer pursuant to sections 231, 739, 1026, 1027 and 1148 of the Probate Code, sections 570, 1274a and 1274b of the Code of Civil Procedure and sections 15 and 137 of the Bank Act, or deposited with or received by the State Treasurer in cases where there are no known heirs or kindred of a deceased person, or where the distributee of an estate of a deceased person can not be found, or where the decree of distribution is to the State, or where the decedent leaves no one to take his estate; providing for the procedure in such actions, the venue thereof and relating to costs therein, providing for the disposition of such money and property and for the escheat thereof to the State; providing for the effect of such actions and the judgment therein on other actions, and providing for the deposit of certain moneys in the permanent school fund."

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out the figures 1060, 1061 and 1062.

Amendment No. 3.

On page 1, line 11, of the printed bill, add, after the word "or", the words "by or".

Amendment No. 4.

On page 2, line 16, of the printed bill, following the comma after the word "heirs", insert "legatees, devisees," and in the same line, insert a comma after the word "administrators", and add the word "successors" after the inserted comma.

Amendment No. 5.

On page 2 of the printed bill, strike out the paragraph beginning with line 19, and ending with line 35 on the same page, and insert in lieu thereof the following.

"Any such action, or actions, shall be commenced by the State Controller by filing a petition in said superior court of Sacramento County, State of California, (except as hereinafter provided) wherein there shall be set forth a statement of the amount of such money on deposit with the State Treasurer in each individual matter which is the subject of such action, and a description of the property, other than money, so received by the State Treasurer in each individual matter which is the subject of such action, together with the name of the person, if any is known to the State Controller, claiming such money or property, or any part thereof; also, if said money or property so deposited with or received by the State Treasurer was money or property of a deceased person who left no known heirs or kindred to take his estate, or some part thereof, the name of said deceased and the name of the county wherein his estate was probated; also, if the money or property so deposited with or received by the State Treasurer was money or property distributed to a distributee in the estate of a deceased person, who could not be found or whose whereabouts were unknown, the name of such distributee, the name of such estate, and the name of the county in which such estate was probated, also, if the money or property so deposited with or received by the State Treasurer was money or property distributed to the State of California in the estate of a deceased person, the name of the deceased, the name of the estate and the name of the county in which his estate was probated; also, if such money or property was received by or deposited with the State Treasurer pursuant to section 1274b of the Code of Civil Procedure, the name of the owner of the litigation deposit and the name of the county from which the same emanated, or in case of moneys which emanated from a dissolved irrigation district as provided in said section, the name of the owner of such moneys and the name of the dissolved irrigation district; also, in case such money or property were received by or deposited with the State Treasurer pursuant to section 570 of the Code of Civil Procedure, the name of the owner of the unclaimed fund and the title of the receivership action or proceeding; also, in case such moneys were deposited with the State Treasurer pursuant to section 15 of the Bank Act, the name of the depositor and the name of the bank in which the deposit was made, also, in case such moneys shall have been received by the State Treasurer pursuant to section 137 of the Bank Act, the name of the depositor, creditor or stockholder to whom the dividend was due, together with the name of the bank in question; and in all cases there shall be set forth the facts and circumstances by virtue of which said moneys or property is claimed to

have escheated to the State of California. In case any of said property so received by the State Treasurer, as aforesaid, shall be real property, or any interest therein, not situated in Sacramento County, the said action or actions herein provided for, so far as concerns such real property, shall be commenced in the county in which such real property, or any part thereof is situated."

Amendment No. 6.

On page 2, line 44, of the printed bill, following the comma after the word "property", insert the following: "or any part thereof".

Amendment No. 7.

On page 3, line 14, of the printed bill, strike out the words "the title to" following the word "that", and in the same line, strike out the word "any", and insert in lieu thereof the word "some".

Amendment No. 8.

On page 3, line 19, of the printed bill, after the comma following the word "heirs", insert the words "legatees, devisees", and in the same line, after the word "administrators", insert a comma and the word "successors".

Amendment No. 9.

On page 3, line 37 of the printed bill, following the comma after the word "heirs", insert the words "legatees, devisees".

Amendment No. 10.

On page 3, line 38, of the printed bill, insert a comma after the word "administrators", and insert the word "successors"

Amendment No. 11.

On page 4, line 3, of the printed bill, insert after the period following the word "him", the following "no costs of suit shall be allowed aganist the State".

Amendment No. 12.

On page 4, line 12, of the printed bill, insert after the comma following the word "heirs", the words "legatees, devisees", and in the same line, insert a comma after the word "administrators", and add the word "successors"

Amendment No. 13.

On page 4, line 13, of the printed bill, strike out the word "claims", and insert in lieu thereof the words "ownership or claims of ownership".

Amendment No. 14.

On page 4, line 15 of the printed bill, after the word "more", insert the words "persons or".

Amendment No. 15.

On page 4, line 17, of the printed bill, strike out the word "by", and insert in lieu thereof the word "in", and in the same line, after the word "action", insert a comma and the words "from time to time,".

Amendment No. 16.

On page 4, line 40, of the printed bill, after the comma following the word "heirs", insert the words "legatees, devisees", and in the same line, after the word "administrators", insert a comma and the word "successors".

Amendment No. 17.

On page 5, line 4, of the printed bill, after the comma following the word "heirs", add the words "legatees, devisees,".

Amendment No. 18.

On page 5, line 5, of the printed bill, after the word "administrators", insert a comma and the word "successors".

Amendment No. 19.

On page 5, line 12, of the printed bill, after the comma following the word "heirs", insert the words "legatees, devisees", and in the same line, after the word "administrators", insert a comma and the word "successors".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1654—An act to amend section 1273 of the Code of Civil Procedure, relating to the escheat of unclaimed bank deposits which have been deposited with the State Treasurer, and providing for actions by the Attorney General concerning the same, and providing for the procedure in such actions.

Committee Amendments to Assembly Bill No. 1654.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out the words "as follows", including the colon following, and insert in lieu thereof the following: "in accordance with the provisions of section 15 of the Bank Act."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 13 to 25, both inclusive, and on page 2, strike out lines 1 to 8, both inclusive.

Amendment No. 3.

On page 2, line 36, of the printed bill, after the comma following the word "aforesaid", insert the following: "with the increase and proceeds thereof,".

Amendment No. 4.

On page 2, line 41, of the printed bill, after the comma following the word "deposits", insert the following: "the names and locations of the banks in which such deposits were made,".

Amendment No. 5.

On page 2, line 41, of the printed bill, after the word "amounts", insert the following: "and the increase and proceeds".

Amendment No. 6.

On page 2, line 48, of the printed bill, strike out the word "persons", and insert in lieu thereof the following: "such depositors by name, and generally to all persons".

Amendment No. 7.

On page 3, line 1, of the printed bill, insert a comma after the word "deposit", and add the following: "and the increase and proceeds thereof".

Amendment No. 8.

On page 3, line 16, of the printed bill, after the comma following the word "deposits", insert the following: "and the increase and proceeds thereof,".

Amendment No. 9.

On page 3, line 18, of the printed bill, after the comma following the word "them", insert the following "or the increase and proceeds thereof,".

Amendment No. 10.

On page 3, line 22, of the printed bill, after the comma following the word "deposits", insert the following: "and the increase and proceeds thereof,"

Amendment No. 11.

On page 3, line 24, of the printed bill, after the comma following the word "thereof", insert the following: "and the increase and proceeds thereof,".

Amendment No. 12.

On page 3, line 25, of the printed bill, after the comma following the word "selves", insert the following: "and the increase and proceeds thereof,".

Amendment No. 13.

On page 3, line 34, of the printed bill, strike out the word "their", and insert in lieu thereof the following: "his".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 200—An act to amend section 702 of the Code of Civil Procedure, relating to redemption interest.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 387—An act to amend section 737g of the Political Code, relating to the compensation of the judges of the superior court in and for the county of Contra Costa.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 830—An act to add section 956 to the Civil Code, relating to survival of things in action.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 831—An act to add section 3333.5 to the Civil Code, relating to damages.

Bill read second time, and ordered to engrossment

Assembly Bill No. 962—An act to amend section 1193 of the Penal Code, relating to pronouncement of judgment.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 963—An act to amend section 1227 of the Penal Code, relating to a judgment of death remaining in force unexecuted.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2614—An act to amend section 1054a of the Code of Civil Procedure, relating to cash deposits in lieu of undertakings in civil actions.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2616—An act to amend section 2969 of the Civil Code, relating to the levy on chattel mortgaged property under writs of attachment and execution.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2617—An act to add three new sections to Chapter I of Title IX of Part II of the Code of Civil Procedure, to be numbered 689d, 689e, and 689f, repectively, and relating to the levy on chattel mortgaged property under writs of attachment and execution, and to repeal sections 2968, 2969 and 2970 of the Civil Code, relating to the same subject.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1728—An act to amend section 8 and to repeal sections 4, 33, and 34 of "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, relating to elections in cities of the fifth and sixth class.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2808—An act to add section 1098 to the Political Code, relating to elections.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 330—An act to add section 588 10 to the Vehicle Code, relating to parking.

Committee Amendments to Senate Bill No. 330.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "add section 588 10 to", and insert in lieu thereof the following: "amend section 588 of".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following.

"SECTION 1. Section 588 of the Vehicle Code is hereby amended to read as follows:

588. When Parking or Standing at an Angle Prohibited. Except when loading or unloading merchandise, no person shall park or leave standing any vehicle at the curb or edge of a State highway unless both right wheels of the vehicle are within 18 inches of the curb or edge of such highway except that local authorities may provide otherwise under the following circumstances.

(a) Where a State highway within a city is divided into two separate roadways with one-way traffic on each such roadway, each of which is not less than 50 feet from curb to curb.

(b) Where a State highway is within a business district and the roadway is surfaced and delineated by curbs on each side thereof, and such surfaced roadway between curbs is more than 65 feet in width, and there are no street car or other railway tracks on such roadway."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 378—An act to amend sections 402, 404, 410, and 415 of the Vehicle Code, and to add thereto sections 410.5, 415.5, 417 and 418, relating to civil liability and financial responsibility of owners and operators of vehicles.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 413—An act to add sections 52, 515.5, 637.5, and 670.5 to the Vehicle Code, and to amend section 625 thereof, relating to trailer coaches.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 555—An act to amend section 737kk of the Political Code, relating to the salaries of the judges of the superior court in and for the county of San Diego.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 18—An act to repeal section 307 of the Penal Code, relating to the sale and use of opium.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 19—An act to amend sections 5, 6, 7, 7a and 8f, and to repeal sections 8, 8a, 8b, 8c, 8d, 8e, 8g and 8½, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to narcotics.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 465—An act to add sections 1701.5, 1706.5, 1706.6, and 1713.5 to the Insurance Code, relating to insurance.

Committee Amendment to Senate Bill No. 465.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 21, of the printed bill, as amended, after the comma following "mail", insert the following: "registered and"

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 515—An act relating to the purchase of wool from producers, prohibiting deductions for tags, fribs, crutchings or other off-wools, based upon a percentage of the weight or value of the wool, and providing a penalty for violation thereof.

Bill read second time, and ordered on third reading calendar.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2678 Continued.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day.

Motion to Withdraw Senate Bill No. 200.

In compliance with a notice given on a previous day, Mr. Donnelly moved that Senate Bill No. 200 be withdrawn from the Committee on Municipal Corporations, and placed upon the calendar.

The roll was called, and Senate Bill No. 200 withdrawn from committee, and placed upon the calendar by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—62

NOES—Call, Dilworth, Muldoon, and Robertson—4

Second Reading of Senate Bill No. 200.

Senate Bill No. 200—An act to authorize the creation and establishment of a public utilities commission within any city, city and county, county, local governmental agency, society, association, authority, or entity rendering service to the public, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs and construction or acquisition of public utilities and extensions, repairs, replacements and improvements to public utilities; for the acquisition, production, purchase, sale and distribution of products, commodities, energy or services of such public utilities; and providing for the payment of such bonds and the interest thereon.

Bill read second time, and ordered on third reading calendar.

Special Order Set for Senate Bill No. 200.

On motion of Mr Donnelly, the consideration of Senate Bill No. 200 was made a special order of business for Thursday, April 1, 1937, at two o'clock p.m

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1243—An act to provide for the levy and collection of a tax upon the income of corporations and to provide for the disposition of revenues therefrom

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—61.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Special Order.

The hour of two o'clock p m having arrived, the special order heretofore set for this hour was taken up.

Consideration of Assembly Bill No. 1177.

Assembly Bill No. 1177—An act to amend the title of and sections 1, 2, 3, 4, 7, 9 and 10 and to add sections 7A, 7B, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act.

Motion to Amend Assembly Bill No. 1177.

Mr. Levey moved to amend Assembly Bill No. 1177 as follows:

Amendment No. 1.

On page 6 of the printed bill, as amended, strike out lines 43 to 51, inclusive, and on page 7, strike out lines 1 to 28, inclusive, and insert in lieu thereof the following: "Each county or city and county in the State shall be financially responsible for providing the funds necessary to take care of the resident unemployable indigents within said county or city and county, provided, however, that the maximum furnished or paid under the provisions of this act during any one fiscal year by any said county or city and county, together with the costs of administration thereof, shall not exceed an amount equivalent to sixteen one-hundredths of one per cent of the total assessed valuation of such county or city and county as determined by the State Board of Equalization for the previous year.

The State shall advance and pay to the county or city and county such funds as shall be otherwise needed to provide and care for indigents, provided, however, that the State shall not advance or pay to any county or city and county any sum, under this section, for aid or relief furnished by said county or city and county to any person in any institution of said county or city and county.

The State may use moneys obtained from the Federal Government for this purpose as hereinafter provided."

Demand for Previous Question.

Messrs. Morgan, Johnson, Boyle, Yorty, and Miller demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment.

The roll was called, and the amendment refused adoption by the following vote

AYES—Breed, Burns, Michael J., Call, Cassidy, Cronin, Dawson, Donnelly, Garibaldi, Hornblower, Levey, Maloney, Mayo, McMurray, Miller, George P., Peyser, Sheehan, and Williamson—17.

NOES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—59.

Motion to Amend Assembly Bill No. 1177.

Mr. Reaves moved to amend Assembly Bill No 1177 as follows:

Amendment No. 1.

On page 8, line 26, of the printed bill, as amended, after "ineligibility," insert the following: "or on account of the failure to furnish aid or relief to a person during the period that he was eligible to receive the same and failed to receive such aid or relief,".

Amendment No. 2.

On page 8, line 29, of the printed bill, as amended, after "ineligibility", insert the following: ", nor shall State aid be payable to said county or city and county for aid or relief which the county or city and county has failed to provide for a person who is eligible to receive the same and fails to receive such aid or relief".

Amendments read, and refused adoption by the following vote:

AYES—Burns, Michael J., Flint, Gilbert, Hawkins, McMurray, Miller, George P., Pelletier, Reaves, Rosenthal, and Tenney—10.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

Motion to Amend Assembly Bill No. 1177.

Mr. Tenney moved to amend Assembly Bill No. 1177 as follows, and requested that the amendments be voted upon separately.

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 16 to 21, inclusive, and insert in lieu thereof the following: "shall be termed work-relief. No reimbursement shall be collected from".

Amendment No. 1 read, and refused adoption by the following vote

AYES—Burns, Michael J., Flint, Gilbert, Hawkins, Hunt, King, Lore, McMurray, Miller, George P., Patterson, Pelletier, Richie, Robertson, Rosenthal, Tenney, and Voigt—16.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—57.

Amendment No. 2.

On page 7 of the printed bill, as amended, strike out line 52, and on page 8, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following: "ble. Minimum standards of relief shall be set by the State Board of Social Welfare. No State aid shall be paid to any county or city and county wherein the minimum standards of relief as set by the Social Welfare Board are not complied with."

Mr. Tenney withdrew Amendment No. 2

Motion to Amend Assembly Bill No. 1177.

Mr. Clark moved to amend Assembly Bill No. 1177 as follows, and requested that the amendments be voted upon separately:

Amendment No. 1.

On page 7, line 52, of the printed bill, as amended, strike out "family or relief case budgets for aid and", and insert in lieu thereof the following "standards of".

Amendment No. 2.

On page 8, line 2, of the printed bill, as amended, strike out "by the respective boards of super-", and strike out all of lines 3 and 4.

Amendments Nos. 1 and 2 read, and adopted by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Field, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—59.

NOES—Beene, Cottrell, Crowley, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Mayo, Muldoon, and Scudder—13

Amendment No. 3.

On page 2, lines 28 and 29, of the printed bill, as amended, strike out "and as a part of the aid being extended, and not as a supplement thereto.".

Amendment No. 3 read, and adopted by the following vote

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—57.

NOES—Beene, Breed, Call, Cottrell, Desmond, Dilworth, Field, Fulcher, Gannon, Hornblower, Leonard, Mayo, Millington, and Thorp—14.

Motion to Re-refer Assembly Bill No. 1177.

Mr. Miller moved that Assembly Bill No. 1177 be re-referred to the Committee on Governmental Efficiency and Economy

The roll was called, and the motion refused adoption by the following vote:

AYES—Call, Cassidy, Cronin, Dannenbrink, Dawson, Hornblower, King, Levey, Mayo, McMurray, Miller, George P., Patterson, Peyser, Sheehan, Tenney, and Williamson—16

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—59

Further Consideration of Amendments by Mr. Clark.

Amendment No. 4.

On page 2, line 41, of the printed bill, as amended, after "relief", insert the following: "or work relief".

Amendment No. 4 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—67.

NOES—Fulcher—1

Request for Unanimous Consent.

Mr. Andreas asked for, and was granted, unanimous consent to take up Assembly Bill 1177, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1177, as Amended.

Assembly Bill No. 1177—An act to amend the title of and sections 1 and 10 of and to add sections 7A, 7B, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act

Motion to Amend Assembly Bill No. 1177.

Mr. Patterson moved to amend Assembly Bill No. 1177 as follows:

Amendment No. 1.

On page 8 of the printed bill, as amended, strike out lines 29 to 38, inclusive, and in lieu thereof insert the following: "during such period of ineligibility. If an individual or family ineligible according to county ruling is deemed eligible by the State Department of Social Welfare, the county shall be obligated to extend relief to such individual or family paying for same as defined elsewhere in this act."

Amendment read, and refused adoption by the following vote:

AYES—Burns, Michael J., Cassidy, Cronin, Dannenbrink, Dawson, Dilworth, Donihue, Flint, Gilbert, Heisinger, Hunt, King, Levey, Lore, Maloney, McMurray, Miller, George P., O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Williamson, and Yorty—29.

NOES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Crowley, Cunningham, Daley, Desmond, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Martin, Mayo,

Miller, Eleanor; Millington, Muldoon, Peek, Robertson, Scudder, Stream, Voigt, Walker, Watson, Weber, and Welsh—38.

Request for Unanimous Consent.

Mr. Andreas asked for unanimous consent to take up Assembly Bill No. 1177, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Mr. Garland withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Hunt moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 1177, at this time

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—53.

NOES—Call, Cassidy, Cronin, Dannenbrink, Dawson, Donihue, Garland, Heisinger, Hornblower, King, Mayo, Miller, George P., Millington, Peyser, Richie, Robertson, Sheehan, Tenney, and Williamson—19.

Consideration of Assembly Bill No. 1177, as Amended.

Assembly Bill No. 1177—An act to amend the title of and sections 1 and 10 of, and to add sections 7A, 7B, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act.

Assembly Bill No. 1177 as amended read third time.

The roll was called, and Assembly Bill No 1177, as amended, passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Redwine, Robertson, Sawallisch, Scudder, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—58.

NOES—Call, Cronin, Dawson, Donihue, Gilbert, Hornblower, Levey, Maloney, McMurray, Miller, George P., Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sheehan, Tenney, and Williamson—19.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1177.

Mr Miller gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1177 was this day passed

Explanation of Vote.

By Mr. Williamson

My reason for voting against Assembly Bill No. 1177 is due to the definite conclusion I have reached that this bill, if passed in its present form, will add approximately 7 38 cents per $100 of valuation to the taxpayers of the Twenty-Sixth Assembly District without any justifiable or meritorious reason for such an increase.

Rush Order for Printing of Assembly Bill No. 1177.

On motion of Mr. Williamson, Assembly Bill No. 1177 was sent to reprint with a rush order.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937

MR. SPEAKER: Your Committee on County Government, to which was referred
Assembly Bill No. 2194.
Respectfully reports the same back without recommendation, as amended
LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Assembly Bill No. 1826.
Respectfully reports the same back without recommendation, as amended.
DONNELLY, Chairman

The above reported bill ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred
Assembly Bill No. 2375.
Respectfully reports the same back with the recommendation: Do pass as amended
MEEHAN, Chairman

The above reported bill ordered on second reading calendar

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Assembly Bill No. 2422.
Respectfully reports the same back with the recommendation: Do pass as amended.
DONNELLY, Chairman

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1936.	**Assembly Bill No. 2536.**
Assembly Bill No. 1427.	**Assembly Bill No. 2521.**
Assembly Bill No. 2165.	**Assembly Bill No. 1012.**

Respectfully reports the same back without recommendation, as amended.
DONIHUE, Chairman

The above reported bills ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred
Senate Bill No. 968.
Respectfully reports the same back with the recommendation: Do pass.
MEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred
Senate Bill No. 936.
Respectfully reports the same back with the recommendation: Do pass.
DONIHUE, Chairman

The above reported bill ordered on second reading calendar

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR SPEAKER. Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 72.
Assembly Bill No. 265.
Assembly Bill No. 832.
Assembly Bill No. 909.
Assembly Bill No. 2420.
Assembly Bill No. 2682.
Assembly Bill No. 266.

Respectfully reports the same back with the recommendation: Do pass as amended.

DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER. Your Committee on Live Stock and Dairies, to which was referred.

Assembly Bill No. 856.
Assembly Bill No. 2162.
Assembly Bill No. 50.

Respectfully reports the same back with the recommendation. Do pass.

DONNELLY, Chairman.

The above reported bills ordered on second reading calendar.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Civil Service, to which was referred:

Assembly Bill No. 1514.

Respectfully reports the same back without recommendation, as amended.

CROWLEY, Chairman

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 135.
Assembly Bill No. 200.
Assembly Bill No. 206.
Assembly Bill No. 323.
Assembly Bill No. 387.
Assembly Bill No. 411.
Assembly Bill No. 831.
Assembly Bill No. 866.
Assembly Bill No. 954.
Assembly Bill No. 962.
Assembly Bill No. 963.
Assembly Bill No. 977.
Assembly Bill No. 983.
Assembly Bill No. 1433.
Assembly Bill No. 1586.
Assembly Bill No. 1728.
Assembly Bill No. 1794.
Assembly Bill No. 1800.
Assembly Bill No. 2331.
Assembly Bill No. 2614.
Assembly Bill No. 2616.
Assembly Bill No. 2617.
Assembly Bill No. 2799.
Assembly Bill No. 2808.
Assembly Bill No. 2813.

And reports the same correctly engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1341.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bill ordered on third reading calendar.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 1012—An act to amend sections 4 and 11 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax." approved May 5, 1931, relating to the pension of county and township peace officers.

Committee Amendments to Assembly Bill No. 1012.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "and 11", and insert in lieu thereof the following: ", 11 and 12".

Amendment No. 2.

On page 2 of the printed bill, as amended, following line 42, insert the following

"SEC. 3. Section 12 of said act is hereby amended to read as follows

Sec. 12. Whenever any person at the time this act becomes effective or thereafter shall have been duly appointed, selected, or elected and qualified, and shall have served for twenty years or more in the aggregate, as a county peace officer, and who shall have reached the age of 55 years, said board shall upon the application of such person, order and direct that such person be retired and such person shall thereafter receive a pension payable in monthly installments during his lifetime, equal to one-half of the amount of salary attached to the rank which he may have held as such peace officer for the period of one year next preceding the date of such retirement; provided, however, that the amount of such pension shall in no case be less than $100 per month, nor more than $150 per month; excepting that in any county where payment to peace officers is under $100, that in said counties the amount of such pension shall in no case be less than an amount equal to one-half the monthly salary of said peace officer at the time of his retirement and in no event to exceed the sum of $50 a month; any peace officer who shall have reached the age of 55 years and who shall have served for 20 years or more, may be retired by said board; provided, that any person who is within the purview of this section and who otherwise complies with its provisions and who has served for 30 years or more, shall upon his application, be retired from further service at the same pension above provided; and provided further, that any motorcycle police officer, may, after 20 years of service, be retired by the board under the provisions of this act, if, in the judgment of three physicians appointed by the board, such motorcycle police officer is unable to properly discharge the duties of his office."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Motion to Withdraw Senate Bill No. 888 from Committee.

In compliance with a notice given on a previous day, Mr. Desmond moved to withdraw Senate Bill No. 888 from the Committee on Municipal Corporations, and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Hunt, Cottrell, Heisinger, Dawson, and Desmond demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Senate Bill No. 888 from committee.

The roll was called, and Senate Bill No. 888 withdrawn by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Field, Fulcher, Gannon, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Weber, and Williamson—43.

NOES—Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Dannenbrink, Donahue, Donnelly, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—31

Second Reading of Senate Bill No. 888.

Senate Bill No. 888—An act providing an additional or alternative method for financing the acquisition, construction or completion of public utilities by any public agency of the State authorized by law to own and operate such public utilities systems by the issuance and sale of revenue bonds payable solely out of the revenue derived or to be

derived therefrom; providing for the operation of such systems in case of deficiencies in revenues; providing for a statutory lien on the revenues derived from the operation of said public utility; and defining the terms public agency and public utility as included herein

Bill read second time, and ordered on third reading calendar.

Special Order Set for Senate Bill No. 888.

On motion of Mr. Desmond, the consideration of Senate Bill No. 888 was made a special order of business for Thursday, April 1, 1937, at two o'clock and five minutes p.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 906—An act to amend section 23 of the District Investigation Act of 1933 so as to exclude sanitary districts from the operation of said act.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber Welsh, Williamson, and Mr. Speaker—65

NOES—Desmond, Dilworth, and Yorty—3.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 33—Relative to requesting the Governor to grant a full and complete pardon to Thomas J. Mooney.

Assembly Concurrent Resolution No 33 read, and adopted by the following vote:

AYES—Boyle, Burns, Michael J., Call, Cassidy, Clark, Cronin, Dannenbrink, Dawson, Donihue, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—42.

NOES—Baynham, Beene, Breed, Burns, Hugh M, Daley, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Johnson, Kepple, Kuchel, Latham, Lyon, Martin, Mayo, Miller, Eleanor, Millington, O'Donnell, Redwine, Scudder, Stream, Thorp, Walker, and Watson—27.

Title read and approved. Bill ordered transmitted to the Senate.

Explanation of Vote.

By Mr. Heisinger:

I have seen sworn statements which conclusively show that irregularities and false testimony contributed to the conviction of Thomas Mooney; therefore, as he has already suffered 20 years, I am voting to place his pardon squarely upon the responsibility of the Governor.

Assembly Bill No. 766—An act to amend section 3466a of the Political Code, relating to lands sold for delinquent reclamation district assessments

Bill read third time, and passed by the following vote

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M, Burns, Michael J, Call, Cassidy, Clark, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P, Millington, Morgan, O'Donnell Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64

NOES—None

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2551—An act to add a new section to be numbered 6 53 to the School Code, relating to inspection of school buildings

Motion to Amend Assembly Bill No. 2551.

Mr. Tenney moved to amend Assembly Bill No 2551 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, after line 6, add the following

"The provisions of this section shall not repeal or affect any other law or ordinance which relates to the construction, alteration, reconstruction, or repair of, or additions to, school buildings."

Amendment adopted.

Assembly Bill No. 2551 ordered to reprint, and re-engrossment

Motion to Extend Invitations.

On motion of Mr. Millington, the committee in charge was instructed to extend invitations to the Governor, Lieutenant Governor, members of the Senate, and all State department heads to hear the Hon. Paul V. McNutt address the Assembly.

Resolutions.

The following resolutions were offered:

By Mr. Patterson:

House Resolution No. 118.

WHEREAS, The pollution of waters in rivers, bays, lakes and the ocean in this State, by dumping of sewage and other foreign substances is a constantly growing menace, both to the recreational facilities of the State and also to the health of the citizens; and

WHEREAS, The constant growth of the population of the State of California tends to make this condition every year more serious; and

WHEREAS, The State Board of Public Health has facilities and resources available for the proper determination of proper methods to combat this condition; and

WHEREAS, The passage of necessary legislation on this subject requires that the Legislature be informed of all pertinent facts as to the type of sewage and garbage disposal facilities now in use by the various political subdivisions of the State; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Board of Public Health is hereby requested and urged to present to the Assembly with all convenient speed, a full report concerning the present methods used for garbage and sewage disposal by the political subdivisions of the State of California, together with its recommendation as to the means by which such methods could be changed and improved for the benefit of the health of the people of the State of California.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up House Resolution No 118, at this time, without reference to committee or calendar.

House Resolution No 118 read, and adopted

By Mr. Patterson:

House Resolution No. 119.

WHEREAS The pollution of waters in rivers, bays, lakes and the ocean in this State, by dumping of sewage and other foreign substances, is a constantly growing menace both to the recreational facilities of the State and also to the health of the citizens; and

WHEREAS, The constant growth of the population of the State of California tends to make this condition every year more serious; and

WHEREAS, It is necessary and desirable that the Assembly and its members have accurate, detailed and complete information available concerning present conditions of pollution and present methods of garbage, sewage and industrial waste disposal, and concerning the best and most improved methods of dealing with these problems, to the end that the Assembly and its members may act advisedly in the consideration of needed changes in the law respecting such pollution and disposal; now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Assembly Committee, consisting of three members of the Assembly, be appointed by the Speaker of the Assembly to gather information and to conduct investigations con-

cerning the subject of this resolution and of the law and on matters incidental thereto and to report thereon, together with its recommendations to the Assembly at its fifty-third session thereof; and be it further

Resolved, That the committee upon the appointment of its members shall organize by electing a chairman from its membership and may appoint a secretary and such other clerical and technical assistants as it may deem necessary; and be it further

Resolved, That all officers and employees of the State, and in particular the State Board of Public Health, shall furnish to the committee such assistance, reports, information and evidence concerning any matter under consideration by the committee as the committee shall request; and be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of books, agreements, documents, reports, accounts and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and said committee is hereby given leave to sit during the session of the Legislature and during the interval between session thereof, at any place or places within the State as the committee shall from time to time determine; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $_____ or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund for such expenses as the chairman of the committee shall certify to him from time to time, and which warrants the State Treasurer is hereby directed to pay.

Request for Unanimous Consent.

Mr. Patterson asked for unanimous consent to take up House Resolution No. 119, at this time, without reference to committee or calendar.

Mr. Millington withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Patterson moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 119, at this time.

The roll was called, and the motion lost by the following vote:

AYES—Burns, Michael J., Clark, Cronin, Cunningham, Dilworth, Donnelly, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, King, Levey, Lore, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Turner, Voigt, Weber, and Yorty—33.

NOES—Baynham, Beene, Boyle, Breed, Call, Cassidy, Daley, Dannenbrink, Dawson, Donahue, Field, Gannon, Hornblower, Hunt, Kepple, Kuchel, Lyon, Maloney, Martin, Millington, Muldoon, Redwine, Scudder, Sheehan, Stream, Walker, Watson, Williamson, and Mr. Speaker—29.

House Resolution No. 119 referred to the Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Sawallisch.

House Resolution No. 120.

WHEREAS, Improvements in motor vehicle manufacture, highway extension, traffic development, and street and highway safety needs, require that the motor vehicle laws be amended at each session of the Legislature; and

WHEREAS, The increase in the number of motor vehicles operated upon the highways has resulted in an abnormal increase in the number of accidents resulting in death and in injury to persons and property; and

WHEREAS, It is desirable that necessary legislation be considered and coordinated prior to a legislative session; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a Committee of Three members of the Assembly to recommend necessary modifications in the Motor Vehicle Laws, including recommendations as to the enactment or enforcement of laws relating to the safe operation of vehicles on the public highways; and be it further

Resolved, That such committee may cooperate with persons familiar with the motor vehicle industry and with traffic development and highway safety needs, to the end that the recommendations of the committee may be practical; and be it further

Resolved, That the committee shall also take into consideration the manner in which the existing laws relating to motor vehicles lend themselves to actual administration by the Department of Motor Vehicles, including the amount of money required to be expended by the department in the performance of its duties; and be it further

Resolved, That the committee report its findings and recommendations to the Legislature at the next regular session thereof, including with its recommendations the changes which have resulted from its cooperation with persons interested in the motor vehicle industry and in traffic safety work, pursuant to this resolution, and be it further

Resolved, That for the purpose of paying the expenses of the Assembly committee appointed pursuant to this resolution the sum of $1,000, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller, drawn against said contingent fund upon written orders of the chairman of the committee, which warrants the State Treasurer hereby is directed to pay; and be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses and the production of testimony. Each and every one of the members of said committee is hereby authorized to administer oaths and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the interim committee and to any subcommittee of one or more of its members

House Resolution No. 120 referred to the Committee on Motor Vehicles

By Messrs Johnson, Dannenbrink, Turner, Morgan, Burns, Hugh M, McMurray, Weber, Hornblower, Hawkins, Kuchel, Maloney, Clark, Rosenthal, Martin, and Kepple, Mrs. Daley, and Miss Miller.

House Resolution No. 121.

WHEREAS, The administration of the California Minimum Wage Law for Women and Minors is vested by statute in a commission of five members, known as the Industrial Welfare Commission, and

WHEREAS, The terms of three members of said commission, being a majority thereof, have expired and no new appointments have been made; and

WHEREAS, The said Industrial Welfare Commission has not held a meeting for a period in excess of one year and a half; and

WHEREAS, On March 29, 1937, the Supreme Court of the United States issued an opinion holding constitutional the Minimum Wage Law for Women as enacted by the State of Washington, which opinion sustains the constitutionality and the legality of the spirit and policy of minimum wage legislation; and

WHEREAS, The rendering of such opinion by the Supreme Court of the United States, thereby removing the doubt or cloud of unconstitutionality which has previously hampered the enforcement of such legislation, presages the dawn of a new era in minimum wage legislation and enforcement throughout the United States, and in California in particular; and

WHEREAS, The immediate appointment of three members to the Industrial Welfare Commission so as to fill out the full membership thereof would be conducive to the effective enforcement of the Minimum Wage Law and would place the State of California in a position to continue the leadership and progress in this field of legislation, which it has maintained in past years and would prepare this State and its administrative agencies for a full and comprehensive enforcement of its progressive legislation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor of the State of California be and he is hereby requested to exercise immediately or at the earliest possible date his power to appoint three members of the Industrial Welfare Commission, thereby filling out the full membership of said commission and placing the same in a position to operate effectively, to hold meetings and to administer diligently the California Minimum Wage Law for Women in accordance with the powers and duties with which it has been charged under the laws of the State of California.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 121, at this time, without reference to committee or calendar

House Resolution No. 121 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson,

Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

By Messrs Burns, Michael J , Clark, Call, Cronin, Dannenbrink, Garland, Hornblower, Johnson, Lore, McMurray, Patterson, Pelletier, and Williamson:

House Resolution No. 122.

WHEREAS, Pursuant to State constitutional authority thereto, California did by an act approved May 26, 1913, provide for the fixing of a minimum wage for women in any occupation, trade or industry in this State, and the Supreme Court of the United States has within the week established and declared valid the principle of such legislation, in holding constitutional the statute of the State of Washington on this subject; and

WHEREAS, By an act approved March 22, 1911, California prescribed eight hours as the maximum number of hours per day for the work of women in mercantile, industrial and similar establishments; and

WHEREAS, By the requirement that State departments and agencies be open for eight hours each day except Sundays and legal holidays, our statutes recognize the principle of the eight-hour day in public employment; and

WHEREAS, The Legislature should lead the way and set the example for all other employing agencies, public or private; now, therefore, be it

Resolved by the Assembly of the State of California, That the eight-hour day be strictly and faithfully observed by all of the employees and attaches of the Assembly and that none thereof be permitted to work more than eight hours in any consecutive 24 hours, except in dire emergency, and that in such case the employee or attache shall be paid for all overtime at the rate of one and one-half times his or her regular compensation

House Resolution No. 122 referred to the Committee on Rules

Withdrawal and Re-reference of Assembly Bill No. 1485.

On motion of Mr Kepple, Assembly Bill No. 1485 was withdrawn from the Committee on Crime Problems, and re-referred to the Committee on Judiciary Codes.

Motion to Print Report in Journal.

On motion of Mr. Maloney, the following report of the committee appointed to investigate the silicosis problem in California was ordered printed in the Journal:

REPORT OF COMMITTEE TO INVESTIGATE SILICOSIS.

Mr. Speaker and Members of the Assembly:

We, your committee appointed to investigate the silicosis problem in California, respectfully beg leave to report that we have made an extensive study of silicosis, its causes, and methods of minimizing and of preventing the conditions responsible for the occurrence of this disease in industry.

Your committee held its first public meeting in Los Angeles on the twenty-fifth day of October, 1935. At that time the testimony of experts and interested parties was taken. Thereafter we gathered such reports, data, opinions and decisions bearing on the subject as were available. This included American and foreign literature dealing with the subject. A careful study was made of this information.

The final public meeting of your committee was held at the State Building, San Francisco, on November 10, 1936, at which time your committee took the testimony of representatives of employers, employees, the insurance carriers, and the Industrial Accident Commission.

We find that the preponderance of opinion of all interested parties is that there is no need for any amendment to our splendid Workmen's Compensation, Insurance and Safety Laws in order to meet and successfully deal with silicosis and its attendant problems.

We find that subsequent to the adjournment of the 1935 Legislature the Industrial Accident Commissioners have, with the assistance of the employers and employees, adopted a comprehensive set of safety orders dealing with "Dusts, Fumes, Vapors and Gases," in industry.

We find that large numbers of outstanding California employers have inaugurated dust-eliminating programs, including installation of effective ventilating sys-

tems, changes in methods of production, and in some cases the remodeling of their plants in order to effectively eliminate unnecessary exposure of employees to dust hazards.

We find that there has been a splendid and most commendable spirit of cooperation between employers, insurance carriers, and the Industrial Accident Commissioners in endeavoring to solve the dust problems in various California industries.

We find that the safety inspection force of the Industrial Accident Commission is utterly inadequate to cope with the situation. It should be remembered that there are over 250,000 places of employment in California; that in a large number of these employments disease-producing dusts are generated; that effective and scientific methods of eliminating these dust menaces can only be arrived at after careful study by competent experts; that the testimony of Industrial Accident Commission representatives shows that they have in their employ but 29 safety inspectors, only six of whom are inspecting mills, mines and factories for the purpose of having dust menaces eliminated

We find that the Industrial Accident Commission has petitioned for an increase in its budget of 35 additional safety experts, 15 of whom are to devote their efforts to eliminating, where possible, and in all other cases minimizing the dust hazards *in California's mills, mines and factories.*

As a result of this study your committee is convinced that there is not a need of amendment to the Workmen's Compensation, Insurance and Safety Laws for the purpose of dealing with the silicosis problem, but that there is an imperative need for an immediate increase in the number of safety inspectors in the Industrial Accident Commission. We are convinced that splendid dividends in safeguarding health and, in fact, in saving the lives of working men and women will result from enforcement of the safety laws adopted by the Industrial Accident Commission.

Your committee is also convinced that enforcement of these laws will increase the efficiency in the mills, mines and factories in California, and that a substantial reduction in insurance costs will be effected by the enforcement of safety regulations. Obviously, the safety rules of the Industrial Accident Commission can not be enforced unless an adequate crew of safety inspectors is furnished to the commission.

Your committee therefore recommends that the request of the Industrial Accident Commission for 15 additional safety inspectors whose particular duty will be to deal with the problems of silicosis be approved by the Assembly, and that such steps as are necessary be taken to make sure that the Industrial Accident Commission is furnished with these additional safety inspectors at the earliest possible date.

In conclusion, your committee desires to express its thanks to the officials of the Federal Government and of the various State Governments who furnished us with much valuable data. We also desire to express our thanks to the employers' and employees' organizations and to the Industrial Accident Commissioners and the several insurance companies who rendered such valuable assistance to your committee.

Respectfully submitted

THOMAS A. MALONEY, Chairman.
CLAUDE MINARD.
KENT H. REDWINE.
HUBERT B. SCUDDER
GODFREY A. ANDREAS

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Patterson:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add Chapter VI-A to Part III, Division V, of the School Code, relating to conventions of teachers.

Referred to Committee on Introduction of Bills.

By Mr. Meehan:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 737a of the Political Code, relating to salaries of judges of the superior court in and for the county of Alameda

Referred to Committee on Introduction of Bills.

By Mr. Levey:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 925a to the Penal Code, relating to grand juries and the public session thereof.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Patterson:

An act to add Chapter VI-A to Part III, Division V, of the School Code, relating to conventions of teachers.

By Mr. Meehan:

An act to amend section 737a of the Political Code, relating to salaries of judges of the superior court in and for the county of Alameda.

By Mr. Levey:

An act to add section 925a to the Penal Code, relating to grand juries and the public sessions thereof.

CALL, Chairman

The roll was called, and the report adopted by the following vote

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—72

NOES—None.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 61 re-referred to Committee on Fish and Game

Assembly Bill No. 2136 re-referred to Committee on Fish and Game

Assembly Bill No. 2055 re-referred to Committee on Judiciary General.

Assembly Bill No. 516 re-referred to Committee on Fish and Game.

Assembly Bill No. 1249 re-referred to Committee on Education

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committeee on Engrossment and Enrollment has examined **Assembly Constitutional Amendment No. 45.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred: **Assembly Bill No. 1899.**

Respectfully reports the same back without recommendation, as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committeee on Engrossment and Enrollment has examined
Assembly Bill No. 2055.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

On Aviation and Aircraft.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred:
Assembly Bill No. 2791.
Respectfully reports the same back with the recommendation: Do pass.

GLICK, Chairman.

The above reported bill ordered on second reading calendar.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred:
Assembly Bill No. 1490.
Respectfully reports the same back without recommendation, as amended

TENNEY, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:
Assembly Bill No. 2511.
Respectfully reports the same back without recommendation, as amended.

LORE, Chairman

The above reported bill ordered on second reading calendar.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred:
Assembly Bill No. 455.
Respectfully reports the same back without recommendation, as amended.

MILLER, GEORGE P., Chairman.

The above reported bill ordered on second reading calendar.

On Building and Loan Associations.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred:
Assembly Bill No. 2387.
Respectfully reports the same back without recommendation

GARIBALDI, Chairman.

The above reported bill ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:
Assembly Bill No. 1604.
Assembly Bill No. 2061.
And respectfully requests that your honorable body concur in said amendments

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 699.
Assembly Bill No. 297.
Assembly Bill No. 1262.
Assembly Bill No. 2080.
Assembly Bill No. 401.
Assembly Bill No. 2380.
Assembly Bill No. 1441.
Assembly Bill No. 824.

Assembly Bill No. 700.
Assembly Bill No. 1793.
Assembly Bill No. 756.
Assembly Bill No. 1105.
Assembly Bill No. 1317
Assembly Bill No. 956.
Assembly Bill No. 663.
Assembly Bill No. 510.
Assembly Concurrent Resolution No. 28.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 687—An act making an appropriation to the emergency fund specified in item 185 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved June 14, 1935, for the purposes therein specified, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 687 read first time, and referred to Committee on Ways and Means.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2824: By Mr. Patterson—An act to add Chapter VI-A to Part III, Division V, of the School Code, relating to conventions of teachers.

Bill read first time, and referred to Committee on Education

Assembly Bill No. 2825: By Mr. Meehan—An act to amend section 737a of the Political Code, relating to salaries of judges of the superior court in and for the county of Alameda.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 2826: By Mr. Levey—An act to add section 925a to the Penal Code, relating to grand juries and the public sessions thereof.

Bill read first time, and referred to Committee on Judiciary General.

Adjournment.

At six o'clock p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Thursday, April 1, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-NINTH LEGISLATIVE DAY
EIGHTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 1, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk

Roll Call.

The roll was called.

Call of the Assembly.

Mr. Andreas moved a call of the Assembly.

Motion carried.

Time, one o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Cassidy, Clark, Cottrell, **Crowley, Dawson, Donihue, Donnelly** Gannon, Garland, Gilbert, Glick, Hawkins, Johnson, Laughlin, Levey, Lore, Martin, Miller, Eleanor; Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, **Williamson, Yorty, and Mr. Speaker—40.**

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Further Proceedings Under Call of the Assembly Dispensed With.

At one o'clock and forty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Andreas.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, **Crowley,** Cunningham, **Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77**

Quorum present

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Maloney, the further reading of the Journal of Wednesday, March 31, 1937, was dispensed with

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:
Mr. Waters, on motion of Mr. Cunningham.
Mr. Corwin, on motion of Mr. Stream.
Mr. Kepple, on moton of Mr. Kuchel.

Guests Extended Privilege of Assembly Floor.

On request of Mr Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Gardiner Johnson.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Harold Rogers, wife of Harold Rogers, Chairman of Stanislaus County Democratic County Central Committee

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr I Lumley of Oakland.

On request of Mr Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Joseph L. Paden of Riverside.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry Hooper, Mike Morelli, Malio Stagnard and Frank Kellogg.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Robert H. Fouke, President, California State Junior Chamber of Commerce, and Mrs. Fouke of Berkeley; Mr. Weldon Vance, President of the Berkeley Junior Chamber of Commerce of Berkeley, and Mr and Mrs. C. T Jones of Oakland

On request of Mr. Walker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walker C Mac-Donald, County Milk Inspector, Imperial County

Presentation of Petitions.

The following petitions were received and filed:
By Mr. Speaker.
From Philip Reilly, requesting the Legislature to make an investigation.
From several organizations, urging pardon of Thomas J. Mooney

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 11.
Assembly Bill No. 291.
Assembly Bill No. 1562.
Assembly Bill No. 1682.
Assembly Bill No. 2803.

And reports the same correctly enrolled, and presented to the Governor on this first day of April, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2385.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 265.
Assembly Bill No. 867.
Assembly Bill No. 989.
Assembly Bill No. 1139.
Assembly Bill No. 1638.
Assembly Bill No. 1650.
Assembly Bill No. 1879.
Assembly Bill No. 2084.
Assembly Bill No. 2194.
And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred
Assembly Bill No. 1868.
Assembly Bill No. 1869.
Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 288.
Assembly Bill No. 1492.
Assembly Bill No. 2472.
Assembly Bill No. 2473.
Assembly Bill No. 2611.
Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 2673.
Assembly Bill No. 2733.
Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:
Assembly Bill No. 1498.
Respectfully reports the same back with the recommendation: Do pass

HAWKINS, Chairman.

The above reported bill ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937

MR. SPEAKER. Your Committee on Municipal Corporations, to which was referred:
Senate Bill No. 732.
Senate Bill No. 809.
Senate Bill No. 849.
Assembly Bill No. 1462.
Assembly Bill No. 1949.
Assembly Bill No. 2658.
Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 121.
Assembly Bill No. 285.
Assembly Bill No. 2008.
Respectfully reports the same back with the recommendation: Do pass as amended
DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1295.
Respectfully reports the same back with the recommendation Do pass as amended
ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 396.
Assembly Bill No. 1652.
Respectfully reports the same back without recommendation, as amended.
DESMOND, Chairman.

The above reported bills ordered on second reading calendar

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1613.
Assembly Bill No. 1818.
Senate Bill No. 721.
Respectfully reports the same back without recommendation, as amended
ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:
Assembly Bill No. 2338.
Respectfully reports the same back without recommendation, as amended.
MALONEY, Chairman

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred
Assembly Bill No. 1670.
Respectfully reports the same back without recommendation, as amended.
LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:
Assembly Bill No. 2463.
Respectfully reports the same back without recommendation, as amended.
BAYNHAM, Chairman.

The above reported bill ordered on second reading calendar.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER. Your Committee on Irrigation, to which was referred.
Senate Bill No. 609. **Senate Bill No. 874.**
Senate Bill No. 610. **Senate Bill No. 875.**
Respectfully reports the same back with the recommendation: Do pass.

GARLAND, Chairman.

The above reported bills ordered on second reading calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 1052—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and payment of the prevailing rate therefor.

Bill read second time, and ordered to engrossment

Assembly Bill No. 2378—An act to add section 212a to the Labor Code, relating to deductions from wages or salary of employee

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 2675—An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad adequately to man their gas, gas-electric, diesel, or diesel-electric cars and locomotives.

Bill read second time and ordered to engrossment

Assembly Bill No. 71—An act to limit the number of cars in a train, and prescribing penalties for violation thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2441—An act to amend section 6906 of the Labor Code, relating to train crews.

Bill read second time, and ordered to engrossment

Assembly Bill No. 103—An act to add section 207.5 to the Labor Code, relating to the payment of wages.

Committee Amendments to Assembly Bill No. 103.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out "claim", and insert in lieu thereof the following: "claims".

Amendment No. 2.

On page 1 of the printed bill, as amended, after line 17, insert the following paragraph:

"Violation of any provision of this section is a misdemeanor"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2694—An act relating to unauthorized collection of fees by employers from employees.

Committee Amendments to Assembly Bill No. 2694.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, between lines 10 and 11, insert the following:

"SEC. 4. The provisions of this act shall in no way make it unlawful for an employer to withhold or divert any portion of an employee's wages when the employer is required or empowered so to do by State or Federal law."

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out "4", and insert in lieu thereof the following: "5".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1306—An act to amend section 172 of the Penal Code, relating to selling, giving away or exposing for sale intoxicating liquors.

Committee Amendments to Assembly Bill No. 1306.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, following the word "of", strike out "the lands occupied by any", and insert in lieu thereof the following: "any building actually occupied as a".

Amendment No. 2.

On page 2, line 2, of the printed bill, following the word "any", insert the following: "building actually used as a".

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 19 to 33, inclusive, and insert in lieu thereof the following:

"4. Distances provided in this act shall be measured not by air line but by following the shortest road or roads connecting the points in question."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 295—An act to amend section 7 of the Alcoholic Beverage Control Act, relating to licenses.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1235—An act to amend section 7 of, and to add section 7.5 to, the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 590—An act to amend the Fish and Game Code, relating to fish.

Committee Amendments to Assembly Bill No. 590.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "the Fish and Game Code relating to fish", and insert in lieu thereof the following: "sections 10 and 11 of, and to add sections 10.1, 10.2, 11.1 and 11.2 to, the Fish and Game Code, relating to the Fish and Game Commission".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 10 of the Fish and Game Code is hereby amended to read as follows:

10. There shall be a Division of Fish and Game in the Department of Natural Resources, which division shall be administered through a Fish and Game Com-

missioner appointed by the Governor with the consent of the Senate, as provided in this chapter.

SEC. 2. Section 10.1 is hereby added to said code to read as follows:

10.1. The Governor shall appoint within 30 days of the effective date of this act, a Fish and Game Commissioner, who shall be a person of proved acquaintance with and knowledge of wild animals, wild birds, fishes, mollusks, crustacea and other forms of aquatic animals and plants. The commissioner shall have been a resident of the State of California for at least 10 years prior to his appointment, during five of which he must have been regularly licensed as a hunter, and also as an angler.

SEC. 3. Section 10.2 is hereby added to said code to read as follows.

10.2. The terms of the members of the Fish and Game Commission in office upon the effective date of this section shall thereupon terminate but said members shall hold over until their successor is appointed.

SEC. 4. Section 11 of said code is hereby amended to read as follows.

11. The commissioner shall hold office for a term of four years unless removed for cause and shall receive an annual salary of $10,000 to be paid monthly out of the State Treasury. Within 15 days after the appointment of the commissioner the person so appointed shall subscribe to the constitutional oath of office and file the same in the office of the Secretary of State, and shall execute to the people of the State a bond in the penal sum of $20,000, with corporate security or two or more sureties, to be approved by the Governor, for the faithful discharge of the duties of his office The commissioner shall also receive his actual and necessary expenses while traveling. The commissioner shall devote his entire time to the duties of his office and shall not engage in any other business during his term of office.

SEC. 5. Section 11.1 is hereby added to said code to read as follows:

11.1. The commissioner upon qualifying shall employ and appoint from lists of eligibles provided by the State Personnel Board one Chief Executive Officer at a salary of $4,000 per annum, one Chief of Fish Culture at a salary of $4,000 per annum, one Chief of Commercial Fisheries at a salary of $4,000 per annum, one Chief of Game Refuges at a salary of $3,000 per annum, one Chief of Patrol at a salary of $3,000 per annum, one Chief of Predatory Animal Control at $3,000 per annum, one Chief Clerk at a salary of $3,000 per annum and one private secretary at a salary of $2,400 per annum.

SEC. 6 Section 11.2 is hereby added to said code to read as follows.

11.2. The commissioner shall employ and appoint such other assistants and employees, from lists of eligibles provided by the Civil Service Commission, as may be necessary to discharge in a proper manner the duties imposed upon him by law Said deputies, assistants and employees shall perform the services and duties assigned to them by said commissioner and said commissioner shall fix their compensation, with the approval of the State Personnel Board and the Director of Finance, and their compensation shall be paid monthly, upon the certificate of said commissioner, and the warrant of the State Controller, and each deputy or assistant having similar or equal police powers to said commissioner shall subscribe to the constitutional oath of office and file the same in the office of the Secretary of State.

Except as is herein provided, the Fish and Game Commissioner may require each or any of the persons appointed or employed by himself to execute a good and sufficient bond to the people of the State of California, conditioned for the faithful performance of his duties. The premium or cost of any bond provided for in this chapter or required under its authority by the Fish and Game Commissioner shall be a claim against the State and shall be paid for out of the fish and game preservation fund.

Neither the Fish and Game Commissioner nor any of his deputies, assistants, or employees shall, during the time of his service with the State, be a member or employee of any gun club, fish or game club or any fish or game preserve, nor shall any such deputy, assistant or employee, engage in any other gainful occupation during such term of service. A violation of these requirements shall automatically work a termination of authority of the person affected and it shall be the duty of the appointing power, upon proof of such malfeasance, to dismiss the offender from the service forthwith and to appoint his successor.

The wages and salaries of each and every deputy, assistant and employee of the Fish and Game Commissioner shall be paid monthly in the same manner as the salaries of other State officers and employees are paid.

The Fish and Game Commissioner shall maintain and have his principal office at the State Capitol in the city of Sacramento, and may in his discretion, and with the consent of the Governor, maintain branch offices in the city of Los Angeles and in the City and County of San Francisco."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 592—An act to amend the Fish and Game Code, relating to game.

Committee Amendments to Assembly Bill No. 592.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend the Fish and Game Code, relating to game.", and insert in lieu thereof the following: "add Chapter 4 to Part 3 of Division IV of the Fish and Game Code, relating to bounties on predatory animals and birds."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "Section 1.", insert the following. "Chapter 4 is hereby added to Part 3 of Division IV of the Fish and Game Code to read as follows:

Chapter 4. Bounties.

1396. The State of California shall pay bounties for the killing and destruction of predatory birds and animals as provided in this chapter.

1396.5. The bounties for animals shall be in the following amounts: Lion (cougar or panther), male $25, female $30, coyote $2.50, wildcat $2.50, fox $1, coon $1, mink $0.50, ringtail cat $0.50, weasel $0.50.

1397. The bounties for birds shall be in the following amounts: Great horned owl $1, merganser or fish duck $0.50, pelican $0.50, duck hawk $0.50, cormorant $0.50, kingfisher $0.50, crow $0.10, blue jay $0.10, magpie (black billed) $0.10, butcher bird $0.10.

1397.5. Any person killing any animal mentioned in this chapter may present to the county clerk or to any justice of the peace in the county in which the animal is killed the entire skin of such animal, including the skin of the head, to which must be attached the feet or paws and the tail.

1398. Any person killing any bird mentioned in this chapter may present to the county clerk or any justice of the peace in the county in which the bird is killed the entire head of such bird.

1398.5. Upon presentation of such skins or heads, the applicant shall make and file with the clerk or justice an affidavit stating:

(1) The kind and number of animals or birds for which bounty is claimed;

(2) That the county in which presented is the county in which the animals or birds were taken;

(3) That the animal or bird was not brought or received from any other county or State;

(4) That the animal or bird was killed after July 1, 1937, and within 90 days from the date of application;

(5) That the animal or bird was killed by the applicant;

(6) That the animal or bird for which a bounty is claimed was not born or fostered in captivity prior to the killing thereof.

In addition to such affidavit, there shall be attached thereto and made a part thereof the affidavits of two residents of the county in which the bounty is claimed, stating that said residents are acquainted with the claimant and believe the statements in claimant's application and affidavit are true.

1399. Upon receipt thereof, the clerk or justice shall examine the skins or heads. In the case of skins he shall mark the same by punching a hole approximately three-sixteenths of an inch in diameter in each ear and in each paw or foot. In the case of birds, he shall cause the heads to be destroyed.

1399.5. When the clerk or justice determines that the skins or heads presented entitle the claimant to the bounty provided for in this chapter, he shall issue to the applicant a certificate showing the number and kind of skins or heads submitted, the date and place where the animals or birds were killed, and the amount of bounty to which applicant is entitled. Said certificate shall be executed in duplicate, the original of which shall be delivered to the applicant.

1400. On or before the twentieth day of each month, each justice of the peace shall transmit the duplicate certificates to the county clerk of the county in which such justice holds office. The county clerk shall enter the substance of such certificates in a book which he shall keep expressly for that purpose, and shall transmit all certificates issued by him, and all certificates transmitted to him by justices of the peace in the county in which he holds office, to the State Controller.

1400.5. Upon presentation of an original certificate issued under the provisions of this chapter to the State Controller, he shall draw his warrant on the State Treasurer for the total amount specified in the certificate, except that no such warrant shall be drawn unless funds are available for the payment thereof.

1401. There is hereby appropriated from the fish and game preservation fund the sum of $100,000 for the payment of bounties during the two year period following the effective date of this section. Should such amount be expended prior to the expiration of that period, no further warrants shall be drawn, and the State Controller shall notify the clerk of each county that the fund is depleted.

1401.5 Nothing in this chapter shall prohibit any county from paying any other or additional bounty upon predatory birds or mammals taken within the county."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2194—An act to amend section 4041.21 of the Political Code, relating to powers and duties of boards of supervisors and permitting boards of supervisors to rent or lease space in county courthouses for news stand, cigar stand and lunch room purposes.

Committee Amendment to Asesmbly Bill No. 2194.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "4041.21.", insert the following:

"(1) Under such limitations and restrictions as are prescribed by law, and in addition to jurisdiction and powers otherwise conferred, the boards of supervisors, in their respective counties, shall have the jurisdiction and powers to provide for the sale, at not less than cost, of copies of such maps as may be prepared by the surveyor or engineer for the use of the assessor under the provisions of section 4218 of the Political Code of California, as may be deemed desirable by the board of supervisors.

(2) To sell at public auction, at the courthouse door or at such other place within the county as the board may, by four-fifths vote, order, after five days' notice, given either by publication in a newpaper published in the county or by posting in three public places in the county, and convey to the highest bidder for cash any property belonging to the county not required for public use, paying the proceeds into the county treasury for the use of the county; provided, if in the unanimous judgment of the board, the property does not exceed in value the sum of $75 or if it be the product of the county farm, the same may be sold at private sale without advertising, by any member of the board empowered for that purpose by a majority vote of the board, such sale to be reported to and confirmed by such board of supervisors; provided, further, that this subdivision shall not apply to the furnishing of goods to special districts, mentioned in section 4004 of this code.

(3) To establish, maintain, and operate a store in connection with the county jail and for this purpose to purchase food, confectionery, tobacco and tobacco users' supplies, postage and writing materials, and toilet articles and supplies and to sell such goods, articles and supplies for cash to prisoners in such jail at cost, plus a reasonable handling charge. All proceeds of such sales shall be deposited in the county treasury and the sheriff shall be liable therefor on his official bond.

(4) To perform services for and to sell personal property to any road improvement, lighting, irrigation, waterworks, flood control or any other special district within the county, whose affairs and funds are under the supervision and control of the board of supervisors, or for which the board of supervisors is ex officio the governing body.

(5) To dispose of surplus plants, trees, shrubs and nursery stock belonging to the county and not required for public use, by public or private sale, or by exchanging the same with any person, firm or corporation or other public body, for other property required by the county, and such sale or exchange of such property may be made in the discretion of the board of supervisors, without advertisement or competitive bidding.

(6) To grant and convey by a four-fifths vote of the board, to any school district within the county, without compensation, or upon such compensation as such board may determine, any land belonging to the county upon which has been, or is, situated any public works, and which said property, or works, are not required for public use.

(7) To rent or lease space in the county courthouse for news-stand, cigar stand or lunchroom purposes, giving preference to blind persons who are in need of employment and have resided in the State for at least one year."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1826—An act making an appropriation for the eradication of bovine tuberculosis.

Committee Amendments to Assembly Bill No. 1826.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "and to amend section 239 of the Agricultural Code relating to the payment of indemnities."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 5 to 9, inclusive, and insert in lieu thereof the following: "tuberculosis, in accordance with the provisions of Article 3, Chapter 3, of Division II of the Agricultural Code."

"SEC. 2. Section 239 of the Agricultural Code is hereby amended to read as follows:

239. When any animal is slaughtered under the provisions of this article, the owner shall receive:

(a) The proceeds of the sale of the salvage of the animal.

(b) From the State, one-third of the difference between the appraised value and the proceeds of the sale of the salvage, but in no instance to exceed twelve dollars and fifty cents for any grade animal or twenty-five dollars for any purebred animal.

(c) From the United States, any sum authorized to be paid to him from any appropriation made by the United States to assist in the eradication of tuberculosis in cattle in California."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2375—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as subsequently amended, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 20 and 22½ thereof and by adding thereto new sections numbered 6¾ and 9¾a, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the authorization of the issuance and sale of revenue bonds for the purpose of retiring, paying, funding and refunding outstanding bonds on certain conditions and prescribing the form thereof and the amount for which the same may be issued; also providing for the acquisition in eminent domain of real property for the purpose of exchange of the same for real property needed for the purpose of such bridges; also providing for the acquisition of property and rights of way and for the lease, sale, exchange or other disposition of any property or interest therein not necessary for the purposes of any such bridge; and providing that this act become effective immediately.

Committee Amendments to Assembly Bill No. 2375.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, as amended, at the beginning of said line, insert the following: "6¾".

Amendment No. 2.

On page 6, line 40, of the printed bill, as amended, strike out "pavement", and insert in lieu thereof the following: "payment".

Amendment No. 3.

On page 9, line 18, of the printed bill, as amended, after the word "any", strike out "city", and insert in lieu thereof the following: "county".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2422—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles II and IV of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4, and the article heading of Article III of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Committee Amendments to Assembly Bill No. 2422.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended March 17, 1937, strike out the following: "4".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended March 17, 1937, strike out the following "4".

Amendment No. 3.

On page 1, line 6, of the printed bill, as amended March 17, 1937, strike out "737", and insert in lieu thereof the following: "736".

Amendment No. 4.

On page 2, line 6, of the printed bill, as amended March 17, 1937, strike out "737", and insert in lieu thereof the following: "736".

Amendment No. 5.

On page 2, line 22, of the printed bill, as amended March 17, 1937, strike out the word "or", and insert in lieu thereof the following "and".

Amendment No. 6.

On page 2, line 30, of the printed bill, as amended March 17, 1937, strike out "737.15", and insert in lieu thereof the following: "736.12".

Amendment No. 7.

On page 3, line 21, of the printed bill, as amended March 17, 1937, strike out "737", and insert in lieu thereof the following: "736".

Amendment No. 8.

On page 3, line 27, of the printed bill, as amended March 17, 1937, after the word "distributors", insert the following: "and retail stores"

Amendment No. 9.

On page 3, line 32, of the printed bill, as amended March 17, 1937, after the word "distributor", insert the following "and retail store"

Amendment No. 10.

On page 3, line 52, of the printed bill, as amended March 17, 1937, strike out the comma appearing after the word "distributors", and insert in lieu thereof the following: "and retail stores,".

Amendment No. 11.

On page 4, line 5, of the printed bill, as amended March 17, 1937, after the word "distributors", insert the following words: "and retail stores".

Amendment No. 12.

On page 4, line 8, of the printed bill, as amended March 17, 1937, after the word "distributors", insert the following words: "and retail stores".

Amendment No. 13.

On page 4, line 11, of the printed bill, as amended March 17, 1937, strike out "tributors", and insert in lieu thereof the following: "tributors and retail stores".

Amendment No. 14.

On page 4, line 13, of the printed bill, as amended March 17, 1937, strike out "utors", and insert in lieu thereof the following: "utors and retail stores"

Amendment No. 15.

On page 4, line 24, of the printed bill, as amended March 17, 1937, after the word "distributors", insert the following words: "and retail stores".

Amendment No. 16.

On page 4, line 27, of the printed bill, as amended March 17, 1937, after the word "distributors", insert the following words: "and retail stores".

Amendment No. 17.

On page 4, line 31, of the printed bill, as amended March 17, 1937, after the word "efficient", insert the following words: "retail stores and".

Amendment No. 18.

On page 4, line 30, of the printed bill, as amended March 17, 1937, strike out "in business", and insert in lieu thereof the following "in the business of distributing fluid milk and fluid cream, or both,".

Amendment No. 19.

On page 4, line 31, of the printed bill, as amended March 17, 1937, after the word "efficient", insert the following words: "retail stores and".

Amendment No. 20.

On page 4, line 44, of the printed bill, as amended March 17, 1937, strike out "737", and insert in lieu thereof the following: "736".

Amendment No. 21.

On page 4, line 46, of the printed bill, as amended March 17, 1937, strike out the word "customer", and insert in lieu thereof the following: "consumer".

Amendment No. 22.

On page 4, line 52, of the printed bill, as amended March 17, 1937, after the word "sell", insert the following: "to".

Amendment No. 23.

On page 5, line 10, of the printed bill, as amended March 17, 1937, strike out "737", and insert in lieu thereof the following: "736".

Amendment No. 24.

On page 5, line 22, of the printed bill, as amended March 17, 1937, strike out "737", and insert in lieu thereof the following: "736".

Amendment No. 25.

On page 5 of the printed bill, as amended March 17, 1937, strike out lines 44 to 52, inclusive.

Amendment No. 26.

On page 6 of the printed bill, as amended March 17, 1937, strike out lines 1 to 3, inclusive.

Amendment No. 27.

On page 6, line 4, of the printed bill, as amended March 17, 1937, strike out "737.17", and insert in lieu thereof the following: "736.16".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1936—An act to transfer the duties, powers, purposes, responsibilities, and jurisdiction of the Relief Commission and Relief Administrator to the Department of Social Welfare.

Committee Amendments to Assembly Bill No. 1936.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after "ties," add the following: "unexpended moneys," and follow out the title.

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out the period, and add the following: "and declaring the urgency thereof, to take effect immediately."

Amendment No. 3.

On page 1, line 4, of the printed bill, strike out the period following "Administrator", and strike out all of sections 2 and 3, and add the following: "under the provisions of the California Unemployment Relief Act of 1935, or of any other law, and of the several officers, deputies and employees of or under the Relief Administrator or the Relief Commission; and whenever by the provisions of any statute or law now in force or which may hereafter be enacted, a duty or jurisdiction is imposed or authority conferred upon the Relief Administrator or the Relief Commission, or upon any of the officers, deputies or employees of or under either thereof, such duty, jurisdiction and authority are hereby imposed upon and transferred to the Department of Social Welfare with the same force and effect as if the title of said last named department had been specifically set forth and named therein, in lieu of the name of the Relief Administrator, the Relief Commission, or any such officer, deputy or employee thereof or thereunder. For the purposes of this act, the terms "Relief Administrator," 'Relief Commission," or similar designation, and of the several officers, deputies and employees of or under either thereof, when used in any statute or law now in force or which may hereafter be enacted, shall be construed to refer to and mean the Department of Social Welfare, the same as if the title of such department had been specifically set forth and named therein.

The Relief Commission and the office of the Relief Administrator, and the positions of all deputies, officers and employees of or under either thereof are and each of them is hereby abolished and shall have no further legal existence; but the statutes and laws under which they existed and all laws prescribing their duties, powers, purposes and responsibilities and jurisdiction, are hereby expressly continued in force."

Amendment No. 4.

On page 1, line 17, of the printed bill, after the word "Sec.", strike out "4", and insert in lieu thereof "2".

Amendment No. 5.

On page 2, line 1, of the printed bill, after the word "Sec.", strike out "5", and insert in lieu thereof "3".

Amendment No. 6.

On page 2 of the printed bill, after line 6, insert the following:

"Sec. 4. This act is hereby declared to be an urgency measure within the meaning of section 1 of Article IV of the Constitution, necessary for the immediate provision of the public peace, health and safety and shall therefor take effect immediately.

The following is the statement of facts constituting such necessity:

It appears that the existing statutes under which unemployment relief is now being administered in California will become ineffective upon June 30, 1937, and in order that the needs and demands of destitution due to and caused by unemployment may be alleviated, it is imperative that this act become effective immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1427—An act to add section 135.8 to the Vehicle Code, relating to the California Highway Patrol.

Committee Amendment to Assembly Bill No. 1427.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"135.8. Police Authority of Members of California Highway Patrol (a) Members of the California Highway Patrol shall not exercise or attempt to exercise any police functions other than those specifically vested in them by the provisions of this code or the Streets and Highways Code. They shall have no authority and are hereby expressly forbidden to make arrests in labor disputes or in preventing violence in connection with strikes. They shall not perform any duties whatsoever in connection with labor disputes, strikes, or boycotts, and shall not congregate or act as a unit in one county to suppress riots or to preserve the peace.

(b) Any member of the California Highway Patrol who violates any of the provisions of this section is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not exceeding $500, or by imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2165—An act to amend sections 2, 4, 5, 7, 8, 9, 10, 11, 13, 21, 22, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, and 51 of the Alcoholic Beverage Control Act, relating to administration of the act.

Committee Amendments to Assembly Bill No. 2165.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1, 2, and 3 of the title, and insert in lieu thereof the following:

"An act to amend sections 2, 8, 10, 24, 33, 34, 51 and 52 of, and to add sections 7.5, 24a, 24b, 33a, 33b, 34.5, 38.5, 48a, 48b, 48c, 48d and 48e to, the Alcoholic Beverage".

Amendment No. 2.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. The following words, terms and phrases when used in this act have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

(b) "Alcoholic beverage" means and includes alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, wine or beer, and which con-

tains one-half of one per cent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed or combined with other substances

(c) "Beer" means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops or any other similar product, or any combination thereof in water, and shall include ale, porter, brown, stout, lager beer, small beer and strong beer but shall not include sake known as Japanese rice wine.

(d) "Distilled spirits" means ethyl alcohol, spirits of wine, whiskey, rum, brandy, gin and other distilled spirits for beverage use, including all dilutions and mixtures thereof.

(e) "Wine" means the product obtained from the normal alcoholic fermentation of the juice of grapes or other agricultural products, containing sweetening material derived only from the particular agricultural product or products of which the wine is made, or any such product fortified with brandy or spirits of wine which is distilled from the particular agricultural product or products of which the wine is made, and containing not more than 24 per cent of alcohol, by volume "Wine" as herein defined shall include Vermouth and sake, or Japanese rice wine and shall also mean the product obtained from the normal alcoholic fermentation of agricultural products, other than grapes containing natural or added sugar; or any such product fortified with brandy or spirits of wine containing not more than 24 per cent of alcohol, by volume.

Any product obtained by the fermentation of grapes or other agricultural products, whether or not containing natural or added sugar which is so fortified by the addition thereto of any alcoholic beverage, or dilution or mixture thereof, that the alcoholic content is increased by 10 per cent or more of alcohol by volume shall be classified and taxed as distilled spirits

(f) "Person" includes any individual firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver, syndicate or any other group or combination acting as a unit and the plural as well as the singular number.

(g) "Board" means the State Board of Equalization of the State of California

(h) "Club" means a corporation or association which is the owner, lessee or occupant of an establishment operated solely for objects of a social or athletic nature, having a bona fide membership list and the majority of the members of which pay dues at least once in every year, but not for pecuniary gain, and the property as well as the advantages of which belong to the members

(i) "Manufacturer" means every person, who within the State of California, brews, ferments, distills, cuts, blends, rectifies, or otherwise processes, produces, or manufactures alcoholic beverages containing one-half of one per cent or more of alcohol by volume; provided that any person who manufactures not to exceed 200 gallons of wine per year for his own consumption, shall not, because of such manufacture, be considered a manufacturer within the meaning of this act.

(j) "Rectifier" means every person who colors, flavors, or otherwise processes distilled spirits by distillation, blending, percolating or other processes.

(k) "Importer" means every person who, in the case of alcoholic beverages brought into this State from outside of this State, is the first in possession thereof within this State after the act of importation is completed.

(l) "Sell" or "sale" and the phrase "to sell" means and includes any of the following. To exchange, barter, traffic in; to solicit or receive an order for; to keep or expose for sale; to serve for a consideration with or without meals; to traffic in or deliver for value or in any way other than gratuitously; to possess with intent to sell The transfer of title to alcoholic beverages unaccompanied by a transfer of possession of such beverages shall not be deemed a sale of such beverages

(m) "Public bar" means any bar, counter or other structure over which beverages of an alcoholic content in excess of 4 per cent by weight are sold or served by the drink to the public for consumption on the premises; provided, however that counters or other structures used for the sale, service and consumption of meals, and not as a subterfuge for a public bar, shall not be deemed to be a public bar within the meaning of this act. "Public barroom" or "public saloon" means any room to which the public has access in which is maintained a "public bar."

(n) "Package" or "original package" means any container or receptacle used for holding alcoholic beverages which is corked or sealed with a stub, stopper or cap, or in any other manner.

(o) "To bottle" or "to package" means to bottle, barrel, or otherwise place alcoholic beverages in a container.

(p) "Distiller" means a manufacturer who produces distilled spirits from naturally fermented material.

(q) "Proof spirits" means that alcoholic liquor which contains one-half of its volume of pure ethyl alcohol of a specific gravity of 0.7939 at 60 degrees Fahrenheit, referred to water at 60 degrees Fahrenheit as unity.

(r) "Proof gallon" means a gallon of proof spirits, or an equivalent amount of alcohol.

(s) "Wholesaler" means and includes every person other than a manufacturer or rectifier who is engaged in business as a broker, jobber or wholesale merchant, dealing in alcoholic beverages

(t) "Wholesale sale" or "sale at wholesale" means a sale to any person for purposes of resale.

(u) "Retailer's on-sale license" means and includes on-sale beer licenses, on-sale beer and wine licenses, and on-sale distilled spirits licenses.

(v) "Gallon" or "wine gallon" means that liquid measure containing 231 cubic inches.

(w) "Wine manufacturer" means any person engaged in the manufacture of wine as the term "wine" is defined in this act.

(x) "Still" means a still used in the production or capable of being used in the production of alcoholic beverages and does not include stills or apparatus used solely in the production of distilled water or substances other than alcoholic beverages

SEC. 2. Section 7 5 is hereby added to said act to read as follows:

Sec. 7.5. Every licensee shall notify the board of any change in the ownership or business of such licensee, together with the names and addresses of any person who acquires any active or beneficial interest in the ownership of such license. Such notice shall be given within ten days of such change by registered mail, addressed to the office of the board at Sacramento, California. Any licensee who fails to give notice to the board as herein provided shall be guilty of a misdemeanor, and the board may suspend or revoke any or all licenses held by such licensee.

SEC. 3. Section 8 of said act is hereby amended to read as follows:

Sec. 8. All retailer's on-sale licenses shall be issued on a calendar year basis and shall automatically expire at midnight on the last day of December of the year for which issued. All other licenses issued under this act shall be issued on the basis of a fiscal year commencing July 1st and ending June 30th, and shall automatically expire at midnight on the last day of June of the year for which issued.

Except as provided in section 5, no license shall be issued until the full annual fee therefor is paid to the board.

For failure to reapply for a license prior to the time when any license expires, the board may by regulation prescribe that in addition to the license fee specified in section 5 hereof a penalty of not to exceed 25 per cent of such fees must be paid

SEC. 4. Section 10 of said act is hereby amended to read as follows:

Sec. 10. To obtain a license under this act application therefor, verified under oath, accompanied by the license fee therefor, must be made to the board upon a form prescribed by the board. The application must contain the name of the applicant, and in the case of a copartnership, the names of the individual partners, in the case of a corporation the principal officers and directors, the location of the premises for which a license is applied and such other information as the board may require to assist it in determining whether the applicant and the premises qualify for a license. The application shall be signed by the applicant, in the case of a partnership the application shall be signed by each of the partners and in the case of a corporation by an officer and under the seal of the corporation. Each application for an on-sale license shall contain a statement that the applicant is not a manufacturer, rectifier, distiller, bottler, importer or wholesaler, or an officer, director or agent of any such person, and that no such person has any interest in the applicant or the premises for which the license is requested which would be in violation of section 54 of this act if the license is issued. Any person who makes a false statement in an application for a license is guilty of a felony.

SEC. 5. Section 24 of said act is hereby amended to read as follows:

Sec. 24 An excise tax is hereby imposed upon all distilled spirits sold in this State by manufacturers, rectifiers, importers or wholesalers thereof, at the following rates

On all distilled spirits of proof strength or less, 2 cents on each bottle containing two ounces or fraction thereof; 5 cents on each bottle containing eight ounces or fraction thereof greater than two ounces; 10 cents on each bottle containing one pint or fraction thereof greater than a half pint; 16 cents on each bottle containing one-fifth gallon or fraction thereof greater than one pint; 20 cents on each bottle containing one quart or fraction thereof greater than one-fifth gallon; 40 cents on each bottle containing one-half gallon or fraction thereof, greater than one quart; 80 cents on each bottle containing one gallon or fraction thereof greater than one-half gallon.

All distilled spirits in excess of proof strength shall be taxed at double the above rate.

SEC. 6. Section 24a is hereby added to said act to read as follows:

Sec. 24a. It shall be presumed that all distilled spirits acquired by any distilled spirits manufacturer, rectifier, importer or wholesaler have been sold unless proven to the satisfaction of the board, in verified reports on forms prescribed by the board, that such distilled spirits are (1) still in the possession of such licensee, or (2) that such distilled spirits have been sold or delivered to another licensed distilled spirits manufacturer, rectifier, importer or wholesaler, or (3) that such distilled spirits have been exported without this State by the licensee making this report, or (4) that prior

to the termination of possession such distilled spirits have been lost through unintentional destruction, or (5) that prior to the termination of possession there has been an unaccounted for loss, but such unaccounted for loss shall not exceed a tolerance to be fixed by the board.

SEC. 7. Section 24b is hereby added to said act to read as follows:

Sec. 24b. The word "sale" as used in sections 23 and 24 shall include, in addition to the definition in section 2 of this act, the transaction whereby alcoholic beverages are transferred, with or without consideration, by a licensee holding one type of license to himself for purposes of sale under a retailer's license held by himself.

SEC. 8. Section 33 of said act is hereby amended to read as follows:

Sec. 33. The tax imposed by section 24 of this act upon the sale of distilled spirits shall be collected from manufacturers, rectifiers, importers and wholesalers of distilled spirits and payment of the tax shall be evidenced by stamps issued by the board to such manufacturers, rectifiers, importers and wholesalers. In exceptional instances the board may sell such stamps to on- and off-sale distilled spirits licensees and other persons.

SEC. 9. Section 33a is hereby added to said act to read as follows:

Sec. 33a. The excise stamps shall be serially numbered and of a character, design and process which will give the State the maximum amount of protection against counterfeiting. The stamps shall be of such size, type and character as the board shall determine. The board shall have full charge and control of the issuance, securing, or purchase and of the sale of all such stamps and shall keep a record of all stamps sold.

Any contract by the board for the purchase by it of excise stamps for use as provided in this act, shall be executed by the board only after advertising for and receiving competitive bids, in such manner as the board by rule shall prescribe. Such contract shall be awarded to the lowest responsible bidder, subject to the provisions of section 3236 of the Political Code, and subject to approval by the Department of Finance, as provided in section 375a of said code.

SEC. 10. Section 33b is hereby added to said act to read as follows:

Sec. 33b. Before distilled spirits leave the premises of any distilled spirits manufacturer, importer, rectifier or wholesaler for delivery to any distilled spirits on- or off-sale licensee an excise stamp of the proper denomination shall be attached to each package of such distilled spirits by affixing such stamps across the outlet of such package in such a manner that the distilled spirits can not be removed from the package without first breaking, tearing or mutilating such stamp; and the stamp shall be canceled at the time it is so affixed by indelibly writing or stamping thereon the number of the licensee attaching the stamp and the date of cancellation. Any person violating the provisions of this paragraph shall be guilty of a misdemeanor.

The board may, subject to such rules and regulations and upon such terms and conditions as it deems desirable to protect the interests of the State, permit the affixing of stamps to packages of distilled spirits prior to their importation into this State.

SEC. 11. Section 34 of said act is hereby amended to read as follows:

Sec. 34. (a) It shall be unlawful for any unlicensed person to have in his possession, or for any on- or off-sale distilled spirits licensee to have upon his licensed premises or in his possession off the licensed premises any distilled spirits unless the stamps required by this act to be attached to the packages of such distilled spirits are so attached and canceled as required by this act.

(b) It shall be unlawful for any unlicensed person or for any on- or off-sale distilled spirits licensee to sell any distilled spirits unless the stamps required by this act to be attached to the packages of such distilled spirits are so attached and canceled as required by this act.

(c) It shall be unlawful for any on-sale distilled spirits licensee to serve or remove distilled spirits from any packages at the licensed premises unless the stamps required by this act to be attached to the packages are so attached and canceled as required by this act.

(d) It shall be unlawful for any person to deliver to the premises of any on- or off-sale distilled spirits licensee or for any on- or off-sale distilled spirits licensee to have upon his licensed premises any distilled spirits unless the containers of such distilled spirits bear a label plainly indicating the quantity and proof strength of the contents of such containers and the name of the manufacturer, rectifier, importer or wholesaler thereof.

(e) It shall be unlawful for any manufacturer, rectifier, importer or wholesaler of distilled spirits to deliver to the premises of any on- or off-sale distilled spirits licensee or for any on- or off-sale distilled spirits licensee to sell or have in his possession at the licensed premises distilled spirits in packages containing more than one gallon.

(f) It shall be unlawful for any unlicensed person or any on- or off-sale distilled spirits licensee to have in his possession any distilled spirits in packages or containers larger than one gallon, unless such distilled spirits have been sold and

delivered to such person or licensee by the holder of an industrial alcohol dealer's license for use in the trades, professions, or industries

Any person violating any of the foregoing provisions of this section shall be guilty of a misdemeanor.

The board may seize any distilled spirits sold, served, removed, possessed, delivered, or held in any manner whatsoever in violation of this section.

SEC. 12. Section 34.5 is hereby added to said act to read as follows:

Sec 34.5. Each manufacturer, rectifier, importer, and wholesaler of distilled spirits shall keep a written record showing the serial number of each excise stamp purchased from the board, the nature of the contents of the package to which it is affixed, and the name and address of the person to whom it is transferred. A duplicate of such record, verified by the licensee, shall be filed with the board on or before the tenth day of each calendar month

Violation of any of the provisions of this section shall constitute a misdemeanor.

SEC. 13. Section 38.5 is hereby added to said act to read as follows:

Sec. 38.5. In addition to any other penalty imposed by this act the failure of any licensee to file with the board any report required by this act for a period of more than 30 days after the date on which such report is due shall automatically suspend the license of such licensee. Any license so suspended shall not be reinstated until all required reports by the licensee are filed with the board.

SEC. 14. Section 48a is hereby added to said act, to read as follows:

Sec. 48a. The board shall compare and reconcile its records of excise tax-paid distilled spirits gallonage with the retail sales tax returns, as provided by the Retail Sales Tax Act of 1933, on retail sales of distilled spirits.

SEC. 15. Section 48b is hereby added to said act, to read as follows:

Sec 48b Every employee of the board who is engaged in enforcing the provisions of this act shall diligently press the prosecution and final disposition of each case in which he makes an arrest or causes an arrest to be made. Each such case shall be reported by him promptly to his immediate superior and to the State Liquor Administrator. He shall also make a monthly report to the administrator of the status of each such case and the result thereof

SEC 16. Section 48c is hereby added to said act, to read as follows:

Sec. 48c Upon the conviction of any licensee of the violation of any criminal statute of this State involving moral turpitude, including the statutes prohibiting gambling, committed by the licensee upon the licensed premises, or upon the conviction of any person of such an offense committed upon the premises of any licensee with the express or implied permission or consent of the licensee, the board shall forthwith revoke the license of such licensee. It is the duty of each enforcement officer employed by the board diligently to investigate and report to the board any such case coming to his notice or reported to him by any person or officer

SEC 17. Section 48d is hereby added to said act to read as follows:

Sec 48d. Any on- or off-sale licensee who sells gives or delivers to any person any alcoholic beverage between the hours of two o'clock a.m. and six o'clock a.m. of the same day, is guilty of a misdemeanor

SEC. 18. Section 48e is hereby added to said act, to read as follows

Sec. 48e. The Chief of the Bureau of Food and Drug Inspection shall immediately notify the State Liquor Administrator of the conviction of any licensee under this act of any violation of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, and shall send a copy of such notice to the chief liquor control officer of the district in which the premises of the licensee are situated. The respective officers shall promptly cause an investigation to be made and shall report to the board their recommendations as to suspension or revocation of the license of such licensee.

SEC. 19. Section 51 of the said act is hereby amended to read as follows:

Sec. 51. (a) It shall be unlawful for any person or licensee to have upon any premises for which a license has been issued any alcoholic beverages other than the alcoholic beverage which the licensee is authorized to sell at such premises under his license. It shall be presumed that all alcoholic beverages found or located upon premises for which licenses have been issued belong to the person or persons to whom such licenses were issued. Every person violating the provisions of this paragraph shall be guilty of a misdemeanor. The board may seize any alcoholic beverages found in violation of this section.

(b) The board shall also have the power to seize the following alcoholic beverages:

1. Alcoholic beverages manufactured in this State by any person other than a licensed manufacturer, regardless of where found;

2. Beer and wine upon the sale of which the excise tax imposed by this act has not been paid, regardless of where found;

3. Distilled spirits except (a) distilled spirits located upon the premises of distilled spirits manufacturers, rectifiers, wholesalers and importers licensed under

this act; (b) distilled spirits consigned to and in the course of transportation to distilled spirits manufacturers, rectifiers, wholesalers and importers licensed under this act; (c) distilled spirits the containers of which bear the stamps herein required to be attached thereto; (d) alcohol in the possession of or purchased from an industrial alcohol dealer for use in the trades, professions or industries and not for beverage use.

(e) The board or its employees shall also have the power to seize any unlicensed still, whether in actual operation or not, and whether assembled for operation or dismantled, and also any parts of such stills, and also any materials or supplies capable of being used for the manufacture of alcoholic beverages which are found on or about the premises where any such unlicensed still or parts thereof are found.

(d) When alcoholic beverages or any other property are seized under the provisions of this act such alcoholic beverages or other property shall be forfeited to the State and all such forfeitures are hereby declared to be statutory forfeitures.

(e) When alcoholic beverages or other property are seized for forfeiture or forfeited under this act they may be disposed of by the board, its officers or employees by summary destruction when such alcoholic beverages are unfit for human consumption or when such alcoholic beverages or other property is incapable of lawful use or incapable of lawful sale by the persons from whom seized.

(f) When alcoholic beverages or other property are seized or forfeited under this act and such alcoholic beverages or other property are not disposed of under subdivision (e) of this section then such alcoholic beverages or other property shall be subjected to a forfeiture proceeding in the superior court as in this act provided and upon a judgment in favor of the forfeiture the alcoholic beverages or other property shall be ordered turned over to the State Department of Finance for disposition as follows: (1) delivery to the State Board of Equalization for use in the needs of said board as may be requested by said board (2) delivery to any other State department, board, commission, officer, hospital or institution (3) sale at public auction.

(g) When alcoholic beverages or other property are seized under this act a record of the seizure and disposition shall be kept by the board.

(h) Any member of the board, or officer, employee or agent of the board who disposes of any alcoholic beverages or other property, seized under any section of this act, in any manner other than as directed by order of the court or the provisions of this act shall be liable to the State in a civil action and shall be guilty of a felony.

(i) It shall be unlawful for any person to use any automobile or other vehicle to conceal, convey, carry, or transport any alcoholic beverages which are subject to seizure under the provisions of this act; except that the provision of this section shall not apply to any person who is the holder of an industrial alcohol dealer's license or who has purchased distilled spirits from the holder of an industrial alcohol dealer's license and who uses an automobile or other vehicle to transport distilled spirits for use in the trades, professions or industries. Any person violating the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than $500 or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

Any automobile or other vehicle so used to conceal, convey, carry or transport alcoholic beverages in violation of this section shall be forfeited to the State of California.

SEC. 20. Section 52 of said act is hereby amended to read as follows:

Sec. 52. (a) Any peace officer of this State upon seizing any alcoholic beverages or other property, not subject to summary destruction as provided in subdivision (e) of section 51, shall hold the same as evidence until a forfeiture has been declared or a release ordered as provided in this section. All forfeitures under this act are hereby declared to be statutory forfeitures.

(b) Notice of the seizure and of the intended forfeiture proceeding shall be filed with the county clerk and shall be served on all persons, firms or corporations having any right, title or interest in the alcoholic beverages or other property seized; and when the owner or owners are unknown or can not be found then notice of the seizure and intended forfeiture proceedings shall be made upon such owners by one publication in a newspaper of general circulation in the county where such seizure was made.

(c) Within 20 days after service of the notice of seizure and intended forfeiture proceedings, or within 20 days after the date of publication, the owner or owners of the alcoholic beverages or other property so seized may file a verified answer to the fact of the alleged unlawful use of the alcoholic beverages or other property; provided, however, that the claimant of any right, title or interest in said alcoholic beverages or other property so seized may make a verified answer to establish his claim as provided in subdivision (f) of this section. No extensions of time shall be granted for the purpose of making the verified answer above required.

(d) If at the end of 20 days after the notice has been mailed or published there is no verified answer on file, the court shall hear evidence upon the fact of unlawful use and shall, upon proof thereof, order the alcoholic beverages or other property forfeited to the State of California.

(e) If a verified answer has been filed, then the forfeiture proceeding may be set for hearing on a day within 20 days therefrom, and notice of this proceeding shall be given to the owner or owners filing verified answers.

(f) At the time set for the hearing any of the owners who have verified answers on file may show by competent evidence that the alcoholic beverages or other property were not in fact used contrary to the provisions of this act. The claimant of any right, title or interest in said alcoholic beverages or other property may prove that such right, title or interest is bona fide and was created after a reasonable investigation of the moral responsibility, character and reputation of the lienor, mortgagor or vendee and without any knowledge that such alcoholic beverages or other property was being, or was to be, used contrary to the provisions of this act.

(g) In the event of such proof, the court shall order said alcoholic beverages or other property released to such bona fide or innocent owner, lienholder, mortgagee or vendor if the amount due to such person shall be equal to, or in excess of, the value of the alcoholic beverages or other property. If the amount due to such person shall be less than the value of said alcoholic beverages or other property then such alcoholic beverages or other property shall be sold at public auction by the board and the remainder of the proceeds of such sale, after payment of the balance due on the purchase price, mortgage, or lien, shall be deposited in the State Treasury.

Should the fact be determined that the alcoholic beverages or other property were not used contrary to the provisions of this act, the court shall order the alcoholic beverages or other property released to the owner or owners thereof.

(h) In any case the State Department of Finance shall have the right, within 30 days after judgment, to pay the balance due to such bona fide or innocent purchaser, lienholder, mortgagee or vendor and to purchase the alcoholic beverages or other property for the State.

(i) Nothing contained herein shall apply to common carriers or to an employee acting within the scope of his employment under this act."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2536—An act to amend sections 348 to 377n, inclusive, and sections 654 to 695, inclusive, of the Political Code, relating to the administrative departments of the State, their organization, powers and functions.

Committee Amendments to Assembly Bill No. 2536.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of line 1 of the title after "An act to", and strike out line 2 to and including "of", and insert in lieu thereof the following: "add section 663½ to"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 and 4 of the title, and insert in lieu thereof the following: "powers and functions of the State Board of Control."

Amendment No. 3.

On page 1 of the printed bill, strike out line 1 after the period, and all of lines 2, 3 and 4, and insert in lieu thereof the following: "A new section is hereby added to the Political Code, to be numbered 663½ and to read as follows:

"663½. The State Board of Control shall promulgate rules and regulations not in conflict with existing laws to govern and control the expenditures for which State officers and employees may be reimbursed by the State, and to provide, amongst other things, first, that the head of a department who is paid an annual salary can not be reimbursed for expenses of living at the place where is located the principal office of his department; second, that no officer or employee of any department, division or bureau can be reimbursed for the expenses of a trip out of the State unless such trip is authorized beforehand by the head of the department and approved by the Governor; third, that no officer or employee can be reimbursed for expenses of traveling to or from and living at the location of the principal office of the department by which he is employed unless he is regularly and usually stationed elsewhere, and is traveling under orders of his superior; fourth, that a board member can not be reimbursed for expenses incurred in attending a meeting of the board, held elsewhere than at the principal office or a

branch office of the department or agency, without the approval of the Department of Finance first obtained."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2521—An act to reorganize the executive government of the State of California by establishing new departments and creating new officers and abolishing certain boards, commissions and officers, and repealing all acts and parts of acts in conflict herewith

Committee Amendments to Assembly Bill No. 2521.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "to reorganize", and insert in lieu thereof the following: "relating to"

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 2 of the title after "California", and all of lines 3, 4 and 5, and insert in lieu thereof the following: "establishing the transportation section in the office of the State Controller to promote the more economical handling of passenger motor vehicles for transportation of State officers and employees, creating the transportation fund and making an appropriation to carry out the purposes hereof."

Amendment No. 3.

Strike out line 1 of the printed bill, after the period and all of lines 2 to 16, inclusive, and insert in lieu thereof the following

"There is hereby established in the office of the State Controller a transportation section which shall be administered by the State Controller

SEC. 2. There is hereby created in the State Treasury a fund to be known as the transportation fund, to which shall be transferred immediately upon the taking effect of this act the unexpended balances of all appropriations or allocations made for the eighty-ninth and ninetieth fiscal years for the acquisition of passenger motor vehicles by any and all of the departments and agencies of the State Government. There shall also be deposited in said fund the moneys appropriated herein, and, from time to time as they may accrue, all rentals for the use of State-owned automobiles, all rentals of State-owned garages and service stations charged to the expenses of operating and maintaining motor vehicles, and all receipts from the operations provided for herein. The money in said fund shall be available to the State Controller to carry out the provisions hereof. The sum of $10,000 out of said fund is hereby placed at the disposal of the Controller to be used by him as a revolving fund, where cash advances are necessary, without furnishing receipts or vouchers, to be accounted for at the end of the biennium.

SEC. 3. All State-owned passenger motor vehicles as of the date when this act takes effect shall pass into the custody and control of the transportation section to be used as directed herein.

SEC. 4. The State Controller shall:

A. Prescribe and enforce rules and regulations defining the conditions under which passenger motor vehicles may be used by State employees at the expense of the State, and governing the use of and the payment of rentals for such vehicles owned by State officers and employees and used by them for necessary travel in the performance of the duties of their respective positions.

There shall be allowed for privately-owned automobiles authorized to be used on State business under regulations prescribed by the Controller, 5 cents per mile traveled, and for motorcycles, 2 cents per mile traveled

B. Determine the needs for State-owned passenger motor vehicles and within the limits of available equipment and appropriations for new equipment, provide for such needs in the most economical manner either by permanent allocation of such vehicles or by temporary allocations as required in individual cases, provided that all allocations shall be made on a rental basis and that any allocation so made shall be subject to revocation by the Controller

C. Determine the classes and amounts of automobile insurance required for the protection of the State and its officers and employees; place all such insurance and to pay therefor out of the transportation fund, and have custody of the policies, and collect damages where due the State in the event the insurance carried does not fully compensate the State for any loss, and collect from the department or driver using the car the amount of loss to the State resulting from the fault of the driver or where the car was being used in violation of the provisions hereof

D. Fix rates of rentals to be charged to budget units for the use of State-owned automobiles and motorcycles on a mileage basis, taking into account depreciation, garage rental, insurance and operating and maintenance expenses.

E. Keep a record for each motor vehicle, showing expenses, charges for depreciation, earnings and mileage traveled.

F. Keep an account with each State-owned garage and service station showing expenses of operation and maintenance thereof, purchases, earnings and sales.

G. Make such arrangements as are necessary and possible within available appropriations for the purchase, replacement or disposal of vehicles, the purchase or construction of and the operation and maintenance of storage, repair and service garages at such places in the State as are best suited to the ends to be accomplished hereunder; and provide through the State Purchasing Agent necessary supplies incidental to motor vehicle use and storage at convenient places.

If the Controller determines that at a place where garage space is needed, purchase or construction of a garage would not be justified, he may in the interests of economy and convenience, arrange for rented space in a privately owned garage. The Controller may also arrange with the Department of Public Works for storage, maintenance and repair of State-owned motor vehicles, wherever that department maintains a garage.

Under regulations to be prescribed by the Controller, every State-owned car must be stored in a State maintained garage when not actually in use on official business

H Employ, pursuant to the provisions of the State Civil Service Law, such mechanical, office and other assistants as shall be reasonably necessary to carry out the provisions hereof.

SEC. 5. No State-owned motor vehicle shall be used except on official business An employee is not engaged in official business when going to and from his residence.

SEC. 6. Every State-owned motor vehicle shall bear on each side of the body thereof, an impression of the State seal, below which shall be impressed also the words "For Official Use Only," provided, however, that such designation of State ownership and use shall not be required on State-owned motor vehicles which are authorized by the Controller with the approval of the Governor, to be operated with "under cover" license plates

SEC. 7. No money appropriated for the purchase of motor vehicles shall be expended for such vehicles to be used in Sacramento, San Francisco or in Los Angeles, unless specifically authorized by law, or allowed by regulations prescribed by the Controller.

SEC. 8. The provisions of section 7 do not apply to motor vehicles used by the Governor or by any elective State officer or in the transportation of State property; nor shall any of the provisions of this act be construed to apply to the Governor or to the motor vehicles used by him.

SEC. 9 Any person except an elective State officer, who is found to have violated any of the provisions hereof shall be punishable by dismissal from the State service, or by suspension under the provisions of the State Civil Service Act"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 856—An act to amend section 672 of the Agricultural Code, relating to dairies and dairy products

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2162—An act to add section 589 5 to the Agricultural Code, relating to labeling of dairy products

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 50—An act to amend section 451 of the Agricultural Code, relating to dairies and dairy products.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 72—An act to amend section 132 of the Civil Code, relating to divorce

Committee Amendments to Assembly Bill No. 72.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the word "six", and insert in lieu thereof the word "three"

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out the word "has", and insert in lieu thereof the word "have".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 265—An act to amend section 1970 of the Civil Code, relating to the responsibility of employers for injury to or death of employees.

Committee Amendments to Assembly Bill No. 265.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2, line 19, of the printed bill, strike out the word "and".

Amendment No. 2.

On page 2, line 20, of the printed bill, strike out the following figures "377.5".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 832—An act to amend section 954 of the Civil Code, relating to things in action.

Committee Amendment to Assembly Bill No. 832.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 3, 4, 5 and 6, and insert in lieu thereof the following:

"A thing in action, arising out of the violation of a right of property, or out of an obligation, may be transferred by the owner."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 909—An act to amend section 2957 of the Civil Code, relating to mortgages of personal property and crops

Committee Amendments to Assembly Bill No. 909.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the word "and".

Amendment No. 2.

On page 2 of the printed bill, after line 26, insert the following: "The provisions of subdivision 6 of this section shall not apply to any mortgage that is made pursuant to an order, judgment, or decree of court of record, or that is made to secure the payment of bonds or other evidences of indebtedness authorized or permitted to be issued by the Commissioner of Corporations, or that is made by a public utility subject to the provisions of the Public Utilities Act, but such a mortgage when once recorded as hereinabove in this section provided, shall remain valid and effective as against creditors of the mortgagor and subsequent purchasers and encumbrancers of the property mortgaged, without re-recording such mortgage after the lapse of four years from the last recording or re-recording thereof."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2420—An act amending section 406a of the Civil Code, relating to service of process on foreign corporations.

Committee Amendment to Assembly Bill No. 2420.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the words "service of process".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2682—An act to amend section 702 of the Code of Civil Procedure, relating to redemption of property.

Committee Amendment to Assembly Bill No. 2682.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "with", insert the following: "two thirds of".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out the period, and insert in lieu thereof the following: ", and if the purchaser be also a creditor, having a prior lien to that of the redemptioner, other than the judgment under which said purchase was made, the amount of such lien with interest"

Amendment No. 3.

On page 1, of the printed bill, strike out lines 20 to 24 inclusive

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 266—An act to amend sections 376 and 377 of, and to add section 377.5 to, the Code of Civil Procedure, all relating to actions for wrongful death.

Committee Amendments to Assembly Bill No. 266.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 4, line 22, of the printed bill, insert a comma after the word "funeral", and insert the word "medical" before the word "and".

Amendment No. 2.

On page 4, line 36, of the printed bill, strike out the word "uninterested", and insert in lieu thereof the word "interested".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1514—An act relating to the State civil service including the adaptation thereof to Article XXIV of the State Constitution and providing for reports in regard to personnel by other officers and employees of the State.

Committee Amendments to Assembly Bill No. 1514.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "service", insert a comma.

Amendment No. 2.

On page 1, line 2, of the title of the printed bill, after the word "constitution", insert a period and strike out the word "and", and strike out all of lines 3 and 4 of the title.

Amendment No. 3.

On page 1, line 15, of the printed bill, strike out the words "the filling of the higher positions by promotion", and insert in lieu thereof the following: "security of tenure and the advancement of employees within the service".

Amendment No. 4.

On page 2, line 12, of the printed bill, strike out the following: "and in this act".

Amendment No. 5.

On page 2, line 13, of the printed bill, strike out the words "Personnel Agency", and insert in lieu thereof the following: "personnel agency".

Amendment No. 6.

On page 2, line 29, of the printed bill, strike out the period, and add the following: "in accordance with the provisions of this act."

Amendment No. 7.

On page 3, line 4, of the printed bill, after the word "examined", insert the following: "in an open competitive examination".

Amendment No. 8.

On page 3, line 6, of the printed bill, strike out "an eligible list", and insert in lieu thereof the following: "a list of persons eligible for certification for a specific class".

Amendment No. 9.

On page 3, line 8, of the printed bill, strike out "reemployment" list", and insert in lieu thereof the following: "reemployment list " ".

Amendment No. 10.

On page 3, line 12, of the printed bill, strike out "reemployment" list", and insert in lieu thereof the following: "reemployment list" ".

Amendment No. 11.

On page 3, line 21, of the printed bill, insert a comma after the word "city", and in line 22, strike out the following: "and county, city".

Amendment No. 12.

On page 4, line 5, of the printed bill, strike out "twenty-five", and insert in lieu thereof the following: "fifteen".

Amendment No. 13.

On page 4, line 8, of the printed bill, strike out "one", and insert in lieu thereof the following "two".

Amendment No. 14.

On page 4, lines 21 and 22, of the printed bill, strike out "Personnel Agency", and insert in lieu thereof the following: "personnel agency".

Amendment No. 15.

On page 4, line 35, of the printed bill, strike out "Personnel Agency", and insert in lieu thereof the following. "personnel agency".

Amendment No. 16.

On page 4, line 38, of the printed bill, strike out "Personnel Agency", and insert in lieu thereof the following. "personnel agency is".

Amendment No. 17.

On page 4, line 49, of the printed bill, after the word "rules", insert the following "in accordance with Article XXIV of the State Constitution and".

Amendment No. 18.

On page 5, line 24, of the printed bill, strike out the comma after the word "attend", and strike out the following words. "either personally or by representative,".

Amendment No. 19.

On page 5, line 26, of the printed bill, after the comma following the word "act", insert the following "supervise and direct the work of".

Amendment No. 20.

On page 5, line 27, of the printed bill, strike out "Personnel Agency", and insert in lieu thereof the following: "personnel agency".

Amendment No. 21.

On page 5, line 29, of the printed bill, after the number "31", strike out the comma and the following: "and to supervise and direct their work".

Amendment No. 22.

On page 5, line 37, of the printed bill, strike out the words "and regulations".

Amendment No. 23.

On page 5, line 38, of the printed bill, strike out "classifications and grades", and insert in lieu thereof the following. "classes of positions".

Amendment No. 24.

On page 6 of the printed bill, strike out all of lines 8, 9, and 10

Amendment No. 25.

On page 6, line 12, of the printed bill, after the word "amendments", insert the following "thereto".

Amendment No. 26.

On page 6, line 13, of the printed bill, strike out "State Personnel Board", and insert in lieu thereof the following: "board".

Amendment No. 27.

On page 6, line 14, of the printed bill, strike out "or subscribe to any association or service", and insert in lieu thereof the following: "associations of public personnel agencies".

Amendment No. 28.

On page 6, line 15, of the printed bill, strike out "its purpose the interchange or supply", and insert in lieu thereof the following: "their purpose the interchanging or supplying".

Amendment No. 29.

On page 6, line 18, of the printed bill, strike out "Personnel Agency", and insert in lieu thereof the following. "personnel agency".

Amendment No. 30.

On page 6, line 21, of the printed bill, strike out "shall", and insert in lieu thereof the following "may".

Amendment No. 31.

On page 6, line 34 of the printed bill, strike out "and", as the same appears at the end of the line, and insert in lieu thereof the following: "or".

Amendment No. 32.

On page 6, line 38, of the printed bill after the word "witness", insert a comma and the following "other than a State officer,".

Amendment No. 33.

On page 6, line 49, of the printed bill, strike out "and", as the same appears the second time in said line, and insert in lieu thereof the following "or".

Amendment No. 34.

On page 7 line 31, of the printed bill, after the word "the", as the same appears the first time in that line, insert the following "book or".

Amendment No. 35.

On page 7, line 47, of the printed bill, strike out "and", as the same appears the second time in that line, and insert in lieu thereof the following "or".

Amendment No. 36.

On page 8, line 11, of the printed bill, strike out "book, paper, document, or account" and insert in lieu thereof the following: "book or paper".

Amendment No. 37.

On page 8, line 37, of the printed bill, after the word "commenced", insert the following "and served"

Amendment No. 38.

On page 8, lines 37 and 38, of the printed bill, strike out the following "a reasonable time, not exceeding"

Amendment No. 39.

On page 8 line 40 of the printed bill strike out the period, and insert in lieu thereof a comma and the following "nor shall any such person be compensated for the time subsequent to the date when such cause of action or proceeding arose unless such action or proceeding is filed and served within ninety days after the same arose, provided that any such cause of action or complaint or ground for issuance of any complaint or legal remedy or wrongs or grievances arising prior to the effective date of this act shall be exempt from the provisions of this section"

Amendment No. 40.

On page 8 of the printed bill, strike out all of lines 41 and 42

Amendment No. 41.

On page 8 of the printed bill, between lines 42 and 43, insert the following

"Sec 55. Process directed to any appointing power, or the board, or the members thereof or the executive officer, in any action or proceeding arising under this act may be served upon the president of the board, or its secretary, or assistant secretary, and also upon the Attorney General, or one of his deputies"

Amendment No. 42.

On page 8 line 43, of the printed bill, strike out "Sec. 55", and insert in lieu thereof the following: "Sec 56"

Amendment No. 43.

On page 9 of the printed bill, strike out all of lines 4 to 7, inclusive, and insert in lieu thereof the following.

"Sec 57 The executive officer with the approval of the board may enter into agreements to make available the services and facilities of the State personnel agency".

Amendment No. 44.

On page 9 of the printed bill, strike out all of lines 13 to 21, inclusive, and insert in lieu thereof the following: 'ization of the services and facilities of the State personnel agency Such agreements shall be approved by the Director of Finance Any moneys paid to the State pursuant to such agreements shall be placed in the general fund in the State Treasury to the credit of the support appropriation for the State personnel agency."

Amendment No. 45.

On page 9 lines 40 and 41, of the printed bill, strike out the following "board, after considering the recommendation by the".

Amendment No. 46.

On page 10 line 4, of the printed bill, strike out the words "in the State civil service".

Amendment No. 47.

On page 10, line 10, of the printed bill, at the beginning of the paragraph, insert the following: "Sec. 64."

Amendment No. 48.

On page 10, line 26, of the printed bill, strike out "Sec. 64", and insert in lieu thereof the following: "Sec. 65".

Amendment No. 49.

On page 10, line 27, of the printed bill, strike out "Personnel Agency", and insert in lieu thereof the following: "personnel agency".

Amendment No. 50.

On page 10, line 30, of the printed bill, strike out "Personnel Agency", and insert in lieu thereof the following: "personnel agency".

Amendment No. 51.

On page 10, line 32, of the printed bill, strike out "Sec. 65", and insert in lieu thereof the following: "Sec 66".

Amendment No. 52.

On page 10, line 39, of the printed bill, strike out "provide", and insert in lieu thereof the following: "establish and adjust".

Amendment No. 53.

On page 10, line 51, of the printed bill, strike out the words "be entitled to".

Amendment No. 54.

On page 11, line 4, of the printed bill, strike out the words "be entitled to and shall".

Amendment No. 55.

On page 11, lines 7 and 8, of the printed bill, strike out the following: "(filed with and approved by the executive, as provided in sections 141, 142 and 143)".

Amendment No. 56.

On page 11, lines 14 and 15, of the printed bill, strike out "advancement", and insert in lieu thereof the following: "adjustment".

Amendment No. 57.

On page 11, line 19, of the printed bill, after the word "cumulative", insert the following "for a period not to exceed two years".

Amendment No. 58.

On page 11, line 24, of the printed bill, strike out the words "include therein", and insert in lieu thereof the following "call attention to the need for".

Amendment No. 59.

On page 11 of the printed bill, strike out all of lines 26 to 32, inclusive, and insert in lieu thereof the following: "the employees under their jurisdiction. Salary adjustments not in accordance with the provisions of this section may be made upon the application of the appointing power and with the approval of the executive officer and the Director of Finance; provided that such adjustments must be made within the salary range for the class.

Sec. 71 The minimum and maximum salary limits for laborers, workmen and mechanics employed on an hourly or per diem basis need not be uniform throughout the State, but the appointing power shall ascertain, as to each such position, the general prevailing rate of such wages in the various localities of the State and shall report the same to the board. In fixing such minimum and maximum salary limits within the various localities of the State, the board shall take into account said prevailing rates of wages in the localities in which the employee is to work and other relevant factors, and shall in no event fix the minimum salary limits below the general prevailing rate for the various localities so ascertained and so reported."

Amendment No. 60.

On page 11, line 36, of the printed bill, after the period following the number "80", insert the following: "Appointments to vacant positions shall be made from employment lists in accordance with the provisions of the act unless otherwise in this act provided."

Amendment No. 61.

On page 11, line 39, of the printed bill, strike out "board shall have the power and", and insert in lieu thereof the following: "executive officer".

Amendment No. 62.

On page 11, line 41, of the printed bill, strike out "appointment to", and strike out all of lines 42 and 43

Amendment No. 63.

On page 11, line 44, of the printed bill, strike out "eligible lists", and insert in lieu thereof the following: "Sec. 81 Eligible lists shall be".

Amendment No. 64.

On page 11, line 50, of the printed bill, strike out "81", and insert in lieu thereof the following "82".

Amendment No. 65.

On page 12, line 4 of the printed bill strike out '82', and insert in lieu thereof the following. "83".

Amendment No. 66.

On page 12, line 9, of the printed bill, strike out "tion", and insert in lieu thereof the following "tions".

Amendment No. 67.

On page 12, line 16 of the printed bill, strike out "83", and insert in lieu thereof the following. "84".

Amendment No. 68.

On page 12, line 26, of the printed bill, strike out "84", and insert in lieu thereof the following: "85", and in the same line, after the word "applicants", insert the words "for examinations".

Amendment No. 69.

On page 12, line 28 of the printed bill, strike out the words "prescribed by rule of the board".

Amendment No. 70.

On page 12, line 32, of the printed bill, strike out "85", and insert in lieu thereof the following. "86".

Amendment No. 71.

On page 12, line 41, of the printed bill, strike out "86", and insert in lieu thereof the following. "87".

Amendment No. 72.

On page 13, line 3, of the printed bill, strike out '87', and insert in lieu thereof the following. "88"

Amendment No. 73.

On page 13, line 7, of the printed bill, strike out "88", and insert in lieu thereof the following "89".

Amendment No. 74.

On page 13, line 9, of the printed bill, strike out 'section", and insert in lieu thereof the following "sections 220,".

Amendment No. 75.

On page 13, line 10, of the printed bill, strike out "221 of this act", and insert in lieu thereof the following "221, 222 and 223".

Amendment No. 76.

On page 13, line 22, of the printed bill, strike out '89", and insert in lieu thereof the following "90'.

Amendment No. 77.

On page 13 of the printed bill, strike out all of lines 26 to 35, inclusive, and insert in lieu thereof the following

'Sec. 91. The executive officer may divide the State into districts and establish district eligible lists therefor No person eligible on the general list by'

Amendment No. 78.

On page 13 of the printed bill, strike out all of lines 38 to 41, inclusive, and insert in lieu thereof the following 'he indicates a desire to be placed"

Amendment No. 79.

On page 13 of the printed bill, strike out all of lines 50 to 52, inclusive, and insert in lieu thereof the following:

"Sec. 93. For each class the executive officer shall cause to be maintained a separate departmental reemployment list within a given State".

Amendment No. 80.

On page 14, line 7, of the printed bill, strike out "173", and insert in lieu thereof the following: "172".

Amendment No. 81.

On page 14, line 13 of the printed bill, after the word "five", insert the following 'consecutive'.

Amendment No. 82.

On page 14, line 16, of the printed bill, after the word "period", strike out the period, and insert the following: "and after notice to the person affected"

Amendment No. 83.

On page 14, line 39, of the printed bill, after the word "belongs", insert a comma and the following except as hereinafter provided,".

Amendment No. 84.

On page 14, line 51, of the printed bill, strike out "eligible", and insert in lieu thereof the following: "employment".

Amendment No. 85.

On page 15, line 1, of the printed bill, strike out "eligible", and insert in lieu thereof the following: "employment".

Amendment No. 86.

On page 15, lines 6 and 7, of the printed bill, strike out the following: "without the permission of the executive officer".

Amendment No. 87.

On page 15, line 17, of the printed bill, strike out the comma after the word "who".

Amendment No. 88.

On page 15, line 24, of the printed bill, after the word "certified", insert the following: "and appointed".

Amendment No. 89.

On page 15 of the printed bill, strike out all of lines 43 to 45, inclusive, and insert in lieu thereof the following: "Sec. 118. No appointment".

Amendment No. 90.

On page 16, line 19, of the printed bill, after the word "power", strike out the comma and add the following "or other officer or person in charge of the employee.".

Amendment No. 91.

On page 16 of the printed bill, strike out line 32, and insert in lieu thereof the following: "the knowledge of the appointing power or other officer or person in charge of the employee, shall be filed by the appointing power with".

Amendment No. 92.

On page 16, line 35, of the printed bill, strike out the words "by the State personnel agency".

Amendment No. 93.

On page 16 of the printed bill, strike out all of lines 40 to 43, inclusive, and insert in lieu thereof the following.

"Sec. 124. A permanent employee who has vacated a position to accept another position in a higher class and who is rejected during the probationary period shall be reinstated in the former position".

Amendment No. 94.

On page 17, line 25, of the printed bill, strike out "service", and insert in lieu thereof the following "performance".

Amendment No. 95.

On page 17, line 26, of the printed bill, after the period following the word "standards", insert the following "Such standards shall in so far as practicable be established on the basis of the quantity and quality of work which the average person thoroughly trained and industriously engaged can turn out in a day."

Amendment No. 96.

On page 17, line 26, of the printed bill, strike out the word "service", and insert in lieu thereof the following. "performance".

Amendment No. 97.

On page 17, line 28, of the printed bill, strike out "superior or superiors" and insert in lieu thereof the following: "appointing power".

Amendment No. 98.

On page 17, line 29, of the printed bill, strike out the word "service"

Amendment No. 99.

On page 17, line 32, of the printed bill, after the word "power", insert the following. "on his own initiative or on appeal of an employee".

Amendment No. 100.

On page 17, line 33, of the printed bill, strike out "ratings", as the same appears the first time in said line, and insert in lieu thereof the following: "reports".

Amendment No. 101.

On page 17, lines 33 and 34, of the printed bill, strike out the words "or ratings".

Amendment No. 102.

On page 17, lines 34 and 35, of the printed bill, strike out the comma after the word "disagreement", and strike out the following "or upon appeal of an employee, the decision of the board shall be final.", and insert in lieu thereof the

following "by an employee with the findings of the executive officer, the employee may appeal to the board whose decision shall be final."

Amendment No. 103.

On page 17, lines 38 and 39, of the printed bill, strike out "shall be privileged to see", and insert in lieu thereof the following: "be shown".

Amendment No. 104.

On page 17, line 39, of the printed bill, after the word "and", insert the following: "shall be privileged".

Amendment No. 105.

On page 17, line 46, of the printed bill insert a hyphen between the words "lay" and "off".

Amendment No. 106.

On page 18, line 23, of the printed bill, strike out "the board," and insert in lieu thereof the following "him, a".

Amendment No. 107.

On page 18, line 28, of the printed bill, strike out "promotional appointment", and insert in lieu thereof the following: "promotion".

Amendment No. 108.

On page 18, line 31, of the printed bill strike out the word "hereinbefore"

Amendment No. 109.

On page 18, lines 36 and 37, of the printed bill, strike out the words "after such hearing or investigation as the board may by rule prescribe", and insert in lieu thereof the following "by the executive officer after investigation"

Amendment No. 110.

On page 19, line 8, of the printed bill, strike out "eighteen", and insert in lieu thereof the following: "fifteen"

Amendment No. 111.

On page 19, line 12, of the printed bill, after the word "rule", insert the following "for the regulation and accumulation of vacations and may provide"

Amendment No. 112.

On page 19 of the printed bill, strike out all of lines 14 to 16, inclusive and insert in lieu thereof the following: "less than one year"

Amendment No. 113.

On page 19, lines 31 and 32, of the printed bill, strike out the following "from a position to accept another position in the State civil service".

Amendment No. 114.

On page 19 of the printed bill, strike out line 41, and insert in lieu thereof the following "board, the executive officer on the request of an appointing power may approve the reinstate-".

Amendment No. 115.

On page 19, line 42, of the printed bill, strike out "five", and insert in lieu thereof the following "three".

Amendment No. 116.

On page 19, line 50, of the printed bill, strike out "Personnel Agency" and insert in lieu thereof the following: "personnel agency".

Amendment No. 117.

On page 20, line 5, of the printed bill, after the period, add the following: "Information given to the State personnel agency by any appointing power or by any other person shall not be open to public inspection except under conditions prescribed by rule of the board. Any person shall be entitled however to inspect any record relating to his own services."

Amendment No. 118.

On page 20 of the printed bill, strike out all of lines 6 to 27, inclusive, and insert in lieu thereof the following:

"Sec 157 Whenever any machine used by any department, board, division, institution, commission, elective office or other State agency for the purpose of printing, off-set printing, manufacture, maintenance, construction or office work is replaced, supplemented, or partially replaced or partially supplemented by new and/or different and/or additional machines and the purpose or product of such displacing or supplementing machine is for printing, off-set printing, maintenance, construction, or office work or the purpose or product is of the same, similar or analagous nature or a similar or an analagous result is accomplished by such displacing or supplementing machine the permanent civil service employee or employees operating such displaced or supplemented machine and who have operated the same for a period of four years must be given the position of operating said new or

different or additional machine if such person or persons is then able to operate said machine without prior instruction. In the event that such person or persons is not able to operate said displacing or supplementing machine without prior instruction, each such person or persons must be given the continuous opportunity for a period of three months to learn to operate said displacing or supplementing machine; that during said period of three months such person or persons shall be paid wages or salary at the same rate as paid to such person or persons for the operation of said displaced or supplemented machine during a period of one year immediately prior to such displacement or supplement

If, upon the expiration of said period of three months, or at any sooner time, said employee or employees believes he can operate said machine he shall continue to operate said machine, retaining the same position and seniority as he possessed in the operation of the displaced or supplemented machine, and such employee or employees can only be removed from said position as provided by section 173, at all times the position of such employee or employees shall permit him to operate either the displaced or supplemented machine or the displacing or supplementing machine

Sec 158 Any employee of the State otherwise qualified shall be permitted to take any State civil service examination during working hours, if the examination is scheduled during such period, without deduction of pay or other penalty, upon giving two days' notice to his immediate superior"

Amendment No. 119.

On page 20, line 32, of the printed bill, strike out the words "in the State civil service"

Amendment No. 120.

On page 20, line 34, of the printed bill, insert a hyphen between the words "lay" and "off".

Amendment No. 121.

On page 20, line 36, of the printed bill, after the word "or", at the end of the line, insert the following "may be permanently or temporarily separated".

Amendment No. 122.

On page 20, line 41, of the printed bill, strike out the period and add the following "in any calendar year."

Amendment No. 123.

On page 20 of the printed bill, strike out all of lines 48 to 50, inclusive, and insert in lieu thereof the following "tion of such charges. Any employee may appeal to the board within thirty days after receiving notice of such suspension on the grounds that the written charges were untrue or that said suspension had not been made in good faith The board shall within thirty days of such appeal hold such hearing or investigation as it may deem necessary and in rendering a decision the board may affirm or disaffirm the suspension The board's decision upon the matter shall be final"

Amendment No. 124.

On page 21, line 10, of the printed bill, insert a hyphen between the words "lay" and "off"

Amendment No. 125.

On page 21, line 13, of the printed bill, insert a hyphen between the words "lay" and "off"

Amendment No. 126.

On page 21 line 15, of the printed bill, insert a hyphen between the words "lay" and "off".

Amendment No. 127.

On page 21 line 17, of the printed bill strike out the words "Personnel Agency" and insert in lieu thereof the following: "personnel agency"

Amendment No. 128.

On page 21, line 18, of the printed bill, strike out "class", and insert in lieu thereof the following "series of classes related to the employee's present class"

Amendment No. 129.

On page 21, line 24 of the printed bill, strike out "records", and insert in lieu thereof the following "ratings".

Amendment No. 130.

On page 21, lines 25 and 26, of the printed bill, strike out "record or records", and insert in lieu thereof the following: "rating or ratings".

Amendment No. 131.

On page 21, line 32, of the printed bill strike out "classification", and insert in lieu thereof the following: "class"

Amendment No. 132.

On page 21 of the printed bill strike out all of lines 46 to 52, inclusive, and insert in lieu thereof the following "the general reemployment list for such class, and for such other appropriate classes as the executive officer may determine."

Amendment No. 133.

On page 22, line 2, of the printed bill, strike out the words "or demoted".

Amendment No. 134.

On page 22, line 3, of the printed bill, insert a hyphen between the words "lay" and "off".

Amendment No. 135.

On page 22, line 3, of the printed bill, strike out the words "or demotion"

Amendment No. 136.

On page 22, line 6, of the printed bill, insert a hyphen between the words "lay" and "off".

Amendment No. 137.

On page 22, line 6, of the printed bill, strike out the words "or demotion".

Amendment No. 138.

On page 22, line 8, of the printed bill, insert a hyphen between the words "lay" and "off".

Amendment No. 139.

On page 22, line 8, of the printed bill, strike out the words "or demotion"

Amendment No. 140.

On page 22, line 14, of the printed bill, insert a hyphen between the words "lay" and "off".

Amendment No. 141.

On page 22, line 14, of the printed bill, strike out the words "or demotion".

Amendment No. 142.

On page 22, line 16, of the printed bill, strike out the words "in the State civil service"

Amendment No. 143.

On page 22, line 18, of the printed bill, strike out the word "transferred,"

Amendment No. 144.

On page 22, lines 32 and 33, of the printed bill, strike out "citizen of the State", and insert in lieu thereof the following: "person"

Amendment No. 145.

On page 22, line 34, of the printed bill, after the word "employee", insert the following: "or any person on any employment list".

Amendment No. 146.

On page 22, line 38, of the printed bill, strike out "within five days after", and insert in lieu thereof the following: "and".

Amendment No. 147.

On page 22 line 39, of the printed bill, strike out the words "has been"

Amendment No. 148.

On page 22, line 43, of the printed bill, strike out the words "or investigated".

Amendment No. 149.

On page 22, lines 46 and 47, of the printed bill, strike out the words "or investigation".

Amendment No. 150.

On page 22, line 49, of the printed bill, strike out "an investigation or", and insert in lieu thereof the following, "a".

Amendment No. 151.

On page 23, lines 2 and 3, of the printed bill, strike out the words "or investigation".

Amendment No. 152.

On page 23, line 4, of the printed bill, strike out the words "or investigation"

Amendment No. 153.

On page 23, lines 7 and 8, of the printed bill, strike out the words "or investigation".

Amendment No. 154.

On page 23, line 9, of the printed bill, after the comma at the end of the line, insert the following "or to appear at a hearing,"

Amendment No. 155.

On page 23, line 11, of the printed bill, strike out the words "investigation or".

Amendment No. 156.

On page 23 line 16, of the printed bill, strike out the words "or investigation".

Amendment No. 157.

On page 23 line 19, of the printed bill, strike out the words "or the investigation"

Amendment No. 158.

On page 23, line 26, of the printed bill, strike out the words "or investigations".

Amendment No. 159.

On page 23, line 29, of the printed bill, strike out the words "testimony produced at" and insert in lieu thereof the following: "evidence submitted in".

Amendment No. 160.

On page 23, line 30, of the printed bill, strike out the words "or investigation"

Amendment No. 161.

On page 23, line 32 of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following "provided that within thirty days from and after receipt by him of a copy of the decision rendered by the board in a proceeding under this section, the employee or the appointing power may apply for a rehearing by filing with the board a petition in writing therefor. Within thirty days after such filing, the board shall cause notice thereof to be served upon the other parties to the proceedings by mailing to each a copy of the petition for rehearing, in the same manner as in this act prescribed for the giving of notice of a hearing. Within sixty days after the service of such notice of the filing of the petition for rehearing, the board shall either grant or deny the petition, and if the petition for rehearing is not granted within said period, it shall be deemed denied. If the petition for a rehearing is granted, the matter shall be set down for hearing by the board, either before the board or before its authorized representative, and such hearing shall be conducted in substantially the same manner and under like rules of procedure as an original hearing upon charges filed under and pursuant to the provisions of this section"

Amendment No. 162.

On page 23 of the printed bill, strike out all of lines 33 to 40, inclusive

Amendment No. 163.

On page 23, lines 45 and 46, of the printed bill strike out "the controller or other fiscal officer", and insert in lieu thereof the following "any officer or employee"

Amendment No. 164.

On page 23, line 47, of the printed bill, strike out "treasurer", and insert in lieu thereof the following "Treasurer".

Amendment No. 165.

On page 23, line 49, of the printed bill, strike out "treasurer", and insert in lieu thereof the following "Treasurer".

Amendment No. 166.

On page 24, line 6, of the printed bill, strike out the words "and regulations".

Amendment No. 167.

On page 24, line 10, of the printed bill, after the word "State", insert a comma

Amendment No. 168.

On page 24, line 18 of the printed bill, strike out the comma after the word "action"

Amendment No. 169.

On page 24, line 23, of the printed bill, strike out the comma after the word "officer", and insert in lieu thereof the following "or employee,"

Amendment No. 170.

On page 24, lines 26 and 27, of the printed bill strike out "the auditing officer", and insert in lieu thereof the following "an officer of employee"

Amendment No. 171.

On page 24, line 28, of the printed bill, strike out the words "and regulations"

Amendment No. 172.

On page 24, line 30, of the printed bill, after the word "paid", insert the following "by such officer or employee"

Amendment No. 173.

On page 24, lines 32 and 33, of the printed bill, strike out the words "any member or employee of the board or".

Amendment No. 174.

On page 24 of the printed bill, strike out all of line 36, and insert in lieu thereof the following "application according to this act or any rules of the board,".

Amendment No. 175.

On page 24, line 39, of the printed bill, after the word "act", insert the following, "or the rules of the board".

Amendment No. 176.

On page 24, line 50, of the printed bill, after the word "act", insert the following, "or the rules of the board".

Amendment No. 177.

On page 25, line 1, of the printed bill, after the word "act", insert the following: "or the rules of the board".

Amendment No. 178.

On page 25, line 9, of the printed bill, after the word "act", insert the following "or the rules of the board".

Amendment No. 179.

On page 25, line 30, of the printed bill, after the word "act", insert the following "or the rules of the board".

Amendment No. 180.

On page 25, line 39 of the printed bill, after the word "act", insert the following "or the rules of the board".

Amendment No. 181.

On page 25, line 43, of the printed bill, after the word "act", insert the following: "or the rules of the board".

Amendment No. 182.

On page 26 of the printed bill, strike out all of line 7, and insert in lieu thereof the following "Sec 203 No State officer or employee shall".

Amendment No. 183.

On page 27, line 2 of the printed bill, after the word "State", insert the following: "in time of war".

Amendment No. 184.

On page 27, line 26, of the printed bill, strike out "hereinafter", and insert in lieu thereof the following: "herein".

Amendment No. 185.

On page 27, line 38, of the printed bill, after the word "is", insert the following "herein".

Amendment No. 186.

On page 27, line 40, of the printed bill, strike out the words "now or"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1490—An act to amend section 1 of an act entitled "An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control," approved July 20, 1935, relating to structural pest control

Committee Amendments to Assembly Bill No. 1490.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 1 of", and insert in lieu thereof the following, "sections 1, 2, 13, 16 and 17 of, and to add section 12.5 to,".

Amendment No. 2.

On page 1 of the printed bill, between the enacting clause and line 1, insert the following:

"SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows ".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 5 to 9, inclusive, and insert in lieu thereof the following "insects, and any pests other than agricultural pests."

Amendment No. 4.

On page 1, line 13, of the printed bill, strike out "person", and insert in lieu thereof the following "individual"

Amendment No. 5.

On page 1, line 14, of the printed bill, strike out "individual," and insert in lieu thereof the following, "or other organization".

Amendment No. 6.

On page 1 of the printed bill, strike out all of lines 15 to 17, inclusive, and insert in lieu thereof the following:

"'Structural pest control operator" or "operator" includes any person who engages for hire to identify infestation, make".

Amendment No. 7.

On page 1 of the printed bill, strike out lines 19 to 21, inclusive, and insert in lieu thereof the following: "or perform control work by chemical treatment.

"Licensee" means any structural pest control operator holding a license under this act.

"Establishment" means any fixed place of business where records are kept, mail received, statements rendered, moneys collected or requests received for service or bids, or information given pertaining to the practice of structural pest control.

As used in this act, the singular includes the plural and the plural, the singular

SEC. 2. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. This act shall not apply to

(a) Public utilities operating under the regulations of the State Railroad Commission.

(b) Persons engaged only in agricultural pest control work licensed by the State Department of Agriculture or county commissioner of agriculture;

(c) Pest control operations conducted by individuals upon property actually occupied by themselves.

(d) Governmental agencies, State or Federal officials or authorized representatives of any educational or State agency engaged in research or study of pest control.

(e) Certified architects or registered civil engineers, acting solely within their professional capacity.

SEC. 3 Section 12.5 is hereby added to the act cited in the title hereof to read as follows:

Sec. 12.5. It is unlawful for any person to conduct an establishment unless the establishment has been licensed by the board.

An annual license fee of ten dollars shall be paid for each establishment. The board shall mail on or before the first day of June of each year a notice that renewal fee is due and payable and that if such fee is not paid by the structural pest control operator in charge of the establishment by the thirtieth day of June, a penalty of ten dollars will be added to the renewal fee. In no case shall the penalty or additional fee on account of such delinquency be waived.

Every establishment shall be in charge of a structural pest control operator.

SEC. 4. Section 13 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 13. Upon the application of any person who is a resident of the State for a license as a structural pest control operator, the board shall determine by examination the qualifications of the applicant If the applicant proves to be sufficiently versed in the vocation of structural pest control, both as to theory and practice, or in the particular branch of the vocation in which he desires to qualify, there shall be issued to him a license permitting him to practice structural pest control. Such license shall be nontransferable and shall be the property of the State. After hearing a license may be refused or canceled on account of evidence of dishonesty or untruthfulness.

SEC 5. Section 16 of the act cited in the title hereof is hereby amended to read as follows:

Sec 16 The board may upon its own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any structural pest control operator within this State and shall have power in the manner hereinafter provided, and after hearing, to temporarily suspend or permanently revoke a license issued under the provisions of this act if the holder, while a licensee or applicant hereunder, is guilty of or commits any one or more of the following acts or omissions:

(1) Wilful departure from, or disregard of, plans or specifications in any material respect, and prejudicial to another without consent of the owner or his duly authorized representative, and without the consent of the person entitled to have the particular construction project or operation completed in accordance with such plans and specifications;

(2) Wilful and deliberate disregard and violation of the building laws of the State, or of any political subdivision thereof, or of the safety laws or labor laws of the State;

(3) Misrepresentation of a material fact by applicant in obtaining a license,

(4) Failure in a material respect on the part of a licensee to complete any operation or construction repairs for the price stated in the contract for such operation or construction repairs or in any modification of such contract,

(5) Aiding or abetting an unlicensed person to evade the provisions of this act or knowingly combining or conspiring with an unlicensed person, or allowing one's license to be used by an unlicensed person, or acting as agent or partner or associate, or otherwise, of an unlicensed person with the intent to evade the provisions of this act The word person as used to evade the provisions of this act, or the failure to abide by codes of fair competition established by agreement of licensees within the trade area and approved by the public authority designated by the statute under which the code is established irrespective of whether he is a party to the code or not;

(5.5) The use of unfair methods of competition;

(6) Failure in any material respect to comply with the provisions of this act;

(7) The doing of any wilful or fraudulent act by the licensee as a structural pest control operator in consequence of which another is substantially injured;

(8) The wilful or negligent handling or use of any poisonous exterminating agent without due respect to public safety,

(9) Wilful fraud and misrepresentation, after inspection, by any person engaged in structural pest control work of any type of infestation found in property or structures;

(10) Fraudulent impersonation of any State, county or city inspector or official,

(11) Wilful and deliberate disregard and violation of fumigation or extermination laws of the State or of any political subdivision thereof.

(12) Failure to comply in the sale or use of insecticides or fungicides with the provisions of Article 3, Chapter 7, Division V of the Agricultural Code

SEC. 6. Section 17 of the act cited in the title hereof is hereby amended to read as follows:

Sec 17 Proceedings for the suspension or revocation of a license shall begin by filing with the board written charges against the accused; such charges shall be in detail, and sworn to under oath by the complainant Upon the filing with the board of a verified complaint charging a licensee with the commission within two years prior to the date of filing of such complaint, of any act which is cause for suspension or revocation of license, the board or its secretary must forthwith issue a citation directing the licensee, within ten days after service of the citation upon him, to appear by filing with the board his verified answer to the complaint, showing cause, if any he has, why his license should not be suspended or revoked Service of the citation upon the licensee shall be fully effected by mailing a true copy thereof, together with a true copy of the complaint, by United States registered mail in a sealed envelope with postage fully prepaid thereon, addressed to the licensee at his latest address of record in the board's office. Service of said citation shall be complete at the time of said deposit subject to the provisions of section 1013 of the Code of Civil Procedure of the State. Failure of the licensee to answer may be deemed an admission by him of the commission of the act or acts charged in the complaint and his license shall thereupon be suspended forthwith pending any hearing of the cause which the board at its discretion may order: provided that the board shall have power, in the event of such failure to answer, to suspend or revoke the license without further evidence than the verified complaint in the case.

Upon the filing of the answer, the board shall fix a time and place for the hearing and give the licensee and the complainant not less than five days' notice thereof The notice may be served by depositing by registered mail in the United States mail a true copy of the notice enclosed in a sealed envelope with postage thereon fully prepaid, and addressed to the licensee and to the complainant respectively, at his last known address With the notice to the complainant there shall be attached or enclosed a copy of the answer. The licensee shall have the right to appear personally or by counsel, to cross-examine witnesses or to produce witnesses in his defense The board shall have the power to compel the attendance of witnesses and the production of necessary papers and documents, and to take testimony under oath.

Upon the hearing, the board shall hear all relevant and competent evidence material to the issues and shall have power to continue the hearing from time to time as in its judgment may be necessary or proper After the hearing is concluded and the matter submitted, the board shall, within twenty days after such submission, render its decision in writing, suspending or revoking the license or dismissing the complaint, with a brief statement of its reasons therefor It shall give to the complainant and the licensee, or their respective attorneys, notice of the decision, by mail, in the same manner as prescribed herein for the giving of notice of hearing

Any citation, notice, or other process or any paper or document provided by this section to be served on any party may be personally served as provided in section

1011 of the Code of Civil Procedure with the same effect as if served by mail as in this act provided."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2511—An act to amend the Old Age Security Act of the State of California, relating to aged persons.

Committee Amendments to Assembly Bill No. 2511.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "sections 2, 3, 4 and 24 of".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1, 2 and 3, and insert in lieu thereof the following:

"SECTION 1. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. Aid may be granted under this act to any person who:

(a) Has attained the age of 65 years;

(b) Is a citizen of the United States;

(c) Resides in the State of California and has so resided continuously for at least five years immediately preceding the date of application; provided that it, when and during such time as grants in aid are provided by the United States Government for such aid in this State, and accepted by this State, aid may be granted under this act to any person who resides in the State of California and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of such application;

(d) Resides in the county or city and county in which the application is made and has so resided continuously for at least one year immediately preceding the date of application; any person otherwise qualified who has resided in the State for the required period and who has no county residence may file his application in the county or city and county in which he resides, and the aid, if granted to him, shall be paid entirely by the State until he gains such county residence;

(e) Is not, at the time of receiving such aid, an inmate of any public or private home for the aged, or any public home, or any public or private institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a hospital;

(f) Has no relative of the following degree of kindred: Husband, wife or child, able and responsible under the law of this State for his support;

(g) Has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid.

SEC. 2. Section 3 of said act is hereby amended to read as follows:

Sec. 3. The amount of aid to which an applicant shall be entitled shall be fixed with due regard to the conditions existing in each case, but in no case shall it be an amount which, when added to the income of the applicant from all other sources, shall be less than $20, nor more than $75 per month, payable $25 in cash and $50 in credit represented by a credit card or scrip, or some equivalent thereof issued by the Department of Social Welfare, which card or scrip or equivalent thereof shall be canceled and returned or otherwise invalidated when the card, scrip or equivalent thereof for the next succeeding month is issued; provided, however, that it is the intent and purpose of this law to allow to each and every applicant qualified under the provisions of this act, who is not in receipt of board and lodging in the private home of a relative or friend, nor of any income from other sources whatsoever, the sum of $75 per month; provided, however, that the income of any applicant through pension, governmental or otherwise, shall be taken into consideration in fixing the amount of aid to which any applicant shall be entitled.

SEC. 3. Section 4 of said act is hereby amended to read as follows:

Sec. 4. In the event aid under this act is granted or paid to any person, the assessed value of whose real property, unencumbered or in equity, is in excess of $3,000, said person shall first be required to transfer by satisfactory conveyance to the State of California, any interest in said real property in excess of $3,000.

Aid granted to any person under the provisions of this act shall constitute a debt of such person, to the amount of such aid, to the State of California and the county or city and county participating in the granting of such aid. Recovery may be had upon such debt out of any property of the recipient not exempt from execution.

In any case in which aid shall be granted to any person owning real property, the board of supervisors may cause a notice of such aid, giving the name of such

person, to be recorded in the office of the county recorder and from the time of such recording such notice shall have the force, effect and priority of a lien of a judgment against said person, an abstract of which has been recorded, for the amount of aid theretofore or thereafter granted to such person. Such lien shall be deemed security for reimbursement to the State and county of the amount of aid paid to such person and in the event of the discontinuance of said aid by reason of fraud or upon the death of such person, the board of supervisors may take such legal action as may be necessary to recover the amount of said aid paid to such person and to enforce said lien.

The board of supervisors may release such lien as against all or part of the property affected thereby, upon such terms and for such amount or without consideration as it may deem wise. The board of supervisors may execute agreements subordinating the effect of such lien to other liens theretofore or thereafter placed upon the property by the person owning the same. The recordation of such a release duly executed by the board of supervisors shall release and discharge any lien heretofore or hereafter created under the provisions of this section as against the property described in the release and the recordation of any agreement of subordination duly executed by the board of supervisors shall render the lien provided for in this act subordinate and subject to the private lien or deed of trust mentioned within such subordination agreement.

In all actions brought either to determine conflicting claims to real property or for partition of real property under the provisions of Chapter IV, Title X, Part II of the Code of Civil Procedure, or to foreclose a mortgage, deed of trust, or other lien upon real property upon which exists a lien under the provisions of this act, the board of supervisors of the county wherein the aid was rendered may be made a party to the action and the priority of such lien determined as in other cases. Service of process in such actions shall be made upon the chairman of the board of supervisors and it shall be the duty of the district attorney of the county to appear and represent said board in all such actions. Any decree rendered by the court against said board of supervisors shall be conclusive and binding as against the said board of supervisors and as against the State of California and as against the county or city and county participating in the granting of such aid

All releases heretofore made by any board of supervisors of any lien created under this act, upon payment of the full amount of such lien to the county, are hereby in all things ratified and confirmed, and shall be conclusive and binding as against the State of California.

SEC. 4. Section 24 of said act is hereby amended to read as follows:

Sec. 24. The provisions of this act shall go into effect July 1, 1939. Upon the taking effect of this act the Governor shall appoint a commission of three persons to establish and prescribe the details of the same to be administered by the Department of Social Welfare."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2387—An act to empower and authorize the institution of a suit and/or action against the people of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one Beesemeyer, and of men associated with him in the enterprise known and/or designated as the Guaranty Building and Loan Association, and/or waive the statute of limitations by the State of California.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 455—An act to amend section 92 of the Agricultural Code, relating to county and district agricultural fairs.

Committee Amendment to Assembly Bill No. 455.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1." insert the following: "Section 92 of the Agricultural Code is hereby amended to read as follows.

92. The Department of Finance shall apportion any money appropriated by the State for the encouragement of county, district or combined county and district fairs to the various agricultural fairs on the basis of the amount which each fair

actually paid in premiums for agricultural, horticultural, mineral and live stock exhibits in each year. The money so apportioned shall be used for the purpose of paying premiums and, with the approval of the Department of Finance, for capital outlay, including purchase of land, construction, improvements, and equipment for such fair The county auditor or secretary of any such fair desiring to share in any such appropriation shall file with the Department of Finance on or before December 31st, of each year, a sworn statement setting forth the actual amount paid for premiums by such fair held in that year. No allotment from the appropriation herein provided shall be made for more than one fair in any one year in any county or district. The fact that one county joins with another county, or with several others, or that one district contracts with a county or county fair association, to hold an agricultural fair shall not bar it from receiving a proper proportion of the moneys herein appropriated. No fair for which a separate appropriation is made by the State shall participate in the apportionment of any money appropriated for the encouragement of county and district agricultural fairs

The Department of Finance, in its discretion, may at any time examine the books and records of any fair to determine the correctness of any statement or report filed with the Department of Finance."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2791—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1899—An act to add sections 154.1 to 154.8, inclusive, to the Agricultural Code, relating to the control of weed pests

Committee Amendments to Assembly Bill No. 1899.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the word "intended"

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out the word "certifying", and insert in lieu thereof the word "stating".

Amendment No. 3.

On page 1, line 7, of the printed bill, following the period, strike out the words "It shall be unlawful", and strike out all of lines 8 to 21, inclusive

Amendment No. 4.

On page 1, line 22, of the printed bill, immediately following the first period strike out "3", and insert in lieu thereof "2".

Amendment No. 5.

On page 1, line 23, of the printed bill, strike out "154.3", and insert in lieu thereof "154.2"

Amendment No. 6.

On page 1 of the printed bill, strike out all of line 24, and insert in lieu thereof the following:

"154.2. The certificate may be issued by the commissioner"

Amendment No. 7.

On page 1 of the printed bill, strike out all of line 26, and insert in lieu thereof the following: "with the following provision "

Amendment No. 8.

On page 1, line 27, of the printed bill, strike out "(a) Any ", and insert in lieu thereof the words "When any".

Amendment No. 9.

On page 2, line 2, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 10.

On page 2, line 5, of the printed bill, following the word "serve", strike out the word "the" and insert in lieu thereof the word "a"

Amendment No. 11.

On page 2, line 5, of the printed bill, strike out the words "referred to", and strike out all of line 6.

Amendment No. 12.

On page 2, line 7, of the printed bill, strike out the words "in such notice", and insert in lieu thereof the word "specifying".

Amendment No. 13.

On page 2, line 10, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 14.

On page 2 of the printed bill, strike out all of lines 11 to 28, inclusive.

Amendment No. 15.

On page 2, line 29, of the printed bill, immediately following the first period, strike out "4", and insert in lieu thereof "3".

Amendment No. 16.

On page 2, line 30, of the printed bill, strike out "154.4", and insert in lieu thereof "154.3".

Amendment No. 17.

On page 2, line 31, of the printed bill, strike out "154.4", and insert in lieu thereof "154.3".

Amendment No. 18.

On page 2, line 39, of the printed bill, following the word "destruction", add the words "or processing".

Amendment No. 19.

On page 2, line 40, of the printed bill, immediately following the first period, strike out "5", and insert in lieu thereof "4".

Amendment No. 20.

On page 2, line 41, of the printed bill, strike out "154.5", and insert in lieu thereof "154.4".

Amendment No. 21.

On page 2 of the printed bill, strike out all of lines 42 to 52, inclusive.

Amendment No. 22.

On page 3 of the printed bill, strike out all of lines 1 to 9, inclusive.

Amendment No. 23.

On page 3 of the printed bill, strike out all of line 10, and insert in lieu thereof the following: "154.4. The enforcement of sections 154.1 to 154.6, inclusive,"

Amendment No. 24.

On page 3, line 11, of the printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment No. 25.

On page 3, line 12, of the printed bill, following the word "regulations", insert the word "as".

Amendment No. 26.

On page 3, line 14, of the printed bill, immediately following the first period, strike out "7", and insert in lieu thereof "5".

Amendment No. 27.

On page 3, line 15, of the printed bill, strike out "154.7", and insert in lieu thereof "154.5".

Amendment No. 28.

On page 3 of the printed bill, strike out all of line 16, and insert in lieu thereof the following: "154.5. The provisions of sections 154.1 to 154.6, inclusive,".

Amendment No. 29.

On page 3, line 20, of the printed bill, immediately following the first period, strike out "8", and insert in lieu thereof "6".

Amendment No. 30.

On page 3, line 21, of the printed bill, strike out "154.8", and insert in lieu thereof "154.6".

Amendment No. 31.

On page 3 of the printed bill, strike out all of line 22, and insert in lieu thereof the following: "154.6. It shall be unlawful to alter, deface or"

Amendment No. 32.

On page 3, line 23, of the printed bill, strike out the word "certificates", and insert in lieu thereof the word "certificate".

Amendment No. 33.

On page 3, line 24, of the printed bill, strike out "154.3", and insert in lieu thereof "154.2".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 968—An act making bonds issued by California Toll Bridge Authority legal investments for certain purposes

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 936—An act relating to the control and jurisdiction over, and disposition of certain State lands therein described.

Bill read second time, and ordered on third reading calendar.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2678 Continued.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 462—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 462?

Amendment No. 1.

On page 1, line 13, of the printed bill, after the word "as", insert the following: "in the opinion of the Department of Motor Vehicles"

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out the word "of", appearing at the end of the line.

Amendment No. 3.

On page 1, line 14, of the printed bill, strike out the words "Motor Vehicles".

Amendment No. 4.

On page 1, line 16, of the printed bill, after the word "therefor", insert the following: "The department shall withhold registration of the vehicles herein mentioned until it shall be convinced by affidavits of the applicant or upon evidence submitted by the State, or Federal relief authorities that the vehicles will be used exclusively for the purposes herein stated."

Amendment No. 5.

On page 1, line 12, of the printed bill, as amended, after "vehicle", insert the following: "or motor vehicles".

Amendment No. 6.

On page 1, line 15, of the printed bill, as amended, strike out "is", and insert in lieu thereof the following: "or vehicles are".

Amendment No. 7.

On page 1 of the printed bill, as amended, at the end of line 19, insert the following: "county,".

Amendment No. 8.

On page 1 of the printed bill, as amended, insert between lines 21 and 22, the following:

"SEC. 2. The provisions of this act shall operate and apply to registration during the registration year of 1937, as well as that of 1938, with the same force and effect as if it had gone into operation and effect as a statute on January 1, 1937,".

Amendment No. 9.

On page 1, line 22, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "3".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 462 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—Cottrell—1.

Assembly Bill No. 462 ordered to enrollment

Assembly Bill No. 2061—An act to amend section 737oo of the Political Code, relating to the salary of the judge of the superior court in and for the county of San Mateo

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2061?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section", and insert in lieu thereof the following: "sections 737b, 737c, 737i, and".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 2 and 3 of the title, and insert in lieu thereof the following: "to the salary of judges of the superior court"

Amendment No. 3.

On page 1, line 1, of the printed bill, after "Section 1.", strike out the balance of the line, and strike out all of line 2, and insert in lieu thereof the following: "Section 737b of the Political Code is hereby amended to read as follows:

737b. The annual salary of the judge of the superior court in and for the county of Alpine is $6,000

SEC. 2. Section 737c of said code is hereby amended to read as follows:

737c. The annual salary of the judge of the superior court in and for the county of Amador is $6,000.

SEC. 3. Section 737i of said code is hereby amended to read as follows:

737i. The annual salary of the judge of the superior court in and for El Dorado County is $6,000.

SEC. 4. Section 737oo of said code is hereby amended to read as follows:".

Amendment No. 4.

On page 1, line 3, of the printed bill, strike out "judge", and insert in lieu thereof the following: "judges".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2061 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2061 ordered to enrollment.

Motion to Withdraw Assembly Bill No. 675 from Committee.

On motion of Mr Hawkins, Assembly Bill No 675 was withdrawn from the Committee on Civil Service, and ordered placed upon the calendar

Motion to Withdraw Assembly Bills Nos. 1593, 1594, and 1595 from Committee.

On motion of Mr. Weber, Assembly Bills Nos. 1593, 1594 and 1595 were withdrawn from the Committee on Conservation and ordered placed upon the calendar.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 1593—An act to amend an act entitled "An act to be known as the 'Water Conservation Act of 1920' and to provide for the organization and government of water conservation districts for the purpose of conserving and storing the waters of any stream of water or unnavigable river by spreading and sinking such waters, and for the purpose of constructing or acquiring sinking basins, sinking wells, spreading basins, and other works and property; and for the purpose of appropriating, acquiring and conserving water and water rights, and taking any and all actions and proceedings that may be necessary or advisable to conserve and protect the waters or water rights within the district used or useful for any purpose of the district, or of benefit to the lands situated therein, and to prevent interference with or diminution of the natural flow of any stream or unnavigable river, including the natural subterranean supply of waters therefrom; to provide for the levying and collecting of assessments and special assessments to pay the costs and expenses incurred in relation thereto; to prohibit any director of a district from being interested in any contract with the district of which he is a director and making a violation of such provision a misdemeanor; and to provide a method of dissolving such districts," approved April 27, 1929, as amended, by amending sections 1, 3 and 6 thereof, relating to qualifications of petitioners and electors in water conservation districts.

Committee Amendment to Assembly Bill No. 1593.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the words "Section 1", insert the following: "Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Water conservation districts may be organized and established by the board of supervisors of any county in this State, as herein expressly provided, when the conditions stated in this act are found to exist, and may exercise the powers herein expressly granted, or necessarily implied. Such districts may be entirely within unincorporated territory or partly within unincorporated and partly within incorporated territory, and within one or more counties of this State. Whenever either 500, or 25 per cent or more, owners of any body or bodies of land, situate within, and comprising the whole or a part or parts of one or more watersheds of any stream or streams of water or unnavigable river or rivers, or territory adjacent to such watershed or watersheds or deriving such district's water supply, in whole or in part, from such stream or streams, or river or rivers, or the subterranean supply of waters therefrom, shall desire to conserve the waters of such stream or streams or unnavigable river, or rivers, they may propose the organization of a water conservation district under the provisions of this act, and, when so organized, such district shall have the powers, rights and duties conferred, or which may be conferred, by law, upon such water conservation districts. The equalized county assessment roll next preceding the presentation of a petition for the organization of a water conservation district under the provisions of this act, shall be sufficient evidence of ownership for the purposes of this act, provided, that no person who has received or acquired title to lands within such proposed district for the purpose of enabling him or her to join in such petition, or to become an elector of said district, shall be allowed to sign such petition or to vote at any election to be held in such district under the provisions of this act. Such illegal signing, however, shall not invalidate such petition when there shall be found a sufficient number of other legal petitioners.

SEC. 2. Section 3 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 3. In order to propose the organization of a water conservation district a petition shall be presented to the board of supervisors of the county, in which the lands within the proposed district, or the greater portion thereof, are situated, signed by 25 per cent or 500 owners of land within such proposed district, which petition shall set forth and particularly describe the proposed boundaries of such district, and shall pray that the same be organized under the provisions of this act, and propose a name by which such district shall be known. The territory to be included within the district need not be contiguous.

The petition shall be presented at a regular meeting of said board of supervisors, and shall have been published once a week at least three weeks before such presentation in some newspaper printed and published in the county where the petition is presented together with a notice stating the date of the meeting of said board at which the petition will be presented; and if any portion of the proposed district lies within another county, or counties, then said petition and notice shall be likewise published in a newspaper printed and published in each of said counties.

Such petition may consist of any number of separate instruments, and, when contained upon more than one instrument, one copy only of such petition need be published, but the names of all petitioners shall be published the same as if appended to the original petition. All such copies of petition, filed prior to the hearing of said petition, shall be considered by the board of supervisors the same as though filed with the petition first placed on file.

Where a vote to create a district is lost, no petition for the formation of a district comprising any portion of the same territory shall be presented or considered for a period of 12 months thereafter.

SEC. 3. Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6. Said election shall be conducted in accordance with the General Election Laws of this State so far as applicable, and except as herein otherwise provided. The election officers shall publicly count the votes immediately after close of the election, and make a report of the result of said election to the board of supervisors within five days subsequent to the holding thereof.

No person shall be entitled to vote at any election held under the provisions of this act, unless he is the owner of land situate within the district."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1594—An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, as amended, by amending sections 1, 3 and 6 thereof, relating to qualifications of petitioners and electors in water conservation districts

Committee Amendment to Assembly Bill No. 1594.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following "Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. Water conservation districts may be organized and established by the board of supervisors of any county in this State, as herein expressly provided, when the conditions stated in this act are found to exist, and may exercise the powers herein expressly granted, or necessarily implied. Such districts may be entirely within unincorporated territory or partly within unincorporated and partly within incorporated territory, and within one or more counties of this State. Whenever either 500, or 25 per cent or more, owners of any body or bodies of land situate within, and comprising the whole or a part or parts of one or more watersheds of any stream or streams of water or unnavigable river or rivers, or territory adjacent to such watershed or watersheds or deriving such district's water supply, in whole or in part, from such stream or streams, or river or rivers, or the subterranean supply of waters therefrom, shall desire to conserve the waters of such stream or streams or unnavigable river or rivers, they may propose the organization

of a water conservation district under the provisions of this act, and, when so organized, such district shall have the powers, rights and duties conferred, or which may be conferred, by law, upon such water conservation districts The equalized county assessment roll next preceding the presentation of a petition for the organization of a water conservation district under the provisions of this act, shall be sufficient evidence of ownership for the purposes of this act; provided, that no person who has received or acquired title to lands within such proposed district for the purpose of enabling him or her to join in such petition or to become an elector of said district, shall be allowed to sign such petition or to vote at any election to be held in such district under the provisions of this act. Such illegal signing, however, shall not invalidate such petition when there shall be found a sufficient number of other legal petitioners.

SEC. 2 Section 3 of said act is hereby amended to read as follows

Sec 3. In order to propose the organization of a water conservation district a petition shall be presented to the board of supervisors of the county, in which the lands within the proposed district, or the greater portion thereof, are situated, signed by 25 per cent or 500 owners of land within such proposed districts, which petition shall set forth and particularly describe the proposed boundaries of such district, and shall pray that the same be organized under the provisions of this act, and propose a name by which such district shall be known The territory to be included within the district need not be contiguous.

The petition shall be presented at a regular meeting of said board of supervisors, and shall have been published once a week at least three weeks before such presentation in some newspaper printed and published in the county where the petition is presented together with a notice stating the date of the meeting of said board at which the petition will be presented, and if any portion of the proposed district lies within another county, or counties, then said petition and notice shall be likewise published in a newspaper printed and published in each of said counties.

Such petition may consist of any number of separate instruments, and, when contained upon more than one instrument, one copy only of such petition need be published, but the names of all petitioners shall be published the same as if appended to the original petition All such copies of petition, filed prior to the *hearing of said petition, shall be considered by the board of supervisors the same* as though filed with the petition first placed on file.

Where a vote to create a district is lost, no petition for the formation of a district comprising any portion of the same territory shall be presented or considered for a period of twelve months thereafter

SEC 3 Section 6 of said act is hereby amended to read as follows

Sec 6. Said election shall be conducted in accordance with the general election laws of this State so far as applicable, and except as herein otherwise provided. The election officers shall publicly count the votes immediately after close of the election, and make a report of the result of said election to the board of supervisors within five days subsequent to the holding thereof

No person shall be entitled to vote at any election held under the provisions of this act, unless he is the owner of land situate within the district."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1595—An act to amend an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919, as amended, by amending sections 3 and 6 thereof, relating to qualifications of petitioners and electors in conservancy districts.

Committee Amendment to Assembly Bill No. 1595.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the words, "Section 1", insert the following: "Section 3 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 3 Before any board of supervisors shall call an election to determine whether a district shall be established as outlined in section 2 hereof, a petition shall be filed in the office of the clerk of said board of supervisors signed by not less than 25 per cent or 500 or more owners of land within the limits of the territory proposed to be organized into a conservancy district under this act.

The equalized county assessment roll next preceding the presentation of a petition for the organization of a water conservation district under the provisions of this act, shall be sufficient evidence of ownership for the purposes of this act; provided, that no person who has received or acquired title to lands within such proposed district for the purpose of enabling him or her to join in such petition, or to become an elector of said district, shall be allowed to sign such petition or to vote at any election to be held in such district under the provisions of this act. Such illegal signing, however, shall not invalidate such petition when there shall be found a sufficient number of other legal petitioners.

SEC. 2 Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6 Said board or joint board of supervisors, unless said petition be denied, must, if said lands of said district lie wholly within the county, within ten days after the determination of a hearing upon said petition, otherwise within 30 days after the determination of a hearing upon said petition, call an election with the proposed district for the determination of the question, whether such proposed district shall or shall not be organized and also to elect five persons who shall act as directors of the district for a term of four years in case such district be organized, and shall divide said district into convenient precincts and fix the polling place in each, and shall appoint three qualified electors in each precinct of said district to conduct said election; which election must be held within 40 days from the date of said order.

Notice of said election shall be given by posting notice thereof in three public places in each portion of said proposed district located in a separate county, and by publication in a daily or weekly newspaper in each county in which any portion of said district is located. Said publication shall be at least once a week for not less than 15 days before the said election, and said notices shall be posted at least 15 days before the day of said election. Said notices must specify the time, place or places and purposes of said election, give the boundaries of the said proposed conservancy district as determined at the hearing of the petition, designate the respective election precincts and the polling place in each and the election officers and the hours during which the polls will be kept open; provided, that the polls must be opened not later than eight o'clock a.m., and kept open until seven o'clock p.m.

It shall be the duty of the board of supervisors to order placed upon the ballot the names of candidates for the position of director of the district who shall have been endorsed by a petition of said board of supervisors containing the names of ten or more electors of the district, petitioning that the names of candidates designated in the petition be placed upon the ballot to be voted on at such election; provided, however, that such petitions be filed with the board of supervisors calling said election within 15 days after the date of the order calling the election.

Said election shall be conducted in accordance with the General Election Laws of this State so far as applicable, and except as herein otherwise provided, without reference to the form of the ballot or manner of voting, except that no sample ballots need be mailed to electors; the ballots shall contain the words "for the formation of a conservancy district," and "against the formation of a conservancy district," and the voter shall write or print or stamp a cross after the words that indicate his choice, and that said ballots shall also contain the names of all candidates for the position of director of the district, with instructions to the voter to vote for five of the candidates for said petition whose names appear upon such ballot. No person shall be entitled to vote at any election held under the provisions of this act, unless he is the owner of land situate within the district.

It shall be the duty of the election officers to publicly canvass the votes immediately after the close of the election, and to make a report of the result of said election to the board of supervisors within five days subsequent to the holding thereof who shall as soon as practicable proceed to canvass said returns.

If a majority of the votes cast at said election shall be in favor of a conservancy district, the said board of supervisors shall, by resolution, establish said conservancy district and proceed as herein otherwise stated.

If a majority of the votes cast shall be against the conservancy district, the board of supervisors shall by order so declare, and shall thereafter dismiss said proceedings by order and proceed to adjudge the cost against the signers of the petition or their bondsmen; no other proceedings shall be taken for the formation of a similar district until the expiration of one year from said election.

If a majority of votes cast at such election shall be in favor of a conservancy district, the board of supervisors shall canvass the returns of said election for the position of directors for the district and having determined upon the five candidates duly elected as directors shall by resolution declare them to be so duly elected and declare them to be the directors of the district for the ensuing term of four years and certificates of election shall be issued to them.

The fact of the presentation of the petition and the order establishing the conservancy district and the order declaring the five directors elected, shall be entered in the minutes of the board of supervisors of the main county, and shall be conclusive evidence of the due presentation of a proper petition, and that each of the petitioners was at the time of the signing the same and presentation of the petition an assessed freeholder in the proposed district, and of the fact and regularity of all prior proceedings of every kind and nature provided for by this act, and of the existence and validity of the district. Should the office of any of said directors elected become vacant before his term of office expires, the same shall be filled by the board of directors for the unexpired term On the expiration of the terms of said directors elected as herein specified, the supervisors shall again call an election in accordance with the provisions of this section to fill the offices so becoming vacant.

In said resolution establishing the district the board shall give said district a corporate name, which may or may not be the name designated in said petition, by which in all proceedings it shall thereafter be known, and thereupon the district shall be a political subdivision of the State of California, a body corporate with all the powers of a corporation, and shall have power

1. To have perpetual succession and existence.

2. To sue and to be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

3. To adopt a seal and alter it at pleasure.

4. To take by grant, purchase, gift, devise or lease, to hold, use, enjoy, and to lease or dispose of real or personal property of every kind within or without such district necessary to the full exercise of its powers.

After an order is entered by the board of supervisors establishing the district, such order shall be deemed final and binding upon the property within the district and shall finally and conclusively establish the regular organization of the said district against all persons except the State of California upon suit commenced by the Attorney General. Any such suit must be commenced within three months after said decree declaring such district organized as herein provided and not otherwise.

Upon the election and qualification of a board of directors as herein provided said board of directors shall designate the place where the office or principal place of business of the district shall be located, which shall be within the corporate limits of the district if practicable, and which may be changed by order of said board of directors from time to time The regular meetings of the board of directors shall be held at such office or place of business, but for cause entered of record may be adjourned to any other convenient place. The official records and files of the district shall be kept at the office so established."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 675—An act to amend section 9 of the "State Civil Service Act," relating to civil service.

Committee Amendments to Assembly Bill No. 675.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "An act to add section ------ to", and insert in lieu thereof the following "An act to amend section 9 of".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 9 of the act cited in the title hereof is hereby amended to read as follows:".

Amendment No. 3.

On page 1, line 3, of the printed bill, after "Sec.", insert the following: "9. Subject to the special provisions in this act as to laborers, appointments shall

be made to all positions that are not filled by promotion, reinstatement, transfer or reduction, under the provisions of this act and the rules in pursuance thereof, by the appointing power Said appointing power shall notify the commission of any vacancy to be filled, stating the duties of the position The commission shall then certify to the appointing power the name and address of the person standing highest on the eligible list for the class or grade to which the position belongs; and the appointing power shall fill the position by the appointment of such person certified by the commission therefor. The term of eligibility shall be fixed for each eligible list at not less than one year. Appointments shall be made from the eligible list most nearly appropriate for the position to be filled, and a new list shall be created for a stated position or a group of positions only when there is no appropriate list existing from which appointment may be made No person shall be appointed under any title not appropriate to the duties to be performed, and no person shall be assigned to perform the duties of any other position than that which he legally holds, except by consent of the commission. All appointments shall be for a probationary period to be fixed by the commission but not to exceed six months. Unless such appointee shall have been dismissed within such probationary period by the appointing power, for reasons specifically stated in writing and filed with the commission, his appointment shall become permanent subject to the provisions of this act as to removals, suspensions and changes. Upon demand of an appointee concerning whom dismissal reasons have been filed, the commission shall determine whether the reasons filed are substantiated, and the dismissal of any such appointee shall not become effective unless a determination is made that such reasons are substantiated. Discharged probationers may by unanimous vote of the commission be restored to the list of eligibles for certification to any position within their class other than the one from which they were rejected."

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1243.

Mr Williamson moved that the record be expunged and the action rescinded whereby the Assembly on March 31, 1937, passed Assembly Bill No. 1243.

The roll was called, and the record expunged and the action rescinded by the following vote

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M, Burns, Michael J, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1243 ordered on third reading calendar.

Motion to Withdraw and Re-refer Assembly Bill No. 2811.

Mr. Heisinger moved that Assembly Bill No. 2811 be withdrawn from the Committee on Judiciary General, and be re-referred to the Committee on Labor and Capital.

The roll was called, and the motion to withdraw Assembly Bill No 2811 lost by the following vote:

AYES—Andreas, Burns, Hugh M, Burns, Michael J, Cassidy, Crowley, Daley, Dawson, Donnelly, Gilbert, Heisinger, Hunt, Laughlin, Lore, Meehan, Miller, George P., Patterson, Peek, Reaves, Watson, and Mr. Speaker—20.

NOES—Baynham, Beene, Breed, Call, Cottrell, Cunningham, Dannenbrink, Fulcher, Glick, Hawkins, Johnson, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Peyser, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Walker, Welsh, and Williamson—34.

Notice of Motion to Reconsider Motion to Withdraw Assembly Bill No. 2811.

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby his motion to withdraw and re-refer Assembly Bill No. 2811 was lost.

Reconsideration of Assembly Bill No. 2811.

Mr. Latham moved that the vote whereby the motion to withdraw and re-refer Assembly Bill No. 2811 was lost be reconsidered, at this time.

The roll was called, and reconsideration refused by the following vote:

AYES—Andreas, Burns, Michael J., Cassidy, Dawson, Donihue, Donnelly, Gannon, Garland, Gilbert, Heisinger, Latham, Lore, McMurray, Miller, Eleanor; Patterson, Richie, Tenney, and Weber—18

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cottrell, Cunningham, Daley, Dannenbrink, Fulcher, Glick, Hawkins, Hunt, Johnson, Laughlin, Leonard, Lyon, Maloney, Martin, Meehan, Millington, Morgan, Muldoon, Peek, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Walker, Watson, Welsh, and Mr. Speaker—36.

Notice of Motion to Reconsider Assembly Bill No. 1177 Waived.

Mr. Miller waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1177 was passed.

Assembly Bill No. 1177 ordered transmitted to the Senate.

Special Order.

The hour of two o'clock p.m. having arrived, the special order heretofore set for this hour was taken up.

Consideration of Senate Bill No. 200.

Senate Bill No. 200—An act to authorize the creation and establishment of a public utilities commission within any city, city and county, county, local governmental agency, society, association, authority, or entity rendering service to the public, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs and construction or acquisition of public utilities and extensions, repairs, replacements and improvements to public utilities; for the acquisition, production, purchase, sale and distribution of products, commodities, energy or services of such public utilities; and providing for the payment of such bonds and the interest thereon.

Motion to Amend Senate Bill No. 200.

Mr. Boyle moved to amend Assembly Bill No. 200 as follows:

Amendment No. 1.

On page 2, line 6, of the printed bill, as amended, after "society," add the following: "transportation district,".

Amendment read, and refused adoption by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Call, Cottrell, Cronin, Cunningham, Daley, Desmond, Field, Fulcher, Hunt, Johnson, King, Latham, Lore, Lyon, Meehan, Miller, Eleanor; Morgan, Muldoon, Reaves, Redwine, Scudder, Stream, Tenney, Welsh, and Mr. Speaker—29.

NOES—Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Millington, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—44.

Senate Bill No. 200 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser,

Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—Beene, Breed, Call, Field, Kuchel, Latham, Lyon, Martin, Muldoon, and Robertson—10.

Title read and approved. Bill ordered transmitted to the Senate.

Special Order Waived.

On motion of Mr Desmond, the special order setting Senate Bill No. 888 as a special order of business for the hour of two o'clock and five minutes p.m., was waived.

Third Reading of Assembly Bills.

Assembly Bill No. 1941—An act to amend section 4 of the County Water District Act, approved June 10, 1913, as amended and relating to the organization of such districts, and to the election and appointment of directors thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan Muldoon, Patterson, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Weber, Welsh, Williamson, and Mr. Speaker—59.

NOES—Cassidy, Dannenbrink, King, and Tenney—4

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1875—An act to add section 5.5 and to amend sections 6 and 10 of "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by this State or any of its political subdivisions, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, relating to aid to the needy blind

Motion to Amend Assembly Bill No. 1875.

Mr. Miller moved to amend Assembly Bill No. 1875 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to amend section 9"

Amendment No. 2.

On page 1, line 7 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", this act to take effect immediately."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 23, inclusive, and on page 2 strike out lines 1 to 33, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 9. (A) When and during such time as grants in aid are provided or made available by the United States Government for aid to the needy blind in this State, the State Treasurer shall pay to each county and city and county from the sums granted by the United States Government to the State of California an amount which shall be used exclusively as aid to the blind equal to one-half of the total of the sums expended as aid to the blind under this act, not counting so much of such expenditure with respect to any individual for any month as exceeds $30.

(B) From the sums appropriated therefor by the State of California in section 1 of this act, the State Treasurer shall pay to each county and city and county an additional amount which shall be used exclusively for aid to the blind equal to one-half of the amount paid by each county and city and county after deducting the amount paid to said county or city and county under section 9 (A) of this act, except that the State shall pay the county and city and county the full amount of aid granted any person otherwise qualified who has resided in the State for the

required period and who has no county residence, after deducting the amount paid under subdivision (A) of this section

(C) The method of computing and paying such amounts for each quarter, beginning with the quarter commencing April 1, 1937, shall be as follows:

(1) The State Department of Social Welfare shall, prior to the beginning of each quarer, estimate the amount to be paid for such quarter to each county and city and county under the provisions of subdivision (A) and (B), of this section such estimate to be based on a report filed by each county and city and county containing (a) its estimate of the total sum to be expended in such quarter in accordance with the provisions of this act, and stating the amount appropriated or made available by the county and city and county for such expenditures in such quarter, and if such amount is less than that portion of the total sum of such estimated expenditures which is required under this act to be paid each such county or city and county, the source or sources from which the difference is expected to be derived, (b) records showing the number of blind individuals receiving aid under authority of this act in the county, and (c) such other information and investigation as the State Department of Social Welfare may find necessary.

(2) The State Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county and city and county, reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county and city and county under this act for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater than the amount estimated by the State Department of Social Welfare for such prior quarter.

(3) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by the State Department of Social Welfare, and the State Controller, the State Treasurer shall pay to the treasurer of each county and city and county the amount so certified

(D) Reports of aid to blind paid out under this act shall be presented by the respective counties and cities and counties at times and in the form prescribed by the State Department of Social Welfare Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to said county or city and county as a credit to apply against advances made under terms of subdivision (C) of this section.

SEC. 2. Claims for State aid granted under this act for the quarter ending March 31, 1937, shall be presented by the respective counties and cities and counties in the month of April, 1937. Upon receipt of each such claim the State Department of Social Welfare shall deduct from the amount thereof a sum equal to that portion of the amount, if any, theretofore claimed by, or paid to, such county or city and county from funds granted by the United States Government to the State of California for aid to blind which represents reimbursement of the amounts paid for such period as State aid under this act The State Department of Social Welfare shall thereupon certify to the Controller the amount of the balance of said claim. The State Controller shall thereupon draw the necessary warrants and, prior to audit or settlement by the State Department of Social Welfare and the State Controller, the State Treasurer shall pay to the treasurer of such county the amount so certified.

Any deductions or additions determined upon audit of such claims by the State Department of Social Welfare and the State Controller shall be applied to reduce or increase the amount certified for any subsequent quarter as provided in subdivision (C) of section 9 of the act cited in the title hereof, as amended by this act.

SEC. 2. Claims for State aid granted under this act for the quarter ending March 31, 1937, shall be presented by the respective counties and cities and counties in the month of April, 1937. Upon receipt of each such claim the State Department of Social Welfare shall deduct from the amount thereof a sum equal to that portion of the amount, if any, theretofore claimed by, or paid to, such county or city and county from funds granted by the United States Government to the State of California for aid to blind which represents reimbursement of the amounts paid for such period as State aid under this act. The State Department of Social Welfare shall thereupon certify to the Controller the amount of the balance of said claim. The State Controller shall thereupon draw the necessary warrants and, prior to audit or settlement by the State Department of Social Welfare and the State Controller, the State Treasurer shall pay to the treasurer of such county the amount so certified.

Any deductions or additions determined upon audit of such claims by the State Department of Social Welfare and the State Controller shall be applied to reduce or increase the amount certified for any subsequent quarter as provided in section 9 (C) of this act.

SEC. 3 This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health, or safety within the meaning of section 1 of Article IV of the Constitution and shall take effect immediately

The following is a statement of facts constituting such necessity:
Under present law actual payment to the counties in reimbursement of the aid granted under this act is not possible until from three to twelve months after said aid has been paid out by such counties The financial burden imposed by *this waiting period has forced many counties to register warrants or borrow from* banks in order to obtain the necessary funds It is necessary that this measure, providing for payment of State and Federal reimbursement to the counties quarterly in advance, go into immediate effect so as to relieve the counties from the necessity and the cost of such borrowing."

Amendments adopted

Assembly Bill No 1875 ordered to reprint, and re-engrossment.

Assembly Bill No. 436—An act to add a new section to the Civil Code, to be numbered 3052a, relating to jewelers' liens

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J. Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink Dawson Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel Latham, Leonard, Lore, Maloney, Martin, McMurray, Meehan Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson Peek, Pelletier Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt Walker, Watson, Welsh, Williamson, Yorty, and Mr *Speaker*—66.

NOES—None

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 469—An act to amend section 710 of the Code of Civil Procedure, relating to execution on moneys due from a governmental agency to a judgment debtor

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Beene, Burns, Michael J., Call, Cassidy, Clark Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Leonard Lyon Maloney, Martin Mayo, McMurray, Miller Eleanor Miller, George P Millington Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves Redwine Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—64

NOES—Lore—1

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1072—An act to amend section 9 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and *empowering county boards of supervisors to levy a special tax,*" approved May 5, 1931, to provide for the inclusion of officers and employees in any county forester's or county fire warden's department within such retirement and pension system

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin Crowley, Cunningham, Daley, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2376—An act making bonds issued by California Toll Bridge Authority legal investments for certain purposes.

Urgency clause read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—69.

NOES—None

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 873—An act to amend section 26 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, relating to subrogation procedure

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt Johnson, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—67

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1467—An act to amend sections 4.962, 4.963, 4.964, 4.1010, and to add two new sections to be numbered 4.967 and 4.968, of the School Code, relating to school district bonds.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2749—An act to add section 4041.65 to the Political Code, relating to the powers and duties of boards of supervisors and authorizing boards of supervisors to accept title to real property, to permit the erection of buildings on public lands for museum and art gallery purposes, to permit such buildings to be operated, maintained and managed by the donors thereof or by boards of trustees appointed by the donors, or otherwise, and to permit the boards of supervisors to delegate authority to such boards of trustees, and to permit the boards of supervisors to appropriate money for the support of the same.

Motion to Amend Assembly Bill No. 2749.

Mr. Weber moved to amend Assembly Bill No. 2749 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1, 2 and 3 of the title, and insert in lieu thereof the following: "An act authorizing cities, cities and counties, and counties to accept title to real property,".

Amendment No. 2.

On page 1, lines 8 and 9 of the title of the printed bill, strike out "the boards of supervisors to delegate", and insert in lieu thereof the following "the delegation of".

Amendment No. 3.

On page 1, line 10 of the title of the printed bill, strike out "boards of supervisors to appropriate", and insert in lieu thereof the following: "appropriation of".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. Every city, city and county, and county shall have power to accept title to real property for museum and art gallery purposes,".

Amendment No. 5.

On page 1, line 13, of the printed bill, strike out "county"

Amendments adopted.

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up Assembly Bill No 2749, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2749, as Amended.

Assembly Bill No. 2749—An act authorizing cities, cities and counties, and counties to accept title to real property, to permit the erection of buildings on public lands for museum and art gallery purposes, to permit such buildings to be operated, maintained and managed by the donors thereof or by boards of trustees appointed by the donors, or otherwise, and to permit the delegation of authority to such boards of trustees, and to permit the appropriation of money for the support of the same.

Assembly Bill No. 2749, as amended, read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—Lore—1.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 74—An act to regulate the sale of second-hand watches.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream,

Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—Call, and Welsh—2.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1466—An act to amend section 1973 of the Code of Civil Procedure, relating to agreements required to be in writing and to be subscribed by the party to be charged.

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1430—An act to add section 60½ to the Alcoholic Beverage Control Act, relating to hours of sale, purchase and disposition of alcoholic beverages.

Motion to Amend Assembly Bill No. 1430.

Mr. Fulcher moved to amend Assembly Bill No. 1430 as follows:

Amendment No. 1.

On page 1, lines 3 and 4 of the title of the printed bill, as amended, strike out ", this act to take effect immediately".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 6 to 24, inclusive, and on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following: "six o'clock a.m. of the same business day or between the hours of four o'clock a.m. and eight o'clock a.m. on holidays, including Sundays, is guilty of a misdemeanor."

Amendments adopted.

Assembly Bill No. 1430 ordered to reprint and re-engrossment.

Assembly Bill No. 101—An act to add a new section to the School Code to be numbered 5.855, relating to the public school teachers permanent fund.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—69

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 1084—An act to amend section 751a of the Code of Civil Procedure, relating to the adjudication of the identity of persons executing instruments relating to real property by a name other than that by which they acquired title.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves,

Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1200—An act to amend sections 112, 115, 116, 121, and 123 of the Vehicle Code, and to repeal sections 114 and 118 thereof, relating to the California Highway Patrol

Motion to Amend Assembly Bill No. 1200.

Mr. Hornblower moved to amend Assembly Bill No. 1200 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "115,"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "114", insert the following ", 115".

Amendment No. 3.

On page 1, line 16, of the printed bill, strike out "amended", and strike out all of lines 17 to 26, inclusive; and on page 2, strike out lines 1 and 2, and insert in lieu thereof the following: "repealed."

Amendments adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1200, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 1200, as Amended.

Assembly Bill No. 1200—An act to amend sections 112, 115, 116, 121, and 123 of the Vehicle Code, and to repeal sections 114 and 118 thereof, relating to the California Highway Patrol.

Motion to Amend Assembly Bill No. 1200.

Mr. Yorty moved to amend Assembly Bill No 1200 as follows:

Amendment No. 1.

On page 2 of the printed bill, after line 52, insert the following: "In no case may a member of the California Highway Patrol, assigned to one county, be assigned to another county for duty, nor may he perform duties therein, relating in any manner to a labor dispute."

Demand for Previous Question.

Messrs. Morgan, Johnson, Welsh, Cunningham, and Muldoon demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment by Mr. Yorty.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Burns, Michael J., Cassidy, Clark, Daley, Donahue, Flint, Gilbert Hawkins, Hunt, King, Lore, Maloney, Meehan, Patterson, Pelletier, Reaves, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Yorty, and Mr. Speaker—23

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kuchel, Latham, Leonard, Levey, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Redwine, Robertson, Scudder, Stream, Walker, Watson, Weber, Welsh, and Williamson—42.

Assembly Bill No. 1200 read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger,

Hornblower, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, Meehan, Miller, Eleanor, Millington, Morgan, O'Donnell, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder Sheehan, Stream, Thorp, Turner, Voigt, Walker Watson, Weber, Welsh, Williamson, and Mr. Speaker—54

NOES—Baynham, Flint, Gilbert, Hunt, Johnson, King, Latham, Lore, McMurray, Muldoon, Patterson, Peek, Reaves, Tenney, and Yorty—15

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1824—An act to amend an act entitled "An act to conserve the agricultural wealth of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purpose of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, as amended, by amending sections 2, 8, 9, 10, 13, 18, 19.1, 22 and 22.5, all relating to the institution and enforcement of agricultural proration programs

Motion to Amend Assembly Bill No. 1824.

Mr. Burns, Michael J., moved to amend Assembly Bill No. 1824 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 16 and 17 of the title, insert the following: "thereof, and adding section 28 thereto,".

Amendment No. 2.

On page 9 of the printed bill, as amended, after line 42, insert the following:

"SEC. 10. Section 28 is hereby added to the act cited in the title hereof to read as follows:

Sec. 28. All powers, duties, responsibilities and jurisdiction conferred upon the Agricultural Prorate Commission or the secretary or other officer thereof are hereby transferred to the Director of Agriculture, and whenever in this or any other statute the terms Agricultural Prorate Commission, or Secretary of the Agricultural Prorate Commission, or the designation of any officer of the commission is used, such term shall apply to the Director of Agriculture of the State of California. All of the funds, property, or equipment belonging to the State in the custody of said commission or any officer or agent thereof is hereby transferred to the Director of Agriculture and shall be handed over to him upon the effective date of this amendatory act."

Amendments read, and refused adoption by the following vote:

AYES—Burns, Michael J., Clark, Donnelly, Heisinger, King, Lore, Patterson, Reaves, Tenney, and Yorty—10.

NOES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Field, Flint, Garibaldi, Garland, Gilbert, Hornblower, Hunt, Johnson, Kuchel, Leonard, Levey, Maloney, Martin Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon O'Donnell, Peek, Pelletier, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Walker, Watson, Weber, and Mr. Speaker—44.

Motion to Amend Assembly Bill No. 1824.

Mr. Garibaldi moved to amend Assembly Bill No. 1824 as follows:

Amendment No. 1.

On page 6 of the printed bill, as amended, after line 33, insert the following:

"The commission shall require new nominations for producer members of existing program committees prior to the commencement of the first marketing

seasons in which such committees function occurring after the effective date of this amendment and the appointments made after such nominations shall be for terms of two years."

Amendment adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1824, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1824, as Amended.

Assembly Bill No. 1824—An act to amend an act entitled "An act to conserve the agricultural wealth of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purpose of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, as amended, by amending sections 2, 8, 9, 10, 13, 18, 19.1, 22 and 22.5, all relating to the institution and enforcement of agricultural proration programs.

Assembly Bill No. 1824, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2326—An act to amend section 1 of an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913, as amended, and to add thereto a new section to be known as section 1½, relating to advertisements or solicitation for employees while negotiations to establish working conditions or to settle labor disputes are pending, and requiring a copy of said advertisement and a statement identifying the employer concerned to be filed with the Labor Commissioner where such identity does not appear in such advertisement or solicitation.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Cassidy, Clark, Cottrell, Cronin, Crowley, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Sawallisch, Scud-

der, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—51.

NOES—Breed, Call, Cunningham, Field, Garibaldi, Kuchel, Latham, Morgan, Muldoon, and Redwine—10.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2223—An act to amend section 737ww of the Political Code, relating to the salary of judges of the county of Sonoma

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Levey, Lore, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—Gilbert, and Heisinger—2

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1275—An act to amend the title of and section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition on public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, extending the provisions of the act to liability in damages of school districts in the case of injuries to persons arising because of the negligence of the district, or its officers or employees

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—66

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2415—An act to amend section 735.3 of the Agricultural Code.

Motion to Amend Assembly Bill No. 2415.

Mr. Garland moved to amend Assembly Bill No. 2415 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended March 18, 1937, strike out all of lines 49 to 52, inclusive, and insert in lieu thereof the following:

"(g) "Retail store" means any person or persons owning or operating a retail grocery store, restaurant, confectionery, or other similar business where fluid milk or fluid cream is sold to the general public for consumption off the premises"

Amendment adopted.

Request for Unanimous Consent.

Mr. Garland asked for, and was granted, unanimous consent to take up Assembly Bill No. 2415, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2415, as Amended.

Assembly Bill No. 2415—An act to amend section 735.3 of the Agricultural Code.

Urgency clause read, and adopted by the following vote

AYES—Baynham, Beene, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1230—An act to amend section 508 of the Agricultural Code, relating to cheese standards.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—66

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1231—An act to amend section 621 of the Agricultural Code, relating to factory licenses

Bill read third time, and passed by the following vote.

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, O'Donnell, Patterson Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 541—An act to add a new section to the Political Code, to be numbered section 1143, relating to boards of election.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1253—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 13, 15, 19 and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale, or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs, and devices and to the powers of the State Board of Public Health in relation thereto.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—Breed, Cunningham, Field, Fulcher, Kuchel, and Robertson—6.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 669—An act to amend the Direct Primary Law, approved June 16, 1913, as amended, by amending section 22 thereof to provide for the canvass of the returns of primary elections by the registrar of voters or county clerk of a county when directed so to do by the board of supervisors of said county.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1194—An act to amend section 1097 of the Political Code, relating to registration of electors.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2183—An act to amend the School Code by adding thereto three new sections, to be numbered 2.973, 2.974, and 2.975, relating to the election and recall of members of city boards of education, the cost and expense of such elections, and for the consolidation of such elections.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek,

Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 584—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—Crowley—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 579—An act to amend sections 4, 5, 6 and 12 of the Direct Primary Law, relating to primary elections.

Motion to Continue Consideration of Assembly Bill No. 579.

Mr. Clark moved to continue the consideration of Assembly Bill No. 579 until the next legislative day.

The roll was called, and the motion lost by the following vote:

AYES—Baynham, Clark, Dilworth, Flint, Gilbert, Hawkins, Hunt, King, Lore, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Tenney, Turner, Voigt, Watson, Yorty, and Mr Speaker—21.

NOES—Beene, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—40.

Assembly Bill No. 579 read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Scudder, Stream, Thorp, Voigt, Walker, and Williamson—46.

NOES—Cassidy, Clark, Cronin, Donnelly, King, Lore, Maloney, Meehan, Millington, Patterson, Peek, Rosenthal, Sawallisch, Sheehan, Tenney, Watson, Weber, Yorty, and Mr. Speaker—19.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 579.

Mr. Clark gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 579 was this day passed.

Assembly Bill No. 2773—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Rosenthal,

Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, and Williamson—60.

NOES—King, Meehan, Peek, Tenney, Yorty, and Mr. Speaker—6.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2773.

Mr. Gilbert gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2773 was this day passed.

Motion to Expunge Record and Rescind Action on Senate Bill No. 218.

Mr. Garland moved to expunge the record and rescind the action whereby the Assembly on March 29, 1937, adopted Amendment No. 1 to Senate Bill No. 218.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Motion to Withdraw Assembly Bill No. 1021.

In compliance with a notice given on a previous day, Mr. Hunt moved to withdraw Assembly Bill No. 1021 from the Committee on Public Morals, and have it placed upon the calendar.

The roll was called, and Assembly Bill No. 1021 withdrawn by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, King, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Patterson, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—47.

NOES—Baynham, Breed, Donihue, Field, Heisinger, Johnson, Kuchel, Laughlin, Lore, Miller, Eleanor; Muldoon, Redwine, Robertson, and Turner—14.

Assembly Bill No. 1021 ordered placed on third reading calendar.

Withdrawal and Re-reference of Assembly Bill No. 2204.

On motion of Mr. Desmond, Assembly Bill No. 2204 was withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Building and Construction.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2198.
Assembly Bill No. 1244.
Assembly Bill No. 1245.

Respectfully reports the same back with the recommendation: Do pass.

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Senate Bill No. 1102.
Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Senate Bill No. 414.
Senate Bill No. 409.
Senate Bill No. 403.
Respectfully reports the same back with the recommendation: Do pass.

HORNBLOWER, Chairman

The above reported bills ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 838.
Respectfully reports the same back with the recommendation: Do pass.

MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 2195.
Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 2462.
Respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 2132.
Respectfully reports the same back with the recommendation: Do pass as amended.

MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 65.
Assembly Bill No. 268.
Assembly Bill No. 2164.
Respectfully reports the same back without recommendation, as amended.

BOYLE, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 2197.
Assembly Bill No. 2196.
Respectfully reports the same back with the recommendation: Do pass as amended.

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 2797.
Respectfully reports the same back with the recommendation: Do pass as amended.

BOYLE, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 103.
Assembly Bill No. 208.
Assembly Bill No. 266.
Assembly Bill No. 1798.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 64.
Assembly Bill No. 72.
Assembly Bill No. 252.
Assembly Bill No. 295.
Assembly Bill No. 455.
Assembly Bill No. 494.
Assembly Bill No. 590.
Assembly Bill No. 632.
Assembly Bill No. 832.
Assembly Bill No. 909.
Assembly Bill No. 991.
Assembly Bill No. 1034.
Assembly Bill No. 1052.
Assembly Bill No. 1235.
Assembly Bill No. 1306.
Assembly Bill No. 1427.
Assembly Bill No. 1468.
Assembly Bill No. 1626.
Assembly Bill No. 1651.
Asesmbly Bill No. 1826.
Assembly Bill No. 1936.
Assembly Bill No. 2441.
Assembly Bill No. 2675.
Assembly Bill No. 2791.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 1496.
Respectfully reports the same back with the recommendation: Do pass as amended

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:
Assembly Bill No. 1060.
Respectfully reports the same back with the recommendation: Do pass as amended.

RICHIE, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:
Senate Bill No. 61.
Assembly Bill No. 333.
Respectfully reports the same back with the recommendation: Do pass

RICHIE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1937

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:
Assembly Bill No. 1945.
Respectfully reports the same back without recommendation, as amended.

RICHIE, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred: Assembly Bill No. 695.

Respectfully reports the same back with the recommendation: Do pass as amended.

CLARK, Chairman.

The above reported bill ordered on second reading calendar.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2659 re-referred to Committee on Municipal Corporations.

Senate Bill No. 167 re-referred to Committee on Roads and Highways.

Assembly Bill No. 1879 re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 2385 re-referred to Committee on Agriculture.

Assembly Bill No. 1433 re-referred to Committee on Banking.

Assembly Bill No. 1638 re-referred to Committee on Judiciary General.

Assembly Bill No. 64 re-referred to Committee on Judiciary General.

Assembly Bill No. 867 re-referred to Committee on Exhibitions and Fairs.

Assembly Bill 1626 re-referred to Committee on Education.

Assembly Bill No. 208 re-referred to Committee on Education.

Assembly Bill No. 494 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1468 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1650 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1651 re-referred to Committee on Judiciary Codes.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 538—An act to diminish the causes of labor disputes injuriously affecting the welfare of the people of this State; to encourage the practice of collective bargaining between employers and representative employee groups; to insure to employees the right of self organization, including representation of employees and holding of elections among them; to define and prohibit unfair labor practices; to provide for the establishment of a California Labor Relations Board, including provisions defining its duties and powers, for administration and assistance therein, and for enforcement and review of its findings and orders, and to provide for enforcement of this act and penalties for its violation.

Motion to Amend Assembly Bill No. 538.

Mr. Yorty moved to amend Assembly Bill No. 538 as follows:

Amendment No. 1.

On page 3, line 46, of the printed bill, as amended, strike out "in".

Amendment No. 2.

On page 9, line 41, of the printed bill, as amended, strike out "subsection section 62 of this section", and insert in lieu thereof the following: "this act".

Amendments adopted.

Assembly Bill No. 538 ordered to reprint, and re-engrossment.

Assembly Bill No. 2623—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5.1135, 5.1136, 5.1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered section 5.1139 to the School Code.

Motion to Amend Assembly Bill No. 2623.

Mr. Johnson moved to amend Assembly Bill No. 2623 as follows:

Amendment No. 1.

On page 1 of the printed bill, amend the title by striking out the period following the word "thereof", in the last line, and inserting in lieu thereof the following: "declaring the urgency thereof and providing that this act shall take effect immediately."

Amendment No. 2.

On page 9 of the printed bill, strike out all of lines 27 to 51, inclusive, and strike out all of page 10.

Amendments adopted.

Assembly Bill No. 2623 ordered to reprint, and re-engrossment.

Assembly Bill No. 1446—An act to amend section 882 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Motion to Amend Assembly Bill No. 1446.

Mr. Lyon moved to amend Assembly Bill No. 1446 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended March 25, 1937, strike all of lines 5 to 16, both inclusive, and insert in lieu thereof the following: "in any city having a population of thirty thousand (30,000) or more, according to the last preceding census taken under the direction of the Congress of the United States, shall have the same jurisdiction as a justice's court of Class A in all civil and criminal actions arising within the corporate limits of such city and which might be tried in such a justice's court, and the city judge appointed to preside over such court shall be required to possess the legal qualifications prescribed by law for justices presiding over justices' courts of Class A. Such city court in any city having a population of less than thirty thousand (30,000) according to such last Federal census shall have the same jurisdiction as a justice's court of Class B in all civil and criminal actions arising within".

Amendment adopted.

Assembly Bill No. 1446 ordered to reprint, and re-engrossment.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 30, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 544—An act to amend Chapter 493, Statutes of California, 1917, entitled "An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act," approved May 17, 1917, as amended, and to add new sections thereto to be known as 7a, 7b, 7c, 7d, 7e, and 7f, setting forth the manner of application and providing for rules and regulations for the use of State-owned property.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 544 read first time, and referred to Committee on Governmental Efficiency and Economy.

SENATE CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 347—An act to amend section 1192a of the Penal Code, relating to the inquiry as to the causes of criminal conduct;

Senate Bill No. 341—An act to amend section 110 of the Penal Code, relating to aid in escapes;

Senate Bill No. 340—An act to amend section 220 of the Penal Code, relating to criminal assaults;

Senate Bill No. 339—An act to add section 246a to the Penal Code, relating to assault by a convict;

Senate Bill No. 629—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, and relating to penalties for violations of this act;

Senate Bill No. 350—An act to amend section 288 of the Penal Code, relating to crimes against children;

Senate Bill No. 524—An act to amend sections 2, 4, 10, 11, 15, 28, 29, 30, 32, 42, 46, 52, 55, 56, 61, 62 and 63 of the State Housing Act, relating to houses designed for human habitation;

Senate Bill No. 631—An act to amend sections 1333 and 1567 of, and to add section 1567a to, the Penal Code, relating to the manner of bringing prisoners before the courts;

Senate Bill No. 70—An act to add section 591 to the Vehicle Code, prescribing a rule of evidence establishing a prima facie presumption of guilt of the registered owner of any vehicle illegally parked on any public street or highway and prescribing a procedure that must be followed in order that such presumption be invoked and limiting the application of such presumption in certain cases.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 347 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 341 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 340 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 339 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 629 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 350 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 524 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 631 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 70 read first time, and referred to Committee on Motor Vehicles.

Re-reference of Assembly Bill No. 188.

On motion of Mr. Patterson, Assembly Bill No. 188 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Adjournment.

At six o'clock p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Friday, April 2, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FORTIETH LEGISLATIVE DAY
EIGHTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 2, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael, J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Crowley, the further reading of the Journal of Thursday, April 1, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.
Mr. Corwin, on motion of Mr. Stream.
Mr. Voigt, on motion of Mr. Garland.
Mr. Thorp, on motion of Mr. Scudder.
Mr. Levey, on motion of Mr. Dawson.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Gertrude I. George, realtor.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Enterprise School, Mr. J. M. Jacobsen, principal; Mrs. N. Larson, parent, Mrs. W. Bandy, parent, and the following students: Hiromi Onishi, Putsie

Tamura, Robert Larson, Mary Yoshinaga, Sumiye Yabumoto, Frank Mukai, Roy Niioka, Henry Hamataka, Tom Miyaoka, Kiyoko Kiino, Jim Kawanishi, Harry Yashida, Toshio Takayama, Junior Roemer, Ella Nakao, Elmer Bush, Noboru Hirago, Mitsuji Takayama, Toshi Kiino, Tom Hirakawa, Yukio Tnaka, Shegiki Kimura, George Yoshida, Frances Gargoviche, George Takeoka, Mike Buljan, Shizuko Ito, Ruth Murato, Donald Sloan, Grace Yoshinago, Rosie Hirago, Kazuko Kiino, Elsie Kawakami, and Jack Nakao.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Horace Keeler, Mrs. Hassel Smith, Mrs. Arthur Smith, Howard Watkinson, A. B. Baer, Jeptha Wade, U. R. Williams, Wallace Hooper, O. J. Lamont, and D. A. McGill.

On request of Mr. Peek, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Clarence E. Wagner, Councilman, city of Long Beach.

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From Marjorie Potts and Frank L. Potts, regarding old age pensions.
From Mrs. A. Peretto, regarding old age pensions.
From several organizations, regarding pardon of Thomas J. Mooney.

Assistant Clerk Berry Reading.

Request for Unanimous Consent to Table Assembly Concurrent Resolution No. 36.

Mr. Williamson asked for, and was granted, unanimous consent to order the Committee on Engrossment and Enrollment to table Assembly Concurrent Resolution No. 36, and that any Rules in conflict therewith be temporarily suspended.

Second Reading of Assembly Bills.

Assembly Bill No. 1868—An act to add a new article to Chapter 1 of Part II of Division II of the School Code, to be known as Article X, relating to the attendance to school trustees at state-wide educational meetings.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1869—An act to amend the School Code by amending section 2.860 relating to the holding of trustees' meetings by the county superintendent of schools.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 288—An act to add section 654d to the Penal Code, relating to false advertising by radio, and providing penalties for the violation thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1492—An act to amend section 274 of the Code of Civil Procedure, relating to court reporters fees per diem and for transcripts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2472—An act to amend section 1431 of the Penal Code, relating to change of place of trial of criminal cases.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2473—An act to amend section 1425 of the Penal Code, relating to jurisdiction of justices' courts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2611—An act to add a new article to Chapter 1 of Part II of Division II of the School Code to be known as Article X, relating to the attendance of school trustees at state-wide educational meetings.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2673—An act to amend section 16 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to exemptions from the provisions of the act.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2733—An act to amend the title and sections 1, 2, 3, 4, 5, and 6 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," and to add a new section numbered 7, approved June 3, 1927, as amended, relating to clothes cleaning establishments.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1498—An act to amend section 76 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1462—An act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued for public works projects and validating, ratifying, approving and confirming certain proceedings heretofore taken in connection with public works projects, by certain public bodies.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1949—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to elections of members of board and its meetings.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2658—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisition is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 121—An act to amend section 423 of the Probate Code, relating to nomination of administrators.

Committee Amendment to Assembly Bill No. 121.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "a child," and on page 1, line 9, strike out "parent, brother or sister of the decedent", and insert in lieu thereof the following: "any competent person".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 285—An act to amend section 92 of, and to add sections 108 and 109 to the Civil Code, relating to grounds of divorce.

Committee Amendments to Assembly Bill No. 285.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following:

"An act to amend sections 92 and 122 of, and to add section 108 to, the Civil Code, relating to grounds of divorce and defenses thereto."

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "subject to the provisions of", and in line 4, strike out "This article,".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 11 to 28, inclusive, and on page 2, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"7. Incompatibility.

SEC. 2. Section 108 is hereby added to the Civil Code to read as follows:

108. Incompatibility is the inability of either or both parties to the marriage to live together without mental anguish or humiliation, or physical suffering, after a reasonable effort in good faith on the part of either or both parties to reconcile their difference. The defense of recrimination shall not be applicable to a cause of action for incompatibility, nor shall incompatibility be a defense in recrimination of any other cause of action for divorce.

SEC. 3. Section 122 of the Civil Code is hereby amended to read as follows:

122. Recrimination is a showing by the defendant of any cause of divorce against the plaintiff, in bar of the plaintiff's cause of divorce. The provisions of this section shall not apply to a cause of action for incompatibility."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2008—An act to amend section 422 of the Probate Code, relating to order of priority of right to letters of administration.

Committee Amendment to Assembly Bill No. 2008.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, after the word "nonresident", insert the following: "of California but a resident of the United States or any territory or possession thereof.".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1295—An act to regulate the rug cleaning business and to create a Rug Renovation Board, prescribing the powers and duties thereof; providing for the licensing of persons engaged in conducting rug cleaning establishments and providing for the enforcement of the act by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards, for the protection of the public health and persons engaged in the practice of rug cleaning.

Committee Amendments to Assembly Bill No. 1295.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "and to create a".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 2 of the title, and the word "thereof" in line 3.

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, strike out the words "persons engaged in", and strike out all of lines 4, 5, 6, 7, 8 and 9, and insert in lieu thereof: "persons subject to the provisions of the act and providing for the enforcement of the act by the Department of Professional and Vocational Standards.".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 1 to 22, inclusive, and insert in lieu thereof the following:

"SECTION 1. This act is passed for the protection of the public health, protecting the buying public and others against fraud and misrepresentation by the promotion of fair trade practices, by the maintenance of a stable and healthy condition of trade and competition, the prevention of monopoly and destructive methods of competition, and the encouragement of creation and enforcement of lawful code agreements by persons licensed under this act.

SEC. 2. Definitions.

(a) "Carpet business", "Rug business", or "Floor covering business" means the business of selling, offering for sale, delivering, renting, consigning, displaying or advertising for sale, either at wholesale or retail of any rugs, carpets or floor coverings in a place of business stocked with such merchandise.

(b) "Carpets" means and includes rugs and other floor coverings.

(c) "Second-hand" means carpets or floor coverings that have had prior use.

(d) "Dealer" means a person engaged in conducting a carpet business as defined in this act.

(e) "Second-hand dealer" means a person who conducts a carpet business, as defined in this act, the principal volume of which business is buying and selling of second-hand floor coverings.

(f) "Retailer" means a person who conducts a carpet business, as defined in this act, and who sells carpets to the consumer using or intending to use the same.

(g) "Wholesaler" means a person who conducts a carpet business as defined in this act and who sells carpets to others for purposes of re-sale.

(h) "Commercial contractor" means a person, who, for a consideration, contracts to furnish carpets or labor necessary to the laying or installing of such carpets.

(i) "Peddler" means any person other than a bona fide salesman or solicitor, or commercial contractor or any other person engaged in business and licensed under this act, who sells or offers for sale goods, wares, or merchandise, either by going from place to place for the purpose of selling, offering for sale, or delivering such goods, or for the purpose of taking or soliciting orders for the future delivery of such goods, or service, or by selling or offering for sale such goods from a stand, pack, or vehicle in any street.

(j) "Interior decorator" means a person who for a consideration furnishes advice, designs, plans, specifications or labor necessary for the decoration or furnishing of homes and other buildings.

(k) "Agency" means any person who is not engaged in the business of conducting a "Carpet business" or "Rug cleaning establishment" but who solicits, obtains or acts as representative of such a business or establishment whether such person is operating under his own or the name of the principal conducting such business.

(l) "Rug cleaning establishment" means a place or premises of business equipped to wash, clean or renovate or dye carpets or other floor coverings and where such articles are washed, cleaned, renovated or dyed commercially subject to the provisions of this act.

(m) "Rug cleaning" or "Carpet cleaning" means the washing, cleaning, renovating or dyeing commercially of rugs, carpets or other floor coverings.

(n) "Dust cleaning" means the removal of dust and refuse by vacuum, dust wheel or hand whipping.

(o) "Rug cleaner" or "Carpet cleaner" means a person engaged in the business of conducting a rug cleaning establishment.

(p) "Dry cleaner" means a person who cleans floor coverings by means of immersion in a solvent of petroleum.

(q) "Person" means and includes a person, firm, corporation, association, co-partnership or other combinations or groups of persons.

(r) Whenever the singular is used in this act, it shall include the plural.

(s) "Department" means the Department of Professional and Vocational Standards.

(t) The term "Director" means the Director of the Department of Professional and Vocational Standards.

(u) "Board" means the California Carpet Board.

SEC. 3. A California Carpet Board is hereby created in the Department of Professional and Vocational Standards. The board is empowered to prescribe rules, regulations and standards for purposes of carrying out the provisions of this act and governing the operation of rug cleaning establishments in the State of California, for the protection of the public health and for the protection of the public and persons licensed under this act against fraud, or misrepresentation. In specific cases the board may delegate such powers to the director or other representative. The rules and regulations are subject to the approval of the director and shall be consistent with health laws and regulations imposed by the State Department of Public Health.

SEC. 4. The board shall be composed of five members, one of whom shall have been engaged in the carpet, or carpet contracting, business and three of whom shall have been engaged in the rug cleaning business for a period of not less than two years preceding the date of appointment, and one who may or may not have been engaged in such business and who may act as and administer the duties of executive secretary of the board, subject to the approval of the director. The board shall serve without compensation, except, that in the event one member is appointed to act as executive secretary, such member shall receive compensation commensurate with his duties, the same to be fixed by the director. Three members of the board shall constitute a quorum to transact business.

SEC. 5. Within 30 days after this act becomes effective, the board shall be appointed by the Governor. Two members shall be appointed for a term to expire on January 15, 1938; two members appointed for a term to expire on January 15, 1939; one member appointed for a term to expire January 15, 1940; and thereafter each member shall be appointed and hold office for a period of four years, subject to dismissal at the discretion of the appointive power.

Within 60 days after this act becomes effective, the board shall meet and organize, and elect a president who shall serve for one year. Thereafter, the board shall meet annually during the month of July.

SEC. 6. The provisions of this act shall be enforced by the Department of Professional and Vocational Standards, subject to rules and regulations promulgated by the board.

The director is empowered to provide the necessary help and equipment, and to delegate powers and duties, and to combine and coordinate functions and duties within the department in such manner as is necessary to carry out the provisions of this act.

SEC. 7. The director or his duly authorized representative shall annually prepare and maintain a complete roster of all persons licensed under the provisions of this act. He shall furnish a copy of the roster of all rug cleaning establishments in this State to each and every municipal and county health department within the State. It shall be the duty of all health officers to enforce the provisions of this act in so far as it applies to rug cleaning under the direction of the department. The director or his representative is empowered to command the assistance of all peace officers of the State of California in enforcing the provisions of this act.

SEC. 8. Upon application of any person, who is a resident of or is engaged in the practice of rug cleaning in the State of California, the department shall deter-

mine by examination and investigation the qualifications of the applicant. If the applicant proves to be sufficiently qualified for the vocation of rug cleaning as to theory, practice and responsibility, or in the particular branch of industry in which he desires to engage, then there shall be issued to him, a certificate permitting him to practice rug cleaning. Such certificate shall not be transferable.

SEC. 9. Each application shall be accompanied by a fee of twenty-five dollars ($25), and each and every rug cleaner engaged in the business of conducting a rug cleaning establishment, or any class or branch or division thereof, in this State, at a fixed place or premises, on the effective date of this act shall register as such with the department within 60 days after the effective date of this act, and upon production of proof that such operator is prepared to fulfill and has complied with all provisions of this act and rules and regulations governing the obtaining of a rug cleaning license in this State, shall thereupon be entitled to and receive a license to continue in said business without further examination. Such licenses shall be renewable annually on or before July 1. Upon failure to comply with this requirement within the time provided, such rug cleaner may only obtain a license after the required examination.

Every licensed rug cleaner in the State of California shall pay annually, a fee of twenty-five dollars ($25) for the renewal of his or its license.

SEC. 10. On or before the first day of June of each year, the director or his representative shall mail to each such licensed rug cleaner, addressed to him at his last known address a notice that his license fee is due and payable and that it such fee is not paid by the thirtieth day of June, a penalty of ten dollars ($10) will be added to the renewal fee. In no case shall such penalty be waived. Upon receipt of such fees, the renewal certificate shall be issued by the department. If such delinquency continues for more than a period of three months from June 30th, the license may not be renewed, but such rug cleaner may be required to obtain a license upon taking the required examination; provided, however, that persons licensed under the provisions of Chapter 880, Statutes 1927 shall not be amenable to license under the provisions of sections 8 and 9 of this act.

SEC. 11. The director, or his duly authorized representative, may upon his own motion or the motion of the board, and shall upon verified complaint in writing by any person, investigate the actions of any rug cleaner in this State and shall have power in the manner hereinafter provided, and after a hearing, to temporarily suspend, or permanently revoke any license issued under the provisions of this act, if the licensee is found to be guilty of or commits one or more of the following acts or omissions; provided, however, that in the case of a permanent revocation, the person whose license is revoked may demand and obtain a final review by the board of the evidence upon which such license was revoked:

(a) Misrepresentation of material fact by the applicant in obtaining license;

(b) Violation of any of the provisions of this act or any lawful rules, regulations or specifications prescribed under the powers and provisions of this act;

(c) Violation of any health laws or ordinances relating to sanitations in connection with the sale, or the handling of rugs and carpets, or violation of any health regulation or rules governing the rug cleaning business, or carpet cleaning business, or any rules, regulations or specifications prescribed by the health authorities to be used in the conduct of rug cleaning establishments;

(d) The use of materials, chemicals or processes forbidden by law or by rules and regulations prescribed under this act or damaging to the fabrics cleaned;

(e) Wilful misrepresentation with intent to defraud the customer or other person in the solicitation of rug cleaning business or carpet business;

(f) Failure to reimburse customer for damages done to property by reason of carelessness, neglect or improper methods or processes used in cleaning or handling of such property;

(g) Impersonation of any State, county or city inspector or official;

(h) Solicitation or obtaining of rug cleaning business or carpet business by misleading advertising or other wilful misrepresentations;

(i) The failure to abide by codes of fair competition established by agreement of licensees within the trade area and approved by the public authority designated by the statute under which the code is established, irrespective of whether he is a party to the code or not;

(j) The use of unfair methods of competition;

(k) The commission of any wilful or fraudulent act in consequence of which another is substantially injured;

(l) Aiding or abetting an unlicensed person to evade the provisions of this act or knowingly combining or conspiring with such person, or allowing one's license to be used by such person, or acting as agent or partner or associate or aiding otherwise such unlicensed person with intent to evade the provisions of this act.

SEC. 12. Proceedings for the suspension or revocation of a license shall begin by filing with the department written charges against the accused. The charges shall be in detail and sworn to under oath by the complainant. Upon the filing with the department of a verified complaint charging a licensee with the commission within two years prior to the date of the filing of such complaint, of any act which is cause

for suspension or revocation of license, the director or his representative must cite the licensee within ten days after service of the citation upon him, to appear by filing with the department his verified answer to the complaint, showing cause, if any he has, why his license should not be suspended or revoked. Service of the citation upon the licensee shall be fully effected by mailing a true copy thereof, together with a true copy of the complaint, by United States registered mail in a sealed envelope with postage fully prepaid thereon addressed to the licensee at his latest address on record in the department's office. Service of said citation shall be complete at the time of said deposit subject to the provisions of section 1013 of the Code of Civil Procedure of this State. Failure of the licensee to answer may be deemed an admission by him of the commission of the act or acts charged in the complaint and his license shall thereupon be suspended forthwith pending a hearing of the cause which the department in its discretion may order; provided, that the department shall have power, in the event of such failure to answer, to suspend complaint in the case.

Upon the filing of the answer, the department shall fix a time and place for hearing and give the licensee and complainant not less than five days' notice thereof. The notice may be served by depositing by registered mail in the United States mail a true copy of the notice enclosed in a sealed envelope with postage thereon fully prepaid, and addressed to the licensee and to the complainant respectively, at his last known address. With the notice to the complainant there shall be attached or enclosed a copy of the answer. The licensee shall have the right to appear personally or by counsel, to cross-examine witnesses or to produce witnesses in his defense. The department shall have the power to compel the attendance of witnesses, and the production of necessary papers and documents.

Upon the hearing, the director or his authorized representative shall hear all relevant and competent evidence material to the issues and shall have the power to continue the hearing from time to time as in its judgment may be necessary or proper. After the hearing is concluded and the matter submitted, the department shall, within 20 days after such submission, render its decision in writing, suspending or revoking the license or dismissing the complaint, with a brief statement of its reason therefor. It shall give to the complainant and the licensee, or their respective attorneys, notice of the decision, by mail, in the same manner as prescribed herein for the giving of notice of hearing.

Any citation, notice or other process or any paper or document provided by this section to be served on any party may be personally served as provided in section 1011 of the Code of Civil Procedure with the same effect as if served by mail, as in this act provided.

The board, or director, or its or his duly authorized representative shall have the power to issue subpenas, compel attendance of witnesses and production of documents and records, conduct formal hearing and take testimony under oath, and the courts shall take judicial notice of such testimony. Any person refusing to comply with the provisions of this section or who shall deny the department's representative access to his place of business or records necessary for purposes of investigation, shall be guilty of contempt and punishable according to law; provided, however, that any action of the director with reference to the suspension, revocation of, or the refusal to grant or renew a license under this act, may be reviewed by any court of competent jurisdiction. Pending final determination of any such review in the case of suspension or revocation of a license, such license shall be deemed to be in full force and effect until the expiration of the license period or the final determination of such proceedings, whichever is first in point of time.

SEC. 13. The Department of Professional and Vocational Standards shall receive and account for all moneys collected under this act at the end of each month, and shall pay the same into the State Treasury to the credit of the carpet fund, which fund is hereby created. The money in this fund shall be expended for the pro rata cost of administration of the department and for the purpose of carrying out the provisions of this act.

The director shall, within 30 days prior to each regular session of the Legislature, submit to the Governor a full and true report of the operations of the department in its administration of the California Carpet Act during the preceding biennium, including a complete statement of receipts and disbursements.

SEC. 14. It is unlawful for any person within the State of California to practice "rug cleaning" commercially in any manner or by any process whatsoever, or to engage in or to hold one's self out as engaging in the practice of rug cleaning or to solicit rug cleaning business or to advertise that he practices cleaning without having obtained a license from the department to conduct a rug cleaning establishment, after having complied with all provisions of this act and rules, regulations and specifications upon which such license may be granted; provided, however, the provision of this section shall not prohibit a person from acting as employee or agent of any person amenable to license under this act from soliciting and obtaining rug cleaning business, providing such rug cleaning is performed by a licensed rug cleaner, as defined in this act.

Every branch house, agency, commercial contractor, second-hand dealer, dry cleaner, or person (other than bona fide employees), not otherwise licensed under this act, soliciting or obtaining rug, or rug cleaning, business, or advertising or using terms or trade names, describing such business, shall likewise be subject to license

under this act, for which license he or it shall pay an annual fee of five dollars. Such fee shall be due and payable on the first of June of each and every year, and if such fee is not paid by the thirtieth day of June a penalty of five dollars shall be added to the renewal fee. In no case shall such penalty be waived.

Persons licensed under this act to conduct a rug, or rug cleaning, business shall not be responsible for such acts of agents (other than bona fide employees) as are forbidden by the provisions of this act; provided, such acts of omission or commission are without the knowledge and consent of such agent's principal

SEC. 15. It is unlawful for any dealer in the State of California to directly or indirectly, at wholesale or retail or otherwise sell, offer for sale, deliver, rent, or consign, or have in possession or control with intent to sell or for purpose of sale, offer or expose for sale any rugs, carpets or floor coverings of which prior use has been made by any persons without first having caused such article to have been thoroughly cleaned by a rug cleaner licensed to conduct a rug cleaning establishment under the provisions of this act; such provision being made in the interest of the public health. As used in this section, the term "dealer" means and includes any person who, as owner, agent, consignee, employee or servant is engaged in the business of selling, offering for sale, delivering, renting or consigning, either at wholesale or retail, commercially, or having in his possession or control for such purposes any rug, carpet or floor covering that has had previous use by any person.

SEC. 16. All carpets cleaned, renovated or dyed in compliance with this act, before being sold, offered or displayed for sale by a dealer, as defined in section 15, shall be plainly and indelibly labeled or tagged, where it may be conveniently seen, with a tag prescribed by the board, which shall not be removed by a dealer. It shall contain the name and address and license number of the rug cleaner and the date upon which the rug was cleaned, and the name and address of the dealer.

SEC. 17. Any person who violates any provision of this act is guilty of a misdemeanor and is punishable by a fine of not less than $50 nor more than $500, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. In the event of a conviction of any person licensed under the provisions of this act and in addition to any other penalty imposed by the court, the court may order the suspension or revocation of the license of such defendant.

SEC. 18. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 396—An act to add section 3308 to the Civil Code, relating to the measure of damages on the termination of a lease.

Committee Amendment to Assembly Bill No. 396.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "lease", and before the comma, insert the following: "for any failure of the lessee to comply with the terms of the lease".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1652—An act to amend section 1274A of the Code of Civil Procedure, relating to the transmittal to the Controller by the county treasurers of schedules of amounts deposited in the county treasuries to the credit of estates, wherein there are no known heirs or persons entitled to succeed, or where the heirs, legatees, devisees or distributees, can not be found, or where distribution has been made to the State, together with a copy of each decree of distribution in such estates and providing for custody escheat and notification to the Attorney General of the lapsing of five-year periods of such deposits.

Committee Amendments to Assembly Bill No. 1652.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 2 to 11, inclusive, of the title, and insert in lieu thereof the following: "relating to the transmittal by county treasurers of moneys to the State Treasurer and of other property to the State Controller in the case of certain estates' funds in the county treasuries, and the transmittal to the State Controller by the county treasurers of schedules of amounts of deposits; relating to the certification by certain public officers, without charge, of certain decrees of distribution and other court orders relating to estates, at the request of executors and administrators; relating to the furnishing of certified copies of decrees of distribution and other court orders to county treasurers by executors and administrators and the giving of receipts therefor by county treasurers in certain cases, and the transmittal of certified copies of decrees of distribution and other court orders by county treasurers to the State Controller; relating to the execution and filing of affidavits by county treasurers with county clerks at the time of making certain classes of remittances of estate moneys to the State Treasurer; relating to the termination of the court's jurisdiction over certain classes of estates one year after the filing of affidavits by county treasurers, and the vesting of such jurisdiction in the superior court of Sacramento County, under certain conditions, in the case of estates not theretofore distributed; relating to the recovery of estate moneys by the rightful claimants, and providing for concurrent jurisdiction in the State Board of Control in the case of estates of $300 or less; relating to the payment of claims by county treasurers or the State Treasurer pursuant to orders of the court; relating to privileges and immunities of the State Board of Control and the members thereof when exercising jurisdiction over claims to estates; relating to furnishing of certified copies of documents by county clerks to constitutional officers of the State of California, without charge; providing for limitation of the time within which certain classes of claims to estates may be filed; providing for notice to the Attorney General by the State Controller of the lapse of time within which claims may be filed, and for the institution of escheat proceedings by the Attorney General; and providing for the repeal of section 739 of the Probate Code and section 1272a of the Code of Civil Procedure."

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "or other property".

Amendment No. 3.

On page 1 of the printed bill, strike out line 5, and insert in lieu thereof the following: "hereafter deposited in a county treasury to the credit of".

Amendment No. 4.

On page 1 of the printed bill, strike out line 8, and insert in lieu thereof the following: "delivered to the State Treasurer, and all other personal property so distributed and deposited must likewise be delivered to the State Controller, and a schedule of the amounts".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 11 to 17, inclusive, and insert in lieu thereof the following: "decree of distribution and each court order correcting or amending such decree, shall be transmitted to the State Controller by the county treasurer at the date of the next county settlement following the date herein provided for the receipt by such county treasurer from the executor or administrator, of the certified copy of the original decree of distribution applicable to such estate, or at such time as sooner demand for payment of such estate into the State Treasury may be made by the State Controller, subsequent to the date of the decree of distribution.

Any executor or administrator who shall hereafter deposit any property in a county treasury pursuant to sections 1060, 1147, or 1148 of the Probate Code must, within seven days from the date of the decree of distribution rendered in connection with any estate having moneys or other property, in whole or in part, so deposited, deliver to the county treasurer a certified copy of such decree of distribution; and, in the event that the court subsequently thereto, and prior to discharge of the executor or administrator, signs an order correcting or amending the decree of distribution, the executor or administrator must likewise, within seven days from the date of such correcting or amending order, deliver a certified copy thereof to the county treasurer.

A copy or copies of such decree of distribution and all orders of the court correcting or amending same, must be certified without charge of any fee for such service, at the written request of such executor or administrator, by the county clerk of the county in which such court is located; such written request to state that such copies, after certification thereof, are to be delivered to an officer of a county or of the State of California; the title of such officer being specified in the request.

Upon receipt by the county treasurer of a certified copy of such decree of distribution or order of the court correcting or amending same, he shall give a receipt in writing for such copy, to the executor or administrator from whom it was received.

All money or other property heretofore or hereafter deposited with the county treasurer under the provisions of sections 738, 1060, 1147, and 1148 of the Probate Code, and all money or other property heretofore or hereafter deposited with the county treasurer where the source of or authority for such deposit is undetermined after reasonable diligence on the part of the county treasurer, must be delivered, in the case of money, to the State Treasurer, and in the case of all other property, to the State Controller, by the county treasurer at the date of the next county settlement following the expiration of five years from the date of deposit of such money or other property with the county treasurer, in the case of all deposits under section 738 of the Probate Code, and, except as otherwise provided by the laws of this State, in the case of all other deposits where the money or other property belongs to unknown persons, or to estates of which administration has never been commenced, or of which administration has theretofore been commenced, but no decree of distribution rendered up to the date of such county settlement. In the case of every remittance to the State Treasurer or to the State Controller by the county treasurer covering an estate of which administration has theretofore been commenced but no decree of distribution rendered up to the date of such remittance, the county treasurer must, at the time of making such remittance, file with the county clerk an affidavit, signed and sworn to by such county treasurer, to the effect that the money or other property covered by such remittance has by him been transferred to the State Treasurer and/or the State Controller, under the authority of this code section; such affidavit to set forth the name of the estate involved and the probate number of the action then pending; and upon the filing of such affidavit, the superior court having original jurisdiction may, upon application of the public administrator, in accordance with the forms and conditions required by the court, in its discretion, distribute such estate at any time within a period of one year from the date of filing of such affidavit by the county treasurer. If the court does not distribute such estate within the time herein provided, upon the expiration of said one-year period such court shall thereupon become divested of all further jurisdiction over the estate, the subject matter, and all parties claiming any interest therein, without further notice; and in such event, the superior court of the county of Sacramento shall thereupon have full and exclusive jurisdiction over the estate, the subject matter, and all parties claiming any interest therein, and shall have, except in the case of concurrent jurisdiction hereafter provided to be exercised by the State Board of Control in certain cases, the full and exclusive jurisdiction to determine the title to said property and all claims thereto

Money or other property deposited in the county or State Treasury may be recovered by the person or persons entitled thereto, upon the conditions herein prescribed In such case, the court having jurisdiction at the time of such application must inquire into such claim, and if satisfied of claimant's right thereto, must grant him a certificate to that effect under its seal. If the money or other property is held by a county treasurer at the time of approval of such claim, the county auditor must draw his warrant on the county treasurer for the amount of such money, and if the money or other property has been transmitted to the State Treasurer and/or the State Controller prior to the date of approval of such claim, the State Controller must draw his warrant on the State Treasurer for the amount of such money, upon the presentation of the certificate of the court by the claimant at the time he requests payment of the claim pursuant thereto.

Subject to the above provisions, when the estate, or any portion thereof, of any decedent, or any other remittance from the county treasurer, has been received by the State Treasurer and/or the State Controller, under this section or section 1148 of the Probate Code, the superior court of the county of Sacramento shall have full and exclusive jurisdiction over the estate, the subject matter, and all parties claiming any interest therein, and shall have, except in the case of concurrent jurisdiction hereafter provided to be exercised by the State Board of Control, full and exclusive jurisdiction to determine the title to said property and all claims thereto; and any person entitled to succeed to said estate or any portion thereof, and not a party or privy to any proceedings had under any of the foregoing sections of this title, may, unless otherwise barred, file a petition in the superior court of the county of Sacramento showing his claim or right to the said property, or any portion thereof. Said petition shall be verified, and, among other things, must state the facts required to be stated in a petition filed under section 1272 of this code; and upon the filing thereof the same proceedings shall be had as are therein provided.

Claim for $300 or less Whenever the amount claimed by any person is $300 or less, and jurisdiction would otherwise be in the superior court of the county of Sacramento to hear and determine the claim, any such claimant may, in lieu of filing such petition, present his claim to the State Board of Control, showing the same facts required to be stated in such petition, and said board may, upon recom-

mendation of the Attorney General, allow and order paid such claim. When payment has been made under this title to any claimant, no suit shall thereafter be maintained by any other claimant against the State or any officer thereof, for or on account of such property; and in taking and exercising jurisdiction to hear and determine any claim as herein provided, the State Board of Control and each member thereof shall with respect to all of its official acts arising out of the exercising of such jurisdiction, have and enjoy all of the powers, privileges and immunities that belong to any court of record of this State or any judges thereof.

County clerks must, upon request of any constitutional officer of the State of California, furnish without charge of any fee therefor, certified copies of any decrees, court orders, or other documents of any nature whatsoever theretofore filed in the offices of such county clerks, such service to include making transcripts of copies of such documents as well as the certification thereof.

Money or other property transmitted to the State Treasurer and/or the State Controller under this section,".

Amendment No. 6.

On page 1, line 19, of the printed bill, strike out "of such deposit, shall become the", and insert in lieu thereof the following: "on which such money or other property was deposited in the State Treasury, shall devolve and escheat to the people of the State of California by custody escheat, and shall be placed by the State Treasurer to the credit of the permanent school fund;".

Amendment No. 7.

On page 2, line 1, of the printed bill, strike out "property of the State by custody escheat".

Amendment No. 8.

On page 2 of the printed bill, strike out line 7, and insert in lieu thereof the following: "State of California.

Section 739 of the Probate Code and section 1272a of the Code of Civil Procedure are hereby repealed"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1613—An act to amend section 1 and section 14 of an act entitled, "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927, relating to admission to practice.

Committee Amendments to Assembly Bill No. 1613.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 1 and section 14", and insert in lieu thereof the following: "sections 1, 10, 14 and 17".

Amendment No. 2.

On page 1 of the printed bill, strike out line 8 of the title, and insert in lieu thereof the following: "ing to the practice of barbering".

Amendment No. 3.

On page 2 of the printed bill, between lines 3 and 4, insert the following:

"SEC. 2. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec 10. Certificates of registered barber or of registered apprentice shall be issued by the board to any applicant who shall pass a satisfactory examination making an average grade of not less than 75 per cent, and who shall possess the other qualifications required by law.

A certificate to conduct a barber shop shall be issued to any owner of a barber shop upon receipt by the board of an application accompanied by the required fee"

Amendment No. 4.

On page 2, line 4, of the printed bill, strike out "Sec. 2. Section 14 of said act", and insert in lieu thereof the following:

"SEC 3. Section 14 of the act cited in the title hereof."

Amendment No. 5.

On page 2, line 16, of the printed bill, after "barbering", insert the following: "in California".

Amendment No. 6.

On page 2, lines 18 and 19, of the printed bill, strike out "After five years he must pass the regular examination and pay the regular examination fee", and insert in lieu thereof the following: "After five years' retirement from the practice of barbering in California, he must pay the required examination fee as required in section 17 of said act, and pass the barber examination.

SEC. 4. Section 17 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 17. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice barbering is ten dollars ($10), and for the issuance of the certificate two dollars ($2).

The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice as an apprentice is five dollars ($5), and for the issuance of a certificate one dollar ($1).

The fee to be paid by an applicant for an examination to determine his preliminary education is three dollars ($3).

The fee to be paid for the renewal of a certificate of registration to practice barbering is two dollars ($2), and for the restoration of an expired certificate five dollars ($5).

The fee to be paid for the renewal of a certificate of registration to practice as an apprentice is one dollar and fifty cents ($1.50), and for the restoration of an expired certificate three dollars ($3).

The fee to be paid by an applicant to conduct a barber shop is one dollar ($1). The fee to be paid for the annual renewal of a certificate to conduct a barber shop is one dollar ($1).

A duplicate certificate will be issued upon the filing of a statement covering the loss of a certificate, verified by the oath of the applicant, and submitting one signed photograph, and the payment of a fee of one dollar ($1) for the issuance of same.

Each duplicate certificate shall have the word "Duplicate" stamped across the face thereof, and will bear the same number as the certificate in lieu of which it was issued."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1818—An act to amend section 13 of and to add section 12a to the Juvenile Court Law, relating to juveniles.

Committee Amendments to Assembly Bill No. 1818.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 13", and insert in lieu thereof "sections 11 and 13".

Amendment No. 2.

On page 1, line 2, of the printed bill, after the word "amended", insert the following: "to read".

Amendment No. 3.

On page 2 of the printed bill, after line 50, insert the following:

"SEC. 3. Section 11 of the Juvenile Court Law is hereby amended to read as follows:

Sec. 11. An order providing for the care and custody of a ward of the Juvenile Court or a minor person concerning whom a verified petition has been filed, in accordance with the provisions of section 3 of this act, in such case where it is necessary that provision be made for the expense of support and maintenance of said ward or person concerning whom such a petition has been filed, must direct that the whole expense of such support and maintenance of said ward or person, up to the amount of not more than twenty dollars ($20) per month from the county treasury, and may direct that an amount up to thirty-five dollars ($35) per month be so paid, and in the case of any physically sick, epileptic, insane or feeble-minded ward, the court may order such additional sum or sums to be paid from the county treasury as may be necessary for the support and maintenance of said ward; provided, that the total amount so paid in the case of said physically sick, epileptic, insane or feeble-minded ward shall not exceed the sum of $40 per month. That all orders made pursuant to the provisions of this section, shall state the amounts to be so paid from the county treasury, which shall not in the case of any one ward or minor person concerning whom such a petition has been filed exceed $35 in any one month, except that in the case of any physically sick, epileptic, insane or feeble-minded ward an amount not to exceed $40 per month may be ordered paid.

At the time of making any order providing for the support and maintenance of a ward of the juvenile court or said other minor person, said court shall inquire

into the earnings, property or estate of said ward or other minor person, and into the ability of the parent, parents, guardian of said ward or said other minor person, or other person liable for the support and maintenance of said ward or said other minor person to pay for the expense of support and maintenance of said ward or said other minor person.

If it is found that $35 a month is insufficient to pay the whole expense of support and maintenance of said ward or said other minor person, or in the case of the physically sick, epileptic, insane or feeble-minded ward it is found that $40 a month is insufficient to pay the whole support and maintenance of said ward, the court may order and direct that such additional amount as may be necessary shall be paid out of the earnings, property or estate of said ward or said other minor person, or by the parent, parents, guardian of said ward or said other minor person, or other person liable for the support and maintenance of said ward or said other minor person, to said probation officer, who shall in turn pay the same to the person, association or institution that under court order is caring for and maintaining said ward or said other minor person.

Said court shall further order, and direct that the county for its expense of support and maintenance of any such ward or said other minor person shall be reimbursed, either in whole or in part, from the earnings, property or estate of said ward or said other minor person, or by the parent, parents, guardian of said ward or said other minor person, or other person liable for the support of said ward or said other minor person, if it is found that there are earnings, property or estate of said ward or said other minor person, sufficient therefor, or that said parent, parents, guardian of said ward or said other minor person, or other person liable for the support of said ward, or said other minor person is able to pay, either in whole or in part, for such expense of support and maintenance of said ward, or said other minor person, and for the purpose of said reimbursement may order and direct payments to be made to the probation officer from the earnings, property or estate of said ward or said other minor person, or by the parent, parents, guardian of said ward or said other minor person, or other person liable for the support of said ward or said other minor person, the amount of which payments shall be determined by said court and which said payments shall be paid by said probation officer in turn to the county treasurer of said county on account of said reimbursement.

No order for payment shall be made in a sum in excess of the actual cost of supporting and maintaining said ward or said other minor person.

No order for the payment from the county treasury of the expense of support and maintenance of a ward of the juvenile court shall be effective for more than 12 months, and no order for the payment from the county treasury of the expense of support and maintenance of a minor person concerning whom a verified petition has been filed in accordance with the provisions of section 3 of this act, other than a ward of the court shall be effective for more than one month, and upon all said original and all subsequent hearings of the case of any ward of the juvenile court the case shall be continued on the calendar, but in no instance to exceed 12 months; provided, however, that in the case of each person committed to any State school there shall be paid monthly to the State Treasurer the sum of $20 by the county from which such person is committed for and during each month or part of month such person so committed remains in such State school or in any other State school within this State to which such person may be transferred.

Each county auditor must include in his State settlement report, rendered to the Controller in the months of May and December, the amount due under this act and the county treasurer, at the time of the settlement with the State in such months, must pay to the State Treasurer, upon order of the Controller, the amounts found to be due by reason of the commitments herein referred to.

For the purpose of handling the reimbursement and other payments provided for herein said probation officer shall keep suitable books and accounts and shall give and keep suitable receipts and vouchers, and if such funds shall be by said probation officer kept in a bank, said bank shall be designated by the judge of said court. The auditor of said county annually in the month of January shall audit such books and accounts and shall make a report thereon to the judge of said court and to the supervisors of such county prior to the thirty-first day of said month of January.

In all cases the court may determine whether or not the parent, parents, or guardian shall exercise any control of said ward or said other minor person and define the extent thereof.

Any disobedience or interference with any order of the juvenile court or of the judge thereof shall constitute a contempt of court.

It shall be the duty of the probation officer to see that such parent, parents, guardian of said ward or other minor person, or other person liable therefor, comply with such orders, or upon failure to make any payment directed in such orders to report such failure to such court. The court may at any time set aside, change or modify any order herein provided for.

Where said juvenile court has ordered payment of money to be made as reimbursements to the county for the expense of support and maintenance of any ward or said other minor person as herein provided for or as additional for the expense of support and maintenance of said ward or said other minor person, for said person, association or institution that under court order is caring for and maintaining said ward or said other minor person, either from the earnings, property or estate of said ward or said other minor person, or by the parent, parents, guardian of said ward or said other minor person, or other person liable for the support of said ward or said other minor person, execution may issue for such payment or payments upon the order and at the discretion of said court, upon affidavit of said probation officer showing that any payment or payments are due and have not been made.

In any case where the county has expended money for the support and maintenance of any ward or other minor person and where the court has made no order of reimbursement to the county, in whole or in part, as herein provided, or where such order of reimbursement may have been made and subsequently revoked, and where at any time subsequent to the date the juvenile court assumed jurisdiction over such ward or such other minor person or subsequent to the date that such order of reimbursement may have been revoked, such ward or such other minor person, or the parent or guardian of such ward or such other minor person or other person liable for the support of such ward or such other minor person acquires property, money or estate, such county shall have a claim against such ward or such other minor person or such parent or guardian or such other person liable for the support of such ward or such other minor person to the amount of a reasonable charge for moneys so expended and such claim shall be enforced by action of the district attorney on request of the board of supervisors."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2338—An act validating the formation and existence of harbor districts of every kind and class, and validating all proceedings for the issuance of bonds of such districts and all bonds heretofore issued or sold or to be issued or sold by such districts, and authorizing the levy and collection of taxes sufficient to pay the principal and interest thereof.

Committee Amendments to Assembly Bill No. 2338.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, following the word "validating", insert the following: "all proceedings taken for"; and in the same line strike out the words "and existence".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the language "all proceed-"; also strike out all of lines 3, 4, 5 and 6 of the title, and insert in lieu thereof the following: "and validating the formation and existence of harbor districts of every kind and class."

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 2 to 8, inclusive, and strike out all of the language in line 1 following "1", and insert in lieu thereof the following: "In all cases where proceedings have been taken for the formation of any harbor district of any kind or class under any law of the State of California, all of such proceedings are hereby legalized, validated and confirmed and the formation and existence of such districts, if the proceedings for the formation of the same have been completed, are hereby legalized, validated and confirmed, and if the proceedings are not fully completed all proceedings heretofore taken for the formation of such districts are hereby legalized, validated and confirmed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1670—An act to amend sections 4041.13 and 4041.18 of the Political Code, relating to county purchases of personal property and services.

Committee Amendments to Assembly Bill No. 1670.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out "independent".

Amendment No. 2.

On page 3, line 34, of the printed bill, strike out "from any", and insert in lieu thereof the following: "without bids or quotations from any qualified".

Amendment No. 3.

On page 3, line 38, of the printed bill, strike out "bidder", and insert in lieu thereof the following. "qualified dealer or contractor".

Amendment No. 4.

On page 3 of the printed bill, strike out lines 39 to 44, inclusive, and insert in lieu thereof the following "of the purchasing agent to make such purchases.

Where informal quotations or bids are required, the purchasing agent shall secure them, by mail or telephone or any other method, and he shall keep a record of all those received or secured. This record shall show the name of the qualified dealer or contractor, the price at which the quotation or bid was made and the date at which he secured it. This record shall be kept for a period of not less than one year.

In every case, the quotation or bid of the lowest responsible qualified dealer or contractor shall be accepted, except that the county shall never pay more than the current market price for anything that it purchases.

In all purchases over the sum of $500, whether by the board of supervisors or by a purchasing agent, specifications shall be prepared and advertised and formal bids secured in the same manner that this section provides for construction contracts. All specifications shall be open to public inspection and the materials and supplies furnished must be in accordance with the specifications unless such specifications are modified by four-fifths vote of the members of the board of supervisors irrespective of whether such specifications have been adopted by the board of supervisors or whether they have been prepared by the purchasing agent. Unless a bond is required no payment shall be made for any goods or supplies until such goods or supplies have been received and accepted by the county."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2463—An act to add a new section to the Public Utilities Act, to be numbered 15½, relating to telephone listings and numbers.

Committee Amendment to Assembly Bill No. 2463.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, after line 10, of the printed bill, insert the following paragraph:

"As used in this section the term "number" includes, in addition to numerals, any word, abbreviation, letter, prefix or suffix used in connection with such numerals to designate or identify a telephone connection or station. When any subscriber has suffered injury through the failure of any telephone company to comply with the provisions of this section, he may recover by action against such telephone company his actual damages suffered thereby, together with his costs and reasonable attorneys fees."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2198—An act imposing a tax upon the rolling stock of car companies and car-loaning companies, providing that such tax shall be in lieu of other taxes according to value, and providing for the administration of such tax.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1244—An act to amend sections 2, 3, 4, 7, 8, 9, 10, 12, 18, 19, 20, 21, 23, 25, 26, 27, 32 and 34 of the "Personal Income Tax Act of 1935."

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1245—An act to amend sections 4, 6, 8, 9, 12, 13, 14, 19, 20, 21, 23, 25, 27, 30 and 32 of, and to add a new section to be numbered 13 (a) to, the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 838—An act to regulate delivery of uncooked or uncured meat to any establishment for resale at retail, and providing a penalty for the violation thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2195—An act to amend sections 500, 501, 503, 504, and 505 of the Vehicle Code, relating to felonies and other offenses.

Committee Amendments to Assembly Bill No. 2195.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "injuries", insert "proximately".

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out ", (1)".

Amendment No. 3.

On page 1, line 15, of the printed bill, strike out the comma, and insert in lieu thereof a period, and strike out "or without such atten-", and also strike out all of lines 16, 17, 18 and 19.

Amendment No. 4.

On page 2, lines 1 and 2, of the printed bill, strike out "or when so driving in such condition", and insert in lieu thereof the following: "and any person whose condition while driving a vehicle under the influence of intoxicating liquor".

Amendment No. 5.

On page 2, line 51, of the printed bill, strike out "reckless or careless".

Amendment No. 6.

On page 3, line 1, of the printed bill, before the word "disregard", insert "wanton".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2462—An act to add section 682 to the Vehicle Code, relating to the compulsory inspection of vehicles.

Committee Amendments to Assembly Bill No. 2462.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "compulsory", and insert in lieu thereof the following: "official".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "Compulsory", and insert in lieu thereof the following: "Official".

Amendment No. 3.

On page 1, lines 4 and 5, of the printed bill, strike out "at least once and not more than twice annually", and insert in lieu thereof the following: "semiannually".

Amendment No. 4.

On page 1, lines 6, 7, 8, and 9, of the printed bill, strike out "The Department", to "this section.", inclusive.

Amendment No. 5.

On page 1, line 10, of the printed bill, immediately after "(b)", insert the following: "The Department of Motor Vehicles shall establish and operate testing stations, purchase equipment, and employ such help as may be necessary to carry out the provisions of this section."

Amendment No. 6.

On page 1, line 13, of the printed bill, strike out "notified", and insert in lieu thereof the following: "given written notification".

Amendment No. 7.

On page 1, line 15, of the printed bill, strike out "the place", and insert in lieu thereof the following: "an official station".

Amendment No. 8.

On page 1, line 16, of the printed bill, strike out "The failure of an owner", and insert in lieu thereof the following: "Any owner who fails".

Amendment No. 9.

On page 1, line 17, of the printed bill, immediately after "required", insert the following: "or any defect corrected".

Amendment No. 10.

On page 1 of the printed bill, between lines 19 and 20, insert the following:

"(c) If any motor vehicle, on inspection thereof by the department, shall be found to comply with the requirements of this code, the department shall furnish to the owner of the vehicle a certificate or device certifying that the vehicle has passed the inspection test. The certificate or device shall be attached to or kept in the vehicle in a manner to be prescribed by the department."

Amendment No. 11.

On page 1, line 20, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendment No. 12.

On page 1, line 22, of the printed bill, immediately after "each", insert the following: "semiannual".

Amendment No. 13.

On page 1, line 23, of the printed bill, strike out "may", and insert in lieu thereof the following: "shall".

Amendment No. 14.

On page 1, line 25, of the printed bill, immediately after the period, insert the following: "The holder of a certificate of inspection shall, without additional charge, be privileged to have additional inspections made of the vehicle designated in his certificate of inspection.

(e) All information, reports and records of the department in regard to inspections made under the provisions of this section shall be solely for the confidential use of the department and not open to public inspection."

Amendment No. 15.

On page 1 of the printed bill, insert below line 25, the following:

"(f) This section shall go into effect on January 1, 1938."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 268—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions.

Committee Amendments to Assembly Bill No. 268.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 3 and 4 of the Use Tax Act of 1935, relating to rate of tax and exemptions, and providing that this act shall go into effect immediately."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 20, inclusive, and on page 2, strike out lines 1 to 17, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 3 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 3. An excise tax is hereby imposed on the storage, use or other consumption in this State of tangible personal property purchased from a retailer for storage, use or other consumption in this State at the rate of two and one-half per cent of the sales price of such property.

Every person storing, using or otherwise consuming in this State tangible personal property purchased from a retailer shall be liable for the tax imposed by this act, and the liability shall not be extinguished until the tax has been paid to this State; provided, however, that a receipt from a retailer maintaining a place of business in this State, given to the purchaser in accordance with the provisions of section 6 hereof, shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer; provided further, that the board may

by rule and regulation provide that a receipt from a retailer who does not maintain a place of business in this State shall also be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer.

SEC. 2. Section 4 of said act is hereby amended to read as follows:

Sec. 4. The storage, use or other consumption in this State of the following tangible personal property is hereby specifically exempted from the tax imposed by this act:

(a) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed by Chapter 1020, Statutes of 1933 and any amendments made or which may be made thereto.

(b) Property, the storage, use or other consumption of which this State is prohibited from taxing under the Constitution or laws of the United States of America or under the Constitution of this State.

(c) Gas, electricity and water, when furnished or delivered to consumers through mains, lines or pipes.

(d) Gold bullion, gold concentrates or gold precipitates, when sold by the producer or refiner thereof for storage, use or other consumption in this State.

(e) Property used for the performance of a contract on public works executed prior to August 1, 1933.

(f) Motor vehicle fuel, the gross receipts received from sales or distribution of which in this State are subject to the tax imposed thereon under the provisions of the "Motor Vehicle Fuel License Tax Act," and not subject to refund.

(g) Food Products Purchased for Human Consumption. "Food products" as used herein includes cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery. "Food products" does not include spirituous, malt or vinous liquors, soft drinks, sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith

The exemption of food products set forth herein is made subject to the condition that the gross receipts from retail sales of food products be exempted from the computation of the tax imposed by the Retail Sales Tax Act of 1933, and any amendments thereto; provided, however, that should the gross receipts from retail sales of food products not be exempted from the computation of the tax imposed by said act and any amendments thereto, or should the exemption of the gross receipts from sales of food products from the computation of the tax imposed by said act and any amendments thereto be declared unconstitutional or should the exemption of food products set forth herein be declared unconstitutional then the rate of tax set forth in section 3 hereof shall be two per cent on and after July 1, 1935.

(h) Medicine, medical supplies, and surgical appliances used exclusively in the treatment of human injuries, disease or ailments.

SEC. 3. Sections 3 and 4 of the Use Tax Act of 1935 as such sections were in effect on January 1, 1937, are hereby continued in effect until July 1, 1937.

SEC. 4. The provisions of this act become operative July 1, 1937.

SEC. 5. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2164—An act to amend sections 2, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, and 33 of the Retail Sales Tax Act of 1933, relating to the administration of the act.

Committee Amendments to Assembly Bill No. 2164.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and in line 3, strike out "of", and insert in lieu thereof the following: "An act to add section 9a to".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "Section 1.", add the following: "Section 9a is hereby added to the Retail Sales Tax Act of 1933, to read as follows:

Sec. 9a. Any retailer who is also licensed under the Alcoholic Beverage Control Act shall so segregate the gross receipts shown in his return, or shall file a supplemental return, as the board shall prescribe, to show his gross receipts

from the sale of alcoholic beverages in such manner as will enable the board to reconcile the items in such return with the amount collected by it as excise taxes upon alcoholic beverages."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2197—An act to amend sections 2, 3, 7, 11, 12 and 22 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately," approved June 25, 1935; to repeal section 32 of said act; to renumber sections 33 and 34 of said act; relating to the taxation of the storage, use or other consumption of tangible personal property.

Committee Amendments to Assembly Bill No. 2197.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 6, line 5, of the printed bill, as amended, strike out "assessment", and insert in lieu thereof the following: "reassessment".

Amendment No. 2.

On page 9, line 15, of the printed bill, as amended, strike out the following "attorneys,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2196—An act to amend sections 2, 19 and 20 of an act entitled "An act imposing a tax for the privilege of selling, renting or leasing tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 33 of said act; to renumber section 32½ of said act; relating to the taxation of the privilege of selling, renting or leasing tangible personal property.

Committee Amendment to Assembly Bill No. 2196.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 6, line 18, of the printed bill, as amended, strike out the following "attorneys,".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2797—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 3886, relating to the validation of certain tax levies.

Committee Amendment to Assembly Bill No. 2797.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, after the word "regularity", strike out the word "of", and insert in lieu thereof the word "or"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2132—An act to amend sections 1, 2, 3, 3a, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 of the "Funeral Directors and Embalmers Law," relating to the regulation of funeral directors and embalmers and the transportation of and traffic in dead human bodies, and to the State Board of Funeral Directors and Embalmers and the State Department of Professional and Vocational Standards and the powers and duties of said board and said department and each thereof in relation thereto.

Committee Amendments to Assembly Bill No. 2132.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "1, 3,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 4 to 19, inclusive, and strike out all of pages 2, 3 and 4, and on page 5, strike out lines 1 to 3, inclusive.

Amendment No. 3.

On page 5, line 4, of the printed bill, as amended, strike out "Sec. 3.", and insert in lieu thereof the following: "Section 1.".

Amendment No. 4.

On page 5, line 44, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "2".

Amendment No. 5.

On page 6, line 10, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "3".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 65—An act to amend the "Retail Sales Tax Act of 1933," relating to definitions and exemptions.

Committee Amendments to Assembly Bill No. 65.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "sections 2, 3 and 5 of".

Amendment No. 2.

On page 1 of the printed bill, strike out line 2 of the title, and insert in lieu thereof the following: "to definitions, rate of tax, and exemptions, and providing that this act shall go into effect immediately."

Amendment No. 3.

On page 3, line 7, of the printed bill, strike out "on and after August 1, 1933, and", and strike out lines 8 to 10, inclusive, and in line 11, strike out "on and after July 1, 1935".

Amendment No. 4.

On page 3 of the printed bill, following line 47, insert the following:

"(f) The gross receipts from the sale of medicine, medical supplies, and surgical appliances used exclusively in the treatment of human injuries, disease or ailments.

SEC. 4. The provisions of sections 2, 3 and 5 of the Retail Sales Tax Act of 1933 as such sections were in effect on January 1, 1937, are hereby continued in effect until July 1, 1937.

SEC. 5. The provisions of this act become operative July 1, 1937.

SEC. 6. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1496—An act to amend an act entitled "An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers,

marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10, of the Seventy-Third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately," approved June 11, 1935, by amending each section of said act, to add new sections to be numbered 22, 23 and 24, and to repeal sections 3a, 6a, 15a, 16a and 20a of said act and to provide for the execution of marketing agreements and the issuance of licenses by the Director of Agriculture regulating the handling of agricultural commodities in intrastate commerce, and to declare the urgency of this act, and that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1496.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 4 of the printed bill, strike out all of lines 16 to 18, inclusive, and insert in lieu thereof the following:

"SEC. 2a. The provisions of this act shall apply only to those agricultural commodities, the movement of which into interstate com-".

Amendment No. 2.

On page 8, line 10, of the printed bill, strike out the words "such handler", and insert in lieu thereof the words "all handlers".

Amendment No. 3.

On page 10, line 12, of the printed bill, strike out the word "license", and insert in lieu thereof the words "marketing order".

Amendment No. 4.

On page 17, lines 19 and 20, of the printed bill, strike out the words "operating over a regular route, or between fixed termini,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1021—An act to add sections 56.4 and 56.6 to the Alcoholic Beverage Control Act, relating to bartenders

Bill read second time, and ordered to engrossment.

Assembly Bill No. 333—An act to add a new section to the Civil Code to be numbered section 2301, relating to the liability of natural persons or corporations hiring, securing the appointment of, or supervising a patrolman, policeman, sheriff, or deputy sheriff.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1060—An act to amend sections 1295, 1297, 1298, 1300 and 1301 of the Penal Code, all relating to bail.

Committee Amendments to Assembly Bill No. 1060.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, following the word "bail", insert the following: "instead of giving bail".

Amendment No. 2.

On page 1, line 11, of the printed bill, before the comma, insert the following: "by defendant".

Amendment No. 3.

On page 2 of the printed bill, between lines 7 and 8, insert the following: "The county treasurer shall, upon request of the judge or justice, keep such deposit and return it to the clerk on order of the judge or justice."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1945—An act to amend section 647 of the Penal Code, relating to definitions of vagrants.

Committee Amendment to Assembly Bill No. 1945.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, after the words, "railroad depot," insert the following: "bus stations,".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 695—An act to amend section 1.513 of the School Code, relating to punishment for failure to report deaf children.

Committee Amendment to Assembly Bill No. 695.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, insert the word "wilfully", after the word "shall".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills

Senate Bill No. 732—An act to amend sections 1 and 9 of an act entitled "An act for the relief of certain assessment districts, and for that purpose empowering counties to render financial aid to such districts and making available to such districts the provisions of Chapter 9 of the act of Congress entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, and to declare the urgency of this act, to take effect immediately," approved February 1, 1935, relating to assessment districts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 809—An act to authorize counties to issue bonds for the purpose of acquiring other general obligation bonds of such county or bonds issued by or for districts therein or bonds issued for street work or other improvements of any kind or character and providing for acquiring such bonds and the levy or collection of taxes and assessments to pay principal and interest of bonds acquired, the use of funds derived from bonds issued under this act or acquired under this act and the payment of bonds issued under this act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 849—An act to add a new section to be numbered 862.26½ to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, empowering cities of the sixth class to employ economic or financial experts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 721—An act to amend section 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State.

Committee Amendments to Senate Bill No. 721.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 13, of the printed bill, after "of", insert the following: "not less than".

Amendment No. 2.

On page 2, line 14, of the printed bill, strike out "carbolic acid", and insert in lieu thereof the following: "Phenol U. S. P."

Amendment No. 3.

On page 2 of the printed bill, after line 44, insert the following

"The board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name and address of each registered barber and registered apprentice and the date and number of his certificate of registration. This record shall be open to public inspection at all reasonable times

SEC. 2. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 609—An act to amend section 32d of the California Irrigation District Act, relating to the payment of principal or interest on funding or refunding bonds.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 610—An act to amend section 32e of the California Irrigation District Act, relating to the irrevocable allocation of proceeds of contract to payment of principal or interest on bonds and to revenue bonds.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 874—An act to amend the California Irrigation District Act by amending section 75 thereof and by adding a new section thereto to be designated section 75a, all relating to the exclusion of lands from an irrigation district.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 875—An act to amend the California Irrigation District Act by amending section 61 thereof, relating to the incurring of indebtedness.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1102—An act to amend sections 3, 4, 5 and 6 of "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 414—An act to amend sections 621 and 675 of the Vehicle Code, relating to motor vehicles.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 409—An act to amend sections 350 and 351 of the Vehicle Code, to add thereto section 355, and to repeal section 309 thereof, relating to the operation of vehicles by minors and the responsibility of other persons therefor.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 403—An act to amend sections 292, 297, 311 and 332 of the Vehicle Code, relating to operator's and chauffeur's licenses.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 61—An act to amend section 647 of the Penal Code, relating to vagrants.

Bill read second time, and ordered on third reading calendar.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 69.

Respectfully reports the same back with the recommendation: Do pass.

RICHIE, Chairman

The above reported bill ordered on second reading calendar.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No. 523.
Assembly Bill No. 2410.

Respectfully reports the same back without recommendation, as amended.

BAYNHAM, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No. 1404.

Respectfully reports the same back with the recommendation: Do pass as amended.

BAYNHAM, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 288.
Assembly Bill No. 333.
Assembly Bill No. 838.
Assembly Bill No. 1021.
Assembly Bill No. 1462.
Assembly Bill No. 1492.
Assembly Bill No. 1498.
Assembly Bill No. 1868.
Assembly Bill No. 1869.
Assembly Bill No. 2472.
Assembly Bill No. 2473.
Assembly Bill No. 2673.
Assembly Bill No. 592.
Assembly Bill No. 810.
Assembly Bill No. 1491.
Assembly Bill No. 1654.
Assembly Bill No. 1764.
Assembly Bill No. 1834.
Assembly Bill No. 2016.
Assembly Bill No. 2165.
Assembly Bill No. 2511.
Assembly Bill No. 2521.
Assembly Bill No. 2536.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 444.
Assembly Bill No. 1721.
Assembly Bill No. 2375.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Recess.

At eleven o'clock and thirty minutes a.m., by order of the Speaker, the Assembly was declared at recess for the purpose of hearing from the Hon. Paul V. McNutt.

Reassembled.

At twelve o'clock and thirty minutes p.m., the Assembly reconvened.

Speaker Jones in the chair.

Motion to Print Speech in Journal.

On motion of Mr. Latham, the following speech by Hon. Paul V. McNutt was ordered printed in the Journal:

SPEECH BY HON. PAUL V. McNUTT.

Your Excellency, Mr. President, Mr. Speaker, Members of the California General Assembly:

I am here this morning to express my deep appreciation of, and to offer a small token of payment for the generous hospitality extended by the people of California to me and the members of my family on numerous occasions in the past. This is the "promised land" and you reflect the bounty with which nature has endowed this State. It is a joy to see these dear friends and to have once more the inspiration of contact with them. Their expressions of good will strengthen and hearten me as I leave for my new post.

I enter upon the performance of my duties as High Commissioner to the Philippine Islands with great enthusiasm and deep interest, conscious of an opportunity to render public service of the highest order to the people of the United States and of the Philippine Islands.

The independence program for the Islands has passed through its initial stages, but there yet remain problems which await solution and questions in regard to which decisions must be reached. A large measure of autonomy in the administration of domestic affairs has been intrusted by the Independence Act to the people of the Philippines through the Commonwealth Government inaugurated under that act. This was a wise provision of our Congress because the people of the Islands are thus enabled, through the medium of their own officials and in their own way, to work out a program of adjustment in preparation for independence in 1946.

Although the United States still exercises sovereignty over the Islands, it is our policy not only to avoid unnecessary interference with this autonomous authority so long as it is exercised in accordance with the purposes and provisions of the Independence Act and of the Constitution of the Commonwealth Government but also to give helpful encouragement to the new government in a spirit of sincere cooperation.

Among the important matters to be considered in the immediate future are:

1. Provisions in regard to a neutralization pact for the Islands;
2. The status of our future trade relations with the Islands;
3. The economic adjustments which must take place in the Islands before economic, as well as political, independence is achieved.

The interested departments and agencies of the United States Government have been giving earnest consideration to the problems involved in future trade relations between the United States and the Philippine Islands as well as to the various economic and related adjustments which may be called for in connection with the independence program. There is to be a joint committee of American and Philippine experts appointed for the purpose of preparing specific recommendations in regard to these matters after careful study. This will not be a joint committee in the work of which one side will seek to obtain concessions and favors from the other. All efforts will be directed toward the formulation of a constructive program, which will then be referred to the two governments.

In view of the capacity for self-government and the adherence to democratic and constitutional principles heretofore demonstrated by the people of the Philippine Islands, all of us hope and expect that they will continue to justify their faith in the principles of liberty and self-government.

In the swirl of rapidly changing standards and economic stress responsible readjustments of governmental policy and functions are clearly indicated. Years ago Mill and Morley, two wise men of the English-speaking world, made these pertinent observations:

> History shows that great economic and social forces flow like a tide over communities only half conscious of that which is befalling them. Wise statesmen foresee what time is thus bringing and try to shape institutions and mould men's thoughts and purposes in accordance with the change that is silently coming on. The unwise are those who bring nothing constructive to the process and who greatly imperil the future of mankind by leaving great questions to be fought out between ignorant change on the one hand and ignorant opposition to change on the other.

As the circumstances of the people change, the functions of government change. Government is not in itself something. It is for something. Just now it is for the economic rehabilitation of our people and for the preservation of our fundamental institutions.

The change carries with it tremendous responsibilities and the possibility of far-reaching consequenses. It offers an opportunity to prove that government may be a great instrument of human progress. It was the ray of hope that heartened us when we followed a path which was dark with ominous shadows.

This is not a static world. Many of our so-called captains of industry and many who had claimed leadership in other activities thought it was. They held fast to old theories and were at a loss when they found that the old theories did not meet the demands of the new day. The situation demanded courage, intelligence, determination and hope. It called for a constructive program on the part of responsible officers of government.

The program had to bring forth a new, a greater, a continuous patriotism on the part of all citizens. Some look upon patriotism as a thing reserved for periods of armed conflict. They wait for the blare of martial music, the sound of marching feet, and the rumble of the caisson to quicken the pulse and inspire supreme devotion to the common cause. They are sustained by the excitement of the moment and lose all interest in public matters when hostilities cease. Such intermittent attention to the general welfare does not satisfy present needs.

The struggle to restore economic equilibrium is as grim and as real as any war. It calls for the same unselfish service, energy, intelligence and solidarity. It requires the same willingness to give all that we are and all that we hope to be without thought of reward save the accomplishment of high purposes. It demands something more,—a critical and searching examination of all governmental agencies to see which, if any, have outlived their usefulness This is the time for perfect candor. No bragging. No pretence that things are better than they are. *No tolerance of what should not be tolerated.*

It is possible to know the truth without fear, to meet a crisis with indomitable courage. Yet, there are those among us who are afraid, who listen to prophets of evil. They profess to see the end of representative government, now rudely challenged by Communism, by Fascism, and many other "isms." They say that democracy in theory is not democracy in practice, that popular sovereignty is an elusive concept, that the right to have a voice in government is not a prized possession.

In the lives of all men and women there come times of travail. The system of life which they have inherited inevitably develops a new series of problems which must be solved. Those who are strong look upon the necessary changes as a challenge to their ingenuity, their prowess, their integrity.

In the years that have gone the pioneers grew fields of produce where primeval forests and raw desert once stood. They made farms out of the hunting grounds of the fur trappers. When the early settlers heard the echoes of America's first revolution, they organized under George Rogers Clark and drove the British back into Canada. There were men in those days who became discouraged. Confronted with the obstacles of nature, and with bitter foes in the soldier from England and his Indian allies, they refused to lend their support to the plan of their leaders But a minority, strong in character, assumed the burden of battle and privation. Their endurance and tenacity created our territory out of a wilderness.

When the second revolution became unavoidable and civil war loomed on the horizon, the timid predicted the fall of the Union. There were those who ignored the achievements of the pioneer and saw no hope for the future. Yet the war came, emergencies were met, the second revolution took place and this United States emerged from the strife aware of a destiny of wider scope. Decades passed and there came the great era of inventions. Time was conquered by speed. Distance was bridged by electricity. Man left the earth to invade the sky. States were no longer populated by groups of lonely and far-flung communities. Isolation vanished almost over night. We looked out upon world problems with a scope and swiftness of vision given by the radio, the telephone, the aeroplane, the newspaper, the camera, the automobile and the cinema.

Within recent years the pleasure in these new media of civilization wore away. Doubt and fear crept into our thoughts because we suddenly found ourselves in contact with economic conditions which we thought were solved or far removed. We discovered that new inventions were not toys, but violent weapons which might destroy us if put to ill use, or which might create anew for us if properly controlled. We learned that the days of pioneering were not over; that the struggle for the preservation of the ideals of those who founded the Nation and the State continued; that dangers to American unity as great as British conquest or civil conflict, still existed. We were confronted once again by battles which we thought long ago were lost or won and which had to be refought on vastly larger fields.

In history there have been no days more critical or calling for more tenacious will power than those in which we are now living.

The other day I heard a man say that there is in many quarters fear of worse to come. He said that in spite of our science and invention—or because of them—we were approaching a period such as that which followed the decline of the Roman Empire and he pointed out the fact that Ferrero, eminent historian of Rome, thought that, and that Spangler, in a book counted one of the weightiest of the century, said we were approaching our swift-coming doom. Even such a man as Henry Adams, descendant of presidents, student of affairs, economic and political, saw upon the scroll of destiny for the United States of America four frightful choices. First, the pessimism of Europe's dying civilization; second, the tyranny of capital or of labor, third, a return to mysticism; fourth, a ceaseless reiteration of the old processes under new guises at a monotonous level. They do not belong upon our scroll of destiny.

Who are these prophets of evil and where have they been? To use the words of Carlyle, "They have been nowhere but where we also have been, and they have seen at most a few hand-breadths deeper than we now see into the ocean which is without bottom and without shore."

I wish to be counted among those who deny such a doctrine. I believe in the destiny of democracy as a system of government, believe in it more profoundly than in anything else human It is true that science and the machines born of science have greatly altered the ways of men and women and have created manifestly serious problems. But the problems of the present are not more difficult than some for which satisfactory solutions were found in the past

This is another testing time for representative government. Our high enterprise is to prove it sufficient in every circumstance and for every task which can come to free people.

These are the responsibilities to be met by any program: To provide food, clothing and shelter for the destitute, the aged, and the infirm; to provide gainful employment for the unemployed; to revivify industry through cooperative action; to keep agriculture on a profitable basis; to stabilize and retain confidence in our financial institutions; to remove the fear of debt and foreclosure on the part of the farm and small home owners; to maintain an adequate system of public education; to promote the efficient administration of justice; to strengthen necessary social agencies; to offer every assistance in restoring economic equilibrium; and, lastly, to restore the confidence of the people in themselves and in their institutions.

Important as all of these matters are, I wish to emphasize the first, without which the others are of little consequence. When the Saviour said, "After this manner therefore pray ye", His first petition was, "Give us this day our daily bread." It is not that man lives by bread alone. Things of the spirit are likewise necessary. But it is significant that, through the ages, hungry people have been in the vanguard of every revolt against the established order. A hungry man is never rational in his attitude toward the life of the community or toward his own life. Therefore, it is the business of government to make those adjustments which guarantee to every man the right to live as a normal human being

Does all this mean a destruction of our liberty?

In the closing pages of Plato's Republic is found the story of the prophet who said to the souls of men given a chance to come back to this world and choose the lives they should lead: "Hear the word of Lachesis, daughter of Necessity. Mortal souls, behold a new cycle of life and mortality! Let him who draws the first lot have the first choice, and the life that he chooses shall be his destiny. Virtue is free, and as a man honors her he will have more or less of her. The responsibility is with the loser. God is justified!" (Are we free to choose?)

Life in a democracy is and must be something more than mere existence. It means growth, development, security, and sharing responsibility for the common good. Live and let live No man can claim a right for himself and refuse to recognize the same right in others The same thing is true of liberty. No freedom can long exist which feeds upon the oppression of others Only the unwise would attempt to define liberty when they view it against the background of the ages from ancient Athens to the present. Aristotle pointed out that the good man, the educated man and the free man are one and the same; that the aim of education is the training of the free man; that the "good life" of this man is possible with the exercise of "right reason"; that virtue itself is just intelligent behavior; and

that there can be no liberty without virtue. Men are of two kinds, he said: First, those who govern themselves by reasoned virtue (these are the free); and second, those vast numbers who are moved by mere desire, by prejudice or unreasoned belief (these must always be restrained by force and can never be free). This is the classical understanding of liberty.

We have been accustomed to thinking that this became a free country once and for all as a result of the heroic efforts of our ancestors, that liberty and popular government are the same thing. They are, as long as men understand themselves and master themselves in new ways in order to retain their inherited freedom. It is necessary to adjust self-government to the changing circumstances of the age in which we live. As Everett Dean Martin put it: "Would you be free? Then first become civilized."

Liberty is not to be found in mere words. It must be found in action, in choosing.

Do we know what we want? One great pessimist thinks not. A few days ago I re-read an amazing volume appropriately entitled Words to the Deaf, by Ferrero, eminent historian of Rome. In it he wrote "There have been epochs more uncouth, poorer, and more ignorant than our own, but they knew what they wanted."

"What do we want?" he asked. And then went on to say "That is the essential question. Every man and every epoch should keep this question constantly before them, just as a lamp is kept burning day and night in dark places."

Ferrero is right. This is the essential question. To know what we want and need and to want what we need are the beginnings of statesmanship.

Do we know what we want and need? Do we want what we need? Ferrero thinks not.

"On the contrary," he wrote, "our will is in a state of complete confusion Sometimes it is split in twain, at once desirous of good and evil, or of benefits that are mutually exclusive. Sometimes it cloaks itself in agreeable falsehoods, persuading itself that it desires one thing, while all the time it desires something different or even antithetical. Sometimes it entirely strays away from reason and *reality, lured on by a chimerical mirage.*"

I do not share Ferrero's pessimism. I believe that we do know some of the things we want and need.

We want to revise the procedures, but remain unreservedly loyal to the democratic principles of self-government.

We want to defend at whatever cost in government and in enterprise the utmost freedom consistent with the complex interdependence of modern society.

We want to call upon every resource of ingenuity to lower the cost and lift and secure the standard of living for the masses.

We want to bring our economic policy into harmony with the technological process in order that no treason to human need shall ever again inform our National policy.

We want to deal liberally with our enterprises of research and education, demanding from their directors in return a conscious consideration of the practical problems that give to this particular phase of our national evolution both its distinction and its difficulty.

And, with the statesmanship that goes beyond opportunism, we want to keep this a land of opportunity and orderly liberty.

Our people live in the storm and stress of immense and incalculable events and anxiously speculate on the possibility of profound changes in our political, social and economic life. Under such circumstances all public officials should undertake their important tasks with clear minds and courageous hearts and consecrate themselves exclusively to the high calling of good government.

Two things in this world are both certain and unpopular, death and taxes. Most people spend their lives attempting to postpone the one and avoid the other. The popular philosophy seems to be that taxes for the support of necessary functions of government are perfectly proper provided some one else pays them. All thinking citizens are agreed that every effort must be made to reduce the cost of government, to improve the quality of the service rendered, and to make a more equitable distribution of the necessary tax burden.

If representative government is to meet the test, then we must have the wisdom and the courage to consider the facts and make the necessary changes.

The major part of the cost of government is created by local units. Reforms in local governments are, therefore, clearly indicated in order to reduce the cost. In dealing with such reforms certain principles must be considered. One principle is that of coordination and integration in dealing with the structure of State and county government. Another principle is that of executive responsibility for governmental action apart from the judicial and legislative fields.

The only effective check on bad government is public opinion. Therefore, responsibility for governmental success or failure should be fixed and not diffused, so that the electors may deal intelligently with a clear-cut issue. An executive should not be given the opportunity to hide behind a "board" or "commission." In democratic government we necessarily run the risk of unwittingly, or even wilfully, select-

ing poor public officials. There is inherent in that risk a resulting inefficiency and unnecessary cost. But it is no part of the democratic ideal of government that government be disorganized or that it consciously and intentionally be placed in the hands of those who are incompetent. There is every advantage in a structure which will permit and encourage efficient and economical government under competent hands. Ultimately control rests with the electors. Under a proper structure if they wish they may make the test of office holding efficient and economical service.

It is therefore essential that governmental structure make possible that test. It can be done only by a definite assignment of authority to a specific individual. In fairness to him he should and must be given an opportunity to succeed. (With that opportunity goes responsibility. The wise executive will select the most competent personnel available.)

In order to fix executive and administrative responsibility under existing forms of local government it will be necessary to abolish some elective officers, to curtail the activities of others and to give a considerable power of appointment as to subordinate officers. It seems no part of the democratic ideal of government to require the election of officers other than the principal executive ones and the Legislature. Attention is called to the fact that in the Federal Government only the President, the Vice President and the members of the Congress are elected.

A county unit for local government is indicated. Under modern transportation and communication systems a county unit of government is much more local, much closer to its constituency than was the township in the beginning or in the "Fifty's". It is therefore no violation of the principle of local self-government to change the local unit to conform to modern facts as to what constitutes a locality for governmental purposes. One of the most obvious savings in governmental costs is the integration of the present township government into the county unit.

Given a decent structure the essential problem of good government is almost entirely one of personnel. Government must be run by men and women, and it is therefore subject to all of the ignorance and frailties of human nature. As to elected personnel we must run that risk. We must put greater emphasis on the problem of appointed personnel. Through a competent personnel will come the largest and best economies, for the most serious losses are those accruing through the ignorance and inefficiency of public servants. Practically all functions of government require of governmental personnel special knowledge and training even scientific or professional attainment, and no improvement in government can effectively be made until that fact is given recognition. Economy may often be served by the employment at a necessary figure of a thoroughly competent official.

It may be well to point out, as a word of warning, that in government as elsewhere there is such a thing as false economy. Some governmental services and problems are of such nature that their temporary neglect creates a permanent and increasing loss which multiplies the difficulties for the immediate future. There is no reason why we should not adequately support every essential governmental service. We can not afford to abolish government under the guise of economy.

In Indiana we have been collecting and studying all pertinent data relative to the functions and organization of State, county, township, city and town governments, school corporations and other municipal corporations with a view to formulating such laws as will insure economy, proper integration of functions among the various governmental units, efficiency in organization and proper financial support of such governmental units. Because of the position I have held I refer to my own State with reluctance. Indiana is a typical State, however, and many of its problems are the same as those of other States. The work which we have done and are doing may be of value to those who are seriously studying local governmental organization.

Here are the results. Four years ago the citizens of Indiana labored under intolerable burdens. There had been such an accumulation of misery and fear, that their morale, their confidence in their leaders and their faith in once accepted policies had been destroyed. Thousands were in want of the bare necessities of life. The public poor relief system was not equal to the occasion. The State budget was unbalanced Appropriations for the year exceeded anticipated revenues by $7,000,000. The credit of the State and its political subdivisions was seriously threatened. Taxes were oppressive Our system of public education was imperiled. Financial institutions were unable to continue normal operations. Public utilities had their hands on the throats of consumers. Small investors and borrowers were at the mercy of finance companies and consumer credit agencies. Patience had been exhausted and panic had seized the people. We were on the brink of a major catastrophe.

Today we can say that the needy have been fed, clothed and sheltered and that the State has carried its full share of the necessary cost. Indiana was the first State to reassume direct relief, after reforming and improving the system. Pensions for the aged and the blind have been established. Laws have been passed to promote stability and a decent American standard of living. The State's estimated deficit has been met and the budget balanced, not only for the last three fiscal years but for the present fiscal year as well. The State has no debts, bonded or current, and on June 30th will have in the general fund an unincumbered bal-

ance of at least $17,800,000. The credit of the State is better than at any time in its history. Taxes on tangible property have been reduced more than one-third and the tax burdens more equitably distributed. The total bonded indebtedness of political subdivisions has been materially lessened. The total cost of government has been lowered. No school door has been closed. No term has been less than eight months. No school district has been without salary funds to pay its teachers. The soundness of our financial institutions has been restored by proper administration of a carefully drawn financial institutions act. The rates of public utilities have been revised for the benefit of consumers without injury to the investing public. Small investors and borrowers have been given adequate protection against the nefarious practices of unscrupulous finance companies and other consumer credit agencies.

Property taxes levied for the last four years were $172,000,000 less than for the four-year period immediately preceding, a decrease of over 30 per cent. Property taxes paid were $180,000,000 less, a decrease of 33 per cent. During the last four years new sources of revenue have produced less than $64,000,000. Deducting this sum from the amount by which property taxes have been reduced gives a net reduction of the cost of government of $108,000,000 on a basis of taxes levied and $116,000,000 on a basis of taxes paid during this administration.

The State Government has produced its share of these savings. The cost of the operation of State Government for the last four years has been $22,400,000 less than the cost of the previous four years. This saving was brought about by the reorganization of the State Government reducing the number of units from 179 to 8. It was necessary also in 1933 to meet the existing deficit and be able to undertake the additional burdens caused by increased support of schools and the enactment of the Social Security Program. We considered all manner of taxes, sales taxes, net income taxes, cigarette taxes, and a host of other nuisance taxes. The final decision was to adopt the Indiana gross income tax which is now operating.

Distribution of State revenues to local political subdivisions during the period have amounted to $99,599,559.81, a sum exceeding that distributed in any previous period by over $62,500,000. These grants of State aid have made it possible for local units to meet their obligations and at the same time materially reduce property taxes The one grave danger arising from such a plan is the increasingly apparent desire of local units to shift responsibility for raising revenue while retaining control of expenditures. The two must not be separated. There can be no proper control without the sobering and restraining influence of responsibility.

Aside from minor changes in existing laws to correct any inequalities which may arise in practical operation, our real tax problem is that of reducing the cost of government. The most important and effective step in this direction will be the reorganization and integration of local units of government

The tax accomplished every purpose designed for it: namely, kept every school open, every teacher paid, the State's credit good, the budget balanced, reduced property taxes and enabled Indiana to adopt the Federal Social Security Program in toto without the addition of any new taxes.

The Gross Income Tax Act taxes all receipts of money or property in lieu of money over $1000 per year received by every legal entity in the State with a few exceptions such as benevolent institutions, etc. Today, approximately 500,000 different taxpayers are under this law in the State. The tax last year produced slightly in excess of $16,000,000. Collection costs were slightly over 3 per cent, or an average of approximately $1 per account The average rate paid by these 500,000 taxpayers is three-fourths of one per cent. It has been said by tax experts who have looked into our accounting and cost problem that this is the lowest collection cost of any tax of any similar nature in the United States Obviously, if our rates were 2 or 3 per cent, we would collect more money without one penny additional cost and the percentage would go down in proportion. It also may be of interest to you to know that our delinquent section, our auditing department and proving section have collected more money from those who would atempt to escape paying than has been the entire collection cost. This is in addition to the amount of money secured by adjusting honest errors made by the taxpayers who were making an honest effort to comply with the law From the legal standpoint, the Indiana gross income tax has been declared constitutional in every respect by the Indiana Supreme Court. When an attempt was made to take the question of its constitutionality before the United States Supreme Court, that court refused jurisdiction For administrative purposes, there are roughly two types of income from sales under the gross income tax; income from wholesale sales and income from retail sales. We have defined wholesale sales as sales made for resale and retail sales as those made to the final consumer. This test has been applied straight down the line to manufacturers, farmers, wholesalers, retailers, etc., in respect to their receipts from sales. Utility incomes are 1 per cent straight. Salaries, wages, interest dividends and rents pay 1 per cent.

Under the Gross Income Tax Act, we have been able to get more than $2,000,000 per year taxes from residents of other States, but who still own property, particularly rental property or businesses within the State of Indiana. Our law specifically states that the tax is levied upon all sources of income within the State of Indiana.

Like all States, we have had many citizens who own business blocks, rental properties and other types of businesses in the State, leave Indiana for California, Florida, etc., or the parents of the children might have left years ago and this property fell to them as heirs This $2,000,000 that we are collecting from this source alone, incidentally, is about equal to the State's share from the entire property tax of the State of Indiana.

Naturally the gross income tax is a political issue within the State of Indiana. This is a very healthy situation. All direct taxes are always political issues. Any issue of this nature that awakens the people to more intelligent discussion of their tax problems and of the things that they are demanding that their government do for them is in the long run very helpful toward the desired aim of efficient administration, good government and public expenditures only for those things that are for the public good.

You can readily imagine what the main objections are and what the opposing politicians have built up in Indiana. Among the merchants, it is claimed that it is a hardship on them because they can not pass the tax on. The other side says it is no hardship because every merchant, large, small, independent, or mail order, must pay the same rate. There is no discrimination; consequently, no unfairness or unreasonable burden. Some say it is unfair to tax a loss. If you did not tax regardless of profit or loss, you would not have a gross income tax—but a net income tax. Why should those who operate at a loss be exempt from this tax when they are not exempt from any other State tax and only one Federal tax? The man who loses money in his business is not exempt from property tax, or from gasoline tax. He can't tell the girl at the cigar counter that he didn't make a profit last year—and thereby be entitled to buy his cigarettes 6 cents a package cheaper.

In this new economic era of bitter, often unintelligent competition—in this era of too many people trying to be in every kind of business—successful businesses should be the first to question the right of government to exempt their unsuccessful competition from paying its share of governmental costs. Certainly if the unsuccessful are exempted, the successful business must pay not only its own share—but its unsuccessful competitor's share also.

The professional men and salaried men are being told that it is unfair to them. They are told that it reduces their salary just so much and unlike the merchant they have no chance to pass it on, concealed in their cost of doing business. Down the line of various groups is the usual list of selfish and more or less politically inspired objections.

The Gross Income Tax Act in Indiana is solidly supported by organized labor, by the organized farmers, by the tax students in general and particularly by Indiana industry. Labor is especially for the gross income tax, realizing that we must have in Indiana either much higher property taxes, the gross income tax, or a sales tax. Under the Gross Income Tax Act, a man making $100 per month pays the State $2 per year. Under a sales tax, obviously he would pay many times this amount.

A tax on gross income of course is not new in this country. There have been gross income taxes on specific commodities for many years but Indiana has made the first attempt to make the rate very low and spread the base over practically every type of income. I believe that this is a sound method of taxation. It means the very minimum of requirements on the part of the taxpayer as far as bookkeeping and accounting records are concerned. He merely has to keep a record on how much cash or receipts in lieu of cash he received during the taxpaying period. The matter of profit and loss and exemption (other than the flat $1,000 annual exemption for each taxpayer) does not enter into the picture. From the administrative standpoint it means that audits and inspections can be made quickly without delving into the intimate affairs of the taxpayers. It assures a fairly steady income to the State. In Indiana, although this income is not earmarked by law, it has been for all practical purposes, revenue for the payment of teachers' salaries and the balance for the social security program.

There is a justified complaint of the taxpayers, business people in particular, about the large number of tax reports and different kinds of taxes on which they must keep informed. The gross income tax idea properly developed offers splendid possibilities to reduce the number of nuisance taxes in every State by imposing a gross income tax designed to meet the needs of the State and eliminate many nuisance taxes. Properly applied the rate can be very low. Properly administered the collection cost is insignificant. It gets something directly or indirectly from thousands who heretofore escaped their just share of governmental costs. Like any tax measure it needs constant revision to meet ever changing conditions.

The one serious objection to a gross income tax—and this is solely from the "political" viewpoint—is that it is an easy political target for the outs who want in. There are periodic screams from the public about hidden taxes, but they scream twice as loud and often when an honest effort is made to have a tax law that they can see and must know all about and that touches all and they know they are touched. Personally, I am not ready to admit that ignorance is bliss in governmental tax affairs. I believe that the sooner more taxes are "openly" col-

lected and fewer are hidden—the sooner will our people come to a more intelligent understanding of the multitude of expensive jobs we have transferred from individual shoulders to the broad shoulders of Uncle Sam and his 48 children, the States, and to the weak shoulders of his grandchildren, the almost countless small units of government.

The advocates of the gross income tax in Indiana feel that the law is a step in the right direction toward spreading the tax base, preventing tax evasion and playing fair with the public in having a major State tax law with rates falling on all alike—and no mysteries about how it is collected or how it is spent.

Through such a program we have sought, as all democracies must seek, to preserve a way of life congenial to our people and to adjust self government to the changing circumstances of the age in which we live. May God grant that we be equal to such a task and worthy of the high enterprise of good government for which we are bound by solemn oath.

Recess.

At twelve o'clock and thirty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock and thirty minutes p.m.

Reassembled.

At two o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 1, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 664.
Assembly Bill No. 1579.
Assembly Bill No. 1580.
Assembly Bill No. 1763.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1435.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 17—Relative to memorializing the President and Congress of the United States to permit the Transcontinental and Western Air Lines, Inc., to enter San Francisco.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 17, at this time, without reference to committee or calendar.

Consideration of Senate Joint Resolution No. 17.

Senate Joint Resolution No. 17—Relative to memorializing the President and Congress of the United States to permit the Transcontinental and Western Air Lines, Inc., to enter San Francisco.

Senate Joint Resolution No. 17 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dil-

worth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Consideration of Senate Amendment to Assembly Bill No. 1604.

Assembly Bill No. 1604—An act to provide for the transfer to the general fund of moneys in special funds collected pursuant to the provisions of repealed statutes, and to provide for the abolition of such special funds.

The question being put. Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1604?

Amendment No. 1.

On page 1, line 2, of the printed bill, as amended, after the word "by", insert a comma and the following: "or moneys collected pursuant to,".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1604 by the following vote:

AYES—Baynham, Burns, Michael J., Call, Cassidy, Clark, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1604 ordered to enrollment.

Notice of Motion to Reconsider Assembly Bill No. 2678 Continued.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2773 Waived.

Mr. Gilbert waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2773 was passed.

Assembly Bill No. 2773 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 579 Waived.

Mr. Hunt waived his notice of motion to reconsider the vote whereby Assembly Bill No. 579 was passed.

Assembly Bill No. 579 ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1688—An act to add a new section to the Code of Civil Procedure, to be numbered 1166a, relating to unlawful detainer.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Michael J., Call, Cassidy, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelle-

tier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Walker, Watson, Weber, and Yorty—43.

NOES—Andreas, Boyle, Flint, Hawkins, Hunt, King, O'Donnell, Patterson, Peek, Tenney, Turner, and Mr. Speaker—12.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1688.

Mr. Peek gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1688 was this day passed.

Assembly Bill No. 1469—An act to repeal sections 2.1223 and 6.523 of the School Code, relating to reports of books purchased for any school district.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—King, and Tenney—2.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1469.

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1469 was this day passed.

Assembly Bill No. 2798—An act relating to the deduction of tare upon the purchase of farm products.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Assembly Bill No. 292.

On motion of Mr. Stream, Assembly Bill No 292 was withdrawn from the calendar, and re-referred to the Committee on Prisons and Reformatories.

Assembly Bill No. 1062—An act to amend sections 20 and 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to awards and disposition thereof.

Motion to Amend Assembly Bill No. 1062.

Mr. Garibaldi moved to amend Assembly Bill No. 1062 as follows:

Amendment No. 1.

On page 1, line 11, of the printed bill, after "may", insert the following: "in matters where the services of an attorney at law are found to be necessary".

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out "attorney's", and after "fee", insert a comma.

Amendment No. 3.

On page 1, line 13, of the printed bill, after "attorney", insert "at law", and after "thereto", insert a comma.

Amendments adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Assembly Bill No. 1062, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1062, as Amended.

Assembly Bill No. 1062—An act to amend sections 20 and 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to awards and disposition thereof.

Assembly Bill No. 1062, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Weber, Yorty, and Mr. Speaker—59.

NOES—Dannenbrink, Dilworth, and Johnson—3.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Joint Resolution No. 29—Relative to awarding distinguished service crosses to Tony Siminoff, Oliver F. Rominger, and Robert E. Beck, veterans of the Philippine Insurrection.

Assembly Joint Resolution No. 29 read, and adopted by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 40—An act to repeal section 537 of the Political Code, relating to warrants for wages of State printing employees.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 42—An act to repeal section 532 of the Political Code, relating to contracts for paper.

Bill read third time, and passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Red-

wine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 29—An act to amend section 237 of the Political Code, relating to temporary officers and employees of the Senate and Assembly.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 22—An act to amend section 268 of the Political Code, relating to the compensation of officers and attaches of the Senate and Assembly.

Bill read third time, and passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 30—An act to repeal sections 241, 242, 243, and 244 of the Political Code, relating to the Controller.

Bill read third time, and passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1214—An act to amend section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Motion to Amend Assembly Bill No. 1214.

Mr. Hornblower moved to amend Assembly Bill No. 1214 as follows:

Amendment No. 1.

On page 2, line 3, of the printed bill, as amended, after "department," insert the following: "or a fire protection district,".

Amendment No. 2.

On page 2, line 4, of the printed bill, as amended, after "gency", insert the following: "calls or".

Amendment No. 3.

On page 2, line 6, of the printed bill, as amended, after "emergency", insert the following: "calls or".

Amendment No. 4.

On page 2, line 13, of the printed bill, as amended, after "poration", insert the following: "or a municipal corporation".

Amendment No. 5.

On page 2 of the printed bill, as amended, after line 50, insert the following:

"(i) A motor vehicle equipped with a pulmotor inhalator, mine rescue or other life saving equipment, but only under each and all of the following conditions:

1. When such vehicle has a permit from the Chief of the California Highway Patrol.

2. When said vehicle has affixed to the license plates thereon distinguishing signs of a type approved by the Chief of the California Highway Patrol and when said signs are so located as to be plainly visible at a distance of not less than fifty feet from the front and rear of said vehicle."

Amendments adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1214, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1214, as Amended.

Assembly Bill No. 1214—An act to amend section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Assembly Bill No. 1214, as amended, read third time, and passed by the following vote:

AYES—Baynham, Burns, Michael J., Call, Cassidy, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1907—An act imposing an excise tax on the use in this State of motor vehicle fuel, providing for the issuance of permits to the users of such fuel and for the levy, assessment and collection of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Motion to Amend Assembly Bill No. 1907.

Mr. Robertson moved to amend Assembly Bill No. 1907 as follows:

Amendment No. 1.

On page 3, line 21, of the printed bill, as amended, strike out "immediately", insert a period after "board", and strike out "and shall", and all of lines 22 and 23.

Amendment No. 2.

On page 5, line 14, of the printed bill, as amended, after "thousand", insert "five hundred".

Amendment No. 3.

On page 5, line 15, of the printed bill, as amended, after "board", insert "and the Department of Motor Vehicles".

Amendment No. 4.

On page 5, line 16, of the printed bill, as amended, after "act", insert ", said sum to be apportioned as follows: six thousand dollars for the support of the board and five hundred dollars for the support of the Department of Motor Vehicles".

Amendments adopted.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1907, as amended, at this time, without reference to reprint, committee or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1907, as Amended.

Assembly Bill No. 1907—An act imposing an excise tax on the use in this State of motor vehicle fuel, providing for the issuance of permits to the users of such fuel and for the levy, assessment and collection of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Motion to Amend Assembly Bill No. 1907.

Mr. Heisinger moved to amend Assembly Bill No. 1907 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 19 and 20, add the following: "4 cents per gallon on the use of diesel fuel and".

Amendment No. 2.

On page 2, line 20, of the printed bill, as amended, after "fuel", add the following: "as defined by this act, other than diesel fuel".

Amendment read, and refused adoption by the following vote:

AYES—Burns, Michael J., Cassidy, Crowley, Dannenbrink, Desmond, Dilworth, Donihue, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Laughlin, Lore, McMurray, Miller, George P., O'Donnell, Patterson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Walker, and Mr. Speaker—28.

NOES—Baynham, Boyle, Burns, Hugh M., Call, Cronin, Daley, Field, Flint, Fulcher, Gannon, Glick, Hornblower, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Stream, Watson, Weber, and Yorty—34.

Assembly Bill No. 1907, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—Crowley, Heisinger, Leonard, and O'Donnell—4.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1907.

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1907 was this day passed.

Assembly Bill No. 1907 ordered to reprint.

Explanation of Vote.

By Mr. O'Donnell:

I voted "No" on Assembly Bill No. 1907, not from the belief that diesel fuel should not be taxed, but from the belief that this is an insufficient tax.

Leaves of Absence.

Mr. Andreas was granted leave of absence for the balance of this legislative day, on motion of Mr. Boyle.

Mr. Kepple was granted leave of absence for the balance of this legislative day, on motion of Mr. Kuchel.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1836—An act to repeal an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to incorporated cities, and for the incorporation of such annexed territory in, and as a part of such municipalities, and for the

districting, government, and municipal control of annexed territory," approved March 19, 1889.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1837—An act to repeal an act entitled "An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government, and municipal control of the annexed territory," approved March 2, 1899.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1838—An act to repeal an act entitled "An act to provide for changing the boundaries of cities and municipal corporations, and to exclude territory therefrom," approved March 19, 1889.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. Earl D. Desmond in the Chair.

At five o'clock and twenty-five minutes p. m., Hon. Earl D. Desmond, member of the Assembly from the Ninth District, in the chair.

Assembly Bill No. 802—An act to add section 929 to the Fish and Game Code, relating to and regulating the subject of fishing within the jurisdiction of the State of California.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Crowley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Weber, and Yorty—46.

NOES—Baynham, Field, Heisinger, Kuchel, Latham, Lore, Redwine, Robertson, and Watson—9.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At five o'clock and forty-five minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 1624—An act to amend section 3.220 of the School Code, relating to the system of public instruction.

Demand for Previous Question.

Messrs. Morgan, Patterson, Garibaldi, Burns, Hugh M., and King demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1624.

The roll was called, and Assembly Bill No. 1624 refused passage by the following vote:

AYES—Boyle, Burns, Michael J., Call, Clark, Cronin, Dilworth, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, King, Laughlin, Lore, Lyon, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sheehan, Tenney, Walker, Watson, Weber, Yorty, and Mr. Speaker—33

NOES—Baynham, Burns, Hugh M., Cassidy, Crowley, Dannenbrink, Desmond, Donnelly, Field, Fulcher, Gannon, Glick, Heisinger, Johnson, Kuchel, Latham, Leonard, Martin, Redwine, Scudder, Stream, and Turner—21.

Notice of Motion to Reconsider Assembly Bill No. 1624.

Mr. McMurray gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1624 was this day refused passage.

Leaves of Absence.

Mr. Garland was granted leave of absence for the balance of this legislative day, on motion of Mr. Leonard.

Mr. Williamson was granted leave of absence for the balance of this legislative day, on motion of Mr. Cronin.

Resolution.

The following resolution was offered:

By Mr. Crowley:

House Resolution No. 123.

WHEREAS, The members of this Assembly have learned with deep sorrow and profound regret of the passing of Andrew Herman Foster at the age of 93 years; and

WHEREAS, Said Andrew Herman Foster was a Veteran of the Civil War and a member of Farragut Post No. 4, Grand Army of the Republic, and had served throughout the Civil War with distinction, and had accompanied General Sherman on his illustrious march from Atlanta to the sea; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day, it do so out of respect to the memory of said Andrew Herman Foster.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up House Resolution No. 123, at this time, without reference to committee or calendar.

House Resolution No. 123 read, and unanimously adopted.

Motion to Withdraw Assembly Bill No. 343 from Committee.

Mr. Johnson moved to withdraw Assembly Bill No. 343 from the Committee on Financial Institutions, and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Burns, Michael J., Tenney, Muldoon, Garibaldi, and Baynham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Bill No. 343 from the Committee on Financial Institutions, and have it placed upon the calendar.

The roll was called, and Assembly Bill No. 343 withdrawn by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Lore, Maloney, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Sheehan, Stream, Tenney, Walker, Watson, Weber, Yorty, and Mr. Speaker—42.

NOES—Call, Cronin, Fulcher, Leonard, and Lyon—5

Assembly Bill No. 343 ordered on second reading calendar.

Motion to Withdraw Assembly Bill No. 1917 from Committee.

On motion of Mr. Desmond, Assembly Bill No. 1917 was withdrawn from the Committee on Financial Institutions, and placed upon the calendar by the following vote:

AYES—Baynham, Burns, Michael J., Cassidy, Clark, Crowley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Lore, McMurray, Miller, Eleanor, Morgan, Muldoon, Patterson, Peek, Pelletier, Richie, Rosenthal, Sheehan, Stream, Tenney, Walker, Watson, Weber, Yorty, and Mr. Speaker—41.

NOES—Boyle, Cronin, Hunt, and Lyon—4.

Assembly Bill No. 1917 ordered on second reading calendar.

Motion to Withdraw Assembly Bill No. 258 from Committee.

Mr. Yorty moved to withdraw Assembly Bill No. 258 from the Committee on Financial Institutions, and have it placed upon the calendar.

The roll was called, and the motion to withdraw lost by the following vote:

AYES—Baynham, Burns, Michael J., Cassidy, Clark, Dannenbrink, Desmond, Dilworth, Donnelly, Flint, Gannon, Gilbert, Hawkins, Heisinger, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Miller, Eleanor; Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Weber, Yorty, and Mr. Speaker—31.

NOES—Boyle, Call, Cronin, Crowley, Field, Hornblower, Hunt, Lyon, Maloney, Muldoon, Sheehan, Stream, and Watson—13.

Resolutions.

The following resolutions were offered:

By Mr. King:

House Resolution No. 124.

WHEREAS, The Honorable Frank C Jordan will celebrate his seventy-seventh birthday on Saturday, April 3, 1937; and

WHEREAS, He has filled the position of Secretary of State for many years with great distinction, honor and ability; and

WHEREAS, He continues to perform his duties with a degree of vigor and enthusiasm that belies his years; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislature hereby extends to the Honorable Frank C. Jordan it heartiest felicitations and its sincere hope that he continue to enjoy many more years of health and happiness; and be it further

Resolved, That when the Assembly adjourns on Friday, April 2, 1937, it do so in honor of the said Frank C. Jordan as an expression of its appreciation for his services to the State of California.

Request for Unanimous Consent.

Mr King asked for, and was granted, unanimous consent to take up House Resolution No 124, at this time, without reference to committee or calendar.

House Resolution No. 124 read, and unanimously adopted.

By Mr. Hornblower:

House Resolution No. 125.

WHEREAS, The Advisory Committee on Motor Vehicle Legislation is composed of persons thoroughly conversant with the sale, equipment, and regulation of motor vehicles; and

WHEREAS, The activity of this committee has led to many constructive suggestions with relation to the Motor Vehicle Laws; and

WHEREAS, It is desirable to continue the functions of such committee to the end that other desirable legislation relating to motor vehicles may be suggested; and

WHEREAS, In order to fully accomplish the purpose of its creation, namely: The recommendation of necessary modifications in the laws pertaining to motor vehicles, the committee should also take into consideration the administration of such laws, as well as inquire into the manner in which the existing laws relating to motor vehicles lend themselves to actual administration by the Department of Motor Vehicles; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a committee of three members of the Assembly to cooperate with such Advisory Committee on Motor Vehicle Legislation to the end that any necessary modification in the Motor Vehicle Laws may be ascertained and suggested to the Legislature at the next regular session thereof; and be it further

Resolved, That said committee report its findings and recommendations to the Legislature; and be it further

Resolved, That the committee may require the attendance of persons in the Department of Motor Vehicles and the production of evidence of the amount of money required to be expended by the department in the performance of its duties, to the end that unnecessary expense and delay caused by any of the present laws relating to the functions of the department may be eliminated

Request for Unanimous Consent.

Mr Hornblower asked for, and was granted, unanimous consent to take up House Resolution No. 125, at this time, without reference to committee or calendar.

House Resolution No. 125 read, and adopted by the following vote:

AYES—Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Leonard, Lore, Lyon, Maloney, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sheehan, Stream, Tenney, Watson, Weber, Yorty, and Mr. Speaker—43.

NOES—None.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 788.

Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:

Senate Bill No. 264.

Senate Bill No. 893.

Respectfully reports the same back with the recommendation: Do pass.

MEEHAN, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
Senate Bill No. 937.
Respectfully reports the same back with the recommendation: Do pass as amended.
MEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Assembly Bill No. 1775.
Respectfully reports the same back without recommendation, as amended.
DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 2593.
Assembly Bill No. 440.
Respectfully reports the same back without recommendation, as amended.
CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:
Senate Joint Resolution No. 15.
Respectfully reports the same back with the recommendation: Be adopted as amended.
HEISINGER, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:
Assembly Joint Resolution No. 6. **Assembly Joint Resolution No. 18.**
Assembly Joint Resolution No. 17. **Assembly Joint Resolution No. 26.**
Respectfully reports the same back with the recommendation: Be adopted
HEISINGER, Chairman.

The above reported bills ordered to engrossment.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:
Assembly Bill No. 1437. **Assembly Bill No. 1831.**
Assembly Bill No. 1674. **Assembly Bill No. 1832.**
Respectfully reports the same back without recommendation, as amended
SAWALLISCH, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:
Assembly Bill No. 883. **Assembly Bill No. 1274.**
Assembly Bill No. 1271. **Assembly Bill No. 2518.**
Assembly Bill No. 1273.
Respectfully reports the same back with the recommendation: Do pass.
SAWALLISCH, Chairman

The above reported bills ordered on second reading calendar.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:
Assembly Bill No. 308.
Respectfully reports the same back with the recommendation: Do pass
REAVES, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Assembly Bill No. 383.

Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

REAVES, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1166.
Assembly Bill No. 2188.
Assembly Bill No. 2189.

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 516.

Respectfully reports the same back with the recommendation: Do pass as amended.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 2039.
Assembly Bill No. 2187.

Respectfully reports the same back without recommendation, as amended

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 771.
Assembly Bill No. 1012.
Assembly Bill No. 1430.
Assembly Bill No. 1446.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 71.
Assembly Bill No. 675.
Assembly Bill No. 1137.
Assembly Bill No. 1490.
Assembly Bill No. 1594.
Assembly Bill No. 1595.
Assembly Bill No. 1653.
Assembly Bill No. 1593.
Assembly Joint Resolution No. 6.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred:

Assembly Bill No. 2369.

Respectfully reports the same back with the recommendation: Do pass.

SHEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred:

Assembly Bill No. 1086.
Assembly Bill No. 1129.
Assembly Bill No. 1559.

Respectfully reports the same back with the recommendation: Do pass as amended.

SHEEHAN, Chairman.

The above reported bills ordered on second reading calendar.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1491 re-referred to Committee on Insurance.

Assembly Bill No. 2016 re-referred to Committee on Agriculture.

Assembly Bill No. 1012 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1653 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1654 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 592 re-referred to Committee on Fish and Game.

Assembly Bill No. 2165 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2536 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2521 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1490 re-referred to Committee on Building and Construction.

Assembly Bill No. 2511 re-referred to Committee on Social Service and Welfare.

Adjournment.

At six o'clock and thirty minutes p.m., on motion of Mr King, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late Andrew Herman Foster and also out of respect to the Hon. Frank C. Jordan on his seventy-seventh birthday, until nine o'clock a m , Saturday, April 3, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FIRST LEGISLATIVE DAY
NINETIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, April 3, 1937.

At nine o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Assistant Minute Clerk Glenn E. Coolidge at the desk.

Roll Call.

The roll was called.

Call of the Assembly.

Mr. Robertson moved a call of the Assembly.

Motion carried.

Time, nine o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Clark, Crowley, Cunningham, Dannenbrink, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Heisinger, Hunt, Kuchel, Latham, Laughlin, Lore, Martin, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, Patterson, Peek, Reaves, Richie, Robertson, Stream, Tenney, Walker, Watson, Yorty, and Mr. Speaker—36.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Further Proceedings Under Call of the Assembly Dispensed With.

At nine o'clock and twenty minutes a m , further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Robertson.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Boyle, Burns, Michael J , Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

Quorum present.

Prayer.

Prayer was offered by Miss Miller, member of the Assembly from the Forty-Seventh District.

Reading of the Journal Dispensed With.

On motion of Mr. Turner, the further reading of the Journal of Friday, April 2, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:
Mr. Beene, on motion of Mr. Morgan.
Mr. Breed, on motion of Mr. Morgan.
Mr. Burns, Hugh M., on motion of Mr. Morgan.
Mr. Call, on motion of Mr. Morgan.
Mr. Cassidy, on motion of Mr. Morgan.
Mr. Corwin, on motion of Mr. Morgan
Mr. Cottrell, on motion of Mr. Morgan.
Mrs. Daley, on motion of Mr. Morgan.
Mr. Dawson, on motion of Mr. Morgan.
Mr. Glick, on motion of Mr. Morgan.
Mr. Hornblower, on motion of Mr. Morgan.
Mr. Kepple, on motion of Mr. Morgan
Mr. Leonard, on motion of Mr. Morgan.
Mr. Levey, on motion of Mr. Morgan.
Mr. Maloney, on motion of Mr. Morgan.
Mr. Mayo, on motion of Mr. Morgan.
Mr. Miller, George P., on motion of Mr. Morgan.
Mr. Millington, on motion of Mr. Morgan.
Mr. O'Donnell, on motion of Mr. Morgan.
Mr. Peyser, on motion of Mr. Morgan.
Mr. Sheehan, on motion of Mr. Morgan.
Mr. Thorp, on motion of Mr. Morgan.
Mr. Voigt, on motion of Mr. Morgan.
Mr. Waters, on motion of Mr. Morgan.
Mr. Williamson, on motion of Mr. Morgan.

Second Reading of Assembly Bills.

Assembly Bill No. 523—An act to add section 33.5 to the Public Utilities Act, relating to public utilities.

Committee Amendment to Assembly Bill No. 523.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following

"SEC. 33.5. Disbursements made by public utilities shall not be considered as operating expenses, nor shall they be included for any purpose in the basis upon which the rates of the public utility are fixed, if they are any of the following:

(a) Disbursements to any person, organization, agency, corporation for charitable, or eleemosynary purposes.

(b) Disbursements to or for the benefit of any person, political party, club, organization or association for political purposes.

(c) Disbursements made directly or indirectly by the public utility in an endeavor to influence public opinion with respect to matters which are pending before the Legislatures of the several States, or in the Congress of the United States.

(d) Disbursements made directly or indirectly by a public utility, whether in the form of salaries, expenses, or otherwise, for the purpose of appearing before the Legislatures of the several States, or before the Congress of the United States, for any purpose, or at all.

(e) Disbursements made to any trade association or association comprised of public utilities or representatives thereof for any purpose, or at all.

(f) Disbursements made to any chamber of commerce, business club, or organization of similar character.

(g) Disbursements made directly or indirectly by a public utility for the purpose of presenting to the electors of this State any information, argument, or opinion, respecting the merits of any candidate, or the merits of any proposition upon which the electors are to express their choice at the polls"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2410—An act to add section 85 to the Public Utilities Act, relating to public utilities.

Committee Amendment to Assembly Bill No. 2410.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"Sec. 85. No nonprofit agricultural cooperative association organized and acting within the scope of its powers under Chapter 4, Division VI of the Agricultural Code shall be construed to be a common carrier under the provisions of this act when engaged in transporting its own property or the property of its members."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill 1404—An act to add section 52¼ to the "Public Utilities Act," relating to the sale of stocks and other securities to employees.

Committee Amendment to Assembly Bill No. 1404.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following.

"Every person who causes or attempts to cause an employee of a public utility to purchase, or agree to purchase any stock, stock certificates or other evidence of interest or ownership, or bonds, notes or other evidence of indebtedness of a public utility, or a subsidiary, holding company, or affiliated company, of a public utility by which he is employed, by threatening or suggesting to the employee that he will lose his position as such employee if he fails so to do, is guilty of a misdemeanor"

Amendment adopted.

Bill read second time, ordered to reprint, and engrossment.

Assembly Bill No. 69—An act to amend sections 1305, 1306, and 1307 of the Penal Code, relating to forfeiture of bail.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1775—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources.

Committee Amendments to Assembly Bill No. 1775.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 22, of the printed bill, as amended March 23, 1937, strike out the period, and insert in lieu thereof a comma and add the following: "and other State departments and State officers."

Amendment No. 2.

On page 1, line 25, of the printed bill, as amended March 23, 1937, strike out the word "and", and insert in lieu thereof a comma

Amendment No. 3.

On page 1, line 25, of the printed bill, as amended March 23, 1937, strike out the period after the word "publication", and insert the following: "and to exchange copies thereof with contemporary publications"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2593—An act to amend sections 5.72, 5.721 and 5.722 of the School Code, relating to leaves of absence of persons employed in school districts requiring certification requirement.

Committee Amendments to Assembly Bill No. 2593.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "5.72, 5.721 and 5.722", and insert in lieu thereof the following: "5.720 and 5.750".

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 5.720 of the School Code is hereby amended to read as follows:

5.720. Governing boards of school districts shall have power to grant leaves of absence to persons employed in positions requiring certification qualifications. No leave of absence under this, or any other provision of this code, shall be granted unless the person desiring such leave of absence shall submit his request therefor in writing, stating clearly the reason why he desires such leave of absence.

SEC. 2. Section 5.750 of the School Code is hereby amended to read as follows:

5.750 A person employed in a position requiring certification qualifications who is required to be absent from his duties on account of illness is entitled to a leave of absence for the duration of such illness, but not to exceed five school months in any school year, provided such person within five days following the commencement of his illness notifies the governing board of the employing district in writing of his illness and the nature thereof

The amount deducted from the salary of any person entitled to a leave of absence under this paragraph for any month during such leave of absence shall not exceed the sum actually paid a substitute employee employed to take his place during his absence. The term "Illness" as used herein does not include childbirth or any condition caused thereby. The provisions of this paragraph shall not apply to any illness occurring during a leave of absence secured under any other provision of this code.

A leave of absence on account of illness for a period in excess of five school months in any school year, or on account of childbirth and conditions caused thereby or for any other cause may be granted by the governing board of the employing district with such compensation as the said board may see fit to grant.

Nothing in this section shall be construed so as to deprive any district, city or city and county of the right to make any reasonable rule for the regulation of sick leave or cumulative sick leave without loss of salary for persons requiring certification qualifications."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 440—An act to repeal sections 5.741, 5.742, 5.743, 5.744, and 5.745 of the School Code and to add thereto three new sections to be numbered 5.741, 5.742, and 5.743, all relating to the payment of salaries of persons employed by school districts in positions requiring certification qualifications.

Committee Amendments to Assembly Bill No. 440.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 3 of the title, both inclusive, and insert in lieu thereof the following: "An act to repeal section 5.743 of the School Code, to add thereto a new section to be numbered 5.743 and to amend sections 5.744 and 5.745 thereof, all relating to the".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 25, both inclusive, and strike out all of pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. Section 5.743 of the School Code is hereby repealed.

SEC. 2. A new section is hereby added to the School Code to be numbered 5.743 and to read as follows:

5.743. The governing board of any school district not paying the annual salaries of persons employed by the district in twelve equal monthly payments may withhold from each payment made to each such employees an amount equal to sixteen and two-thirds per cent thereof. All amounts so withheld shall be expended duly in accordance with the provisions of this section.

The total of the amounts deducted as hereinbefore provided from the salary of any employee during any school year shall be paid to him in two equal installments, one such installment to be paid not later than the fifth day of August next succeeding, and one such installment to be paid not later than the fifth day of September next succeeding.

In the event any such employee leaves the service of the district by death or otherwise before receiving such moneys as may be due him, the amount due him shall be paid within 30 days to such employee or to any other party entitled thereto by law.

SEC. 3. Section 5.744 of the School Code is hereby amended to read as follows:

5.744. A person in a position requiring certification qualifications who serves less than a full school year is entitled to receive as salary only an amount that bears the same ratio to the established annual salary for such position as the time he serves bears to the annual school term. This section shall not be so construed as to prevent the payment of compensation to a person while on leave of absence when the payment of such compensation is authorized by law.

SEC. 4. Section 5.745 of the School Code is hereby amended to read as follows:

5.745. Each salary payment for any calendar month shall be paid not later than the fifth day of the succeeding calendar month."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1437—An act to amend section 10434 of the Insurance Code, relating to insurance

Committee Amendments to Assembly Bill No. 1437.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 25, of the printed bill, insert the following:

"(7) Any member of its board of directors who is not either a former or active general agent, provided however that no more than one-third of insurers board of directors shall receive, or be entitled to receive, such compensation at any one time."

Amendment No. 2.

On page 1, line 26, of the printed bill, strike "(7)", and insert in lieu thereof the following: "(8)".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1674—An act to amend sections 1170, 1172, 1173, 1174, 1175, 1178, 1191, 1192, 1196, 1200, and 1201 of the Insurance Code, and to add section 1180 thereto, all relating to investments by insurers

Committee Amendments to Assembly Bill No. 1674.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 line 33 of the printed bill, after the end of the sentence, add the following:

"The commissioner in determining whether to approve any such bonds may, at the expense of the insurer requesting the approval, make such investigation of such bonds and the security thereunder as he deems proper."

Amendment No. 2.

On page 4 of the printed bill, strike out all of lines 1 to 16, inclusive

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1832—An act to amend sections 12421, 12428, 12484, 12486, 12488 and 12501 of the Insurance Code, all relating to mortgage insurers.

Committee Amendments to Assembly Bill No. 1832.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the comma, insert the following: "and to add Article 13 consisting of section 12650, to Chapter 2, Part 6, Division 2, thereof,".

Amendment No. 2.

On page 1, lines 26 and 27, of the printed bill, strike out "organized under the laws of this State", and insert in lieu thereof the following: ", as defined in the Bank Act".

Amendment No. 3.

On page 1, line 29, of the printed bill, strike out the period, and insert in lieu thereof the following ", and includes such individual or individuals as may be hereafter from time to time designated as such by a mortgage insurer and approved in writing by the Insurance Commissioner of this State; provided, however, that each individual trustee shall file with the Insurance Commissioner and thereafter keep in full force and effect, a corporate fidelity bond, in form and amount approved by the Insurance Commissioner of this State"

Amendment No. 4.

On page 3 of the printed bill, between lines 18 and 19, insert the following:

"(j) The securities specified in Article 4, Chapter 2, Part 2, Division 1, under the conditions, restrictions and limitations therein set forth, but only from its funds in excess of the reserves required to be maintained by it under the provisions of section 12442 of at least one-twentieth of the aggregate amount of unpaid principal of securities guaranteed or insured by it, which funds shall be denominated "excess funds"."

Amendment No. 5.

On page 4 of the printed bill, strike out line 4, and insert in lieu thereof the following:

"(h) All such".

Amendment No. 6.

On page 4 of the printed bill, strike out lines 8, 9, and 10, and insert in lieu thereof the following: "insurer, or held in any mortgage participation trust; also all such other real estate, improved or unimproved, as in the opinion of the board of directors of the insurer shall be for the best interests of the insurer to purchase, hold or convey. The aggregate cost of such real estate with improvements acquired under the authority granted under this subdivision shall not exceed 25 per cent of its paid-in capital, and shall only be purchased from its funds in excess of the reserves required to be maintained by it under the provisions of section 12442, of at least one-twentieth of the aggregate amount of unpaid principal of securities guaranteed or insured by it, which funds shall be denominated "excess funds""

Amendment No. 7.

On page 4 of the printed bill, after line 28, insert the following:

"SEC. 7. Article 13 is hereby added to Chapter 2, Part 6, Division 2, of the Insurance Code, to read as follows:

Article 13 Exemptions.

12650 The provisions of subdivision (f) of section 381, and the provisions of sections 382, 383, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 761, 762, 763, 764, 765, 766, 800, 801, 802, 803, 804, 805, 806, 807, 808 and 809 shall not apply to mortgage insurers"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1831—An act to amend sections 12422, 12489 and 12629 of the Insurance Code, all relating to mortgage insurers.

Committee Amendments to Assembly Bill No. 1831.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after "estate", insert the following: ", such real estate being improved or productive or a building being in process of construction thereon by means of a building loan"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 7 to 10, inclusive, and in line 11, strike out "(c)", and insert in lieu thereof the following: "(b)".

Amendment No. 3.

On page 1, line 14, of the printed bill, strike out the period, and insert in lieu thereof the following: ", after deducting from said fair market value a sum equal to the unpaid principal of all public bonds and assessments existing and outstanding against such real estate."

Amendment No. 4.

On page 4, line 13, of the printed bill, strike out "slch", and insert in lieu thereof the following: "such".

Amendment No. 5.

On page 7, lines 40 and 41, of the printed bill, strike out "prior to April 1, 1939; provided, however, that if, prior to April 1, 1939," and insert in lieu thereof the following: "during the emergency period, which period, for the purposes of this section, shall commence with the effective date of this section and shall expire April 1, 1939, or at such earlier date as the commissioner shall find and declare that such emergency period has terminated; provided, however, that if, prior to the expiration or termination of said emergency period,".

Amendment No. 6.

On page 7 of the printed bill, strike out line 46, and insert in lieu thereof the following: "at the expiration or termination of such emergency period."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2518—An act to amend section 3a of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to workmen's compensation insurance.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1271—An act to add two new sections to the Insurance Code to be numbered 11665 and 11666, relating to requirement that all licensed employers be insured for workmen's compensation.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1273—An act to add section 20.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to termination of liability.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 883—An act to amend section 5090 of the Insurance Code, relating to county mutual fire insurers.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1274—An act to add section 5803.5 to the Labor Code, relating to termination of liability for workmen's compensation benefits.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 308—An act to amend section 171a of the Penal Code, relating to the conduct of prisons, jails, and reformatories.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1166—An act to amend section 1066 of the Fish and Game Code, relating to the reduction of sardines

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2188—An act to amend section 731 of the Fish and Game Code, relating to taking barracuda.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2189—An act to amend section 733.5 of the Fish and Game Code, relating to taking of yellowtail

Bill read second time, and ordered to engrossment.

Assembly Bill 516—An act to add section 869 to the Fish and Game Code, relating to tuna.

Committee Amendment to Assembly Bill No. 516.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "at any time in districts where nets are not prohibited", and insert in lieu thereof the following:

"in any district at any time, provided that the mesh of such nets shall be not less than four and one-half inches".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2039—An act to amend section 1414 of the Fish and Game Code, relating to the forfeiture of apparatus used to take birds, mammals or fish.

Committee Amendment to Assembly Bill No. 2039.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 9, 10 and 11, of the printed bill, as amended, strike out "gear, apparatus or device which is being used, or is capable of being used, as a means of securing a livelihood", and insert in lieu thereof the following: "fishing nets".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2187—An act to amend section 717.5 of the Fish and Game Code, relating to the possession limit on boat of yellowtail, white sea bass or barracuda.

Committee Amendment to Assembly Bill No. 2187.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 3 to 9, inclusive, and insert in lieu thereof the following: "717.5. It is".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1086—An act to amend section 3716 of the Political Code, relating to the lien of taxes on real and personal property and providing that such lien shall cease to exist after 30 years.

Committee Amendments to Assembly Bill No. 1086.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, strike out ". In every", and insert in lieu thereof the following: ", and it shall be the duty of the auditor, or other official having charge of the records of such tax, to mark the same paid. A sale or deed to the State or to any taxing agency for tax delinquency, which sale or deed does not terminate the right of redemption, shall not be deemed a sale in the manner provided by law for the payment of the tax"

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 17, 18, 19, 20, 21, 22 and 23.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1129—An act to add a new section numbered section 6 to an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price for the sale of jute bags

Committee Amendments to Assembly Bill No. 1129.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "a new section numbered section 6", and insert in lieu thereof the following: "section 6 and 7".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, strike out "price for the".

Amendment No. 3.

On page 1 of the printed bill, after line 26, add the following:

"SEC. 2. A new section to be numbered 7 is hereby added to the act cited in the title hereof to read as follows.

Sec. 7. The State Board of Prison Directors may adopt rules and regulations for the enforcement of the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1559—An act to repeal section 3897 of the Political Code and to add to said code a new section to be numbered 3897, relating to the sale of property deeded to the State for delinquent taxes.

Committee Amendments to Assembly Bill No. 1559.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "shall", insert a comma.

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, after "troller", insert a comma.

Amendment No. 3.

On page 4, line 13, of the printed bill, as amended, strike out "or persons".

Amendment No. 4.

On page 4, line 23, of the printed bill, as amended, strike out "shall also", and insert in lieu thereof the following: "also to".

Amendment No. 5.

On page 5, line 37, of the printed bill, as amended, before "the", insert the following: "the State Controller and".

Amendment No. 6.

On page 5, line 43, of the printed bill, as amended, strike out "political subdivision or district", and insert in lieu thereof the following: "taxing agency".

Amendment No. 7.

On page 6, line 14, of the printed bill, as amended, strike out "of this code".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2369—An act to add section 3888b to the Political Code, relating to conveyance of land to a county in payment of taxes, penalties and interest due the county from the owner of the land.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 343—An act, to be known as the Usury Law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, and providing penalties for the violation of the provisions hereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1917—An act to amend sections 5, 21 and 23 of, to add a new paragraph to section 16, and to add section 18½ to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to prescribe, fix, limit and regulate the charges and interest rates of personal property brokers and brokers.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 788—An act repealing section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations, etc, approved April 20, 1935.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 264—An act to add section 134 to the Streets and Highways Code, relating to the acquisition of property within cities for highway purposes.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 893—An act to amend sections 251, 308, 340, 344, 351, 352, 361, 368, 369, 374, 377, 404, and 425 of, to add four new sections to be numbered 503, 504, 505, and 506 to, and to repeal sections 603, 611, 641, and 642 of the Streets and Highways Code, relating to the descriptions of various State highway routes.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 937—An act to add a new section to be numbered 112 to the Streets and Highways Code, relating to official grades of State highways within cities.

Committee Amendment to Senate Bill No. 937.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, after the word "statute", insert the following: "or ordinance".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Joint Resolution No. 15—Relative to memorializing and petitioning Congress to enact adequate legislation to regulate the presentation of radio programs dealing with crime.

Committee Amendments to Senate Joint Resolution No. 15.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed measure, strike out "to", following "legislation".

Amendment No. 2.

On page 1 of the printed measure, strike out lines 3 and 4 of the title, and insert in lieu thereof the following: "with regard to public presentations of such a character as to tend to cause adulation of criminals or emulation of criminal exploits."

Amendment No. 3.

On page 1 of the printed measure, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"WHEREAS, During the past few years certain agencies have disseminated to the public news and fiction, and stage, motion picture and radio dramatizations, and have on occasion presented subjects romanticizing the nefarious exploits of criminals; and".

Amendment No. 4.

On page 1 of the printed measure, strike out line 5, and insert in lieu thereof the following:

"WHEREAS, Certain of these presentations have been of a character tending to sway persons of".

Amendment No. 5.

On page 1, line 6, of the printed measure, strike out "impressionistic", and insert in lieu thereof the following: "impressionable".

Amendment No. 6.

On page 1, line 7, of the printed measure, strike out "they portray," and insert in lieu thereof the following: "portrayed therein, possibly".

Amendment No. 7.

On page 1, line 11, of the printed measure, strike out "programs", and insert in lieu thereof the following: "presentations".

Amendment No. 8.

On page 1, line 15, of the printed measure, strike out "performances", and insert in lieu thereof the following: "presentations".

Amendment No. 9.

On page 1, line 17, of the printed measure, strike out "now".

Amendment No. 10.

On page 1 of the printed measure, strike out lines 23 and 24, and insert in lieu thereof the following: "legislation for the regulation of public presentations dealing with crime, either in print, in motion pictures, on the stage, or by radio programs; and be it further".

Amendment No. 11.

On page 1 of the printed measure, strike out lines 27 to 29, inclusive, and insert in lieu thereof the following: "States, to each Senator and Representative in Congress of the State of California, and to all other Federal authorities having anything to do with the activities of the agencies above mentioned."

Amendments adopted.

Senate Joint Resolution No. 15 ordered to reprint and third reading calendar.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Notices of Motion to Reconsider Continued.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1688 was passed was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1469 was passed was continued until the next legislative day.

On motion of Mr. Heisinger, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1907 was passed was continued until the next legislative day.

On motion of Mr. Patterson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1624 was refused passage was continued until the next legislative day.

Third Reading of Assembly Bills.

Assembly Bill No. 1290—An act to add three new sections to the Political Code, to be numbered 4041.30, 4041.31 and 4041.32, relating to sale of lands dedicated for public parks.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1798—An act to amend section 5.721 of the School Code, relating to absence from duty.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 737—An act to amend section 4004 of the Political Code, relating to county assistance to special districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1301—An act to add section 690.25 to the Code of Civil Procedure, relating to the levy of execution on interests in estates.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 9—Relative to memorializing the President and Congress to set up a Central Valley Project Authority, and to adopt necessary legislation therefor.

Assembly Joint Resolution No 9 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1616—An act to authorize cities, counties, or county fire protection districts to perform services for each other in extinguishing fires and providing for the payment therefor.

Motion to Amend Assembly Bill No. 1616.

Mr. Laughlin moved to amend Assembly Bill No. 1616 as follows:

Amendment No. 1.

On page 1, line 18, of the printed bill, strike out the period, and insert in lieu thereof the following: ", in accordance with predetermined schedules of payments agreed upon by the respective entities."

Amendment No. 2.

On page 1 of the printed bill, after line 23, insert the following:

"SEC. 3. Whenever a fire occurs in any county or within the boundaries of any National forest which is of such proportions that it can not be adequately extinguished or controlled by the forestry department or fire warden of said county or the facilities of the Division of Forestry of the State of California or of the United States Forest Service, the personnel, equipment and fire fighting facilities of any county of this State may be authorized by the State Forest Ranger within said county or the county forester or fire warden of said county to assist in the extinguishment and control of any such fire. Where the personnel, equipment and facilities of any county are utilized in the extinguishment or control of any fire outside the boundaries of said county, the county furnishing such personnel, equipment and facilities shall be reimbursed by the county in which such fire occurs in an amount in accordance with a schedule of repayments theretofore agreed upon by the boards of supervisors of the said counties, or between the board of supervisors of any county and the Division of Forestry of the State of California or the United States Forest Service, as the case may be."

Request for Unanimous Consent.

Mr. Laughlin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1616, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1616, as Amended.

Assembly Bill No. 1616—An act to authorize cities, counties, or county fire protection districts to perform services for each other in extinguishing fires and providing for the payment therefor.

Assembly Bill No. 1616, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2788—An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2607—An act to authorize the incorporated cities of the State of California to establish retirement systems for their policemen, firemen and other employees of said cities where there is not already established a retirement system for the said officers or employees of said cities and providing for the appointment by the Governor of a Retirement Commission for the general administration of the retirement systems established by the said incorporated cities within the State.

The members of the city retirement board shall serve without additional compensation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 288—An act to add section 654d to the Penal Code, relating to false advertising by radio, and providing penalties for the violation thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2215—An act to authorize the Department of Finance to acquire, upon behalf and in the name of the State of California, by contract to purchase or otherwise, certain real property in the city of Sacramento, and to make the same available to agencies of the State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 21—Relative to memorializing the President and Congress of the United States to enact legislation that would result in financial aid in the construction of a neuro-psychopathic hospital for veterans of the World War.

Assembly Joint Resolution No. 21 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1568—An act to amend section 3596 of the Political Code, relating to the State Burying Ground.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson,

King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1683—An act to add section 2263 to the Political Code, relating to courses in social service in the California School for the Blind.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2808—An act to add section 1098 to the Political Code, relating to elections.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 472—An act to amend section 1500 of the Civil Code, relating to the extinction of pecuniary obligations.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 217—An act to amend sections 1, 2, and 3 of an act entitled "An act relating to the registration of vessels and requiring a tax clearance as the prerequisite for registration," approved June 1, 1935, relating to the registration of vessels.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 341—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint,

Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1027—An act to add section 1182.5 to the Penal Code, relating to evidence on motion for new trial.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1341—An act to amend section 1550 of the Streets and Highways Code, relating to county road taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 200—An act to amend section 702 of the Code of Civil Procedure, relating to redemption interest.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1037—An act to amend section 1127 of the Penal Code, relating to instructions and comment in criminal cases.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 977—An act to repeal section 2.1209 of the School Code, relating to the grading of schools by county superintendents of schools.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller,

Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 6—Relative to memorializing the President and Congress to enact legislation furnishing aid in the construction of check dams in the Salinas River Valley.

Assembly Joint Resolution No. 6 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 444—An act to amend the Political Code of the State of California by amending section 1142 thereof; by adding a new section to be designated section 1142b to provide for the publication of the designated polling places in a newspaper of general circulation or in one or more newspapers of general circulation at various places in the county, and by amending section 4058 to provide for publication of the notice of election in the same manner.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1835—An act to repeal an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1839—An act to amend sections 2, 4 and 5 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of incorporated and unincorporated territory or incorporated or unincorporated territory to municipal corporations and for the incorporation and consolidation of such annexed territory in and as a part thereof," approved May 31, 1929, relating to the annexation of territory to municipal corporations.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 411—An act to amend section 588 of the Vehicle Code, relating to parking.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1834—An act to amend section 2167b of the Political Code, relating to persons mentally disordered and bordering on insanity, but not dangerously insane.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2194—An act to amend section 4041.21 of the Political Code, relating to powers and duties of boards of supervisors and permitting boards of supervisors to rent or lease space in county courthouses for news stand, cigar stand and lunch room purposes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 135—An act expressing assent by the State of California to the provisions and purpose of an act passed by the Congress of the United States entitled "An act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges," approved June 29, 1935, and to authorize and empower the Regents of the University of California to receive all grants of money appropriated under the said above entitled act of the Congress of the United States, and to apply, use and expend said grants of money for

the purposes and in accordance with the terms, conditions, and requirements set forth in the act of the Congress aforesaid.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1607—An act to amend section 716 of the Political Code, relating to State buildings and grounds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1069—An act to add section 3658b to the Political Code, relating to county maps for tax purposes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2551—An act to add a new section to be numbered 6.53 to the School Code, relating to inspection of school buildings.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1496—An act to amend an act entitled "An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10, of the Seventy-Third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection there-

with; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately,'' approved June 11, 1935, by amending each section of said act, to add new sections to be numbered 22, 23 and 24, and to repeal sections 3a, 6a, 15a, 16a and 20a of said act and to provide for the execution of marketing agreements and the issuance of licenses by the Director of Agriculture regulating the handling of agricultural commodities in intrastate commerce, and to declare the urgency of this act, and that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 187—An act to add Chapter IIIa, comprising sections 1334 to 1334.6, inclusive, to Title X of Part II of the Penal Code, relating to the attendance of witnesses without the State in criminal proceedings.

Motion to Amend Senate Bill No. 187.

Mr. Dannenbrink moved to amend Senate Bill No. 187 as follows:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, after the word "witnesses", insert the following: "from within or".

Amendment No. 2.

On page 2, line 10, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendment No. 3.

On page 2, line 14, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendment No. 4.

On page 2, line 24, of the printed bill, strike out "or summons".

Amendment No. 5.

On page 2, line 27, of the printed bill, strike out "summoned", and insert in lieu thereof the following: "subpenaed".

Amendment No. 6.

On page 2, line 32, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpenaed".

Amendment No. 7.

On page 2, line 33, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendment No. 8.

On page 3, line 5, of the printed bill, strike out "summoned", and insert in lieu thereof the following: "subpenaed".

Amendment No. 9.

On page 3, line 9, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendment No. 10.

On page 3, line 13, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendment No. 11.

On page 3, line 15, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendment No. 12.

On page 3, line 18, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendment No. 13.

On page 3, line 19, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendment No. 14.

On page 3, line 22, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendment No. 15.

On page 3, line 24, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendment No. 16.

On page 3, line 29, of the printed bill, strike out "summons", and insert in lieu thereof the following: "subpena".

Amendments adopted.

Ordered to reprint, and third reading.

Senate Bill No. 45—An act granting certain salt marsh, tide and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 993—An act to amend section 440 of the Political Code, relating to the issuance of warrants by the State Controller and payment of claims against the State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Adjournment.

At eleven o'clock and fifty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day, until eleven o'clock a.m., Monday, April 5, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SECOND LEGISLATIVE DAY
NINETY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 5, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Heisinger, the further reading of the Journal of Saturday, April 3, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Corwin, on motion of Mr. Stream.

Mr. Waters, on motion of Mr. Cunningham.

Mr. Weber, on motion of Mr. Dawson.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mary Malone, Miss Laura Tinker, and Mr. Albert A. James of Riverside.

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From L. A. Mills, regarding a portrait of Captain Charles M. Weber.

From the city of San Francisco, regarding increasing the number of judges of the superior court.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 69.
Assembly Bill No. 308.
Assembly Bill No. 883.
Assembly Bill No. 1166.
Assembly Bill No. 1271.
Assembly Bill No. 1273.
Assembly Bill No. 1274.
Assembly Bill No. 2518.
Assembly Bill No. 65.
Assembly Bill No. 121.
Assembly Bill No. 268.
Assembly Bill No. 285.
Assembly Bill No. 396.
Assembly Bill No. 695.
Assembly Bill No. 1060.
Assembly Bill No. 1295.
Assembly Bill No. 1613.
Assembly Bill No. 1652.
Assembly Bill No. 1818.
Assembly Bill No. 1945.
Assembly Bill No. 2008.
Assembly Bill No. 2164.
Assembly Bill No. 2338.
Assembly Bill No. 2462.
Assembly Bill No. 2463.
Assembly Bill No. 2658.
Assembly Bill No. 2694.
Assembly Bill No. 2796.
Assembly Bill No. 2797.
Assembly Joint Resolution No. 17.
Assembly Joint Resolution No. 18.
Assembly Joint Resolution No. 26.
Assembly Bill No. 1593.
Assembly Bill No. 1899.
Assembly Bill No. 2420.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1496.
Assembly Bill No. 2132.
Assembly Bill No. 2195.
Assembly Bill No. 2196.
Assembly Bill No. 2197.
Assembly Bill No. 2422.
Assembly Bill No. 538.
Assembly Bill No. 2551.
Assembly Bill No. 2623.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 699.
Assembly Bill No. 824.

And reports the same correctly enrolled, and presented to the Governor on this fifth day of April, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Notices of Motion to Reconsider Continued.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day.

On motion of Mr. Heisinger, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1907 was passed was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 1688 Waived.

Mr. Peek waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1688 was passed.

Assembly Bill No. 1688 ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1600—An act to amend an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, by adding to said act a new section numbered section 5 thereof, permitting the City and County of San Francisco, by action of its board of supervisors, to grant to the Government of the United States for the use of the Navy Department certain portions of the tidelands described in the above mentioned act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 854—An act to add section 14b to the State Civil Service Act, relating to rehearing after decision by the State Personnel Board or the Civil Service Commission.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2557—An act to amend section 1431 of the Penal Code, relating to change of venue.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1101—An act to amend section 447 and section 448 of the Code of Civil Procedure, relating to pleading of written instruments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Williamson, Yorty, and Mr. Speaker—58.

NOES—Garibaldi, Garland, Lore, and Robertson—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 8—An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts.

Motion to Amend Assembly Bill No. 8.

Mr. Scudder moved to amend Assembly Bill No. 8 as follows:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, after "districts", add the following: ", declaring the urgency hereof and providing that this act shall take effect immediately".

Amendment No. 2.

On page 4 of the printed bill, after line 42, add the following:

"SEC. 15. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately.

The facts constituting the necessity are as follows:

In Sonoma County and in other portions of the State many persons are eager to form recreation districts under the act amended by this bill but under the act as at present are unable to undertake any work thereunder because of lack of authority to issue bonds. If this act is passed and takes immediate effect then work will start upon the various structures authorized by this act immediately, thus relieving in part the unemployment which despite improved economic conditions still exists.

If this act does not take effect until 90 days after the adjournment of the session it will not be possible to construct swimming pools or other structures in time for the summer season of 1937 and the work may be delayed for over a year to the great detriment both to the people in the proposed recreation districts themselves and to the economic well being of the State of California as a whole."

Amendments adopted.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 8, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 8, as Amended.

Assembly Bill No. 8—An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 10, 1931, relating to recreation districts, declaring the urgency hereof and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan,

Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 8. as amended, read third time. and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Motion for Rush Order on Printing of Assembly Bill No. 8.

On motion of Mr. Scudder, Assembly Bill No. 8 was sent to reprint with a rush order.

Assembly Bill No. 2623—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5.1135, 5.1136, and 5.1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered section 5.1139 to the School Code.

Motion to Amend Assembly Bill No. 2623.

Mr. Johnson moved to amend Assembly Bill No. 2623 as follows:

Amendment No. 1.

On page 1 of the printed bill, amend the title by striking out the period following the word "thereof", in the last line, and inserting in lieu thereof the following: "declaring the urgency thereof and providing that this act shall take effect immediately."

Amendment No. 2.

On page 9 of the printed bill, strike out all of lines 27 to 51, inclusive, and strike out all of page 10.

Amendments adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2623, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2623, as Amended.

Assembly Bill No. 2623—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5.1135, 5.1136, and 5.1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered section 5.1139 to the School Code.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2623, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dil-

worth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 636—An act to amend sections 2, 3, 4, 7, 9, 11, 17, 22 and 23, and to add sections 24a and 24b to an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Yorty, and Mr. Speaker—62.

NOES—Flint, Gilbert, and Hunt—3.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 538—An act to diminish the causes of labor disputes injuriously affecting the welfare of the people of this State; to encourage the practice of collective bargaining between employers and representative employee groups; to insure to employees the right of self organization, including representation of employees and holding of elections among them; to define and prohibit unfair labor practices; to provide for the establishment of a California Labor Relations Board, including provisions defining its duties and powers, for administration and assistance therein, and for enforcement and review of its findings and orders, and to provide for enforcement of this act and penalties for its violation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Maloney, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Watson, Williamson, Yorty, and Mr. Speaker—57.

NOES—Baynham, Field, Garland, Kuchel, Latham, Lyon, Martin, Redwine, and Stream—9.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 538.

Mr. Breed gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 538 was this day passed.

Explanation of Vote.

By Mr. Stream:

On casting my vote today, on Assembly Bill No. 538, I accidentally voted "No," when I intended to vote "Yes." I am hereby correcting my vote on Assembly Bill No. 538.

Assembly Bill No. 1225—An act to add section 53 to the Vehicle Code, and to amend section 372 thereof, relating to weight fees for commercial vehicles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Sawtelle, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—Crowley, Dilworth, Garland, and Reaves—4.

Title read and approved. Bill ordered transmitted to the Senate.

Recess.

At twelve o'clock and ten minutes p.m., on motion of Mr. King, the Assembly was declared at recess until one o'clock and thirty minutes p.m.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1728—An act to amend section 8 and to repeal sections 4, 33 and 34 of "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, relating to elections in cities of the fifth and sixth class.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Williamson moved a call of the Assembly.

Motion carried.

Time, one o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Beene, Burns, Michael J., Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Reaves, Robertson, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Williamson, Yorty, and Mr Speaker—42.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under the Call of the Assembly by Unanimous Consent.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Concurrent Resolution No. 23—Relative to granting leave of absence to the Honorable John B. McColl, member of the Senate of the fifty-second session of the Legislature of the State of California;

Senate Concurrent Resolution No. 20—Relative to the approval of amendments to the charter of the city of San Bernardino;

Senate Concurrent Resolution No. 21—Relative to approving a certain amendment to the charter of the city of Bakersfield, county of Kern, State of California, relating to amending relief and pension fund for members of the fire department of the city of Bakersfield known as Proposition No. 1—"Relief and pension fund for members of the fire department of the city of Bakersfield", voted for and ratified by the electors of said city of Bakersfield at a special election held therein on the twenty-third day of March, 1937.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 23, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 23.

Senate Concurrent Resolution No. 23—Relative to granting leave of absence to the Honorable John B. McColl, member of the Senate of the fifty-second session of the Legislature of the State of California.

Senate Concurrent Resolution No. 23 read, and adopted by the following vote.

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Field, Flint, Gannon, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Reaves, Robertson, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—47.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 20, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 20.

Senate Concurrent Resolution No. 20—Relative to the approval of amendments to the charter of the city of San Bernardino

Senate Concurrent Resolution No. 20 read, and adopted by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Reaves, Robertson, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—51.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 21, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 21.

Senate Concurrent Resolution No. 21—Relative to approving a certain amendment to the charter of the city of Bakersfield, county of Kern, State of California, relating to amending relief and pension fund for members of the fire department of the city of Bakersfield known as Proposition No. 1—"Relief and pension fund for members of the

fire department of the city of Bakersfield", voted for and ratified by the electors of said city of Bakersfield at a special election held therein on the twenty-third day of March, 1937.

Senate Concurrent Resolution No. 21 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Robertson, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Concurrent Resolution No. 38: By Messrs. Maloney, Cronin, Dawson, Levey, McMurray, Williamson, Hornblower, Sheehan, and Peyser—Relative to approving certain amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the ninth day of March, 1937.

Introduced.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 38, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 38.

Assembly Concurrent Resolution No. 38—Relative to approving certain amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the ninth day of March, 1937.

Assembly Concurrent Resolution No. 38 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At one o'clock and fifty minutes p. m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Glick.

The roll of absentees was called, and Assembly Bill No. 1728 passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser,

Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—56.

NOES—Cunningham, Lore, and Tenney—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1446—An act to amend section 882 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1446.

Mr. Cassidy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1446 was this day passed.

Assembly Bill No. 2762—An act to amend section 698 of the Fish and Game Code, relating to black bass.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, George P., Millington, Morgan, Muldoon, Peek, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—57.

NOES—Kuchel, and Pelletier—2.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2762.

Mr. Kuchel gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2762 was this day passed.

Assembly Bill No. 2785—An act relating to radio intercommunication service between the State and several counties in the State and authorizing the State and the counties to enter into agreements in respect thereto and to defray the cost of such service.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1730—An act to amend sections 220 and 222 of the Vehicle Code, relating to reports of stolen vehicles.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth,

Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—60.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 348—An act to amend section 1015 of the Fish and Game Code, relating to packing and reduction licenses.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2255—An act to amend sections 990, 991, 992 and 993 of the Fish and Game Code, relating to commercial licenses.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—54

NOES—Field, Garland, and Redwine—3.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2255.

Mr. Garland gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2255 was this day passed.

Assembly Bill No. 2007—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs.

Motion to Amend Assembly Bill No. 2007.

Mr. Robertson moved to amend Assembly Bill No. 2007 as follows:

Amendment No. 1.

On page 1, line 22, of the printed bill, strike out the word "No", and insert in lieu thereof the following: "Except in those counties which held a county fair during the year 1936, no".

Amendment adopted.

Assembly Bill No. 2007 ordered to reprint, and re-engrossment.

Assembly Bill No. 632—An act to amend section 7 of, and to add section 15 to, the California Air Navigation Act, relating to rules and regulations and their enforcement.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Williamson, Yorty, and Mr. Speaker—58.

NOES—Field, Latham, and Lyon—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2813—An act authorizing the removal of the monument or statue in memory of Chief Solano from its present location on the highway near Fairfield to the grounds of the court house at Fairfield in the county of Solano.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1586—An act to add a new section to the State Bar Act, to be numbered section 29a, providing against the disbarment, suspension, or discipline of a member of the State Bar for statements concerning a judge during an election campaign.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—67.

NOES—Beene, Field, Lyon, and Redwine—4.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2796 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1764 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 590 re-referred to Committee on Fish and Game.

Assembly Bill No. 1826 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1936 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 1427 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 455 re-referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1899 re-referred to Committee on Agriculture.

Assembly Bill No. 396 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1652 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1613 re-referred to Committee on Judiciary General.

Assembly Bill No. 1818 re-referred to Committee on Judiciary General.

Assembly Bill No. 2338 re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 2463 re-referred to Committee on Public Utilities.

Assembly Bill No. 2462 re-referred to Committee on Motor Vehicles

Assembly Bill No. 268 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2164 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 65 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1945 re-referred to Committee on Crime Problems.

Re-reference of Assembly Bill No. 252.

On motion of Mr. Maloney, Assembly Bill No 252 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Re-reference of Assembly Bill No. 2084.

On motion of Mr. Clark, Assembly Bill No 2084 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Motion to Expunge Record and Rescind Action on House Resolution No. 125.

House Resolution No. 125—Creating Assembly Committee on Motor Vehicles.

Mr. Sawallisch moved to expunge the record and rescind the action whereby the Assembly adopted House Resolution No. 125.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Watson, Yorty, and Mr Speaker—48.

NOES—Beene, Breed, Burns, Michael J., Call, Cottrell, Dilworth, Field, Hornblower, Leonard, Lyon, Maloney, Martin, Mayo, Morgan, Redwine, Scudder, Sheehan, and Stream—18.

Motion to Refer House Resolution No. 125.

Mr. Sawallisch moved to refer House Resolution No. 125 to the Committee on Motor Vehicles.

The roll was called, and House Resolution No. 125 referred to the Committee on Motor Vehicles by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Withdrawal and Re-Reference of Senate Bill No. 278.

On motion of Mr. Dilworth, Senate Bill No. 278 was withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Agriculture.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1496.

Mr. Garland moved that the record be expunged and the action rescinded whereby the Assembly on April 3, 1937, passed Assembly Bill No. 1496.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1938—An act to amend section 1 of an act entitled "An act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof."

Motion to Amend Assembly Bill No. 1938.

Mr. Call moved to amend Assembly Bill No. 1938 as follows:

Amendment No. 1.

On page 3, line 19, of the printed bill, before "grant", insert the following: "sell,".

Amendment adopted.

Assembly Bill No. 1938 ordered to reprint and re-engrossment.

Assembly Bill No. 963—An act to amend section 1227 of the Penal Code, relating to a judgment of death remaining in force unexecuted

Motion to Amend Assembly Bill No. 963.

Mr Call moved to amend Assembly Bill No 963 as follows

Amendment No. 1.

On page 1 of the printed bill, after line 25, add the following

"SEC. 2. Nothing contained in this act shall be construed to affect or relate to any person sentenced for a crime committed before the effective date of this act."

Amendment adopted.

Assembly Bill No. 963 ordered to reprint and re-engrossment

Assembly Bill No. 2692—An act declaring it to be a misdemeanor for any individual person or corporation knowingly to transport or furnish transportation which brings or carries any person to or toward a place where such person is to render services formerly rendered by an employee who has ceased to render the same to or as a result of a labor dispute, unless such person has been a resident for more than one month immediately preceding the date of employment, or attempt to employ, of the county wherein he is to render services.

Motion to Amend Assembly Bill No. 2692.

Mr. Yorty moved to amend Assembly Bill No. 2692 as follows:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, after the word "same", insert the following: "due".

Amendment No. 2.

On page 1, line 7, of the printed bill, after the word "employment", insert a comma.

Amendment No. 3.

On page 1, line 8, of the printed bill, after the word "employ", insert a comma.

Amendment No. 4.

On page 1, line 6 of the title of the printed bill, after the word "same", insert the following: "due".

Amendments adopted.

Assembly Bill No. 2692 ordered to reprint and re-engrossment.

Assembly Bill No. 441—An act to amend the title of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds," approved May 11, 1923, Statutes 1923, page 308, as amended, and to add section 6, relating to the reassessment, refunding, repayment or adjustment of assessments or bonds and the contribution of public funds therefor.

Motion to Amend Assembly Bill No. 441.

Mr. King moved to amend Assembly Bill No. 441 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, commencing with the word "An", strike out the remainder of said line, and all of lines 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, down to the quotation marks in said line 11, and insert in lieu thereof the following: "County Street Opening Act of 1923".

Amendment No. 2.

On page 1, line 12 of the title of the printed bill, strike out the following: "Statutes 1923, page 308,".

Amendment No. 3.

On page 1, line 1, of the printed bill, commencing with the word "an", strike out the remainder of said line, and all of lines 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and the first two words of line 12, and insert in lieu thereof the following: "the act cited in the title hereof".

Amendments adopted.

Assembly Bill No. 441 ordered to reprint and re-engrossment.

Assembly Bill No. 442—An act to amend the title of an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties, and upon property and rights of way owned by counties, and for establishing and changing the grades of any such highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, Statutes 1921, page 1658, as amended, and to add section 12, relating to the reassessment, refunding, repayment or adjustment of assessments or bonds and the contribution of public funds therefor.

Motion to Amend Assembly Bill No. 442.

Mr. King moved to amend Assembly Bill No. 442 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, commencing with the quotation mark, strike out the remainder of said line, and all of lines 2 to 9, inclusive, down to and including the word "bonds" in line 10, and insert in lieu thereof the following: "the "Improvement Act of 1911" ".

Amendment No. 2.

On page 1, line 11 of the title of the printed bill, strike out the following: "Statutes 1921, page 1658,".

Amendment No. 3.

On page 1, line 1, of the printed bill, after the word "of", strike out the remainder of said line, and all of lines 2, 3, 4, 5, 6, 7, 8, 9, 10, and down to the word "is" in line 11, and insert in lieu thereof the following: "the act cited in the title hereof".

Amendment No. 4.

On page 2, line 30, of the printed bill, strike out the following: "improvement act" and insert in lieu thereof the following: " "Improvement Act" ".

Amendment No. 5.

On page 2, line 31, of the printed bill, after the figures "1911", insert a quotation mark.

Amendments adopted.

Assembly Bill No. 442 ordered to reprint and re-engrossment.

Assembly Bill No. 1021—An act to add sections 56.4 and 56.6 to the Alcoholic Beverage Control Act, relating to bartenders.

Motion to Amend Assembly Bill No. 1021.

Mr. Hunt moved to amend Assembly Bill No. 1021 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 56.4 and 56.6", and insert in lieu thereof the following: "section 56.4".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "bartenders", and insert in lieu thereof the following: "mixing of alcoholic beverages by females".

Amendment No. 3.

On page 1, line 4, of the printed bill, strike out "as bartender, and every female who acts as a bartender", and insert in lieu thereof the following: ", in mixing alcoholic beverages containing distilled spirits".

Amendment No. 4.

On page 1, line 6, of the printed bill, after "premises", insert the following: ", or any female who renders such services on such premises,".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 10 to 14, inclusive

Amendments adopted.

Assembly Bill No. 1021 ordered to reprint and re-engrossment.

Assembly Joint Resolution No. 26—Relative to urging that the wages of those people employed on work relief projects have their wages raised to the extent of the average increase in the cost of living.

Resolution read.

Motion to Amend Assembly Joint Resolution No. 26.

Mr. Gilbert moved to amend Assembly Joint Resolution No. 26 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed measure, strike out "the wages of".

Amendment No. 2.

On page 1, line 9, of the printed measure, strike out the comma.

Amendments adopted.

Assembly Joint Resolution No. 26 ordered to reprint and re-engrossment.

Assembly Bill No. 69—An act to amend sections 1305, 1306, and 1307 of the Penal Code, relating to forfeiture of bail

Motion to Amend Assembly Bill No. 69.

Mr. Stream moved to amend Assembly Bill No. 69 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 1305, 1306 and", and insert in lieu thereof the following: "section".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and strike out the whole of page 2, and on page 3, strike out lines 1 to 6, inclusive.

Amendment No. 3.

On page 3, line 7, of the printed bill, strike out "Sec. 3", and insert in lieu thereof the following: "Section 1"

Amendments adopted

Assembly Bill No. 69 ordered to reprint and re-engrossment.

Assembly Bill No. 1757—An act to regulate the operation, conduct, sanitation, use and maintenance of trailer camps and trailer coaches.

Motion to Amend Assembly Bill No. 1757.

Mr. Laughlin moved to amend Assembly Bill No. 1757 as follows:

Amendment No. 1.

On page 2, lines 45 and 46, of the printed bill, as amended, strike out "whether the same be a chemical toilet or not", and insert in lieu thereof the following: ", except a chemical toilet".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 22 to 29, inclusive.

Amendment No. 3.

On page 4 line 13, of the printed bill, as amended, strike out "on", and insert in lieu thereof the following: "within 20 feet of the travelled portions of".

Amendment No. 4.

On page 4, line 23, of the printed bill, as amended, strike out "and", and all of lines 24 to 27, inclusive, and insert in lieu thereof the following "punishable by a fine not exceeding $100 or by imprisonment not exceeding 30 days."

Amendment No. 5.

On page 4 of the printed bill, as amended, between lines 27 and 28, insert the following:

"SEC. 12. A trailer camp which is within the provisions of this act and the operation of which constitutes a nuisance shall be abated by proper action brought for that purpose by the district attorney, as provided in the Political Code, in the superior court of the county in which such trailer camp or the greater portion thereof is situated, unless such nuisance is remedied within five days or within such longer period of time as may be allowed after a written notice has been given to the owner or operator thereof."

Amendments adopted.

Assembly Bill No. 1757 ordered to reprint and re-engrossment.

Assembly Bill No. 1492—An act to amend section 274 of the Code of Civil Procedure, relating to court reporters' fees per diem and for transcripts.

Motion to Amend Assembly Bill No. 1492.

Mr. Cronin moved to amend Assembly Bill No. 1492 as follows:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "Fees—Per Diem and for Transcripts. Fees."

Amendment adopted.

Assembly Bill No. 1492 ordered to reprint and re-engrossment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1678.
Assembly Bill No. 2806.
Assembly Bill No. 617.
Senate Bill No. 257.
Senate Bill No. 258.

Respectfully reports the same back with the recommendation: Do pass.

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

On Public Charities and Corrections.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No. 1583.

Respectfully reports the same back with the recommendation: Do pass.

PELLETIER, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 1879.

Respectfully reports the same back with the recommendation: Do pass as amended.

LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 523.
Assembly Bill No. 1086.
Assembly Bill No. 1129.
Assembly Bill No. 1404.
Assembly Bill No. 1437.
Assembly Bill No. 1670.
Assembly Bill No. 1674.
Assembly Bill No. 1831.
Assembly Bill No. 1832.
Assembly Bill No. 2410.
Assembly Bill No. 2593.
Assembly Bill No. 343.
Assembly Bill No. 1917.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 516.
Assembly Bill No. 1559.
Assembly Bill No. 1775.
Assembly Bill No. 1875.
Assembly Bill No. 2039.
Assembly Bill No. 2187.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR SPEAKER Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 2625.

Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Senate Bill No. 404.
Senate Bill No. 377.

Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 297.	Assembly Bill No. 1317.
Assembly Bill No. 401.	Assembly Bill No. 1441.
Assembly Bill No. 462.	Assembly Bill No. 1579.
Assembly Bill No. 510.	Assembly Bill No. 1580.
Assembly Bill No. 663.	Assembly Bill No. 1604.
Assembly Bill No. 664.	Assembly Bill No. 1763.
Assembly Bill No. 700.	Assembly Bill No. 1793.
Assembly Bill No. 756.	Assembly Bill No. 2061.
Assembly Bill No. 956.	Assembly Bill No. 2080.
Assembly Bill No. 1105.	Assembly Bill No. 2380.
Assembly Bill No. 1262.	Assembly Concurrent Resolution No. 28.

And reports the same correctly enrolled, and presented to the Governor on this fifth day of April, 1937, at three o'clock p.m.

CUNNINGHAM, Chairman.

Notice of Motion to Reconsider Assembly Bill No. 1469 Lapsed.

Mr. Desmond's notice of motion to reconsider the vote whereby Assembly Bill No. 1469 was passed, lapsed.

Assembly Bill No. 1469 ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Concurrent Resolution No. 39: By Messrs. Kuchel, Dawson, Williamson, Watson, Kepple, Muldoon, King, Tenney, Robertson, Lore, Breed, Dannenbrink, Johnson, Gannon, Millington, Meehan, Call, Hornblower, Maloney, Flint, Glick, Dilworth, Walker, Laughlin, Reaves, Martin, Field, Redwine, Lyon, Garibaldi, Hunt, and Boyle—Relative to commemorating the completion of 20 years of honorable and noteworthy public service in the Senate of the United States by the Honorable Hiram W. Johnson.

Introduced.

Request for Unanimous Consent.

Mr. Kuchel asked for unanimous consent to take up Assembly Concurrent Resolution No 39, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Mr. Hawkins withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Kuchel moved that the Rules be temporarily suspended for the purpose of considering Assembly Concurrent Resolution No. 39, at this time.

Point of Order.

Mr. Hunt arose to the following point of order: That a motion was made and carried on Monday, March 29, 1937, to adjourn the Assembly at the hour of three o'clock p.m., this day, and that it was now past three o'clock p.m.

Ruling on Point of Order.

The Speaker ruled the point of order well taken.

Adjournment.

At three o'clock and twenty minutes p.m., the Speaker declared the Assembly adjourned this day, until two o'clock p.m., Tuesday, April 6, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FORTY-THIRD LEGISLATIVE DAY
NINETY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 6, 1937.

At two o'clock p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Assistant Clerk E. A. (Took) Berry at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—76.

Quorum present.

Prayer.

Prayer was offered by Rev. Wm. F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Hornblower, the further reading of the Journal of Monday, April 5, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Corwin, on motion of Mr. Stream.

Mr. Welsh, on motion of Mr. Garibaldi.

Mr. Voigt, on motion of Mr. Meehan.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Cecil E. Bryan of Altadena.

On request of Messrs. Cottrell, Leonard, and Beene, the privilege of the floor of the Assembly Chamber for this day was unanimously extend to R. P. Lathrop, Phillip P. Herold, Walter Seibert and Fred Herold.

On request of Mr. Beene, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Louise Garrod and Miss Evalyn Johnson.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. C. Williams and Miss Florence Eggert, teachers, and the following students of Dixon Union High School: Florence Andersen, Henry Cagle, Margaret Jane Carpenter, Irving Dietrich, Dean Dubbicliff, Vernon Dutra, Willie Dutra, Ethel Haigh, Bernice Hannagan, Merriel Hissey, Mary Lou Hughes, Genevieve Johnson, Marjorie Madden, Gordon Marvin, Barbara McIntyre, Ellwood Norton, Raymond Norton, James Parsons, Wilda Pritchard, Marguerite Reimers, Naida Ritchey, James Seyman, Lester Simpson, Margaret Soares, Pearl Stahl, Francis Stolle, Orabelle Tutt, Gordon Watson, Charles Witt, Gerald Cowden, Gail McKenzie, and James Hartley.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank Myers of Sacramento.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. F. Eldridge of Corona.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Donald Younger, Secretary of Democratic State Central Committee of Santa Cruz.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. George Ryder, James Buckley, James Dunn, Edward Dunn, Mrs Bert McMurray, and Marylee McMurray.

On request of Messrs. Johnson, and Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. John Marshall Evans of Oakland.

Presentation of Petition.

The following petition was received and filed:

By Mr. Speaker:

From several organizations, urging a complete pardon for Thomas J. Mooney.

Communication.

The following communication was received and read:

By Mr. Speaker:

FEDERAL HOME LOAN BANK BOARD,
WASHINGTON, April 2, 1937.

Hon. William Moseley Jones, Speaker of the Assembly,
State of California, Sacramento, California.

IN RE: ASSEMBLY JOINT RESOLUTION NO 33.

DEAR MR. SPEAKER. I have for attention and reply a letter dated March 24, 1937, from The Honorable James G. Smyth, Chief Clerk of the California Legislature, transmitting Assembly Joint Resolution No. 33, which requests us to advise the Legislature in the State of California whether or not, in our opinion, the adoption of legislation in the State abolishing deficiency judgments would have a tendency to hamper, curtail, make difficult or prevent the granting of loans to citizens of the State. I am directed by the board to make this reply.

The Federal Home Loan Bank Board supervises the operation of the 12 Federal home loan banks, whose members provide a very substantial proportion of the money for the financing of urban homes in California and throughout the United States, holding at present more than $3,000,000,000 invested in such mortgages. These members are currently lending several hundred million dollars a year to home

owners, chiefly in the form of long-term, monthly-amortized mortgages. Home Owners' Loan Corporation, under the direction of the board, holds approximately $3,000,000,000 in small home mortgages, amortized over a 15-year period. This board was established by Federal statute not only for the specific purposes referred to above and others, but also for the broad purpose of encouraging sound and economical home financing. It is therefore very much interested in the question which you submit.

In our opinion, no mortgagees in the collection of the mortgage debt, should receive, by any means, more than the amount of the mortgage debt, with legitimate accumulations, advances and costs. We are advised that the laws of the State of California provide for the sale of property in the event of foreclosure of a mortgage at not less than its fair value as found by the court, and it follows that a deficiency judgment can not be introduced for more than any balance of the debt after crediting the amount of such fair value on the debt. We believe that this basis, adopted by your State about two years ago, is fair and reasonable to all concerned.

Any law which arbitrarily prohibits any deficiency judgment on any mortgage foreclosure case we believe to be unsound. We believe it to be good public policy to encourage lending institutions to assist bona fide home seekers by lending them up to a very high percentage of the current value at the time of the making of the loan and to make such loans repayable over a long period of years so that monthly or other periodical payments may be within the family budget. It is important that no law be passed which will discourage bona fide lending on this basis, as it is important to encourage and assist families of small means to acquire home ownership. Such loans are very frequently made in very large reliance upon the good character of the family engaging in home purchase. To prohibit absolutely any deficiency judgment has the effect of minimizing the value of good character because it compels the lending institution to look solely to the security and its value. This results in the lending institution's offering to lend a smaller percentage of value in the first place, and, in the second place, insisting upon repayment terms so that if property values change over the years it will be sure to be protected.

To encourage high percentage lending, especially on small homes, and to encourage long-term, amortized loans requiring small periodical payments is to assist the small home owners and to encourage home ownership. To do anything which restricts the amount of loan which the lender can afford to provide or which tends to suggest short-term loans, which small families can not meet from their family budgets, tends to make it impossible for families of small means to enter into home purchase or to carry through their contracts for home purchase.

We therefore believe that such deficiency judgment legislation as you refer to is unwise public policy, puts obstacles in the way of the family desiring to acquire a home, and should be avoided. We believe that legislation such as you passed two years ago, which prohibits a deficiency judgment for more than the difference between the debt and the value of the property foreclosed upon, largely, if not completely, eliminates the evil from which we have suffered in years past of inequitable and unconscionable excess judgments.

We might point out further that frequently banks and others holding open note debts or debts in the form of accounts, take a mortgage or deed of trust as partial security only but are thus enabled to continue an extension of credit which they otherwise would not be able to do. In such cases, if such creditors cut themselves off from their claim against the debtor in personam by taking a mortgage, the creditor would frequently be compelled to sue his claim to judgment and take an execution in the first instance, which would be a lien upon all real estate and other property of the debtor.

The deficiency judgment evil consisted of the wrong which resulted from auction block sales on a bid representing not fair value at all but a mere nominal amount and the taking of a deficiency judgment for the remainder of the debt after the mortgagee had taken the property for such nominal value. This situation is avoided by the law now on the books in California requiring that full credit for the full, fair value of the property be given at the foreclosure sale and the deficiency judgment be taken only for the remainder. Under your present law, Federal agencies, State agencies and private lenders may continue to lend high percentage of value in California and make their loans over long terms on the most favorable basis, and we hope that this situation will not be disturbed.

Assuring you of our desire to cooperate with you at all times, I am

Very truly yours,

HORACE RUSSELL, General Counsel.

By Mr. Crowley:

ST. HELENA, CALIFORNIA, April 3, 1937.

Assemblyman Ernest Crowley,
State Capitol,
Sacramento, California.

DEAR MR. CROWLEY: Mr. Herman Baade, Farm Advisor of Napa, California, has informed us that you have several Assemblymen who are planning to attend the wine industry meeting to be held in St. Helena on Saturday, April 10, 1937.

For your information, the St. Helena Chamber of Commerce is desirous of having these representatives as our luncheon guests at this meeting, and thereafter to escort them to several of the wineries.

Mr. Andrew McNair of this city has been named as the committeeman to show your friends the wineries.

Anticipating the pleasure of seeing you on this occasion, and with kindest personal regards, we are

Very truly yours,

ST. HELENA CHAMBER OF COMMERCE.
By LOUIS D. VASCONI, Secretary.

Cc—Herman J. Baade.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Senate Bill No. 710.
Senate Bill No. 711.

Respectfully reports the same back with the recommendation: Do pass.

BAYNHAM, Chairman.

The above reported bills ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:

Assembly Bill No. 1872.
Assembly Bill No. 1873.
Assembly Bill No. 2091.
Assembly Bill No. 2388.
Assembly Bill No. 2403.
Assembly Bill No. 2404.
Senate Bill No. 628.

Respectfully reports the same back with the recommendation: Do pass.

ANDREAS, Chairman

The above reported bills ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 494.
Assembly Bill No. 1171.
Assembly Bill No. 1173.

Respectfully reports the same back with the recommendation: Do pass.

CRONIN, Chairman.

The above reported bills ordered on second reading calendar.

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred:

Senate Bill No. 511.

Respectfully reports the same back with the recommendation: Do pass.

GANNON, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 91.
Senate Bill No. 642.
Senate Bill No. 644.
Senate Bill No. 645.
Assembly Bill No. 2269.
Assembly Bill No. 2594.

Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred
Assembly Bill No. 124.
Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:
Assembly Constitutional Amendment No. 8.
Assembly Constitutional Amendment No. 40.
Respectfully reports the same back with the recommendation: Be adopted.

HUNT, Chairman.

The above reported bills ordered to engrossment.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:
Assembly Constitutional Amendment No. 21.
Respectfully reports the same back with the recommendation: Be adopted.

HUNT, Chairman.

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:
Assembly Constitutional Amendment No. 30.
Respectfully reports the same back without recommendation, as amended.

HUNT, Chairman

The above reported bill ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:
Assembly Bill No. 249.
Respectfully reports the same back with the recommendation: Do pass as amended.

ANDREAS, Chairman.

The above reported bill ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 1089.
Respectfully reports the same back without recommendation, as amended.

MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:
Assembly Bill No. 189.
Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

ANDREAS, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:
Senate Bill No. 237.
Respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 2662.

Respectfully reports the same back with the recommendation: Do pass as amended
PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 978.
Assembly Bill No. 988.

Respectfully reports the same back with the recommendation: Do pass as amended
CLARK, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 2014.
Assembly Bill No. 2824.

Respectfully reports the same back without recommendation, as amended.
CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 63.

Respectfully reports the same back without recommendation.
ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937

MR. SPEAKER: Your Committee on Unemployment, to which was referred:
Assembly Bill No. 1494.

Respectfully reports the same back without recommendation, as amended.
HAWKINS, Chairman.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred
Assembly Bill No. 722.

Respectfully reports the same back without recommendation, as amended.
LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred
Assembly Bill No. 1305.

Respectfully reports the same back without recommendation, as amended.
TURNER, Chairman.

The above reported bill ordered on second reading calendar.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred:

Senate Bill No. 363.
Senate Bill No. 361.
Senate Bill No. 1089.
Assembly Bill No. 1888.

Respectfully reports the same back with the recommendation: Do pass.
MILLINGTON, Chairman.

The above reported bills ordered on second reading calendar.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:
Assembly Bill No. 317.
Assembly Bill No. 2298.
Respectfully reports the same back with the recommendation: Do pass.

GILBERT, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1406.
Assembly Bill No. 1407.
Assembly Bill No. 1408.
Assembly Bill No. 1410.
Assembly Bill No. 1411.
Assembly Bill No. 2427.
Assembly Bill No. 2817.
Assembly Bill No. 2825.
Senate Bill No. 111.
Senate Bill No. 507.
Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1409.
Assembly Bill No. 1412.
Assembly Bill No. 2055.
Assembly Bill No. 2684.
Respectfully reports the same back with the recommendation: Do pass as amended.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1754.
Respectfully reports the same back without recommendation, as amended.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred:
House Resolution No. 119.
Respectfully reports the same back with the recommendation: Do pass as amended.

MILLINGTON, Chairman.

The above reported resolution ordered on third reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 210.
Respectfully reports the same back with the recommendation Do pass as amended.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Senate Bill No. 267.
Senate Bill No. 336.
Assembly Bill No. 1488.
Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 2062.
Assembly Bill No. 1650.
Assembly Bill No. 1654.
Assembly Bill No. 2148.
Assembly Bill No. 959.

Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1937.

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 218.
Assembly Bill No. 615.

Respectfully reports the same back with the recommendation: Do pass as amended.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 687.

Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred.

Assembly Bill No. 1516.
Assembly Bill No. 1518.
Assembly Bill No. 1519.
Assembly Bill No. 1521.
Assembly Bill No. 2495.
Assembly Bill No. 2496.
Assembly Bill No. 2498.
Assembly Bill No. 2501.

Respectfully reports the same back without recommendation, as amended.

HAWKINS, Chairman

The above reported bills ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 1094.

Respectfully reports the same back with the recommendation Do pass as amended.

RICHIE, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred.

Assembly Bill No. 1097.
Assembly Bill No. 1413.
Senate Bill No. 357.

Respectfully reports the same back with the recommendation: Do pass.

RICHIE, Chairman.

The above reported bills ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 11.
Assembly Constitutional Amendment No. 12.

Respectfully reports the same back with the recommendation: Be adopted.

HUNT, Chairman.

The above reported bills ordered to engrossment.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred:
Assembly Bill No. 1270. **Assembly Bill No. 655.**
Assembly Bill No. 658. **Assembly Bill No. 1758.**
Assembly Bill No. 2292.
Respectfully reports the same back with the recommendation: Do pass.

LYON, Chairman.

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 2796.
Respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to the following
Assembly Bill No. 642.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 5, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 342—An act to amend section 171a of the Penal Code, relating to the taking of narcotics, intoxicating liquor, firearms, weapons, or explosives into or within the grounds of penal institutions or reformatories;

Senate Bill No. 183—An act to amend sections 1, 2, 3, 5, 6, 11, 12, 17 and 18 of, to repeal section 13 of, and to add section 24 to, an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising and the regulation thereof.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 342 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 183 read first time, and referred to Committee on Judiciary General.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Concurrent Resolution No. 40: By Messrs. Meehan, and Williamson—Relative to adjournment sine die.

Introduced, and referred to Committee on Ways and Means.

Assembly Joint Resolution No. 38: By Messrs. Robertson, Watson, and Kuchel—Relative to memorializing and petitioning the President and the Congress of the United States to include the Santa Maria River Flood Control and the Santa Ana River Flood Control Projects in the National Program of Work Relief.

Introduced.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 38, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 38.

Assembly Joint Resolution No. 38—Relative to memorializing and petitioning the President and the Congress of the United States to include the Santa Maria River Flood Control and the Santa Ana River Flood Control Projects in the National Program of Work Relief.

Assembly Joint Resolution No. 38 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 48: By Messrs. Redwine, Field, Glick, and King—Proposed amendment to Article XVI of the Constitution by adding thereto a new section to be numbered 11, relative to outstanding loans made from State unemployment relief bond funds.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 49: By Mr. King—Proposed amendment to Article IV of the Constitution, by adding section 22b thereto, relative to aid to the aged.

Introduced, and referred to Committee on Constitutional Amendments.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Second Reading of Assembly Bills.

Assembly Bill No. 1678—An act to provide that the property and bonds of housing authorities shall be exempt from taxation and assessments; to authorize certain payments in lieu of such taxes and assessments; and to provide that this act shall take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2806—An act to amend The "Use Tax Act of 1935," approved June 25, 1935, by amending section 4 thereof, relating to exemptions, by adding "newsprint" to the tangible personal property exempt from the tax imposed by such act.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 617—An act to amend section 8 of the Retail Sales Tax Act of 1933 and section 6 of the Use Tax Act of 1935, relating to advertising and requiring posted or advertised sales prices to be exclusive of the retail sales tax or the use tax.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1583—An act relating to aid for the blind in securing employment, creating the California Employment Bureau for the Blind for the purposes hereof, and making an appropriation for the purposes hereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division 1 of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive.

Committee Amendments to Assembly Bill No. 1879.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, strike out "without regard to", and strike out line 18, and in lieu thereof insert the following: "There shall be on the board at least one representative of organized labor, one representative of organized unemployed, and one professional person."

Amendment No. 2.

On page 2, line 19, of the printed bill, as amended, strike out "Except as other-", and strike out lines 20 to 23, inclusive, and insert in lieu thereof the following: "The board shall have the power and it shall be its duty to establish minimum standards of relief governing the administration of all grants in aid where standards are not already prescribed by law. These standards must be such as to insure adequate protection of life and health and must include at least food, clothing, shelter, and medical care. The board shall have the power and it shall be its duty to establish minimum standards governing the selection, classification, and compensation of persons employed in the administration of all grants in aid where standards are not already prescribed by law."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 49 to 51, inclusive, and insert in lieu thereof the following: "and his qualifications shall be:

(a) At least a basic general education as implied by graduation from a recognized college or university or its equivalent;

(b) At least five years experience in the direction of and active participation in the field of welfare administration;

(c) Demonstrated ability through the attainment of a position of leadership in the field of social welfare."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2625—An act to amend section 372 of the Vehicle Code, relating to registration fees

Committee Amendments to Assembly Bill No. 2625.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "registration", strike out the word "designed".

Amendment No. 2.

On page 1, line 10, of the printed bill, after the letter "b" in parenthesis, insert the word "For".

Amendment No. 3.

On page 1, line 11, of the printed bill, after the word "hereof", strike out "shall pay", and after the word "fees", insert the words "shall be paid".

Amendment No. 4.

On page 1, line 17, of the printed bill, strike out "$40.00" and insert in lieu thereof the figures "$50.00".

Amendment No. 5.

On page 1, line 18, of the printed bill, strike out "$60.00", and insert in lieu thereof the figures "$80.00".

Amendment No. 6.

On page 1, line 29, of the printed bill, after the word "exceeding", strike out "22,000", and insert in lieu thereof the figures "26,000".

Amendment No. 7.

On page 2, line 3, of the printed bill, after the word "exceeding", strike out "22,000", and insert in lieu thereof the figures "26,000".

Amendment No. 8.

On page 2, line 6, of the printed bill, after the word "of", strike out "22,000", and insert in lieu thereof the figures "26,000".

Amendment No. 9.

On page 2 of the printed bill, strike out all of lines 14 to 46, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1494—An act to amend section 2 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1494.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 7, of the printed bill, after "that", strike out "no contributions under"; strike out all of lines 8 and 9; and in line 10 strike out "the Social Security Act", and insert in lieu thereof the following: "there is in operation no Federal tax against which any part of the contributions required by this act may be credited".

Amendment No. 2.

On page 2, line 12, of the printed bill, after "act", strike out "requir-", and strike out all of line 13.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1089—An act to provide for the prevention, control and cure of venereal diseases; for the establishment of a State Bureau of Venereal Diseases, and for the powers and duties of said bureau, and the granting of financial aid by the State for the prevention, control and cure of venereal diseases, and making an appropriation to carry out the provisions of this act.

Committee Amendments to Assembly Bill No. 1089.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 9, line 6, of the printed bill, strike out the word "approved", and insert in lieu thereof: "recommended".

Amendment No. 2.

On page 9, line 28, of the printed bill, strike out the words "from civil service lists".

Amendment No. 3.

On page 9, lines 32 and 33, strike out the words "by the Board of Medical Examiners of", and insert in lieu thereof: "in".

Amendment No. 4.

On page 9, lines 38, 39 and 40, of the printed bill, strike out the sentence reading: "The salary of the chief shall be fixed by the State Board of Public Health, subject to civil service requirements."

Amendment No. 5.

On page 9, line 44, of the printed bill, strike out the words "fix the salary of such persons and".

Amendment No. 6.

On page 9 of the printed bill, strike out lines 45 to 48, inclusive, and insert in lieu thereof the following:

"Where the chief of the bureau, or any such assistants, deputies, clerical or other help come within any of the exceptions designated in section 4 of Article XXIV of the Constitution of this State, the appointment of such persons shall be made and their salary fixed by the State Board of Public Health."

Amendment No. 7.

On page 10 of the printed bill, strike out lines 16 and 17, and insert in lieu thereof the following: "use such funds to carry out the provisions and purposes of this act, and if Federal funds are made available to the State Board of Public Health to aid it in carrying out the said provisions and purposes, the said board, in counties where there is no county health department capable of carrying out the provisions and purposes of this act, may, in its discretion, use a portion of the funds hereby appropriated to aid in establishing, in such counties, part or full-time health departments; provided adequate facilities for the approved diagnosis, examination, and treatment of venereal diseases are furnished in such county health departments"

Amendment No. 8.

On page 10, line 29, of the printed bill, strike out the words "when in its", and insert in lieu thereof the following: "or at any other laboratory designated by it when in its".

Amendment No. 9.

On page 10, line 31, of the printed bill, strike out the period at the end of the sentence, and insert in lieu thereof a semicolon, and the following: "provided, however, that nothing in this act shall be construed as limiting any person's freedom to have additional examinations made elsewhere."

Amendment No. 10.

On page 10 of the printed bill, strike out lines 32 to 46, inclusive.

Amendment No. 11.

On page 10, line 47, of the printed bill, strike out the figures "$500,000", and insert in lieu thereof "$200,000".

Amendment No. 12.

On page 11, line 6, of the printed bill, strike out the word "and", and insert in lieu thereof the following: "isolation, quarantine, and".

Amendment No. 13.

On page 11, line 11, of the printed bill, strike out the word "of", and insert in lieu thereof the following: "isolation, quarantine, or".

Amendment No. 14.

On page 11 of the printed bill, strike out lines 23 and 24, and insert in lieu thereof the following: "any board of health or health officer, or to any other agency approved by it, medical supplies or direct financial".

Amendment No. 15.

On page 11, line 27, of the printed bill, strike out: "such physician, dispensary, or clinic", and insert in lieu thereof the following: "the agency receiving or using such supplies or aid".

Amendment No. 16.

On page 11, line 42, of the printed bill, strike out the words: "or advises for the treatment of".

Amendment No. 17.

On page 11, lines 43 and 44, of the printed bill, strike out "Chief of the Bureau of Venereal Diseases", and insert in lieu thereof the following: "State Department of Public Health".

Amendment No. 18.

On page 11, line 45, of the printed bill, strike out "bureau", and insert in lieu thereof "department".

Amendment No. 19.

On page 11, line 47, of the printed bill, strike out "chief", and insert in lieu thereof the following: "Bureau of Venereal Diseases".

Amendment No. 20.

On page 12, line 3, of the printed bill, strike out "by the Board of Medical Examiners of", and insert in lieu thereof "in"

Amendment No. 21.

On page 12, line 4, of the printed bill, strike out the word "clinic", and insert in lieu thereof the following: "other agency".

Amendment No. 22.

On page 12, line 7, of the printed bill, strike out the words: "disease, or to", and insert in lieu thereof "disease."

Amendment No. 23.

On page 12 of the printed bill, strike out lines 8 and 9, and insert in lieu thereof the following: "Any agency making any such examination on the request of any licensed physician or surgeon shall be deemed to have complied with all of the requirements of sections 5 and 6 of this act by sending a written report of the results of such examination to such physician or surgeon."

Amendment No. 24.

On page 12 of the printed bill, strike out lines 11 and 12, and insert in lieu thereof the following:

"(a) Where the person or other agency making any report mentioned in section 5 hereof is authorized by law to treat any venereal disease, it shall be such person's or agency's duty to"

Amendment No. 25.

On page 12 of the printed bill, strike out lines 21 and 22, and insert in lieu thereof the following:

"(b) Where the person or other agency making any report mentioned in section 5 hereof is authorized by law to treat any venereal disease, it shall be such person's or agency's duty to determine".

Amendment No. 26.

On page 12, line 27, of the printed bill, strike out the words "clinic, or dispensary", and insert in lieu thereof the following: "or other agency"

Amendment No. 27.

On page 12, lines 29 and 30, of the printed bill, strike out the words "clinic or dispensary", and insert in lieu thereof the following. "or other agency".

Amendment No. 28.

On page 12, line 34, of the printed bill, strike out "Chief of the Bureau of Venereal Diseases", and insert in lieu thereof the following: "State Department of Public Health".

Amendment No. 29.

On page 12, line 40, of the printed bill, strike out "clinic", and in line 41, strike out "or dispensary", and insert in lieu thereof the following: "or other agency".

Amendment No. 30.

On page 12, line 46, of the printed bill, strike out the words "clinic, or dispensary", and insert in lieu thereof the following: "or other agency".

Amendment No. 31.

On page 12, line 52, of the printed bill, strike out the word "Bureau," and insert in lieu thereof the following: "State Department of Public Health,".

Amendment No. 32.

On page 13, lines 1 and 2, of the printed bill, strike out the words "Chief of the Bureau of Venereal Diseases", and insert in lieu thereof the following: "State Department of Public Health".

Amendment No. 33.

On page 13, line 4, of the printed bill, strike out the words "dispensary, or clinic", and insert in lieu thereof the following: "or other agency".

Amendment No. 34.

On page 13 of the printed bill, strike out lines 9 and 10, and insert in lieu thereof the following: "forms furnished by the State Department of Public Health, the person or other agency which previously administered such treatment that".

Amendment No. 35.

On page 13, line 19, of the printed bill, strike out the words "clinic, or dispensary", and insert in lieu thereof the following: "or other agency".

Amendment No. 36.

On page 13, line 21, of the printed bill, strike out the word "bureau", and insert in lieu thereof the following: "State Department of Public Health,".

Amendment No. 37.

On page 13, lines 22 and 23, of the printed bill, strike out the words "Chief of the Bureau of Venereal Diseases", and insert in lieu thereof the following: "State Department of Public Health".

Amendment No. 38.

On page 13, line 42, of the printed bill, strike out the words "or shall" [last two words in the sentence].

Amendment No. 39.

On page 13, lines 45 and 46, of the printed bill, strike out "Chief of the Bureau of Venereal Diseases", and in lieu thereof insert: "State Department of Public Health".

Amendment No. 40.

On page 14, line 16, of the printed bill, strike out the word 'mandamus", and insert in lieu therof "legal".

Amendment No. 41.

On page 14, line 20, of the printed bill, strike out the words: "the Director of".

Amendment No. 42.

On page 14, lines 21 and 22, of the printed bill, strike out the words: "or the Chief of the Bureau of Venereal Diseases".

Amendment No. 43.

On page 14 of the printed bill, strike out line 28, and insert in lieu thereof the following: "for examination at a laboratory selected by him, when"

Amendment No. 44.

On page 14, line 30, of the printed bill, after the words "purposes of this act.", insert the following words: "Nothing in this section, however, shall be construed as limiting such person's freedom to have additional examinations made elsewhere."

Amendment No. 45.

On page 14, line 49, of the printed bill, strike out the words, "mandamus or other", and insert in lieu thereof the following: "any legal".

Amendment No. 46.

On page 14 of the printed bill, after the words in line 51, add the following words: "Nothing in this act shall be construed as limiting the freedom of any member of any nationally recognized church or nationally recognized religious order to receive any course of treatment for a venereal disease prescribed by such church or religious order."

Amendment No. 47.

On page 15 of the printed bill, strike out all of section 11 (lines 1 to 35, inclusive,) and insert in lieu thereof the following:

"SEC. 11 Special Proceeding Provided For. Where it appears reasonably likely that any person has refused and refuses to submit to approved treatment for any venereal disease where such treatment is required under the terms of this act, any health officer, or the Chief of the Bureau of Venereal Diseases, as plaintiff, may commence and maintain a special proceeding against such person, as defendant, *in the superior court of the county of such person's residence, to compel submission* to such treatment. Such special proceeding shall be commenced by filing with the clerk of the superior court a complaint setting out the facts in the case and the grounds on which the relief prayed for is sought The complaint shall be verified by the plaintiff, and the proceedings shall be conducted in the manner provided in the Code of Civil Procedure of the State of California for conducting actions at law, except that trial by jury shall not be a matter of right. In any such proceeding or in any mandamus, injunction, or other proceeding instituted to compel compliance with any of the provisions of this act or with any rule or regulation of the State Board of Public Health made pursuant to this act, any physician, health officer, spouse or other person shall be competent and may be required to testify against the defendant, and the provisions of section 1881 of the Code of Civil Procedure shall not be applicable in any such proceeding. If it shall appear at the trial of such special proceeding that the defendant has refused and refuses to submit to approved treatment where such treatment is required by the terms of this act, the court in which such proceeding is tried shall enter judgment for the plaintiff and such judgment shall include an order requiring the defendant to submit to such treatment until the venereal disease with which he or she is infected is no longer in an infectious state and is no longer likely again to become infectious. The defendant may appeal to the District Court of Appeal from any such judgment in the manner provided in Title XII of the Code of Civil Procedure, except that such appeal shall not stay execution of such judgment and order unless a writ of supersedeas shall be issued by said District Court of Appeal.

The defendant in such special proceeding, at any time before the trial thereof, shall, on the plaintiff's request, permit a person designated by the plaintiff and holding an unrevoked physician's and surgeon's certificate issued by the Board of Medical Examiners of this State, to take from the defendant's person such specimens of blood and bodily discharge as might reasonably tend to show the presence or absence of venereal disease in the defendant. The plaintiff, in procuring such specimens, shall serve upon the defendant at least five days' notice of the time and place where such specimens shall be taken, together with a copy of an affidavit showing that such a special proceeding is pending against the defendant, the nature

of the specimens sought to be taken and that such specimens might reasonably tend to show the presence or absence of a venereal disease in the defendant, and the name of the physician or surgeon who shall take such specimens, and a statement that in the plaintiff's belief the taking of such specimens would not be materially injurious to the defendant's health Such specimens, unless the defendant otherwise consent, shall be taken in the county of the defendant's residence, and the defendant shall have the right to have a licensed physician or surgeon of his or her choice present at the time and place where such specimens shall be taken If the defendant refuses to permit the physician or surgeon named in such affidavit to take such specimens at the time and place designated in such notice, the plaintiff may, on five days' notice to the defendant, apply to the court in which such special proceeding is pending for an order requiring the defendant to permit the taking of such specimens by the person designated in such application or affidavit providing such person holds an unrevoked physician's and surgeon's certificate issued by the Board of Medical Examiners of this State. The application shall contain a statement of the facts upon which the order is sought, and the defendant shall have the right to be present and be heard at the hearing of such application If, at such hearing, it shall appear that such a special proceeding is pending against the defendant, and that the specimens designated in the affidavit might reasonably tend to show the presence or absence of venereal disease in the defendant, and that the specimens can be taken from the defendant without materially injuring his or her health, the court shall issue an order requiring the defendant to permit the person designated in the affidavit or application, at the time and place stated in the application, to take the specimens of blood or bodily discharge named in the affidavit; provided, that such specimens shall, unless the defendant otherwise consents, be taken in the county of the defendant's residence, and provided, further, that the defendant shall have the right to have a licensed physician or surgeon of his or her choice present at the time and place where such specimens shall be taken. No person in good faith instituting this, or any other proceeding authorized by this act, or in good faith doing any act required by this act, shall be either civilly or criminally liable therefore"

Amendment No. 48.

On page 15 of the printed bill, strike out lines 48 to 52, inclusive, and insert in lieu thereof "imprisonment."

Amendment No. 49.

On page 16 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof "In"

Amendment No. 50.

On page 16, line 27, of the printed bill, strike out the word "mandamus", and insert in lieu thereof "legal".

Amendment No. 51.

On page 16, lines 37 and 38, of the printed bill, strike out the word "mandamus", and insert in lieu thereof "legal".

Amendment No. 52.

On page 16 of the printed bill, strike out lines 43 to 45, inclusive, and insert in lieu thereof the following: "the Attorney General to represent the Chief of the Bureau of Venereal Diseases or the State Board of Public Health in any proceeding instituted pursuant to this act, and it shall be the duty of the district attorney of the county in which such proceeding shall be instituted to represent any local health".

Amendment No. 53.

On page 16 of the printed bill, strike out line 51.

Amendment No. 54.

On page 17 of the printed bill, strike out "SEC 17.", and insert in lieu thereof "SEC. 16."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 257—An act to amend section 3612 of the Political Code, relating to the procedure for claiming exemption from taxation under the provisions of section 1¼ of Article XIII of the Constitution.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 258—An act to amend section 3611 of the Political Code, relating to the exemption from taxation of buildings and real property used exclusively for religious worship.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 404—An act to amend sections 252, 254, 257, 265, 269, 271, 276, and 277 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Committee Amendments to Senate Bill No. 404.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out the comma following "of", and strike out "and to add section 268.5 to".

Amendment No. 2.

On page 3, line 29, of the printed bill, as amended, strike out "or because unskilled".

Amendment No. 3.

On page 4 of the printed bill, as amended, strike out lines 42 to 48, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 377—An act to amend section 401 of the Vehicle Code, relating to liability for operation of authorized emergency vehicles.

Committee Amendment to Senate Bill No. 377.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, after "alarm", insert the following: "or emergency call".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 8.
Assembly Constitutional Amendment No. 40.
Assembly Bill No. 440.
Assembly Bill No. 617.
Assembly Bill No. 1583.
Assembly Bill No. 1678.
Assembly Bill No. 2806.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 26.
Assembly Bill No. 69.
Assembly Bill No. 963.
Assembly Bill No. 1021.
Assembly Bill No. 1492.
Assembly Bill No. 1938.
Assembly Bill No. 2007.
Assembly Bill No. 2692.
Assembly Bill No. 483.
Assembly Bill No. 1757.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Notice of Motion to Reconsider Assembly Bill No. 2678 Continued.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day.

Consideration of Senate Amendment to Assembly Bill No. 1435.

Assembly Bill No. 1435—An act to amend section 445 of the Political Code, relating to the salaries of the inheritance tax attorney and five assistant inheritance tax attorneys.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1435?

Amendment No. 1.

On page 2, line 28, of the printed bill, after the word "Controller", insert the following: "according to law".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1435 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—70.

NOES—None.

Assembly Bill No 1435 ordered to enrollment.

Reconsideration of Assembly Bill No. 1907.

In compliance with a notice given on a previous day, Mr. Heisinger moved that the vote whereby Assembly Bill No. 1907 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1907 reconsidered by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—70.

NOES—None.

Third Reading of Assembly Bill No. 1907.

Assembly Bill No. 1907—An act imposing an excise tax on the use in this State of motor vehicle fuel, providing for the issuance of permits to the users of such fuel and for the levy, assessment and collection of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately

Motion to Amend Assembly Bill No. 1907.

Mr. Robertson moved to amend Assembly Bill No. 1907 as follows:

Amendment No. 1.

On page 1, lines 4 and 5 of the title of the printed bill, as amended in Assembly March 18, 1937, strike out "making an appropriation for the administration hereof,".

Amendment No. 2.

On page 5, line 9, of the printed bill, as amended in Assembly March 18, 1937, strike out "motor vehicle fuel", and insert in lieu thereof "general".

Amendment No. 3.

On page 5 of the printed bill, as amended in Assembly March 18, 1937, strike out all of lines 12 to 19, both inclusive.

Amendments adopted.

Request for Unanimous Consent.

Mr. Robertson asked for unanimous consent to take up Assembly Bill No. 1907, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Mr. Heisinger withheld his consent.

Assembly Bill No. 1907 ordered to reprint and re-engrossment.

Reconsideration of Assembly Bill No. 538.

In compliance with a notice given on a previous day, Mr. Breed moved that the vote whereby Assembly Bill No. 538 was passed be reconsidered.

The roll was called, and Assembly Bill No. 538 refused reconsideration by the following vote:

AYES—Baynham, Beene, Breed, Call, Cottrell, Cunningham, Daley, Dannenbrink, Dilworth, Field, Garibaldi, Garland, Glick, Johnson, Kuchel, Latham, Lyon, Martin, Millington, Muldoon, Peyser, Redwine, Robertson, Scudder, Stream, Walker, and Watson—27.

NOES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Weber, Williamson, Yorty, and Mr. Speaker—48.

Assembly Bill No. 538 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 1446 Waived.

Mr. Cassidy waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1446 was passed.

Assembly Bill No. 1446 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 2762 Waived.

Mr. Kuchel waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2762 was passed.

Assembly Bill No. 2762 ordered transmitted to the Senate

Reconsideration of Assembly Bill No. 2255.

In compliance with a notice given on a previous day, Mr. Garland moved that the vote whereby Assembly Bill No. 2255 was passed be reconsidered.

The roll was called, and Assembly Bill No. 2255 reconsidered by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M, Call, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Redwine, Robertson, Scudder, Sheehan, Turner, Walker, Watson, and Weber—47

NOES—Andreas, Cassidy, Daley, Flint, Gilbert, Glick, Hunt, King, Laughlin, Lore, McMurray, Meehan, Patterson, Peek, Reaves, Richie, Tenney, Yorty, and Mr. Speaker—19.

Assembly Bill No. 2255 ordered on third reading calendar.

Motion for Temporary Suspension of the Rules.

Mr. Kuchel moved that the Rules be temporarily suspended for the purpose of considering Assembly Concurrent Resolution No. 39, at this time, and that the same be considered engrossed.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M, Burns, Michael J, Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Consideration of Assembly Concurrent Resolution No. 39.

Assembly Concurrent Resolution No. 39—Relative to commemorating the completion of 20 years of honorable and noteworthy public service in the Senate of the United States by the Honorable Hiram W. Johnson.

Assembly Concurrent Resolution No. 39 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—74.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1496—An act to amend an act entitled "An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10, of the Seventy-Third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately," approved June 11, 1935, by amending each section of said act, to add new sections to be numbered 22, 23 and 24, and to repeal sections 3a, 6a, 15a, 16a and 20a of said act and to provide for the execution of marketing agreements and the issuance of licenses by the Director of Agriculture regulating the handling of agricultural commodities in intrastate commerce, and to declare the urgency of this act, and that this act shall take effect immediately.

Urgency clause read and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington,

Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—74.

NOES—None.

Assembly Bill No. 1496 read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Motion to Excuse Committee Members.

Mr. Hornblower moved that the members of the Committee on Financial Institutions be excused for a committee meeting at this time.

The roll was called, and the motion carried by the following vote.

AYES—Baynham, Beene, Boyle, Burns, Michael J., Call, Cassidy, Cronin, Crowley, Dawson, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, and Weber—48.

NOES—Andreas, Breed, Burns, Hugh M., Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Fulcher, Johnson, King, Lore, Miller, George P., Patterson, Peek, Richie, Sawallisch, Tenney, Watson, Williamson, Yorty, and Mr. Speaker—22.

Special Order Set for Assembly Bills Nos. 343 and 63.

On motion of Mr. Williamson, the consideration of Assembly Bills Nos 343 and 63 were made a special order of business for Thursday, April 8, 1937, at two o'clock p.m.

Motion to Excuse Committee Members.

On motion of Mr. Morgan, the members of the Committee on Constitutional Amendments were excused for a committee meeting at this time.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1938—An act to amend section 1 of an act entitled "An act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof"

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Peletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, and Mr. Speaker—62.

NOES—King, and Reaves—2

Amendment to Title.

The following amendment to the title was offered:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, after "1925", insert the following: ", relating to the sale of certain of said lands by the city of South San Francisco".

Amendment adopted. Title, as amended, read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1668—An act to amend sections 980, 981, 1024, 1025 and 1029, and to repeal sections 1020, 1021, 1022, 1023, 1026 and 1028 of the Streets and Highways Code, relating to the county road districts, their administration, and their special funds.

Motion to Amend Assembly Bill No. 1668.

Mr. Donihue move to amend Assembly Bill No. 1668 as follows:

Amendment No. 1.

On page 1, lines 4 and 5, of the printed bill, strike out "or the county planning commission or some other qualified person", and insert in lieu thereof the following: "or some other qualified person, who is a licensed civil engineer, and who has been".

Amendment No. 2.

On page 2, line 9, of the printed bill, strike out "the county highways within his district", and insert in lieu thereof the following: "all county highways within the county".

Amendment No. 3.

On page 2, lines 11 and 12, of the printed bill, strike out "in his district to do all highway work", and insert in lieu thereof the following: "to do all highway work in the county".

Amendment No. 4.

On page 2, line 13, of the printed bill, strike out "No road commissioner shall", and insert in lieu thereof the following "He shall not".

Amendment No. 5.

On page 2, line 14, of the printed bill, strike out "his road district", and insert in lieu thereof the following: "the county".

Amendment No. 6.

On page 2, line 15, of the printed bill, strike out "his district", and insert in lieu thereof the following "the county".

Amendment No. 7.

On page 2, lines 39 and 40, of the printed bill, strike out "or other person qualified in road construction to act as", and insert in lieu thereof the following: "to act as the".

Amendment No. 8.

On page 2, line 43, of the printed bill, strike out "any person", and insert in lieu thereof the following "the county surveyor".

Amendments adopted.

Assembly Bill No. 1668 ordered to reprint, and re-engrossment.

Assembly Bill No. 85—An act to amend section 1274 and to repeal section 1273 of the Fish and Game Code, relating to deer.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Weber, Williamson, Yorty, and Mr. Speaker—62

NOES—None

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 85.

Mr. Redwine gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 85 was this day passed.

Assembly Bill No. 2799—An act to amend section 737s, as amended, of the Political Code of the State of California to provide an annual salary for each of the judges of the superior court in and for the county of Los Angeles of $10,000.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—Dilworth, Donnelly, Flint, Glick, Heisinger, Latham, Lore, and Reaves—8.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 771—An act relating to the exemption of household goods and personal property from taxation.

Motion to Re-refer Assembly Bill No. 771.

Mr. Desmond moved that Assembly Bill No. 771 be withdrawn from the calendar, and re-referred to the Committee on Revenue and Taxation.

The roll was called, and Assembly Bill No 771 re-referred to Committee on Revenue and Taxation by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hornblower, Hunt, King, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Watson, Williamson, Yorty, and Mr. Speaker—51.

NOES—Breed, Burns, Michael J., Cunningham, Dilworth, Field, Gannon, Heisinger, Johnson, Kepple, Kuchel, Latham, Lyon, Miller, Eleanor; Millington, Pelletier, Redwine, Robertson, Scudder, Turner, Walker, and Weber—21.

Assembly Bill No. 1034—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.55, relating to the participation of pupils in public exhibitions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—Dilworth—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 983—An act to repeal Article II of Chapter II of Part II of Division II of the School Code, relating to the governing board of a newly organized school district.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 866—An act to amend section 1152 of the Agricultural Code, pertaining to marketing.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2331—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 4041.29 relating to agricultural research by counties.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr Speaker—67.

NOES—Dilworth, Heisinger, and King—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 810—An act to amend section 1142 of the Political Code, relating to elections.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—65.

NOES—Dilworth, Field, Hornblower, and Latham—4.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Print Report in Journal.

On motion of Mr. Turner, the following report of the Special Assembly Committee on Rules and Regulations of Horse Racing was ordered printed in the Journal:

REPORT OF SPECIAL ASSEMBLY COMMITTEE ON RULES AND REGULATIONS OF HORSE RACING.

To the Speaker and Members of the Assembly

The above mentioned committee was appointed pursuant to a resolution of your honorable body, adopted January 22, 1937, for the purpose of investigating and studying the rules, regulations, customs and practices of horse racing in the State of California, a copy of said resolution being annexed hereto and made a part of this report.

The committee held an open hearing in Los Angeles beginning on February 1st, and ending on February 6th, 1937. Due to the inability of one of the stewards at the Santa Anita Track to attend the hearing on account of illness, his testimony was taken by the chairman of this committee on February 19th and February 20th, at Los Angeles. In all, the testimony of the following 34 witnesses was taken before your committee:

J. K Macomber, William A Quigley, Roy Carruthers and Edmond Soule, all members of the board of stewards at the Santa Anita Track; Carleton F. Burke, John A. McNaughton and William P. Roth, all members of the California Horse Racing Board; W. C. Buchanan, secretary of the board; Miss Lorraine Repperger, stenographer for the Racing Board; Dr. Harry O McKim, veterinarian at Santa Anita; Arthur A. Maas and S W. Green, chemists for the Racing Board; Dr. A O.

Beckman, head of the Department of Chemistry at the California Institute of Technology; Dr. C. H. Strub, general manager of the Santa Anita Track; Miss Mary Tunny, stenographer in Dr. Strub's office; Norman W. Church and Charles E. Cooper, prominent California horse breeders; Harry T. Palmer and J. D. Shyrock, horsemen; E. J. Fitzgerald and T. J. Carroll, trainers for the Northway Stables; E. J. Brown, president of the National Association of Racing Commissioners; Preston M. Burch, president of the American Trainers' Association; Trainers A. H. Stotler, Vanderbilt Stables; R. McGarvey, Milky Way Stables; John A. Healey, Whitney Stables; B. A. Jones, Woolford Farms; Anthony Pelleteri, M. L. Emerich Stables; J. J. Flanigan, Valdina Farms; D. A. Gannon, Major Austin Taylor Stables; B. B. Williams, W. H. Furst Stables; E. L. Snyder, Tranquility Farms; Grace Wickham, stenographer in Dr. Strub's office; and Douglas Wilks, of the Western Union, Los Angeles.

The California Horse Racing Law authorized the Horse Racing Board, which under the law is appointed by the Governor, to prescribe rules, regulations and conditions under which all horse races, upon the result of which there shall be wagering, shall be conducted within the State of California.

The resolution under which your committee was appointed, provided for the investigation and the study of the rules, regulations, customs and practices of horse racing in the State of California.

The California Horse Racing Board had, in 1934, adopted and promulgated the "Rules of Racing" in which the board states:

> "Anyone who enters or causes a horse to run, or who owns a share of any horse which takes part in any race held at a meeting conducted under permit from the California Horse Racing Board, or anyone participating in any such meeting in any capacity, is expected to be conversant with the present rules governing racing. Such persons thereby agree to submit, without any reservation, to all the rulings and consequences resulting therefrom."

The Formation of the Board of Stewards.

The Racing Rules of the California Horse Racing Board provides for the appointment of a board of stewards who exercise general supervision of the conduct of the racing meet. Rule 19 designates the officials of the racing meet and Rule 20 provides the procedure of the selection of the board of stewards. In view of the fact that the testimony before the committee was uniform to the effect that Rule 20 had not been followed in the selection of the stewards, we quote the rule in full:

> "One (1) of the stewards for each race meeting shall be named by the California Horse Racing Board. The association holding the meeting shall name a third. All stewards shall be named at least ten (10) days before meeting commences. If the third steward is not named before that time, or the association fails to nominate a steward, the board may name steward or stewards not so selected. All other officials herein designated, including the stewards, shall be employed by the association holding the meeting, and shall be subject to the approval of the board which reserves the right to demand a change of personnel for what it deems good and sufficient reasons, the successor to official so replaced to be subject to the approval of the board. The associations are hereby directed to submit to the California Horse Racing Board the names of the officials, together with the salaries to be paid to them, ten (10) days prior to the date fixed for any race meeting."

J. K. Macomber testified that he was the steward representing the California Horse Racing Board at the Santa Anita meeting, and that he had been appointed by the California Horse Racing Board, but that the Santa Anita Racing Association paid his salary of $75 a day. Mr. William A. Quigley, Mr. Roy Carruthers, and Mr. Edmond Soule are also members of the board of stewards. We call your attention to the fact that the rules provide the appointment of three stewards for the conduct of a racing meet and Rule 20 provides that one of the stewards shall be named by the California Horse Racing Board; that the association holding the meet shall name the second and that the two together shall name a third. In the case of the Santa Anita meeting, four stewards were actually appointed, and three of them, Messrs. Quigley, Carruthers and Soule, were all appointed by Dr. Chas. H. Strub, general manager of the Santa Anita Racing Association. The appointment being confirmed by the California Horse Racing Board. In the appointment of the stewards, the rules were not complied with, and in view of the fact that the salary of all of the stewards is paid by the racing association, we believe that an improper procedure was followed in this respect, and that the best results for the benefit of the proper operation and supervision of the track could not be obtained where three of the stewards were actually appointed by the track and the salaries of all four stewards were paid by the racing association.

The rule referred to does not say how the stewards, once selected according to the rule, shall be removed from office except that it does give the State board the right to require a change of personnel in any track position. Since, however, the entire purpose of the rule is to set up an independent board of stewards for the protection of the public, the State, and the track, it would seem that the track

would have no right, even under the rule as written, to discharge any of the stewards selected in accordance with the terms of that rule. Viewing the matter in the light most favorable to the track, it would seem that the track could not, under the rule, discharge any of the stewards other than the first one it appointed, because the selection of the other two theoretically was made independent of the track. Therefore, under the rule as written, were it enforced the track could at the very most discharge only one of the stewards, leaving a majority of two undisturbed.

With reference to this particular point, Dr. Strub's testimony indicated that he considered that he had the power to discharge the stewards, as he testified:

> "If I thought there was anything wrong in that stewards' stand, I would fire them tomorrow."

Which might bring about the unfortunate circumstance that he could influence their judgment

In another part of Dr Strub's testimony, he testified:

> "My business is the operation of a plant from a business angle—the racing at Santa Anita is in the hands of the stewards in its entirety. As a matter of fact as I said to you before—and I think it is in the law that they are supposed to be there at 8:30 and if they walk up into my office and ask me to get off the track I would have to get off."

From this conflict in testimony, your committee is led to the conclusion that even Dr. Strub was doubtful as to the extent of the power of the stewards and the extent of the power of the association with regard to the operation of the racing meet

In addition to the failure to select a third member of the board of stewards in accordance with the rule referred to, the committee found, as already indicated, that the board of stewards at Santa Anita consisted of four members, one representing the State and three selected by the track The reason for the fourth member of the board of stewards, as given by several witnesses before the committee, was that the track was rendering better service by employing an extra steward so that one could watch the start of the races. Your committee appreciates the advantage of having a capable official watch the start, but can not see why it should follow from this that there should be a fourth member on the board of stewards contrary to the rule. Certainly it would be entirely possible to employ a capable person of integrity to watch the start without giving him the right to a vote on the board of stewards on the many matters that come before it, thus preventing the proper operation of Rules 24 and 25 providing for a majority vote of the stewards in deciding an issue.

Your committee considers Rule 20 a very good one in so far as it provides for the creation of the board of stewards It would further suggest, however, an amendment that would make it clear that the track has no right to discharge a steward during the course of meeting without the consent of the State Racing Board. Your committee was unable to find any excuse or reason for the flagrant violation of this rule by the State board and by the track. Why should the rule be ignored? The very question leaves the track open to the suspicion of deliberately retaining some control over the board of stewards and leaves the State Racing Board open to the suspicion that it has been influenced by the track to the extent of acquiescing in such improper control. In any matter as important as "The Proclivity Case," this violation of the rule opens the door to the argument that the ruling would never have been made had the board of stewards been properly selected.

Personnel of the California Horse Racing Board.

In the enactment of the California Horse Racing Law, the Legislature provided for a racing board or commission, to consist of three members. It was undoubtedly the legislative intent that the personnel of this board should consist of men who had some knowledge, training and experience, that could be applied in the administering of the provisions of the act. It was also the legislative intent that any official acts of the board should consist of the independent thought and action of its three constituents.

To intrust the enforcement of the provisions of this or any other act to men who have no knowledge of the subject involved, is to defeat the purposes of the law. To allow a commission to delegate to one of its members, the ultimate "say" in the making of decisions, is to violate the legislative intent in creating such commission.

With these self-evident truths in mind, the committee was, to put it mildly, surprised to ascertain that in many instances what probably appeared to be the official action of the three members of the board was in effect the conclusion of its chairman, and that of the three acting members, at least one thereof, freely and frankly admitted that he had neither knowledge, training, or experience that qualified him to sit upon the board, and that his interest in the subject of the breeding of horses was practically nil

When Mr. William P. Roth was examined by this committee, he testified in part as follows:

> "I might tell you how I became a member of the commission. It was the last day of the Legislature in 1933 at about four o'clock in the afternoon, and

Governor Rolph rang me up and said, 'How would you like to go on the Racing Commission.'

And I said, 'No thank you I know nothing about horses or horse racing, and besides I can't give very much time to it.'

And he said, 'Well, you don't need to worry about that end of it, as I have appointed two men who are horse-minded and they will take care of it. I want you to sit in on questions of policy and see that there is clean racing.'

And I said, 'I would like to think this over.'

He said, 'Impossible I have got to name you right now.' And he said, 'Please come on and I will discuss it with you later, what we will do about it.'

Well, the last time I saw him was when we went up there to take our oath, and that was the last time I ever saw him."

"Q. Are you a member of the California Horse Racing Commission?

A. I am

Q Are you very active in the affairs of that commission?

A Not very.

Q. Since August of 1933 how many meetings of the commission have you attended?

A Why, I would say about 20

Q Do you know how many meetings have been held during that time?

A. I think it is 41

Q. What is the general procedure with regard to the decisions of the Horse Racing Commission when you are not present at a meeting and your approval of their action is required?

A. Well, Mr. Burke generally gets me on the phone and confers with me

Q. And what does he say in a general way?

A. Well, as a rule he says that Mr McNaughton and he have decided on certain things, and do I approve.

Q. Does he give you all of the facts and circumstances upon which they based their decision?

A. Why, I wouldn't say he gave me them all

Q I didn't get that.

A I doubt very much if he gave them all

Q. Upon occasions when your approval or disapproval has been requested, have you had the opportunity to hear witnesses or advocates or testimony upon which you could base your decision?

A. Yes, sir.

Q. In all cases?

A. In all cases.

Q. Well, did I misunderstand you when you said that you didn't think Mr Burke gave you all of it?

A. Of course, I would get it if I were present; I meant when I wasn't present

Q. I meant on the occasions when you weren't present?

A. No, I didn't get all then

Q. Then would you say your decision was made largely upon the suggestion or opinion of Mr Burke?

A. And Mr McNaughton And Mr McNaughton, I would say so.

Q. Are you pretty familiar with the operation of race tracks generally?

A. I am not.

Q. Have you had any considerable experience in the business of racing horses?

A. None whatever

Q. None whatever?

A. No.

Q. Have you had any experience at all with regard to the breeding of horses?

A No, sir

Q None whatever?

A No.

Q Are you not at all familiar with the way race tracks are operated?

A. No, sir

Q. And you are not familiar with the various breeds of horses, are you?

A. No.

Q Are you familiar with the pari mutuel system of betting?

A. I have an idea.

Q. Like myself, you try to win?

A. No, I can't bet; I would go to jail

Q. Do you casually attend the racing meetings?

A. Casually.

Q. I know you are a resident near Tanforan and Bay Meadows, and what would you say the average number of times was that you attended the race meeting at those two tracks during the season?

A. Two or three during the season.

Q. In other words, is the committee to assume, Mr Roth, that you are not particularly interested in the matter of racing thoroughbreds?

A. I am not."

The Saliva Test and the Proclivity Case.

In view of the powers vested in your committee by the resolution appointing said committee, and in view of the above statement of the application of the rules promulgated by the California Horse Racing Board, your committee investigated the rules of the board with particular reference to their application in the handling of the so-called "Proclivity Case", which case was referred to in the resolution creating this committee.

The rules of racing provide in Rule 146D, Paragraph 4, thereof, for the administration of a saliva test, which rule we quote:

> "Equipment as prescribed by the California Horse Racing Board for the administration of saliva test will be required at all meetings All horses will be subject to this, or any other test, ordered by the stewards, either before or after the race, or both, as prescribed in Rule 38. Should the examination prove positive, and the test show the presence of a prohibited drug or chemical, owner and trainer of the horse shall be ruled off for life."

On January 1, 1937, the horse "Proclivity", owned by Mr. Norman W. Church, ran in and won the fourth race of the day. After the race a saliva specimen was taken from "Proclivity", and on January 8th, Mr. W C. Buchanan, secretary of the board, received the chemist's report and on January 9, 1937, Mr. Carleton F. Burke, the Chairman of the State Racing Board, and Mr. Buchanan presented it to the board of stewards of the Santa Anita Track

At that time, Mr. Burke told the stewards that he was leaving the matter in their hands The chemist s report showed that the saliva test reacted positively to the presence of an alkaloid and that the alkaloid *"resembled strychnine"*.

The committee questioned the stewards, Mr. J. K. Macomber, William A Quigley and Roy Carruthers, all of whom testified that they accepted and acted upon the chemist's report. Apparently the stewards acted under Rule 146D, Paragraph 4, which rule is quoted above, although in testifying, none of the stewards would definitely state under what rule they had acted However, they did state that they recognized Mr. E L Fitzgerald as the official trainer of Mr. Church's Stables, and on January 15, 1937, issued an order of suspension against Mr Fitzgerald A letter from the board of stewards to the California Horse Racing Board reporting on the suspension stated that they had followed this particular rule, therefore, they must have acted under the last paragraph of Rule 146D.

During the questioning of the stewards, there was considerable difference of opinion among them as to what rule they followed in this suspension of Mr. Fitzgerald, the trainer for Mr. Church, and they sought to justify their act of suspension by reference to other rules providing for the punishment for the use of prohibited drugs, but Rule 146D is the only rule providing for the punishment after a positive saliva test.

Your committee would like to call your attention to the fact that Rule 146D states very definitely that should a saliva test be positive *"and the test show the presence of a prohibitive drug or chemical, owner and trainer of the horse shall be ruled off for life"*.

In hearings held before the board of stewards on January 15th and January 16th, at which hearings Mr Fitzgerald, Mr Church, Mr. Greene, the chemist who made the test, and Dr. Beckman were present, the chemist testified that his test had not definitely identified the drug, and therefore the test was not sufficient, under the rule, to convict At these hearings and also in his testimony given before the committee, we find the chemist, Mr. Greene, refused to swear that a "prohibited drug" was present and upon the witness stand, under oath, he could not identify the drug any more than that the alkaloid "resembled strychnine" He based his finding upon the fact that the alkaloid bore certain characteristics of strychnine such as a "bitter taste", and that the "color resembled strychnine" but none of the confirming tests could definitely identify the alkaloid, and no crystals were developed.

Mr. E. J. Brown, the president of the National Association of Racing Commissioners and the chairman of the Washington Horse Racing Commission, testified on this particular subject as follows:

> "Well, as Mr. Burch testified yesterday, and as Dr. Wallamer, the chief chemist for the Federal Bureau of Narcotics has testified before us, and also Dr. Morgan and also our own chemist, the color reaction may come from a narcotic or from an alkaloid, or it may not. It is not conclusive proof that the horse has been stimulated Each of these alkaloids, heroin, cocaine, caffeine, under a microscope and on a slide, give you a definite crystal, just like

the pictures you have seen of snow crystals, each one is definite and each one can be recognized Strychnine is one of the easiest drugs to identify by crystal."

Question. "And if the chemist should tell you that he got a positive reaction as to the presence of alkaloid but did not find any crystals, and the color resembled strychnine, would that be under your rules a finding sufficient to meet the requirements of the rule?"

Answer "It is not so considered in my State It may be and it may not be. The chemist simply will not testify that a horse has been stimulated on a color reaction."

We would like to call your attention to the fact that Rule 146D, quoted above, also provides as a punishment for the violation of the rule "that owner and trainer shall be ruled off for life"

The meeting on January 16th, ostensibly adjourned at ten minutes to twelve with a definite understanding between the stewards and Mr. Church and Mr. Fitzgerald that nothing further would be done with the case and that the entire matter would be kept quiet until the following Tuesday. Directly contrary to this understanding, when Mr. Church returned to the races that afternoon to watch one of his horses run, he was informed that his trainer, Mr. Fitzgerald, had been suspended and he would not be permitted to run his horses unless he saw fit to appoint another trainer. There is much conflict in the testimony of each member of the board of stewards, and the typist who drew the order of suspension, as to what took place between the time when Mr Church and Mr. Fitzgerald left the board of stewards meeting at ten minutes to twelve with the assurance that nothing would be done until the following Tuesday, and the time that Mr. Church was told that he could not run his horse that afternoon unless he appointed another trainer The stewards themselves do not agree upon when their decision was arrived at, and when the order of suspension was prepared and signed. The fact that the board of stewards by midafternoon took a course entirely different from the one they had adopted at noon, very strongly suggests an intervening factor which this committee was unable to discover.

On the twenty-first day of January, just four days later, Mr. Church appeared before a meeting of the board of stewards with his counsel, Mr. T. B. Cosgrove of Cosgrove and O'Neill, and Dr. A. O. Beckman, head of the Chemistry Department of the California Institute of Technology. Dr. Beckman informed the board of stewards, that, according to the best authorities in the world in the field of chemistry, a positive reaction showing a presence of alkaloids could be produced by a horse eating any number of weeds common to the State of California, the presence of which weed is not unusual in California hay; also that some of these weeds show the same color reaction as strychnine. Mr Church, at this meeting, offered to produce at his own expense, the head of the Chemistry Department of the University of California, and the head of the Chemistry Department of the University of Stanford, and offered to donate $25,000 to the Community Chest if these other outstanding chemists did not corroborate Dr. Beckman's statements. He was unable to get a response to Dr. Beckman's testimony or to his offer.

In view of the foregoing, your committee finds that the board of stewards did not properly interpret Rule 146D since the evidence was not conclusive as to the existence or presence of "a prohibited drug". Furthermore, if a prohibited drug had been found after the positive saliva test, then, in addition to suspending Mr. Fitzgerald, the trainer, the board of stewards should have suspended Mr. Church, the owner.

We would like also to call your attention to Rule 26 of the Rules of Racing

> "The stewards may suspend for no greater period than the duration of the meeting, anyone whom they have authority to supervise, or they may fine, not exceeding $200. All such suspensions and fines must be reported to the California Horse Racing Board If the punishment so imposed is not in the opinion of the stewards sufficient, they shall so report to the board, but under no circumstances is a punishment inflicted on any one track to be extended to another without specific sanction from the board. The board may independently punish any misconduct of any person connected with racing."

In addition to our findings under Rule 146D, it seems apparent from Rule 26 that the board of stewards had no authority to rule anyone off for lite, and since that is the only penalty specified where a positive saliva test was found, and the test showed the existence of a prohibited drug, it would follow that the board of stewards had no jurisdiction in this case and that the matter from the time of the delivery of the chemist's report to the board secretary, should have been handled by the State Racing Board. Our finding in this matter is based upon Rule 25 which provides that if the board of stewards can not determine the matter within three days, the matter shall be referred to the California Horse Racing Board and certainly their action did not take place within this limited time, since the order

of suspension for an offense alleged to have been committed on January 1st, was not reported to the State Racing Board until January 22d.

On January 26th, Mr. Carroll, another trainer for Mr. Church, was called before the board of stewards, and testified that he was actually in charge of the Church Stables on January 1st, and that Mr. Fitzgerald was away on account of illness; following which, on the twenty-seventh day of January, the stewards signed an order finding Mr. Fitzgerald blameless in the matter and reinstating him. Subsequently, Mr. Carroll was indefinitely suspended pending further investigation. Again your committee calls your attention to the fact that a period of 27 days had elapsed between the alleged offense and final action by the board of stewards, and your committee finds that since the board of stewards could not make their decision within the limited time specified in Rule 25, the matter should have been immediately referred to the California Horse Racing Board.

In view of the testimony presented before your commitee, it would seem that the board of stewards being advised of Mr. Fitzgerald's illness, which apparently some of the stewards knew of on January 1st, and which they must have determined from their own investigation since they reinstated him, your committee feels that Mr. Fitzgerald should at no time have been held responsible, and that this order of reinstatement should really have been an order of cancellation and recision of the order of suspension.

We feel that the unwarranted suspension of Mr. Fitzgerald was a very serious error and under the circumstance a blot on his record, as section 146E reads as follows:

> "Every person ruled off the course of a recognized association is ruled off wherever these rules have force"

Therefore, the suspension of Mr. Fitzgerald would be considered as a first offense upon every race track in the United States, and upon the conviction of a second offense, he can be ruled off for life unless the first suspension is canceled and rescinded.

Your committee also finds that the board of stewards, for the reasons heretofore given, had no authority or power to suspend Trainer Carroll.

Testimony of Nationally Known Horse Trainers.

Your committee called the following witnesses to testify upon a comparison of the rules of racing as adopted by the California Horse Racing Board, as applied to horse racing in California, and some rules in effect in other States:

E. J. Fitzgerald and T. J. Carroll, trainers for the Northway Stables; E. J. Brown, president of the National Association of Racing Commissioners; Preston M. Burch, president of the American Trainers' Association; Trainers A. H. Stotler, Vanderbilt Stables; R. McGarvey, Milky Way Stables; John A. Healey, Whitney Stables; B. A. Jones, Woolford Farms; Anthony Pelleteri, M. L. Emerich Stables; J. J. Flanigan, Valdina Farms; D. A. Gannon, Major Austin Taylor Stables; B. B. Williams, W. H. Furst Stables; and E. L. Snyder, Tranquility Farms.

This comparison was confined almost exclusively to a comparison of rules governing saliva tests. The conclusion was general among all trainers that no other State had a similar rule and that no other State had a rule which provided for the ruling off of owner and trainer without any alternative. These trainers all represent the leading stables of the United States and all agreed that had they known of the system of the saliva test rule in California and of its severe punishment, without any alternative punishment, that they would not have raced their horses in California. All of these trainers have been engaged in the profession of training race horses and racing them for a period of from 20 to 35 years, both in the North American Continent and in parts of foreign countries. These trainers all recommended to your committee that changes should be made in the saliva test rule, and also recommended that the owner or trainer should be protected by being permitted to have a specimen of the saliva with which to conduct his own chemical analysis.

Receiving Barn.

The trainers referred to above and other witnesses were questioned as to the use of the receiving barn and the effect of its use for the purpose of preventing the doping of horses. It developed that the receiving barn is an innovation in racing which is used only in California.

The horses are delivered by their trainer or handler to the receiving barn one hour prior to post time where they are in charge of the trainer or handler representing the racing stable. Horses are examined as to the condition of their shoes and plates, and the handler is permitted to exercise them during the wait between the time when they are delivered to the receiving barn and when they are taken to the paddock. The witnesses who represented the racing authorities in California felt that the use of the receiving barn was for the benefit of racing, whereas, the trainers felt that a horse was placed at a disadvantage in that he was removed from natural surroundings and was allowed to become nervous and fretful.

There was considerable conflict of opinion as to whether or not the use of the receiving barn prevented doping of horses and some trainers testified that even with

the receiving barn, a horse might be doped and through the regulation of the dose, the drug would not become effective until the actual running of the race.

In view of the fact that there was so much difference of opinion in this particular subject, your committee does not desire at this time to make any recommendation.

Complaint of California Horse Breeders.

While your committee was engaged upon its work in Los Angeles, numerous breeders of thoroughbred racing horses in California approached the committee and insisted upon testifying as to their experiences in the management of the Santa Anita Track and the interpretation of the California Horse Racing Law by the California Horse Racing Board, as such interpretations affected their business of breeding thoroughbred horses. The following witnesses appeared before the committee to register complaints:

Charles E Cooper, Harry T. Palmer and J D. Shyrock. Mr Palmer and Mr. Shyrock were particularly incensed against the Horse Racing Board because of its failure to take steps favorable to the encouragement of breeding of thoroughbred horses in California. They testified that it was impossible to obtain stable room at the race tracks in this State and that the manager of the Santa Anita Track definitely informed them that they would not be provided with stable room because their horses were not of sufficient high quality to be raced upon the Santa Anita course. Mr. Palmer testified that he had made numerous efforts to secure the assistance of Chairman Carleton F. Burke of the Horse Racing Board, for the purpose of racing his stable, but that he had received no cooperation, and in fact was discouraged in every way

Mr. Cooper testified that he felt the California Horse Racing Board and the various racing associations were not providing a sufficient number of races in the various meets for California horse breeders, and that the effect of this situation was to discourage the breeding of horses of better quality to compete with eastern horse breeders.

All of these owners and breeders were uniform in their opinion that more consideration should be given to this particular problem by the Racing Board and by the management of the various tracks. Mr. Shyrock has asked your committee to hold a further hearing upon this question so that he could present evidence against the board In this respect, Mr. Desmond announced that numerous breeders in northern California had expressed to him a desire to be heard before the committee and expressed the opinion that apparently the smaller California breeders are not in sympathy with the way the Horse Racing Board is conducting racing from the standpoint of the breeders of our State

We feel that in view of the fact that the people of California passed the Horse Racing Act primarily for the purpose of encouraging breeding and the stimulation of agricultural pursuits, that the Racing Board and everyone connected with horse racing in this State should do everything possible to encourage the California breeder so that he may improve the quality of his horses and be able to compete for the better purses thereby furnishing him sufficient income to meet the expense of improved breeding Some of the greatest thoroughbreds of history have been bred in California, and your committee feels that with proper encouragement, California, because of its climatic and favorable breeding conditions, can become the leading State for breeding of thoroughbred horses.

This opinion was verified by the trainers who appeared before your committee, and particularly Mr Walter Brown the president of the National Racing Board and chairman of the Horse Racing Commission of the State of Washington, who spoke in glowing terms of the advantage of California as a breeding State

With reference to the above matter, your committee has received the following communication from the California Horse Racing Board, which communication we quote in part, in which the board reports upon the progress made in the breeding of thoroughbred horses in the State of California, and shows the success of California-bred horses in the winning of purses at racing meets:

"*Hon. Rodney L Turner, Chairman,*
Public Morals Committee on Rules of Racing,
Sacramento, California.

DEAR MR TURNER: Complying with your request for a statement from this board concerning what has been done to encourage breeding in this State, I will first quote from our Second Biennial Report covering the two-year period to December 1st, 1936:

> The board feels that racing in California has been firmly established on a plane second to no other State. In addition to the direct revenue derived, the benefits to the breeding industry and agriculture have been great, as evidenced by the ready market at greatly increased prices for the produce of our breeding establishments and farms. The provisions of the Racing Act that 3 per cent of the first money of every purse won by a horse bred in the State of California shall be paid to the breeder of such animal, and that there shall be at least one race

each day limited to horses foaled in California, are being strictly complied with, and in addition there has been established at Tanforan a $5000 added stake for California-breds, and a similar stake at Bay Meadows, and two $10,000 stakes for California-breds at Santa Anita. These stakes have created unusual interest and have developed a good market for California-bred horses eligible to participate. They will continue to grow in value from year to year and will undoubtedly develop into outstanding events in California racing. It should be borne in mind that California-bred and California-owned horses are eligible to enter any race run on a California track in addition to these special events limited to California-breds. It is felt that the racing program of this State offers inducements to California breeders greater than any other State in the country. The records show that for the fiscal year ending June 30, 1936, 490 of the races run were won by California-bred horses on California tracks, and for the first six months of the present fiscal year California-bred horses have won 320 races."

A further statement shows purse and stakes distribution for the period covered by that report as follows:

Bay Meadows	$ 643,505 00
Santa Anita	1,250,600 00
Tanforan	515,408 48
Fairs	274,608 62
Total	$2,684,122 10"

During that period over 1,000 races were won by California-bred horses on California tracks, and a major part of all the money distributed went to western owners.

The magnitude upon which the sport is being conducted in this State really offers the greatest incentive and encouragement to California breeders—creating new converts to the sport and a desire on the part of established breeders to improve the class of their stock. Many high-class proven stallions and mares are being brought into the State, some by breeders who realize they must improve their produce and others who are engaging in the industry purely as a sport. The records of the New York Jockey Club show that in 1933, the year racing was legalized in this State, 59 California breeders registered foals, while in 1936 there were 210.

Before racing was legalized there was actually no cash market for thoroughbred horses, the best bred horses selling for a few hundred dollars—to be paid out of possible winnings. At the present time there is a ready cash market for good yearlings, reports indicating that prices from $2,000 to $10,000 are not uncommon. This applies especially to eligibles for the large California-bred stakes. Additional stakes for California-breds are planned for the future.

I will add in closing that the great progress made in racing in this State was under the rules of racing adopted by this board, which were under discussion at your recent committee hearing, and that since racing was legalized and conducted under this board's administration and supervision there has been no scandal connected with the sport as conducted in California.

All of which is respectfully submitted.

Very truly yours,

W. C. BUCHANAN, Secretary."

Changes Made in the Rules of Racing as the Result of the Hearings of Your Committee.

When the committee opened its hearings, the rules of the Racing Board, relative to the taking of saliva tests, was neither definite nor certain. In other words, it was left entirely to the official at the racing meet to determine as to how many races, or from what horses, they were to make the saliva tests. Under this system, out of a total number of races per day, various horses were selected from two, three, or four races, from which saliva specimens were taken. As a result of the evidence produced before this committee, a new rule was adopted by the California Horse Racing Board providing that "a saliva sample shall be taken from the winner of each race, except races exclusively for two year olds".

It has come to the attention of this committee that since the adjournment of its hearings, and as a result of the testimony relative to the administering of prohibited drugs to horses, that the racing board has amended its Rule 146D, and released the stringency of its provisions. This rule, as set forth above, provided that any person administering a drug, etc., to a horse, shall be ruled off, thus leaving no alternative as to what punishment had to be meted out to one violating its provisions.

The amendment to this rule now provides that "every person so offending, may be suspended or ruled off".

The committee has no official information from the Racing Board that this amendment has in fact been adopted, but publicity to that effect has appeared in the papers.

Conclusion.

Your committee has indulged in the foregoing detail believing that the Legislature should be fully informed as to the conditions that were disclosed by the various witnesses that appeared before it. However, the committee does not feel that it should make any recommendation at this time relative to any changes in the law under which the Racing Board functions, with the exception that the committee feels that it should be made mandatory that where saliva tests are taken, the owner of the horse, or his representative, should be furnished with a part of the specimen, both for the protection of the owner and trainer, and the racing public.

There are now pending before the Governor proceedings in which the removal of two members of the board is sought. No one can foretell the result of this hearing. The racing board has informed your committee of its willingness to at least consult with its members as to changes to be made in the board's Rules of Racing. If the personnel of the board is not changed, or if the board does not change its rules and regulations to eliminate the objectionable features herein mentioned within a reasonable length of time, your committee will introduce bills drawn to supply the deficiencies now existing at the present time in the present rules

Since the completion of the foregoing part of this report, the board, on March 6, 1937, issued and there was published in the Los Angeles newspapers of Sunday, March 7th, a statement by the board, in part, as follows:

> "After reviewing all the reports and records in connection with the positive saliva test on the horse "Proclivity," winner of the fourth race at Santa Anita, January 1, 1937, the California Horse Racing Board has approved the action taken by the stewards of the meeting and has continued in force the suspension of Thomas J Carroll, trainer, pending completion of the investigation being conducted by this board."

The race was run January 1st. The board received its chemist's report January 8th. The board took no action on the case until March 6th, on which date the above quoted was taken

Your committee believes that this case should have been determined finally by the board long before March 6th, and that unless the board has diligently pursued its investigation of this case and has some additional material evidence justifying the delay, its seeming inaction until March 6th and its action on that date appear to your committee to be entirely unwarranted.

Your committee suggests to the California Horse Racing Board that the rules of racing be amended so as to require action in such cases within a specified, reasonable time.

Your committee held hearings in Los Angeles only and in view of the fact that only those portions of the rules as outlined herein were studied, your committee does not feel that a thorough investigation of the purposes for which it was appointed has been made. No study has been made of the general rules, regulations, customs and practices of horse racing in the State of California Your committee, informed as it is on the subject matter of our investigation, feels that if the Assembly will make a reasonable appropriation so that the committee can continue its investigation, the results therefrom would inure to the benefit of the State of California.

As a matter of fact, considerable pressure has been brought to bear upon the committee by horse breeders of this State who did not have an opportunity to appear before the committee, and we respectfully recommend to the Assembly of the State of California that necessary provisions be made in this session to continue the effective operation of your committee.

While at Santa Anita a brief study was made of the pari-mutuel wagering system, and we would like additional information upon this subject so that recommendations could be made in the matter of the handling of the finances of the various racing associations of the State.

In view of the fact that the California Horse Racing Board has seen fit to make certain changes in their rules when defects in the rules were called to their attention, we feel that a thorough study of these rules by your committee would result in additional changes which would be beneficial to everyone interested and to the welfare of horse racing in the State of California.

Dated: April 6, 1937.

ASSEMBLY INVESTIGATING COMMITTEE TO STUDY THE RULES AND REGULATIONS OF HORSE RACING.

RODNEY L. TURNER, Chairman.
EARL D. DESMOND.
FRANK D. LAUGHLIN.

Assembly Resolution.

WHEREAS, Great publicity has been given in the press and over the radio to a story involving the alleged doping of a horse named Proclivity belonging to the Northway Stables owned by Norman W Church, and

WHEREAS, The alleged doping and race which has been questioned took place at the Santa Anita Track on January 1, 1937; and

WHEREAS, The stewards of said track have had a number of hearings concerning that matter at one or more of which hearings the chemist whose report formed the basis for such charges refused to testify under oath that his examination showed that the horse had been stimulated; and

WHEREAS, The said stewards have nevertheless at different and various times said the evidence accumulated would be forwarded to the Racing Commission for its action and disposition of the case, and

WHEREAS, The Racing Commission has not yet taken jurisdiction of the case nor received the accumulated evidence, and

WHEREAS, There appears to be nothing in the rules of the said Racing Commission or the laws of this State requiring the stewards to act within a given length of time, or nothing in said rules or laws requiring the Racing Commission of this State to dispose of such matters in any given length of time; and

WHEREAS, It is obviously highly damaging, detrimental and expensive to the name and reputation of one in the position of Norman W. Church in these circumstances, and to the name and reputation of the stable which has been so reflected upon, and to the name and reputation of the trainer whose integrity has been called into question; and

WHEREAS, The Legislature will undoubtedly be called upon to pass legislation in this field that will afford protection to the track, to the public, to the owners of racing horses, and to the trainer of said horses; and

WHEREAS, It would be very desirable that the Legislature have detailed and accurate information as to the practices, customs, rules and regulations and laws concerning such matters; now, therefore, be it

Resolved, That a Special Assembly Committee on Horse Racing Rules and Regulations consisting of three members of the Assembly be appointed by the Speaker to investigate and study the rules and regulations, customs and practices of horse racing and the procedure for disqualifying or suspending horses, trainers, stables, or owners from the use and privileges of the tracks of this State, said committee to report to the Legislature as soon as possible after the constitutional recess of this session; and be it further

Resolved, That the committee upon appointment shall elect a secretary and appoint such other clerical and technical assistants as it may deem necessary; and be it further

Resolved That all officers and employees of the State shall furnish to the committee such assistance, information and access to records as the committee request; and be it further

Resolved, That the committee is authorized to do all things necessary to make a complete investigation of the matters herein referred to and to require the production of, and access to, books, documents, reports, accounts, and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article XIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and the committee is hereby authorized to sit during the session of the Legislature and during the interval between session, at such places in the State as the committee shall from time to time determine, and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $250, or so much thereof as may be necessary is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments to be made by warrants of the State Controller drawn against the contingent fund upon written order of the chairman of the committee.

Request to Print Report as Separate Document.

Mr. Turner requested that 500 copies of the Interim Committee on Horse Racing be printed as a separate document.

Request referred to the Committee on Rules.

Withdrawal and Re-reference of Assembly Bill No. 293.

On motion of Mr. Desmond, Assembly Bill No. 293 was withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Building and Construction.

Notice of Motion to Reconsider Assembly Bill No. 1624 Continued.

On motion of Mr. Patterson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1624 was refused passage was continued until the next legislative day.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. O'Donnell:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act declaring a State policy relating to soil conservation through the prevention or control of soil erosion, creating a State Soil Conservation Advisory Committee and defining its duties and authority, providing procedure for the organization, management and dissolution of soil conservation districts and defining their powers, providing for cooperation between the State Soil Conservation Advisory Committee, the United States, the State, counties, soil conservation districts, other public districts, and individuals and corporations, and making an appropriation for paying the expenses of the State Soil Conservation Advisory Committee.

Referred to Committee on Introduction of Bills.

By Mr. Call:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 58 of the Warehouse Receipts Act, relating to definition of terms.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. O'Donnell:

An act declaring a State policy relating to soil conservation through the prevention or control of soil erosion, creating a State Soil Conservation Advisory Committee and defining its duties and authority, providing procedure for the organization, management and dissolution of soil conservation districts and defining their powers, providing for cooperation between the State Soil Conservation Advisory Committee, the United States, the State, counties, soil conservation districts, other public districts, and individuals and corporations, and making an appropriation for paying the expenses of the State Soil Conservation Advisory Committee.

By Mr. Call:

An act to amend section 58 of the Warehouse Receipts Act, relating to definition of terms.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2827: By Mr. O'Donnell—An act declaring a State policy relating to soil conservation through the prevention or control of soil erosion, creating a State Soil Conservation Advisory Committee and defining its duties and authority, providing procedure for the organization, management and dissolution of soil conservation districts and defining their powers, providing for cooperation between the State Soil Conservation Advisory Committee, the United States, the State, counties, soil conservation districts, other public districts, and individuals and corporations, and making an appropriation for paying the expenses of the State Soil Conservation Advisory Committee.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2828: By Mr. Call—An act to amend section 58 of the Warehouse Receipts Act, relating to definition of terms.

Bill read first time, and referred to Committee on Judiciary General.

Resolutions.

The following resolutions were offered:

By Mr. King:

House Resolution No. 126.

WHEREAS, The members of this Assembly have learned with deep sorrow and profound regret of the passing of Mrs. Mary Elizabeth Burch at the age of 83 years; and

WHEREAS, Mrs. Mary Elizabeth Burch was the dearly devoted grandmother of Jack B. Tenney, an honored member of this House; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day, it do so out of respect to the memory of Mrs. Mary Elizabeth Burch.

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up House Resolution No. 126, at this time, without reference to committee or calendar.

House Resolution No. 126 read, and unanimously adopted.

By Mrs. Daley, and Messrs. Richie, and Stream:

House Resolution No. 127.

WHEREAS, The members of the Assembly have learned with profound sorrow of the passing of Virgilio Bruschi of San Diego, California; and

WHEREAS, Virgilio Bruschi was an outstanding citizen as City Councilman of San Diego and as a champion of water and harbor development and of city planning; and

WHEREAS, We know that the death of this devoted citizen has brought sorrow to the immediate members of his family; and

WHEREAS, It is God's wisdom that he be taken from this earth and be given his just reward in the life beyond for the many kind deeds he has rendered to humanity during his lifetime; and

WHEREAS, His loss will not only be a loss to the immediate members of his family and to those who knew him while he was living, but also to all the citizens of the city which he served so well during his lifetime; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day it do so out of respect to the memory of the late Virgilio Bruschi; and be it further

Resolved, That the Chief Clerk be and he is hereby instructed to have prepared a suitable resolution properly engrossed and mailed to the family of the deceased.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to take up House Resolution No. 127, at this time, without reference to committee or calendar.

House Resolution No. 127 read, and unanimously adopted.

By Mr. Leonard:

House Resolution No. 128.

WHEREAS, Death has closed the career of Frederick W. Atkinson, owner and publisher of the Watsonville Pajaronian and Register, owner of radio station KHUB, and one-time Mayor of the southern Santa Cruz County city, and

WHEREAS, His service to his city, county and State has been of inestimable value, and

WHEREAS, As a scholarly and devoted student of California history he was the author of the books "Argonauts of 1769" and "One Hundred Years in Pajaro Valley," and

WHEREAS, His daughter, Miss Alice Mae Atkinson served during the fifty-first session of the California State Legislature, as an attache of this Assembly, faithfully and well, now, therefore, be it

Resolved, That when this Assembly adjourns today, it do so out of respect to the memory of Frederick W. Atkinson and in sympathy to his bereaved family and innumerable friends, and be it further

Resolved, That this resolution be spread upon the Journal of the Assembly and engrossed copy be sent to his family.

Request for Unanimous Consent.

Mr. Leonard asked for, and was granted, unanimous consent to take up House Resolution No. 128, at this time, without reference to committee or calendar.

House Resolution No. 128 read, and unanimously adopted.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 250—An act to amend section 377g of the Political Code, relating to the acquisition of land and the construction and equipment of buildings, offices and facilities for, and the records and property of, officers, boards, commissions and State agencies supported from sources other than the general fund;

Senate Bill No. 251—An act to add section 205 to the Business and Professions Code, relating to the acquisition of land, the construction and equipment of buildings, offices and facilities for officers, boards, commissions and State agencies supported from sources other than the general fund;

Senate Bill No. 252—An act to provide for the acquisition of land and the construction and equipment of buildings, offices and facilities for officers, boards, commissions and State agencies supported from sources other than the general fund;

Senate Bill No. 346—An act relating to parole and the conditional release of prisoners;

Senate Bill No. 519—An act to add section 1110 to the Fish and Game Code, prohibiting operation in State waters of fishing boats which deliver fish, mollusks or crustaceans, wherever caught, to points beyond State waters unless such delivery is permitted by State Fish and Game Commission; authorizes commission to issue revocable permits for such delivery; declaring it shall issue no permits which would tend to deplete the species or obstruct the operation of any law; provides penalties for violation;

Senate Bill No. 408—An act to amend sections 738, 740 and 741 of the Vehicle Code, relating to procedure upon arrest;

Senate Bill No. 388—An act to amend section 397 of the Penal Code, relating to the sale of intoxicating liquors.

Senate Concurrent Resolution No. 22—Relative to the participation by the State of California in the Swedish-American Tercentenary Celebration of 1938.

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to section 22 of Article XX of the Constitution of said State, relating to the legal rate of interest.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 250 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 251 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 252 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 346 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 519 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 408 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 388 read first time, and referred to Committee on Public Morals.

Senate Concurrent Resolution No. 22 referred to Committee on Expositions and Fairs.

Senate Constitutional Amendment No. 1 referred to Committee on Constitutional Amendments.

SENATE CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 38.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1081—An act to amend section 10 of the State Civil Service Act, relating to examinations.

Motion to Amend Assembly Bill No. 1081.

Mr. McMurray moved to amend Assembly Bill No. 1081 as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the period, and insert in lieu thereof the following: ", but this requirement does not preclude the giving of such physical, medical and practical demonstration tests as may be appropriate to the position for which the examination is given, to the extent that objective standards are used therein."

Amendment adopted.

Assembly Bill No. 1081 ordered to reprint, and re-engrossment.

Assembly Bill No. 2195—An act to amend sections 500, 501, 503, 504, and 505 of the Vehicle Code, relating to felonies and other offenses.

Motion to Amend Assembly Bill No. 2195.

Mr. Burns, Hugh M., moved to amend Assembly Bill No. 2195 as follows:

Amendment No. 1.

On page 2, line 13, of the printed bill, as amended, after "Unlawful", insert the following: "Driving or".

Amendment adopted

Assembly Bill No 2195 ordered to reprint, and re-engrossment.

Assembly Bill No. 1295—An act to regulate the rug cleaning business and to create a Rug Renovation Board, prescribing the powers and duties thereof; providing for the licensing of persons engaged in con-

ducting rug cleaning establishments and providing for the enforcement of the act by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards, for the protection of the public health and persons engaged in the practice of rug cleaning.

Motion to Amend Assembly Bill No. 1295.

Mr. Lyon moved to amend Assembly Bill No. 1295 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "rug cleaning business", and insert in lieu thereof the following: "trading in and cleaning of rugs and floor coverings".

Amendment adopted.

Assembly Bill No. 1295 ordered to reprint, and re-engrossment.

Assembly Bill No. 909—An act to amend section 2957 of the Civil Code, relating to mortgages of personal property and crops.

Motion to Amend Assembly Bill No. 909.

Mr. Williamson moved to amend Assembly Bill No. 909 as follows:

Amendment No. 1.

On page 2, line 2, of the printed bill, strike out "after a lapse of", and insert in lieu thereof "within".

Amendment No. 2.

On page 2, line 3, of the printed bill, strike out the word "unless".

Amendment No. 3.

On page 2 of the printed bill, commencing in line 34 thereof, strike out, "such mortgage after the lapse of four years from the last recording or rerecording thereof", and insert in lieu thereof the following: ", anything in this section to the contrary notwithstanding".

Amendments adopted.

Assembly Bill No. 909 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills.

Senate Bill No. 809—An act to authorize counties to issue bonds for the purpose of acquiring other general obligation bonds of such county or bonds issued by or for districts therein or bonds issued for street work or other improvements of any kind or character and providing for acquiring such bonds and the levy or collection of taxes and assessments to pay principal and interest of bonds acquired, the use of funds derived from bonds issued under this act or acquired under this act and the payment of bonds issued under this act.

Motion to Amend Senate Bill No. 809.

Mr. Call moved to amend Senate Bill No. 809 as follows:

Amendment No. 1.

On page 3, line 45, of the printed bill, strike out "required", and insert in lieu thereof the following: "acquired".

Amendment adopted.

Senate Bill No. 809 ordered to reprint, and third reading calendar.

Senate Bill No. 668—An act to amend section 1030 of the Political Code, relating to office hours.

Motion to Amend Senate Bill No. 668.

Mr. Burns, Hugh M., moved to amend Senate Bill No. 668 as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out the word "five", and insert in lieu thereof the following: "four-thirty".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, strike out "except Saturdays and", and insert in lieu thereof the following: "other than".

Amendment No. 3.

On page 1, lines 10 and 11, of the printed bill, as amended, strike out the following: "On Saturdays such offices shall be closed for the transaction of business.", and insert in lieu thereof the following: "In the event that under the provisions of law every Saturday shall be declared a holiday as regards the transactions of business in the public offices of this State, then State offices shall be open for the transaction of business from eight-thirty o'clock a.m. until five o'clock p.m. of each day other than legal holidays."

Amendments adopted.

Senate Bill No. 668 ordered to reprint, and third reading calendar.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred **Senate Bill No. 33.**

Respectfully reports the same back with the recommendation: Do pass as amended

LYON, Chairman.

Second Reading of Senate Bill No. 33—(Out of Order).

Senate Bill No. 33—An act to amend sections 2, 4 (a), 5, 10, 11, 12, 13, 17, 18, 20, 21 and 23, to add a new paragraph to sections 14 and 16, of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to provide for the licensing of personal property brokers and brokers; to prescribe, fix, limit and regulate their charges; to authorize and regulate the assignment of wages, salary, commissions, or other compensation for services when given to a personal property broker as security for a loan of or as consideration for the payment of money, credit, goods or things in action; to provide for administration and enforcement of this act by the Commissioner of Corporations; and to provide penalties for violation of this act.

Committee Amendments to Senate Bill No. 33.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 2, 4, 5, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21, and 23, of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to provide for the licensing of personal property brokers and brokers; to prescribe, fix, limit and regulate their charges; to authorize and regulate the assignment of wages, salary, commissions, or other compensation for services when given to a personal property broker as security for a loan of or as consideration for the payment of money,

credit, goods or things in action; to provide for administration and enforcement of this act by the Commissioner of Corporations; and to provide penalties for violation of this act."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 18, 19 and 20, and insert in lieu thereof the following: "who, for or on behalf of any other person, arrange negotiate or procure a loan or loans to be made to such other person by a personal property".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 23 to 28, inclusive.

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 29 to 36, inclusive, and insert in lieu thereof the following:

"(4) The word "charges" includes the aggregate interest, fees, bonuses, commissions, discounts, expenses, and other forms of compensation charged, contracted for, or received by a personal property broker or broker in connection with the arranging, negotiating, procuring, making and collecting of a loan or forbearance of money, goods or things in action, and incident to transacting the business of arranging, negotiating, procuring, making and collecting loans or forbearance of money, goods or things in action.

(5) The word "license" means a personal property broker or broker duly licensed under this act.

(6) The word "person" includes, without limitation, any individual, firm, copartnership, association, trust, or any other group of individuals however organized".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 39 to 47, inclusive, and insert in lieu thereof the following:

"SEC. 2. Section 4 of said act is hereby amended to read as follows:

Sec. 4. (a) This act shall not apply to any person, association, copartnership, trust or corporation doing business as authorized under any law of this State or of the United States relating to banks, trust companies, building and loan associations, industrial loan companies, credit unions or licensed pawnbrokers.

(b) Nothing contained in this act shall apply to any of the following:

1. Any nonprofit cooperative association organized under Title XXIII of Part IV of Division I of the Civil Code as said title existed at any time prior to the effective date of this amendment or under Chapter 4 of Division VI of the Agricultural Code, in loaning or advancing money in connection with any activity mentioned therein;

2. Any corporation, association, syndicate, joint stock company or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, live stock, poultry and bee products on a cooperative nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business; or

3 Any corporation securing money or credit from any Federal intermediate credit bank organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Act of 1923," as amended, in loaning or advancing money or credit so secured.

(c) This act shall not apply to bona fide conditional contracts of sale involving the disposition of personal property, where such forms of sales agreement is used not for the purpose of evading this act. This act shall not apply to bona fide loans secured by deposits, with or for the lender, of notes and/or chattel mortgages."

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out line 51, and on page 3, strike out lines 1 to 17, inclusive, and insert in lieu thereof the following: "any loan to be made by a personal property broker, industrial loan company, bank or trust company, unless such broker has previously obtained a license from the Commissioner, as hereinafter provided, to act as a broker under this act.

(b) No personal property broker shall, by exacting charges as herein defined, receive from a borrower more than 10 per cent per annum upon any loan or forebearance of any money, goods, or things in action, unless such personal property broker has previously obtained a license from the commissioner, as hereinafter provided, to act as a personal property broker under this act."

Amendment No. 7.

On page 3 of the printed bill, as amended, strike out line 49, and insert in lieu thereof the following: "loan secured by such sale, assignment, or order, and the amount by which".

Amendment No. 8.

On page 4, line 11, of the printed bill, as amended, insert a comma after the word "language."

Amendment No. 9.

On page 4 of the printed bill, as amended, strike out line 19, and insert in lieu thereof the following: "Apply any payment made in advance of any due date"

Amendment No. 10.

On page 4, line 20, of the printed bill, as amended, strike out "be applied."

Amendment No. 11.

On page 4, line 26, of the printed bill, as amended, strike out "and", and insert in lieu thereof a comma.

Amendment No. 12.

On page 4, line 36, of the printed bill, as amended, strike out "and any", and insert in lieu thereof the following: "No".

Amendment No. 13.

On page 4, line 37, of the printed bill, as amended, strike out "not"

Amendment No. 14.

On page 4, line 41, of the printed bill, as amended, strike out the words: "in such form"

Amendment No. 15.

On page 4, line 44, of the printed bill, as amended, strike out "thereunder", and insert in lieu thereof the following: "hereunder".

Amendment No. 16.

On page 4, line 52, of the printed bill, as amended, after "calendar", strike out the following: "or the licensee's fiscal".

Amendment No. 17.

On page 5, line 7, of the printed bill, as amended strike out "which", and insert in lieu thereof the following "that".

Amendment No. 18.

On page 5 of the printed bill, as amended, strike out line 13, and insert in lieu thereof the following: "fines, and the licensee refuses to pay such fine or fines, or if such fine or fines are".

Amendment No. 19.

On page 5, line 15, of the printed bill, as amended, strike out "of any such fine or fines", and insert in lieu thereof the following: "thereof".

Amendment No. 20.

On page 5 of the printed bill, as amended, strike out line 27, and insert in lieu thereof the following: "submit all advertising copy before using it, and no advertising"

Amendment No. 21.

On page 5, line 28, of the printed bill, as amended, strike out "not".

Amendment No. 22.

On page 5, line 31, of the printed bill, as amended, after "any", insert the following: "other".

Amendment No. 23.

On page 5, line 36, of the printed bill, as amended, before "date", insert the following: "the".

Amendment No. 24.

On page 5, line 42, of the printed bill, as amended, insert a comma after "commissions"

Amendment No. 25.

On page 6 of the printed bill, as amended, strike out lines 4 and 5, and insert in lieu thereof the following:

"SEC. 8. Section 14 of said act is hereby amended to read as follows:

Sec. 14 The commissioner may, upon reasonable notice to the licensee, stating the contemplated action and in general terms the grounds therefor, and upon reasonable opportunity to be heard, suspend or revoke any license issued hereunder, if he shall find that said licensee has failed to maintain in effect the bond or bonds required under the provisions of this act, or that the licensee has violated any provision of this act or any rule or regulation of the commissioner; or that any fact or condition exists which if it had existed at the time of the original application for such license, would have warranted the commissioner in refusing the original issuance of such license"

Amendment No. 26.

On page 6 of the printed bill, as amended, strike out lines 25 and 26, and insert in lieu thereof the following.

"SEC 9. Section 16 of said act is hereby amended to read as follows:

Sec. 16. For the purpose of discovering violations of this act, or securing information required by him hereunder, the commissioner may, at any time, either personally or by any deputy, investigator or auditor designated by him, investigate the loans and business, and examine the books, accounts, records and files used therein of every licensee, and of every person, copartnership, trust, association and corporation who or which shall be engaged in said business, whether such person, copartnership, trust, association or corporation shall act or claim to act as principal or agent under or without the authority of this act, and for such purposes the commissioner and his representatives shall have free access to the offices and places of business, books, accounts, records, papers, files, safes and vaults of all such persons, copartners, trustees, associations and corporations. The commissioner and all persons duly designated by him shall have authority and power to administer oaths and to take the testimony of any witnesses and to issue subpenas requiring the attendance upon any examination, investigation or hearing in any part of the State of witnesses and the production of books, documents and other things under their control. All of the provisions of Chapter II of Title III of Part IV of the Code of Civil Procedure relating to the means of production of evidence out of court shall be applicable to any examination, investigation or hearing under this act. The authority to make or conduct any such examination, investigation or hearing, including the authority to administer oaths and to subpena witnesses, and to take their testimony may be delegated by the commissioner to any deputy, investigator or auditor appointed by him for that purpose. Such appointment shall be made by an instrument in writing signed by the commissioner over his official seal, and upon such examination, investigation, or hearing the same shall be produced by such deputy, investigator or auditor at any time upon demand therefor."

Amendment No. 27.

On page 6, line 41, of the printed bill, as amended, strike out "such", and insert in lieu thereof the following: "a".

Amendment No. 28.

On page 7, line 17, of the printed bill, as amended, strike out "and", and insert in lieu thereof the following: "or".

Amendment No. 29.

On page 7, line 18, of the printed bill, as amended, insert a comma after "less".

Amendment No. 30.

On page 7, line 22, of the printed bill, as amended, strike out "for service rendered,", and insert in lieu thereof the following: "for services rendered and expenses incurred".

Amendment No. 31.

On page 7 of the printed bill, as amended, strike out lines 24 and 25, and insert in lieu thereof the following. "with the loan and incident to transacting the business of arranging, negotiating, procuring, making and collecting loans, and for losses on loans not collected. The amount".

Amendment No. 32.

On page 7 of the printed bill, as amended, strike out lines 39 and 40, and insert in lieu thereof the following: "incident to transacting the business of arranging, negotiating, procuring, making and collecting loans, and for losses on loans not".

Amendment No. 33.

On page 8, line 7, of the printed bill, as amended, after "time", insert a comma.

Amendment No. 34.

On page 8 of the printed bill, as amended, strike out lines 12 and 13, and insert in lieu thereof the following: "any loan of five hundred dollars ($500) or less, any amount of consideration which combined with that paid or to be paid to the lender thereof, by or at".

Amendment No. 35.

On page 8, line 20, of the printed bill, as amended, strike out "; provided, however, that nothing", and insert in lieu thereof the following: ". Nothing".

Amendment No. 36.

On page 10, line 4, of the printed bill, as amended, strike out "12.", and insert in lieu thereof the following: "14 '

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 1754—An act to create a Board of Examiners for Certification of Real Estate Appraisers and prescribe its duties and powers, to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public real estate valuator; and to provide the grade of penalty for violations of the provisions hereof.

Committee Amendments to Assembly Bill No. 1754.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out "officer", and insert in lieu thereof "secretary".

Amendment No. 2.

On page 2, line 15, of the printed bill, strike out the words "actual and", and before the word "other", at the end of the line, strike out the word "all".

Amendment No. 3.

On page 2, line 36, of the printed bill, strike out "Real Estate Commissioner", and insert in lieu thereof "chairman".

Amendment No. 4.

On page 3, line 14, of the printed bill, strike out the period after "act", and insert in lieu thereof a semicolon, and the following: "provided, however, that with the approval of the Director of the Department of Finance a charge not exceeding the amount of the available balance in the "Certified real estate valuator fund" may at any time be levied by the Real Estate Commissioner in advance against said fund to cover the aforesaid board's pro rata share of the estimated administration expenses of the State Real Estate Division; provided, further, that none of the moneys in said fund shall be used to pay the general expenses of any other board in the division. Upon proper presentation of claims by said State Real Estate Division to the State Controller, the latter shall draw his warrant or warrants against said fund to cover such estimated administration expenses."

Amendment No. 5.

On page 3, line 51, of the printed bill, strike out "actively"

Amendment No. 6.

On page 3, line 52, of the printed bill, strike out "public".

Amendment No. 7.

On page 4, line 1, of the printed bill, strike out "immediately".

Amendment No. 8.

On page 4, line 2, of the printed bill, strike out the comma after the word "work".

Amendment No. 9.

On page 4, line 4, of the printed bill, strike out the period after "board", and add the following: "or is a licensee of the State Real Estate Division and has been so licensed, with a good record, for at least five (5) years immediately preceding the date of application."

Amendment No. 10.

On page 4, line 5, of the printed bill, after "SEC. 6.", insert "(a)".

Amendment No. 11.

On page 4, line 11, of the printed bill, strike out "A candidate failing in an examination".

Amendment No. 12.

On page 4 of the printed bill, strike out lines 12, 13 and 14, and insert in lieu thereof the following subsections:

"(b) From the date this act shall go into effect until ninety (90) days thereafter have expired the Real Estate Commissioner shall waive the examination in the case of any applicant who in addition to meeting all of the requirements as contained in section 5 hereof submits under oath additional evidence satisfactory to the Real Estate Commissioner that the applicant has been actually and actively engaged with a good record in the practice of real estate appraising for individuals or financial institutions or companies or corporations or governmental agencies or political subdivisions for at least eight (8) years immediately preceding the date of application and has qualified in a superior court of the State of California or a District Court of the United States as an expert witness on real estate value or has successfully completed a satisfactory course of study or has successfully passed a Civil Service examination acceptable to the Real Estate Commissioner.

(c) In all such cases the Real Estate Commissioner shall require a sworn detailed record of the applicant's appraisal experience and shall require from the applicant such other and corroborating evidence as in his discretion, not inconsistent with this act, may be necessary to establish the qualifications of the applicant so as to warrant issuance of a certificate without examination."

Amendment No. 13.

On page 6 of the printed bill, between lines 32 and 33, add the following subsection:

"(f) The decision of the board in denying, refusing, suspending or revoking a certificate under this act shall be subject to review in accordance with the provisions of Chapter I of Title I of Part III of the Code of Civil Procedure. Any party aggrieved by such decision of the board may make a demand in writing for a certified transcript of all the papers on file in the office of the State Real Estate Division affecting or relating to such decision and all the evidence taken on the hearing and paying ten cents for each folio of the transcript and one dollar for the certification thereof."

Amendment No. 14.

On page 6, line 50, of the printed bill, strike out the semicolon after "appraiser", and add the following: "or testifying as an expert witness on real estate value;".

Amendment No. 15.

On page 6, line 52, of the printed bill, strike out "or certified", at the end of the line.

Amendment No. 16.

On page 7, line 1, of the printed bill, strike out "appraiser.".

Amendment No. 17.

On page 7, line 21, of the printed bill, strike out "or certified appraiser,".

Amendment No. 18.

On page 7, line 28, of the printed bill, after the word "shall", insert "fail to surrender to the board or".

Amendment No. 19.

On page 7, line 50, of the printed bill, after the ending of section 14, add the following section:

"SEC. 15. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Assembly Bill No. 2796—An act to amend sections 89, 90, 124, 468, 511, 740 and 758 of and to add sections 91, 511.5 and 511.6 to the Vehicle Code, relating to speed laws and speed zones.

Bill read second time, ordered to reprint and engrossment.

Committee Amendment to Assembly Bill No. 2796.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 37 to 52, inclusive; strike out all of page 4, and on page 5, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"511.6. (a) No person shall drive a vehicle over any portion of a highway which is hazardous or dangerous to life or property at a speed in excess of the maximum speed which can be maintained thereon with safety to life or property

(b) In accordance with the provisions of this section a board to be composed of the Director of the Department of Motor Vehicles, the Director of the Department of Public Works, and the Chairman of the State Highway Commission, or local legislative authorities, with respect to highways within their territorial boundaries, may, after a public hearing, determine what portions of a highway are hazardous or dangerous to life or property, and may establish definite speed zones therefor. In determining whether a portion of a highway is hazardous or dangerous to life or property there shall be considered the flow, volume, and classification of traffic thereover; the grade, width, and surface thereof; the illumination thereof; the frequency of reported accidents occurring thereon; the traffic regulatory or control devices thereon; and all other physical factors pertaining thereto.

(c) Notice of the time and place of the public hearing referred to in subsection (b) of this section shall be given as follows:

(1) If the hearing is to be conducted by the board and the portion of the highway affected is outside the incorporated limits of any municipality, notice shall be posted by the board not less than ten days before the date of such hearing at the county courthouse of the county in which such portion of the highway is located.

(2) If the hearing is to be conducted by the board and the portion of the highway affected is within the corporate limits of a municipality, notice shall be given to the legislative body of such municipality by the board by registered mail not less than ten days prior to such hearing.

(3) If the hearing is to be conducted by a local legislative authority, notice shall be posted not less than ten days before the date of such hearing by such authority at the county courthouse or at some other prominent place within the territorial jurisdiction of such local authority.

In every case notice shall also be posted not less than ten days before the date of the hearing at intervals of not more than one-half mile along and at each end of the portion of the highway to be affected. The hearing shall be held at the county seat of the county in which such portion of the highway is located or at some other place affording convenient access to such portion of the highway.

(d) If, upon any such hearing, it shall appear from the evidence presented that the portion of the highway affected is dangerous or hazardous to life or property, the board or the local authority conducting such hearing, as the case may be, may designate such portion of the highway as a definite speed zone in the manner specified in section 468 of this code and prescribe a maximum speed limit therefor, which shall in no event exceed that speed which the evidence presented indicates to be the maximum speed which can be maintained thereon with safety to life or property."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 63—An act to prescribe and fix the maximum legal rate of interest and other compensation on loans or forebearances of any money, goods or things in action, or on accounts after demand or judgment, and to provide penalties for the violation hereof.

Bill read second time, and ordered to engrossment.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 440 re-referred to Committee on Education.

Assembly Bill No. 523 re-referred to Committee on Public Utilities.

Assembly Bill No 2410 re-referred to Committee on Public Utilities.

Assembly Bill No. 1775 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2593 re-referred to Committee on Education.

Assembly Bill No. 1437 re-referred to Committee on Insurance.

Assembly Bill No 1674 re-referred to Committee on Insurance.

Assembly Bill No. 1670 re-referred to Committee on County Government.

Assembly Bill No. 1306 re-referred to Committee on Public Morals.

Assembly Bill No. 1831 re-referred to Committee on Insurance.

Assembly Bill No. 1832 re-referred to Committee on Insurance.

Assembly Bill No. 2039 re-referred to Committee on Fish and Game.

Assembly Bill No. 2187 re-referred to Committee on Fish and Game.

Adjournment.

At five o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Wednesday, April 7, 1937, out of respect

to the memory of the late Mary Elizabeth Burch, dearly beloved Grandmother of Jack B. Tenney, honored member of this Assembly; the late Virgilio Bruschi, City Councilman of San Diego; and the late Frederick W. Atkinson, owner and publisher of Watsonville Pajaronian.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FOURTH LEGISLATIVE DAY
NINETY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 7, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assistant Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Hawkins, the further reading of the Journal of Tuesday, April 6, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Corwin, on motion of Mr. Stream.

Mr. Welsh, on motion of Mr. Garibaldi.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Samuel H. Taylor of Piedmont.

On request of Mr. Burns, Michael J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended by L. R. Garrett of Santa Rosa.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. J. Quist of Fresno and Mr. J. W. Taylor of Visalia.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Arthur Wendening, former member of the Assembly from the Fortieth District, and Mr. Gordon Johnson of Berkeley.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lloyd C. Leedom of Long Beach.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Albert Mellinkoff of Beverly Hills.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. D. J. Whillord of Woodland.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. T. L. Tennant and Miss Geraldine Tennant of Yokahama, Washington.

Recess.

At one o'clock and forty minutes p m., on motion of Mr. Morgan, the Speaker declared the Assembly at recess to hear the Pomona College Glee Club.

Reassembled.

At one o'clock and fifty-five minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Notice of Motion to Withdraw Assembly Bill No. 248 from Committee.

Mr. Patterson gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 248 from the Committee on Revenue and Taxation, and have it placed upon the calendar.

Notice of Motion to Withdraw Assembly Bills Nos. 176 and 177 from Committee.

Mr. Pelletier gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bills Nos. 176 and 177 from the Committee on Judiciary Codes, and have them placed upon the calendar.

Notice of Motion to Withdraw Assembly Bill No. 267 from Committee.

Mr. Boyle gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 267 from the Committee on Oil Industries, and have it placed upon the calendar.

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From Los Angeles City School District, urging passage of Assembly Bill No. 2589.

From several organizations, urging pardon for Thomas J. Mooney.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 766—An act to amend sections 545, 637, 656, 675.5 and 676 of the Vehicle Code, relating to motor vehicles;

Senate Bill No. 175—An act to amend section 500 of the Penal Code, relating to neglect to notify the owner of property which has been saved from fire;

Senate Bill No. 260—An act to amend sections 1426b and 1426d of the Civil Code, relating to notices of location of lode and placer mining claims;

Senate Bill No. 860—An act to amend section 3a of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions;

Senate Bill No. 453—An act to amend section 100 of the Insurance Code, to repeal sections 119 and 12660 to 12741, inclusive, thereof, and to add sections 12660 and 12661 thereto, all relative to land value insurance;

Senate Bill No. 454—An act to amend section 826 of, and to add section 821.5 to, the Insurance Code, relating to corporate securities and their issuers;

Senate Bill No. 457—An act to amend sections 760, 761, 765, 1640, 1643, 1647, 1649, 1656, 1661, 1662, 1663, 1675, 1676, 1677 and 1706 of the Insurance Code, to repeal sections 762, 1665, 1667, 1669, 1710, 1711, 1712 and Article 3 of Chapter 5, Part 2, Division 1 comprising section 1730, of said code, to add sections 763.5, 783.5, 1648.5, 1661.5, 1667.1, 1677.5, and 1705.5 to said code, and to add Articles 3 and 4, comprising sections 1730 to 1750, inclusive, to Chapter 5, Part 2, Division 1 of said code, all relating to insurance;

Senate Bill No. 367—An act to amend section 328 of the Probate Code, relating to notices prior to the hearing of application for letters;

Senate Bill No. 368—An act to amend section 441 of the Probate Code, relating to notices prior to the hearing of application for letters;

Senate Bill No. 366—An act to add to the Probate Code a new section to be numbered section 1203a, providing for the service upon or mailing to the consular officer of the country, other than the United States, its territories or possessions, in which an heir, legatee or devisee of an intestate or testator, resides, of notice of the hearing of any petition for letters of administration and for probate of will of an intestate or testator, providing for the filing by consular officers with the county clerk of requests for such notices, and providing that the county clerk of each county and city and county shall keep a separate register wherein shall be retained the names and addresses of consular officers who make such requests.

Senate Bill No. 520—An act to amend an act entitled "An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-Third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and national agricultural emergency and the urgency of this act and that this act shall take effect immediately," approved June, 1935, by amending sections 1, 2, 3, 4, 5, 6, 6a, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of said act, to add a new section to be numbered 2a and to repeal sections 3a, 16a, 20a, and 21 of said act and to provide for the execution of marketing agreements and the issuance of marketing orders by the Director of Agriculture regulating the handling of agricultural commodities in intrastate commerce, and to declare the urgency of this act, and that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 766 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 175 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 260 read first time, and referred to Committee on Mines and Mining.

Senate Bill No. 860 read first time, and referred to Committee on Insurance.

Senate Bill No. 453 read first time, and referred to Committee on Insurance.

Senate Bill No. 454 read first time, and referred to Committee on Insurance.

Senate Bill No. 457 read first time, and referred to Committee on Insurance.

Senate Bill No. 367 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 368 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 366 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 520 read first time, and referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 39.

J. A BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bill ordered to enrollment.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Leonard:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 8a to the California Water District Act, relating to assessments for the redemption of bonds.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Leonard:

An act to add section 8a to the California Water District Act, relating to assessments for the redemption of bonds.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2829: By Mr. Leonard—An act to add section 8a to the California Water District Act, relating to assessments for the redemption of bonds.

Bill read first time, and referred to Committee on Irrigation.

Second Reading of Assembly Bills.

Assembly Bill No. 1872—An act to amend section 12 of the Central Valley Project Act of 1933, relating to acquisition of property by eminent domain and sale or lease of property no longer needed for the purpose of said act.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1873—An act to authorize and direct the Division of Water Resources of the Department of Public Works to prosecute efforts, on behalf of the Water Project Authority of the State of California, in aid of the construction of the Central Valley Project.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2091—An act to amend section 3491 of the Political Code, relating to reclamation districts and declaring the urgency thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2388—An act to amend the title of the Central Valley Project Act of 1933 and to add to said act a new section to be numbered 15a, relating to the power of the Water Project Authority of the State of California to contract with the United States of America for the construction, maintenance and operation of said project, to perform duties as may be prescribed by acts of Congress now in effect or hereafter adopted, and to otherwise cooperate with the United States of America relative to said project and to further amend the title of said act relating to payment of expenses resulting from interference with State property or State activities.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2403—An act to amend the Central Valley Project Act of 1933, by amending section 20, relating to use of money appropriated by said act and to registration of bonds, and section 21, relating to use of money appropriated by said act.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2404—An act to amend the Central Valley Project Act of 1933, by amending section 3, relating to the construction of said act, and section 4, relating to project units.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 494—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick and the afflicted.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1171—An act to add section 2409 to the Business and Professions Code, relating to unprofessional conduct in the practice of chiropody.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1173—An act to add section 14.3 to the State Medical Practice Act, relating to unprofessional conduct in the practice of chiropody.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2269—An act to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties

and other officers in relation thereto," approved May 31, 1929; to repeal School Code section 6.470-3; to amend section 6.474 of the School Code; and to add to Chapter VI of Part II of Division VI of the School Code a new article to be known as Article Ia, all relating to the purchase of supplies and equipment for school districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2594—An act to add to the School Code sections 2.310, 2.600, 2.877, 2.1021, 2.1058, 2.1061, 2.1095, 2.1111 and 2.1321; and to repeal certain acts and parts of acts specified herein, all relating to the public school system.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 124—An act making an appropriation for construction of buildings and other improvements at the Veterans' Home at Yountville.

Motion to Amend Assembly Bill No. 124.

The following amendments were submitted by Mr. Crowley:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "at Yountville", and insert in lieu thereof the following: "of California".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3, 4, and 5, and insert in lieu thereof the following: "$1,055,000 for the construction of buildings and improvements at the Veterans' Home of California"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 30—Proposed amendment to Article IV, sections 2, 4, 4a, 4b and 4c, of the Constitution, relative to the Supreme Court and the District Courts of Appeal.

Committee Amendments to Assembly Constitutional Amendment No. 30.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 33, of the printed bill, strike out the comma following the word "third".

Amendment No. 2.

On page 2, line 49, of the printed bill, insert the words "of each", immediately following the words "incumbent justices".

Amendment No. 3.

On page 2, line 49, of the printed bill, strike out "in" where it appears at the end of the line, and insert in lieu thereof the following: "and divisions thereof, as such courts shall exist immediately prior to the effective date of this amendment, on such date".

Amendment No. 4.

On page 2, line 50, of the printed bill, strike out "the" where it appears at the beginning of the line.

Amendment No. 5.

On page 3, line 4, of the printed bill, insert at the beginning of the line the following: "thereof".

Amendment No. 6.

On page 3, line 5, of the printed bill, strike out "thereof".

Amendment No. 7.

On page 3, line 6, of the printed bill, strike out "at the".

Amendment No. 8.

On page 5, line 38, of the printed bill, strike out "districts", and insert in lieu thereof the following: "district".

Amendment No. 9.

On page 6, line 11, of the printed bill, after the word "is", at the end of the line, insert the following: "now or hereafter may be".

Amendment No. 10.

On page 7, line 21, of the printed bill, strike out the comma following the word "pronounced", and insert in lieu thereof a period.

Amendments adopted.

Bill ordered to reprint and engrossment.

Assembly Bill No. 249—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands

Committee Amendments to Assembly Bill No. 249.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 5, line 16, of the printed bill, after the comma, insert the following: "and such low water mark by apt expression has been made the waterward boundary of such grant."

Amendment No. 2.

On page 5, line 17, of the printed bill, immediately preceding the word "low", substitute the word "such" in lieu of the word "the".

Amendment No. 3.

On page 5, line 17, of the printed bill, after the word "water", strike out the words "or other".

Amendment No. 4.

On page 5, lines 17 and 18, of the printed bill, after the word "mark", strike out the words "that constitutes the boundary line of such grant".

Amendment No. 5.

On page 4, line 46, of the printed bill, after the word "State", and before the period, insert the following: "or interfere with the use of, or damage adjoining littoral property".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2662—An act to amend sections 83 and 883 of the Fish and Game Code, relating to fishing in Districts 15 and 16

Committee Amendments to Assembly Bill No. 2662.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "bound", and insert in lieu thereof the following: "bounded".

Amendment No. 2.

On page 1, line 9, of the printed bill, strike out "approximately".

Amendment No. 3.

On page 1, line 11, of the printed bill, strike out "approximately".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 12, 13, and 14, and insert in lieu thereof the following: "a depth of ten fathoms; thence easterly ten and one-half miles along the contour of said ten fathom depth to a point directly south of".

Amendment No. 5.

On page 1, line 15, of the printed bill, strike out "approximately"

Amendment No. 6.

On page 1, line 17, of the printed bill, strike out "approximately".

Amendment No. 7.

On page 1 of the printed bill, strike all of lines 22 and 23, and insert in lieu thereof the following. "In District 15 it shall be unlawful to use set lines or trawls or any line with more than five (5) hooks."

Amendment No. 8.

On page 1 of the printed bill, following the foregoing amendment, insert the following:

"The possession upon board of any boat in District 15, of any purse seine net, drift gill net or round haul net, when such boat shall have drifted by force of cur-

rent tide or wind into the waters of said district, shall not be deemed a violation of this code."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 978—An act to amend sections 2.879 and 2.880 of the School Code, relating to elections for members of governing boards of school districts.

Committee Amendment to Assembly Bill No. 978.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "thirty".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 988—An act to add a new section to the School Code to be known as section 2.992, relating to gifts, donations, bequests and devises to school districts.

Committee Amendments to Assembly Bill No. 988.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, beginning in said line 3, strike out the following: "is hereby authorized to", and insert in lieu thereof the following: "may, in its discretion,".

Amendment No. 2.

On page 1, line 8, of the printed bill, after the word "testator", insert the following: "and compliance with which does not require the board to exceed the powers and duties granted to, or imposed upon said board by law".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2014—An act to add a new section to the School Code, to be numbered 5.507, relating to employees in positions requiring certification qualifications.

Committee Amendments to Assembly Bill No. 2014.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 5, of the printed bill, after the word "special", insert the word "educational".

Amendment No. 2.

On page 2, line 7, of the printed bill, strike out the word "include", and insert in lieu thereof the following: "shall be as follows".

Amendment No. 3.

On page 2, line 22, of the printed bill, strike out the word "a" following the word "is", and insert in lieu thereof the word "the".

Amendment No. 4.

On page 2, line 35, of the printed bill, strike out the word "or", and insert in lieu thereof the word "and".

Amendment No. 5.

On page 2, line 35, of the printed bill, strike out the word "services", and insert in lieu thereof the following: "service of the school district;".

Amendment No. 6.

On page 2 of the printed bill, strike out line 36

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2824—An act to add Chapter VI-A to Part III, Division V, of the School Code, relating to conventions of teachers

Committee Amendments to Assembly Bill No. 2824.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 11, and insert in lieu thereof the following "teaching."

Amendment No. 2.

On page 2, line 2, of the printed bill, after the syllable "trict", add a comma and the following "which schools are".

Amendment No. 3.

On page 2, line 6, after the word "district", add a comma and the following: "which schools are".

Amendment No. 4.

On page 2, line 19, of the printed bill, following the period, add the following: "Each local convention shall be called to order by the respective retiring chairman of such convention."

Amendment No. 5.

On page 2 of the printed bill, strike out lines 48 and 49, and insert in lieu thereof the following: "shall divide the State into four classroom teachers' convention districts in such fashion that the number of classroom teachers in each district shall be approximately equal"

Amendment No. 6.

On page 3, line 2, of the printed bill, strike out "arrange", and insert in lieu thereof the following: "provide an adequate meeting place".

Amendment No. 7.

On page 3, line 3, of the printed bill, strike out "the adequate housing of the representatives to".

Amendment No. 8.

On page 3, line 28, after the word "grouped", add the following "by the district classroom teachers' convention in which such local classroom teachers' conventions are located,".

Amendment No. 9.

On page 3, line 30, of the printed bill, after the period, add the following: "Only contiguous local classroom teachers' conventions shall be so grouped"

Amendment No. 10.

On page 4, line 17, of the printed bill, after the first word "school", add the following "or junior college".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 722—An act to add sections 21, 22, 23, 24 and 25 to, to amend sections 13, 14, 14a, and 14b of, and to repeal sections 15 and 16 of, The Planning Act, relating to State, regional, county and city planning.

Committee Amendments to Assembly Bill No. 722.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and in line 3, strike out "16 of, The Planning Act", and insert in lieu thereof the following:

"An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 12 and 13, and to repeal sections 14, 14a, 14b, 15, 16 and 18 of The Planning Act; to add sections 2.2, 2.4, 2.6, 4.3, 4.6, 5 5, 6.3, 6 6 and 17 thereto, and to renumber and amend sections 17, 19 and 20 thereof as sections 14, 15 and 16, respectively".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 and 2, and in line 3, strike out "Sec. 21. The", and insert in lieu thereof the following:

"SECTION 1. The title of The Planning Act is hereby amended to read as follows:

An act to provide for the establishment of master and official plans in cities, cities and counties, and counties and for the adoption of ordinances pursuant thereto; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and the composition and effects thereof; providing for the appointment of planning commissions by cities, cities and counties, and counties, and for the creation of regional planning districts and the establishment of regional planning commissions; prescribing the powers and duties of such commissions; providing for

the levy of a special tax for the support of a planning commission and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; making certain acts misdemeanors; and repealing other acts in conflict herewith.

SEC. 2. Section 1 of said act is hereby amended to read as follows:

Section 1. Every city and every county shall adopt and establish as herein provided a master plan of said city or county, and official plans based thereon. Such plans are hereby declared to be established to conserve and promote the public health, safety and general welfare.

SEC. 3. Section 2 of said act is hereby amended to read as follows:

Sec. 2. The legislative body of each city may, and of each county shall, create by ordinance a planning commission to consist of nine members, as follows:

Six members, not officials of said county or city, shall be appointed by the chief executive officer of the city, or, in the case of a county, by the chairman of the board of supervisors, with the approval of the legislative body; the chief engineer or surveyor or his designated deputy shall be a member ex officio; and the legislative body shall select two other officials, one of whom may be a member of said body, *which officials or their designated deputies shall be members ex officio.* In any city or county having a freeholders' charter, any provisions of said charter as to the mode of appointment, number of members, terms of office, powers and duties and methods of removal of the planning commission of said city or county shall prevail.

Of the members of the commission first appointed, two shall be appointed for terms of one year, two for terms of two years, one for the term of three years and one for the term of four years. Their successors shall be appointed for terms of four years. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired portion of the term. The terms of ex officio members shall *correspond to their respective official tenures.*

SEC. 4. Section 2.2 is hereby added to said act, to read as follows:

Sec. 2.2. For the purpose of providing State coordinated regional planning, the".

Amendment No. 3.

On page 1, line 7, of the printed bill, before "stream", strike out "the", and insert in lieu thereof the following: "major".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out "each watershed", and insert in lieu thereof the following: "such watersheds".

Amendment No. 5.

On page 1, line 10, of the printed bill, strike out "the".

Amendment No. 6.

On page 1, line 11, of the printed bill, strike out "and by trade", and insert in lieu thereof the following: "by trade, and by common use of recreation areas within the region".

Amendment No. 7.

On page 1, line 12, of the printed bill, strike out "2. Section 22", and insert in lieu thereof the following: "5. Section 2.4".

Amendment No. 8.

On page 1, line 14, of the printed bill, strike out "22", and insert in lieu thereof the following: "2.4. A regional planning commission shall be established for each regional planning district".

Amendment No. 9.

On page 2 of the printed bill, strike out lines 18 to 40, inclusive, and insert in lieu thereof the following:

"(f) The terms of office of the members of the regional planning commission shall correspond with their terms as members of their respective county planning commissions.

SEC. 6. Section 2.6 is hereby added to said act, to read as follows:

Sec. 2.6. Any appointee member of a planning commission may be removed by the appointing official, at his pleasure, but each removal in the case of the planning commission of a city or a county shall be subject to approval of the legislative body. All members of the commission shall serve as such without compensation, except reasonable traveling expenses to and from their usual place of business to the place of meeting of the commission.

It shall be the duty of members of the commission, including ex officio members and members of its staff, to inform themselves on matters affecting the functions and duties of the commission, and, to that end, when authorized by the commission, may attend planning conferences, or meetings of planning executives, hearings on planning legislation or matters affecting the master plan or any part thereof, and the reasonable traveling expenses incidental to such attendances shall be charges upon the funds allocated to such commission.

SEC. 7. Section 3 of said act is hereby amended to read as follows:

Sec. 3. Each commission appointed pursuant to the provisions of this act shall elect its chairman from among the appointed members for a term of one year and, subject to other provisions of law, may create and fill such other offices as it may determine. The commission shall hold at least one regular meeting in each month; except that each regional planning commission shall hold at least one regular meeting every three months. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. The commission may appoint such officers and employees as it may deem necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same provisions of law as govern other corresponding civil employees. The commission may also employ or contract with planning consultants and other specialists for such services as it may require. The legislative body of the city or county shall provide the funds, equipment, and accommodations necessary for the work of the planning commission of such city or county and such appropriation may include funds to be appropriated for the work of the regional planning commission of the regional planning district within which such city or county is situated. The expenditures of the commission, exclusive of gifts, shall be within the amounts appropriated for the respective purposes. Each city and each county which has established a planning commission, may, in making its annual tax levy and as a part thereof, levy and collect a tax, not to exceed in any fiscal year the sum of two mills on the dollar of assessed valuation, for the purpose of defraying the lawful expenses incurred by the planning commission in carrying out the purposes of this act, and may make appropriations from other funds therefor. The planning commission is hereby authorized to accept gifts for any work of the commission which is authorized by law.

SEC. 8. Section 4 of said act is hereby amended to read as follows:

Sec. 4. It shall be the function and duty of the planning commission to prepare and adopt a comprehensive, long-term, general plan for the physical development of the city, county or region, and of any land outside the boundaries thereof which in the commission's judgment bears relation to the planning thereof. Such plan shall be known as the master plan and shall be so prepared that all or portions thereof may be adopted by the legislative body, as hereinafter provided, as a basis for the development of the city, county or region for such reasonable period of time next ensuing after the adoption thereof as may practicably be covered thereby. The master plan, with the accompanying maps, diagrams, charts, descriptive matter and reports shall include such of the following subjects matter or portions thereof as are appropriate to the city, county or region, and as may be made the basis for the physical development thereof.

Conservation Plan—For the conservation, development and utilization of natural resources, including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wild life, minerals and other natural resources. Such plan shall also cover the reclamation of land and waters, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan, prevention, control and correction of the erosion of soils, beaches and shores, and protection of watersheds.

Land Use Plan—An inventory and classification of natural land types and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land.

Recreation Plan—Showing a comprehensive system of recreation areas, including natural reservations, parks, parkways, beaches, playgrounds and other recreation areas, including when practicable, the locations and proposed development thereof.

Streets and Highways Plan—Showing the general locations and widths of a comprehensive system of major traffic thoroughfares and other traffic ways and of streets and the recommended treatment thereof.

Transportation Plan—Showing a comprehensive transportation system, including locations of rights of way, terminals, viaducts and grade separations. Such plan may also include port, harbor, aviation and related facilities.

Transit Plan—Showing a proposed system of transit lines, including rapid transit, street car, motor coach and trolley coach lines and related facilities.

Public Services and Facilities—Showing general plans for sewerage, drainage and utilities, and rights of way, easements and facilities therefor.

Public Buildings—Showing locations and arrangement of civic centers and all other public buildings, including the architecture thereof and the landscape treatment of the grounds thereof.

Community Design—Standards and principles governing the subdivision of land and recommended patterns for community design and development.

Housing—Survey of housing conditions and needs, and plans and procedure for improvement of housing standards and for provision of adequate housing.

The commission may prepare and adopt, as part of the master plan, other and additional plans and reports dealing with such other subjects as may in its judgment

relate to the physical development of the city, county or region, and nothing contained in this act shall be deemed to prohibit the preparation and adoption of any such subject as a part of the master plan.

The commission may prepare and adopt all or any part of the master plan or any subject thereof for all or any part of the city, county or region; provided, however, that master regional plans shall be coordinated with similar plans of adjoining regions and that master county and city plans within each region shall be coordinated so as to fit properly into the master plan for the region.

SEC. 9. Section 4 3 is hereby added to said act, to read as follows:

Sec. 4 3. The State Planning Board shall ascertain from each department, board or other agency of the State, and where possible, from agencies of the Federal Government, all contemplated public improvements or projects and where necessary shall implant upon the master regional and county plans those things which it considers pertinent to such master plans. Any agency of the State concerned with any public improvement or project may request the imposition of such improvement or project on any regional or county master plan. The State Planning Board shall make available to each State department, board or other agency all regional and county master plans, as well as information concerning other State projects. Each State department, board or agency shall give consideration to such other State projects and to the regional and county master plans, to the end that, where in the judgment of such State department, board or other agency it is practical and feasible, its projects may be properly coordinated with those of all other governmental agencies."

Amendment No. 10.

On page 2, line 41, of the printed bill, strike out "5. Section 25", and insert in lieu thereof the following: "10. Section 4.6".

Amendment No. 11.

On page 2, line 43, of the printed bill, strike out "25", and insert in lieu thereof the following: "4.6".

Amendment No. 12.

On page 2, line 46, of the printed bill, strike out "regional planning commission", and insert in lieu thereof the following: "respective regional planning commissions".

Amendment No. 13.

On page 2, line 49, of the printed bill, strike out "the plan has", and insert in lieu thereof the following: "such plans have".

Amendment No. 14.

On page 2, line 50, of the printed bill, after "city", insert the following: "as hereinafter provided".

Amendment No. 15.

On page 3, line 1, of the printed bill, strike out "respective county and city legislative authorities", and insert in lieu thereof the following: "legislative bodies of such counties and cities".

Amendment No. 16.

On page 3 of the printed bill, strike out lines 3 to 52, inclusive, and on page 4, strike out lines 1 to 52, inclusive, and on page 5, strike out lines 1 to 52, inclusive, and on page 6, strike out lines 1 to 52, inclusive, and on page 7, strike out lines 1 to 28, inclusive, and insert in lieu thereof the following:

"SEC. 11. Section 5 of said act is hereby amended to read as follows:

Sec. 5. Before adopting the master plan or any part of it, or any substantial amendment thereof, the commission shall hold at least one public hearing thereon, notice of the time and place of which shall be given by at least one publication in a newspaper of general circulation in the city or county or in the case of a regional planning commission by one publication in a newspaper in each county within the regional district, at least ten days before the day of said hearing. The adoption of the master plan, or of any amendment, extension or addition thereof, shall be by resolution of the commission carried by the affirmative votes of not less than two-thirds of the total membership of the commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the commission to constitute said plan or any amendment, addition or extension thereof, and the action taken shall be recorded on the map and plan and descriptive matter by the identifying signatures of the secretary and chairman of the commission. No plan or map, hereafter, shall have indicated thereon that it is a part of the master plan until it shall have been adopted as part of the master plan by the commission as herein provided. The commission may from time to time amend, extend or add to the master plan or part thereof, as herein provided for the adoption thereof, whenever changed conditions or further studies by the commission require such amendment, extension or addition.

An attested copy of any part, amendment, extension of or addition to the master plan adopted by the planning commission of any city or county shall be certified to the legislative body of such city or county. An attested copy of any part,

amendment, extension of or addition to the master plan adopted by any regional planning commission shall be certified to the county planning commission and to the board of supervisors of each county within the regional district.

SEC. 12. Section 5.5 is hereby added to said act, to read as follows:

Sec. 5 5. After the adoption of the master plan or any part thereof by the planning commission of any city or county, such commission shall render an annual report to the legislative body of such city or county on the status of the plan and progress in its application. The annual report of the commission shall be prepared in accordance with such outlines and uniform rules as may be established by the State Planning Board and shall include:

(a) A statement of any changes made in the master plan and of any additions thereto, with copies of all plans and reports adopted as part of the master plan by the commission;

(b) Copies of portions of the master plan and reports relative thereto, adopted by the legislative body, as hereinafter provided;

(c) A list of improvements and accomplishments resulting from adoption of the master plan and official plans, as hereinafter provided, or from the work of the commission;

(d) A program of proposed public works, improvements and development based on the master plan and official plans and recommended to the legislative body of the city or county for execution during the ensuing year, prepared as hereinafter provided; and

(e) Such other information and data as may be pertinent to the work of the commission.

A copy of the annual report of the commission as made to the legislative body shall be filed with the State Planning Board.

Each regional planning commission shall render an annual report on such matters and in such form as may be prescribed by the State Planning Board.

SEC. 13. Section 6 of said act is hereby amended to read as follows:

SEC. 6 Upon receipt of a certified copy of the master plan, or of any part thereof, as adopted by the planning commission, the legislative body shall adopt such parts thereof as may practicably be applied to the development of the city or county for a reasonable period of time next ensuing. Such parts shall thereupon be endorsed and certified as master plans thus adopted for the territory covered and are hereby declared to be established to conserve and promote the public health, safety and general welfare. Before adopting any such plan or part thereof, the legislative body shall hold at least one public hearing thereon, notice of the time and place of which shall be published at least once in a newspaper of general circulation in the city or county at least ten days before the day of such hearing. No change in or addition to the master plan or any part thereof, as adopted by the planning commission, shall be made by the legislative body in adopting the same until the said proposed change or addition shall have been referred to the planning commission for a report thereon and an attested copy of such report shall have been filed with the legislative body. Failure of the planning commission so to report within 40 days, or such longer period as may be designated by the legislative body, after such reference shall be deemed to be approval of the proposed change or addition.

SEC. 14 Section 6 3 is hereby added to said act, to read as follows:

Sec. 6 3. When the legislative body of any city or county shall have adopted a master plan or part thereof for such city or county, or for any major section or district thereof, it shall be the duty of such legislative body, upon recommendation of the planning commission, to determine upon reasonable and practical means for putting into effect such master plan or part thereof, in order that the same will serve as a pattern and guide for the orderly physical growth and development of such city or county and as a basis for the efficient expenditure of the funds thereof relating to the subjects of such master plan Such legislative body may adopt and use such procedure as may be necessary for this purpose

SEC 15. Section 6 6 is hereby added to said act, to read as follows:

Sec 6 6 The planning commission may from time to time prepare precised sections of master plans or detailed or precise plans based thereon and may recommend such plans to the legislative body for adoption as official plans. Such precise plans may include proposed regulations limiting the uses of land, the uses of buildings, the height and bulk of buildings, the open spaces about buildings, the location of buildings and other improvements with respect to existing or planned rights of way and such other matters as will accomplish the purposes of this act, including procedure for the administration of such regulations Before recommending to the legislative body any such plan or any amendment thereto, the planning commission shall hold at least two public hearings thereon, at least ten days apart, notice of the time and place of each of which shall be given by at least one publication in a newspaper of general circulation in the city or county, and by such other means as the commission may deem necessary A copy of any plan recommended pursuant to the provisions of this section shall be certified to the legislative body and

shall be accompanied by a report of findings, summaries of hearings and recommendations of the planning commission. Upon receipt of such certified copy the legislative body may, by ordinance, adopt such plan in such form as the legislative body may determine Before adopting any such plan the legislative body shall hold at least one public hearing thereon, notice of the time and place of which shall be published at least once in a newspaper of general circulation in the city or county at least ten days before the day of such hearing. No change shall be made by the legislative body in any such plan as recommended by the planning commission until said proposed change shall have been referred to the planning commission for a report thereon and an attested copy of such report shall have been filed with the legislative body, and no ordinance or resolution establishing any of the regulations specified in this section shall be adopted by the legislative body until such ordinance or resolution shall have been referred to the planning commission for a report thereon and an attested copy of such report shall have been filed with the legislative body; provided, however, that failure of the planning commission so to report in any such case within 40 days, or such longer period as may be designated by the legislative body, after such reference shall be deemed to be approval of the proposed change.

SEC. 16. Section 7 of said act is hereby amended to read as follows:

Sec 7. Whenever the legislative body of the city or county shall have adopted a master plan for the city or county, or for any major section or district thereof, no road, street, highway, square, park or other public way, ground or open space shall be acquired by dedication or otherwise, and no road, street, highway or public way shall be closed or abandoned, and no public building or structure shall be constructed or authorized in the area for which such master plan shall have been adopted by the legislative body, until the location, character and extent thereof shall have been submitted to and shall have been reported upon by the planning commission. If the authorization, acquisition, financing or acceptance of such road, street, highway, square, park or other public way, ground or open space, or the construction or authorization of such public building or structure, be vested by law or charter provisions in some governmental body, commission or board other than *the legislative body of such city or county, then such other governmental body,* commission or board having such jurisdiction shall first submit to the planning commission the location, character and extent of such proposed public improvement for report thereon. In the event that the planning commission shall disapprove the same, its disapproval may be overruled by such other governmental body, board or commission only by a vote of not less than two-thirds of its entire membership. Failure of the planning commission to act within 40 days, or such longer period as may be designated by the legislative body or such other governmental body, board or commission, after the date of the official submission of any matter to it by the legislative body or by such other governmental body, board or commission, shall be deemed to be approval of such matter by the planning commission.

SEC. 17. Section 8 of said act is hereby amended to read as follows:

Sec. 8. The commission shall endeavor to promote public interest in and understanding of the master plan and of official plans and regulations relating thereto. *It shall be part of its duties to consult and advise with public officials and agencies,* public utility companies, civic, educational, professional and other organizations, and with citizens generally with relation to the carrying out of such plans. All public officials shall upon request furnish to the commission within a reasonable time such information as they may have which the commission may require for its work. The commission, and its members, officers and employees in the performance of their functions, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon. In general the commission shall have such power as may be necessary to enable it to fulfill its functions and carry out the purposes of this act.

SEC. 18. Section 9 of said act is hereby amended to read as follows:

Sec. 9. The legislative body is authorized and empowered whenever, and as often as, it may deem it to be for the public interest, to change or add to the master plan or any part thereof, as adopted by the legislative body, or to change or add to the official plan or any part thereof. The legislative body shall first refer the proposed change or addition to the planning commission for a report thereon. Before making any such report, the planning commission shall hold hearings on the proposed change or addition and shall give notice of such hearings, in accordance with the procedure hereinbefore specified for the adoption by the planning commission of the master plan or any part or amendment thereof or for the recommendation by the planning commission of any official plan or any part or amendment thereof, as the case may be. Failure of the planning commission to report to the legislative body on any such proposed change or addition within ninety days, or such longer period as may be designated by the legislative body, after receipt by the planning commission of the request of the legislative body for such report shall be deemed to be approval of such proposed change or addition by the planning commission. After the receipt of such report, or after the expiration of such ninety days or longer designated period, the legislative body shall hold at

least one public hearing on the proposed change or addition, notice of the time and place of which shall be published at least once in a newspaper of general circulation in the city or county at least ten days before the day of such hearing. Proceedings for any change in or addition to the master plan or any official plan, or any part thereof, may also be initiated by the planning commission.

SEC. 19. Section 12 of said act is hereby amended to read as follows:

Sec. 12. No city or county shall improve any street, or lay or authorize sewers or connections or other improvements to be laid in any street or right of way within any territory for which an official street and highway plan shall have been adopted by the legislative body unless such street (a) has been accepted, opened or has otherwise received the legal status of a public street prior to the adoption of such plan; or (b) corresponds with streets shown on such official plan; or (c) corresponds with a street shown on a subdivision plat approved by the legislative body; or (d) corresponds with a street shown on a subdivision map theretofore approved by the planning commission in accordance with the provisions of law; until such matter shall have been referred to the planning commission for a report thereon and an attested copy of such report shall have been filed with the legislative body. Failure of the commission so to report within 40 days, or such longer period as may be designated by the legislative body, after such reference, shall be deemed to be approval of such matter.

SEC. 20. Section 13 of said act is hereby amended to read as follows:

Sec. 13. Each officer, department, board or commission of the city or county whose functions include recommending, preparing plans for or constructing major public works, and each other governmental body, commission or board having such functions and the scope of whose jurisdiction lies entirely within such city or county, shall, at least three months before the end of each fiscal year, submit to the planning commission of such city or county a list of the proposed public works recommended by such body, officer, department, board or commission for planning, initiation or construction during the ensuing fiscal year. The planning commission shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for such ensuing fiscal year, which program shall be recommended by the planning commission to the legislative body of such city or county and to such other bodies, officers, departments, boards or commissions as have jurisdiction over the recommending, planning or constructing of such public works. A copy of such recommended program of public works shall be included in the annual report of the planning commission as hereinbefore provided.

SEC. 21. Sections 14, 14a, 14b, 15, 16 and 18 of said act are hereby repealed.

SEC. 22. Section 17 of said act is hereby amended and renumbered section 14, to read as follows:

Sec. 14. For the purpose of this act, certain terms are defined as provided in this section. Whenever appropriate the singular includes the plural, and the plural includes the singular. The term "street" includes streets, highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and rights of way, and other ways. The term "right of way" shall include all public and private rights of way and shall include all areas required for public use in accordance with any master plan or official plan. The word "county" includes "city and county."

SEC. 23. Section 19 of said act is hereby amended and renumbered section 15, to read as follows:

Sec. 15. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed each provision of this act irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional.

SEC. 24. Section 20 of said act is hereby amended and renumbered section 16, to read as follows:

Sec. 16. Violation of any of the provisions of this act shall upon conviction be punishable as a misdemeanor.

SEC. 25. Section 17 is hereby added to this act, to read as follows:

Sec. 17. This act shall be known and may be cited as The Planning Act.

SEC. 26. Nothing in this act shall affect or impair the validity of any plans, actions or proceedings taken before the effective date of this act except as such plans, actions or proceedings may be hereafter modified or affected by the State Planning Board or any planning commission pursuant to the powers granted by this act.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1305—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof

Committee Amendments to Assembly Bill No. 1305.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to be known as the "Bookmakers' License Act," defining "bookmakers" and providing for licensing, bonding, regulating and supervising the activities of the same; providing for the enforcement of this act by the Department of Professional and Vocational Standards and prescribing penalties for the violation of the provisions hereof."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "Section 1. No person, association or corporation", and insert in lieu thereof the following:

"SECTION 1. This act is known and may be cited as the "Bookmakers' License Act."

SEC. 2. Unless the context otherwise requires, the definitions hereinafter set forth govern the construction of this act.

SEC. 2.1. "Person" means any person, firm, association, organization, partnership, business trust, corporation, or company.

SEC. 2.2. "Department" means the Department of Professional and Vocational Standards.

SEC. 2.3. "Director" means the Director of the Department of Professional and Vocational Standards.

SEC. 2.4. "Bookmaking" is the practice of offering, outside the enclosure of a race track, odds upon, and the soliciting or accepting of bets or wagers at odds upon, the result of any horse race.

SEC. 2.5. "Bookmaking establishments" means any room, shed, tenement, booth, building, vessel, place, stand, or enclosure of any kind, where bookmaking or pool selling is carried on.

SEC. 3. No person".

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out the comma.

Amendment No. 4.

On page 1, line 6, of the printed bill, strike out "2 Any person, firm or corporation", and insert in lieu thereof the following: "4 Any person".

Amendment No. 5.

On page 1, lines 8 and 9, strike out "Director of the Department of Professional and Vocational Standards", and insert in lieu thereof the following: "director".

Amendment No. 6.

On page 1, lines 14 and 15, of the printed bill, strike out "All licenses shall be granted for a period of one year.", and insert in lieu thereof the following:

"SEC. 5. All licenses issued under this act shall be issued on the basis of the fiscal year, commencing July 1 and ending June 30, and shall automatically expire at midnight on the last day of June of the year for which issued."

Amendment No. 7.

On page 1, lines 19 and 20, of the printed bill, strike out "Director of the Department of Professional and Vocational Standards", and insert in lieu thereof the following: "director".

Amendment No. 8.

On page 1, line 24, of the printed bill, after "State", insert the following: ", subject to such restrictions as may elsewhere be provided in this act".

Amendment No. 9.

On page 2, line 2, of the printed bill, after "not", insert a comma.

Amendment No. 10.

On page 2, line 3, of the printed bill, before 'accept", insert a comma.

Amendment No. 11.

On page 2, line 5, of the printed bill, after "of", insert the following: "the".

Amendment No. 12.

On page 2 of the printed bill, strike out lines 7 to 52, inclusive, and on page 3, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SEC. 6. To obtain a license under this act, application therefor, accompanied by the license fee therefor, must be made to the department upon a form prescribed by the director. The application shall contain the name of the applicant and, in the case of a copartnership, the names of the individual parties, in the case of a corporation the principal officers and directors; the location of the premises for which a license is applied, and such other information as the director may require to assist him in determining whether the applicant and the premises qualify for a license. The director shall require that the application for any license be verified under oath and be indorsed by five freeholders or householders of the city or county in which the applicant resides or the premises are located, vouching for the applicant's honesty and integrity.

SEC. 7. Upon receipt of an application for a license the director shall make a thorough investigation to determine whether the applicant and the premises for which a license is applied, qualify for such a license. The director shall not be allowed to issue more than one such license as herein provided for every 30,000 population, or major fraction thereof, in each county. In any county not having a population of 30,000, or major fraction thereof, one license may be issued. The director shall deny an application for a license if either the applicant or the premises for which a license is applied do not qualify under the terms of this act.

If an application for a license is denied, the fee shall be returned to the applicant.

SEC. 8. The director is specifically authorized to refuse the issuance of a license for premises located within the immediate vicinity of churches, hospitals, schools, children's playgrounds, soldiers' homes, and such other locations as in the judgment of the director may be inimical to public welfare.

SEC. 9. The annual license fee required for each license issued under this act shall be $1,000. The fee for a license issued between October 1 and December 31 shall be $750; the fee for a license issued between January 1 and March 31 shall be $500; the fee for a license issued between April 1 and June 30 shall be $250.

SEC. 10. Upon the approval by the director of an application for a license, the licensee shall deliver to the director a corporate surety bond in the penal sum of $10,000 payable to the State of California, conditioned upon the faithful performance by the licensee of the provisions of this act and the payment by such licensee to the State of all taxes collected by such licensee as provided herein. Such bond shall cover all bets or wagers placed with said licensee during the term of said license so applied for, or any renewal thereof, and liability thereunder shall continue for a period of one year from date of surrender, cancellation, expiration, suspension or revocation of the license issued hereunder. From and after the expiration of such period of one year all liability of the surety on the said bond shall cease, provided no action shall have been commenced on said bond before the expiration of said period. Such bond may be enforced by any person aggrieved by the principal thereof in the manner provided for the enforcement of bonds and undertakings in actions or special proceedings. The aggregate liability of the surety for any and all claims which may arise under such bond shall in no event exceed the amount of the penalty of such bond.

SEC. 11. If the director approves of the moral character and the integrity of the applicant, approves of the location of the premises where the business is to be conducted, and approves of the sufficiency of the bond, he shall issue a license to the applicant. Upon the receipt of the license the licensee shall have the right to conduct a bookmaking establishment with all the powers and privileges contained in and subject to all the provisions of this act. If the application is denied, the director shall inform the applicant by registered mail of the grounds of denial. Any such denial shall be without prejudice to the filing of a new application.

SEC. 12. In addition to the license fee required to be paid under the provisions of this act, each licensee shall, on the first day of each week, remit to the department five per centum of the total gross bets handled by him during the preceding week. The director may require, by rule or regulation, standard forms, practices and procedure in making such remittances, and may require that moneys due under this section be remitted to the department more frequently than once each week.

SEC. 13. The director shall have full power to prescribe rules, regulations and conditions consistent with the provisions of this act under which establishments for wagering or betting on the results of horse races shall be conducted. The director shall forthwith cancel the license of any licensee convicted of violating any of the provisions of this act. The director shall have power to compel the production of any and all books, memoranda or documents showing the receipts and disbursements of any person licensed under the provisions of this act. He shall also have the power to require that the books and financial or other statements of such licensee shall be kept in any manner which he may require. The director, or his authorized representatives, shall also be authorized to visit, investigate and place expert accountants and such other persons as he may deem necessary in such wagering establishments for the purpose of satisfying himself that his rules and regulations are strictly complied with. The director shall have power to summon

witnesses before him and to administer oaths and affirmations to such witnesses whenever in his judgment it may be necessary for the effectual discharge of his duties; and any person failing to appear before the director at the time and place specified in answer to said summons or refusing to testify shall be guilty of a misdemeanor.

SEC. 14. If all moneys due under the provisions of this act are not paid within 15 days after the date upon which they are due, the license of the licensee shall be automatically suspended until such time as the total sum due be paid.

SEC. 15 All money collected by the department under the provisions of this act shall be turned into the State Treasury to the credit of the "Bookmakers' license fund," which fund is hereby created, and from which fund the expenses of carrying out the provisions of this act shall be paid At the end of each fiscal year the balance remaining in the fund in excess of $25,000 shall be transferred by the Controller to the general fund and all such moneys transferred to the general fund shall be used only in carrying out the provisions of the Old Age Security Act of the State of California.

SEC. 16. The director is hereby authorized and empowered to employ such necessary technical and clerical assistants as may be necessary for the carrying out of the provisions of this act and to make such rules and regulations consistent with the provisions hereof as he may deem advisable

SEC 17. Any person who lays, makes or offers any bet or wager on the result of any horse race or who purchases shares or participates in any pool or purported pool upon the result of any horse race, except with or through a person duly licensed under this act, is guilty of a misdemeanor, and is punishable by a fine of not more than $500 or by imprisonment in the county jail for a period of not less than 30 days nor more than six months, or by both such fine and imprisonment.

SEC. 18. Any per-".

Amendment No. 13.

On page 3, line 15, of the printed bill, strike out the comma.

Amendment No. 14.

On page 3, lines 16 and 17, of the printed bill, strike out "corporation, organization, association or".

Amendment No. 15.

On page 3, line 19, of the printed bill, strike out "and shall be punished by a fine of", and strike out lines 20 to 27, inclusive, and insert in lieu thereof a period.

Amendment No. 16.

On page 3, line 31, of the printed bill, after the period, insert the following: "The director may, in the manner elsewhere provided in this act, suspend or revoke the license of any establishment violating this section."

Amendment No. 17.

On page 3 of the printed bill, strike out lines 32 to 43, inclusive, and in line 44, strike out "Sec. 9", and insert in lieu thereof the following:

"SEC. 19. Each licensee operating under this act shall pay track odds on all bets accepted by him, any agreement with the bettor to the contrary notwithstanding

SEC. 20. Nothing contained in this act is intended to nor shall the same be construed as affecting or limiting in any manner whatsoever any provisions of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933.

SEC. 21. Such wagering as herein provided for shall not be held or construed to be unlawful, any other statute of the State of California to the contrary notwithstanding.

SEC. 22".

Amendment No. 18.

On page 3 of the printed bill, following line 51, insert the following:

"SEC. 23 All of the provisions of the Political Code relating to the creation of the Department of Professional and Vocational Standards are applicable to the Bookmakers' License Act, except where the provisions of this act specifically provide otherwise."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1888—An act to amend section 3493 of the Political Code of the State of California, relating to the dissolution of reclamation districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 317—An act to amend sections 7, 23, 24 and 25 of, and to add a new section to be numbered 5.6 to, the Direct Primary Law, relating to candidates.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2298—An act to amend section 24 of the Direct Primary Law, relating to party conventions, membership and organization of State central committees and county central committees.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1406—An act to amend sections 1 and 2 of an act entitled "An act establishing and standardizing the weight of loaves of bread and regulating the sale thereof," approved June 3, 1921, relating to weights of bread.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1407—An act to add a new section to be numbered 32b to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1408—An act to amend section 16a of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1410—An act to amend sections 2, 6 and 10 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicines, and other commodities when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, as amended, relating to net containers.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1411—An act to amend section 6 and to add a new section to be numbered section 7, to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2427—An act to repeal the Yacht and Ship Brokers Act.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2817—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2825—An act to amend section 737a of the Political Code, relating to salaries of judges of the superior court in and for the county of Alameda.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1409—An act to add a new section to be numbered 11a to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide pen-

alties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to qualifications of county sealer of weights and measures.

Committee Amendments to Assembly Bill No. 1409.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, immediately preceding the comma, insert the following: "and deputy county sealers of weights and measures".

Amendment No. 2.

On page 2, line 3, of the printed bill, immediately following the word "measures", insert the following: "or deputy county sealer of weights and measures".

Amendment No. 3.

On page 2, line 5, of the printed bill, after the word "measures", insert the following: "and to deputy county sealers of weights and measures".

Amendment No. 4.

On page 2 of the printed bill, immediately following line 8, insert the following: "In counties having charters providing for civil service examination of such sealers and deputy sealers the director shall issue a certificate of eligibility without further examination upon presentation of a certificate showing the candidate has passed such examination. In such counties the board or commission responsible for such civil service examination may require a certificate of eligibility from the director as a minimum qualification."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1412—An act to amend sections 1, 3, 4, 6, and 8 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, relating to public weighmasters.

Committee Amendments to Assembly Bill No. 1412.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, strike out "$2 50", and insert in lieu thereof the following: "$1.00".

Amendment No. 2.

On page 2, line 24, of the printed bill, immediately preceding the period, insert the following: "or his deputy".

Amendment No. 3.

On page 3 of the printed bill, strike out all of lines 14 to 21, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2055—An act relating to the making of real estate subdivisions and the making and recording of maps, and empowering cities, cities and counties, and counties in connection therewith, making certain acts misdemeanors, prescribing penalties therefor, and repealing all acts or portions of acts in conflict herewith.

Committee Amendments to Assembly Bill No. 2055.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "LIMITED", and insert in lieu thereof "limited".

Amendment No. 2.

On page 2, line 43, of the printed bill, strike out "in the subdivision thereof", and insert in lieu thereof "in the dividing thereof into lots or parcels".

Amendment No. 3.

On page 2, line 45, of the printed bill, strike out "subdivided", and insert in lieu thereof "divided".

Amendment No. 4.

On page 3, line 9, of the printed bill, strike out "and alignment and widths of drainage courses", and insert in lieu thereof "alignment and widths of easements and rights-of-way for drainage and sanitary sewers".

Amendment No. 5.

On page 3, line 14, of the printed bill, strike out "and public ways, as is", and insert in lieu thereof "public ways, and easements, as are".

Amendment No. 6.

On page 3, line 20, of the printed bill, after "a", insert the word "final", and strike out "showing less than"; and in line 21, strike out "five parcels", and insert in lieu thereof "of any land not defined herein as a subdivision."

Amendment No. 7.

On page 3, line 32, of the printed bill, strike out "which was physically subdivided"; and in line 33, strike out the comma after "with", and strike out "or which was physically subdivided and", and in line 34, strike out "was exempt from".

Amendment No. 8.

On page 3, line 35, of the printed bill, strike out the period after "1929", and insert in lieu thereof a comma, and add the following "or parcel or parcels exempt from the provisions of Chapter 837, Statutes of 1929, provided, however, that nothing contained herein shall be construed to require the preparation of a map in accordance with the provisions hereof of any subdivision of land which has been surveyed and in which sales or contracts of sale had actually been made prior to April 1, 1937, or in compliance with the provisions of Chapter 837, Statutes 1929; and provided, further, that nothing herein contained shall require the recordation or filing of a map showing property sold or contracted for sale by metes and bounds or by reference to an unrecorded map prior to the adoption of this act as a condition precedent to the sale or contract of sale of the whole or part thereof."

Amendment No. 9.

On page 5, line 51, of the printed bill, strike out "(a)", and insert in lieu thereof "Sec. 12."

Amendment No. 10.

On page 10, lines 3, 4, 5 and 19, of the printed bill, after "streets", insert "or easements".

Amendment No. 11.

On page 10 of the printed bill, strike out all of line 6, and insert in lieu thereof "the governing body may require that said agreement be".

Amendment No. 12.

On page 10, line 38, of the printed bill, strike out "the governing body," and strike out lines 39 and 40, and insert in lieu thereof "any offer of dedication previously rejected shall be deemed to be terminated upon the approval of the map by the governing body."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2684—An act relating to the relief of debtors and guarantors; permitting postponement of sales conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; declaring the urgency hereof, and providing that it shall take effect immediately.

Committee Amendments to Assembly Bill No. 2684.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, lines 35 and 36, of the printed bill, as amended, strike out "or at any time within thirty days after the effective date of this act,".

Amendment No. 2.

On page 6, line 34, of the printed bill, as amended, strike out "Chapter 348, Statutes of 1935," and insert in lieu thereof the following: "Chapter 7 or Chapter 348, Statutes of 1935, or by virtue of the provisions of Chapter 5, Statutes of 1937,".

Amendment No. 3.

On page 6, line 43, of the printed bill, as amended, strike out "Chapter 348, Statutes of 1935," and insert in lieu thereof the following: "Chapter 7 or Chapter 348, Statutes of 1935, or by virtue of the provisions of Chapter 5, Statutes of 1937, or any other provision of law,".

Amendment No. 4.

On page 7, line 30, of the printed bill, as amended, after "of", insert the following: "Chapter 7 or".

Amendment No. 5.

On page 9 of the printed bill, as amended, strike out lines 8, 9 and 10, and in line 11, strike out "under", and insert in lieu thereof the following:

"SEC. 28. Nothing contained herein shall be construed as affecting any rights which have accrued under Chapter 1, Statutes of the Extra Session of 1934".

Amendment No. 6.

On page 9 of the printed bill, as amended, strike out lines 13, 14 and 15, and insert in lieu thereof the following:

"SEC. 29. Nothing contained herein shall be construed as affecting any rights which have accrued under Chapter 7, Statutes of 1935, or shorten the time".

Amendment No. 7.

On page 9 of the printed bill, as amended, strike out lines 24 to 44, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 210—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Committee Amendment to Assembly Bill No. 210.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, lines 2 and 3, of the printed bill, as amended, strike out the following: "thirteen thousand eight hundred seventy-five" and insert in lieu thereof the following: "seven thousand eight hundred seventy".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2062—An act to add section 2225 to the Civil Code, relating to trusts.

Committee Amendment to Assembly Bill No. 2062.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 28, inclusive, and insert in lieu thereof the following:

"2225. A trust created by an employer as part of an unemployment plan, a stock bonus plan, pension plan, disability or death benefit plan, or profit-sharing plan, for the exclusive benefit of some or all of his employees, to which contributions are made by such employer or employees, or both, for the purpose of distributing to such employees the earnings or the principal, or both earnings and principal of the fund so held in trust, shall be deemed to be for eleemosynary purposes, and shall not be deemed to be invalid as violating any laws against perpetuities or suspension of the power of alienation of title to property. The income arising from any property held in such trust may be permitted to accumulate and such accumulations shall not be deemed to be invalid as violating any laws against perpetuities, or restraints on the power of alienation, or relating to accumulations."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1650—An act to amend section 1027 of the Probate Code, relating to the time within which distribution shall be made to the State of California of property to which there are no known heirs or persons entitled to succeed thereto, providing for reports to the State Controller by executors and administrators in estates of deceased persons where there are no known heirs or persons entitled to succeed to such estates, and providing that failure to report shall be cause for revocation of letters.

Committee Amendments to Assembly Bill No. 1650.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 4 of the title, and insert in lieu thereof the following: "known heirs or other persons entitled to succeed; providing for a conclusive presumption that estates are distributed to the State of California, where such estates, coming under this section, are distributed under phraseology other than herein provided; providing for jurisdiction over claims to estates distributed hereunder to be in the superior court of Sacramento County, and, under certain conditions, in the State Board of Control; pro-".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 4 to 6, inclusive, and insert in lieu thereof the following: "of Sacramento, or in appropriate cases, before the State Board of Control, and claim the estate or any part thereof as provided in section 1274a of the Code of Civil Procedure. The superior court of said county of Sacramento shall have full and exclusive jurisdiction to determine title to said property and all claims thereto; subject, however, to the concurrent jurisdiction to be exercised by the State Board of Control, in the case of estates of $300 or less, pursuant to section 1274a of the Code of Civil Procedure."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1654—An act to amend section 1273 of the Code of Civil Procedure, relating to the escheat of unclaimed bank deposits which have been deposited with the State Treasurer, and providing for actions by the Attorney General concerning the same, and providing for the procedure in such actions.

Committee Amendments to Assembly Bill No. 1654.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"1273 All amounts of money and/or securities heretofore or hereafter depos-".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out the comma after the word "interest".

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out the comma after the word "deposit".

Amendment No. 4.

On page 1 of the printed bill, strike out line 8, and insert in lieu thereof the following: "withdrawal, and where".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "ing a judicial determination that such deposits of money and/or securities, aforesaid, with the increase and proceeds thereof, theretofore deposited with the State Treasurer pursuant to section 15 of the Bank Act, have finally escheated to the State of California."

Amendment No. 6.

On page 2 of the printed bill, strike out lines 18 and 19, and insert in lieu thereof the following: "allegations, the names of the depositors for whose account such bank deposits originally were made, the names and locations of the banks in".

Amendment No. 7.

On page 2 of the printed bill, strike out line 28, and insert in lieu thereof the following: "such depositors and banks by name, and generally to all persons claim-".

Amendment No. 8.

On page 2 of the printed bill, strike out lines 32 and 33 and insert in lieu thereof the following: "the date set for the hearing of said petition, why said deposits and the increase and proceeds thereof should".

Amendment No. 9.

On page 2 of the printed bill, strike out lines 39 to 45, inclusive, and insert in lieu thereof the following:

"Service of process in such actions shall be made by delivery of a copy of the petition and order of the court to the president, cashier, or managing officer of each bank from which deposits described in the petition were received by the State Treasury, and by posting a copy of said orders, together with a copy of said petition attached thereto, within five days from the date of making said order, in the following public places: one in the county of Sacramento, one in the City and County of San Francisco, one in the county of Los Angeles, and one in the county or counties where the bank or banks are located from which such deposits described in the petition were received by the State Treasury."

Amendment No. 10.

On page 3 of the printed bill, strike out line 24, and insert in lieu thereof the following: "of service of process as hereinbefore".

Amendment No. 11.

On page 4 of the printed bill, strike out line 3, and insert in lieu thereof the following: "Treasurer, and any number of banks from which such deposits were received by the State Treasury."

Amendment No. 12.

On page 4 of the printed bill, strike out line 19, and insert in lieu thereof the following: "of the school land fund."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2148—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons.

Committee Amendment to Assembly Bill No. 2148.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 24, of the printed bill, strike out "Medical practitioner", and insert in lieu thereof "physician and surgeon".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 959—An act to amend sections 89 and 112 of the Code of Civil Procedure, relating to courts of justice.

Committee Amendments to Assembly Bill No. 959.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 39, of the printed bill, strike out "section 2422", and insert in lieu thereof the following: "sections 2422 and 2498".

Amendment No. 2.

On page 3, line 40, of the printed bill, insert after "Code", the following: "and section 684a of this code".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 218—An act to amend section 487 of the Penal Code, relating to grand theft.

Committee Amendments to Assembly Bill No. 218.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "dollars", strike out the period, and insert a semicolon and the following: "provided, that when domestic fowls are taken of a value exceeding $25 the same shall constitute grand theft."

Amendment No. 2.

On page 1, line 12, of the printed bill, after the word "pig", strike out the following: "or domestic fowl", and insert in lieu thereof a period.

Amendment No. 3.

On page 1, line 12, of the printed bill, after the word "barrow," insert the word "or".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 615—An act to amend sections 1245, 1246, 1248, 1249, 1254 and 1255 of the Code of Civil Procedure, and to add new sections to be numbered 1244.1, 1245.2, 1246.1, 1246.3, 1248.1, 1248.2, 1254.1, 1254.2 and 1254.3 to the Code of Civil Procedure, relating to eminent domain.

Committee Amendments to Assembly Bill No. 615.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after the word "sections", insert the figures "1241,".

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, strike out the words "by publica-", and in line 13, strike out the words "tion and posting.".

Amendment No. 3.

On page 1, line 17, of the printed bill, as amended, after the word "estate", and before the comma, insert the following: "or administration has been closed without distributing the property sought to be condemned".

Amendment No. 4.

On page 1, line 19, of the printed bill, as amended, after the word "summons", and before the period, insert the following: "and by service upon the public administrator".

Amendment No. 5.

On page 2, line 2, of the printed bill, as amended, after the word "effected", and prior to the period, insert the following: "and to serve the summons on the public administrator of the county in which the property lies".

Amendment No. 6.

On page 2, line 3, of the printed bill, as amended, strike out the words "at the expiration of", and strike out all of line 4, and insert in lieu thereof the following: "after such posting and publication for the time prescribed in the order of the court and service upon the public administrator."

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out that portion of line 50 following the figures "1246.1.", and strike out all of lines 51 and 52, and on page 3, strike out lines 1, 2, and 3, and insert in lieu thereof the following: "Where there are two or more estates or divided interests in property sought to be condemned, the plaintiff is entitled to have the amount of the award for said property first determined as between plaintiff and all defendants claiming any interest therein; thereafter in the same proceeding the respective rights of such defendants in and to the award shall be determined by the court, jury, or referee and the award apportioned accordingly. The costs of determining the apportionment of the award shall be allowed to the defendants and taxed against the plaintiff except that the costs of determining any issue as to title between two or more defendants shall be borne by the defendants in such proportion as the court may direct."

Amendment No. 8.

On page 7, line 29, of the printed bill, as amended, strike out the words "provided in", and in line 30, strike out the words "the next subdivision", and insert in lieu thereof the following: "otherwise hereinafter provided"

Amendment No. 9.

On page 7 of the printed bill, as amended, following line 37, insert the following paragraph:

"The costs of determining the apportionment of the award between two or more defendants as provided in section 1246.1 shall be allowed to the defendants and shall be paid by the plaintiff except that the costs of determining any controversy as to title between such defendants shall be borne by such defendants in such proportion as the court may direct."

Amendment No. 10.

On page 7 of the printed bill, as amended, following line 40, insert the following:

"SEC. 16. Section 1241 of the Code of Civil Procedure is amended to read as follows:

1241. Before property can be taken, it must appear:

1. That the use to which it is to be applied is a use authorized by law;

2. That the taking is necessary to such use; provided, when the board of directors of an irrigation district, of a public utility district, metropolitan water district, municipal utility district, or of a water district or the legislative body of a county, city and county, or an incorporated city or town, shall by resolution or ordinance, adopted by vote of two-thirds of all its members, have found and determined that the public interest and necessity require the acquisition, construction or completion, by such county, city and county, or incorporated city or town, or irrigation, public utility, metropolitan water district, municipal utility district or water district, of any proposed public utility, or any public improvement, and that the property described in such resolution or ordinance is necessary therefor, such resolution or ordinance shall be conclusive evidence, (a) of the public necessity of such proposed public utility or public improvement; (b) that such property is necessary therefor, and (c) that such proposed public utility or public improvement is planned or located in the manner which will be most compatible with the greatest public good, and the least private injury; provided, that said resolution or ordinance shall not be such conclusive evidence in the case of the taking by any county, city and county, or incorporated city or town, or irrigation, or water district, of property located outside of the territorial limits thereof.

3. If already appropriated to some public use, that the public use to which it is to be applied is a more necessary public use; provided, that where such property has been so appropriated by any individual, firm or private corporation the use thereof for a public street or highway of the State, a county, city and county, or any incorporated city or town, or joint highway district, or the use thereof by the State, a county, city and county, or any incorporated city or town, or joint highway district, or a municipal water district or an irrigation district, a public utility district, metropolitan water district, municipal utility district or a water district for the same purposes to which it has been appropriated or for any public purpose, shall be deemed a more necessary use than the public use to which such property has been already appropriated; and provided, further, that property of any character, whether already appropriated to public use or not, including all rights of any nature in water, owned by any person, firm or private corporation may be taken by a county, city and county, or any incorporated city or town or by a municipal water district, or an irrigation district, a public utility district, metropolitan water district, municipal utility district or a water district, for the purpose of supplying water, or electricity for power, lighting or heating purposes to such county, city and county, or incorporated city or town, or municipal water district, or an irrigation district, a public utility district, metropolitan water district, municipal utility district or a water district, or the inhabitants thereof, or for the purpose of supplying any other public utility, or for any other public use. And such taking may be made, either to furnish a separate and distinct supply of such water, and such electricity for power, lighting or heating purposes, or to provide for any such separate and distinct other public utility or other public use; to furnish such a supply or provide for any such other public utility or other public use in conjunction with any other supply or with any other public utility or other public use that may have been theretofore provided for or that may thereafter be provided for in so supplying or providing for such county, city and county, or incorporated city or town, or municipal water district or an irrigation district, a public utility district, metropolitan water district, municipal utility district, or a water district, or the inhabitants thereof; or in conjunction with any other supply or with any other public utility or other public use that may have been theretofore determined upon or that may thereafter be determined upon in accordance with law by the people of any such county, city and county, incorporated city or town or municipal water district or an irrigation district, a public utility district, metropolitan water district, municipal utility district or a water district. Nothing herein contained shall be construed as in any way limiting such rights as may be given by any other law of this State to counties, cities and counties, incorporated cities or towns or municipal water districts or irrigation districts, public utility districts, metropolitan water districts, municipal utility districts or water districts.

But private property appropriated to the use of any county, city and county, incorporated city or town, or municipal water district, or irrigation district, or public utility district, metropolitan water district, municipal utility district or water district, may not be taken by any other county, city and county, incorporated city or town, or municipal district, or irrigation district, or public utility district, metropolitan water district, municipal utility district, or water district, while such property is so appropriated and used for the public purposes for which it has been so appropriated."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1488—An act to amend section 1440 of the Probate Code, relating to the appointment of guardians.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1516—An act to add section 6.5 to, and amend sections 7 and 8 of, an act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1516.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the word "Employment", insert the following: ", subject to the other provisions of this act,".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 18 to 21, inclusive, and on page 2, strike out lines 1 and 2.

Amendment No. 3.

On page 2, line 3, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(b)".

Amendment No. 4.

On page 2, line 13, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(c)".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 21 to 29, inclusive.

Amendment No. 6.

On page 2, line 38, of the printed bill, after "such", strike out "Employment", and insert in lieu thereof the following: "The term "employment" ".

Amendment No. 7.

On page 2, line 52, of the printed bill, after "subdivisions", strike out ", or in the employ of any unit or", and on page 3, strike out all of lines 1 and 2, and insert a semicolon.

Amendment No. 8.

On page 3 of the printed bill, strike out lines 13 to 15, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1518—An act to add section 56.5 to, and to amend sections 13 and 56 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1518.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after "(a)", strike out "Employment", and insert in lieu thereof the following: "Work".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "employment", and insert in lieu thereof the following: "occupation".

Amendment No. 3.

On page 1, line 7, of the printed bill, after "(b)", strike out "Employment", and insert in lieu thereof the following: "Work".

Amendment No. 4.

On page 1, line 9, of the printed bill, after "such", strike out "employment", and insert in lieu thereof the following: "work".

Amendment No. 5.

On page 1, line 11, of the printed bill, after "the", strike out "employment is one", and insert in lieu thereof the following: "work is work".

Amendment No. 6.

On page 2, line 2, of the printed bill, after "Any", strike out "employment", and insert in lieu thereof the following: "work".

Amendment No. 7.

On page 2, line 6, of the printed bill, after "The", strike out "employment", and insert in lieu thereof the following: "work".

Amendment No. 8.

On page 2, line 10, of the printed bill, after "of", insert the following: "obtaining".

Amendment No. 9.

On page 2, line 10, of the printed bill, after "such", strike out "employment", and insert in lieu thereof the following: "work".

Amendment No. 10.

On page 2, line 23, of the printed bill, after "for", strike out "total"; and after "unemployment", strike out "based on past weeks of employment".

Amendment No. 11.

On page 2, line 26, of the printed bill, after "his", strike out "employment", and insert in lieu thereof the following: "work".

Amendment No. 12.

On page 2, line 27, of the printed bill, after "and", insert the following: "for the period during which he".

Amendment No. 13.

On page 2, line 7, of the printed bill, after "and" strike out "continue out of employment", and insert in lieu thereof the following: "continues out of work".

Amendment No. 14.

On page 3, line 8, of the printed bill, after "employers", insert the following: "subject to this act".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1519—An act to amend sections 22 and 23 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1519.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "All", strike out "contributions paid", and insert in lieu thereof the following: "moneys payable into the unemployment fund".

Amendment No. 2.

On page 1, line 3, of the printed bill, after "shall", insert the following: "immediately".

Amendment No. 3.

On page 1, line 8, of the printed bill, after "shall", insert the following: ", from time to time,".

Amendment No. 4.

On page 1, line 9, of the printed bill, after "amounts", strike out "from time to time", and insert the following: "solely for the payment of benefits".

Amendment No. 5.

On page 1, line 20, of the printed bill, after "received by", strike out "the commission", and insert in lieu thereof the following: "this State".

Amendment No. 6.

On page 1, line 21, of the printed bill, after "from", insert the following: "the United States, this State, or any other State, or".

Amendment No. 7.

On page 1, line 21, of the printed bill, after "any", strike out "other".

Amendment No. 8.

On page 2, line 1, of the printed bill, after "be", insert the following: "a special fund".

Amendment No. 9.

On page 2, line 3, of the printed bill, after "other", strike out "State moneys", and insert in lieu thereof the following: "special funds".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1521—An act to amend section 44 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1521.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "each", strike out "employee", and insert in lieu thereof the following: "worker".

Amendment No. 2.

On page 1, line 5, of the printed bill, after "wages", insert the following: "paid by an employer with respect to employment".

Amendment No. 3.

On page 1, line 6, of the printed bill, after "of", strike out "his", and insert in lieu thereof the following: "such".

Amendment No. 4.

On page 1, line 7, of the printed bill, after "of", strike out "his", and insert in lieu thereof the following: "such".

Amendment No. 5.

On page 1, line 8, of the printed bill, after "required of", strike out "employees", and insert in lieu thereof the following: "workers"

Amendment No. 6.

On page 1, line 13, of the printed bill, after "his", strike out "employees", and insert in lieu thereof the following: "workers'".

Amendment No. 7.

On page 1, line 16, of the printed bill, strike out "employees", and insert in lieu thereof the following: "workers".

Amendment No. 8.

On page 1, line 19, of the printed bill, after "by", strike out "employees", and insert in lieu thereof the following: "workers".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2495—An act to amend section 46 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendment to Assembly Bill No. 2495.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after "employer", strike out "or by", and in line 7, strike out "him on behalf of employees"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2496—An act to amend section 55 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 2496.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the first word "period", insert the following "of an individual for each benefit year in which such case occurs".

Amendment No. 2.

On page 1, line 11, of the printed bill, after the word "work", strike out the semicolon, and insert a period, and strike out the remainder of line 11, and lines 12 to 22, inclusive.

Amendment No. 3.

On page 2, line 2, of the printed bill, after "his", strike out "employment", and insert in lieu thereof the following: "work".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 4 to 6, inclusive

Amendment No. 5.

On page 2 of the printed bill, after line 6, insert the following:

"(c) An individual shall be presumed to have been discharged for reasons other than misconduct in connection with his work and not to have voluntarily left his work without cause attributable to his employer unless his employer shall have given notice to the contrary to the commission in writing within ten days after the termination of service, setting forth such facts as are necessary to establish a prima facie case in support thereof. If the employer files such notice, the question shall immediately be determined in the same manner as benefit claims."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2498—An act to amend sections 12 and 54 of, and to repeal sections 14 and 53 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 2498.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, after "any", strike out "calendar".

Amendment No. 2.

On page 1, line 10, of the printed bill, after "him.", strike out "In such cases such unemployed", and strike out lines 11 to 13, inclusive.

Amendment No. 3.

On page 1 of the printed bill, strike out line 15, and in line 16, strike out "for benefit for such partial employment".

Amendment No. 4.

On page 1, line 16, of the printed bill, after "any", strike out "calendar".

Amendment No. 5.

On page 1, line 17, of the printed bill, after "whenever", strike out "his", and insert in lieu thereof the following: "the".

Amendment No. 6.

On page 1, line 17, of the printed bill, after "wages", strike out "paid", and insert in lieu thereof the following: "payable to such individual".

Amendment No. 7.

On page 1 of the printed bill, between lines 19 and 20, insert the following: "(c) The term "week" as used in this act shall mean such period of seven consecutive days as the commission may by regulation prescribe."

Amendment No. 8.

On page 2 of the printed bill, strike out lines 5 to 22, inclusive, and insert in lieu thereof the following:

"The waiting period under this act shall be four weeks of total unemployment during the period from January 1, 1938, to December 31, 1939, inclusive, and thereafter shall be three weeks. Not more than the total time of such waiting period shall be required of any individual in any twelve successive calendar months in order to establish his eligibility for total or partial unemployment benefit.

An unemployed individual is eligible for benefits only for weeks of unemployment occurring subsequent to the waiting period. The eligibility requirements of this section shall not interrupt the payment of benefits for consecutive weeks of unemployment. Weeks of waiting period need not be consecutive, but no week shall be counted as a week of total or partial unemployment for the purpose of this section if benefits have been paid with respect thereto, or unless it occurred after January 1, 1938, and the individual has registered for work in accordance with this act.

For the purposes of this section, two weeks of partial unemployment shall be deemed to be equivalent to one week of total unemployment.

Any individual who works less than three days in any week or such other period during any week as the commission shall prescribe by special rule may, for the purpose of establishing his weekly installment amount, file notice of such partial employment. However no benefit for partial unemployment shall be paid under this act until the expiration of the waiting period prescribed herein."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2501—An act to add sections 6.5, 8.5, 9.5, and 9.7 to, and amend sections 7, 8, 9, 37 and 38 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 2501.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "Employment", insert the following: ", subject to the other provisions of this act,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 18 to 21, inclusive, and on page 2, strike out lines 1 and 2.

Amendment No. 3.

On page 2, line 3, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(b)".

Amendment No. 4.

On page 2, line 13, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(c)".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 21 to 30, inclusive.

Amendment No. 6.

On page 2, line 39, of the printed bill, after "such" (in strikeout type), strike out "Employment", and insert in lieu thereof the following: "The term "employment" ".

Amendment No. 7.

On page 3, line 1, of the printed bill, after "subdivisions", strike out ", or in the employ of any unit", and strike out all of lines 2 and 3, and insert a semicolon.

Amendment No. 8.

On page 3 of the printed bill, strike out lines 14 to 16, inclusive.

Amendment No. 9.

On page 3, line 19, of the printed bill, after "as", strike out "defined", and insert in lieu thereof the following: "used".

Amendment No. 10.

On page 3, line 32, of the printed bill, after "work of", strike out "any agent or employee of", and insert in lieu thereof the following: "any individual employed by".

Amendment No. 11.

On page 3, line 35, of the printed bill, after "such", strike out "agent".

Amendment No. 12.

On page 3, line 36, of the printed bill, strike out "or employee", and insert in lieu thereof the following: "individual so employed".

Amendment No. 13.

On page 4, line 4, of the printed bill, after "Any", insert the following: "individual or".

Amendment No. 14.

On page 4, line 14, of the printed bill, after "employing unit", insert the following: "not an employer subject to this act".

Amendment No. 15.

On page 4, line 14, of the printed bill, after "if", insert the following: "subsequent to such acquisition it were".

Amendment No. 16.

On page 4, line 44, of the printed bill, after "year," insert the following: "and only"

Amendment No. 17.

On page 5, line 7, of the printed bill, after "every" (in strikeout type), strike out "each", and insert in lieu thereof the following: "every".

Amendment No. 18.

On page 5, line 14, of the printed bill, after "paid" insert the following: "to the commission for the unemployment fund".

Amendment No. 19.

On page 5, line 16, of the printed bill, after "prescribe" strike out the period, and insert in lieu theerof the following ", and shall not be deducted in whole or in part, from the wages of individuals in his employ."

Amendment No. 20.

On page 5, line 22, of the printed bill, after "into the" insert the following: "unemployment".

Amendment No. 21.

On page 5 line 22, of the printed bill, after "fund", insert the following: "contributions equal to".

Amendment No. 22.

On page 5, line 26, of the printed bill, after "in", strike out "employments", and insert in lieu thereof the following: "employment".

Amendment No. 23.

On page 5, line 29, of the printed bill, after "him in" (in strikeout type), strike out "an employer", and insert in lieu thereof the following: "him".

Amendment No. 24.

On page 5, line 34, of the printed bill, after "by", strike out "an employer", and insert in lieu thereof the following: "him".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1094—An act to amend section 487 of the Penal Code, relating to grand theft.

Committee Amendments to Assembly Bill No. 1094.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "one", and insert in lieu thereof "two".

Amendment No. 2.

On page 1, line 7, of the printed bill, after the word "fowls", insert a comma and the following: "avocados, citrus or deciduous fruits".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1097—An act to repeal section 488a of the Penal Code, relating to theft of avocados, citrus or deciduous fruit.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1413—An act to add section 92.5 to the Penal Code, relating to gifts to jurors.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1270—An act providing for a legal interest rate.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 658—An act relating to rates of interest.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 655—An act to add section 4.5 to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to interest and charges.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1758—An act to add section 1917 to the Civil Code, relating to loan of money including interest rates and fees, bonuses, commissions, discounts, or other compensation therewith, and prescribing means for the enforcement of its provisions.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2292—An act to add a new section to be numbered 1918 to the Civil Code, relating to rates of interest on loans and forbearances.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 710—An act to amend section 468 of the Civil Code, relating to the construction, operation and abandonment of railroads.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 711—An act to repeal an act approved April 15, 1880, entitled "An act to compel railroad corporations, or individuals owning railroads, to operate their roads," and to repeal an act approved February 9, 1897, entitled "An act to provide for the management and operation of railroads above certain elevations," relating to the operation of railroads and prescribing penalties for failure to comply therewith.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 628—An act to amend section 5 of an act entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to enforcement of the act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 511—An act to amend sections 800, 803, 804, 814 and 815 of the Military and Veterans Code, relating to Veterans' farm and home purchase.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 91—An act to amend section 6.750 of the School Code, relating to the use of school buildings.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 642—An act to amend section 5.120 of the School Code, relating to the issuing of credentials by the State Board of Education.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 644—An act to repeal Chapter III of Part III of Division IV of the School Code and to add to the School Code a new section to be numbered 4.368, relating to school district budgets.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 628—An act to amend section 5 of an act entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to enforcement of the act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 645—An act to amend sections 2.100 and 2.440 of the School Code, both relating to the change of boundaries of school districts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 237—An act to amend sections 10b, 10c, 10d, 10e, and 10g of the State Narcotic Act, relating to fines and forfeitures.

Committee Amendments to Senate Bill No. 237.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out the word "treasurer", and insert in lieu thereof the word "controller".

Amendment No. 2.

On page 1, line 25, of the printed bill, strike out the word "treasurer", and insert in lieu thereof the word "controller".

Amendment No. 3.

On page 2, line 1, of the printed bill, strike out the word "treasurer", and insert in lieu thereof the word "controller".

Amendment No. 4.

On page 2, line 5, of the printed bill, strike out the word "treasurer", and insert in lieu thereof the word "controller".

Amendment No. 5.

On page 2, line 8, of the printed bill, strike out the word "treasurer", and insert in lieu thereof the word "controller".

Amendment No. 6.

On page 2, line 13, of the printed bill, strike out the word "treasurer", and insert in lieu thereof the word "controller".

Amendment No. 7.

On page 2, line 20, of the printed bill, strike out the word "treasurer", and insert in lieu thereof the word "controller".

Amendments adopted

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 363—An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District based upon assessments levied by the reclamation board upon lands in said district," approved May 27, 1919, as amended, by amending the title thereof to include refunding bonds, by amending section 50 thereof, relating to redemption of land sold for delinquent assessments and the conveyancing of lands not redeemed, by amending section 59 thereof, relating to the authorization, issuance, sale and application of the proceeds of refunding bonds, and by adding a new section to said act to be numbered 60, giving to said act a short title; and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency and providing that this act shall take effect immediately upon its passage.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 361—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 12 thereof, relating to the powers of the Reclamation Board, and section 37 (a) thereof, relating to the application of moneys appropriated or made available under Chapter 176, California Statutes of 1925

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1089—An act to add section 5 to an act entitled "An act creating a reclamation district to be known as Reclamation District No. 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No. 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said district," approved May 26, 1913, relating to the disposition of funds impounded for the payment of outlawed bonds of said district.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 111—An act to add section 3627d to the Political Code, relating to value of works of art.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 507—An act to amend section 7 of the "Vital Statistics Registration Act," relating to death certificates.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 267—An act to amend section 538 of the Code of Civil Procedure, relating to attachments.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 336—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 687—An act making an appropriation to the emergency fund specified in item 185 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved June 14, 1935, for the purposes therein specified, and declaring the urgency thereof.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 357—An act to repeal sections 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555 and 1556 of the Penal Code, and to add sections 1548, 1548.1, 1548.2, 1548.3, 1549, 1549.1, 1549.2, 1549.3, 1550, 1550.1, 1550.2, 1550.3, 1551, 1551.1, 1551.2, 1551.3, 1552, 1552.1, 1552.2, 1553, 1553.1, 1553.2, 1554, 1554.1, 1554.2, 1555, 1555.1, 1555.2, 1556, 1556.1 and 1556.2 to the Penal Code, all relating to proceedings against fugitives from justice and proceedings in this State against persons charged with crime in other States, and to make the law uniform with reference thereto.

Bill read second time, and ordered on third reading calendar.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2678 Continued.

On motion of Mr. Dannenbrink, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage was continued until the next legislative day.

Reconsideration of Assembly Bill No. 85.

In compliance with a notice given on a previous day, Mr. Redwine moved that the vote whereby Assembly Bill No. 85 was passed be reconsidered.

The roll was called, and Assembly Bill No. 85 reconsidered by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Call, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Field, Fulcher, Gannon, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Muldoon, Peyser, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—48.

NOES—Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Dilworth, Donnelly, Flint, Garibaldi, Garland, Gilbert, Heisinger, Lore, Miller, George P., Morgan, Patterson, Pelletier, Reaves, and Rosenthal—18.

Assembly Bill No. 85 ordered placed on third reading calendar.

Third Reading of Assembly Bills.

Assembly Bill No. 1757—An act to regulate the operation, conduct, sanitation, use and maintenance of trailer camps and trailer coaches.

Motion to Amend Assembly Bill No. 1757.

Mr. Laughlin moved to amend Assembly Bill No. 1757 as follows:

Amendment No. 1.

On page 4, line 39, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "13".

Amendment No. 2.

On page 4, line 49, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "14".

Amendment No. 3.

On page 4, line 50, of the printed bill, as amended, after the period, insert the following: "The California Highway Patrol may also enforce the provisions of section 9 of this act".

Amendment No. 4.

On page 5, line 1, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "15".

Amendments adopted.

Request for Unanimous Consent.

Mr. Laughlin asked for, and was granted, unanimous consent to take up Assembly Bill No 1757, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1757, as Amended.

Assembly Bill No. 1757—An act to regulate the operation, conduct, sanitation, use and maintenance of trailer camps and trailer coaches.

Demand for Previous Question.

Messrs. Morgan, Stream, Pelletier, Dannenbrink and Kepple demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1757, as amended.

The roll was called, and Assembly Bill No 1757, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—60.

NOES—Dilworth, Garibaldi, Garland, Heisinger, King, Mayo, O'Donnell, and Tenney—8.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1800—An act to amend section 5.722 of the School Code, relating to leaves of absence.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2806—An act to amend the "Use Tax Act of 1935," approved June 25, 1935, by amending section 4 thereof, relating to exemptions, by adding "newsprint" to the tangible personal property exempt from the tax imposed by such act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 989—An act to amend the Direct Primary Law, approved June 16, 1913, as amended, by adding thereto a new section to be designated section 22a, to authorize the board of supervisors, canvassing board or election commission to recount the voted ballots in precincts where the precinct returns show a total of votes cast for all candidates for an office, or a total of votes cast for and against any proposition, in excess of the number of votes cast in the precinct, and providing that the board or commission may in its discretion appoint a special recounting board for this purpose.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson,

Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 991—An act to amend the Political Code of the State of California by amending section 1281a and by adding thereto a new section to be designated 1281b, to authorize the board of supervisors, canvassing board or election commission to recount the voted ballots in precincts where the precinct returns show a total of votes cast for all candidates for an office, or a total of votes cast for and against any proposition, in excess of the number of votes cast in the precinct, and providing that the board or commission may in its discretion appoint a special recounting board for this purpose.

Motion to Amend Assembly Bill No. 991.

Mr. Kepple moved to amend Assembly Bill No. 991 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, after the word "commission", insert the following: ", or registrar of voters or county clerk when required to canvass the returns,".

Amendment adopted.

Request for Unanimous Consent.

Mr Kepple asked for, and was granted, unanimous consent to take up Assembly Bill No 991, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 991, as Amended.

Assembly Bill No. 991—An act to amend the Political Code of the State of California by amending section 1281a and by adding thereto a new section to be designated 1281b, to authorize the board of supervisors, canvassing board or election commission to recount the voted ballots in precincts where the precinct returns show a total of votes cast for all candidates for an office, or a total of votes cast for and against any proposition, in excess of the number of votes cast in the precinct, and providing that the board or commission may in its discretion appoint a special recounting board for this purpose.

Assembly Bill No 991, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—66.

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 962—An act to amend section 1193 of the Penal Code, relating to pronouncement of judgment.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, O'Donnell, Pelletier,

Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, and Mr. Speaker—55

NOES—Cassidy, Gilbert, Hunt, King, Meehan, Reaves, Tenney, and Yorty—8.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 962.

Mr. Flint gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 962 was this day passed.

Assembly Bill No. 963—An act to amend section 1227 of the Penal Code, relating to a judgment of death remaining in force unexecuted.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Sawallisch, Scudder, Stream, Thorp, Walker, Weber, and Williamson—41.

NOES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Daley, Dawson, Donihue, Flint, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Pelletier, Reaves, Robertson, Sheehan, Tenney, Turner, Watson, Yorty, and Mr. Speaker—31.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 963.

Mr. Flint gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 963 was this day passed.

Assembly Bill No. 2614—An act to amend section 1054a of the Code of Civil Procedure, relating to cash deposits in lieu of undertakings in civil actions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—Robertson—1.

Title read and approved. Bill ordered transmitted to the Senate

Hon. Charles A. Hunt in the Chair.

At three o'clock and twenty-five minutes p. m., Hon. Charles A. Hunt, member of the Assembly from the Forty-Fifth District, in the chair.

Assembly Bill No. 2616—An act to amend section 2969 of the Civil Code, relating to the levy on chattel mortgaged property under writs of attachment and execution.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, and Yorty—67.

NOES—Robertson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2617—An act to add three new sections to Chapter I of Title IX of Part II of the Code of Civil Procedure, to be numbered 689d, 689e, and 689f, respectively, and relating to the levy on chattel mortgaged property under writs of attachment and execution, and to repeal sections 2968, 2969 and 2970 of the Civil Code, relating to the same subject.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, and Yorty—65.

NOES—Reaves—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2378—An act to add section 212a to the Labor Code, relating to deductions from wages or salary of employee.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At three o'clock and thirty-five minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 2675—An act to promote the safety of employees and travelers upon railroad by compelling common carriers by railroad adequately to man their gas, gas-electric, diesel, diesel-electric cars and locomotives.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Sawallisch, Scudder, Sheehan, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56

NOES—Beene, Call, Field, Kuchel, Latham, Lyon, Redwine, and Stream—8

Title read and approved. Bill ordered transmitted to the Senate

Special Order Set for Assembly Bill No. 71.

On motion of Mr. Hunt, the consideration of Assembly Bill No. 71 was made a special order of business for Tuesday, April 13, 1937, at two o'clock and thirty minutes p.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2441—An act to amend section 6906 of the Labor Code, relating to train crews.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple,

Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2694—An act relating to unauthorized collection of fees by employers from employees.

Motion to Amend Assembly Bill No. 2694.

Mr. Burns, Michael J., moved to amend Assembly Bill No. 2694 as follows:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out "relating to unauthorized collection of fees by employers from employees", and insert in lieu thereof the following: "to add sections 221, 222, 223, 224, and 225 to the Labor Code, relating to wages and prescribing a penalty for violation thereof".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, after the period, insert the following: "Section 221 is hereby added to the Labor Code to read as follows:
221."

Amendment No. 3.

On page 1, line 4, of the printed bill, as amended, after the second period, insert the following. "Section 222 is hereby added to said code to read as follows:
222."

Amendment No. 4.

On page 1, line 7, of the printed bill, as amended, after the second period, insert the following: "Section 223 is hereby added to said code to read as follows:
223."

Amendment No. 5.

On page 1, line 11, of the printed bill, as amended, strike out "The provisions of this act", and insert in lieu thereof the following: "Section 224 is hereby added to said code to read as follows:
224. The provisions of sections 221, 222, and 223".

Amendment No. 6.

On page 1, line 15, of the printed bill, as amended, strike out "The violation of any provision of this act", and insert in lieu thereof the following: "Section 225 is hereby added to said code to read as follows:
225. The violation of any provision of sections 221, 222, and 223".

Amendments adopted.

Request for Unanimous Consent.

Mr. Burns, Michael J., asked for, and was granted, unanimous consent to take up Assembly Bill No. 2694, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2694, as Amended.

Assembly Bill No. 2694—An act relating to unauthorized collection of fees by employers from employees.

Assembly Bill No. 2694, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Yorty, and Mr Speaker—70.

NOES—None

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 856—An act to amend section 672 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2162—An act to add section 589.5 to the Agricultural code, relating to labeling of dairy products.

Motion to Amend Assembly Bill No. 2162.

Mr. Donnelly moved to amend Assembly Bill No. 2162 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, in lines 10 and 11, strike out the following: "or from tuberculin tested herds in officially accredited areas".

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, after "letters", insert the following: ", of a size not greater than 8 point type."

Amendment No. 3.

On page 1, line 13, of the printed bill, as amended, after the period, insert the following: "If the label required in this section is on any package, it shall be deemed to be a warranty that the product on which the label appears includes products from tuberculin tested herds in officially accredited areas."

Amendments adopted.

Request for Unanimous Consent.

Mr Donnelly asked for, and was granted, unanimous consent to take up Assembly Bill No. 2162, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 2162, as Amended.

Assembly Bill No. 2162—An act to add section 589 5 to the Agricultural Code, relating to labeling of dairy products.

Assembly Bill No 2162, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 909—An act to amend section 2957 of the Civil Code, relating to mortgages of personal property and crops.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson,

Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2420—An act amending section 406a of the Civil Code, relating to service of process on foreign corporations

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M. Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—67.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1593—An act to amend an act entitled "An act to be known as the 'Water Conservation Act of 1929' and to provide for the organization and government of water conservation districts for the purpose of conserving and storing the waters of any stream of water or unnavigable river by spreading and sinking such waters, and for the purpose of construction or acquiring sinking basins, sinking wells, spreading basins, and other works and property; and for the purpose of appropriating, acquiring and conserving water and water rights, and making any and all actions and proceedings that may be necessary or advisable to conserve and protect the waters or water rights within the district used or useful for any purpose of the district, or benefit to the lands situated therein, and to prevent interference with or diminution of the natural flow of any stream or unnavigable river, including the natural subterranean supply of waters therefrom; to provide for the levying and collecting of assessments and special assessments to pay the costs and expenses incurred in relation thereto, to prohibit any director of a district from being interested in any contract with the district of which he is a director and making a violation of such provision a misdemeanor; and to provide a method of dissolving such districts," approved April 27, 1929, as amended, by amending sections 1, 3 and 6 thereof, relating to qualifications of petitioners and electors in water conservation districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr Speaker—67.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1594—An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water

Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, as amended, by amending sections 1, 3 and 6 thereof, relating to qualifications of petitioners and electors in water conservation districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1595—An act to amend an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919, as amended, by amending sections 3 and 6, relating to qualifications of petitioners and electors in conservancy districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1880—An act to amend section 5.190 of the School Code, relating to health and development certificates.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 670—An act to amend sections 1278, 1280, 1281a and 1282 of the Political Code of the State of California to authorize the canvass of the returns of any election held throughout the county by the registrar of voters or the county clerk of the county whenever the board of supervisors of a county shall determine that the returns shall be canvassed in that manner, and providing for the declaration of the result by the board of supervisors of the canvass of returns.

Motion to Amend Assembly Bill No. 670.

Mr. Glick moved to amend Assembly Bill No. 670 as follows.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the following: ", 1281a".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 30 to 50, inclusive

Amendment No. 3.

On page 3, line 1, of the printed bill, as amended, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendments adopted.

Request for Unanimous Consent.

Mr. Glick asked for, and was granted, unanimous consent to take up Assembly Bill No 670, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 670, as Amended.

Assembly Bill No. 670—An act to amend sections 1278, 1280, 1281a and 1282 of the Political Code of the State of California to authorize the canvass of the returns of any election held throughout the county by the registrar of voters or the county clerk of the county whenever the board of supervisors of a county shall determine that the returns shall be canvassed in that manner, and providing for the declaration of the result by the board of supervisors of the canvass of returns.

Assembly Bill No 670, as amended, read third time, and passed by the following vote

AYES—Andreas, Bayuham, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller Eleanor Miller, George P, Morgan Muldoon, O'Donnell, Patterson, Peek, Pelletier Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—64

NOES—*None*.

Title read and approved Bill ordered to reprint, and transmitted to the Senate

Assembly Bill No. 1868—An act to add a new article to Chapter 1 of Part II of Division II of the School Code to be known as Article X, relating to the attendance to school trustees at State-wide educational meetings

Bill read third time, and passed by the following vote.

AYES—Andreas, Bayuham, Beene Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore Maloney, Martin, Mayo, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Sawallisch Scudder, Sheehan, Stream, Thorp, Voigt Walker Weber and Williamson—50.

NOES—Donnelly, Flint, Heisinger, O'Donnell Pelletier, Reaves, Richie, Watson, Yorty, and Mr. Speaker—10

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Assembly Bill No. 675.

On motion of Mr. Hawkins, Assembly Bill No. 675 was withdrawn from the calendar, and re-referred to the Committee on Civil Service.

Motion for Evening Session of the Assembly.

Mr. Williamson moved that the Assembly meet in regular session, Thursday evening, April 8, 1937.

Motion carried by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dawson, Dilworth, Donahue, Donnelly, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Kepple, Kuchel, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—49.

NOES—Boyle, Breed, Dannenbrink, Field, Fulcher, Gannon, Heisinger, Hunt, Johnson, Laughlin, Leonard, Levey, Mayo, and Millington—14.

Hon. James D. Garibaldi in the Chair.

At four o'clock and fifty-five minutes p.m., Hon. James D. Garibaldi, member of the Assembly from the Thirty-Third District, in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 206—An act to amend section 403 of the Vehicle Code, relating to liability for injuries or death of guests.

Demand for Previous Question.

Messrs. Flint, Morgan, Hunt, Yorty, and Reaves, demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question not sustained

The Speaker in the Chair.

At five o'clock and thirty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

The question being on the passage of Assembly Bill No. 206.

The roll was called, and Assembly Bill No. 206 refused passage by the following vote:

AYES—Clark, Daley, Dannenbrink, Donahue, Flint, Gannon, Garibaldi, Gilbert, Johnson, Kepple, King, Kuchel, Laughlin, Lore, Morgan, O'Donnell, Patterson, Peek, Reaves, Richie, Robertson, Rosenthal, Turner, Voigt, Yorty, and Mr Speaker—26

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Garland, Hawkins, Heisinger, Hornblower, Hunt, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Muldoon, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, and Williamson—46.

Notice of Motion to Reconsider Assembly Bill No. 206.

Mr. Peek gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 206 was this day refused passage.

Assembly Bill No. 1917—An act to amend sections 5, 21 and 23 of, to add a new paragraph to section 16, and to add section 18½ to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to prescribe, fix, limit and regulate the charges and interest rates of personal property brokers and brokers.

Motion to Amend Assembly Bill No. 1917.

Mr. Desmond moved to amend Assembly Bill No. 1917 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"*An act to amend sections* 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21 and 23, of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to provide for the licensing of personal property brokers and brokers by the Commissioner of Corporations; to prescribe, fix, limit and regulate their charges; to regulate the assignment of wages, salary, commissions, or other compensation for services when given to a personal property broker as security for a loan of, or as consideration for the payment of, money, credit, goods or things in action, to provide for administration and enforcement of this act; and to provide penalties for violation of this act"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, on page 2, strike out lines 1 to 51, inclusive, and on page 3, strike out lines 1 to 37, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 2 of the act cited in the title hereof, is hereby amended to read as follows

SEC. 2. The following words and terms have in this act the signification attached to them in this section, unless otherwise apparent from the context:

1. The word "commissioner" means the Commissioner of Corporations of the State of California, or any assistant, deputy, investigator, auditor or any other person employed by him.

2. The term "personal property broker," as used in this act, includes all who are engaged in the business of lending money and taking in the name of the lender, or in any other name, in whole or in part, as security for such loan, any contract or obligation involving the forfeiture of rights in or to personal property, the use and possession of which property is retained by other than the mortgagee or lender, or all who are engaged in the business of lending money and taking in the name of the lender, or in any other name, in whole or in part as security for such loan, any lien on, assignment of, or power of attorney relative to wages, salary, earnings, income or commission.

3. The word "broker," as used in this act includes all who, for or on behalf of any other person, arrange, negotiate or procure a loan or loans to be made to such other person by a personal property broker, or by an industrial loan company, or by a bank or trust company.

4. The word "charges" includes the aggregate interest, fees, bonuses, commissions, discounts, expenses, and other forms of compensation charged contracted for, or received by a personal property broker or broker in connection with the arranging, negotiating, procuring, making and collecting of a loan or forbearance of money, goods or things in action, and incident to transacting the business of arranging, negotiating, procuring, making and collecting loans or forbearances of money, goods or things in action.

5. The word "licensee" means a personal property broker or broker duly licensed under this act.

6. The word "person" includes, without limitation, any individual, firm, copartnership association, trust, corporation, or any other group of individuals, however organized.

SEC. 2. Section 4 of said act is hereby amended to read as follows:

SEC. 4. (a) This act shall not apply to any person, association, copartnership, trust or corporation doing business as authorized under any law of this State or of the United States relating to banks, trust companies, building and loan associations, industrial loan companies, credit unions or licensed pawnbrokers.

(b) Nothing contained in this act shall apply to any of the following:

1. Any nonprofit cooperative association organized under Title XXIII of Part IV of Division I of the Civil Code as said title existed at any time prior to the effective date of this amendment or under Chapter 4 of Division VI of the Agricultural Code, in loaning or advancing money in connection with any activity mentioned therein; or

2. Any corporation, association, syndicate, joint stock company or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, live stock, poultry and bee products on a cooperate nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business, or

3. Any corporation securing money or credit from any Federal intermediate credit bank organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credit Act of 1923," as amended, in loaning or advancing money or credit so secured.

(c) This act shall not apply to bona fide conditional contracts of sale involving the disposition of personal property, where such form of sales agreement is not used for the purpose of evading this act. This act shall not apply to bona fide loans secured by deposits, with or for the lender, of notes and/or chattel mortgages.

SEC. 3. Section 5 of said act cited is hereby amended to read as follows:

Sec. 5 (a) No broker shall arrange, negotiate or procure any loan to be made by a personal property broker, or an industrial loan company, bank, or trust company, unless such broker has previously obtained a license from the commissioner, as hereinafter provided, to act as a broker under this act.

(b) No personal property broker shall by exacting charges as herein defined receive from a borrower more than 10 per cent per annum upon any loan or forbearance of any money, goods, or things in action, unless such personal property broker has previously obtained a license from the commissioner, as hereinafter provided, to act as a personal property broker under this act.

SEC. 4 Section 6 of said act is hereby amended to read as follows

Sec. 6 Each application for a license under this act shall be in writing, verified under oath, and in such form as may be prescribed by the commissioner

SEC 5. Section 7 of said act is hereby amended to read as follows.

Sec. 7. Each applicant for a license under this act shall at the time of filing such application deposit with the commissioner a bond satisfactory to the commissioner, in which the applicant shall be the obligor in the aggregate sum of $1,000 with one or more sureties, which shall be subject to the approval of the commissioner Such bond shall run to the State of California for the use thereof, and to any person or persons who may have a cause of action against the obligor of said bond under the provisions of this act, and shall furthermore be conditioned that said obligor will faithfully conform to and abide by the provisions of this act and all of the rules and regulations established by the commissioner under the provisions of this act, and will pay to the State and to such person or persons any and all amounts which may become due or owing to the State or to such person or persons from said obligor under and by virtue of the provisions of this act. The total aggregate liability, however, on said bond shall be limited to the total payment of $1000. If the license is issued, the licensee shall thereafter maintain such bond If the commissioner shall find at any time that the bond of a licensee is insecure or exhausted or otherwise doubtful, an additional bond satisfactory to the commissioner, in the same amount and of the same character as required by this section, shall be filed by the licensee within 20 days after written demand upon the licensee by the commissioner.

SEC 6 Section 8 of said act is hereby amended to read as follows

Sec. 8. Upon the filing of such application for license, the acceptance of such bond, and the payment of the investigating fee and the license fee provided in section 20 of this act, the commissioner shall issue and deliver a license to the applicant to engage in business in accordance with the provisions of this act at the location set forth in the application, if he is satisfied that the financial responsibility, experience, character, business reputation and general fitness of the applicant and the members thereof if the applicant be a copartnership or association, and the trustees thereof, if the applicant be a trust, and the officers and directors thereof, if the applicant be a corporation, and the employees of the applicant, are such as to command the confidence of the community and to warrant the belief that the business proposed to be conducted will be operated honestly, fairly, and within the intent and purposes of this act

SEC. 7. Section 9 of said act is hereby amended to read as follows:

Sec. 9. Each license issued under this act shall be effective until the end of the calendar year next after its issuance unless sooner surrendered, suspended, or revoked as hereinafter provided, and shall authorize the licensee to engage in business only at the particular location set forth in the license. For each additional place of business, branch, agency or location, the commissioner shall require a separate application, bond and license, and the payment of the license fee provided in section 20 of this act. No license shall be transferable or assignable, but the commissioner may from time to time amend or alter, either upon his own motion or upon the application of the licensee, any license theretofore issued by him The commissioner may issue a duplicate of any license which is lost, stolen or destroyed, upon a satisfactory showing of such loss, theft or destruction, and upon payment of the fee provided in section 20 of this act. Any license may be surrendered by the licensee at any time by delivering same to the commissioner with written notice that such licensee thereby surrenders such license, but such surrender shall not effect the licensee's civil or criminal responsibility for acts committed prior or subsequent to such surrender.

SEC. 8. Section 10 of said act is hereby amended to read as follows:

Sec. 10. The payment of money, credit, goods or things in action, as consideration for any sale or assignment of, or order for, the payment of wages, salary, commissions, or other compensation for services, whether earned or to be earned, shall for the purpose of regulation under this act be deemed a loan secured by such sale, assignment, or order and the amount by which such assigned compensation exceeds

the amount of such consideration actually paid shall for the purpose of regulation under this act be deemed charges upon or for such loan from the date of such payment to the date such compensation is payable. Such transaction shall be governed by and subject to the provisions of this act.

SEC. 9. Section 11 of said act is hereby amended to read as follows:

Sec. 11. (a) The personal property broker making any loan or the broker arranging, negotiating or procuring it for the borrower shall:

1. Deliver to the borrower at the time the loan is made either a copy of each paper signed by the borrower, or a statement in the English language, setting forth the name and address of the borrower, personal property broker, and broker (if any), the date and amount of the note evidencing the loan, the amount of charges included in such note and how computed, how and when such note is repayable, and the basis for computing any default or other charges not included in such note. Also such other information as the commissioner may require

2. Apply any payment made in advance of any due date first to all charges due to the date of such payment that are not included in the amount of the note evidencing the loan, and the balance to the amount of such note.

3 Give to the borrower upon request a receipt for each payment made on account of any loan, showing the date received, the total sum received, the sum applied to charges not included in the amount of the note evidencing the loan, the sum applied to the amount of such note, and identifying the note or loan upon which such payment is applied.

4. Upon payment of the loan in full, cancel or mark "Paid" and return any note, chattel mortgage, assignment or order signed by the borrower, unless same are a part of the court record in any action, and release all security for the loan.

(b) Each personal property broker and broker shall:

1. Submit to the commissioner sample copies of each form or instrument to be used by him in the conduct of his business. No such form or instrument shall be used after the use thereof has been disapproved by the commissioner, and the personal property broker or broker notified in writing of such disapproval.

2. Keep and use such books, accounts and records in the conduct of his business as will properly enable the commissioner to determine whether such personal property broker or broker is complying with the provisions of this act and with all rules and regulations made and issued by the commissioner under said act. Such books, accounts and records shall be preserved for at least two years after making the final entry on any loan recorded therein.

(c) No personal property broker or broker shall advertise, print, display, publish, distribute, or broadcast, in any manner whatsoever, any statement or representation with regards to the rates, terms or conditions for arranging, negotiating, procuring or making loans or advances of money or credit, which is false, misleading or deceptive. The commissioner may require any personal property broker or broker to submit all advertising copy before using it No advertising shall be used if disapproved by the commissioner

SEC. 10. Section 12 of said act is hereby amended to read as follows:

Sec. 12. Each licensee hereunder shall on or before the fifteenth day of March of each year, file an annual report with the commissioner giving such relevant information as the commissioner reasonably may require concerning the business and operations of the licensee during the preceding calendar year at each place of business, branch, agency or location conducted by the licensee within the State. Each report shall be made under oath, in such form as may be prescribed by the commissioner. The commissioner shall make an annual analysis and recapitulation of such reports. For failure to file the annual report within the time specified, the licensee shall pay to the commissioner a penalty of $10 for each calendar day that such report is overdue; but the commissioner may, in his discretion, grant an extension of time for filing any such report, or relieve a licensee of all or any portion of such fine or fines. If the time for filing any such report is not so extended, nor the licensee relieved from the payment of any such fine or fines, and the licensee refuses to pay such fine or fines, or if the such fine or fines are not paid within 30 days after notice from the commissioner of the assessment thereof, the commissioner may maintain an action for the recovery thereof in any court of competent jurisdiction.

SEC. 11. Section 13 of said act is hereby amended to read as follows:

Sec. 13 No licensee hereunder shall:

1. Transact the business of arranging, negotiating, procuring or making loans under any other name or at any other place of business than that named in the license, nor shall any such licensee arrange, negotiate, procure or make any loan on which the first payment will not be due within 40 days and the last payment within 24 months from the date the loan is made

2. Take or accept any assignment of or order for the payment of more than 10 per cent of the salary, wages, commissions or other compensation as security for any loan; but notwithstanding the provisions of any other statute, a written assignment or order for the payment of not more than 10 per cent of salary, wages,

commissions, or other compensation for services, whether earned or to be earned, when given as security for a loan made by any personal property broker licensed under this act, shall be valid, and under such assignment or order a sum not exceeding 10 per cent of the assignor's salary, wages, commissions or other compensation for services, shall be collectible from any employer of the assignor by the assignee or his agent from the time that a copy of such assignment or order verified by the oath of the assignee or his agent, together with a similarly verified statement of the amount unpaid upon such loan, is delivered to such employer of the assignor, or is left at the usual place of business of such employer with his or its superintendent, manager or person in charge

SEC. 12. Section 14 of said act is hereby amended to read as follows:

Sec. 14. The commissioner may, upon reasonable notice to the licensee, stating the contemplated action and in general terms the grounds therefor, and upon reasonable opportunity to be heard, suspend or revoke any license issued hereunder, if he shall find that said licensee has failed to maintain in effect the bond or bonds required under the provisions of this act, or that the licensee has violated any provision of this act or any rule or regulation of the commissioner; or that any fact or condition exists which it had existed at the time of the original application for such license, would have warranted the commissioner in refusing the original issuance of such license.

The commissioner may suspend or revoke only the particular license with respect to which grounds for revocation or suspension may occur or exist. If he shall find that such grounds for revocation or suspension are of general application to all offices, or to more than one office operated by such licensee, he shall suspend or revoke all of the licenses issued to such licensee, or such licensee as such grounds apply to, as the case may be. No suspension or revocation or surrender of any license shall impair or effect the obligation of any pre-existing lawful contract between the licensee and any borrower or other person, nor suspend or terminate any of the powers of the commissioner under the provision of this act. Whenever the commissioner shall suspend or revoke a license issued to a licensee pursuant to this act, he shall forthwith file with the Division of Corporations a written order to that effect and his findings with reference thereto containing the evidence and the reason supporting the suspension or revocation, and forthwith serve upon or mail to the licensee a copy thereof at his last known address.

SEC. 13. Section 16 of said act is hereby amended to read as follows:

Sec. 16. For the purpose of discovering violations of this act, or securing information required by the commissioner hereunder, the commissioner may at any time, either personally or by any deputy, investigator, auditor or other person or persons designated by him, investigate the loans and business, and examine the books, accounts, records, and files used therein, of every licensee and of every person engaged in business as a personal property broker or broker as herein defined, whether such person acts or claims to act as principal or agent, or under or without the authority of this act. For such purposes the commissioner and his representatives shall have free access to the offices and places of business, books, accounts, records, papers, files, safes, and vaults of all such persons. The commissioner and all persons duly designated by him shall have authority and power to administer oaths and to take the testimony of any witnesses and to issue subpenas requiring the attendance upon any examination, investigation or hearing in any part of the State of witnesses and the production of books, documents and other things under their control. All of the provisions of Chapter II of Title III of Part IV of the Code of Civil Procedure, relating to the means of production of evidence out of court, shall be applicable to any examination, investigation, or hearing under this act. The authority to make or conduct any such examination, investigation or hearing, including the authority to administer oaths, and to subpena witnesses, and to take their testimony, may be delegated by the commissioner to any deputy, investigator, auditor or other person or persons appointed by him for that purpose. Such appointment shall be made by an instrument in writing, signed by the commissioner under his official seal, and upon such examination, investigation, or hearing, the same shall be produced by such deputy, investigator, auditor or other person or persons at any time upon demand therefor.

The commissioner may, whenever in his opinion any person is violating or is about to violate any provision of this act, or any rule or regulation made pursuant to the authority of this act, order such person in writing to desist and refrain from such violation. Whenever the commissioner shall believe from evidence satisfactory to him that any person has violated or is about to violate any of the provisions of this act, or any order, license, permit, decision, demand or requirement, or any part or provision thereof, he may bring an action in the name of the people of the State of California in the superior court of the State of California against such person to enjoin such person from continuing such violation or engaging therein, or doing any act or acts in furtherance thereof. In said action an order

or judgment may be entered awarding such preliminary or final injunction as may be proper.

SEC. 14. Section 17 of said act is hereby amended to read as follows:

Sec. 17. The commissioner shall without previous notice make an examination, audit or investigation of the affairs, business, and records of each licensee at least once each year, and may make such an examination, audit or investigation oftener if the commissioner has received any complaint or complaints against the licensee to be examined, or if the commissioner has reason to believe that such licensee is violating any of the provisions of this act or the rules and regulations established thereunder by the commissioner.

If any such examination, audit or investigation discloses that the licensee examined has violated any of the provisions of this act or the rules and regulations established thereunder by the commissioner, the commissioner may charge and collect for any such examination, audit or investigation, the actual amount of salary or other compensation paid to the person or persons making such examination, audit or investigation, plus the actual amount of expense reasonably incurred in connection therewith. If the cost of any such examination, audit or investigation is not paid by the licensee within 30 days after receipt from the commissioner of a statement of such cost, together with a statement showing the violation or violations disclosed by such examination, audit or investigation, the commissioner may maintain an action for the recovery thereof in any court of competent jurisdiction.

SEC. 15. Section 18 of said act is hereby amended to read as follows:

Sec. 18. Any personal property broker licensed under this act may charge, contract for, collect and receive on any loan of $500 or less, or on the first $500 of any loan in excess of that amount, such charges as may be agreed upon in writing between the parties as compensation for the use of the amount borrowed and as compensation for services rendered and expenses incurred by the personal property broker or any other person in connection with the loan and incident to transacting the business of arranging, negotiating, procuring, making and collecting loans, and for losses on loans not collected. Such charges may be included in the face amount of the note, and a schedule of approximately equal installment payments may be agreed upon, but the maximum charges agreed upon shall not exceed the following:

1. A charge as full compensation for services rendered in taking the application, in ascertaining and establishing the identity of the applicant, investigating the character, reputation, employment, financial responsibility, credit rating and other circumstances of the applicant any co-makers or indorsers, in inspecting, listing and appraising any security offered, in examining the title thereto and searching public records for liens and encumbrances thereon, in preparing the note and the other instruments in connection therewith, and in arranging, negotiating, procuring, closing, and making the loan. Such charge which shall not exceed 10 per cent of the amount loaned and/or advanced to or for the borrower, shall be considered as fully earned when the loan is made, but shall not be received or collected on any renewal loan made within 12 months from the date of any existing loan to the same borrower, unless such renewal loan is for an amount in excess of the unpaid balance on the existing loan, in which event such charge may be received and collected on such excess amount at the same rate.

2. A monthly charge for interest, and as full compensation for services rendered and expenses incurred in receiving, receipting for, crediting, allocating and recording payments on the loan, for keeping records pertaining thereto, and for overhead incident to transacting the business of a personal property broker, and for losses on loans not collected. Such combined monthly charge shall not exceed 1 per cent of the amount loaned and/or advanced to or for the borrower for each month during which approximately equal installments are contracted to be paid, and at the same rate on any sum not paid when due, but such charge shall not be deducted from the amount loaned and/or advanced to or for the borrower. If the loan is paid in full at any time before maturity, the borrower shall receive a refund or rebate of the unearned portion of such monthly charge computed for each full month from date of such full payment to date of maturity.

No charge of any kind shall be collected or received unless a loan is made. No husband and wife or any other borrower or borrowers shall be induced or permitted to split up or divide any loan or loans or to become obligated under more than one contract of loan at the same time, if the effect of so doing will result in higher charges than would otherwise be permitted under this section. No broker shall collect or receive at any time from or at the expense of any borrower as brokerage or otherwise on or in connection with any loan of $500 or less, any amount or consideration which when combined with that paid or to be paid to the lender by or at the expense of the borrower, will make the total cost of the loan to the borrower more than the maximum charges permitted under this section. If any licensee shall collect or receive any charges in excess of those permitted by this section, the contract of loan shall be void and no person shall have any right to collect or receive any principal or charges whatsoever thereon. Nothing herein shall be construed to deny any licensee the right to charge the statutory fees of any public officer for acknowledging, filing, recording and releasing in any public

office any instrument, securing the loan or in connection therewith, insurance premiums on agreed hazards in connection with the loan, and expenses (including attorney's fees and costs) incurred after default in the payment of any amount due or after the breach of any agreement between the borrower and the licensee.

SEC. 16. Section 20 of said act is hereby amended to read as follows:

SEC. 20. The commissioner shall charge and collect the following fees:

1. For investigating an original application for license as a personal property broker or broker, $100.

2. For any license as a personal property broker, $100.

3. For any license as a broker, $50, except in cities with a population of 25,000 or less, in which the license shall be, $25

4 For a duplicate of any license lost, stolen or destroyed, $10.

SEC. 17. Section 21 of said act is hereby amended to read as follows:

Sec. 21. Any person who, either directly as principal or indirectly as agent, employee, manager, fiduciary, representative, or in any other capacity, shall violate any of the provisions of either section 5 or 18, shall be guilty of a misdemeanor, punishable by imprisonment in a county jail for not less than three months and not exceeding twelve months, or by a fine of not less than $250 and not exceeding $1,000, or by both.

SEC 18. Section 23 of said act is hereby amended to read as follows:

Sec 23 (a) Any personal property broker or broker, as herein defined, having a license in effect under Chapter 634, Statutes of 1909, as amended, shall notwithstanding this amendment thereto be deemed to have a license as a personal property broker or broker for the calendar year 1937 only to operate as such personal property broker or broker at the particular location specified in such license; provided that such license may be suspended or revoked for cause in the manner and on the grounds specified herein. Such licensees, however, shall be required forthwith to apply for and secure licenses for additional locations, if any are being operated, in accordance with this act as amended.

(b) All acts and parts of acts, whether general, special or local, which in whole or in part relate to the same subject matter as this act, are hereby repealed in so far as inconsistent with the provisions of this act."

Amendments adopted.

Assembly Bill No. 1917 ordered to reprint, and re-engrossment.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1089 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1494 re-referred to Committee on Unemployment.

Assembly Bill No. 2796 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1754 re-referred to Committee on Motor Vehicles.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Senate Bill No. 528.

Respectfully reports the same back with the recommendation: Do pass.

YORTY, Chairman.

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2057. **Senate Bill No. 429.**

Senate Bill No. 120. **Senate Bill No. 701.**

Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Senate Bill No. 308. **Assembly Bill No. 399.**
Assembly Bill No. 1370. **Assembly Bill No. 1280.**

Respectfully reports the same back with the recommendation. Do pass as amended.

O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 78.
Assembly Bill No. 862.

Respectfully reports the same back with the recommendation: Do pass as amended.

DONNELLY, Chairman.

The above reported bills ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 741.
Assembly Bill No. 1936.
Assembly Bill No. 427.

Respectfully reports the same back with the recommendation: Do pass as amended.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred.

Assembly Bill No. 827. **Assembly Bill No. 1119.**
Assembly Bill No. 1120. **Assembly Bill No. 241.**
Assembly Bill No. 1459.

Respectfully reports the same back with the recommendation: Do pass as amended.

FLINT, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 934.
Assembly Bill No. 508.

Respectfully reports the same back with the recommendation: Do pass.

FLINT, Chairman.

The above reported bills ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committeee on Public Morals, to which was referred:

Assembly Bill No. 1306.
Assembly Bill No. 2232.
Assembly Bill No. 2553.

Respectfully reports the same back with the recommendation: Do pass.

TURNER, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 459.
Assembly Bill No. 2428.

Respectfully reports the same back without recommendation, as amended.

TURNER, Chairman.

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 2462.
Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 909.
Assembly Bill No. 1081.
Assembly Bill No. 1089.
Assembly Bill No. 1668.
Assembly Bill No. 1754.
Assembly Bill No. 2195.
Assembly Bill No. 2796.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 63.
Assembly Bill No. 317.
Assembly Bill No. 655.
Assembly Bill No. 658.
Assembly Bill No. 1097.
Assembly Bill No. 1171.
Assembly Bill No. 1173.
Assembly Bill No. 1270.
Assembly Bill No. 1406.
Assembly Bill No. 1407.
Assembly Constitutional Amendment No. 11.
Assembly Constitutional Amendment No. 12.
Assembly Bill No. 1494.
Assembly Bill No. 1625.
Assembly Bill No. 2625.
Assembly Bill No. 1408.
Assembly Bill No. 1410.
Assembly Bill No. 1411.
Assembly Bill No. 1413.
Assembly Bill No. 1488.
Assembly Bill No. 1758.
Assembly Bill No. 1872.
Assembly Bill No. 1873.
Assembly Bill No. 1888.

And reports the same correctly engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 65.
Assembly Bill No. 268.
Assembly Bill No. 1339.
Respectfully reports the same back with the recommendation Do pass

BOYLE, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred.
Assembly Bill No. 728.
Assembly Bill No. 1396.
Respectfully reports the same back without recommendation, as amended.

BOYLE, Chairman

The above reported bills ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 1874.
Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 2078.
Respectfully reports the same back with the recommendation: Do pass as amended.
PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Banking, to which was referred:
Assembly Bill No. 1263.
Assembly Bill No. 1433.
Assembly Bill No. 2730.
Respectfully reports the same back with the recommendation: Do pass as amended.
WILLIAMSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Banking, to which was referred:
Assembly Bill No. 1647.
Respectfully reports the same back with the recommendation: Do pass.
WILLIAMSON, Chairman.

The above reported bill ordered on second reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Assembly Bill No. 2090.
Respectfully reports the same back with the recommendation: Do pass.
O'DONNELL, Vice Chairman.

The above reported bill ordered on second reading calendar.

Withdrawal and Re-reference of Assembly Bill No. 2816.

On motion of Mr. Baynham, Assembly Bill No. 2816 was withdrawn from the Committee on Public Morals, and re-referred to the Committee on Ways and Means.

Notice of Motion to Reconsider Assembly Bill No. 1624 Continued.

On motion of Mr. Patterson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1624 was refused passage was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 2678 Lapsed.

Mr. Dannenbrink's notice of motion to reconsider the vote whereby Assembly Bill No. 2678 was refused passage, lapsed.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Lore:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 2.1370 and 2.1371 of the School Code, relating to the State Board of Education.

Referred to Committee on Introduction of Bills.

By Mr. Clark:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the several counties and districts as defined herein, of the State of California, consisting of retirement compensation and death benefits.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Clark:

An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the several counties and districts as defined herein, of the State of California, consisting of retirement compensation and death benefits.

By Mr. Lore.

An act to amend sections 2.1370 and 2.1371 of the School Code, relating to the State Board of Education.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2830: By Mr. Lore—An act to amend sections 2.1370 and 2.1371 of the School Code, relating to the State Board of Education.

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2831: By Mr. Clark—An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the several counties and districts as defined herein, of the State of California, consisting of retirement compensation and death benefits.

Bill read first time, and referred to Committee on Civil Service.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 743.

Mr. Fulcher moved that the record be expunged, and the action rescinded whereby the Assembly on March 18, 1937, passed Assembly Bill No. 743, and that the bill be recalled from the Senate

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Third Reading of Senate Bills.

Senate Bill No. 433—An act to provide for the consolidation of Coachella Valley County Water District and Coachella Valley Storm Water District, and to provide for the carrying on of the functions of the consolidated district.

Motion to Amend Senate Bill No. 433.

Mr. Dilworth moved to amend Senate Bill No. 433 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "consolidation", and insert in lieu thereof the word "merger".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, following the word "provide", insert a comma and the following words: "for the validation of such merger and".

Amendment No. 3.

On page 1, line 4 of the title of the printed bill, strike out the words "consolidated district.", and insert in lieu thereof the words "districts so merged."

Amendment No. 4.

On page 1, line 2, of the printed bill, strike out the word "consolidated", and insert in lieu thereof the word "merged"; and in line 3, strike out the word "consolidated", and insert in lieu thereof the word "merged".

Amendment No. 5.

On page 1, line 4, of the printed bill, following the word "District.", add the following:

"Except as in this act expressly provided, said surviving district shall be in all respects operated, managed and governed and its directors and officers shall be elected or appointed and its revenues shall be raised and expended as now or hereafter provided in the County Water District Act, approved June 10, 1913, as amended, and acts amendatory thereof and supplementary thereto. Said surviving district shall be deemed a public agency of the State.

SEC. 2. Said surviving district shall comprise all lands now included within said county water district. Lands may be added to said surviving district or excluded therefrom in any manner, and with the same effect, as now or hereafter provided in said County Water District Act as amended, or acts amendatory thereof or supplementary thereto.

SEC. 3. The board of directors of said county water district and the board of trustees of said storm water district shall, not later than 60 days after this act takes effect, adopt like resolutions providing for giving a joint notice of an election to be held in said districts for the purpose of determining whether said districts shall be merged. Such notice shall state the purpose for which the election is to be held, describe the voting precincts, state the location of the polling place for each precinct, the name and position of each person appointed and election officer, the hours during which the polls will be open and the date on which the election will be held, which shall not be less than 30, nor more than 60 days following the first publication of such notice. Such notice shall be published in at least one newspaper of general circulation, published in said county water district, by three weekly publications preceding the election. Such notice shall also be posted in at least six public places in said county water district, three of which places shall be in said storm water district, not less than 20 days preceding the election. Affidavits of publication and posting of such notice shall be filed with the secretary of the board of directors of said county water district and shall be prima facie proof of the performance of the acts therein stated

SEC. 4. The board of directors of said county water district shall provide a ballot to be used at said election, upon which the proposition to be voted on shall be submitted in substantially the following form:

Shall Coachella Valley Storm Water District of Riverside County be merged into Coachella Valley County Water District, as provided in the act of the Legislature of California, known as the Coachella District Merger Act?

Opposite said proposition shall be the words "Yes" and "No" with a voting square opposite each.

Except as in this act expressly provided, the board of directors and officers of said county water district shall perform all necessary duties in connection with the holding of said election and determination of the result thereof. Said election shall be held, as nearly as may be, except as in this act expressly provided, in accordance with the provisions of the County Water District Act, as amended, for the holding of special elections. No sample ballot shall be required to be mailed to electors. All electors residing within said county water district shall be entitled to vote. The polls shall be kept open from seven o'clock a.m. to six o'clock p.m.

All expenses of said election shall be borne by said county water district. No informality or irregularity in the conduct of said election, or any proceeding relating thereto, not substantially and adversely affecting the legal rights of any person, shall be held to invalidate the merger of said districts. This act shall be given a liberal construction, for the purpose of sustaining any and all proceedings taken hereunder.

SEC. 5. At the close of the polls each board of election shall at once canvass the votes and declare the result and shall forward to the secretary of the board of directors of said county water district all ballots, official election returns and a certificate showing the number of votes cast for and against the proposition. At 10 o'clock a.m. on the Saturday next following said election the board of directors of said county water district and the board of trustees of said storm water district shall meet in joint session at the office of said county water district and shall jointly canvass the election returns as shown by said certificates. If upon such canvass it shall appear that a majority of the votes cast in each of said districts is in favor of the merger of said districts, then a certificate shall be made and signed by the president and secretary of the board of directors of said county water district and by the president and clerk of the board of trustees of said storm water district, stating that the proposition to merge said districts was approved by the electors. Said certificate shall be filed with the Secretary of State and thereupon said storm water district shall be deemed merged into said county water district. A certified copy of said certificate shall be recorded in the office of the county recorder of Riverside County and shall impart notice to all interested persons as to the result of said election and the merger of said districts. Said certificate shall be final and conclusive evidence, in the absence of actual fraud, that all steps necessary for the merger of said districts have been duly performed and that said districts have been duly merged.

If the proposition to merge said districts shall not be approved by a majority of the votes cast in each of said districts, said officers of said districts shall so certify and the certificate shall be filed in the office of the Secretary of State. A second election, called and held as herein provided, may be held not less than 6 months after the date of the first election, with like effect as such first election.

SEC. 6 The board of directors of said county water district may, at any time after the filing with the Secretary of State of the certificate provided for in section 6 of this act, bring an action in the superior court of Riverside County to determine the validity of the merger of said districts. Such action shall be in the nature of a proceeding in rem and jurisdiction of all parties interested may be had by publication of summons in three weekly issues of a newspaper of general circulation published in said county water district, such paper to be designated by said superior court. Jurisdiction shall be complete 15 days after the third publication of such summons as herein provided. Anyone interested may at any time before the expiration of said 15 days appear and by answer contest the validity of such merger. Such action shall be speedily tried and judgment rendered declaring such merger either valid or invalid. Either party may have the right to appeal to the Supreme Court at any time within 30 days after the rendition of such judgment, which appeal must be heard and determined within 60 days from the time the record on appeal is filed in said Supreme Court. The proceedings as to both trial and appeal shall conform substantially to the rules governing civil actions except as herein expressly provided. If no such proceeding shall have been brought by said board of directors, then at any time within 30 days after the filing with the Secretary of State of said certificate any one interested may bring an action in said superior court to determine the validity of such merger. The directors of said county water district and the trustees of said storm water district in office at the time of the merger shall be made parties defendant and service of summons shall be made on said directors and trustees personally. Any number of such actions pending at the same time shall be consolidated and tried together Such action shall be speedily tried with the right of appeal to either party within the time herein provided in the case of actions brought by said board of directors, and such appeal shall be heard and determined in like manner. No contest of the validity of such merger shall be commenced or prosecuted other than within the time and manner herein specified In any action provided for in this section all findings of fact of said board of directors or of said board of directors and board of trustees shall be conclusive in the absence of actual fraud.

SEC 7. From and after the merger of said districts the directors and officers of said county water district then in office shall constitute the directors and officers of said surviving district

SEC. 8 Said surviving district shall, in addition to the powers in this act conferred, have and exercise all powers, duties and functions of a county water district as now or hereafter provided in the County Water District Act as amended, and acts amendatory thereof and supplementary thereto, and in addition shall have and exercise all powers, duties and functions of a storm water district as now or hereafter provided in the Storm Water District Act of 1909, as amended The board of directors and officers of said surviving district shall, in addition to the

powers in this act conferred, perform all functions authorized or permitted to boards of directors and officers of county water districts and to boards of trustees and corresponding officers of storm water districts. In the case of conflict between said acts, the provisions of said County Water District Act, as amended, shall prevail.

SEC. 9. Said surviving district shall, by virtue of this act, immediately upon the merger of said districts, succeed to all properties, rights and contracts of each of said two districts. Immediately upon said merger of the said districts, said storm water district shall be deemed to be merged into said county water district and said storm water district shall for all purposes cease to exist, and the offices of its trustees and officers shall thereupon terminate.

SEC. 10. Nothing in this act contained shall be deemed to impair or adversely affect any right of any bondholder or creditor of said storm water district or said county water district. All outstanding bonded and other indebtedness of said storm water district and of said county water district at the time of such merger shall be deemed assumed by the surviving district and all such bondholders and creditors are authorized to enforce their rights as against the surviving district in like manner as might have been done against said storm water district or said county water district if this act had not been adopted.

The board of directors and officers of the surviving district shall perform all duties and functions of the board of trustees and corresponding officers of said storm water district relating to the assessment, levy and collection of taxes for the payment of all outstanding bonds and other indebtedness of said storm water district, in the same manner and at the same times as is provided in said Storm Water District Act of 1909, as amended, and all county officers and boards of supervisors shall likewise perform their functions and duties with relation to assessment, levy and collection of taxes for the payment of such bonds and other indebtedness as provided in said Storm Water District Act of 1909, as amended.

SEC. 11. Notwithstanding anything herein contained, said surviving district may provide for and carry on the construction, operation and maintenance of works, improvements and functions authorized by the Storm Water District Act of 1909, as amended, either in any mode or by any proceedings authorized in said act, or, as nearly as may be, in any mode or by any proceedings authorized for construction, operation and maintenance of any works, improvements or functions in the County Water District Act, as amended, and may raise funds for said purposes in any mode or manner authorized or permitted by either of said acts

SEC. 12. The present area of said storm water district shall be, and is constituted, an improvement district of said surviving district, designated "Storm Water Unit", and shall solely be and remain taxable or assessable for bonds, indebtedness, works, improvements and functions authorized by the Storm Water District Act of 1909, as amended. Lands may be added to or excluded from said storm water unit in any such manner, as nearly as may be, as lands are authorized to be added to or excluded from county water districts as now or hereafter provided in the County Water District Act, as amended, and not in the manner provided in the Storm Water District Act of 1909, as amended.

SEC. 13. All actions and proceedings pending by or against said storm water district at the time of such merger may be prosecuted to final judgment for or against said storm water district, or the surviving district may be substituted as a party, but no action or proceeding shall after such merger be brought for or against said storm water district or its trustees or officers. All actions and proceedings commenced after such merger, either on account of affairs of said storm water district or affairs of said county water district, shall be prosecuted by or against said surviving district.

SEC. 14. If any section, subsection, sentence, clause or phrase of this act, is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have adopted this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases of this act may be declared unconstitutional or invalid.

SEC. 15. This act shall be known and may be cited and referred to in any action, proceeding or legislative enactment as "Coachella District Merger Act".

Amendments adopted.

Senate Bill No. 433 ordered to reprint, and third reading.

Adjournment.

At five o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Thursday, April 8, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY
NINETY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 8, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assistant Clerk E. A. (Took) Berry at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Flint, the further reading of the Journal of Wednesday, April 7, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. George Ryder, Mrs. James Buckley, Mrs. James Dunn, Edward Dunn, Mrs Bert McMurray and Marylee McMurray.

On request of Mr. Hunt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Thomas McQuire of Los Angeles.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. R. Hinton of Sierra Madre.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Bruce Cooke Tom Mockler and Gustaf Wikstedt.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Carmel Arthur, and Doris Leipsic, teachers, and the following high and low eighth grade students of Sutter Junior High School: Barbara Bird, Helen Boyd, Indianola Bunch, Helen Cherny, Pearl Schiehl, Ottavia Simmons Betty Wehe, Alice Fisher, Lorraine Martin, Phyllis Conger, Angelina Cascio, Margaret Furchtenicht, Barbara Gross, Donda Hanley, Edith Legaard, Selina Norsworthy, Jeanne Riley, Virginia Rose. Donna Sayer, Barbara Turner, Helen Waite, Florence Wight, Leland Burger, Robert Breazile, Eugene Denison, Jimmie McFall, Jimmie Mussilani, Robert Pearce, Bud Sauze, Keith Stafford, Robert Vance, Gerald Vettel, Jack Wicks, Billy Wion, Jack Gledhill, Steve Salerno, Ernest Beard, Nick Calova, Robert Dodge, Joe Guerra, Fred Galvan, Robert Gaultney, Derold Johnston, Bobby Lottin, Darrell Petzwal, Richard Schiffner, Jack Smith, Jack Speich, Donald Thomas, Jim Weldon, Aubrey Whiddon, Stewart Yates, Carf Zazetta, Melville Knight, Gloria Russell, and Pearl Howard; and Mrs. Fern Bacon, teacher, Mrs. Wire, and Mrs. Sheldon, sponsors, and the following eighth grade students of Pacific School: Mildred Asoo, Pauline Canavan, Mary Campbell, Cora Hite, Mary Makino, Donald Jones, Joe Makishima, Jennie Manno, Jack Myers, John Nano, Isamu Nakao, Yasue Nishiyama, Tommy Ochipinti, Fumiko Sako, Isabelle Sheldon, George Stocking, Tom Swarowsky, Mamoru Taniguchi, Helen Wilson, and Clayton Wire; and Mr. Clayton, teacher and the following sixth and seventh grade students of Sylvan Grammar School: Shirley Dent, Lillian Elwell, Margaret Sherrill, Ollie Mae Fogle, Alice Freid, Mary Louise Fulkerson, Betty Hoshall, Alice McAdams, Mary McAdams, Johnye Mourfield, Rose Muschetto, Mary Tiffreau, Joyce Wanamaker, Nick Champlin, Robert Dunkeson, Leonard Filkill, Robert Findley, Mario Giusti, Dean Hart, Abraham Keller, Samuel Keller, Eugene Knight, Charles Lucas, Raymond Mooney, Lionel Pinola, Robert Root, Lester Smith, George Stoddard, Billy Strauch, Peggy Breuss, Jean Buckley, Louise Caldwell, Ruth Freid, Verle Ford, Dorothy Gibson, La Vonne Knutson, Loretta Pickett, Marie Randle, Betty Stanaland, Donald Boquist, Cecil Bowser, Ralph Dever, Noah Keller, Sam Leedy, Bob Lewis, Leslie McIntyre, Bill Mooney, Clinton Odell, Martin Vincent, and Wayne Ware; and Mrs. Ware, Mrs. Mooney, Mrs. Wanamaker, Mrs. Hart and Mr. Healy.

On request of Messrs. Beene and Cottrell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Ben S. Allen of Palo Alto.

On request of Mr. Lore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to delegates to California Assembly of Youth, representing 52 organizations, including Epworth League of California, Y. W. C. A., Y. M. C. A., Young Democrat and Young Republican Clubs, and student organizations of many schools and colleges.

On request of Mr. Boyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. U. Smith and K. V. Gragg of Los Angeles.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 428.
Assembly Bill No. 429.
Assembly Bill No. 1626.
Assembly Bill No. 2200.
Senate Bill No. 654.

Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Irrigation, to which was referred:
Senate Bill No. 495.

Respectfully reports the same back with the recommendation: Do pass.

GARLAND, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Irrigation, to which was referred:
Senate Bill No. 92.

Respectfully reports the same back without recommendation, as amended.

GARLAND, Chairman.

The above reported bill ordered on second reading calendar.

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred:
Assembly Bill No. 1591.

Respectfully reports the same back with the recommendation: Do pass.

GANNON, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
House Resolution No. 120.

Respectfully reports the same back with the recommendation: Be adopted as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on third reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:
Assembly Bill No. 1494.
Assembly Bill No. 647.

Respectfully reports the same back with the recommendation: Do pass.

HAWKINS, Chairman.

The above reported bills ordered on second reading calendar.

On Libraries.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Libraries, to which was referred:
Assembly Bill No. 35.

Respectfully reports the same back with the recommendation: Do pass.

JOHNSON, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 1572.
Respectfully reports the same back with the recommendation: Do pass as amended.
CLARK, Chairman.

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:
Assembly Bill No. 506.
Respectfully reports the same back with the recommendation: Do pass as amended.
HAWKINS, Chairman.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Assembly Bill No. 1268.
Assembly Bill No. 2814.
Senate Bill No. 945.
Respectfully reports the same back with the recommendation: Do pass.
LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:
Assembly Bill No. 1151.
Assembly Bill No. 1364.
Assembly Bill No. 2801.
Respectfully reports the same back with the recommendation: Do pass.
KING, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:
Assembly Bill No. 841. **Assembly Bill No. 2426.**
Assembly Bill No. 890. **Assembly Bill No. 2659.**
Respectfully reports the same back with the recommendation: Do pass as amended.
KING, Chairman.

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Senate Bill No. 434.
Respectfully reports the same back with the recommendation: Do pass as amended.
LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Assembly Bill No. 1670.
Respectfully reports the same back without recommendation, as amended.
LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 329. **Assembly Bill No. 1613.**
Assembly Bill No. 378. **Assembly Bill No. 1818.**
Assembly Bill No. 1191. **Assembly Bill No. 1939.**
Assembly Bill No. 1198. **Senate Bill No. 194.**
Respectfully reports the same back with the recommendation: Do pass.
ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Senate Bill No. 514.
Respectfully reports the same back with the recommendation: Do pass as amended.
ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 2622.
Respectfully reports the same back without recommendation, as amended.
ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 276.
Assembly Bill No. 278.
Assembly Bill No. 390.
Assembly Bill No. 1709.
Assembly Bill No. 1468.
Assembly Bill No. 2280.
Assembly Bill No. 2284.
Assembly Bill No. 2285.
Assembly Bill No. 2286.
Assembly Bill No. 2597.
Senate Bill No. 327.
Respectfully reports the same back with the recommendation: Do pass.
DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 259.
Assembly Bill No. 808.
Assembly Bill No. 1905.
Assembly Bill No. 1906.
Assembly Bill No. 2826.
Respectfully reports the same back with the recommendation: Do pass as amended.
DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 1477.
Assembly Bill No. 1651.
Assembly Bill No. 1652.
Assembly Bill No. 2374.
Assembly Bill No. 1653.
Respectfully reports the same back without recommendation, as amended.
DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Public Health & Quarantine, to which was referred:
Assembly Bill No. 778.
Respectfully reports the same back without recommendation, as amended.
MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:
Assembly Bill No. 406.
Assembly Bill No. 1343.
Assembly Bill No. 1210.
Assembly Bill No. 1213.
Assembly Bill No. 1215.
Assembly Bill No. 1216.
Assembly Bill No. 1221.
Assembly Bill No. 1208.
Assembly Bill No. 1729.
Assembly Bill No. 1726.
Assembly Bill No. 520.
Assembly Bill No. 521.
Assembly Bill No. 522.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 991—An act to add section 6105 to the Fish and Game Code, relating to steelhead trout;

Senate Bill No. 16—An act to amend sections 718 and 865 of the Fish and Game Code, relating to shad;

Senate Bill No. 534—An act adding section 1275.5 to the Fish and Game Code, relating to the possession of deer;

Senate Bill No. 1098—An act to add sections 1184 and 1417 to the Fish and Game Code, relating to the taking of birds;

Senate Bill No. 212—An act to add sections 875.5 and 1410.5 to the Fish and Game Code, relating to nets.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 991 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 16 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 534 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1098 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 212 read first time, and referred to Committee on Fish and Game.

SENATE CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, the following:

Assembly Bill No. 2794.
Assembly Bill No. 2100.
Assembly Bill No. 1207.
Assembly Bill No. 1222.
Assembly Bill No. 964.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business.

SENATE CHAMBER, SACRAMENTO, April 7, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to the following:

Assembly Concurrent Resolution No. 33.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Second Reading of Assembly Bills.

Assembly Bill No. 2057—An act to amend sections 794, 828, and 829 of the Agricultural Code, relating to the standardization of containers for cherries.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1370—An act to add a new section to the Agricultural Code, to be numbered 810.6, relating to the standardization of brussels sprouts.

Committee Amendment to Assembly Bill No. 1370.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 22, inclusive, and insert in lieu thereof the following:

"810.6. Brussels sprouts shall not be soft or spongy, and shall be free from mold, decay and from serious damage due to insects.

Not more than 10 per cent, by weight, of the sprouts in any one container or in bulk shall be below these requirements, and not to exceed one-half of this tolerance shall be allowed for any one cause.

All containers of brussels sprouts shall bear upon them in plain letters on one side or one end, the name of the person who first placed or authorized the placing in such containers of the brussels sprouts, or the name under which such person is engaged in business, together with a sufficiently explicit address as to permit ready location of such person."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 399—An act to amend section 1261 of the Agricultural Code, relating to produce dealers.

Committee Amendments to Assembly Bill No. 399.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "hay", insert a comma.

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, strike out "seeds,".

Amendment No. 3.

On page 5, line 30, of the printed bill, as amended, strike out "at the place", and insert in lieu thereof the following: "in the city or town in which is situated the business location of the licensee, or".

Amendment No. 4.

On page 5, line 32, of the printed bill, as amended, strike out the comma, and insert in lieu thereof a period.

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out all of line 33, and that portion of line 34 preceding the period.

Amendment No. 6.

On page 5, line 35, of the printed bill, as amended, strike out "of", and insert in lieu thereof the following: "or".

Amendment No. 7.

On page 7, line 42, of the printed bill, as amended, strike out "1935", and insert in lieu thereof the following: "1933".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1280—An act to add section 139.5 to the Agricultural Code, relating to the suppression of rodents, and to make an appropriation therefor.

Committee Amendments to Assembly Bill No. 1280.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, immediately preceding the word "rodents", insert the following: "field".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 9 to 12, inclusive, and insert in lieu thereof the following: "injurious to humans are harbored on such rodents, he shall forthwith advise the commissioner in the county concerned, whose duty it shall be to cooperate in suppressing such rodents, and the director shall cooperate in accordance with the provisions of section 34 for the purpose of suppressing such rodents on the reported".

Amendment No. 3.

On page 1, line 16, of the printed bill, immediately following the comma, insert the following: "in addition to existing appropriations,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 78—An act to amend section 479 of the Agricultural Code, relating to market milk.

Committee Amendment to Assembly Bill No. 78.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 2, of the printed bill, after the period, strike out the remainder of line 2, and all of lines 3, 4, 5 and 6.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 862—An act to amend section 488 of the Agricultural Code, relating to grade "A" milk.

Committee Amendment to Assembly Bill No. 862.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 11, 12, 13 and 14, and insert in lieu thereof the following:

"It shall be cooled immediately after being drawn from the cow to 50 degrees Fahrenheit or less and held to a temperature not above 60 degrees Fahrenheit until delivery to the pasteurizing plant."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 741—An act to regulate the practice of horology.

Committee Amendments to Assembly Bill No. 741.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 5, line 33, of the printed bill, strike out the period after "gist", and insert in lieu thereof the following: "or unless he has satisfactorily completed a prescribed course of special training under the Bureau of Vocational Rehabilitation, State Department of Education."

Amendment No. 2.

On page 5, line 36, of the printed bill, strike out the period after "apprenticeship", and insert in lieu thereof the following: "or the fact that he has completed a course of special training under the Bureau of Vocational Rehabilitation, State Department of Education."

Amendment No. 3.

On page 5, line 40, of the printed bill, strike out the period after "apprenticeship", and insert in lieu thereof the following: ", or a certificate of satisfactory completion of training from the Bureau of Vocational Rehabilitation, State Department of Education."

Amendment No. 4.

On page 7, line 2, of the printed bill, strike out "passage", and insert in lieu thereof the following: "effective date".

Amendment No. 5.

On page 8 of the printed bill, strike out lines 42 to 50, inclusive.

Amendment No. 6.

On page 10, line 41, of the printed bill, strike out "passage", and insert in lieu thereof the following: "effective date".

Amendment No. 7.

On page 5, line 10, of the printed bill, after the word "device", insert the following: "excepting however all mechanism or devices used in the recording or measuring the volume pressure, rate of flow or temperature of water, gas or electricity".

Amendment No. 8.

On page 4, between lines 35 and 36, of the printed bill, insert the following:

"Sec. 40.5. Expenses of the board in carrying out the provisions of this act shall be paid solely out of the moneys deposited in the "State Board of Horology fund," which fund is hereinafter created.

Amendment No. 9.

On page 4 of the printed bill, strike out lines 42 to 45, inclusive.

Amendment No. 10.

On page 6, line 13, of the printed bill, strike out the period after "instruction", and insert in lieu thereof the following: ", or a certificate of the Bureau of Voca-

tional Rehabilitation, State Department of Education, that he has qualified under its regulations for special training in horology."

Amendment No. 11.

On page 8, line 11, of the printed bill, after "of", insert the following: "the expiration of the period of".

Amendment No. 12.

On page 8 of the printed bill, strike out lines 15 to 20, inclusive.

Amendment No. 13.

On page 8 of the printed bill, strike out lines 29 to 35, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1936—An act to transfer the duties, powers, purposes, responsibilities, and jurisdiction of the Relief Commission and Relief Administrator to the Department of Social Welfare.

Committee Amendments to Assembly Bill No. 1936.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, strike out "Under", and insert in lieu thereof the following: "under".

Amendment No. 2.

On page 2, between lines 37 and 38, of the printed bill, as amended, insert the following:

"SEC. 4. The provisions of this act shall become operative and applicable commencing July 1, 1937."

Amendment No. 3.

On page 2, line 38, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "5".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 427—An act relating to the acquisition by the State of a site or sites in the city of Fresno, the erection thereon of a building or buildings to house all State offices and agencies, maintaining headquarters in that city, and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 427.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 13, of the printed bill, strike out "$750,000", and insert in lieu thereof the following: "$425,000".

Amendment No. 2.

On page 1, lines 14 and 15, of the printed bill, strike out "out of any money in the State Treasury not otherwise appropriated, to carry", and insert in lieu thereof the following: "for the Department of Finance to be expended by it in carrying".

Amendment No. 3.

On page 1, line 16, of the printed bill, after "act.", insert the following: "Of said sum of $425,000, the sum of $250,000 shall be paid out of any money in the State Treasury not otherwise appropriated and the sum of $175,000 shall be transferred in whole or in part from the special fund of any officer, board, commission or other agency of State Government maintaining headquarters in the city of Fresno, for which facilities may be provided under this act. The transfer to the State Department of Finance shall be made by the Controller upon the order of the Director of Finance approved by the Governor under the provisions of section 661 of the Political Code.

Any money derived from the rent or lease of space in the building or buildings acquired or constructed under the provisions of this act shall be credited to the special funds from which the transfers have been made in the same proportion as the transfer from each fund bears to the total amount of the transfers from all funds."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 827—An act to amend sections 510, 551, 552 and 1810 of the Labor Code and to add a new Chapter 2a, Part 2 of Division II, of the said codes, consisting of sections 620 to 623, inclusive, relating to hours of labor.

Committee Amendment to Assembly Bill No. 827.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 40, of the printed bill, at the end of the sentence, insert the following:

"This chapter and the provisions of Chapter 1 and 2 of Part 2 hereof shall not apply to any person driving a motor vehicle used in the transportation of persons or property as a common carrier for compensation when under the jurisdiction and subject to the rules and regulations of the Railroad Commission of the State of California or of the Interstate Commerce Commission."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1120—An act to amend section 552 of the Labor Code, relating to days of rest

Committee Amendment to Assembly Bill No. 1120.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "seven", add the following: "provided, however, that the provisions of this section shall not apply to any case of emergency".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1459—An act to amend section 552 of the Labor Code.

Committee Amendment to Assembly Bill No. 1459.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "seven", add the following: "provided however, that the provisions of this section shall not apply to any case of emergency".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1119—An act to amend section 1 of an act entitled "To provide for a day of rest from labor," approved February 27, 1893, relating to days of rest.

Committee Amendment to Assembly Bill No. 1119.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, after the word "to", insert the following: "at least".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 241—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Committee Amendment to Assembly Bill No. 241.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 28, of the printed bill, at the end of the sentence, strike out the period, and add the following: ", or (d) to any person driving a motor vehicle used in the transportation of persons or property as a common carrier for compensation when under the jurisdiction and subject to the rules and regulations of the Rail-

road Commission of the State of California or of the Interstate Commerce Commission."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 934—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 508—An act to add to the Labor Code sections 860, 861, 862, and 863, to be known as Chapter 7 of Part 2 of Division II thereof, relating to hours of labor of persons employed as personal or domestic workers and providing penalties.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1306—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2232—An act to amend section 1 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by the electors, November 4, 1924, relating to the State Athletic Commission.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2553—An act to add section 61.5 to the Alcoholic Beverage Control Act, relating to minors on premises where alcoholic beverages are sold or served.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 459—An act defining "slot machines" and requiring the regulation, supervision, and licensing thereof, and providing for the enforcement of this act, and providing penalties for the violations of the provisions hereof.

Committee Amendments to Assembly Bill No. 459.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 20, of the printed bill, strike out the blank, and insert in lieu thereof the following: "$50,000".

Amendment No. 2.

On page 3, line 21, of the printed bill, strike out "general", and strike out line 22, and insert in lieu thereof the following: "State Department of Social Welfare to be expended in carrying out the provisions of the Old Age Security Act of the State of California. The amount so allocated shall be in addition to any other appropriation made available to the State Department of Social Welfare for such purposes".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2428—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Committee Amendment to Assembly Bill No. 2428.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 7 of the printed bill, strike out lines 41 to 52, inclusive, and on page 8, strike out lines 1 to 39, inclusive, and insert in lieu thereof the following: "provided for herein; one-sixth of the balance of said fund to the Veterans' Home of California at Yountville for major construction; one-sixth to be allocated under the supervision of the Department of Finance to the wine and grape shows, festivals or fiestas within the several counties in the proportion which the vineyard acreage of the county in which such wine and grape show, festival or fiesta is conducted bears to the total acreage of vineyards within the State; provided that no such allocation shall be made to more than one show, festival or fiesta in any one county each year, and no allocation shall be made to any such show, festival or fiesta unless it shall have exhibited for at least one out of the preceding ten years, and shall from now on exhibit not less than three days each year; and provided that no such allocation shall exceed $25,000 to any one grape and wine show, festival or fiesta in any one year; and provided that if a surplus remains after all such allocations are made, the said surplus shall revert to the Department of Institutions of the State to be expended in accordance with the law under the supervision of the Department of Finance; no such grape and wine show, festival or fiesta promoted by private enterprise for personal gain may participate in the allocation of these funds; and the balance of said money to the Department of Institutions for construction, alteration, repair and maintenance of the buildings and grounds under the jurisdiction and control of the Department of Institutions to be expended in accordance with law under the supervision of the Department of Finance."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2462—An act to add section 682 to the Vehicle Code, relating to the compulsory inspection of vehicles.

Committee Amendments to Assembly Bill No. 2462.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after "State", insert the following: ", except vehicles owned by a passenger stage corporation which is subject to the provisions of the Public Utilities Act,".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 17 and 18, insert the following:

"(f) Notwithstanding the foregoing provisions of this section, the department shall permit any person, association, or corporation owning or operating more than fifteen motor vehicles and maintaining adequate facilities and equipment, to inspect such motor vehicles under such terms and conditions as the department shall prescribe."

Amendment No. 3.

On page 2, line 18, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof the following: "(g)".

Amendment No. 4.

On page 1, line 13, of the printed bill, as amended, after the period, insert the following: "As to motor vehicles owned by this State, the inspection herein required may be made and certificates that State-owned vehicles have passed such inspection tests may be issued by any shop operated by the State or any department thereof which is equipped to make such tests. Other vehicles exempt from the payment of registration fees may be inspected by the owner at testing stations established or maintained by such owner, provided the department determines that such stations are properly equipped to inspect such vehicles in the manner required by this section. Exempt vehicles must be made to conform to the standards prescribed for other motor vehicles by the department. In the event the department determines

that any testing station operated by any owner other than the State is not maintained and inspections made in the manner required by this section, the department may suspend or revoke the permission herein granted to conduct such testing station."

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 5 to 10, inclusive, and insert in lieu thereof the following:

"(d) For each semiannual inspection of a vehicle, except a vehicle exempt from the payment of registration fees, a fee of 50 cents shall be charged. The holder of a certificate of inspec-".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 65—An act to amend the "Retail Sales Tax Act of 1933," relating to definitions and exemptions.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 268—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1339—An act to amend section 26½ of the "Retail Sales Tax Act of 1933," relating to the preference of claims for personal services over claims for sales tax.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1396—An act to provide for the raising of public revenue by imposing a tax upon the gross receipts, to provide for the ascertainment, assessment, and collection of said tax, to provide for the creation of a State Department of Revenue to be charged with the administration of this act, to provide penalties for the violation of the terms of this act, and to provide that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1396.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "upon the", and insert in lieu thereof the following: "measured by".

Amendment No. 2.

On page 1, lines 3, 4 and 5 of the title of the printed bill, strike out the following: "to provide for the creation of a State Department of Revenue to be charged with the administration of this act,".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 25, inclusive, and insert in lieu thereof the following:

"SEC 2. The following words, terms and phrases when used in this act have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Person" includes any individual, firm, copartnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate, this State, any county, city and county, municipality, district or other political subdivision thereof, or any other group or combination acting as a unit.

(b) "Wholesaler" includes every person engaged in business within this State who makes the first sale or distribution of any tangible personal property within this State to any person, whether for resale or otherwise, and whether such property has been produced or manufactured in this State or not.

(c) "Sale" means any transfer of title or possession, or both, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property, for a consideration, and includes the fabrication of tangible personal property for consumers who furnish either directly or indirectly the materials used in the fabrication work.

(d) A "wholesale sale" or "sale at wholesale" means the first sale or distribution of any tangible personal property in this State by a wholesaler to any person, whether for resale or otherwise, and shall include the first sale or distribution in this State by a wholesaler of any tangible personal property previously shipped or imported into this State from another State or country.

(e) "Gross receipts" means the total amount of the wholesale sales of wholesalers, including any services that are a part of such sales, valued in money, whether received in money or otherwise, including all receipts, cash, credits and property of any kind or nature, and also any amount for which credit may be allowed by the wholesaler to the purchaser, without any deductions therefrom on account of the cost of the property sold, the cost of the materials used, labor or service cost, interest paid, losses or any other expenses whatsoever. Cash discounts allowed and taken on sales shall not be included, and "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit, nor shall "gross receipts" include the price received for labor or services used in installing, applying, remodeling or repairing the property sold.

For the purpose of this act, the total amount of the sale price above mentioned shall be deemed to be the amount received exclusive of the tax hereby imposed; but the wholesalers shall establish to the satisfaction of the board that the tax imposed hereunder has been added to the sale price and not absorbed by them.

(f) "Board" means the State Board of Equalization.

(g) "Tangible personal property" means personal property which may be seen, weighed, measured, felt, touched, or is in any other manner perceptible to the senses.

(h) "In this State" or "in the State" means within the exterior limits of the State of California and includes all territory within such limits owned by or ceded to the United States of America

SEC. 3. For the privilege of selling tangible personal property at wholesale on and after August 1, 1937, a tax is hereby imposed upon wholesalers at the rate of 3 per cent of the gross receipts of any such wholesaler from the sale of all tangible personal property sold at wholesale in this State on and after August 1, 1937. The tax shall be paid at the time and in the manner hereinafter provided and shall be in addition to any and all other taxes.

SEC. 4. In any case where tangible personal property is sold at wholesale under a contract made prior to the effective date of this act, which specifies and fixes the sale price and such sale is taxable under this act, the seller may add the tax imposed by this act to the sale price and collect it from the buyer.

SEC. 5. There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act the following:

(a) The gross receipts from sales of tangible personal property which this State is prohibited from taxing under the Constitution or laws of the United States of America or under the Constitution of this State.

(b) The gross receipts from the sales, furnishing, or services of gas, electricity, and water, when delivered to consumers through mains, lines or pipes.

(c) The gross receipts from the sale of gold bullion or gold concentrates or gold precipitates by the producer or refiner thereof.

(d) The gross receipts from sales of tangible personal property used for the performance of a contract on public works executed prior to the effective date of this act

SEC. 6. There is hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act, the gross receipts received from sales or distributions of motor vehicle fuel in this State subject to the tax imposed thereon under the provisions of the "Motor Vehicle Fuel License Tax Act," and not subject to refund

The tax by this act imposed upon those sales of motor vehicle fuel which are subject to tax and refund under the "Motor Vehicle Fuel License Act" shall be collected by the State Controller by way of deduction from refunds otherwise allowable under said act. The amount of such deductions, he shall transfer from the motor vehicle fuel fund to the wholesale sales tax fund.

This section is hereby declared to be separable and distinct from all other portions of this act, and shall not be deemed a consideration or inducement for the enactment of the whole or any portion of this act. If this section be for any reason declared invalid, the remainder of this act shall remain in full force and effect and shall be as completely operative as though this section had not been included herein.

SEC. 7. It shall be unlawful for any wholesaler to advertise or hold out or state to the public or to any customer, directly or indirectly, that the tax or any part thereof imposed by this act will be assumed or absorbed by him or that it will

not be added to the selling price of the property sold, or if added that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

SEC. 8. The tax hereby imposed shall be collected by the wholesaler from the purchaser in so far as the same can be done. This section is hereby declared to be separable and distinct from all other portions of this act, and shall not be deemed a consideration or inducement for the enactment of the whole or any portion of this act. If this section be for any reason declared invalid, the remainder of this act shall remain in full force and effect and shall be as completely operative as though this section had not been included herein.

SEC. 9. The tax levied hereunder shall be a direct obligation of the wholesaler and shall be due and payable in monthly installments on or before the tenth day of the month next succeeding each monthly period, the first of such monthly periods being the period commencing with August 1, 1937, and ending on August 31, 1937. The wholesaler shall on or before the tenth day of the month following the close of the first monthly period as above defined, and on or before the tenth day of the month following each subsequent monthly period, make out a return for the preceding monthly period in such form as may be prescribed by the board showing the gross receipts of the wholesaler, the amount of the tax for the period covered by such return and such information as the board may deem necessary for the proper administration of this act. The wholesaler shall deliver the return together with a remittance of the amount of the tax due to the office of the board. The board, if it deems it necessary in order to insure the payment of the tax imposed by this act, may require returns and payment of the tax to be made for other than monthly periods. Returns shall be signed by the wholesaler or his duly authorized agent but need not be verified by oath. Any wholesaler having cash and credit sales may report the same separately and upon making application therefor may obtain from the board an extension of time for the payment of taxes due on such credit sales. Any such extension shall be granted by the board pursuant to such rules and regulations as the board may from time to time prescribe. When any such extension is granted the wholesaler shall thereafter include in each monthly return as a separate item all collections made during the monthly period covered by the return from sales made on credit prior to said monthly period and shall pay the tax due on such collections in the same manner as though said collections resulted from a sale made in said monthly period. A sale on credit is deemed to include any and all conditional sales, lease contracts, and other deferred payment transactions.

SEC. 10. The board for good cause may extend for not to exceed 30 days the time for making any return required under the provisions of this act.

SEC. 11. The board, whenever it deems it necessary to insure compliance with the provisions of this act, may require any person subject to the tax imposed hereunder to deposit with it such security as the board may determine. The same may be sold by the board at public sale if it becomes necessary so to do in order to recover any tax, interest or penalty due. Notice of such sale may be served upon the person who deposited such securities personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the person at his address as the same appears in the records of the board. Upon any such sale, the surplus, if any, above the amounts due under this act shall be returned to the person who deposited the security.

SEC. 12. Thirty days after the effective date of this act, it shall be unlawful for any person to engage in or transact business as a wholesaler within this State, unless a permit or permits shall have been issued to him as hereinafter prescribed. Every person desiring to engage in or conduct business as a wholesaler within this State shall file with the board an application for a permit or permits. Every application for such a permit shall be made upon a form prescribed by the board and shall set forth the name under which the applicant transacts or intends to transact business, the location of the place or places of business, and such other information as the board may require. The application shall be signed by the owner if a natural person; in the case of an association or partnership, by a member or partner thereof; in the case of a corporation, by an executive officer thereof or some person specifically authorized by the corporation to sign the application, to which shall be attached the written evidence of his authority. Any person who engages in the business of selling tangible personal property at wholesale in this State without a permit or permits or after a permit has been suspended, and the officers of any corporation which shall so sell, shall be guilty of a misdemeanor.

SEC. 13. At the time of making such application, the applicant shall pay to the board a permit fee of one dollar for each permit, and the applicant must have a permit for each place of business.

SEC. 14. Upon the payment of the permit fee or fees herein required, the board shall grant and issue to each applicant a permit for each place of business within the State. A permit is not assignable and shall be valid only for the person in whose name it is issued and for the transaction of business at the place designated therein. It shall at all times be conspicuously displayed at the place for which issued.

SEC. 15. Permits issued under the provisions of this act shall be valid and effective without further payment of fees until suspended or revoked by the board.

The board shall charge a fee of one dollar for the renewal or issuance of a permit to a wholesaler whose permit has been previously suspended or revoked

SEC. 16. Whenever the holder of a permit fails to comply with any of the provisions of this act or any rules or regulations of the board prescribed and adopted under this act, the board upon hearing after giving ten days notice in writing of the time and place of the hearing to show cause why his permit should not be revoked, may revoke or suspend the permit.

SEC. 17. The burden of proving that a sale of tangible personal property was not a sale at wholesale shall be upon the person who made it. For the purpose of the proper administration of this act and to prevent evasion of the tax hereby imposed it shall be presumed that all gross receipts are subject to the tax hereby imposed until the contrary is established. If the board is not satisfied with the return and payment of tax made by any wholesaler, it is hereby authorized and empowered to make an additional assessment of tax due from such wholesaler based upon the facts contained in the return or upon any information within its possession or that shall come into its possession. The board shall give to the wholesaler written notice of such additional assessment, together with written notice of the time and place where the wholesaler may be heard on a petition by him for reassessment. Such notice may be served upon the wholesaler personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the wholesaler at his address as the same appears in the records of the board.

SEC. 18. If a wholesaler neglects or refuses to make a return and payment as required by this act, the board shall make an estimate based upon any information in its possession or that may come into its possession, of the amount of the gross receipts of the delinquent for the period in respect to which he failed to make return and payment, and upon the basis of said estimated amount compute and assess the tax payable by the delinquent, adding to the sum thus arrived at a penalty equal to 10 per cent thereof. Promptly thereafter the board shall give to the delinquent written notice of such estimate, tax and penalty, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 17 hereof. But the delinquent shall have the right to petition for reassessment of any such tax found, determined and declared by the board pursuant to and in accordance with the provisions of this section.

SEC. 19 Any tax assessed by the board under the provisions of sections 17 and 18 hereof, together with the penalty if any there be, shall be due and payable from the wholesaler to the board 15 days after the service upon the wholesaler of notice of the assessment of such tax.

SEC 20. Any wholesaler against whom an additional assessment is made by the board under the provisions of section 17 hereof, may petition for a reassessment thereof. Notice of intention to file such a petition or to appear and be heard shall be given by the wholesaler to the board prior to the time the additional assessment becomes due and payable. A petition for such a reassessment may be filed with the board on or before the date designated in the notice of such additional assessment as the time when the wholesaler may be heard on a petition by him for reassessment. Each such hearing shall be held at the time and place designated in such notice to the wholesaler, but the board shall have power to continue the same from time to time as may be necessary. Each such petition filed with the board shall set forth specifically and in detail the grounds upon which it is claimed the assessment is erroneous. If no petition for reassessment is filed with the board the wholesaler may nevertheless appear at the hearing and present his objections orally.

None of the provisions of this section shall be construed to accord to any wholesaler the right to petition for reassessment in a case of neglect or refusal upon his part to make a return within the time prescribed by this act or by the board under authority of this act.

SEC. 21. Except in the case of a fraudulent return, or neglect or refusal to make a return, every notice of additional tax proposed to be assessed hereunder shall be mailed to the wholesaler within two years after the return was filed.

SEC. 22. All taxes not paid to the board by the wholesaler on the date when the same become due and payable, shall bear interest in the rate of 12 per cent per annum from and after such date until paid.

SEC 23. If, in the opinion of the board, a tax has been computed in a manner contrary to law or has been erroneously computed by reason of a clerical mistake on the part of the board, such fact shall be set forth in the records of the board and the amount of the overpayment shall be credited on any taxes then due from the wholesaler under this act and the balance shall be refunded to the wholesaler or his successors, administrators, executors or assigns.

If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, the board shall certify to the State Board of Control the amount collected in excess

of what was legally due, from whom it was collected, or by whom paid, and if approved by that board the same shall be credited on any taxes then due from the wholesaler under this act and the balance shall be refunded to the wholesaler, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within six months from the date of overpayment

Every claim for refund must be in writing under oath and must state the specific grounds upon which the claim is founded

Any refund or any portion thereof which is erroneously made and any credit or any portion thereof which is erroneously allowed, may be recovered in an action brought by the Controller of the State in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California and such action shall be tried in the county of Sacramento unless the court with the consent of the Attorney General, orders a change of place of trial. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for

In the event that a tax has been illegally levied against a wholesaler the board shall certify such fact to the State Board of Control and said board shall authorize the cancellation of the tax upon the records of the board.

SEC. 24. If fraud or evasion on the part of a wholesaler is discovered by the board, it shall determine the amount by which the State has been defrauded, shall add to the amount so determined a penalty equal to 25 per cent thereof, and shall assess the same against the wholesaler. The amount so assessed shall be immediately due and payable.

SEC 25. The board shall report to the Controller every assessment made under this act, and he shall keep a record thereof.

SEC 26 In any case in which any tax, interest or penalty imposed under this act is not paid when due the board may file for record in the recorder's office of any county a notice of lien specifying the amount of the tax, interest or penalty due and the name of the wholesaler liable for the same. From the time of filing any such notice the amount of the tax specified in such notice shall have the force and effect of the lien of a judgment against the wholesaler named in said notice of lien for the amount specified in such notice. Such lien may be released by filing for record in the office of the county recorder of a release thereof executed by the board upon payment of the tax, interest and penalties or upon receipt by the board of security sufficient to secure payment thereof, but no such release shall be deemed a waiver of any tax, interest or penalty levied or assessed under this act and due and payable or to become due and payable by such wholesaler

If any wholesaler liable for a tax levied hereunder shall sell out his business or stock of goods or shall quit the business, he shall make a final return within 15 days after the date of selling or quitting business. His successor, if any, shall be required to withhold sufficient of the purchase money to cover the amount of such taxes and interest or penalties due and unpaid until such time as the former owner shall produce a receipt from the board showing that they have been paid, or a certificate stating that no taxes are due. If the purchaser of a business or stock of goods shall fail to withhold purchase money as above provided, he shall be personally liable for the payment of the taxes, interest and penalties accrued and unpaid on account of the operation of the business by the former owner.

In the event that any wholesaler is delinquent in the payment of the tax herein provided for the board may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such wholesaler or owing any debts to which such wholesaler at the time of receipt by them of such notice and thereafter any person not notified shall neither transfer nor make any other disposition of such credits, other personal property, or debts until the board shall have consented to a transfer or disposition, or until 20 days shall have elapsed from and after the receipt of such notice. All persons so notified must, within five days after receipt of such notice, advise the board of any and all such credits, other personal property or debts, in their possession, under their control or owing by them, as the case may be

At any time within three years after any wholesaler is delinquent in the payment of the tax herein provided for, the board may proceed forthwith to collect the tax due from the wholesaler in the following manner: The board shall seize any property, real or personal, of the wholesaler not exempt from execution under the provisions of section 690 of the Code of Civil Procedure, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent wholesaler in writing at least ten days before the date set for such sale by inclosing such notice in an envelope addressed to such wholesaler at his last known residence or place of business in this State, if any, and depositing the same in the United States mail, postage prepaid, and by publi-

cation for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county ten days prior to the date set for such sale. The said notice shall contain a description of the property to be sold, together with a statement of the amount of taxes, interest, penalties and costs, the name of the retailer, and the further statement that unless such taxes, interest and penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

At any such sale, the property shall be sold by the board in accordance with law and said notice, and the board shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest the interest or title of the wholesaler in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the retailer. If upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs due to the State from such wholesaler, any such excess shall be returned to the wholesaler, and his receipt therefor obtained; provided, however, that if any person having an interest or lien upon the property has filed with the board prior to any such sale notice of such interest or lien the board shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such wholesaler shall not be available, the board shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such wholesaler, his heirs, successors or assigns.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the board or Attorney General shall be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

SEC. 27. Every wholesaler shall keep such records, receipts, invoices and other pertinent papers in such form as the board may require.

The board or any person authorized in writing by it is hereby authorized to examine the books, papers, records and equipment and to investigate the character of the business of any wholesaler in order to verify the accuracy of any return made, or if no return was made by such wholesaler, to ascertain and assess the tax imposed by this act. The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of the provisions of this act in the collection of taxes, penalties and interest imposed by this act, and to that end may appoint, exempt from the provisions of the Civil Service Act, such accountants, auditors, investigators and assistants as it may deem necessary to enforce its powers and perform its duties under this act.

SEC. 28 It shall be unlawful for the board, or any person having an administrative duty under this act to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any wholesaler visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law provided, however, that the Governor may authorize examination of such returns by other State officers, by tax officers of another State, or the Federal Government, if a reciprocal arrangement exists, and any other persons the Governor may so authorize.

Any violations of the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding $1,000, or by imprisonment not exceeding one year, or both, at the discretion of the court.

SEC. 29. All fees, taxes, interest and penalties imposed under this act must be paid to the board in the form of remittances payable to the Treasurer of the State of California, and said board shall transmit such payments daily to the State Treasurer to be deposited in the State treasury to the credit of the "Wholesale sales tax fund," which fund is hereby created.

For expenditure by the board in carrying out the provisions of this act there is hereby appropriated a sum of money equal to $100,000 plus the amount of permit fees paid hereunder and 2 per cent, or so much thereof as may be necessary, of all other moneys deposited in the wholesale sales tax fund; said $100,000 being payable out of moneys in the general fund not otherwise appropriated, the remainder of the moneys hereby appropriated being payable out of the wholesale sales tax fund; provided, that, out of said 2 per cent of said other moneys deposited in the wholesale sales tax fund and on or before June 30, 1939, the sum of $100,000 shall be returned into the general fund. For expenditure by the Controller in carrying

out the provisions of this act there is hereby appropriated out of the wholesale sales tax fund the sum of $50,000 or so much thereof as may be necessary, and for expenditure by the State Treasurer in carrying out the provisions of this act there is hereby appropriated out of the wholesale sales tax fund the sum of $32,500 or so much thereof as may be necessary. The balance of the moneys in the wholesale sales tax fund shall, upon order of the State Controller, be drawn therefrom for the purpose of refunding to the wholesalers hereunder or be transferred to the general fund of the State.

SEC. 30. At any time within two years after the delinquency of any tax, the board may bring an action in a court of competent jurisdiction in the name of the people of the State of California to collect the amount delinquent, together with penalties. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may issue, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency and of compliance by the board with all the provisions of this act in relation to the computation and levy of the tax.

SEC. 31. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin under this act the collection of any tax sought to be collected; but after payment of any such tax under protest, duly verified and setting forth the grounds of objection to the legality of such tax, the wholesaler paying such tax may bring an action against the State Treasurer in a court of competent jurisdiction in the county of Sacramento for the recovery of tax so paid under protest. No such action may be instituted more than 60 days after the tax becomes due and payable, and failure to bring suit within said 60 days shall constitute waiver of any and all demands against this State on account of alleged overpayment of taxes hereunder. No grounds of illegality of the tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the tax.

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any taxes due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of 6 per cent per annum upon the amount of tax found to have been illegally collected from the date of payment of such tax to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than 30 days, such date to be determined by the Controller.

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any tax paid hereunder, when such action is brought by or in the name of an assignee of the wholesaler paying said tax, or by any person other than the person who has paid such tax.

SEC. 32. Any wholesaler failing or refusing to furnish any return hereby required to be made, or failing or refusing to furnish a supplemental return or other data required by the board, or rendering a false or fraudulent return, shall be guilty of a misdemeanor and subject to a fine of not exceeding $500 for each such offense.

Any person required to make, render, sign or verify any report as aforesaid, who makes any false or fraudulent return, with intent to defeat or evade the assessment required by law to be made, shall be guilty of a misdemeanor, and shall for each such offense be fined not less than $300 and not more than $5,000 or be imprisoned not exceeding one year in the county jail or be subject to both said fine and imprisonment in the discretion of the court.

SEC. 33. Any violation of the provisions of this act, except as otherwise herein provided, shall be a misdemeanor and punishable as such.

SEC. 34. The following acts are hereby repealed:

Retail Sales Tax Act of 1933, as amended; the repeal to take effect August 1, 1937

The Personal Income Tax Act of 1935;

An act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

But all taxes levied or assessed prior to August 1, 1937, under any of the acts hereby repealed shall remain fully collectible.

SEC. 35. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 728—An act to add a new section to be numbered 1685 to the Streets and Highways Code, relating to the allocation and

expenditure of motor vehicle fuel license tax moneys by boards of supervisors of counties having a registration therein of more than 750,000 motor vehicles.

Committee Amendment to Assembly Bill No. 728.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, between lines 9 and 10, insert the following:

"It shall be the duty of the legislative body of each said city, on or before the first day of June of each year, to prepare and to submit to the department a budget on such forms as the department may specify, showing the estimated expenditure of such funds proposed to be made during the ensuing fiscal year.

The department may refuse to approve any such budget or any item thereof, if in the opinion of the department the work proposed to be done or the expenditures proposed to be made, as outlined therein, do not comply with the requirements of law as to the purpose for which such funds may be expended. The department may also refuse to approve any such budget or any item thereof, if in the opinion of the department the proposed expenditure or expenditures are excessive for the work to be done. If in the opinion of the department funds, or any portion thereof, allocated to any such city pursuant to the provisions of this section, are unnecessary to serve traffic on the streets of such city or their proper maintenance, the department may so determine and so advise the board of supervisors of the county in which such city is situated, in which event the said board of supervisors may cancel the allocation or portions thereof and retain said funds in the county treasury for expenditure as otherwise authorized by law.

Any such city may contract with the department, the county, or any adjacent city for the performance by the department, the county or such city of any and all street work or the maintenance of streets within such city upon such terms as shall be mutually agreeable."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1874—An act to appropriate $45,000 of the moneys in the fish reduction privilege tax fund created by section 1019 of the Fish and Game Code, for the purpose of instituting and carrying on laboratory and scientific investigations relating to the keeping and transportation of fish without spoiling.

Committee Amendments to Assembly Bill No. 1874.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "Forty-five thousand ($45,000)", and strike out all of lines 2 and 3 of the title, and insert in lieu thereof the following: "Thirty thousand dollars ($30,000) from the fish and game preservation fund for the".

Amendment No. 2.

On page 1, lines 1 and 2, of the printed bill, strike out "Forty-five thousand dollars ($45,000)", and insert in lieu thereof the following: "Thirty thousand dollars".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "in the fish reduction privilege tax", and strike out all of line 4, and insert in lieu thereof the following: "derived under the provisions of Article 2, Chapter 5, Part 2, Division IV,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2078—An act to add section 793.5 to the Fish and Game Code, relating to abalones and prohibiting the taking thereof at any time in Fish and Game Districts 15, 16 or 17.

Committee Amendments to Assembly Bill No. 2078.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "add section 793 5 to", and insert in lieu thereof the following: "amend section 799 of".

Amendment No. 2.

On page 1, lines 2 and 3 of the title of the printed bill, strike out "and prohibiting the taking thereof at any time in Fish and Game Districts 15, 16 or 17".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 799 of the Fish and Game Code is hereby amended to read as follows:

799. Diving apparatus may not be used for the purpose of taking abalones in Districts 7, 10, 15, 16, 19, 20 and 20A."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1433—An act to amend section 15 of the Bank Act, relating to the escheat of bank deposits unclaimed for more than 20 years, and requiring the deposit thereof and the increase and proceeds thereof, with the State Treasurer and providing a penalty for failure to make such deposits.

Committee Amendments to Assembly Bill No. 1433.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"SEC. 15. All amounts of money and/or securities heretofore or hereafter".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out the comma after the word "account".

Amendment No. 3.

On page 1 of the printed bill, strike out line 6, and insert in lieu thereof the following: "thereof or the interest and which shall have remained".

Amendment No. 4.

On page 1 of the printed bill, strike out line 8, and insert in lieu thereof the following: "deposit or withdrawal,".

Amendment No. 5.

On page 3 of the printed bill, strike out line 7, and insert in lieu thereof the following: "office address of the depositor;".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2730—An act to amend section 104 of the Bank Act, relating to participation certificates.

Committee Amendments to Assembly Bill No. 2730.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, preceding the word "Any", insert the following: "(a)".

Amendment No. 2.

On page 1 of the printed bill, following line 24, insert the following:

"(b) The full legal title in such trust deed or mortgage and debt (hereinafter referred to as security) shall be held by the trust company issuing such certificates as trustee of an express trust, with all powers necessary to extend, renew, enforce, collect and liquidate the same, acquire title to the property covered thereby either through foreclosure or by voluntary conveyance; manage, lease, sell (either for cash or upon deferred payments), exchange, or otherwise realize upon such security or property and distribute the net proceeds thereof. All sums so realized shall, as and when received by said trustee, after payment of its compensation and all costs, charges and expenses, including brokers' commissions and advances for taxes and assessments, incurred or made in connection with the protection, administration and liquidation of said security or property, be distributed to the trusts or persons who are beneficiaries of said trust, as their interests may appear therein. The rights and interests therein of any such beneficiary failing to contribute on demand its or his pro rata of sums advanced, expended or required by said trust company in the protection, administration or liquidation of such trust shall be

subject to a lien for all sums, with legal interest thereon, advanced, expended or required for any of such purposes by such trustee or by any other beneficiary of such trust.

(c) Such trust in said security or property shall continue in such trust company so long as any of said certificates are outstanding, irrespective of any distribution of said certificates from the trust in which the same are held.

(d) The purpose of this section is to define and clarify the rights and obligations of trust companies and of all persons and trusts interested in participation certificates issued under subsection (a) of this section, whether heretofore or hereafter issued. If any provision herein shall be determined to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section. The Legislature hereby declares that it would have enacted this section and each subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more of the other subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1263—An act to amend section 61 of the "Bank Act," relating to legal investments for savings banks.

Committee Amendments to Assembly Bill No. 1263.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "section". and insert in lieu thereof the word "sections", and after the number "61," insert the following: "and 61a".

Amendment No. 2.

On page 2, line 7, of the printed bill, strike out the semicolon following the word "State", and insert in lieu thereof the following: ", or registered warrants of the State of California;".

Amendment No. 3.

On page 3 of the pinted bill, strike out lines 6 to 48, inclusive, and insert in lieu thereof the following:

"Home Loan Bank, or Consolidated Federal Home Loan Bank bonds or debentures issued by the Federal Home Loan Bank Board in accordance with the provisions of the Federal Home Loan Bank Act."

Amendment No. 4.

On page 7 of the printed bill, between lines 41 and 42, insert the following:

"(j) Bonds issued by any city or city and county, of this State having a population of not less than 25,000 according to the last Federal census, or by any department or board of any such city or city and county, which are payable solely and exclusively out of the revenues from a revenue-producing utility owned, controlled or operated by such city or city and county, or by any department or board thereof, where the net income, as hereinafter defined, from such utility first, for each of the five fiscal years next preceding the issuance and sale of such bonds, or for each of the five fiscal years next preceding application for certification of said bonds under the provisions of section 61a of this act, shall have amounted to at least all debt service requirements, including principal, interest and sinking fund requirements, in each of such fiscal years, respectively, on all funded indebtedness payable in whole or in part out of the revenues from such utility; second, for the last fiscal year of such period, or for 12 consecutive months in the 14 months next preceding application for certification of said bonds under the provisions of section 61a of this act, shall have amounted to at least one and one-half (1½) times the maximum annual interest charges in any fiscal year thereafter on all funded indebtedness so payable, outstanding at the end of such last fiscal year, or of such 12 months, and on all funded indebtedness so payable, evidenced by bonds or other evidences of indebtedness issued subsequently thereto, including bonds issued or to be issued, of the issue with respect to which application for certification is made; and third, if such last fiscal year, or such 12 months period, shall have amounted to at least the maximum annual debt service requirements in any such fiscal year thereafter on all such funded indebtedness.

The term "funded indebtedness," wherever used in this paragraph (j), shall include any general obligation bonds of such city, or city and county, to the payment of the principal or interest of which the revenues from any such utility are required to be applied pursuant to any charter or statutory provision or pursuant to the proceedings taken for the issuance of such general obligation bonds.

The term "net income" for the purposes of this paragraph (j) shall mean the balance of the revenues from such utility remaining after deducting therefrom all operation and maintenance charges directly applicable to such utility, taxes,

liability for the payment of which results from the ownership and operation of such utility, insurance, and all repair expenditures properly chargeable to income account in accordance with sound accounting practice, but before deducting depreciation, interest on funded indebtedness or amortization.

In determining the net income of any utility for the purposes of this paragraph (j) there shall be included the net income from property acquired within the period with respect to which the tests provided by this paragraph (j) are to be made, or acquired subsequently to such period, or to be acquired out of the proceeds of bonds of the issue with respect to which application for certification is made, adjusted, as nearly as practicable, to conform to the definition hereinabove set forth, for any portion of the period in question prior to such acquisition."

Amendment No. 5.

On page 8 of the printed bill, following line 31, insert the following:

"SEC. 2. Section 61a of the Bank Act is hereby amended to read as follows:

Sec. 61a. The Superintendent of Banks shall have power, when any issue of bonds or securities is presented to him for that purpose, to investigate and ascertain whether such bonds or securities come within and fully conform to all the requirements of paragraphs (d), (e), (f) or (g) of subdivision 6 of section 61 of this act, or of either of said paragraphs.

He may also investigate and ascertain for what period of time, and upon what conditions, any franchise granted to or held by any corporation issuing any such bonds or securities will remain in force, and any other facts or conditions bearing upon the value or sufficiency of such bonds. The Superintendent of Banks may accept and act upon the opinions and appraisements of any attorneys, engineers or appraisers which may be presented by such person or corporation, so applying, and the reports of any of the executive officers of the corporation issuing such bonds or securities, on any question of fact concerning or affecting such bonds or securities, the security thereof, the franchise conditions herein mentioned, or the financial condition of the corporation issuing the same. In lieu of or in addition to such opinions, appraisements and reports, the Superintendent of Banks may, if he deems proper, have any or all such matters passed upon and certified to him by attorneys, engineers, appraisers or accountants of his own selection at the expense of the applicant. If the Superintendent of Banks shall find from such investigation that the bonds or securities so presented come within and fully conform to all the requirements of any of said paragraphs of subdivision 6 of section 61 of this act, and is satisfied from such investigation as to such franchise conditions, he shall so certify unless for any reason he shall be of the opinion that such bonds are not a safe or proper investment for savings banks, and in such event or if such bonds shall fail to meet the requirements of this act such certificate must be refused. The Superintendent of Banks also shall have power to investigate and ascertain the status and sufficiency as investments for savings banks of any bonds or notes or obligations specified in paragraphs (a), (b), (c), (h), (i), and (j), of subdivision 6 of section 61 of this act. If upon such investigation it shall be determined in the opinion of the Superintendent of Banks that any bonds or notes or obligations specified in paragraphs (a), (b), (c), (h), (i), and (j), of subdivision 6 of section 61 of this act constitute a proper investment for savings banks he shall so certify.

Any certificate issued by the Superintendent of Banks under authority of the provisions of this section may be revoked at any time in his discretion. Any certificate issued in relation to notes or bonds of a railroad or other public utility corporation shall expire not later than three months after the end of the then current fiscal year of the corporation issuing such notes or bonds.

Any such certificate expiring may be renewed or extended by the Superintendent of Banks without application therefor from such corporation or other interested parties if he shall be satisfied that the notes or bonds referred to in said certificate are in conformity with the then requirements of section 61 of this act.

At the time when any person, district, or corporation presents for investigation or certification any issue of bonds or securities, such person, district or corporation shall pay to the Superintendent of Banks a fee in such amount as may be fixed by the Superintendent of Banks, which fee shall be delivered to the Treasurer of the State, who shall deposit the same to the credit of the State banking fund. The Superintendent of Banks shall keep an official list of all bonds and securities certified by him.

No provision of this act, and no act or deed, done or performed under or in connection therewith, and no finding made or certificate issued under any provision thereof, shall be held or construed to obligate the State of California to pay, or be liable for the payment of, or to guarantee in any manner whatsoever, the regularity or the validity of the issuance of any stock or bond certificate, or bond, note, or other evidence of indebtedness certified under any provision of this act, by the Superintendent of Banks.

It shall not be lawful for any individual, firm, association, bank, trust company, stock company, copartnership or corporation to advertise by newspaper or circular

or in any other manner that any securities are legal investments for savings banks in this State unless such securities are at the time of said advertisement legal investments for savings banks in this State, or to use any advertisement which might lead the public to believe that any securities conform to the requirements of law relating to investments by savings banks unless such advertisement shall have been approved in writing by the Superintendent of Banks prior to publishing, circulating or otherwise issuing the same. Any individual, firm, association, bank, trust company, stock company, copartnership or corporation who shall advertise any securities in violation of the provisions of this paragraph shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding $1,000 or by imprisonment in a county jail not exceeding one year or by both such fine and imprisonment."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1647—An act to amend section 135d of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2090—An act relating to certain State lands and the production and disposition of oil, gas, and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in conflict therewith, and making appropriations for carrying out its purposes.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 528—An act to establish a State park to be known as the "William Brown Ide Memorial Park" in the city of Red Bluff; authorizing the Department of Natural Resources to select and purchase suitable lands for such park, and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 120—An act relating to the electrification of fences.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 429—An act to amend sections 731, 732 and 733 of the Agricultural Code, relating to butter cutting and wrapping licenses.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 701—An act to amend sections 81 and 85 of the Agricultural Code, relating to district agricultural associations.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 308—An act to amend section 80 of the Agricultural Code, relating to agricultural districts.

Committee Amendments to Senate Bill No. 308.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after "districts", insert a comma and the following: "declaring the urgency of this act, to take effect immediately".

Amendment No. 2.

On page 2 of the printed bill, after line 46, insert the following:

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of section 1 of Article IV of the Constitution of California. A statement of the facts constituting such necessity is as follows:

The creation of a new agricultural district as provided in this act necessitates the immediate construction of facilities for the conduct of a fair in such district in order that safe and adequate facilities may be provided prior to the holding

of such fair. If this act does not go into effect until 90 days after the close of the session of the Legislature, it will not be possible to provide such safe and adequate facilities and to make the preparations which are necessary in order that a fair may be held in said agricultural district during the year 1937."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Notices of Motion to Reconsider Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr. Patterson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1624 was refused passage was continued until the next legislative day.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 962 was passed was continued until the next legislative day.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 963 was passed was continued until the next legislative day.

Re-reference of Assembly Bill No. 2007.

On motion of Mr. Robertson, Assembly Bill No. 2007 was withdrawn from the calendar, and re-referred to the Committee on Exhibitions and Fairs.

Third Reading of Assembly Bills.

Assembly Bill No. 1052—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and payment of the prevailing rate therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Crowley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, King, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Thorp, Turner, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—45.

NOES—Beene, Breed, Cottrell, Cunningham, Daley, Dilworth, Gannon, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Lyon, Martin, Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Scudder, Stream, Walker, and Watson—26.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1052.

Mr. Kepple gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1052 was this day passed.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 210.
Assembly Bill No. 1295.
Assembly Bill No. 1879.
Assembly Bill No. 1907.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 249.
Assembly Bill No. 722.
Assembly Bill No. 988.
Assembly Bill No. 1409.
Assembly Bill No. 2091.
Assembly Bill No. 2292.
Assembly Bill No. 2298.
Assembly Bill No. 508.
Assembly Bill No. 934.
Assembly Bill No. 1339.
Assembly Bill No. 1647.
Assembly Bill No. 2388.
Assembly Bill No. 2403.
Assembly Bill No. 2404.
Assembly Bill No. 2427.
Assembly Bill No. 2594.
Assembly Bill No. 2817.
Assembly Bill No. 2825.
Assembly Bill No. 2057.
Assembly Bill No. 2090.
Assembly Bill No. 2232.
Assembly Bill No. 2553.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Special Order.

The hour of two o'clock p.m., having arrived, the special order heretofore set for this hour was taken up.

Motion for Committee of the Whole.

On motion of Mr. Williamson, the Assembly resolved itself into a Committee of the Whole for the consideration of Assembly Bills Nos. 343 and 63, and Assembly Constitutional Amendments Nos. 11 and 12.

IN COMMITTEE OF THE WHOLE.

Honorable Gene Flint in the chair.

Assembly Bills Nos. 343 and 63, and Assembly Constitutional Amendments Nos. 11 and 12 considered.

On motion of Mr. Williamson, the committee did arise and report back to the Assembly.

IN ASSEMBLY.

Speaker Jones in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

GENTLEMEN: Your Committee of the Whole has considered Assembly Bills Nos. 343 and 63, and Assembly Constitutional Amendments Nos. 11 and 12, and respectfully reports the same back.

FLINT, Chairman.

Further Consideration of Special Orders Deferred.

On motion of Mr. Williamson, the further consideration of the special orders was deferred until this evening.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Dilworth:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 3630, 3651, 3655, and 3720 of the Political Code, relating to the assessment of property and collection of taxes.

Referred to Committee on Introduction of Bills.

By Mr. Kepple:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 11, 12, 20, 21 and 22 of the "General Cemetery Act" and adding section 21a thereto, relating to cemeteries and powers of cemetery corporations.

Referred to Committee on Introduction of Bills.

By Mr. Watson:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 35 of, and to add section 98 to, an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts, and to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved March 20, 1903, relating to drainage districts.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR SPEAKER Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Watson:

An act to amend section 35 of, and to add section 98 to, an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts, and to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved March 20, 1903, relating to drainage districts.

By Mr. Dilworth:

An act to amend sections 3630, 3651, 3655, and 3720 of the Political Code, relating to the assessment of property and collection of taxes.

By Mr. Kepple:

An act to amend sections 11, 12, 20, 21 and 22 of the "General Cemetery Act" and adding section 21a thereto, relating to cemeteries and powers of cemetery corporations.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, McMurray, Meehan, Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2832: By Mr. Watson—An act to amend section 35 of, and to add section 98 to, an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts, and to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved March 20, 1903, relating to drainage districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 2833: By Mr. Dilworth—An act to amend sections 3630, 3651, 3655, and 3720 of the Political Code, relating to the assessment of property and collection of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2834: By Mr. Kepple—An act to amend sections 11, 12, 20, 21 and 22 of the "General Cemetery Act" and adding section 21a thereto, relating to cemeteries and powers of cemetery corporations.

Bill read first time, and referred to Committee on Judiciary General.

Recess.

At five o'clock and forty-five minutes p.m., on motion of Mr. King, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2817—An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano.

Bill read third time.

Call of the Assembly.

Pending the announcement of the vote, Mr. Johnson moved a call of the Assembly.

Motion carried.

Time, eight o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Beene, Cunningham, Dannenbrink, Flint, Fulcher, Garibaldi, Hawkins, Heisinger, Johnson, Kuchel, Meehan, Pelletier, Richie, Voigt, and Mr. Speaker—15.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Further Proceedings Under Call of the Assembly Dispensed With.

At eight o'clock and thirty minutes p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Richie.

The roll of absentees was called, and Assembly Bill No. 2817 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Maloney, Martin, Meehan, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—55.

NOES—Donnelly, and Heisinger—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2269—An act to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929; to repeal School Code section 6.470-3; to amend section 6.474 of the School Code; and to add to Chapter VI of Part II of Division VI of the School Code a new article to be known as Article Ia, all relating to the purchase of supplies and equipment for school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 494—An act to amend the State Medical Practice Act, relating to the practice of medicine and surgery and other modes of treating the sick and the afflicted.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1244—An act to amend sections 2, 3, 4, 7, 8, 9, 10, 12, 18, 19, 20, 21, 23, 25, 26, 27, 32 and 34 of "The Personal Income Tax Act of 1935"

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon,

O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1245—An act to amend sections 4, 6, 8, 9, 12, 13, 14, 19, 20, 21, 23, 25, 27, 30 and 32 of, and to add a new section to be numbered 13 (a) to, the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 72—An act to amend section 132 of the Civil Code, relating to divorce.

Motion to Amend Assembly Bill No. 72.

Mr. Yorty moved to amend Assembly Bill No 72 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 132", and insert in lieu thereof the following: "sections 132 and 133".

Amendment No. 2.

On page 1 of the printed bill, as amended, after line 20, insert the following:

"SEC. 2. Section 133 of the Civil Code is hereby amended to read as follows:

133. Whenever either of the parties in a divorce action is, under the law, entitled to a final judgment, but by mistake, negligence or inadvertence the same has not been signed, filed or entered, if no appeal has been taken from the interlocutory judgment or motion for a new trial made, the court, on the motion of either party thereto or upon its own motion, may cause a final judgment to be signed, dated, filed and entered therein granting the divorce as of the date when the same could have been given or made by the court if applied for. Upon the filing of such final judgment, the parties to such action shall be deemed to have been restored to the status of single persons as of the date affixed to such judgment, and any marriage of either of such parties subsequent to three months after the granting of the interlocutory judgment as shown by the minutes of the court, and after the final judgment could have been entered under the law if applied for, shall be valid for all purposes as of the date affixed to such final judgment, upon the filing thereof."

Amendments adopted.

Assembly Bill No. 72 ordered to reprint, and re-engrossment.

Assembly Bill No. 883—An act to amend section 5090 of the Insurance Code, relating to county mutual fire insurers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 883.

Mr. Yorty gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 883 was this day passed.

Assembly Bill No. 2427—An act to repeal the Yacht and Ship Brokers Act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 26—Relative to urging that the wages of those people employed on work relief projects have their wages raised to the extent of the average increase in the cost of living.

Assembly Joint Resolution No. 26 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1949—An act to amend section 9 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to elections of members of board and its meetings.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. C. C. Cottrell in the Chair.

At eight o'clock and fifty minutes p.m., Hon. C. C. Cottrell, member of the Assembly from the Thirty-First District, in the chair.

Assembly Bill No. 2611—An act to amend section 690.11 of the Code of Civil Procedure, relating to the exemption of the earnings of judgment debtors for their personal services from execution or attachment.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At nine o'clock p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 308—An act to amend section 171a of the Penal Code, relating to the conduct of prisons, jails, and reformatories.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1488—An act to amend section 1440 of the Probate Code, relating to the appointment of guardians.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2472—An act to amend section 1431 of the Penal Code, relating to change of place of trial of criminal cases.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson,

Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 8—Proposed amendment to Article XIII of the Constitution, by adding section 1c thereto, relative to the San Francisco Bay Exposition.

Assembly Constitutional Amendment No. 8 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 18—Relative to memorializing the President and the Congress of the United States to amend the Social Security Act so as to enable such States as may desire to do so to bring the employees of such State and the employees of its counties, cities and other political subdivisions within the provisions of such act relating to old age benefits.

Assembly Joint Resolution No 18 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Assembly Bill No. 2473.

On motion of Mr. Cottrell, Assembly Bill No. 2473 was withdrawn from the calendar, and re-referred to the Committee on Judiciary Codes.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2791—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 17—Relative to memorializing Congress to enact legislation providing that patented inventions which are not commercially developed within two years after the issuance of the patents shall become the property of the United States Government.

Assembly Joint Resolution No. 17 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2387—An act to empower and authorize the institution of a suit and/or action against the people of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one Beesemeyer, and of men associated with him in the enterprise known and/or designated as the Guaranty Building and Loan Association, and/or waive the statute of limitations by the State of California.

Motion to Amend Assembly Bill No. 2387.

Mr. Lore moved to amend Assembly Bill No. 2387 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "to empower and authorize", and insert in lieu thereof the following: "authorizing the filing of claims with and".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "a suit or action", and insert in lieu thereof the following: "suits or actions".

Amendment No. 3.

On page 1, line 4 of the title of the printed bill, as amended, strike out "former"

Amendment No. 4.

On page 1, line 4 of the title of the printed bill, as amended, strike out "the".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out lines 5 to 8, inclusive, of the title, and insert in lieu thereof the following: "building and loan associations for the".

Amendment No. 6.

On page 1, line 9 of the title of the printed bill, as amended, strike out "such sum or sums of money", and insert in lieu thereof the following: "moneys".

Amendment No. 7.

On page 1 of the printed bill, as amended, strike out lines 10 to 16, inclusive, of the title, and insert in lieu thereof the following: "lost by such depositors by reason of theft of building and loan association funds, caused or contributed to by the negligence of any State officer or employee, limiting recovery thereunder, providing for the".

Amendment No. 8.

On page 1, line 17 of the title of the printed bill, as amended, after "allowance", insert the following: "out of such recovery".

Amendment No. 9.

On page 1, line 18 of the title of the printed bill, as amended, strike out "and to waive", and insert in lieu thereof the following: "waiving".

Amendment No. 10.

On page 1, line 19 of the title of the printed bill, as amended, strike out "by the State of Califor-".

Amendment No. 11.

On page 1 of the printed bill, as amended, strike out line 20 of the title, and insert in lieu thereof the following: ", and providing for service of process."

Amendment No. 12.

On page 2, line 1, of the printed bill, as amended, strike out "the words "former" ", and insert in lieu thereof a colon.

Amendment No. 13.

On page 2 of the printed bill, as amended, strike out lines 2 to 7, inclusive.

Amendment No. 14.

On page 2, line 8, of the printed bill, as amended, strike out "the individual, firm or corpora-", and insert in lieu thereof the following: "and describes a person, firm, association or corporation who, at the time of any act of negligence as hereinafter set forth, had or has to his, her, their or its credit funds on the books, records, or accounts of any building and loan association organized and operating under the laws of the State of California or which has been organized and has operated under the laws of the State of California, and who suffered or suffers loss of such funds or any portion of such funds by reason of any act or acts of theft by any officer or employee of such building and loan association continuing for a period of five years or more;

(b) A "trustee" denotes any person or persons who are legally appointed to, or any firm or corporation legally authorized to, take over and which has taken over the assets of any building and loan association organized and operating under the laws of the State of California, [or which has been organized and has operated under the laws of the State of California] for preservation, administration or liquidation of such assets on behalf of the depositors of such building and loan association;

(c) "Loss" denotes that amount represented by the ratio that the depositor's deposit bears to the total amount of the theft herein referred to."

Amendment No. 15.

On page 2 of the printed bill, as amended, strike out lines 9 to 47, inclusive.

Amendment No. 16.

On page 2 of the printed bill, as amended, strike out lines 48 and 49, and strike out lines 1 to 9, inclusive, on page 3, and insert in lieu thereof the following:

"SEC. 2 Any depositor who has heretofore suffered or shall hereafter suffer loss of funds on deposit with any building and loan association organized and operating under the laws of the State of California, or which has been organized and has operated under the laws of the State of California, shall have a claim against the people of the State of California in the amount of such loss, if such loss was caused or contributed to by the negligence of any officer or employee of the State in the examination of or in the failure over a period of five years or more, to adequately and completely examine, the books, records, and amounts of any such building and loan association, and to detect therefrom and report to the Building and Loan Commissioner any unconcealed theft of funds of such building and loan association, or his failure to adequately and properly perform any duty imposed upon him by law. Such claim shall be in addition to any other right or rights existing under and by virtue of the provisions of the Building and Loan Association Act and of Article IX, Chapter VII, Title I, Part III of the Political Code.

Sec. 3. The trustee, as herein defined, shall present all claims of the depositors for losses heretofore suffered to the State Board of Control in accordance with the provisions of sections 667 and 668 of the Political Code within six months

from the effective date of this act. The trustee, as herein defined, shall present the claims of the depositors for losses which may hereafter be suffered to the State Board of Control, in accordance with the provisions of sections 667 and 668 of the Political Code. For the purposes of this act, the trustee shall be considered as the claimant under the provisions of section 667 of the Political Code, and shall be considered as a person interested, under the provisions of section 668 of the Political Code

SEC. 4. Should any claim or claims be disapproved by the State Board of Control, the trustee is authorized, subject to the conditions expressed in section 668 of the Political Code, to bring suits or actions upon such claim or claims against the State and to prosecute such suits or actions to final judgment. The court trying any such suits or actions shall grant no recovery in excess of the total of such theft or thefts. In so far as the same are consistent with the provisions of this act, the provisions of section 668 of the Political Code shall govern and apply in any such suit or action. The court trying any".

Amendment No. 17.

On page 3, line 10, of the printed bill, as amended, after "such", insert the following: "suit or".

Amendment No. 18.

On page 3, line 11, of the printed bill, as amended, after "recovery", insert the following: "out of such recovery".

Amendment No. 19.

On page 3, line 12, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "5".

Amendment No. 20.

On page 3, line 14, of the printed bill, as amended, after "act", insert the following: "within six months from the effective date hereof".

Amendment No. 21.

On page 3, line 15, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "6".

Amendment No. 22.

On page 3 of the printed bill, as amended, after line 22, insert the following:

"SEC 7. If any section, subsection, clause, sentence or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional."

Amendments adopted.

Assembly Bill No. 2387 ordered to reprint, and re-engrossment.

Motion for Rush Order on Printing of Assembly Bill No. 2387.

On motion of Mr. Lore, Assembly Bill No. 2387 was sent to reprint with a rush order.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred: **Assembly Bill No. 258.**

Respectfully reports the same back with the recommendation: Do pass.

LYON, Chairman.

The above reported bill ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate of this day passed as a case of urgency, the following:

Senate Bill No. 55—An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, repealing section 1 of an act entitled "An act in relation to and regulating the commencement and continuation of proceedings

to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately," approved February 1, 1935, declaring the urgency hereof, and providing that it shall take effect immediately;

Senate Bill No. 310—An act to amend section 482 of the Fish and Game Code, relating to pollution of waters.

Senate Joint Resolution No. 16—Relative to memorializing the President and the Congress of the United States to enact legislation proposed by S4793 and HR12021, providing for the granting of aid by the Federal Government to the several States for the support of public education.

Senate Bill No. 456—An act to amend section 12974 of the Insurance Code, to repeal section 12975 thereof, and to add sections 12975 and 12975.5 thereto, all relating to the insurance fund in the State treasury, making an appropriation, and providing the same shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 55 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 310 read first time, and referred to Committee on Fish and Game.

Senate Joint Resolution No 16 read, and referred to Committee on Federal Relations.

Senate Bill No. 456 read first time, and referred to Committee on Insurance.

SENATE CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 314—An act to add a new article to Chapter IV of Part I of Division I of the School Code to be known as Article IV, relating to the supervision of the health of pupils enrolled in elementary schools;

Senate Bill No. 913—An act to add a new section to be numbered 32d to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures;

Senate Bill No. 878—An act to amend section 632 of the Agricultural Code, relating to samples;

Senate Bill No. 908—An act to amend sections 1299.18, 1300, 1300.3 and 1300.4 of the Agricultural Code, relating to processors of farm products;

Senate Bill No. 484—An act to amend section 10 of an act entitled "An act to provide for the incorporation and organization and management of bridge highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, relating to rules and regulations of said districts, the policing of the bridges and approaches thereto of such districts, the maintenance of directional signs in connection therewith, the maintenance of fire departments and towing and emergency service thereon, and the enforcement of liens by such districts;

Senate Bill No. 371—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business.

Senate Bill No. 458—An act to amend sections 1390, 1391, 1392, and 1399 of the Insurance Code, relating to insurance;

Senate Bill No. 464—An act to amend sections 1761, 1763, and 1766 of the Insurance Code, to repeal sections 1762, 1764, 1772, and 1773 thereof, and to add sections 1760.5 and 1775.5 thereto, all relating to insurance;

Senate Bill No. 470—An act to amend sections 945, 970, 973, 1644, 11016, 12356, 12357, and 12358 of the Insurance Code, and to add sections 939 and 1325.5 thereto, all relating to insurance;

Senate Bill No. 489—An act to add section 1703.5 to the Insurance Code, relating to agents for disability insurance;

Senate Bill No. 735—An act to amend section 1576 of the Penal Code, relating to the State prisons.

Senate Bill No. 166—An act to establish a California Agricultural Labor Relations Board for the mediation and arbitration of agricultural labor disputes and ancillary purposes, and to prescribe its powers and duties;

Senate Bill No. 827—An act to amend section 762 of the Probate Code of the State of California, relating to the sale of property belonging to an estate which is subject to any lien,

Senate Bill No. 207—An act to amend section 137 of the Fish and Game Code, relating to game refuges;

Senate Bill No. 196—An act to amend section 1151 of the Fish and Game Code, relating to use of lights;

Senate Bill No. 862—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class;

Senate Bill No. 1106—An act to amend section 737n of the Political Code, relating to counties of the twenty-eighth class;

Senate Bill No. 1113—An act to amend section 4253 of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class;

Senate Bill No. 1114—An act to add section 26 to an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purpose, and to create a board of police commissioners," approved April 26, 1927, relating to the dissolution of police districts;

Senate Bill No. 1119—An act to amend section 737q of the Political Code, relating to the salary of the judge of the superior court in and for the county of Lake;

Senate Bill No. 691—An act to amend section 4286 of the Political Code, relating to the compensation of county officers and their deputies, assistants and employees, and of jurors in counties of the fifty-seventh class;

Senate Bill No. 1037—An act to repeal and add Chapter 5, comprising sections 11910 to 12023, inclusive, of Part 3 of Division 2 of Insurance Code, relating to mutual workmen's compensation insurers.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 314 read first time, and referred to Committee on Education.

Senate Bill No. 913 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 878 read first time, and referred to Committee on Agriculture.

Senate Bill No. 908 read first time, and referred to Committee on Agriculture.

Senate Bill No. 484 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 371 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 458 read first time, and referred to Committee on Insurance.

Senate Bill No. 464 read first time, and referred to Committee on Insurance.

Senate Bill No. 470 read first time, and referred to Committee on Insurance.

Senate Bill No. 489 read first time, and referred to Committee on Insurance.

Senate Bill No. 735 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No 166 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 827 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 207 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 196 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 862 read first time, and referred to Committee on County Government.

Senate Bill No. 1106 read first time, and referred to Committee on County Government.

Senate Bill No. 1113 read first time, and referred to Committee on County Government.

Senate Bill No. 1114 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1119 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 691 read first time, and referred to Committee on County Government.

Senate Bill No. 1037 read first time, and referred to Committee on Insurance.

SENATE CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Pursuant to request transmitted by you this day I am returning herewith:

Assembly Bill No. 743.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on third reading calendar.

Third Reading of Senate Bills.

Senate Bill No. 33—An act to add section 23.1 and 23.2 to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to interest and charges.

Motion to Amend Senate Bill No. 33.

Mr. Lyon moved to amend Senate Bill No. 33 as follows:

Amendment No. 1.

On page 2, line 1 of the title of the printed bill, as amended, after "FOR", insert the following: "THE".

Amendment No. 2.

On page 2, line 4 of the title of the printed bill, as amended, after "FOR", insert the following: "THE".

Amendment No. 3.

On page 5, line 14, of the printed bill, as amended, strike out "assigned".

Amendment No. 4.

On page 6, line 1, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 5.

On page 6, line 2, of the printed bill, as amended, strike out "no", and insert in lieu thereof the following: "No".

Amendment No. 6.

On page 7, line 46, of the printed bill, as amended, strike out "effect", and insert in lieu thereof the following: "affect".

Amendment No. 7.

On page 7, line 49, of the printed bill, as amended, strike out "provision", and insert in lieu thereof the following: "provisions".

Amendment No. 8.

On page 8, line 44, of the printed bill, as amended, after "any", insert the following: "of the".

Amendment No. 9.

On page 9, line 15, of the printed bill, as amended, strike out "thereunder", and insert in lieu thereof the following: "hereunder".

Amendment No. 10.

On page 9, line 18, of the printed bill, as amended, strike out "thereunder", and insert in lieu thereof the following: "hereunder".

Amendment No. 11.

On page 11, line 8, of the printed bill, as amended, after "$50", insert a comma.

Amendments adopted.

Senate Bill No. 33 ordered to reprint, and third reading calendar.

Senate Bill No. 687—An act making an appropriation to the emergency fund specified in item 185 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved June 14, 1935, for the purposes therein specified, and declaring the urgency thereof.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 31, 1937.

To the Honorable Members of the Assembly, Sacramento, California.

Senate Bill No. 687—An act making an appropriation to the emergency fund specified in item 185 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved June 14, 1935, for the purposes therein specified, and declaring the urgency thereof.

In my opinion, said Senate Bill No. 687 constitutes an urgency bill within the meaning of that term as used in section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No 687 as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Senate Bill No. 687 read third time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Domhue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—59.

NOES—None.

Senate Bill No. 687 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Domhue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Haw-

kins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 34—An act to add section 3a to the Improvement Bond Act of 1915, relating to the rate of interest of bonds issued under the act.

Motion to Amend Senate Bill No. 34.

Mrs. Daley moved to amend Senate Bill No. 34 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out the word "five", and substitute in lieu thereof the word "six".

Amendment adopted.

Senate Bill No 34 ordered to reprint, and third reading calendar.

Senate Bill No. 35—An act to add section 3a to "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to the rate of interest on bonds.

Motion to Amend Senate Bill No. 35.

Mrs. Daley moved to amend Senate Bill No. 35 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the word "five", and substitute in lieu thereof the word "six".

Amendment adopted.

Senate Bill No. 35 ordered to reprint, and third reading calendar.

Senate Bill No. 36—An act to add section 60a to the Improvement Act of 1911, relating to the rate of interest of bonds issued under the act.

Motion to Amend Senate Bill No. 36.

Mrs. Daley moved to amend Senate Bill No. 36 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out the word "five", and substitute in lieu thereof the word "six".

Amendment adopted.

Senate Bill No. 36 ordered to reprint, and third reading calendar.

Resolution.

The following resolution was offered:

By Messrs. Johnson, Donihue, Dannenbrink, Breed, Cassidy, Meehan, and Miller, Miss Miller, and Mrs. Daley:

House Resolution No. 129.

WHEREAS, During the month of April, 1852, Mills College was founded in Benicia and was chartered in Oakland, California, at the same time in the history of this State that Benicia was selected as its Capital; and

WHEREAS, Mills College was founded for the purpose of affording education to the daughters of the California pioneers who were unable to attend the institutions of the eastern seaboard States; and

WHEREAS, During the intervening years Mills College has come to be the oldest fully-recognized college for women west of the Mississippi River, and now ranks second only to Mount Holyoke College among such colleges in the entire United States; and

WHEREAS, The graduates, faculty and friends of Mills College throughout the world are this month celebrating the eighty-fifth anniversary of their beloved Alma Mater; and

WHEREAS, This day marks the twenty-first anniversary of the administration of Aurelia Henry Reinhardt as the President of Mills College; and

WHEREAS, This Assembly recognizes the splendid efforts of the founders of Mills College and the valuable contribution which they and their successors, together with the thousands of splendid young women who constitute its devoted alumnae and student body, have offered to the Commonwealth of California; now, therefore, be it

Resolved, That the Assembly of the California Legislature, join in paying tribute to the founders of Mills College, expressing the hope that Mills College may long continue the enviable record that is its past, and that we do hereby congratulate Aurelia Henry Reinhardt upon the completion of her twenty-first year as President of Mills College; and be it further

Resolved, That a copy of this resolution be properly engrossed for presentation to Mills College.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 129, at this time, without reference to committee or calendar.

House Resolution No. 129 read, and adopted unanimously.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred the request of Mr. Turner that 500 copies of the report of the Assembly Interim Committee Investigating Horse Racing be printed as a separate document;

Respectfully reports the same back, and recommends that the request be granted.

PEEK, Chairman.

Motion to Adopt Report.

On motion of Mr. Turner, the above report was adopted.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 1463.

Respectfully reports the same back with the recommendation: Do pass as amended.

MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1650.
Assembly Bill No. 1917.
Assembly Bill No. 2014.
Assembly Bill No. 2062.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 124.
Assembly Bill No. 1094.
Assembly Bill No. 1305.
Assembly Bill No. 1412.
Assembly Bill No. 1518.
Assembly Bill No. 2148.
Assembly Bill No. 2495.
Assembly Bill No. 2496.
Assembly Bill No. 2498.
Assembly Bill No. 2662.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Motion to Adjourn Out of Respect.

Mr. Hunt moved that when the Assembly adjourn this day, it do so out of respect to the memory of the late Meredith P. Snyder, former Mayor of Los Angeles.

Motion carried.

Further Consideration of Special Orders.

Motion to Continue Special Order.

Mr. Lyon moved that the special orders set for two o'clock p.m., April 8th, be continued as special orders for two o'clock p.m., Tuesday, April 13th.

The roll was called, and the motion lost by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Cunningham, Daley, Dawson, Desmond, Donihue, Flint, Fulcher, Garibaldi, Garland, Heisinger, Hornblower, Hunt, King, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Richie, Sawallisch, Scudder, Tenney, Thorp, Turner, Walker, Weber, and Welsh—37.

NOES—Baynham, Beene, Breed, Clark, Cottrell, Crowley, Dannenbrink, Dilworth, Donnelly, Field, Gannon, Gilbert, Glick, Hawkins, Johnson, Kepple, Kuchel, Lore, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Rosenthal, Sheehan, Stream, Voigt, Watson, Williamson, and Mr. Speaker—34.

Motion to Adourn.

Mr. Lyon moved that the Assembly adjourn until the hour of eleven o'clock a.m., Friday, April 9th.

The roll was called, and the motion lost by the following vote:

AYES—Boyle, Burns, Hugh M, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Cunningham, Daley, Dawson, Desmond, Donihue, Flint, Garibaldi, Garland, Heisinger, Hornblower, Hunt, King, Latham, Laughlin, Leonard, Lyon, Maloney, McMurray, Meehan, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, and Turner—33.

NOES—Baynham, Beene, Breed, Clark, Cottrell, Crowley, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Gannon, Gilbert, Glick, Hawkins, Johnson, Kepple, Kuchel, Lore, Martin, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sheehan, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—38.

Third Reading of Assembly Bill No. 343.

Assembly Bill No. 343—An act, to be known as the Usury Law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, and providing penalties for the violation of the provisions hereof.

Motion to Amend Assembly Bill No. 343.

Mr. Gannon moved to amend Assembly Bill No 343 as follows:

Amendment No. 1.

On page 2 of the printed bill, between lines 31 and 32, insert a new section as follows:

"Sec. 4. These foregoing restrictions or provisions shall not, however, apply to any class of lenders of money which now are, or which may hereafter be, regulated by any special act of the Legislature."

Amendment No. 2.

On page 2, line 32, of the printed bill, strike out the word and figure: "Sec. 4", and insert in lieu thereof, the new number of section as follows: "Sec. 5."

Amendment read, and refused adoption by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Cronin, Gannon, Garibaldi, Garland, Heisinger, Hunt, Kepple, King, Latham, Lyon, Martin, Scudder, and Weber—17.

NOES—Baynham, Beene, Breed, Cassidy, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kuchel, Laughlin, Leonard, Lore, Maloney, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—49.

Motion to Amend Assembly Bill No. 343.

Mr. Turner moved to amend Assembly Bill No 343 as follows:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "12", and insert "10".

Amendment No. 2.

On page 1, line 17, of the printed bill, strike out "12", and insert "10".

Amendment read, and refused adoption by the following vote:

AYES—Burns, Hugh M., Call, Cassidy, Dawson, Desmond, Dilworth, Donihue, Donnelly, Garibaldi, Garland, Gilbert, Heisinger, Latham, Laughlin, Lore, McMurray, Patterson, Reaves, and Turner—19.

NOES—Baynham, Beene, Breed, Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Field, Flint, Fulcher, Gannon, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—47.

Motion to Amend Assembly Bill No. 343.

Mr. Garibaldi moved to amend Assembly Bill No. 343 as follows:

Amendment No. 1.

On page 1, line 12, of the printed bill, after the word "writing", add the following: "No person, association, copartnership or corporation shall, by charging any brokerage fee, bonus, commission, discount or other compensation, receive from a borrower more than the rate of interest set out above".

Demand for Previous Question.

Messrs. Dannenbrink, Miller, Weber, Reaves, and Muldoon demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Daley, Dawson, Desmond, Dilworth, Donihue, Flint, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, McMurray, Meehan, Patterson, Reaves, Richie, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Weber, Welsh, and Mr. Speaker—42.

NOES—Baynham, Breed, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Donnelly, Field, Fulcher, Gannon, Hawkins, Johnson, Kepple, Kuchel, Martin, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Rosenthal, Sheehan, Voigt, Watson, and Williamson—29.

Request for Unanimous Consent.

Mr. Williamson asked for unanimous consent to take up Assembly Bill No. 343, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Mr. Hunt withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Williamson moved that the Rules be temporarily suspended for purpose of considering Assembly Bill No. 343, as amended, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—Call, Flint, Garland, Heisinger, Hunt, King, Laughlin, and Lyon—8.

Consideration of Assembly Bill No. 343, as Amended.

Assembly Bill No. 343—An act, to be known as the Usury Law, relating to the rate of interest which may be charged for the loan or

forbearance of money, goods or things in action, or on accounts after demand, or on judgments, and providing penalties for the violation of the provisions hereof.

Assembly Bill No. 343, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—67.

NOES—Call, and Lyon—2.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 343.

Mr. Clark gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 343 was this day passed.

Consideration of Assembly Constitutional Amendment No. 11.

Assembly Constitutional Amendment No. 11—Proposed amendment to Article XX of the Constitution, repealing section 22 thereof, relative to the rate of interest.

Assembly Constitutional Amendment No. 11 read, and adopted by the following vote:

AYES—Bayuham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 11.

Mr. Clark gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 11 was this day passed.

Consideration of Assembly Constitutional Amendment No. 12.

Assembly Constitutional Amendment No. 12—Proposed amendment to Article XX of the Constitution, adding section 23, relative to the legal rate of interest.

Assembly Constitutional Amendment No. 12 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 12.

Mr. Clark gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 12 was this day passed.

Consideration of Assembly Bill No. 63.

Assembly Bill No. 63—An act to prescribe and fix the maximum legal rate of interest and other compensation on loans or forbearances of any money, goods or things in action, or on accounts after demand or judgment, and to provide penalties for the violation hereof.

Motion to Continue Special Order.

Mr. Welsh moved that the further consideration of Assembly Bill No. 63, be made a special order of business for Friday, April 9, 1937, at eleven o'clock a.m.

The roll was called, and the motion lost by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Corwin, Cronin, Crowley, Dawson, Desmond, Dilworth, Donihue, Flint, Fulcher, Garibaldi, Heisinger, Hornblower, Leonard, Lore, Maloney, McMurray, Miller, Eleanor; Muldoon, Pelletier, Peyser, Reaves, Richie, Sawallisch, Sheehan, Thorp, Turner, Voigt, Weber, Welsh, and Williamson—32.

NOES—Baynham, Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Donnelly, Field, Gannon, Garland, Gilbert, Glick, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lyon, Martin, Meehan, Miller, George P., Morgan, Patterson, Peek, Rosenthal, Scudder, Stream, Walker, Watson, and Mr. Speaker—37.

Motion to Adjourn.

Mr. Latham moved that the Assembly adjourn until the hour of eleven o'clock a.m., Friday, April 9, 1937.

The roll was called, and the motion lost by the following vote:

AYES—Breed, Call, Corwin, Cronin, Cunningham, Daley, Dilworth, Donihue, Flint, Garibaldi, Garland, Gilbert, Heisinger, Hunt, Latham, Lyon, Martin, McMurray, Miller, Eleanor; Scudder, Thorp, Walker, and Welsh—23.

NOES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Donnelly, Field, Fulcher, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Voigt, Watson, Weber, Williamson, and Mr. Speaker—45.

Point of Order.

Mr. Lyon arose to the following point of order: That the hour of twelve o'clock p m., having arrived, the Assembly was into another legislative day.

Ruling on Point of Order.

The Speaker ruled that the point of order was not well taken.

Appeal from Decision of the Chair.

Mr. Welsh appealed from the decision of the Chair.

Decision of Chair Sustained.

The roll was called, and the decision of the Chair was sustained by the following vote:

AYES—Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Turner, Voigt, Walker, Watson, Weber, and Williamson—56.

NOES—Andreas, Boyle, Breed, Corwin, Dawson, Dilworth, Garland, Latham, Lyon, Stream, Thorp, and Welsh—12.

Motion to Amend Assembly Bill No. 63.

Mr. Yorty moved to amend Assembly Bill No. 63 as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "ten", and insert in lieu thereof the following: "twelve".

Amendment No. 2.

On page 1, line 10, of the printed bill, strike out "ten", and insert in lieu thereof the following: "twelve".

Amendments read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—Andreas, Dilworth, Garland, Heisinger, Patterson, Reaves, and Turner—7.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 63, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Mr. Hornblower withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Johnson moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 63, as amended, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—Andreas, Boyle, Call, Dilworth, Garland, Heisinger, Hornblower, Lyon, Scudder, and Sheehan—10.

Consideration of Assembly Bill No. 63, as Amended.

Assembly Bill No. 63—An act to prescribe and fix the maximum legal rate of interest and other compensation on loans or forbearances of any money, goods or things in action, or on accounts after demand or judgment, and to provide penalties for the violation hereof.

Assembly Bill No. 63, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—62.

NOES—Call, Garland, Heisinger, and Lyon—4.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 63.

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 63 was this day passed.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 722 re-referred to Committee on County Government.

Assembly Bill No. 2014 re-referred to Committee on Education.

Assembly Bill No. 1305 re-referred to Committee on Public Morals.

Assembly Bill No. 2062 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2148 re-referred to Committee on Judiciary Codes.

Assembly Bill No 1518 re-referred to Committee on Unemployment.

Assembly Bill No. 2495 re-referred to Committee on Unemployment.

Assembly Bill No. 2496 re-referred to Committee on Unemployment.

Assembly Bill No 2498 re-referred to Committee on Unemployment.

Adjournment.

At eleven o'clock and forty minutes p m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late Hon. Meredith P. Snyder, former Mayor of Los Angeles, until eleven o'clock a.m., Friday, April 9, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SIXTH LEGISLATIVE DAY
NINETY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 9, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assistant Clerk E. A. (Took) Berry at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—74.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Millington, the further reading of the Journal of Thursday, April 8, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Levey, on motion of Mr. Dawson.

Mr. Call, on motion of Mr. Meehan.

Mr. Donnelly, on motion of Mr. Mayo.

Mr. Cronin, on motion of Mr. McMurray.

Mr. Corwin, on motion of Mr. Stream.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Ada Morris, Suzanne Smith, Frances Glicksman, Jacqueline Morris, Clare Willow Morris, Richard Stockton, and Albert Altman.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Gretchen Boyd, Miss Betty Reynolds, Phil Blank, and Emil Barish.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Garland, mother of Assemblyman Garland.

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Douglas Bryan and Mr. Hal Boettcher of Stanford University.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Grayson M. McCarty, publisher of Altadena Press.

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From several organizations, urging pardon of Thomas J. Mooney.
From several persons, urging support of Assembly Bill No. 1472.

Second Reading of Assembly Bills.

Assembly Bill No. 428—An act to add a new section to the School Code to be numbered 4.192, relating to the insuring of employees of county superintendents of schools against liabilities imposed by law.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 429—An act to amend sections 5.210 and 5 212 of the School Code, relating to examinations by county boards of education of applicants for elementary teaching certificates.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1626—An act to amend section 5.124 of the School Code, relating to the teaching force of the public schools.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2200—An act to amend section 2.972 of the School Code, relating to compensation for members of city boards of education in school districts situated wholly or partly within cities of the first and one-half class.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1494—An act to amend section 2 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 647—An act to amend section 9 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the definition of employers and employees subject to the act.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 35—An act to amend section 2995a of the Political Code, relating to reports and publications furnished to the State Library.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1572—An act to add section 5 406a to the School Code, relating to the employment of teachers and principals

Committee Amendments to Assembly Bill No. 1572.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after "contract", insert the following: "or contracts".

Amendment No. 2.

On page 1, line 6, of the printed bill, after the comma which follows "employment", insert the following: "with one or more school districts, where:

(a) The total annual compensation under such contract or under all of such contracts amounts to the sum of $1,350 or more, and

(b) The average daily attendance of one or more of the school districts with which such teacher has a contract is more than 850.".

Amendment No. 3.

On page 1, line 7, of the printed bill, after "contract", insert the following: "or any such contracts,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 506—An act to amend section 9 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the definition of the term "employer."

Committee Amendments to Assembly Bill No. 506.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "means", insert a colon.

Amendment No. 2.

On page 1 of the printed bill, strike out lines 4 to 26, inclusive, and strike out lines 1 to 4, inclusive, on page 2, and insert in lieu thereof the following:

"(a) Any employing unit, on and after January 1, 1938, which for some portion of a day, but not necessarily simultaneously, in each of 20 different weeks, whether or not such weeks are or were consecutive, has within the current calendar year or had within the preceding calendar year in employment one or more individuals, irrespective of whether the same individuals are or were employed in each such day;

(b) Any individual or employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this act;

(c) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another employing unit not an employer subject to this act and which if subsequent to such acquisition it were treated as a single unit with such other employing unit, would be an employer under subdivision (a) of this section;

(d) Any employing unit which, having become an employer under this act has not, under section 9.7, ceased to be an employer subject to said act,

(e) "Employing unit," as used in this act, means any individual or type of organization, including any partnership, association, trust, estate, joint stock company, insurance company or corporation, whether domestic or foreign, or the receiver trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has subsequent to January 1, 1937, in its employ one or more individuals performing services for it within this State. All individuals performing services within this State for any employing unit which maintains two or more separate establishments within this State shall be deemed to be employed by a single employing unit for all the purposes of this act.

Each individual employed to perform or to assist in performing the work of any individual employed by an employing unit shall be deemed to be employed by such employing unit for all the purposes of this act, whether such individual was hired or paid directly by such employing unit or by such individual so employed, providing the employing unit had actual or constructive knowledge of the work."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1268—An act to amend section 3 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in

counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2814—An act to add section 4020.5 to the Political Code, relating to coroners.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1151—An act to amend section 76 of the Improvement Act of 1911, relating to the treasurer's list of bonds upon which payments have not been made and to notice of delinquency.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1364—An act to amend section 8a of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such county officers for the services so rendered to such municipal corporations," approved May 27, 1895 (Statutes 1895, p. 219), relating to manner of making redemption of property sold to cities for nonpayment of taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2801—An act to add section 59a to, and to amend sections 62, 63 and 64 of, the Improvement Act of 1911, relating to bonds and assessments.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 841—An act to amend section 5 of an act entitled "An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, providing for the adoption of the merit system by the governing boards of such districts.

Committee Amendments to Assembly Bill No. 841.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "to add section 5b to, and".

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 36 to 52, inclusive.

Amendment No. 3.

On page 3 of the printed bill, strike out all of lines 1 to 21, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 890—An act to amend section 1 of an act entitled "An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately," approved February 1, 1935, relating to the foreclosure of special assessment bonds.

Committee Amendments to Assembly Bill No. 890.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended, after the word "case", insert the following: "(a)".

Amendment No. 2.

On page 2, line 13, of the printed bill, as amended, after the word "delinquent", insert a comma and the following: "or (b) where any installment of county or city taxes for the fiscal year 1936-37 or any succeeding year is delinquent".

Amendment No. 3.

On page 2 of the printed bill, as amended, between lines 44 and 45, insert the following paragraph:

"Whenever interest is paid as authorized in this section upon any bond which does not provide for penalties for delinquencies in the payment of principal and interest, then and in that event, when, at any subsequent time, any installment of principal is paid, such payment must be accompanied by the payment of interest upon such installment of principal at the rate named in the bond from the date when such payment of principal became due to the date of actual payment, and the amount of such interest so paid shall be paid to the holder of the bond at the time when he surrenders the coupon on the bond for the installment of principal so paid. In all cases in which the interest coupons attached to any such bond (that is to say, a bond which does not provide for penalties for delinquency in the payment of principal or interest) have heretofore been paid but there still remains for payment one or more installments of principal upon such bond, then, and in that event, from and after July 1, 1937, the provisions of this act shall only be applicable to such bonds if there shall be paid to the officer charged with the duty of receiving payment on account of such bond, interest at the rate named therein, on the amount of the unpaid principal from the date such principal became delinquent, to said first day of July, 1937, and after said date, by the payment of semiannual interest at the rate named in the bond, upon the amount of unpaid principal upon such bond, computed from said first day of July, 1937, or from the last date to which any such interest was paid, as the case may be. Such interest shall be paid on or before the first day of January and July respectively, and upon such payment the provisions of this act shall be applicable to such bond until, but not beyond, the due date for the next payment of such interest, as hereinabove provided."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2426—An act to add a new section to be numbered section 12a to an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the laying out, opening, extending, widening, straightening or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, relating to assessments and bonds.

Committee Amendments to Assembly Bill No. 2426.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike line 14 of the title, and insert in lieu thereof the following: "relating to reassessment procedure and relief from special assessments."

Amendment No. 2.

On page 2, line 6, of the printed bill, strike out the words "for aiding the work".

Amendment No. 3.

On page 2, line 29, of the printed bill, strike out the word "If", and also strike out all of lines 30 to 34, both inclusive, and insert in lieu thereof the following. "The notice shall contain a reference to the original assessment and diagram and reference shall also be made to the".

Amendment No. 4.

On page 2, line 36, of the printed bill, strike the period following the word "particulars", and insert in lieu thereof a comma and the following: "As to the extent of the district affected by these proceedings and for all other particulars".

Amendment No. 5.

On page 2, line 36, of the printed bill, strike out "Such notice shall be published for five (5) inser-", and also strike out all of line 37, and all of line 38 down to and including the word "frequently".

Amendment No. 6.

On page 2, line 42, of the printed bill, strike out "When such reassessment shall have been"; also strike out all of lines 43 and 44, and all of line 45 down to and including the period following the word "reassessment", and insert in lieu thereof the following: "When the city council is satisfied with the correctness of the reassessment it shall confirm the same."

Amendment No. 7.

On page 3, line 3, of the printed bill, after the word "collectible", insert the word "by".

Amendment No. 8.

On page 3, line 3, of the printed bill, after the word "payable", insert the following: "to the city treasurer or such other officer as the city council may designate so far as practicable".

Amendment No. 9.

On page 3, line 17, of the printed bill, strike out the word "ordering", and insert in lieu thereof the following: ' the confirmation of".

Amendment No. 10.

On page 3, line 17, of the printed bill, after the word "any", insert the word "principal".

Amendment No. 11.

On page 3, line 21, of the printed bill, after the comma following the word "made", insert the following: "or where a purchaser under a contract of purchase or a lessee under a lease pursuant to the terms of which contract of purchase or lease, is required to and has made such payment or payments upon the original assessment or bonds, then such purchaser or lessee".

Amendment No. 12.

On page 3, line 21, of the printed bill, strike out the word "return", and insert in lieu thereof "refund of".

Amendment No. 13.

On page 3, line 22, of the printed bill, strike out the first "in", appearing in said line.

Amendment No. 14.

On page 3, line 22, of the printed bill, after the word "amount", insert the words "of the difference between the original assessment and the reassessment".

Amendment No. 15.

On page 3, line 22, of the printed bill, strike out the word "the", appearing after the word "that", and insert in lieu thereof the word "such".

Amendment No. 16.

On page 3, line 23, of the printed bill, after the word "made", insert the words "by him".

Amendment No. 17.

On page 3, line 23, of the printed bill, strike out the words "difference between".

Amendment No. 18.

On page 3, line 24, of the printed bill, strike out the words "and said reassessment".

Amendment No. 19.

On page 3, line 37, of the printed bill, strike out the words "notice of award of contract", and insert in lieu thereof the following: "ordinance or resolution of intention".

Amendment No. 20.

On page 3, line 38, of the printed bill, after the word "improvement", insert the following: "was published, unless the legislative body directs publication in some other paper,".

Amendment No. 21.

On page 3, line 38, of the printed bill, strike out the words "for which the assessment was made".

Amendment No. 22.

On page 3, line 41, of the printed bill, strike out the words "one year", and insert in lieu thereof the following "two years".

Amendment No. 23.

On page 3, line 42, of the printed bill, after the period, strike out the remainder of said line; and also strike out lines 43 to 47, both inclusive; and in line 48, strike out the words "shall be published once a week for five (5) weeks.", and insert in lieu thereof the following: "Reference shall be made to said reassessment and diagram for all particulars. Such notice shall be published once a week for two (2) weeks."

Amendment No. 24.

On page 4, line 13, of the printed bill, strike out the word "on", and insert in lieu thereof the word "from".

Amendment No. 25.

On page 4, line 18, of the printed bill, after the period following the word "thereof", insert the following: "The making of any reassessment pursuant to the provisions of this section in any proceeding shall not constitute a bar or limit the right to make further reassessments as the city council may determine."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 329—An act to add section 653h to the Penal Code, relating to installation of dictographs.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 378—An act to amend section 400 of the Vehicle Code, relating to negligence, upon the part of officers, agents, and employees of the State, counties, cities and counties, municipal corporations, school districts, irrigation districts, districts established by law, and political subdivisions of the State, and authorizing suits relative thereto and providing the place of trial of such actions and prescribing the period of time within which such actions may be commenced.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1191—An act to amend sections 4, 4d, 6, 15, 17b and 20 of the Juvenile Court Law, relating to the provision of care, custody and maintenance for minor persons, through or under the supervision of the juvenile court.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1198—An act to amend sections 3 and 6 of an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,'

approved March 16, 1907," approved May 24, 1933, relating to land surveyors.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1613—An act to amend section 1 and section 14 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927, relating to admission to practice.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1818—An act to amend section 13 of and to add section 12a to the Juvenile Court Law, relating to juveniles.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1939—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of San Mateo, State of California.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2622—An act to define business opportunity brokers and salesmen; to provide for the regulation, supervision and licensing thereof by the State Real Estate Division and the Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof.

Committee Amendments to Assembly Bill No. 2622.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "sale or", insert the word "the".

Amendment No. 2.

On page 1, line 20, of the printed bill, as amended, before the word "for", at the end of the line, insert ", or to solicit".

Amendment No. 3.

On page 1, line 21, of the printed bill, as amended, strike out the word "purchaser", and insert in lieu thereof the word "purchasers," and strike out "or to solicit," immediately following.

Amendment No. 4.

On page 2, line 26, of the printed bill, as amended, after "involved", insert a period, and beginning with the word "as", make a new paragraph.

Amendment No. 5.

On page 3, line 34, of the printed bill, as amended, after the words "known as the", insert the following: " 'Real estate fund.' " Monies".

Amendment No. 6.

On page 3, line 37, of the printed bill, as amended, after " 'Real estate fund' ", strike out the period, and strike out the word "Moneys", at the end of the line.

Amendment No. 7.

On page 3, line 47, of the printed bill, as amended, after the words "be paid" strike out the word "only", and after the words "from the", strike out " 'Business opportunity fund.' ", and insert in lieu thereof " 'Real estate fund.' "

Amendment No. 8.

On page 3, line 52, of the printed bill, as amended, after "upon", insert "demand of the Board of Control."

Amendment No. 9.

On page 4, line 11, of the printed bill, as amended, strike out "All moneys in excess".

Amendment No. 10.

On page 5, line 34, of the printed bill, as amended, after the word "section", strike out leaders and insert "11a".

Amendment No. 11.

On page 5, line 35, of the printed bill, as amended, before "of", strike out leaders and insert "12".

Amendment No. 12.

On page 6, line 13, of the printed bill, as amended, after "shall be", strike out "twenty-five", and insert in lieu thereof "five".

Amendment No. 13.

On page 6, line 16, of the printed bill, as amended, strike out the word "twenty-", at the end of the line, and insert in lieu thereof "five".

Amendment No. 14.

On page 6, line 17, of the printed bill, as amended, strike out the word "five".

Amendment No. 15.

On page 6, line 32, of the printed bill, as amended, strike out "fif-", at the end of the line, and insert in lieu thereof the word "two".

Amendment No. 16.

On page 6, line 33, of the printed bill, as amended, strike out "teen", at the beginning of the line.

Amendment No. 17.

On page 6, lien 42, of the printed bill, as amended, after "shall be", strike out "fifteen", and insert in lieu thereof the word "two".

Amendment No. 18.

On page 6, line 45, of the printed bill, as amended, after "shall be", strike out "fifteen", and insert in lieu thereof the word "two".

Amendment No. 19.

On page 7, line 4, of the printed bill, as amended, strike out "broker' ", and insert in lieu thereof "broker's".

Amendment No. 20.

On page 7, line 9, of the printed bill, as amended, after "be", strike out "fifteen", and insert in lieu thereof the word "two".

Amendment No. 21.

On page 7, line 21, of the printed bill, as amended, after the word "all", at the end of the line, insert the following: "examination fees shall be payable before taking the examination. All licenses shall be issued for the fiscal year of July 1st to June 30th, inclusive, and shall expire on June 30th of each fiscal year at midnight."

Amendment No. 22.

On page 7, line 28, of the printed bill, as amended, after the word "before", strike out "six months", and insert in lieu thereof "ninety days".

Amendment No. 23.

On page 9, line 14, of the printed bill, as amended, after "fee of", strike out "twenty-five", and insert in lieu thereof "five".

Amendment No. 24.

On page 9, line 27, of the printed bill, as amended, strike out "fifteen", at the beginning of the line, and insert in lieu thereof "two".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 276—An act to amend sections 49 and 1624 of, add sections 43.5, 159 O, 1606.5, and 1624.5 to, and to repeal section 3319 of, the Civil Code, all relating to causes of action based upon criminal conversation, seduction, alienation of affections and breach of promise.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 278—An act to amend sections 125, 374, 375, 1881, and 1973 of, and to add sections 341.5 and 1973.5 to, the Code of Civil Procedure, relating to causes of action for seduction, criminal conversation, alienation of affections, or breach of promise of marriage.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 390—An act to amend section 689b of the Code of Civil Procedure, relating to selling personal property under execution.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1709—An act to amend section 255 of the Probate Code, relating to children born illegitimate.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1468—An act to amend section 1058 of the Code of Civil Procedure, relating to bonds when State is a party.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2280—An act to add a new section to be numbered 1464 to the Penal Code, relating to destruction of records in municipal courts, justices' courts and police courts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2284—An act to amend section 189 of the Code of Civil Procedure, relating to destruction of records in municipal courts and justices' courts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2285—An act to amend section 586 of the Code of Civil Procedure, relating to judgment by default.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2286—An act to add a new section to be numbered 1033½ to the Code of Civil Procedure, relating to costs in judgments by default.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2597—An act to amend section 2274 of the Civil Code, relating to compensation of trustees.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 259—An act to add four new sections to the Civil Code to be numbered 2981, 2982, 2983, and 2984, relating to conditional sale or lease contracts.

Committee Amendments to Assembly Bill No. 259.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 4, of the printed bill, after the word "the", strike out the word "actual".

Amendment No. 2.

On page 2, line 9, of the printed bill, after the word "the", strike out the word "actual".

Amendment No. 3.

On page 2, line 12, of the printed bill, after the word "the", strike out the word "actual".

Amendment No. 4.

On page 2, line 17, of the printed bill, after the word "purchaser", insert a period and strike out the rest of line 17 and line 18.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 808—An act to amend sections 105 and 107 of the Civil Code, relating to divorce.

Committee Amendment to Assembly Bill No. 808.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "dissipation", strike out the balance of the line, and all of lines 7 and 8, and insert in lieu thereof the following: ". The failure of the husband to contribute to the support of the wife or family for a period of one year accompanied by evidence that during the said period of time the

husband refused to seek or engage in gainful work, having the ability and opportunity to do so, shall constitute a prima facie case of wilful neglect.

SEC. 2. Section 107 of the Civil Code is hereby amended to read as follows:

107. Wilful desertion or habitual intemperance must continue for one year before either is a ground for divorce."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1905—An act to amend section 146 of the Civil Code by adding a section thereto to be numbered 5, relating to homesteads on property held in joint tenancy.

Committee Amendments to Assembly Bill No. 1905.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 24, of the printed bill, strike out "the".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 25 to 29, inclusive, and insert in lieu thereof the following: "ancy property of the parties which was acquired with community property, it may be assigned in the same manner as a homestead selected from the community property."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1906—An act to amend section 1238 of the Civil Code by adding "joint tenancy" property of the husband and wife thereto.

Committee Amendments to Assembly Bill No. 1906.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the following: ", the joint tenancy property of the husband and wife,".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out the period, and insert in lieu thereof the following: "or, subject to the provisions of section 1239, from the property held by the spouses as tenants in common or in joint tenancy or from the separate property of the wife."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2826—An act to add section 925a to the Penal Code, relating to grand juries and the public sessions thereof.

Committee Amendments to Assembly Bill No. 2826.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", to take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert in lieu thereof the following:

"925a. The grand jury shall conduct its investigation in a session or sessions open to the public when directed to do so by an order of the superior court, or the judge thereof, finding that the subject matter of the investigation is one affecting the general public welfare, and entered upon the filed written joint request of the Attorney General or of the district attorney and the grand jury acting through its foreman."

Amendment No. 3.

On page 1 of the printed bill, after line 17, insert the following:

"SEC. 2. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and

as such it shall take effect immediately. The facts constituting such necessity are as follows:

There is now pending in one of the major communities of this State a grand jury investigation of the reputedly illegal and corrupt activities of certain public officials and employees. The present law requires the deliberations of the grand jury to be shrouded in secrecy and shielded from the public eye. It is believed, however, that in the current investigation, the public and the accused will have the best interests of each the better subserved and protected by the permitting of public sessions of the grand jury in the manner herein set forth. For that reason, and in the interest of the administration of justice and the reputation and public welfare of this State, it is necessary that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1477—An act to amend section 341a of the Code of Civil Procedure, respecting period of limitation for commencement of certain actions.

Committee Amendments to Assembly Bill No. 1477.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "departure of", and insert in lieu thereof the following: "first demand made by".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out "; provided, that", and insert in lieu thereof the following: ", and in no event shall such action be commenced more than one year after the date of the departure of such owner."

Amendment No. 3.

On page 1, line 12, of the printed bill, strike out "no", and insert in lieu thereof the following: "No".

Amendment No. 4.

On page 1, line 17, of the printed bill, strike out "; and provided further, that the", and insert in lieu thereof the following: "The".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1651—An act to amend section 1274 of the Code of Civil Procedure, relating to sales by the State Controller of escheated property received by the State Treasurer in cases where the owners are unknown or can not be found, or where such property has finally escheated to the State of California.

Committee Amendments to Assembly Bill No. 1651.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 2 to 8 of the title, and insert in lieu thereof the following: "relating to sales by the State Controller of real or personal property distributed to the State of California, or escheated to the State by judicial decree or otherwise; relating to the manner in which such sales may be held, and to the power of the Controller to reject bids and hold subsequent sales; relating to the authority of the Controller to execute deeds and bills of sale, in the name of the State, covering the State's interest in property sold; and providing for the disposition of the proceeds of such sales."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 5 to 18, inclusive, and insert in lieu thereof the following: "property, real or personal, which has heretofore been or shall hereafter be distributed to the State of California pursuant to any authority under the laws of this State, in connection with estates of deceased persons, or which has finally escheated to the State of California by judicial decree or otherwise."

Amendment No. 3.

On page 1 of the printed bill, strike out line 22, and insert in lieu thereof the following: "sale or public auction as he may elect."

Amendment No. 4.

On page 2 of the printed bill, strike out lines 1 to 8, inclusive.

Amendment No. 5.

On page 2 of the printed bill, strike out line 27, and insert in lieu thereof the following:

"Upon receipt of the purchase price of said personal property, the Controller may, in his discretion, execute to the purchaser, in the name of, and for the State of California, a bill of sale transferring to the purchaser all the right, title, and interest of the State therein. Upon receipt of the purchase price of said real property".

Amendment No. 6.

On page 2 of the printed bill, strike out lines 31 to 37, inclusive, and insert in lieu thereof the following:

"The proceeds of such sales of personal property, and the net proceeds of such sales of real property shall, in all cases where such property has not finally escheated to the State of California by judicial decree, be delivered to and held by the State Treasurer and deposited, in lieu of such property so sold, in the "Estates of deceased persons fund"; and in all cases where such property has finally escheated to the State of California by judicial decree, said proceeds of sale shall be delivered to and held by the State Treasurer and deposited, in lieu of such property so sold, in the "School land fund." "

Amendment No. 7.

On page 2 of the printed bill, strike out line 40, and insert in lieu thereof the following: "and may thereupon offer such property for sale at a future time, in accordance with the provisions of this section."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1652—An act to amend section 1274A of the Code of Civil Procedure, relating to the transmittal to the Controller by the county treasurers of schedules of amounts deposited in the county treasuries to the credit of estates, wherein there are no known heirs or persons entitled to succeed, or where the heirs, legatees, devisees or distributees, can not be found, or where distribution has been made to the State, together with a copy of each decree of distribution in such estates and providing for custody escheat and notification to the Attorney General of the lapsing of five-year periods of such deposits.

Committee Amendments to Assembly Bill No. 1652.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 13 to 20, inclusive, of the title, and insert in lieu thereof the following: "not theretofore distributed; relating to the exclusive jurisdiction to be exercised by the superior court of Sacramento County over all other property and estates transmitted to the State Treasurer and/or State Controller, from and after the date of receipt thereof by the State Treasurer and/or State Controller, except for the concurrent jurisdiction over such property and estates to be exercised by the State Board of Control in the case of estates of $300 or less; relating to the recovery of estate moneys or other property by the rightful claimants; relating to the drawing of warrants by the county treasurers and/or the State Controller pursuant to orders of".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 27 and 28 of the title, and insert in lieu thereof the following: "the State Controller, without charge; providing".

Amendment No. 3.

On page 3 of the printed bill, strike out line 2, and insert in lieu thereof the following: "erty so distributed and deposited, or remaining on deposit, must likewise be delivered".

Amendment No. 4.

On page 3 of the printed bill, strike out line 20, and insert in lieu thereof the following: "for such delivery, with respect to any estate or estates, may be".

Amendment No. 5.

On page 3 of the printed bill, strike out lines 24 and 25, and insert in lieu thereof the following: "any property in a county treasury pursuant to sections 738, 1060,

1147 or 1148 of the Probate Code, or pursuant to any other authority under the laws of this State relating to estates of deceased persons, must, within seven days".

Amendment No. 6.

On page 3, line 36, of the printed bill, strike out "decree", and insert in lieu thereof the following: "decrees".

Amendment No. 7.

On page 3 of the printed bill, strike out line 40, and insert in lieu thereof the following: "of the county in which the court making such decree or other orders is located; such written".

Amendment No. 8.

On page 3 of the printed bill, strike out lines 49 to 52, inclusive.

Amendment No. 9.

On page 4 of the printed bill, strike out lines 1 to 44, inclusive, and insert in lieu thereof the following:

"In the case of all money or other property heretofore or hereafter deposited or on deposit in a county treasury under the following circumstances; to wit, first, deposits made pursuant to section 738 of the Probate Code; second, deposits which can not, from the records of the county treasurer's office, be identified with the source of or authority for such deposit, or where the deposits belong to unknown persons not identified on the county treasurer's records, with any known decedent's estate; third, where the deposit belongs to estates on which administration has never been commenced; and fourth, where the deposit belongs to estates on which letters testamentary or letters of administration have theretofore been issued, but no decree of distribution has been rendered: the county treasurer, except as otherwise provided by law, must, at the time of the next county settlement following the expiration of five years from the date of deposit of such money or other property in the county treasury, deliver the deposits so held, in the case of money, to the State Treasurer, and in the case of all other property, to the State Controller, as follows: all such money or other property which shall have been on deposit in the county treasury for more than five years prior to the effective date of this act shall be so delivered at the time of the next county settlement following the effective date hereof, and all other such deposits shall be so delivered at the time of the next county settlement following the date of expiration of said five-year period, as herein provided. At the time of making any remittance provided for in this paragraph, the county treasurer must file with the county clerk affidavits, signed and acknowledged before any of the officers named in section 1181 of the Civil Code, setting forth the following: The name of the decedent, if known; the date on which such money or other property was deposited in the county treasury, if the treasurer's records disclose this fact; the date of death of decedent, if the county treasurer's records disclose this fact; the probate action number, if any; the name of the county from which such remittance is being made; a detailed description of the property covered by the remittance, and a statement to the effect that the money or other property affected has by him been transferred to the State Treasurer and/or the State Controller pursuant to this section, together with a statement of the circumstances with respect to such deposit which brings it under the provisions of this paragraph. A separate affidavit must be so made and filed for each estate covered by the remittance, and, as far as possible, for each deposit which cannot be identified with the source of or authority for such deposit, and for each deposit belonging to unknown persons not identified, in the records of the county treasurer's office, with any known decedent's estate. A duplicate copy of each affidavit so filed must be sent by the county treasurer to the State Controller at the time of making any remittance covered by such affidavit. The county clerk must keep and file such affidavits in the appropriate probate file for each estate affected; and, in the case of affidavits covering deposits not identified with any known estate, he shall keep such affidavits in an appropriate file or files which he must use exclusively for such purpose. Upon the filing of such affidavit, as herein provided, and upon the receipt by the State Treasurer and/or State Controller of the remittance covered by same, the county treasurer shall, with regard to the estate covered by such remittance, be released from any liability he may theretofore have had under his official bond.

Upon the filing of any affidavit described in the preceding paragraph, in the case of deposits theretofore made in the county treasury pursuant to section 739 of the Probate Code, and in the case of estates on which letters testamentary or letters of administration has theretofore been issued but no decree of distribution rendered, the court having jurisdiction over said deposits and/or estates shall continue to have such jurisdiction for a period of one year from the date of filing such affidavit, within which time such court shall have full and exclusive jurisdiction to hear and determine claims for the money or other property and to distribute the estate covered by such affidavit and remittance. Upon the expiration of said one-year period, such court shall thereupon become divested of all further jurisdiction over all such moneys or other property theretofore transmitted to the State Treasurer and/or State Controller, and over all parties claiming any interest therein or

thereto, without further notice; and the superior court of the county of Sacramento shall thereupon have full and exclusive jurisdiction over the estate, the property, and all persons claiming any interest therein or thereto; provided, however, that this shall not be construed to limit or abridge the concurrent jurisdiction hereafter provided to be exercised by the State Board of Control in the case of estates of $300 or less."

Amendment No. 10.

On page 5 of the printed bill, strike out line 16, and insert in lieu thereof the following: "therein or thereto, and shall have, except in the case of concurrent juris-".

Amendment No. 11.

On page 5 of the printed bill, strike out lines 48 and 49, and insert in lieu thereof the following: "County clerks must, upon request of the State Controller, furnish without charge of".

Amendment No. 12.

On page 6 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"All money or other property heretofore or hereafter transmitted to the State Treasurer and/or the State Controller under this section, and all money or other property heretofore or hereafter distributed to the State of California under section 1027 of the Probate Code, or under any other authority under the laws of this State relating to estates of deceased persons, and all money or other property whatsoever heretofore or hereafter received by the State Treasurer and/or State Controller for deposit in the State Treasury, if not".

Amendment No. 13.

On page 6 of the printed bill, strike out lines 9 and 10, and insert in lieu thereof the following: "of California,".

Amendment No. 14.

On page 6 of the printed bill, strike out line 17, and insert in lieu thereof the following: "State of California. Upon the rendition of a judicial decree adjudging that the title to said property, or any part thereof, shall belong to the State by escheat, then, when the same consists of money, upon the order of the State Controller, the same shall be deposited by the State Treasurer to the credit of the "School land fund"; and any money subsequently received by the State Treasurer and/or State Controller from the sale of other property, real or personal, covered by such judgment of escheat, and deposited in the State treasury in lieu of the property so sold, shall likewise be credited to the "School land fund"."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2374—An act to add section 663.5 to the Political Code, relating to the liability of the State Treasurer for the estates of deceased persons.

Committee Amendment to Assembly Bill No. 2374.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, after the comma, insert the following: "and after five years have elapsed from the time when property has been distributed to or deposited with the State Treasurer pursuant to the provisions of Title VIII of Part III of the Code of Civil Procedure,".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1653—An act to add a new section to be numbered 1268 to Part III, Title VIII of the Code of Civil Procedure, relating to escheat of money and property deposited with or received by the State Treasurer in cases where the owners are unknown or can not be ascertained or found, where the same remains unclaimed for five years or more, and authorizing the State Controller to commence actions concerning such moneys and property to determine the ownership thereof, awarding the same to the persons entitled thereto, providing for the escheat of such moneys and property to the State and providing the procedure in such actions.

Committee Amendments to Assembly Bill No. 1653.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 7 to 20, inclusive, of the title and insert in lieu thereof the following: "The State Treasurer and/or State Controller in the case of money or other property relating to distributed estates of known deceased persons, whether such distribution was made to the State of California or to other parties, in the case of money or other property belonging to estates of known deceased persons on which administration has never been commenced, or on which letters testamentary or letters of administration have theretofore been issued, but no decree of distribution rendered, in the case of money or other property, where the source of or authority for the former deposit thereof with the county treasurer can not be determined, or where such money or other property belongs to unknown persons not identified on the county treasurer's records, with any known decedent's estate, in the case of money or other property received pursuant to section 570 or 1274b of the Code of Civil Procedure and section 15 or 137 of the "Bank Act"; providing for the procedure and service of process in such actions, the venue".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 5 to 22, inclusive, and insert in lieu thereof the following: "after be received by the State Treasurer and/or State Controller, where such money or other property was received in connection with distributed estates of known deceased persons, whether such distribution was made to the State of California or to other parties, or where such money or other property was received in connection with estates of known deceased persons on which administration has never been commenced, or on which letters testamentary or letters of administration have theretofore been issued, but no decree of distribution has been rendered, or where the source of or authority for the former deposit thereof with the county treasurer can not be determined from the records of his office, or where such money or other property can not be identified, from the records of such county treasurer's office, with any known decedent's estate, or where such money or other property was received pursuant to section 570 or 1274b of the Code of Civil Procedure, or section 15 or 137 of the "Bank Act," and five years or more shall have elapsed since the receipt of such money or other property by the State Treasurer and/or State Controller and the deposit thereof in the State Treasury, and the same or the proceeds thereof".

Amendment No. 3.

On page 2 of the printed bill, strike out line 29, and insert in lieu thereof the following. "the State of California, in and for the county of Sacramento and in and for such other counties of the State of California as is hereinafter provided.".

Amendment No. 4.

On page 3 of the printed bill, strike out lines 17 to 51, inclusive, and insert in lieu thereof the following: "after provided) such petition, in all cases, to set forth a description of the property covered thereby, the date on which tangible personal property covered by the petition was deposited in the State Treasury, and the name of the person or persons, if any is known to the State Controller, claiming title to all or any part of such property; and in addition to the foregoing, such petition shall set forth the information hereinafter provided, in the following cases respectively; to wit:

First, in the case of money or other property covered by such petition which relates to distributed estates of known deceased persons, whether such distribution was made to the State of California or to other parties, the following information shall be set forth:

1. The name of the deceased;
2. The name of the county wherein the estate was probated;
3. The name of the party or parties to whom the property covered by the petition was distributed;
4. The name of the county or counties in which real estate, if any, included in such property, is situated;

Second, in the case of money or other property covered by such petition which belongs to estates of known deceased persons on which administration has never been commenced, or on which letters testamentary or letters of administration have theretofore been issued, but no decree of distribution has been rendered prior to the date of filing such petition, the following information shall be set forth:

1. The name of the deceased;
2. The name of the county from whose treasurer such property was received by the State Treasurer and/or State Controller;
3. The name of the county or counties in which real estate, if any, included in such property, is situated;

4. A statement of the facts or circumstances surrounding such property which places it under this classification, with respect to information required in such petition;

Third, in the case of money or other property theretofore received by the State Treasurer and/or State Controller from a county treasurer, where the source of or authority for the former deposit thereof with the county treasurer can not be determined from the records of his office, or where such money or other property belongs to unknown persons not identified on the county treasurer's records, with any known decedent's estate, the following information shall be set forth:

1. The name of the county from whose treasurer such property was received by the State Treasurer and/or State Controller;

2 A statement of the facts or circumstances surrounding such property which place it under this classification with respect to information required in such petition;

Fourth, in the case of money or other property received by the State Treasurer and/or State Controller pursuant to section 570 of the Code of Civil Procedure, the following information shall be set forth:

1. The name of the owner of the unclaimed fund;

2. The title of the receivership action or proceeding to which such fund relates;

3. The fact that the money or other property was received by the State Treasurer and/or State Controller pursuant to section 570 of the Code of Civil Procedure;

Fifth, in the case of money or other property received by the State Treasurer and/or State Controller pursuant to section 1274b of the Code of Civil Procedure, the following information shall be set forth:

1. The name of the owner of the property covered by the petition;

2. The name of the county from which the property covered by the petition was received by the State Treasurer and/or State Controller;

3. The action number of the litigation, where money or other property related thereto are covered by the petition;

4. The name of the dissolved irrigation district, where money related thereto is covered by the petition;

5. The fact that such property was received by the State Treasurer and/or State Controller pursuant to section 1274b of the Code of Civil Procedure;

Sixth, in case of money or other property received by the State Treasurer and/or the State Controller pursuant to section 15 of the "Bank Act," the same information shall be set forth as provided in section 1273 of the Code of Civil Procedure, in connection with actions of escheat instituted by the Attorney General covering this class of deposits;

Seventh, in the case of money received by the State Treasurer and/or State Controller pursuant to section 137 of the "Bank Act," the following information shall be set forth:

1. The name of the depositor, creditor, or stockholder to whom the money covered by the petition was due;

2. The name of the bank in question;

3. The fact that said money was received by the State Treasurer and/or State Controller pursuant to section 137 of the "Bank Act."

In case any property covered by the petition hereinabove described shall be real property, or any freehold interest therein, not situated in the county of Sacramento, the said action or actions".

Amendment No. 5.

On page 4 of the printed bill, strike out lines 1 to 13, inclusive.

Amendment No. 6.

On page 4 of the printed bill, strike out lines 30 to 35, inclusive, and insert in lieu thereof the following:

"Service of process in such action or actions shall be made by delivery of a copy of the petition and order of the court to the president, cashier, or managing officer of each bank from which deposits or dividends due depositors, creditors, or stockholders of such bank, as covered by the petition, have theretofore been received by the State Treasurer and/or State Controller, and by posting a copy of said order, together with a copy of said petition attached thereto, within five days from the date of making said order, in the following places: One in the county of Sacramento, one in the City and County of San Francisco, one in the county of Los Angeles, one in every county from whose treasurer or other officer was received money or other property by the State Treasurer and/or State Controller; one in every county wherein real estate covered by such petition is situated, and one in every county where a bank or banks are located from which money or other property covered by the petition were received by the State Treasurer and/or State Controller."

Amendment No. 7.

On page 6 of the printed bill, strike out line 8, and insert in lieu thereof the following: "any of the money or other property described in the petition belongs to a claim-".

Amendment No. 8.

On page 6 of the printed bill, strike out line 27 and insert in lieu thereof the following: "the credit of the "School land fund", and any money subsequently received by the State Treasurer and/or State Controller from the sale of other property, real or personal, covered by such judgment of escheat, and deposited in the State Treasury in lieu of the property so sold, shall likewise be credited to the "School land fund"."

Amendment No. 9.

On page 2 of the printed bill, strike out line 7 of the title, and insert in lieu thereof the following: "'School land fund"."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 778—An act to amend section 5 of the act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitos, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to compensation and expenses of officers of such districts.

Committee Amendments to Assembly Bill No. 778.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 5", and insert in lieu thereof the following: "sections 5 and 6".

Amendment No. 2.

On page 1, line 7 of the title of the printed bill, strike out "compensation and expenses of".

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 4.

On page 1, line 11, of the printed bill, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 5.

On page 2 of the printed bill, after line 7, insert the following:

"SEC. 2. Section 6 of said act is hereby amended to read as follows:

Sec. 6. The board of trustees of such district shall have power to take all necessary or proper steps for the extermination of mosquitos, flies or other insects within the district, and subject to the paramount control of the municipal or other public authorities, to abate as nuisances all stagnant pools of water and other breeding places for mosquitoes, flies or other insects within the district; to enter upon any land for the purpose of inspection and examination of the same, either in person or by duly authorized employees or agents; to purchase such supplies and materials and to employ such services and labor as may be necessary or proper in furtherance of the objects of this act, and if necessary or proper, in the furtherance of the same, to build, construct and thereafter maintain, necessary levees, cuts, canals, or channels upon any land within the district, and to acquire by purchase, condemnation or by other lawful means, in the name of the district, any necessary lands, rights of way, easements, property or material requisite or necessary for any of such purposes; to make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the exercise of the powers of this act conferred or arising out of the use, taking or damage of such property for any of such purposes, and generally to do any and all things necessary or incident to the powers hereby granted and to carry out the objects specified herein."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1591—An act to amend the Military and Veterans Code. (Statutes of 1935, Chapter 389.)

Bill read second time, and ordered to engrossment

Assembly Bill No. 258—An act to add section 12 (a) to the Personal Property Brokers Act, relating to regulation of the contracts of personal property brokers

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1463—An act to amend the title of and sections 1, 3 and 6 and to add section 7 to, an act entitled, "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation hereof," approved June 19, 1931, relating to motor boat regulation.

Committee Amendment to Assembly Bill No. 1463.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out all of lines 47, 48, 49, 50 and 51.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2659—An act to amend sections 13a and 14 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefitted property, and to provide that a majority protest shall be a bar to any proceeding."

Committee Amendments to Assembly Bill No. 2659.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, strike out "13a and 14", and insert in lieu thereof the following: "13, 13a, 14 and 15".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "13a" and insert in lieu thereof the number "13".

Amendment No. 3.

On page 1, line 2, of the printed bill, after the colon following the word "follows", insert the following:

"Sec. 13. This act shall not apply to any proceeding in which an ordinance or resolution of intention has been finally adopted before the date this act becomes effective; provided further, that after said act becomes effective the legislative body contemplating the passage of any ordinance or resolution of intention, after taking the steps provided by section 2 hereof, may in its discretion cause the clerk thereof to mail prepaid post cards, each with an addressed reply post card attached thereto with the return postage thereon guaranteed, giving notice of said contemplated action. Said cards shall be mailed to each person to whom land in the proposed assessment district is assessed on the last equalized county assessment roll at his address as shown upon such roll and to any person whether owner in fee or having a lien upon or legal or equitable interest in any land within said proposed district who has filed his name and address and the designation of the land in which he is interested with the said clerk. Said notice shall be substantially in the following form (filling blanks):

NOTICE OF PROPOSED ASSESSMENT.

Notice is hereby given that the (name of the legislative body) proposes to adopt a resolution of intention under the (here mention statute under which it proposes to proceed) covering (here state in general terms what acquisitions and/or improvements are to be made). Your land will be assessed to pay a part of the cost thereof. This

questionnaire is sent to the property owners interested to ascertain whether or not the owners of as much as twenty-five per cent of the area of the proposed district demand proceeding under the "Special assessment investigation, limitation and majority protest act of 1931". Under said investigation act information will be obtained and a report thereon made, open to public inspection, and stating among other things (1) the estimated cost of the proposed project; (2) the estimated amount of existing assessments upon each parcel of land in the district; (3) the estimated assessment upon your lands for the proposed project. In the event that you desire the proceeding under said investigation act, so indicate on the attached card and return the same to the clerk within thirty days from (here set forth the date, not earlier than one day subsequent to the mailing of the cards). Sign your name legibly and describe or designate the property owned by you.

_____
Clerk of (here designate legislative body).

The return postcard as set out shall be addressed to the clerk sending out the notice and shall have thereon a guarantee of the payment of the postage for the return thereof and on the reverse side shall contain the following:

The undersigned {does / does not} demand the making of the investigation provided for by the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" in connection with the (here set forth the same description of the project as is contained upon the notice post card).

(Signature) _____
(Description or designation of property) _____

If any parcel of land in the assessment district is assessed as owner unknown on the county assessment roll, no notice need be sent for such parcel unless the name and address of the person claiming an interest in said property shall be filed with said clerk, in which case notice shall be mailed to such person and address. In the absence of fraud no error or mistake in the sending of said notices, or any of them, and no failure on the part of any property owners to receive the same shall in any way affect the validity of the proceedings, but the clerk must file affidavit of mailing such notices and must include therein a list of the names and addresses of the persons to whom such notices were sent. If the owners (as defined in the act under which it is proposed to proceed) of twenty-five per cent of the area of said assessment district do not so demand the making of the investigation provided by this act, then the said legislative body shall be at full liberty to proceed under the provisions of the statute under which it has declared its intention to carry through the contemplated proceedings without any further restrictions whatsoever by reason of the terms or provisions of this act except that the majority protest provisions hereof shall apply; if, however, the owners of twenty-five per cent or more of the area of the proposed district so demand the making of such investigation, all the terms and provisions of this act shall apply to the proposed proceeding, if any further steps are taken therein by said legislative body.

Said return post cards shall be kept on file in the office of the clerk of said legislative body and after the expiration of the aforesaid thirty days all such requests made to said legislative body shall be computed and said legislative body shall by order entered on its minutes determine whether or not the twenty-five per cent hereinabove provided have demanded such investigation. Such determination shall be final and conclusive in the absence of actual fraud.

Sec. 2. Section 13a of the above entitled act is hereby amended to read as follows:".

Amendment No. 4.

On page 2, line 22, of the printed bill, strike out "treasurer", and insert in lieu thereof the word "treasury".

Amendment No. 5.

On page 2, line 24, of the printed bill, strike out "2", and insert in lieu thereof the figure "3".

Amendment No. 6.

On page 3, line 4, of the printed bill, strike out "menced within sixty days after the date of adoption of the", and insert in lieu thereof the line "menced within thirty days after the date of the adoption and publication of the".

Amendment No. 7.

On page 3, line 5, of the printed bill, strike out "finally ordering", and insert in lieu thereof the words "of intention to order".

Amendment No. 8.

On page 3, line 7, of the printed bill, strike out "sixty", and insert in lieu thereof the word "thirty".

Amendment No. 9.

On page 3, line 10, of the printed bill, after the period following the word "respect", add the following:

"Sec. 4. Section 15 of the above entitled act is hereby amended to read as follows:

Sec. 15. This act shall not apply to any flood control, irrigation, reclamation, sanitary, sanitation or other district organized or incorporated under the laws of the State of California where such district constitutes a public or municipal corporation, provide money with which to construct or acquire any public improvement, work, or public utility, or to the acquisition, construction or completion of such public improvement, work, or public utility where such bonds have been voted by a majority or two-thirds vote (as may be required by the law under which said bonds are issued or to be issued) of the qualified electors of any district or other persons entitled to vote at the election upon the proposition of issuing such bonds, nor shall this act apply to any maintenance district proceedings or to any assessment levied for the maintenance of any improvements, but it shall apply to all other special assessment districts and proceedings within the scope of section 1 hereof, regardless of the particular statute under which any proceeding may be undertaken and of whether the special assessment made will be specific or a special assessment tax upon lands wholly or partially according to the assessed value of such lands.

Further, this act shall not apply to proceedings for the construction of sanitary sewers and sewage disposal works when such proceedings have been recommended by the health officer of the city instituting such proceedings, given in writing and spread upon the minutes of the legislative body thereof."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1670—An act to amend sections 4041.13 and 4041.18 of the Political Code, relating to county purchases of personal property and services.

Committee Amendments to Assembly Bill No. 1670.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, after line 19, strike out the rest of the page and strike out lines 1 to 16 on page 4, and insert in lieu thereof the following:

"The Purchasing Agent, if the county employs one, may purchase personal property and services, where the aggregate cost is less than fifty dollars, without bids or quotations at not lower than the current market prices. Where the aggregate cost is more than fifty dollars and less than one thousand dollars, personal property and services may be purchased from any responsible dealer or contractor who has requested that he be notified of the intention of the Purchasing Agent to make such purchases.

Where informal quotations or bids are required, the Purchasing Agent shall secure them by mail or telephone and he shall keep a record of all those secured. This record shall show the names of the bidders, the price at which the quotation or bid was made, the materials and services for which quotations were called, and the date on which they were secured. This record shall be kept for a period of not less than two years.

In every case the lowest and best bid, price, quality and service considered, shall be accepted, except that the county shall not pay more than the current market price for anything which it purchases.

In all purchases of personal property and services over the sum of one thousand dollars, whether by the board of supervisors or by the Purchasing Agent, specifications shall be prepared and formal written bids secured from responsible dealers, such bids to be accompanied by certified check or bid bond in the sum of ten per cent of the total bid. All specifications shall be open to public inspection and the materials and supplies furnished must be in accordance with specifications unless such specifications are modified by a four-fifths vote of the members of the board of supervisors irrespective of whether such specifications have been adopted by the board of supervisors or whether they have been prepared by the Purchasing Agent. No payment shall be made for any personal property or services until such personal property has been received or until such services have been accepted by the county."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 654—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of

governing boards of school districts and members thereof in connection with school district buildings.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 945—An act to amend section 4241 of the Political Code, relating to the compensation of county officers in counties of the twelfth class.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 434—An act to amend the County Water District Act, approved June 10, 1913, as amended, relating to county water districts, by amending section 31 thereof and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 12.1, granting to county water districts the powers of mosquito abatement districts, and section 37.1, relating to segregation of items of property on the assessment roll.

Committee Amendments to Senate Bill No. 434.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "amend", insert the following: "sections 31 and 45 of, and to add sections 12.1, 31.1 and 37.1 to".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, strike out "approved", and strike out lines 2 to 10, inclusive, of the title, and insert in lieu thereof the following: "relating to county water districts."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 194—An act to amend section 737p of the Political Code, relating to the salary of the superior judge of the county of Kings.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 514—An act to regulate auctions.

Committee Amendment to Senate Bill No. 514.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, of the printed bill, following line 7, add the following:

"SEC. 5. The provisions of this act shall not be construed as a limitation upon the power of any city, county or city and county to adopt other and further regulations concerning public auctions not in conflict herewith."

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 327—An act to amend section 629 of the Code of Civil Procedure, relating to judgments notwithstanding the verdict.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 495—An act to add sections 3a and 12a to the California Districts Securities Commission Act, relating to the certification of bonds as available for legal investments and to the issuance of certificates of deposit for securities so certified.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 92—An act to amend section 627 of the Penal Code, relating to trespass.

Committee Amendments to Senate Bill No. 92.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "Sec."

Amendment No. 2.

On page 1 of the printed bill, as amended, after line 27, insert the following:

"Every person who posts any sign indicating that the land affected is a State or Federal Game Refuge, unless it was so established by the State of California or Federal Government, is guilty of a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331, was continued until the next legislative day.

Reconsideration of Assembly Bill No. 1624.

In compliance with a notice given on a previous day, Mr. Clark moved that the vote whereby Assembly Bill No. 1624 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 1624 reconsidered by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Fulcher, Gannon, Garibaldi, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Welsh, Williamson, and Mr. Speaker—53.

NOES—None.

Consideration of Assembly Bill No. 1624.

Assembly Bill No. 1624—An act to amend section 3.220 of the School Code, relating to the system of public instruction.

Motion to Amend Assembly Bill No. 1624.

Mr. Clark moved to amend Assembly Bill No. 1624 as follows:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, strike out the number "3.112", and insert in lieu thereof the number "3.122".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 3 to 20, inclusive, and insert in lieu thereof the following:

"3.122. Beginners shall be admitted to the beginning classes of the kindergarten during the first month that school is open, or of the school term if the school year be divided into terms, if such children will be five years of age before the end of the sixth calendar month from the date that school is opened, and before the end of the third month of the school term. Children who will not be five years of age within the period specified shall not be admitted to the kindergarten class until the succeeding school year or school term."

Amendment No. 3.

On page 2, line 1, of the printed bill, as amended, strike out the word "kindergarten", and insert in lieu thereof the following: "a kindergarten maintained by an elementary school district having an average daily attendance of 850 or more,".

Amendment No. 4.

On page 2, line 7, of the printed bill, as amended, after the word "or", insert a comma and the following: "if the district has an average daily attendance of 850 or more,".

Amendments adopted.

Assembly Bill No. 1624 ordered to reprint, and re-engrossment.

Notices of Motion to Reconsider Continued.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 962 was passed was continued until the next legislative day.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 963 was passed was continued until the next legislative day.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1052 was passed was continued until the next legislative day.

Consideration of Senate Amendments to Assembly Bill No. 2100.

Assembly Bill No. 2100—An act to establish a Labor Code, thereby consolidating and revising the law relating to labor and employment relations, and to repeal acts and parts of acts specified herein.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2100?

Amendment No. 1.

On page 22 of the printed bill, strike out lines 46 to 52, inclusive, and on page 23, strike out lines 1 to 20, inclusive.

Amendment No. 2.

On page 143 of the printed bill, strike out line 30.

Amendment No. 3.

On page 143 of the printed bill, between lines 31 and 32, insert the following: "*(except that section 51 of chapter 586 of the Statutes of 1917, page 831, is not* repealed by this code)".

Amendment No. 4.

On page 144 of the printed bill, strike out lines 50 to 52, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2100 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—60.

NOES—None

Assembly Bill No. 2100 ordered to enrollment.

Motion to Re-refer Assembly Bills. Nos. 1473 and 1474.

Mr. Garibaldi moved that Assembly Bills Nos. 1473 and 1474 be withdrawn from the calendar, and re-referred to the Committee on Judiciary General.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Flint, Fulcher, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Leonard, Lyon, Maloney, McMurray, Meehan, Miller, George P., Muldoon, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Weber, Williamson, Yorty, and Mr. Speaker—37.

NOES—Baynham, Beene, Boyle, Clark, Cottrell, Cunningham, Dilworth, Field, Gannon, Gilbert, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Lore, Martin, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Stream, Walker, and Watson—30.

Assembly Bills Nos. 1473 and 1474 re-referred to the Committee on Judiciary General.

Third Reading of Assembly Bills.

Assembly Bill No. 1462—An act validating, ratifying, approving, and confirming bonds and other instruments or obligations heretofore issued for public works projects and validating, ratifying, approving and confirming certain proceedings heretofore taken in connection with public works projects, by certain public bodies.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Recess.

At twelve o'clock and thirty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On State Colleges.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR SPEAKER: Your Committee on State Colleges, to which was referred:

Assembly Bill No. 1238.

Respectfully reports the same back with the recommendation: Do pass.

BURNS, HUGH M., Chairman.

The above reported bill ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1399.
Senate Bill No. 860.

Respectfully reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1283.

Respectfully reports the same back without recommendation, as amended.

SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937

MR. SPEAKER. Your Committee on Education, to which was referred:

Assembly Bill No. 208.

Respectfully reports the same back without recommendation, as amended.

CLARK, Chairman.

The above reported bill ordered on second reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Assembly Bill No. 267.
Assembly Bill No. 247.
Respectfully reports the same back without recommendation, as amended.

WELSH, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1435.
Assembly Concurrent Resolution No. 39.
And reports the same correctly enrolled, and presented to the Governor this ninth day of April, 1937, at eleven o'clock and thirty minutes a.m.

CUNNINGHAM, Chairman.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 1813.
Respectfully reports the same back with the recommendation: Do pass as amended.

O'DONNELL, Chairman

The above reported bill ordered on second reading calendar.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937

MR. SPEAKER: Your Committee on Civil Service, to which was referred:
Assembly Bill No. 1610.
Respectfully reports the same back with the recommendation: Do pass as amended.

CROWLEY, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred:
Assembly Bill No. 1154.
Respectfully reports the same back with the recommendation: Do pass as amended.

SHEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred:
Assembly Bill No. 1152.
Assembly Bill No. 1558.
Assembly Bill No. 1762.
Respectfully reports the same back with the recommendation: Do pass.

SHEEHAN, Chairman.

The above reported bills ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Senate Bill No. 276.
Senate Bill No. 277.
Senate Bill No. 279.
Senate Bill No. 436.
Senate Bill No. 904.
Assembly Bill No. 2016.
Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Senate Bill No. 16.
Senate Bill No. 991.
Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 520. Assembly Bill No. 1318.
Senate Bill No. 1066. Assembly Bill No. 2058.

Respectfully reports the same back with the recommendation: Do pass as amended.

O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Senate Bill No. 81. Senate Bill No. 1051.
Senate Bill No. 735. Senate Bill No. 1052.

Respectfully reports the same back with the recommendation: Do pass.

REAVES, Chairman.

The above reported bills ordered on second reading calendar.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:
Assembly Bill No. 2457.

Respectfully reports the same back with the recommendation: Do pass.

BAYNHAM, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:
Assembly Bill No. 2401.

Respectfully reports the same back without recommendation, as amended.

BAYNHAM, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:
Assembly Bil No. 2456.

Respectfully reports the same back with the recommendation: Do pass as amended.

BAYNHAM, Chairman.

The above reported bill ordered on second reading calendar.

Withdrawal and Re-reference of Assembly Bill No. 1475.

On motion of Mr. Cottrell, Assembly Bill No. 1475 was withdrawn from the Committee on Public Morals and re-referred to the Committee on Judiciary General.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Peyser:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the regulation of the marketing, preparing and processing of agricultural foodstuffs, to provide for the administration of such act by the Director of Agriculture, to prescribe standards for the guidance of said director, and to declare the urgency of this act, to take effect immedately.

Referred to Committee on Introduction of Bills

By Mr Corwin:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 1280.5 to the Insurance Code, relating to reciprocal or interinsurance exchanges.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Peyser:

An act to provide for the regulation of the marketing, preparing and processing of agricultural foodstuffs, to provide for the administration of such act by the Director of Agriculture, to prescribe standards for the guidance of said director, and to declare the urgency of this act, to take effect immediately.

By Mr. Corwin:

An act to add section 1280.5 to the Insurance Code, relating to reciprocal or interinsurance exchanges.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2835: By Mr. Peyser—An act to provide for the regulation of the marketing, preparing and processing of agricultural foodstuffs, to provide for the administration of such act by the Director of Agriculture, to prescribe standards for the guidance of said director, and to declare the urgency of this act, to take effect immediately.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2836: By Mr. Corwin—An act to add section 1280.5 to the Insurance Code, relating to reciprocal or interinsurance exchanges.

Bill read first time, and referred to Committee on Insurance.

Assembly Constitutional Amendment No. 50: By Mr. Robertson—Proposed amendment to Article V, section 17, and Article XIII, section 20, and adding section 34a to Article IV, of the Constitution, relative to State revenue, taxes, moneys and property and the collection, acquisition, administration, supervision, management, control, use and disposition thereof and reports, accounting and auditing with respect thereto.

Introduced, and referred to Committee on Constitutional Amendments.

Resolution.

The following resolution was offered:

By Mr. Peek:

House Resolution No. 130.

WHEREAS, The State Printer has, in carrying out the provisions of subdivision 9 of section 526 of the Political Code, duly maintained a Legislative Bill Room and made certain expenditures to install modern equipment therein; now, therefore be it

Resolved by the Assembly of the State of California, That expenditures for labor and equipment amounting to $6,549 30 be approved by the Legislature as proper charges in the pro rata share in expense incurred for the fifty-second session of the Legislature, and that the same shall be deducted from the sum of $6,660.83.

which has accrued in revenues for the account of the Legislature through the State Printer under business transacted by the Supervisor of Documents.

Request for Unanimous Consent.

Mr. Peek asked for, and was granted, unanimous consent to take up House Resolution No. 130, at this time, without reference to committee or calendar.

House Resolution No. 130 read, and adopted by following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—55.

NOES—Hunt—1.

Notice of Motion to Reconsider Assembly Bill No. 883 Waived.

Mr. Yorty waived his notice of motion to reconsider the vote whereby Assembly Bill No. 883 was passed.

Assembly Bill No. 883 ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2623.

Mr. Johnson moved to expunge the record and rescind the action whereby the Assembly on April 5, 1937, adopted amendments to Assembly Bill No 2623.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2797—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 3886, relating to the validation of certain tax levies.

Motion to Amend Assembly Bill No. 2797.

Mr. Lyon moved to amend Assembly Bill No. 2797 as follows:

Amendment No. 1.

On page 1, line 24, of the printed bill, strike out the words "that nothing herein contained shall", and all of lines 25 and 26, and insert in lieu thereof "This act shall not apply to any assessment, tax, tax levy or tax deed, upon any property as to which claim for refund has heretofore been filed or which is in litigation at the time this act takes effect."

Amendment read, and refused adoption by the following vote:

AYES—Cottrell, Field, Garibaldi, Latham, and Lyon—5.

NOES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Yorty, and Mr. Speaker—53.

Assembly Bill No. 2797 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Gannon, Gari-

baldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Yorty, and Mr. Speaker—55.

NOES—Cottrell, Crowley, Field, Latham, and Lyon—5.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2132—An act to amend sections 1, 2, 3, 3a, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 of the "Funeral Directors and Embalmers Law," relating to the regulation of funeral directors and embalmers and the transportation of and traffic in dead human bodies, and to the State Board of Funeral Directors and Embalmers and the State Department of Professional and Vocational Standards and the powers and duties of said board and said department and each thereof in relation thereto.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1021—An act to add sections 56.4 and 56.6 to the Alcoholic Beverage Control Act, relating to bartenders.

Motion to Amend Assembly Bill No. 1021.

Mr. Hunt moved to amend Assembly Bill No. 1021 as follows:

Amendment No. 1.

On page 1, between lines 11 and 12, of the printed bill, as amended, insert the following:

"The provisions of this section shall not apply to the mixing of alcoholic beverages containing distilled spirits by any on-sale licensee nor to the mixing of such beverages by the wife of any licensee on the premises for which her husband holds an on-sale license."

Amendment adopted.

Assembly Bill No. 1021 ordered to reprint, and re-engrossment.

Assembly Bill No. 1869—An act to amend the School Code by amending section 2.860 relating to the holding of trustees' meetings by the county superintendent of schools.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Millington, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Weber, and Williamson—47.

NOES—Boyle, Heisinger, Meehan, O'Donnell, Peek, Robertson, Rosenthal, Yorty, and Mr. Speaker—9.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 695—An act to amend section 1.513 of the School Code, relating to punishment for failure to report deaf children.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson,

Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—Cassidy, and Fulcher—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1129—An act to add a new section numbered section 6 to an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price for the sale of jute bags.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2369—An act to add section 3888b to the Political Code, relating to conveyance of land to a county in payment of taxes, penalties and interest due the county from the owner of the land.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Motion to Amend Title to Assembly Bill No. 2369.

Mr. Robertson moved to amend the title as follows:

Amendment No. 1.

On page 1, lines 3 and 4 of the title of the printed bill, as amended, strike out "from the owner of the land".

Amendment adopted.

Title, as amended, read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 516—An act to add section 869 to the Fish and Game Code, relating to tuna.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, Desmond, Donihue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Leonard, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Sawallisch, Scudder, Sheehan, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—46

NOES—Dilworth, Field, Garland, Johnson, Kuchel, Latham, Martin, Redwine, Stream, and Watson—10.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 516.

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 516 was this day passed.

Assembly Bill No. 1668—An act to amend sections 980, 981, 1024, 1025 and 1029, and to repeal sections 1020, 1021, 1022, 1023, 1026 and

1028 of the Streets and Highways Code, relating to the county road districts, their administration, and their special funds.

Re-reference of Assembly Bill No. 1668.

On motion of Mr. Donihue, Assembly Bill No. 1668 was withdrawn from the calendar, and re-referred to the Committee on County Government.

Assembly Bill No. 2658—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56

NOES—Cassidy, Dilworth, Donihue, Kuchel, Lore, Muldoon, and Robertson—7.

Motion to Amend Title to Assembly Bill No. 2658.

Mr. Leonard moved to amend the title as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "an act entitled "An act to", and strike out lines 2 to 15, inclusive, and in line 16, strike out "8, 1931." and insert in lieu thereof the following: "the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.'"

Amendment adopted.

Title, as amended, read and approved Bill ordered transmitted to the Senate.

Motion Relative to Adjournment.

Mr. King moved that when the Assembly adjourns this day, it do so until the hour of nine o'clock and thirty minutes a.m., April 10, 1937.

The roll was called, and the motion carried by the following vote:

AYES—Boyle, Burns, Michael J., Clark, Cunningham, Daley, Dannenbrink, Field, Gannon, Gilbert, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Meehan, Morgan, Muldoon, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Turner, Walker, Watson, and Mr Speaker—34

NOES—Baynham, Breed, Burns, Hugh M., Cassidy, Cottrell, Crowley, Dawson, Dilworth, Donihue, Flint, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Lyon, Mayo, McMurray, Miller, George P., Millington, O'Donnell, Pelletier, Sawallisch, Scudder, Sheehan, Thorp, Voigt, Weber, Williamson, and Yorty——31.

Motion for Saturday Session of Assembly.

Mr. Reaves moved that the Assembly meet in regular session on Saturday, April 17, 1937, at nine o'clock and thirty minutes a.m.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Baynham, Boyle, Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heis-

inger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Scudder, Stream, Turner, Walker, Watson, Williamson, and Mr. Speaker—44.

NOES—Breed, Burns, Hugh M., Cottrell, Crowley, Dilworth, Fulcher, Garland, Hornblower, Mayo McMurray, Millington, O'Donnell, Sawallisch, Sheehan, Thorp, Weber, and Yorty—17.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2198—An act imposing a tax upon the rolling stock of car companies and car-loaning companies, providing that such tax shall be in lieu of other taxes according to value, and providing for the administration of such tax.

Motion to Amend Assembly Bill No. 2198.

Mr. Robertson moved to amend Assembly Bill No 2198 as follows:

Amendment No. 1.

On page 6, line 1, of the printed bill, as amended, strike out "and", and insert in lieu thereof the following: "or".

Amendment adopted.

Request for Unanimous Consent.

Mr Robertson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2198, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2198, as Amended.

Assembly Bill No. 2198—An act imposing a tax upon the rolling stock of car companies and car-loaning companies, providing that such tax shall be in lieu of other taxes according to value, and providing for the administration of such tax.

Assembly Bill No. 2198, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Donahue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Martin, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—55.

NOES—Crowley, Dilworth, and Williamson—3.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1559—An act to repeal section 3897 of the Political Code and to add to said code a new section to be numbered 3897, relating to the sale of property deeded to the State for delinquent taxes.

Motion to Amend Assembly Bill No. 1559.

Mr. Field moved to amend Assembly Bill No. 1559 as follows:

Amendment No. 1.

On page 3, line 26, of the printed bill, strike out the words "shall be returned", and insert in lieu thereof the following: "on account of advertising shall be returned, together with the amount tendered as a bid".

Amendment adopted.

Request for Unanimous Consent.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Bill No 1559, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1559, as Amended.

Assembly Bill No. 1559—An act to repeal section 3897 of the Political Code and to add to said code a new section to be numbered 3897, relating to the sale of property deeded to the State for delinquent taxes.

Assembly Bill No. 1559, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donahue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Assembly Bill No. 2733—An act to amend the title and sections 1, 2, 3, 4, 5, and 6 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," and to add a new section numbered 7, approved June 3, 1927, as amended, relating to clothes cleaning establishments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—58

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1765—An act to add section 5.4 to the Retail Sales Tax Act of 1933, relating to exemptions from taxation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donahue, Field, Flint, Gannon, Garland, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Patterson, Pelletier, Redwine, Rosenthal, Sawallisch, Sheehan, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56

NOES—Cottrell, Crowley, Dilworth, Fulcher, Garibaldi, Gilbert, Hawkins, Lore, Peek, Reaves, Scudder, Stream, Thorp, and Walker—14

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2576—An act to amend section 1a of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to the definition of civil engineering.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves

Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Weber, Williamson, Yorty, and Mr Speaker—63

NOES—Fulcher—1

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2575—An act to amend sections 1 and 8 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to the practice of civil engineering.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59

NOES—Fulcher, Garibaldi, and Walker—3

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2575.

Mr Fulcher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 2575 was this day passed

Assembly Bill No. 2674—An act to add section 15 5 to, and to amend section 17 of, an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to the practice of civil engineering.

Bill read third time, and passed by the following vote

AYES—Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—58.

NOES—Crowley, Fulcher, Garibaldi, Leonard, and Mayo—5.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2673—An act to amend section 16 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to exemptions from the provisions of the act.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Watson, Weber, Williamson, Yorty, and Mr. Speaker—52.

NOES—Crowley, Fulcher, Garibaldi, Garland, Heisinger, Mayo, Reaves, Robertson, Turner, Voigt, and Walker—11

Title read and approved

Notice of Motion to Reconsider Assembly Bill No. 2673.

Mr. Fulcher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2673 was this day passed.

Assembly Bill No. 3—An act to amend sections 1, 3, 5, 6, 11 and 13 of the Unfair Practices Act, to repeal section 15 of said act, and to add sections 15, 16 and 17 thereto, all relating to unfair trade practices

Motion to Amend Assembly Bill No. 3.

Mr. Boyle moved to amend Assembly Bill No. 3 as follows:

Amendment No. 1.

On page 3, line 48, of the printed bill, as amended March 26, 1937, after "alleged", insert the following "and shown".

Amendment No. 2.

On page 1, line 26, and on page 2, line 1, of the printed bill, as amended March 26, 1937, strike out the words: "Common carriers as the same are defined in the Public Utilities Act"; and insert in lieu thereof the following: "Any public utility corporation under the jurisdiction of the Railroad Commission of the State of California."

Amendments adopted.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 3, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 3, as Amended.

Assembly Bill No. 3—An act to amend sections 1, 3, 5, 6, 11 and 13 of the Unfair Practices Act, to repeal section 15 of said act, and to add sections 15, 16 and 17 thereto, all relating to unfair trade practices.

Assembly Bill No. 3, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2464—An act relating to the adoption of codes of fair competition for certain trades and industries within this State.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Assembly Bills.

On motion of Mr. Garibaldi, Assembly Bill No. 133 was withdrawn from the calendar, and re-referred to the Committee on County Government.

On motion of Mr. Yorty, Assembly Bill No. 2692 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

On motion of Mr. Yorty, Assembly Bill No. 2693 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 628—An act to amend section 216 of the Vehicle Code, relating to registration of motor vehicles.

Motion to Amend Assembly Bill No. 628.

Mr. Fulcher moved to amend Assembly Bill No 628 as follows.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following.

"Any nonresident owner of a vehicle of a type subject to registration hereunder, who is gainfully and regularly employed in this State, shall be".

Amendment adopted.

Request for Unanimous Consent.

Mr. Fulcher asked for, and was granted, unanimous consent to take up Assembly Bill No 628, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 628, as Amended.

Assembly Bill No. 628—An act to amend section 216 of the Vehicle Code, relating to registration of motor vehicles.

Assembly Bill No. 628, as amended, read third time, and refused passage by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Crowley, Dannenbrink, Desmond, Dilworth, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Johnson, Latham, Laughlin, Leonard, Mayo, Miller, George P., O'Donnell, Reaves, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, and Walker—29.

NOES—Boyle, Cassidy, Cunningham, Daley, Dawson, Donahue, Field, Flint, Gilbert, Glick, Heisinger, Hornblower, Hunt, Kepple, Kuchel, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Redwine, Richie, Rosenthal, Sheehan, Watson, Weber, Williamson, Yorty, and Mr. Speaker—34.

Notice of Motion to Reconsider Assembly Bill No. 628.

Mr Fulcher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 628 was this day refused passage.

Assembly Bill No. 1794—An act licensing and regulating persons engaged in the business of writing, procuring and furnishing bail and bail bonds in criminal actions and providing penalties for the violation thereof.

Motion to Amend Assembly Bill No. 1794.

Mr Cunningham moved to amend Assembly Bill No. 1794 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to add Chapter 8, comprising sections 1830 to 1830.42, inclusive, to Part 2, Division 1, of the Insurance Code,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Chapter 8, comprising sections 1830 to 1830.42, inclusive, is hereby added to Part 2, Division 1, of the Insurance Code, to read as follows:

Chapter 8 Cash or Property Bail Licensees

Article 1. Scope of Chapter and General Provisions.

1830 This chapter shall not affect the solicitation of, negotiation for, or the execution or delivery of an undertaking of bail which is subject to Chapter 7 of this part

1830.2. This chapter shall not be construed to limit the power of any city or county to enact other and further regulations concerning, and not in conflict with, the provisions of this chapter.

1830.4 This chapter shall not be construed to prevent any individual person from writing or furnishing a bail bond if no consideration is furnished therefor, directly or indirectly by any person for the execution thereof.

1830.6 The permits required by this chapter are in addition to any and all other permits or licenses required by law.

1830.8 As used in this chapter, the term "bail bond" includes any contract for or method of".

Amendment No. 3.

On page 1 of the printed bill, strike out line 14, and insert in lieu thereof the following:

"1830.10. As used in this chapter, "bail bond business" means giving or providing".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 16 to 21, inclusive, and insert in lieu thereof the following. "bail bonds in any one calendar year.

1830.12 As used in this chapter, "permittee" means any person to whom a permit has been issued pursuant to this chapter."

Amendment No. 5.

On page 1, line 22, of the printed bill, strike out "Sec. 2. No person shall", and in lieu thereof insert the following:

"Article 2. Qualification and Permits.

1830.20 A person shall not".

Amendment No. 6.

On page 1, line 23, of the printed bill, strike out "or", and insert in lieu thereof the following. "nor".

Amendment No. 7.

On page 1 of the printed bill, strike out line 25, and insert in lieu thereof the following. "the commissioner."

Amendment No. 8.

On page 2 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"1830.22. A person other than an individual person shall not".

Amendment No. 9.

On page 2 line 4, of the printed bill, strike out 'No one shall", and insert in lieu thereof the following. "A person shall not".

Amendment No. 10.

On page 2, line 6, of the printed bill, strike out "such Insurance", and in lieu thereof insert the following: "the".

Amendment No. 11.

On page 2 of the printed bill, strike out line 7, and in line 8, strike out "and empowered to", and insert in lieu thereof the following:

"1830.24. The commissioner may".

Amendment No. 12.

On page 2, line 10, of the printed bill strike out "such person", and insert in lieu thereof the following: "the applicant".

Amendment No. 13.

On page 2 of the printed bill, strike out line 12, and in line 13, strike out 'empowered to", and insert in lieu thereof the following.

"1830.26. The commissioner may".

Amendment No. 14.

On page 2 of the printed bill, strike out lines 18 and 19, and insert in lieu thereof the following. "such occupation. A permit shall not be issued to any individual"

Amendment No. 15.

On page 2 of the printed bill, strike out line 22, and insert in lieu thereof the following

"1830.28 The commissioner may refuse to issue any permit".

Amendment No. 16.

On page 2, line 23, of the printed bill, strike out "under the provisions of this act".

Amendment No. 17.

On page 2, lines 25 and 26, of the printed bill, strike out "such business or occupation", and insert in lieu thereof the following: "the bail bond business."

Amendment No. 18.

On page 2 of the printed bill, strike out line 27, and insert in lieu thereof the following:

"1830.30. A permit to act as agent or solicitor shall not be".

Amendment No. 19.

On page 2 of the printed bill, strike out line 36, and in line 37, strike out "ance", and insert in lieu thereof the following: "account of such employer, and shall be returned to the".

Amendment No. 20.

On page 2 of the printed bill, strike out line 39, and insert in lieu thereof the following:

"1830.32. The commissioner may revoke and cancel".

Amendment No. 21.

On page 2, line 40, of the printed bill, strike out "issued under this act".

Amendment No. 22.

On page 2, line 44, of the printed bill, strike out "Sec. 8", and insert in lieu thereof the following: "1830 34".

Amendment No. 23.

On page 2 of the printed bill, strike out lines 46 to 52, inclusive, and on page 3, line 1, strike out "of such business", and insert in lieu thereof the following "any person granted a permit shall deposit with the commissioner a bond having an admitted surety insurer as surety thereon in the penal sum of $5000, conditioned upon the proper application and disposal of all monies, collected or received, by the permittee, his solicitors or agents as the case may be, and his employees, in favor of the people of the State of California".

Amendment No. 24.

On page 3 of the printed bill, strike out line 9, and in line 10, strike out "act shall", and insert in lieu thereof the following:

"The bonds herein required may be continuous in form, and if continuous in form shall remain in effect until canceled by 30 days' notice in writing given by the surety to the commissioner. Cancellation shall not affect any liability accruing prior to the effective date of such cancellation.

Article 3. General Regulations.

1830 40. A person licensed pursuant to this chapter shall not".

Amendment No. 25.

On page 3, line 13, of the printed bill, strike out "Sec. 10. Any", and insert in lieu thereof the following: "1830.42. Every".

Amendment No. 26.

On page 3, line 15, of the printed bill, strike out "issued under the provisions of this act".

Amendment No. 27.

On page 3, line 16, of the printed bill, strike out "act shall be", and insert in lieu thereof the following: "chapter is".

Amendment No. 28.

On page 3, line 17, of the printed bill, strike out "Provided, however, that nothing in this act", and strike out lines 18 to 24, inclusive.

Amendments adopted.

Assembly Bill No. 1794 ordered to reprint, and re-engrossment.

Assembly Bill No. 1907—An act imposing an excise tax on the use in this State of motor vehicle fuel, providing for the issuance of permits to the users of such fuel and for the levy, assessment and collection of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Motion to Amend Assembly Bill No. 1907.

Mr. Heisinger moved to amend Assembly Bill No. 1907 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 23 and 24, add the following: "four cents per gallon on the use of diesel fuel and".

Amendment No. 2.

On page 2, line 24, of the printed bill, as amended, after "fuel", add the following: "as defined by this act other than diesel fuel,".

Amendments read, and refused adoption by the following vote:

AYES—Boyle, Burns, Michael J., Cassidy, Crowley, Desmond, Dilworth, Donihue, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, King, Lore, Mayo, O'Donnell, Rosenthal, Sawallisch, Scudder, Thorp, Turner, Walker, Watson, and Mr. Speaker—24.

NOES—Andreas, Baynham, Cunningham, Daley, Dannenbrink, Dawson, Field, Fulcher, Gannon, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Maloney, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sheehan, Stream, Voigt, Weber, Williamson, and Yorty—35.

Assembly Bill No. 1907 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

House Resolution No. 120—Appoints Assembly Interim Committee on Motor Vehicle Laws.

Motion to Amend House Resolution No. 120.

Mr. Sawallisch moved to amend House Resolution No. 120 as follows:

Amendment No. 1.

On page 1, line 2, of the printed measure, paragraph 4, strike out "Three", and insert in lieu thereof the following: "Five".

Amendment adopted.

House Resolution No. 120, as amended, read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—Burns, Michael J., Garibaldi, and Scudder—3.

Assembly Bill No. 990—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts.

Motion to Amend Assembly Bill No. 990.

Mr. Kepple moved to amend Assembly Bill No. 990 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "Alameda, Contra Costa," and insert in lieu thereof the following: "San Luis Obispo".

Amendment No. 2.

On page 1, line 9, of the printed bill, after "of", add the following: "Alameda, Contra Costa,".

Amendment No. 3.

On page 1, lines 15 and 16, of the printed bill, strike out the comma which follows "Marin", and strike out "San Luis Obispo, Santa Barbara, and Ventura".

Amendment No. 4.

On page 1 of the printed bill, between lines 21 and 22, add the following: "Santa Barbara, Ventura,".

Amendments adopted.

Assembly Bill No. 990 ordered to reprint, and re-engrossment.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division 1 of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive.

Motion to Amend Assembly Bill No. 1879.

Mr. Johnson moved to amend Assembly Bill No. 1879 as follows and requested that the amendments be voted upon separately.

Amendment No. 1.

On page 1, lines 17 and 18, of the printed bill, as amended, after "activities", insert the following: "without regard to political or religious affiliation or profession or occupation".

Amendment No. 1 adopted.

Amendment No. 4.

On page 3, lines 7 and 8, of the printed bill, as amended, strike out "and his qualifications shall be:", and lines 9 to 14, inclusive, and insert in lieu thereof the following: "wholly on the basis of training, demonstrated ability, experience, and leadership in organized social welfare administration, and shall hold his office at its pleasure."

Amendment No. 4 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—Lore, Patterson, and Reaves—3.

Hon. Kent H. Redwine in the Chair.

At five o'clock and twenty minutes p.m., Hon. Kent H. Redwine, member of the Assembly from the Fifty-Seventh District, in the chair.

The Speaker in the Chair.

At five o'clock and thirty minutes p.m., Speaker of the Assembly, in the chair.

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 19 to 21, inclusive.

Amendment No. 2 adopted.

Amendment No. 3.

On page 2, line 27, of the printed bill, as amended, strike out "The board", and strike out lines 28 to 37, inclusive, and insert in lieu thereof the following: "Except as otherwise provided by law, the board shall establish minimum standards of relief, not in conflict with law, for all relief purposes for which State grants in aid are made to the counties."

Amendment No. 3 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Redwine, Robertson, Scudder, Sheehan, Stream, Thorp, Voigt, Watson, Weber, Williamson, and Yorty—47.

NOES—Cassidy, Gilbert, Hunt, King, Lore, Miller, George P., Patterson, Reaves, and Rosenthal—9.

Notice of Motion to Reconsider Adoption of Amendment No. 3 to Assembly Bill No. 1879.

Mr. Miller, George P., gave notice that on the next legislative day he would move to reconsider the vote whereby Amendment No. 3 was this day adopted.

Special Order Set for Assembly Bill No. 1879.

Mr. Yorty moved that the further consideration of Assembly Bill No. 1879 be made a special order of business for this evening, Friday, April 9, 1937, at eight o'clock p.m.

The roll was called, and Assembly Bill No. 1879 made a special order of business by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—55.

NOES—None.

Special Order Set for Assembly Bill No. 1936.

Mr. Clark moved that the consideration of Assembly Bill No. 1936 be made a special order of business for Friday, April 9, 1937, at eight o'clock and ten minutes p.m.

The roll was called, and Assembly Bill No. 1936 made a special order of business by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Field, Fulcher, Gannon, Garibaldi, Garland, Hornblower, Johnson, Kepple, Kuchel, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Robertson, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, and Yorty—39.

NOES—Lore, Miller, George P., Patterson, and Rosenthal—4.

Recess.

At five o'clock and forty-five minutes p.m., on motion of Mr. King, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Concurrent Resolution No. 41: By Mr. Miller—Relative to urging equal opportunity in public employment for qualified physically handicapped citizens of the State.

Introduced, and referred to Committee on Unemployment.

Assembly Constitutional Amendment No. 51: By Mr. Voigt—Proposed amendment to Article IV, section 23a, of the Constitution, relative to officers, employees and attaches of the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 836.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 953.
Assembly Bill No. 2223.
Assembly Bill No. 1212.
Assembly Bill No. 2277.
Assembly Bill No. 20.
Assembly Bill No. 24.
Assembly Bill No. 1787.
Assembly Bill No. 448.
Assembly Bill No. 563.
Assembly Bill No. 449.

Assembly Bill No. 562.
Assembly Bill No. 25.
Assembly Bill No. 26.
Assembly Bill No. 27.
Assembly Bill No. 28.
Assembly Bill No. 33.
Assembly Bill No. 38.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 1123—An act to add section 4d to an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to irrigation districts, and declaring the existing law, declaring the urgency hereof and providing that this act shall take effect immediately.

Senate Bill No. 466—An act to amend sections 705, 882, 1500, 1590, 1678, 1679, 1713, 1765, 11060 and 11061 of the Insurance Code, and to add section 900.5 thereto, all relating to insurance, and declaring the urgency thereof, the act to take effect immediately.

Senate Bill No. 165—An act to amend sections 6010 and 7015 of the Insurance Code, both relating to county mutual fire insurers;

Senate Bill No. 440—An act to amend sections 1064, 1066, 1071, and 1074 of the Agricultural Code, pertaining to economic poisons;

Senate Bill No. 597—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors;

Senate Bill No. 1056—An act to amend section 4300d of the Political Code, relating to fees.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 1123 read first time, and referred to Committee on Irrigation.

Senate Bill No. 466 read first time, and referred to Committee on Insurance.

Senate Bill No. 165 read first time, and referred to Committee on Insurance.

Senate Bill No. 440 read first time, and referred to Committee on Agriculture.

Senate Bill No. 597 read first time, and referred to Committee on Public Morals.

Senate Bill No. 1056 read first time, and referred to Committee on Judiciary General.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2684—An act relating to the relief of debtors and guarantors; permitting postponement of sales conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; declaring the urgency hereof, and providing that it shall take effect immediately.

Urgency clause read, and adopted by the following vote.

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—Crowley, and Latham—2.

Assembly Bill No. 2684 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—Latham, and Morgan—2.

Title read and approved. Bill ordered transmitted to the Senate.

Leaves of Absence.

Mr. Breed was granted leave of absence for the balance of this legislative day, on motion of Mr. Miller.

Messrs. Beene, Cottrell and Lyon were granted leave of absence for the balance of this legislative day, on motion of Mr. Field.

Mr. Peek was granted leave of absence for the balance of this legislative day, on motion of Mr. Clark.

Mr. Welsh was granted leave of absence for the balance of this legislative day, on motion of Mr. Robertson.

Special Order.

The hour of eight o'clock p.m. having arrived, the special order heretofore set for this hour was taken up.

Reconsideration of Amendment No. 3 to Assembly Bill No. 1879.

In compliance with a notice given previously, Mr. Johnson moved that the vote whereby Amendment No. 3 to Assembly Bill No. 1879 was adopted be reconsidered.

The roll was called, and Amendment No. 3 refused reconsideration by the following vote:

AYES—Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Donihue, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Muldoon, Patterson, Pelletier, Reaves, Richie, Rosenthal, Watson, Weber, Yorty, and Mr. Speaker—35.

NOES—Andreas, Baynham, Boyle, Burns, Michael J., Dawson, Desmond, Dilworth, Field, Gannon, Heisinger, Hunt, Latham, Leonard, Mayo, Miller, Eleanor; Millington, Morgan, Redwine, Robertson, Scudder, Stream, Thorp, Turner, and Walker—24.

Hon. Geoffrey F. Morgan in the Chair.

At nine o'clock and ten minutes p.m. Hon. Geoffrey F. Morgan, member of the Assembly from the Sixteenth District, in the chair.

Motion to Amend Assembly Bill No. 1879.

Mr. Crowley moved to amend Assembly Bill No. 1879 as follows:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, strike out "the Gov-", and insert in lieu thereof the following: "and hold office at the pleasure of the Governor".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 11 to 13, inclusive, and in line 14, strike out "term".

Amendment No. 3.

On page 6 of the printed bill, as amended, strike out lines 7 to 17, inclusive.

Amendments read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Cassidy, Crowley, Desmond, Donihue, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, King, Leonard, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, Pelletier,

Reaves, Richie, Robertson, Rosenthal, Stream, Turner, Watson, Yorty, and Mr. Speaker—32.

NOES—Burns, Michael J., Clark, Cunningham Daley, Dannenbrink, Dawson, Dilworth, Field, Flint, Gannon, Hornblower, Johnson, Kepple, Kuchel, Latham, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Patterson, Redwine, Scudder, Thorp, Walker, and Weber—26.

The Speaker in the Chair.

At nine o'clock and thirty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1879, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1879, as Amended.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division I of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive.

Motion to Amend Assembly Bill No. 1879.

Mr. Hornblower moved to amend Assembly Bill No. 1879 as follows, and requested that the amendments be voted upon separately:

Amendment No. 1.

On page 5, line 20, of the printed bill, as amended, after the word "supervisors", strike out the words "or county welfare agency".

Amendment No. 2.

On page 5, line 22, of the printed bill, as amended, after the word "supervisors", strike out the comma and the balance of line 22, and all of lines 23 and 24, and insert in lieu thereof a period.

Amendments Nos. 1 and 2 read, and adopted by the following vote:

AYES—Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr Speaker—52.

NOES—Andreas, Boyle, and Robertson—3.

Amendment No. 3.

On page 3, line 37, of the printed bill, as amended, after the comma, insert the following: "a Division of Aid to the Needy Aged, a Division of Aid to the Needy Blind,".

Amendment No 3 adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1879, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1879, as Amended.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division 1 of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive.

Motion to Amend Assembly Bill No. 1879.

Mr. Desmond moved to amend Assembly Bill No. 1879 as follows, and requested that the amendments be voted upon separately:

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out lines 46 to 52, inclusive.

Amendment No. 2.

On page 5 of the printed bill, as amended, strike out lines 1 to 5, inclusive.

Amendments Nos. 1 and 2 read, and refused adoption by the following vote:

AYES—Boyle, Burns, Michael J., Crowley, Dawson, Desmond, Dilworth, Fulcher, Gannon, Garibaldi, Garland, Hornblower, Maloney, Mayo, Meehan, Millington, Scudder, Thorp, and Turner—18.

NOES—Andreas, Baynham, Cassidy, Clark, Cunningham, Daley, Dannenbrink, Donihue, Field, Flint, Gilbert, Glick, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Walker, Watson, Weber, Yorty, and Mr. Speaker—38.

Amendment No. 3.

On page 5 of the printed bill, as amended, strike out lines 30 to 43, inclusive.

Amendment No. 3 read, and refused adoption by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Crowley, Cunningham, Dawson, Desmond, Dilworth, Field, Fulcher, Gannon, Garibaldi, Garland, Hornblower, Leonard, Maloney, Mayo, McMurray, Millington, Muldoon, Robertson, Scudder, Stream, Thorp, Turner, and Weber—27.

NOES—Baynham, Clark, Daley, Dannenbrink, Donihue, Flint, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Martin, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Walker, Watson, Yorty, and Mr Speaker—31.

Notice of Motion to Reconsider Amendment No. 3 to Assembly Bill No. 1879.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Amendment No 3 to Assembly Bill No. 1879 was this day refused adoption.

Reconsideration of Amendment No. 3 to Assembly Bill No. 1879.

In compliance with a notice given previously, Mr Hornblower moved that the vote whereby Amendment No 3 to Assembly Bill No. 1879 was refused adoption be reconsidered.

The roll was called, and Amendment No. 3 refused reconsideration by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Crowley, Cunningham, Dawson, Desmond, Dilworth, Field, Fulcher, Gannon, Garibaldi, Garland, Hornblower, Kepple, Latham, Laughlin, Leonard, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, and Weber—35.

NOES—Clark, Daley, Dannenbrink, Donihue, Flint, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kuchel, Lore, Martin, Miller, Eleanor; Morgan, Patterson, Pelletier, Reaves, Richie, Watson, Yorty, and Mr. Speaker—22.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 1879, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1879, as Amended.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division I of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive.

Motion to Amend Assembly Bill No. 1879.

Mr. Maloney moved to amend Assembly Bill No. 1879 as follows:

Amendment No. 1.

On page 5, line 4, of the printed bill, after the word "who", insert the word "wilfully".

Amendment adopted.

Assembly Bill No. 1879 ordered to reprint, and re-engrossment.

Withdrawal and Re-reference of Assembly Bill No. 1928.

On motion of Mr. Garibaldi, Assembly Bill No. 1928 was withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Judiciary General.

Special Order.

The hour of eight o'clock and ten minutes p.m., having arrived, the special order heretofore set was ordered on third reading calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1306—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—54.

NOES—Dilworth, and Miller, Eleanor—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1888—An act to amend section 3493 of the Political Code of the State of California, relating to the dissolution of reclamation districts.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2057—An act to amend sections 794, 828, and 829 of the Agricultural Code, relating to the standardization of containers for cherries.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 218—An act to amend section 487 of the Penal Code, relating to grand theft.

Bill read third time, and refused passage by the following vote:

AYES—Burns, Michael J., Crowley, Dannenbrink, Dilworth, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Kepple, Miller, Eleanor; Millington, Scudder, Stream, Thorp, Turner, Walker, Watson, and Weber—19.

NOES—Andreas, Baynham, Boyle, Cassidy, Cunningham, Daley, Dawson, Donihue, Field, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Yorty, and Mr. Speaker—36.

Notice of Motion to Reconsider Assembly Bill No. 218.

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 218 was this day refused passage.

Assembly Bill No. 323—An act to amend Chapter 34, Statutes of 1927, entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said act," approved March 31, 1927, by adding a new section thereto to be known as 47a, forbidding any member of the State Bar from practicing law in any other than his own name or jointly with other active members of the State Bar; and repealing all laws and parts of acts and laws in conflict therewith, and providing penalty for the violation thereof.

Motion to Amend Assembly Bill No. 323.

Mr. Peek moved to amend Assembly Bill No. 323 as follows:

Amendment No. 1.

On page 1, lines 3 to 6, of the printed bill, strike out "shall engage in the practice of law under other than his own name, or jointly under his own name and the names of active members of the State Bar, and no", and insert in lieu thereof a comma.

Amendment adopted.

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Bill No. 323, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 323, as Amended.

Assembly Bill No. 323—An act to amend Chapter 34, Statutes of 1927, entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said act," approved March 31, 1927, by adding a new section thereto to be known as 47a, forbidding any member of the State Bar from practicing law in any other than his own name or jointly with other active members of the State Bar; and repealing all laws and parts of acts and laws in conflict therewith, and providing penalty for the violation thereof.

Assembly Bill No. 323, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Kuchel, Laughlin,

Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Robertson, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—50.

NOES—Cunningham, Dilworth, Field, Garibaldi, Johnson, Latham, Meehan, Redwine, and Rosenthal—9.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 249—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 483—An act to amend sections 3, 8, and 9 of the Inheritance Tax Act of 1935, relating to the lien of inheritance taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 988—An act to add a new section to the School Code to be known as section 2.992, relating to gifts, donations, bequests and devises to school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—54.

NOES—Latham—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2188—An act to amend section 731 of the Fish and Game Code, relating to taking of barracuda.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dawson, Dilworth, Donihue, Flint, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Laughlin, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Pelletier, Reaves, Richie, Rosenthal, Sheehan, Thorp, Turner, Watson, Weber, Yorty, and Mr. Speaker—43.

NOES—Dannenbrink, Field, Garland, Johnson, Kuchel, Latham, Martin, Morgan, Redwine, Scudder, Stream, and Walker—12.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2189—An act to amend section 733.5 of the Fish and Game Code, relating to taking of yellowtail.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Cassidy, Clark, Crowley, Daley, Dawson, Dilworth, Donihue, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple,

King, Laughlin, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Pelletier, Reaves, Rosenthal, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—41.

NOES—Dannenbrink, Field, Garland, Johnson, Kuchel, Latham, Martin, Morgan, Redwine, Robertson, and Scudder—11.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Assembly Bill No. 1874.

On motion of Mr. Redwine, Assembly Bill No. 1874 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means

Resolution.

The following resolution was offered:

By Mr Patterson:

House Resolution No. 131.

WHEREAS, Harold Pomeroy, State Relief Administrator, has issued a verbal order prohibiting employees of the S.R.A. from pursuing legislative activities in the California Legislature on their own time and in their capacity as private citizens; and

WHEREAS, Said order specifically forbids any meetings with legislators for the purpose of discussing any and all legislation; and

WHEREAS, Said order further prohibits the sending of communications or petitions to legislators concerning pending legislation; and

WHEREAS, Said order *arbitrarily limits the exercise of fundamental political* rights and liberties; and

WHEREAS, Said order is un-American and undemocratic in that it abridges the fundamental liberties of free speech, free press and free assemblage and the right of petition; and

WHEREAS, Our democratic form of government can only survive so long as the citizens engage in free discussion on public questions; and

WHEREAS, Said Harold Pomeroy has threatened to dismiss any S.R.A. employee who disobeys said order; and

WHEREAS, The high morale of the employees of the State Relief Administration has been undermined by the arbitrary action of said Harold Pomeroy; and

WHEREAS, The said Harold Pomeroy in the issuance of said order has shown his unfitness any longer to continue as State Relief Administrator; now, therefore, be it

Resolved, That the Assembly severely condemns the dictatorial and un-American order of Harold Pomeroy abridging the political and civil liberties of S.R.A. workers; and be it further

Resolved, That the Assembly request the Governor to relieve said Harold Pomeroy of his position as State Relief Administrator; and be it further

Resolved, That a copy of this resolution be ordered delivered to the Governor of this State.

Request for Unanimous Consent.

Mr. Patterson asked for unanimous consent to take up House Resolution No. 131, at this time, without reference to committee or calendar.

Mr Hornblower withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Patterson moved that the Rules be temporarily suspended for the purpose of considering House Resolution No 131, at this time

Mr. Patterson withdrew his motion.

Motion to Refer House Resolution No. 131.

On motion of Mr. Patterson, House Resolution No 131 was referred to the Committee on Social Service and Welfare.

Motion to Withdraw and Re-refer House Resolution No. 131.

Mr. Lore moved to withdraw House Resolution No. 131 from the Committee on Social Service and Welfare, and have it re-referred to the Committee on Rules

Substitute Motion to Re-refer House Resolution No. 131.

Mr. Flint moved, as a substitute motion, that House Resolution No. 131 be re-referred to the Committee on Labor and Capital.

The roll was called, and the substitute motion to re-refer lost by the following vote:

AYES—Cassidy, Flint, Glick, Hawkins, Hornblower, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Reaves, Richie, Robertson, Rosenthal, Walker, Watson, Weber, and Welsh—22.

NOES—Andreas, Boyle, Burns, Michael J., Clark, Daley, Dannenbrink, Dilworth, Donihue, Field, Gannon, Garland, Gilbert, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, McMurray, Meehan, Miller, George P., Patterson, Redwine, Scudder, Stream, Thorp, Turner, Yorty, and Mr. Speaker—30.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 615.	Assembly Bill No. 78.
Assembly Bill No. 1654.	Assembly Bill No. 1936.
Assembly Bill No. 2055.	Assembly Bill No. 72.
Assembly Bill No. 2684.	Assembly Bill No. 399.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 35.	Assembly Bill No. 728.
Assembly Bill No. 258.	Assembly Bill No. 741.
Assembly Bill No. 329.	Assembly Bill No. 827.
Assembly Bill No. 378.	Assembly Bill No. 978.
Assembly Bill No. 390.	Assembly Bill No. 1119.
Assembly Bill No. 429.	Assembly Bill No. 1120.
Assembly Bill No. 647.	Assembly Bill No. 1263.
Assembly Bill No. 1151.	Assembly Bill No. 1280.
Assembly Bill No. 1191.	Assembly Bill No. 1370.
Assembly Bill No. 1198.	Assembly Bill No. 1459.
Assembly Bill No. 1364.	Assembly Bill No. 1519.
Assembly Bill No. 218.	Assembly Bill No. 1521.
Assembly Bill No. 241.	Assembly Bill No. 1874.
Assembly Bill No. 427.	Assembly Bill No. 2078.
Assembly Bill No. 459.	Assembly Bill No. 2824.

And reports the same correctly engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 22.

Respectfully reports the same back without recommendation, as amended.

HUNT, Chairman.

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR SPEAKER: Your Committee on Fish and Game, to which was referred.

Assembly Bill No. 1862.
Assembly Bill No. 2336.
Assembly Bill No. 2663.

Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 1436.
Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR SPEAKER: Your Committee on Elections, to which was referred:
Assembly Bill No. 1845.
Respectfully reports the same back without recommendation, as amended.

GILBERT, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Governmental Revenues and Expeditures, to which was referred:
Assembly Bill No. 1425.
Respectfully reports the same back without recommendation, as amended.

SHEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 1267.
Respectfully reports the same back without recommendation, as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 2281.
Respectfully reports the same back with the recommendation: Do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

Re-reference of Bill.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1654 re-referred to Committee on Judiciary Codes.

Adjournment.

At twelve o'clock p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Saturday, April 10, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY
NINETY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, April 10, 1937.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called.

Call of the Assembly.

Mr. Maloney moved a call of the Assembly.

Motion carried.

Time, nine o'clock and forty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Burns, Hugh M., Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Gilbert, Heisinger, Hunt, Kepple, Leonard, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Pelletier, Reaves, Redwine, Scudder, Stream, Turner, Watson, and Mr. Speaker—28.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Further Proceedings Under Call of the Assembly Dispensed With.

At ten o'clock and fifteen minutes a.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Maloney.

The roll of absentees was called, and the following members answered to their names:

Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—52.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Miss Miller, the further reading of the Journal of Friday, April 9, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:
Mr. Baynham, on motion of Mr. Garibaldi.
Mr. Beene, on motion of Mr. Garibaldi.
Mr. Boyle, on motion of Mr. Garibaldi.
Mr. Breed, on motion of Mr. Garibaldi.
Mr. Call, on motion of Mr. Garibaldi.
Mr. Corwin, on motion of Mr. Garibaldi.
Mr. Cottrell, on motion of Mr. Garibaldi.
Mr. Cronin, on motion of Mr. Garibaldi.
Mr. Dawson, on motion of Mr. Garibaldi.
Mr. Desmond, on motion of Mr. Garibaldi.
Mr. Glick, on motion of Mr. Garibaldi.
Mr. Hornblower, on motion of Mr. Garibaldi.
Mr. Johnson, on motion of Mr. Garibaldi.
Mr. Laughlin, on motion of Mr. Garibaldi.
Mr. Levey, on motion of Mr. Garibaldi.
Mr. Lyon, on motion of Mr. Garibaldi.
Mr. Millington, on motion of Mr. Garibaldi.
Mr. Peek, on motion of Mr. Garibaldi.
Mr. Peyser, on motion of Mr. Garibaldi.
Mr. Sawallisch, on motion of Mr. Garibaldi.
Mr. Sheehan, on motion of Mr. Garibaldi.
Mr. Tenney, on motion of Mr. Garibaldi.
Mr. Thorp, on motion of Mr. Garibaldi.
Mr Voigt, on motion of Mr. Garibaldi.
Mr. Waters, on motion of Mr. Garibaldi.
Mr. Welsh, on motion of Mr. Garibaldi.
Mr. Williamson, on motion of Mr. Garibaldi.
Mr. Yorty, on motion of Mr. Garibaldi.

Guests Extended Privilege of Assembly Floor.

On request of the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Courtney, James Clark, Emmett Meehan, and Miss Patricia Ann Meehan.

On request of Mr. Walker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Verne W. Hoffman, of Lodi.

Second Reading of Assembly Bills.

Assembly Bill No. 1238—An act to amend sections 5.10, 5 42, 5.60 and 5.84 of the School Code of the State of California, relating to the establishment of R. O. T. C. units in State colleges and the teaching of courses in military science and tactics in connection therewith.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1399—An act to amend section 763 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1283—An act to amend section 100 of, and to add section 122 to, the Insurance Code, and to add Chapter 14 to Part 2 of Division 2 of said code, providing for the regulation of insurance against the need for medical and hospital services, defining such services, pro-

viding standard provisions for such insurance, maintenance of reserves for the protection of insureds under such insurance providing for the licensing of persons entering into such contracts and rendering such services and providing penalties for the violation thereof.

Committee Amendments to Assembly Bill No. 1283.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out "11540 1", and insert in lieu thereof the following: "11540 11".

Amendment No. 2.

On page 1, line 17, of the printed bill, as amended, strike out "11540.2", and insert in lieu thereof the following: "11540.12".

Amendment No. 3.

On page 2, line 8, of the printed bill, as amended, strike out "11540.3", and insert in lieu thereof the following: "11540.13".

Amendment No. 4.

On page 2, line 10, of the printed bill, as amended, after "or", insert the following: "a".

Amendment No. 5.

On page 2, line 12, of the printed bill, as amended, strike out "11540.4", and insert in lieu thereof the following: "11540.14".

Amendment No. 6.

On page 2, line 16, of the printed bill, as amended, strike out "11540.5", and insert in lieu thereof the following: "11540.15".

Amendment No. 7.

On page 2, line 21, of the printed bill, as amended, strike out "11540.6", and insert in lieu thereof the following: "11540.16".

Amendment No. 8.

On page 2, line 33, of the printed bill, as amended, strike out "thirty", and insert in lieu thereof the following: "sixty".

Amendment No. 9.

On page 2, line 39, of the printed bill, as amended, strike out "license", and insert in lieu thereof the following: "certificate of authority".

Amendment No. 10.

On page 2 of the printed bill, as amended, between lines 43 and 44, insert the following:

"(d) Conform to all laws regulating persons engaged in, and the practice of, the services which may be rendered pursuant to this chapter.

(e) Conform to the provisions of this chapter."

Amendment No. 11.

On page 2, line 50, of the printed bill, as amended, after "name", insert the following: "and address".

Amendment No. 12.

On page 2, line 51, of the printed bill, as amended, after "names", insert the following: "and addresses".

Amendment No. 13.

On page 3 of the printed bill, as amended, between lines 4 and 5, insert the following:

"(d) The geographical area within which the applicant is transacting or intends to transact voluntary health service insurance.

(e) A schedule of premium rates which the applicant proposes to charge for policies issued pursuant to this chapter.

(f) The types of services which applicant proposes to render pursuant to its policies.

(g) The facilities which applicant proposes to use or is using in the discharge of its obligations pursuant to any policy of insurance issued.

(h) The number of years applicant, and if the applicant consists of more than one person, the number of years each such person, has been practicing the profession for which he is licensed, in the geographical area in which he proposes to transact voluntary health service insurance."

Amendment No. 14.

On page 3 of the printed bill, as amended, strike out lines 9 and 10, and insert in lieu thereof the following:

"11540.25. The application shall also be".

Amendment No. 15.

On page 3, line 20, of the printed bill, as amended, strike out "medical".

Amendment No. 16.

On page 3, line 21, of the printed bill, as amended, strike out "medical".

Amendment No. 17.

On page 3 of the printed bill, as amended, strike out lines 25 to 28, inclusive.

Amendment No. 18.

On page 3 of the printed bill, as amended, between lines 31 and 32, insert the following:

"11540.27. Each insurer shall at all times furnish security reserve for the performance of its obligations, in addition to the reserves required by Article 3, in a sum equal to the following minimum amounts in relation to the number of beneficiaries in whose favor contracts are in force.

Number of Beneficiaries	Amount of Security
1000 or less	$5,000 00
1001 to 2000 inclusive	7,500 00
2001 to 3000 inclusive	10,000 00
3001 to 4000 inclusive	12,500 00
4001 to 6000 inclusive	15,000 00
6001 to 8000 inclusive	17,500 00
8001 to 10,000 inclusive	20,000 00
10,001 or more	25,000 00

The security required by this section shall be maintained as provided by, and is subject to the provisions of, sections 11540.34, 11540.35, 11540.36, 11540.38, 11540.39, and 11540.40.

11540.275. The commissioner may approve or modify, by enlargement or diminution, the geographical areas for which the certificate of authority is issued.

In determining the geographical area for which the certificate of authority is issued the commissioner shall be guided by the size and population of the area and to the end that efficient service may be rendered to any beneficiary residing therein.

11540.276. The commissioner shall not issue a certificate of authority to any applicant unless all the members thereof have been practicing the profession for which they are licensed, in the geographical area for which the certificate is issued, for at least two years immediately preceding the application.

11540.277. The commissioner shall not issue a certificate of authority to the applicant unless he finds that the premium rates at which it is proposed to issue policies of the applicant are reasonable and adequate.

11540.28. The commissioner may, pursuant to such rules and regulations as he may prescribe, conduct public hearings to determine whether public convenience and necessity, within the geographical area indicated in the application, will be served by the issuance of the certificate of authority."

Amendment No. 19.

On page 3, line 32, of the printed bill, as amended, strike out "11540.27", and insert in lieu thereof the following: "11540.29".

Amendment No. 20.

On page 3, line 33, of the printed bill, as amended, strike out "and", and insert in lieu thereof the following: ", and the commissioner finds that the public convenience and necessity within the geographical area in which applicant proposes to transact voluntary health service insurance, will be served by the issuance of the certificate of authority, and, if".

Amendment No. 21.

On page 3, line 35, of the printed bill, as amended, after "issue", insert the following: "to the applicant".

Amendment No. 22.

On page 3 of the printed bill, as amended, strike out line 37, and insert in lieu thereof the following: "insurance pursuant to this chapter."

Amendment No. 23.

On page 3, line 40, of the printed bill, as amended, strike out "No insurer shall", and insert in lieu thereof the following: "An insurer shall not".

Amendment No. 24.

On page 3 of the printed bill, as amended, between lines 43 and 44, insert the following:

"11540.301. An insurer shall not issue any policy at a premium rate which deviates from the rate fixed for that type of policy by the schedule of rates filed with and approved by the commissioner.

11540.302. If after hearing, either upon application, or upon his own motion, the commissioner finds that the premium rates for any type of policy issued by the insurer is inadequate or excessive, he may modify the schedule of premium rates

accordingly, and thereafter a policy shall not be issued, renewed, or carried beyond the next anniversary date thereof at rates which do not conform to the rate fixed by the commissioner."

Amendment No. 25.

On page 5 of the printed bill, as amended, strike out lines 4 to 7, inclusive, and insert in lieu thereof the following:

"11540.41. Each insurer licensed pursuant to this chapter shall, with respect to professional and ethical standards, be subject to the jurisdiction of any agency of this State lawfully constituted to supervise or regulate any type of professional service rendered by the insurer pursuant to this chapter.

11540.415. The members of a voluntary health service insurer and their agents and employees shall not engage, as individuals, or otherwise, in solicitation for patients or for beneficiaries under voluntary health service insurance policies and shall not in any manner advertise either their professional qualifications, or their membership in such insurer.

11540.416 If any agency of this State revokes or suspends the professional license of any person whose name appears on the application for, or the certificate of authority, it shall notify the commissioner of such suspension or revocation and the commissioner shall immediately revoke or suspend the certificate of authority as to that person until his professional license is restored or reinstated."

Amendment No. 26.

On page 5 of the printed bill, as amended, strike out lines 25 to 49, inclusive.

Amendment No. 27.

On page 6, line 1, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 28.

On page 6, line 16, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "6".

Amendment No. 29.

On page 6, line 25, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 208—An act to add a new section to the School Code to be numbered 2.95, relating to the powers and duties of superintendents of school districts.

Committee Amendments to Assembly Bill No. 208.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the words "or city and county".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out the words "the pro-".

Amendment No. 3.

On page 1, of the printed bill, strike out all of lines 8 and 9.

Amendment No. 4.

On page 1, line 20, of the printed bill, strike out the word "He", and insert in lieu thereof the following: "Excepting in districts in which the governing board shall designate another employee to prepare and submit a budget, he".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 267—An act to amend section 675 of the Political Code, relating to the Department of Finance.

Committee Amendment to Assembly Bill No. 267.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 27 to 47, inclusive, and insert in lieu thereof the following:

"10. a. To grant leases or easements to the highest responsible qualified bidder to take and extract oil, gas or other hydrocarbons, or other minerals, from any land owned by the State for a term not to exceed 20 years with the right of renewal to any such grantee for a succeeding period of 20 years under the terms and conditions hereinafter specified, the State to be compensated by a royalty

of not less than 20 per cent of the value of the oil, gas or other hydrocarbon produced, which royalty may be paid in money or in oil.

b. Upon the following terms and conditions and under such rules and regulations as he may prescribe, the said Director of Finance shall have power to lease any oil, gas or other hydrocarbon producing tidelands or any portion thereof belonging to the State, or in which the State owns an interest, which prior to the date when this amendment becomes effective shall have been proven to be such commercial oil bearing area, for the production of minerals, oil, gas or other hydrocarbons, wherever in his judgment, it is for the best interest of the State so to do; provided, that no such lease shall be made where it will seriously impair or destroy any fishing, or bathing right, privilege, easement, or use, or any right of navigation vested in any private person, trust, firm or corporation, or in the people of the State of California.

c. The Director of Finance is further authorized and empowered to acquire upon behalf and in the name of the State of California, any real property or interest therein which he may consider necessary and desirable for the purpose of exercising the powers and performing the duties contained in this act. Should he determine that the public interest and necessity so require, to enable him to exercise the powers and perform the duties contained in this act, he may institute condemnation proceedings in the name of the State of California pursuant to section 14 of Article I of the Constitution and the provision for the Code of Civil Procedure relating to eminent domain for the purpose of acquisition of any real property or interest therein adjacent but not necessarily contiguous to the hereinafter described lands. Upon such terms and conditions as the Director of Finance shall prescribe, any such real property or interest therein acquired in the manner provided in this section may be made available (for the taking or extraction of oil, gas or other hydrocarbons or other minerals from the hereinafter described lands) to any person, firm, association or corporation to whom a lease or easement has been or may thereafter be granted under the provisions of this act.

d. Provision shall be made in any lease or easement granted pursuant to the provisions of this act for reasonable precautions to be taken to prevent pollution or contamination of the ocean and beaches.

e. Compensation for any real property or interest therein which may be acquired for the purposes herein specified may be paid either in money or from the production or the proceeds of production of any well or wells.

f. The Director of Finance is hereby authorized and empowered to make and enforce rules and regulations for the purpose of carrying out the provisions of this act, and to do all things necessary to accomplish the purposes of this act.

g. Whenever under any of the provisions of this act, the Director of Finance is authorized to award any contract, lease or easement by competitive bidding, he may reject all bids and may call for new proposals

When advertising for bids the director shall specify whether the bid shall apply to the whole of any oil bearing structure or to a designated part or parts of it.

No contract, lease or easement may be entered into or approved by the Director of Finance which does not secure to the State a compensation of at least a 20 per cent royalty on production.

h. The State shall have a first lien upon all oil, gas or other hydrocarbons or other minerals produced under any contract provided for herein to secure payment of all unpaid royalty and other sum or sums of money which may be due and become due under the provisions of this act, and may follow the same and the value thereof into the hands of any purchaser.

i. In the event the Director of Finance is unable to acquire the necessary rights of way and easements, hereinbefore provided for, promptly, or if he deems that the delay incidental to acquiring such rights of way and easements is detrimental to the best interests of or will result in a loss to the State, or that there will be a loss of oil or gas pressure during such period as to substantially diminish such oil, gas, or other hydrocarbons which may be recovered from such State lands, he may and is hereby authorized to contract for the development and extraction of the oil, gas and other hydrocarbons from the said State lands by means of piers, islands or other suitable structures erected over and upon such State lands. In the event it is determined to develop and extract such oil, gas and other hydrocarbons from said State lands in the manner in this subdivision provided, the said Director of Finance may require any person contracting to so develop and extract such oil, gas and other hydrocarbons from said State lands to construct groins from high-water mark to such piers, islands or other structures erected for the purpose of developing and extracting such oil, gas and other hydrocarbons, and shall require that such piers, islands or other structures be so constructed and that the drilling for, developing and extraction of oil be so conducted that no oil, gas or other hydrocarbons can escape therefrom to or into the sea or on or upon the beach adjacent thereto, and may require the contractor to provide suitable by-paths and walks on and along such groins and to and around such piers and islands or other structures for use by the public as a promenade for fishing. All such groins shall be so placed and constructed that they will cause accretions to form along and on the coast line, which said accretions shall at all times be and remain an unobstructed and open beach

for the free use by the people, and the Director of Finance is also authorized to acquire, either by purchase or condemnation, easements for ingress and egress from any public highway to and from any beach so formed. All groins, piers, islands and other structures, provided for herein, shall be of the type and appearance provided for in plans and specifications, which shall be approved by the Director of Finance prior to the calling of bids as in this act hereinbefore provided.

j If said director fails to secure a contract for the development and extraction of the oil, gas and other hydrocarbons from said State lands upon a basis and for royalties and which will result in the development and extraction of such oil, gas and other hydrocarbons from said State lands within a time and under conditions which will be for the best interests of the State, he may, proceed in the name of the State without further notice or advertising to develop and extract the oil, gas and other hydrocarbons from said State lands by means of piers, islands or other suitable structures erected over and upon said State lands If said director deems it necessary, in order to protect the interests of the State, to develop and extract said oil, gas and other hydrocarbons from said State lands by means of piers, islands or other suitable structures, such piers, islands and structures shall be of the type described in and shall be constructed in the manner provided in subdivision i hereof, and all of the duties imposed upon said director in and by subdivision i shall be equally applicable to the development and extraction of said oil by the State as provided in this subdivision The method provided in this subdivision shall be resorted to only in the event said director is unable to procure a satisfactory contract for such development and extraction. If said director determines that the oil, gas and other hydrocarbons shall be extracted from said State lands by the State, said director may purchase all necessary equipment, materials and supplies and he shall promptly proceed with the necessary drilling operations and with the construction of derricks, wells, pipelines, storage tanks and other necessary and convenient structures and the maintenance and operation thereof, and he may do all things necessary or proper for the extraction, storage and sale of oil, gas and other hydrocarbons from said State lands The construction of such structures may be performed by contract or by day labor, in the discretion of said director.

SEC. 2 Out of any money in the State Treasury not otherwise appropriated there is hereby appropriated the sum of_____which shall be available as far as necessary to the Director of Finance in carrying out the provisions of this act The said sum of_____shall be returned to the State Treasury as speedily as possible from time to time from revenues received from the operations carried on under the provisions hereof, allowance being made for the continued expense of administration After the said sum of_____has been fully returned to the State Treasury the balance of revenues accruing to the State hereunder shall be deposited in the treasury in a fund for the relief of needy aged persons under the provisions of the Old Age Security Act of the State of California"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 247—An act relating to State lands, providing for the extraction of oil and gas therefrom by the State and for the sale of such oil and gas, and providing for the disposition of the proceeds thereof.

Committee Amendment to Assembly Bill No. 247.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 20 to 24, inclusive, and insert in lieu thereof the following:

"(b) That portion which is received from rents, bonuses and royalties accruing from the use of State school lands shall be transferred to the school fund.

(c) Of the remainder thereof, the sum of $25,000 shall be transferred to the "Veterans' dependents' educational fund." Such sum shall become available whenever the amount appropriated to such fund under the provisions of section 898 of the Military and Veterans Code becomes or proves unavailable because of the insufficiency of the revenue from which such appropriation is made.

(d) The balance thereof shall be used by the State for the payment of old age assistance or pensions, as provided by law."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1813—An act to amend section 762 of the Agricultural Code, relating to quality of tomatoes for canning purposes.

Committee Amendments to Assembly Bill No. 1813.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after "practice", strike out the period, and in lieu thereof insert the following: "in order to meet the tolerances permitted by the United States food, drug and insecticide administrations".

Amendment No. 2.

On page 2, line 11, of the printed bill, as amended, strike out "both", and insert in lieu thereof the following: "either".

Amendment No. 3.

On page 2, line 12, of the printed bill, as amended, strike out "and", and insert in lieu therof the following: "or".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1610—An act to add sections 5 and 6 and to amend the title of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provision," approved April 11, 1935, relating to civil service for cities and counties

Committee Amendments to Assembly Bill No. 1610.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 16, of the printed bill, as amended, after "advisable.", insert the following: "No such system in any county shall be operative unless and until the ordinance creating it shall have been approved by not less than a majority of the qualified electors in such county voting thereon."

Amendment No. 2.

On page 3, lines 15 and 16, of the printed bill, as amended, strike out "seek signatures to", and insert in lieu thereof the following: "act as circulator of".

Amendment No. 3.

On page 3, lines 31 and 32, of the printed bill, as amended, strike out ", nor to matters regarding his economic welfare".

Amendment No. 4.

On page 3, line 38, of the printed bill, as amended, insert after "councils", the following: "to adopt or".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1318—An act to amend section 814 of the Agricultural Code, relating to the standardization of lettuce.

Committee Amendments to Assembly Bill No. 1318.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the words "soft, spongy or".

Amendment No. 2.

On page 1, lines 20 and 21, of the printed bill, strike out the words "count, packed or placed in the container", and insert in lieu thereof the following: "marked,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2058—An act to amend section 1144 of and to add sections 1143a, 1145a, and 1145b to the Agricultural Code, relating to egg products and providing for the keeping and giving of information

in reference thereto, regulating the delivery thereof from public warehouses, regulating the containers in which egg products are packed providing for the seizure of egg products and food products manufactured using egg products and providing an appropriation for the enforcement of Article IV of Chapter 8 of Division V of the Agricultural Code

Committee Amendments to Assembly Bill No. 2058.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, after the word "all", and before the word "egg", insert the words "foreign imported"; and in line 18, after the word "of", and before the word "egg", insert the word "such".

Amendment No. 2.

On page 2, line 1, of the printed bill, after the word "any", and before the word "egg", insert the words "foreign imported".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1154—An act to amend sections 3738, 3821 and 3831 of the Political Code and to add to said code a new section to be numbered 3832, relating to the collection of unsecured taxes

Committee Amendment to Assembly Bill No. 1154.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 17, of the printed bill, after the comma, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1152—An act to amend section 3747a of the Political Code, relating to segregation of valuation of property on the assessment roll.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1558—An act to amend section 3816 of the Political Code, relating to distribution of moneys received on account of redemption or purchase of lands sold to the State for nonpayment of taxes.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 1762—An act to amend section 3818 of the Political Code, relating to segregation of property on the assessment rolls.

Bill read second time, and ordered to engrossment

Assembly Bill No. 2016—An act to amend section 120 of the Agricultural Code, relating to nurserymen licenses.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2457—An act to amend section 50¾ of the Public Utilities Act, relating to the granting of certificates of public convenience and necessity.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2401—An act to repeal "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of Cali-

fornia, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, commonly referred to as "Transportation Rate Fund Act."

Committee Amendments to Assembly Bill No. 2401.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "repeal", and insert in lieu thereof the following: "amend section 2 of".

Amendment No. 2.

On page 1, line 11 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "relating to fees collected under the act."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

SEC 2. All fees charged and collected under this act shall be deposited at least once a month in the State Treasury to the credit of the general fund.

The Railroad Commission shall, within 30 days prior to the regular session of the Legislature, submit to the Governor a full and true report of transactions under this law during the preceding biennium, including a complete statement of receipts and expenditures during the period.

Sec. 2. The Railroad Commission transportation rate fund is hereby abolished and any balance remaining in said fund on the effective date of this act shall be transferred to the general fund. All appropriations heretofore made from the Railroad Commission transportation rate fund shall upon the effective date of this act become payable from the general fund."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2456—An act to amend section 3 of the City Carriers' Act, relating to the issuance of permits thereunder by the Railroad Commission.

Committee Amendment to Assembly Bill No. 2456.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, after the word "commission", strike out the period, and insert the following: "but no such permit shall be granted to a foreign corporation unless such corporation is engaged in interstate commerce of like character within this State."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 22—Proposed amendment to Article XIII of the Constitution, by adding sections 1.1 and 1.2 thereof, relative to limitation of tax rates.

Committee Amendments to Assembly Constitutional Amendment No. 22.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed measure, strike out "one and one-half", and insert in lieu thereof the following: "four per cent of fifty".

Amendment No. 2.

On page 1, line 25, of the printed measure, strike out "one and one-half", and insert in lieu thereof the following: "four per cent of fifty".

Amendments adopted.

Bill ordered to reprint and engrossment.

Assembly Bill No. 1862—An act to amend section 10 of, and to add sections 10.1, 10.2, and 10.3 to, the Fish and Game Code, relating to the Fish and Game Commissioners.

Committee Amendments to Assembly Bill No. 1862.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "section 10.1, 10.2 and 10.3", and insert in lieu thereof the following: "sections 10.1 and 10.2".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "one member goes out of office at the expiration of two years, one at the expiration of three years, and one at the expiration of four years from said date. Otherwise, the term of office shall be four years. The terms of the members".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 21 to 29, inclusive.

Amendment No. 4.

On page 1, line 30, of the printed bill, strike out "10.3", and insert in lieu thereof the following: "10.2".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2336—An act to add section 50 to the Fish and Game Code, relating to the licensing of land owners to collect fees or other charges for the privilege of hunting on their land.

Committee Amendments to Assembly Bill No. 2336.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 50 to", and insert in lieu thereof the following: "Chapter 5 to Division I of".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "Section 50", and insert in lieu thereof the following: "Chapter 5 of Division I".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert in lieu thereof the following:

"Chapter 5. Private hunting preserves.

50. Any farmer, landowner or person who owns or controls shooting rights on an area of not less than 320 acres contiguous to properties where he maintains a residence or where he propagates game birds or employs a gamekeeper, or any organization which owns or controls such an area adjacent to the local headquarters of the organization, may apply to the commission for a private shooting preserve license to authorize the killing, by shooting, of legally propagated or wild game birds, other than ducks, on that property under regulations of the commission.

50 5. This article shall not apply to commercial hunting clubs, nor to domestic game breeders.

51. The commission, if after investigation, is satisfied that the area proposed for this use is suitable for the purposes and that applicant has complied with the regulations and requirements of the commission and that such use does not conflict with the public interest, may issue a private shooting license upon the payment of five dollars for the shooting of game birds, other than ducks, subject to the following provisions:

(a) The applicant for a private shooting preserve license shall file an application with the commission, which application must show the name of the applicant and his address, the legal description of the land, and a description of the land by its external boundaries which shall be clearly defined, preferably by roads, rivers, railroads, etc., and such other information as may be required by the commission

(b) The holder of a private shooting preserve license must post his property at intervals of not more than 500 feet with signs of a size not less than 12 by 18 inches, which signs shall include the name of the person or organization holding the license and shall also include the words "Private Shooting Area Under Game Management—Authorized Under Regulations of Fish and Game Commission—No Trespassing."

51 5. The holder of a private shooting preserve license shall have the right to charge a fee for each and every bird killed by hunters on his property, and the fee charged for each bird shall be printed on the permit issued to hunters.

52. Not less than 100 birds of each species licensed shall be propagated, reared and released, or shall be otherwise obtained and released on the licensed premises, and the total number of birds so released full-winged and otherwise of the age and condition to go wild, shall be established to the satisfaction of the commission and shall be certified under oath by the licensee.

52.5. Until the release of said game birds shall have been certified to and accepted by the commission, it shall be unlawful to shoot, attempt to shoot, or to otherwise take any game bird on premises licensed under this chapter, but when said release shall have been so certified and accepted, and when such persons are otherwise lawfully entitled to hunt, the licensee and such other persons as he may designate, may hunt on the licensed premises and shoot, have in possession, and dispose of by gift, game birds of the species licensed; provided, that a full record covering each item of game birds shot on the licensed premises shall be kept by the licensee or his designated agent, and a copy of this record, under oath, shall be filed with the commission not later than April 1st of each year. No such license shall be renewed until such record for the preceding year shall have been filed with and accepted by the commission. No game bird of the species licensed under this chapter shall be removed from the licensed premises until there shall have been securely attached to said game bird a metallic seal, the type and design of which shall be designated by the commission, and such seal shall remain attached to said birds until they are finally prepared for consumption. Such seals shall be supplied by the commission at a cost not in excess of five cents each.

53. Of the species licensed only dead birds which have been killed by shooting shall be removed from premises licensed under this act, and it shall be unlawful to sell or attempt to sell or to buy or attempt to buy any such birds, but nothing herein contained shall be construed to prohibit the leasing of hunting privileges on premises licensed under this act.

53.5. The commission may authorize the capture on said premises of certain specified numbers of the birds licensed if they are used exclusively for propagating purposes on the said premises, but all such birds shall be released on said premises, full-winged and otherwise in condition to go wild, as soon as practicable after the season's propagating operations have been completed, and such releases shall not be counted when computing the number of birds which may be lawfully shot on said premises under said license.

54. The commission may make rules and regulations to carry out the intent and purposes of this chapter, and the percentage of the birds released which may be killed.

54.5. Any person violating the provisions of this chapter, or the rules or regulations issued thereunder, is guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500, or by imprisonment in the county jail for a period not to exceed six months, or by both such fine and imprisonment, in the discretion of the court. In addition to the penalties heretofore provided, if after a hearing the commission shall find that there has been fraud, misrepresentation, or lack of good faith in connection with a license or operations thereunder, the commission is hereby authorized to revoke a license issued under this act.

55. The provisions of any law relating to the protection, taking, transportation or possession of game in its wild or propagated state which are contrary to or inconsistent with the provisions of this chapter, shall not apply to game birds raised, killed, or possessed under the provisions of this chapter, providing that the provisions of this code relating to daily bag limits and seasons shall not be affected by the provisions of this chapter."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2663—An act to add section 919 to the Fish and Game Code, relating to bait nets

Committee Amendments to Assembly Bill No. 2663.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, insert between the word "to", and the word "the", the following: "and amend section 923 of".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 4, 5 and 6, and insert in lieu thereof the following: "a lampara or round haul type net, with cotton twine mesh not exceeding in size standard No. 6 medium cotton seine twine, except that the selvedge webbing for a distance of 3 feet from the cork line, measured stretched, mesh shall not exceed in size standard No. 9 cotton twine. The net shall not have rings along the lead line or any method of pursing the bottom of the net.

SEC. 2. Section 923 of the Fish and Game Code is hereby amended to read as follows:

923. In District 15, bait nets, as described in section 919, may be used to take fish for bait."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1436—An act to amend section 422 of the Fish and Game Code, relating to the distribution of licenses.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1845—An act to amend sections 12, 24 and 25 of, and to add two new sections to be numbered 24½ and 24¾ to, the Direct Primary Law, relating to primary elections.

Committee Amendments to Assembly Bill No. 1845.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "12, 24 and 25 of, and to add two", and insert in lieu thereof the following: "1 and 24 of".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "new sections to be numbered 24½ and 24¾ to.".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "12", and insert in lieu thereof the following. "1"

Amendment No. 4.

On page 1 of the printed bill, between lines 2 and 3, add the following:

"Section 1. Words and phrases where used in this act shall, unless such construction be inconsistent with the context, be construed as follows:

1. The words "primary election," any and every primary nominating election provided for by this act.

2 The words "August primary election," the primary election held in August to nominate candidates to be voted for at the ensuing November election or to elect members of a party central committee or delegates to a party convention.

3. The words "May Presidential primary election," any such primary election, held in May of each year of the general November election at which electors of President and Vice President of the United States are to be chosen, as shall provide for the indication of preference in the several political parties for party candidates for President of the United States through the election of Delegates to National Party Conventions.

4. The word "election," a general State, county, city or city and county election as distinguished from a primary election, recall election, or special election.

5. The words "November election," either the Presidential election, or the general State, county, or city and county election held in November of each even numbered year.

6. The words "judicial officer," any Justice of the Supreme Court, Justice of a District Court of Appeal, judge of the superior court, justice of the peace, or justice of such inferior court as the Legislature may establish in any county, township, incorporated city or town, or city and county; and the words "judicial office," the office filled by any of the above judicial officers

7. The words "school officer," the superintendent of public instruction and the superintendent of schools of a county or city and county; and the words "school office," the office filled by any of the above school officers.

8. The words "county officer," any officer elected within the boundaries of any county or city and county except a member of the State Board of Equalization, judge of the superior court, justice of the peace, member of the State Senate or Assembly or a member of the House of Representatives of the Congress of the United States or a member of any party county central committee or Delegate to a State Convention from a holdover Senatorial District; and the words "county office," the office filled by any county officer. The words "township officer," any such county officer as is elected within the boundaries of any judicial township that is now or may be hereafter provided by law; and the words "township office," the office filled by any township officer.

9. The word or words "political party," "party," "political organization," or "organization," a political party or organization of electors which has qualified, as hereinafter provided, for participation in any primary election; and such party or organization shall be deemed to have so qualified when one or both of the following conditions have been complied with:

(a) If at the last preceding November election at which a Governor was elected there was polled for any one of its candidates who was the candidate of such party only for any office voted on throughout the State, at least 3 per cent of the entire vote of the State, or for any one of its candidates who was the joint candidate of such party and any other party for any office voted on throughout the State, at least 6 per cent of the entire vote of the State; or

(b) If on or before a day which shall be the seventy-fifth day before any primary election it shall appear to the Secretary of State as a result of examining

and totaling the statement of registered electors and their political affiliations transmitted to him by the county clerks as required by section 4 of this act that registered electors, equal in number to at least 1 per cent of the entire vote of the State at the last preceding November election at which a Governor was elected, have declared their intention to affiliate with such political party or organization; or

(c) If on or before a date which shall be the seventy-fifth day before any primary election there shall be filed with the Secretary of State a petition signed by registered qualified electors of the State, equal in number to at least 10 per cent of the entire vote of the State at the last preceding November election at which a Governor was elected, declaring that they represent a political party or organization, the name of which shall be stated therein, which party said electors desire to have participate in such primary election; such petition shall be circulated, signed, verified and the signatures of the registered electors thereon shall be certified to and transmitted to the Secretary of State by the county clerks substantially as provided by the Constitution and the Political Code for initiative petitions; provided, that each page of said petition shall bear a caption in 18 point black face type, which caption shall be the name of the party or organization followed by the words "Petition to participate in the primary election"; provided, further, that no electors or organization of electors shall assume a party name or designation which shall be so similar to the name of an existing party or organization as to mislead voters

This statute shall be liberally construed, so that the real will of the electors shall not be defeated by any informality or failure to comply with all the provisions of this law.

In each county and city and county in this State, having a registrar of voters or registrar of voters and a board of election commissioners, the powers conferred and the duties imposed in this statute upon a county clerk and his deputies, and other officers, in relation to matters of election and polling places, shall be exercised and performed by such registrar of voters or his deputies, or registrar of voters or his deputies and board of election commissioners; and all nominating papers, list of candidates, expenses, and oaths of office, required by this statute to be made to or filed with county clerks, shall be made to or filed with the registrar of voters

2. All candidates nominated at a primary election for elective public offices shall be nominated by direct vote at such election held in accordance with the provisions of this act; provided, that electors of President and Vice President of the United States shall be nominated as provided in subdivision two of section 24 of this act. This act shall not apply to recall elections or to special elections to fill vacancies; nor to the nomination of officers of municipalities, counties, or cities and counties whose charters provide a system for nominating candidates for such officers; nor the nomination of officers for any district not formed for municipal purposes; nor to the nomination of freeholders to be elected for the purpose of framing a charter; nor to the nomination of officers for cities of the fifth and sixth classes, nor to the nomination of school district officers

3. The August primary election shall be held at the legally designated polling places in each precinct on the last Tuesday in August, for the nomination of all candidates to be voted for at the ensuing November election. The day of the August primary election and the day of the May Presidential primary election are hereby declared to be holidays within the meaning of section 10 of the Political Code Any person entitled to vote at such August or May primary elections shall, on the day of such election, be entitled to absent himself from any service or employment in which he is then engaged or employed, for the period of two consecutive hours, between the time of opening and the time of closing the polls; and such voter shall not, because of so absenting himself, be liable to any penalty, nor shall any deduction be made, on account of such absence, from his usual salary or wages. Any primary election other than the August primary election, or May Presidential primary election shall be held on Tuesday, three weeks next preceding the election for which such primary election is held"

Amendment No. 5.

On page 1 of the printed bill, strike out lines 3 to 27, inclusive, and strike out pages 2 to 9, inclusive.

Amendment No. 6.

On page 10, line 25, of the printed bill, strike out "sixteenth day after", and insert in lieu thereof the following: "third Thursday in September next following the date upon which the primary election preliminary to".

Amendment No. 7.

On page 10 line 26 of the printed bill, after "election", add the following "is held".

Amendment No. 8.

On page 12, line 10, of the printed bill, strike out "sixteenth day after the general November election", and insert in lieu thereof the following: "third Thursday in September".

Amendment No. 9.

On page 12, lines 19 and 20, of the printed bill, strike out "sixteenth day after the general November election", and insert in lieu thereof the following: "third Thursday in September".

Amendment No. 10.

On page 13, lines 8 and 9, of the printed bill, strike out "sixteenth day after the general election", and insert in lieu thereof the following. "third Thursday in September".

Amendment No. 11.

On page 13, lines 15 and 16, of the printed bill, strike out "sixteenth day after the general election", and insert in lieu thereof the following: "third Thursday in September".

Amendment No. 12.

On page 13, line 27, of the printed bill, following the word "party", add a comma and the following· "which said State platform of each political party shall be adopted at such time that it shall be made public not later that six o'clock in the afternoon of the following day.

In each year of the general November election at which electors of President and Vice President of the United States are to be chosen, the convention shall also nominate as the candidates of its party as many electors of President and Vice President of the United States as the State is then entitled to, and shall certify the name of each elector so nominated, his residence and his business address to the Secretary of State. Such certificates shall be delivered to and filed with the Secretary of State. The Secretary of State shall cause the names of the candidates for President and Vice President of the several political parties to be placed upon the ballot for the ensuing November election. The names of the candidates for electors of President and Vice President shall not be printed upon the ballot. The votes cast for candidates for President and Vice President of each political party shall be counted for the candidates for presidential electors of such political party whose names have been filed with the Secretary of State."

Amendment No. 13.

On page 15, line 11, of the printed bill, strike out "a", and insert in lieu thereof the following: "at".

Amendment No. 14.

On page 16, line 23, of the printed bill, strike out "May Presidential", and insert in lieu thereof the following. "August".

Amendment No. 15.

On page 16, line 37, of the printed bill, strike out "seven", and insert in lieu thereof the following: "five".

Amendment No. 16.

On page 17, lines 15 and 16, of the printed bill, strike out "February next preceding the May Presidential", and insert in lieu thereof the following: "June next preceding the".

Amendment No. 17.

On page 17, line 35, of the printed bill, strike out "fourteenth day after the May Presidential", and insert in lieu thereof the following: "second Tuesday in September following the August".

Amendment No. 18.

On page 17 of the printed bill, strike out lines 50 and 51, and strike out pages 18, 19 and 20.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1425—An act to amend section 4295 of the Political Code.

Committee Amendments to Assembly Bill No. 1425.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", relating to official service without fee."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 29, inclusive, and on page 2, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following:

"4295. State, county and township officers shall not perform any official services unless upon the payment of such fees as are prescribed by law for the performance of such services, except in proceedings upon habeas corpus, and in the following cases:

(1) In proceedings for the appointment of a guardian for any persons receiving charity or relief under the laws of this State;

(2) Except where otherwise specifically provided, and except where a public officer is acting with reference to private assets or private obligations which have come under his jurisdiction by virtue of his office, neither the State nor any county, city and county, city, district, or other political subdivision, nor any public officer, or board or body, acting in his or its official capacity on behalf of the State, or any county, city and county, city, district or other political subdivision, shall be required to pay or deposit any fee for the filing of any document or paper, or for the performance of any official service;

(3) Neither the State nor any county, city and county, city, nor any public officer, board or body acting in his or its official capacity on behalf of the State, or any county, city and county, city, including notaries public, shall collect, demand or receive any fee or compensation for recording or indexing any discharge of a soldier, sailor, or marine, of the United States Army, Navy, or Marine Corps, or of a nurse who served in the American Red Cross or in the Army or Navy Nursing Corps, or for issuing certified copies thereof, or for any service whatever rendered in the matter of a pension claim, application, affidavit, voucher, or in the matter of any claim to be presented to the Bureau of War Risk Insurance, under and by virtue of an act of Congress of the United States entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department'," approved October 6, 1917, and acts amendatory thereof, or furnishing a verified copy of the public record of a marriage, death, birth or divorce, deed of trust, mortgage, or property assessment, or making the search for the same, when the same is to be used in a claim for pension, or a claim for allotment, allowance, compensation, insurance, automatic insurance, or otherwise, under the said act establishing the said Bureau of War Risk Insurance. Said services shall be rendered on the request of a United States official, a claimant, his or her guardian, or attorney, and for every failure or refusal so to do, such officer shall be liable on his official bond;

(4) Whenever the oath of an affiant, or the affidavit of a person is necessary in order that the State or any political subdivision thereof may recover funds or property due the State or political subdivision, no fee shall be charged for the taking of such oath;

(5) Whenever the oath of an affiant or the affidavit of a person is necessary in order that a person may obtain charity or relief from any agency or department of the United States Government, the State of California, or any political subdivision thereof, no fee shall be charged for the taking of such oath;

(6) No county or city and county or any public officer, board or body acting in his or its official capacity on behalf of any such county or city and county shall collect, demand or receive any fee or compensation for the recording or filing of any abstract or transcript of judgment rendered in any case in which relief is granted to or in favor of the United States of America."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1267—An act to add section 795.5 to the Agricultural Code, relating to orange field boxes.

Committee Amendments to Assembly Bill No. 1267.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "add section 795 5 to", and insert in lieu thereof the following: "amend section 796 of".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "orange field boxes", and insert in lieu thereof the following: "oranges".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "795.5 is hereby added to", and insert in lieu thereof the following: "796 of".

Amendment No. 4.

On page 1, line 2, of the printed bill, immediately following "Code", insert the following: "is hereby amended".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"796. Oranges, except bloods, tangerines, mandarins, Jaffas, Javas, and Parson Browns, shall not be considered mature unless the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of eight parts to every part of acid contained in the juice (the acidity of the juice to be calculated as citric acid without water of crystallization), and unless, before picking, they have attained at least 25 per cent of characteristic color. In view of differences in climatic and other growing conditions prevailing north of the Tehachapi Moun-

tains in California which results in some navel oranges grown in certain districts of that area having at maturity a lower ratio of soluble solids to acid than matured navel oranges grown in the area south of the Tehachapi Mountains, navel oranges produced in the area north of the Tehachapi Mountains which are at least 70 per cent colored at the time of picking shall be considered mature if the juice contains soluble solids as determined by a Brix scale hydrometer, equal to or in excess of six and one-half parts to every part of acid contained in the juice No oranges may be accelerated in color unless the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of eight parts to every part of acid contained in the juice (the acidity of the juice to be calculated as citric acid without water of crystallization).

'Twenty-five per cent of characteristic color' in the case of oranges is defined as that color designated by the Munsell color notation as hue one and fourteen one-hundredths green-yellow, value five and twenty-three one-hundredths chroma four and three-tenths (1 14GY5.23/4.3), and "70 per cent colored" as hue three yellow, value six, chroma five (3Y6/5). Oranges shall be considered as having exceeded 25 or 70 per cent color if the average hue of the surface of each fruit is numerically less than one and fourteen-hundredths green-yellow or three yellow respectively, regardless of the other components of the color."

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Assembly Bill No. 2281—An act to amend subdivision (a) section 410 of the Vehicle Code, relating to suspension of license and registration while judgment unsatisfied and until giving proof of ability to respond in damages.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 860—An act to amend section 3a of the Workmen's Compensation Insurance and Safety Act of 1917, relating to definitions.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 520—An act to amend an act entitled "An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No 10 of the Seventy-Third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately," approved June 11, 1935, by amending each section of said act, to add new sections to be numbered 22, 23 and 24, and to repeal sections 3a, 6a, 15a, 16a

and 20a of said act and to provide for the execution of marketing agreements and the issuance of licenses by the Director of Agriculture regulating the handling of agricultural commodities in intrastate commerce, and to declare the urgency of this act, and that this act shall take effect immediately.

Committee Amendments to Senate Bill No. 520.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 6, line 40, of the printed bill, as amended in the Senate on March 26, 1937, strike out the words "Such power", and insert in lieu thereof the following: "The exercise of such powers and duties shall be subject to veto by the director and".

Amendment No. 2.

On page 14, lines 19 and 20, of the printed bill, as amended in the Senate on March 26, 1937, strike out the words "operating over a regular route, or between fixed termini,".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 1066—An act to amend sections 840, 842, 844, 845 and 845.1 of, and to add sections 842.6, 844.1, 844.2 and 844.3 to, the Agricultural Code, relating to honey standards.

Committee Amendment to Senate Bill No. 1066.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 3, line 25, of the printed bill, strike out "844".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 276—An act to amend sections 271, 275, and 283 of the Agricultural Code, pertaining to apiary inspection and registration.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 277—An act to add a new section to the Agricultural Code to be numbered section 132.5, relating to pest control.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 279—An act to amend section 155 of the Agricultural Code, pertaining to weed free areas.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 436—An act to amend section 120 of the Agricultural Code, relating to nursery licenses.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 904—An act to amend section 809 of the Agricultural Code, relating to walnuts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 16—An act to amend sections 718 and 865 of the Fish and Game Code, relating to shad.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 991—An act to add section 610 to the Fish and Game Code, relating to steelhead trout.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 81—An act to add section 1576.5 to the Penal Code, relating to hours of labor of guards at State prisons.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 735—An act to amend section 1576 of the Penal Code, relating to the State prisons.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1051—An act to add section 366f to the Political Code, relating to the conditions of employment at the Preston School of Industry.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1052—An act to add section 1278 to the Welfare and Institutions Code, relating to conditions of employment at Preston School of Industry.

Bill read second time, and ordered on third reading calendar.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's Veto to Assembly Bill No. 331 continued until next legislative day.

Notices of Motion to Reconsider Continued.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote where Assembly Bill No. 962 was passed was continued until the next legislative day.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 963 was passed was continued until the next legislative day.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1052 was passed was continued until the next legislative day.

On motion of Mr. Clark, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 343 was passed was continued until the next legislative day.

On motion of Mr. Clark, the consideration of his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 12 was adopted was continued until the next legislative day.

On motion of Mr. Clark, the consideration of his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No 11 was adopted was continued until the next legislative day.

On motion of Mr. Johnson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 63 was passed was continued until the next legislative day.

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 628 was refused passage was continued until the next legislative day.

On motion of Mr. Field, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 516 was passed was continued until the next legislative day.

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2575 was passed was continued until the next legislative day.

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2673 was passed was continued until the next legislative day.

On motion of Mr. Heisinger, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 218 was refused passage was continued until the next legislative day.

Consideration of Senate Amendments to Assembly Bill No. 836.

Assembly Bill No. 836—An act to add two new sections to the Political Code to be numbered 3667a and 3667b and to amend section 3669 of said code, all relating to the taxation of insurance companies under the provisions of section 14 of Article XIII of the Constitution of this State, and providing that this act shall take effect immediately under the provisions of section 1 of Article IV of said Constitution.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 836?

Amendment No. 1.

On page 4, line 14, of the printed bill, as amended, strike out "whose charter"; strike out all of line 15, and in line 16, strike out "forfeited, or the assessment of any company".

Amendment No. 2.

On page 4, line 23, of the printed bill, as amended, strike out "premium", and insert in lieu thereof "premiums".

Amendment No. 3.

On page 4, line 40, of the printed bill, as amended, strike out "no", and insert in lieu thereof "any".

Amendment No. 4.

On page 4, line 41, of the printed bill, as amended, strike out "shall", and insert in lieu thereof "may".

Amendment No. 5.

On page 4, line 42, of the printed bill, as amended, after "roll", strike out "after", and insert in lieu thereof "within".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 836 by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Turner, Walker, Watson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 836 ordered to enrollment.

Third Reading of Assembly Bills.

Assembly Bill No. 2195—An act to amend sections 500, 501, 503, 504, and 505 of the Vehicle Code, relating to felonies and other offenses.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Cassidy, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Heisinger, Hunt, Kepple, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—42.

NOES—Pelletier—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2197—An act to amend sections 2, 3, 7, 11, 12 and 22 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying,

assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately," approved June 25, 1935; to repeal section 32 of said act; to renumber sections 33 and 34 of said act; relating to the taxation of the storage, use or other consumption of tangible personal property.

Bill read third time, and passed by the following vote:

AYES—Andreas, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Walker, Watson, Weber, and Mr. Speaker—43.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2196—An act to amend sections 2, 19 and 20 of an act entitled "An act imposing a tax for the privilege of selling, renting or leasing tangible property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 33 of said act; to renumber section 32½ of said act; relating to the taxation of the privilege of selling, renting or leasing tangible personal property.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan Muldoon, O'Donnell, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Walker, Watson, Weber, and Mr. Speaker—42.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 69—An act to amend sections 1305, 1306, and 1307 of the Penal Code, relating to forfeiture of bail.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hunt, Kepple, Kuchel, Latham Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Watson, Weber, and Mr. Speaker—42.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2518—An act to amend section 3a of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to workmen's compensation insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hunt, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—45.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1086—An act to amend section 3716 of the Political Code, relating to the lien of taxes on real and personal property and providing that such lien shall cease to exist after 30 years.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—48.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1628—An act to amend section 4.780 of the School Code, relating to the financial support of the public school system.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—46.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2625—An act to amend section 372 of the Vehicle Code, relating to registration fees.

Bill read third time, and passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—46.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 978—An act to amend sections 2.879 and 2.880 of the School Code, relating to elections for members of governing boards of school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Dannenbrink, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—46.

NOES—Dilworth—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1406—An act to amend sections 1 and 2 of an act entitled "An act establishing and standardizing the weight of loaves of bread and regulating the sale thereof," approved June 3, 1921, relating to weights of bread.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—49.

NOES—None.

Motion to Amend Title to Assembly Bill No. 1406.

Mr. Donnelly moved to amend the title as follows:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "3", and insert in lieu thereof the following: "2".

Amendment adopted.

Title, as amended, read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1407—An act to add a new section to be numbered 32b to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery, to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read third time, and passed by the following vote

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—48.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1408—An act to amend section 16a of an act entitled "An act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers;

and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—45.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1410—An act to amend sections 2, 6 and 10 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicines, and other commodities when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, as amended, relating to net containers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—47.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1411—An act to amend section 6 and to add a new section to be numbered section 7, to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—46.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1409—An act to add a new section to be numbered 11a to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to qualifications of county sealer of weights and measures.

Motion to Amend Assembly Bill No. 1409.

Mr. Donnelly moved to amend Assembly Bill No 1409 as follows:

Amendment No. 1.

On page 2, line 1, of the printed bill, as amended, immediately following "shall", insert the following: "hereafter".

Amendment adopted.

Request for Unanimous Consent.

Mr. Donnelly asked for, and was granted, unanimous consent to take up Assembly Bill No. 1409, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1409, as Amended.

Assembly Bill No. 1409—An act to add a new section to be numbered 11a to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to qualifications of county sealer of weights and measures.

Assembly Bill No. 1409, as amended, read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Walker, Watson, Weber, and Mr. Speaker—48.

NOES—Robertson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1412—An act to amend sections 1, 3, 4, 6, and 8 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, relating to public weighmasters.

Bill read third time, and passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Walker, Watson, Weber, and Mr. Speaker—44.

NOES—Dilworth—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1709—An act to amend section 255 of the Probate Code, relating to children born illegitimate.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—50.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2597—An act to amend section 2274 of the Civil Code, relating to compensation of trustees.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Rosenthal, Stream, Turner, Watson, Weber, and Mr. Speaker—45.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 287—An act to amend section 2349 of the Political Code, relating to navigable streams and public waterways.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Reaves, Robertson, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—44.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1268—An act to amend section 3 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in

counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Muller, Eleanor; Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Stream, Turner, Walker, Watson, Weber, and Mr Speaker—43.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2553—An act to add section 61.5 to the Alcoholic Beverage Control Act, relating to minors on premises where alcoholic beverages are sold or served.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Pelletier, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—44.

NOES—Dannenbrink, and Reaves—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 276—An act to amend sections 49 and 1624 of, add sections 43 5, 159 O, 1606 5, and 1624.5 to, and to repeal section 3319 of, the Civil Code, all relating to causes of action based upon criminal conversation, seduction, alienation of affections and breach of promise.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M, Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Weber, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 276.

Mr. Cassidy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 276 was this day passed.

Assembly Bill No. 278—An act to amend sections 125, 374, 375, 1881, and 1973 of, and to add sections 341.5 and 1973.5 to, the Code of Civil Procedure, relating to causes of action for seduction, criminal conversation, alienation of affections, or breach of promise of marriage.

Bill read third time, and passed by the following vote:

AYES—Burns, Hugh M, Burns, Michael J., Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Turner Walker, Watson, Weber, and Mr. Speaker—46.

NOES—Cassidy, and Pelletier—2.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Assembly Bill No. 1280.

On motion of Mr. Robertson, Assembly Bill No. 1280 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No. 2810.

Respectfully reports the same back with the recommendation: Do pass.

BAYNHAM, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2505.

Respectfully reports the same back without recommendation, as amended.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 2352.

Respectfully reports the same back without recommendation, as amended.

LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1516.
Assembly Bill No. 1591.
Assembly Bill No. 1709.
Assembly Bill No. 2200.
Assembly Bill No. 2280.
Assembly Bill No. 2284.
Assembly Bill No. 2285.
Assembly Bill No. 2286.
Assembly Bill No. 2597.
Assembly Bill No. 2682.
Assembly Bill No. 2730.
Assembly Bill No. 2801.
Assembly Bill No. 2814.
Assembly Bill No. 1396.
Assembly Bill No. 2428.
Assembly Bill No. 1939.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1433.
Assembly Bill No. 2462.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Resolution.

The following resolution was offered:

By Messrs. Crowley, Hawkins, and Pelletier, and Miss Miller:

House Resolution No. 132.

WHEREAS, An outstanding citizen of Sacramento, B. A. Johnson, a highly efficient caterer, who served President Rutherford B. Hayes and who knew Leland Stanford, Jr., Cyrus H. Hopkins and almost every Governor of our beloved State since 1868; and who has served delicious meals to visitors at the State Fair

Grounds in each of the past 59 years; and who has earned the respect and affection of all who knew him, has been called to his great reward; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day, it do so out of respect to the memory of the late B. A. Johnson; and be it further

Resolved, That a copy of this resolution, suitably engrossed, be presented to the family.

Request for Uanimous Consent.

Mr. Crowley asked for and was granted unanimous consent to consider House Resolution No. 132 without reference to committee.

House Resolution No. 132 read, and unanimously adopted.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2824 re-referred to Committee on Education.

Assembly Bill No. 728 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1396 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2428 re-referred to Committee on Public Morals.

Assembly Bill No. 459 re-referred to Committee on Public Morals.

Assembly Bill No. 1521 re-referred to Committee on Unemployment.

Assembly Bill No. 1519 re-referred to Committee on Unemployment.

Assembly Bill No. 1516 re-referred to Committee on Unemployment.

Adjournment.

At twelve o'clock m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late B. A. Johnson, until eleven o'clock a m , Monday, April 12, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FORTY-EIGHTH LEGISLATIVE DAY
NINETY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 12, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr McMurray, the further reading of the Journal of Saturday, April 10, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr Cunningham.

Mr. Baynham, on motion of Mr. Muldoon.

Mr. Andreas, on motion of Mr. King.

Mr Corwin, on motion of Mr Stream.

Guests Extended Privilege of Assembly Floor.

On request of Mr Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. T. E. Coverdale, Mr. and Mrs. Harlan Boyer, Mr and Mrs. Kenneth Davis, and Mrs. Glenn Coolidge of Long Beach, and E. A. Burkhart of Los Angeles.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Theron Smith, City Clerk of San Diego

On request of Mr. Welsh, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. L. F. Douglas, Jr., and Miss Teresa Toomey of Beverley Hills.

On request of Messrs. Lyon and Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Jane A. Maxwell of Los Angeles.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harold F. Seal, Mrs. A. F. Herchelroth, and Morrie L. Shucart.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. M. Evelyn Perkins.

On request of Mr. Peyser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dave Coleman.

On request of Messrs. Voigt and Yorty, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mayfield Esslinge, Los Angeles, President, Business Women's Council of the 64th District; Zella I. Cates, Los Angeles, Representative of Board, Monthly Salon; Maude Stephens Miner, Los Angeles, Creative Arts Club; Mabel H. Vandercook, Los Angeles, Breakfast Bridge Club; Myrtle C. Pomeroy, Los Angeles, President, Independent Apartment Association; Mrs. Grace Dempster, Los Angeles, President, Southern California Council National Association of Women Lawyers; and Rosalind G. Bates, Los Angeles, President Woman's Business Council.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Assembly Bill No. 1455.
Respectfully reports the same back without recommendation, as amended.

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 862.
Assembly Bill No. 890.
Assembly Bill No. 990.
Assembly Bill No. 1021.
Assembly Bill No. 1283.
Assembly Bill No. 1610.
Assembly Bill No. 1624.
Assembly Bill No. 1653.
Assembly Bill No. 1652.
Assembly Bill No. 1794.
Assembly Bill No. 1813.
Assembly Bill No. 1651.
Assembly Bill No. 1879.
Assembly Bill No. 2387.
Assembly Bill No. 2659.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Constitutional Amendment No. 22.
Assembly Bill No. 247.
Assembly Bill No. 259.
Assembly Bill No. 267.
Assembly Bill No. 506.
Assembly Bill No. 778.
Assembly Bill No. 808.
Assembly Bill No. 841.
Assembly Bill No. 1152.
Assembly Bill No. 1154.
Assembly Bill No. 1238.
Assembly Bill No. 1267.
Assembly Bill No. 1318.
Assembly Bill No. 1399.
Assembly Bill No. 1425.
Assembly Bill No. 1463.
Assembly Bill No. 1477.

Assembly Bill No. 1572.
Assembly Bill No. 1762.
Assembly Bill No. 1845.
Assembly Bill No. 1862.
Assembly Bill No. 1905.
Assembly Bill No. 1906.
Assembly Bill No. 2058.
Assembly Bill No. 2336.
Assembly Bill No. 2374.
Assembly Bill No. 2401.
Assembly Bill No. 2456.
Assembly Bill No. 2457.
Assembly Bill No. 2663.
Assembly Bill No. 2826.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 2810—An act to amend section 486 of the Civil Code, relating to regulations of trains, and penalties.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2505—An act to amend section 1 of an act entitled "An act authorizing and requiring boards of commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations," approved March 26, 1895, relating to vacations of members of fire departments.

Committee Amendments to Assembly Bill No. 2505.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "city,", strike out "city and county,".

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out "days", and insert in lieu thereof the following: "working shifts".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2352—An act to amend sections 1, 3, 16 and 21 and to add new sections to be designated as sections 15½, 15½a and 15½b of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years" etc. approved June 5, 1915, Stats. 1915, p. 1225, being also known as Act 3966 of Title 290, pages 2074-5, Volume Two, General Laws of 1931, and known as the "Juvenile Court Law."

Committee Amendments to Assembly Bill No. 2352.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 6, 7 and 8 of the title and insert in lieu thereof the following: "relating to Juvenile Court Law."

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, strike out "Greater".

Amendment No. 3.

On page 5 of the printed bill, as amended, strike out line 7, and insert in lieu thereof the following: "of this State respectively in relation to the same, and all procedure, investigations, recommendations, reports, duties, rights and responsibilities of any person, organization or society concerning the adoption of minors shall be as provided by the Civil Code, sections 221 to 231, relating to the adoption of minors, or any amendments thereto, and nothing in this act shall be otherwise construed; provided that nothing".

Amendment No. 4.

On page 5, line 13, of the printed bill, as amended, after the comma, insert the following: "subject to the consent of the judge thereof,".

Amendment No. 5.

On page 5, line 49, of the printed bill, as amended, before "guardianship", insert the following: "general".

Amendment No. 6.

On page 6, line 7, of the printed bill, as amended, after "minor", insert the following: "or entitled by law to notice in such case".

Amendment No. 7.

On page 6, line 15, of the printed bill, as amended, after "custody", insert the following: "or protection".

Amendment No. 8.

On page 7, line 3, of the printed bill, as amended, strike out "(1)", and insert in lieu thereof the following: "(3)".

Amendment No. 9.

On page 7, line 14, of the printed bill, as amended, after "and", insert the following: "subject to the provisions hereof".

Amendment No. 10.

On page 7, line 26, of the printed bill, as amended, strike out "(2)", and insert in lieu thereof the following: "(4)".

Amendment No. 11.

On page 8, line 13, of the printed bill, as amended, strike out "(3)", and insert in lieu thereof the following: "(5)".

Amendment No. 12.

On page 8, line 22, of the printed bill, as amended, strike out "(4)", and insert in lieu thereof the following: "(6)".

Amendment No. 13.

On page 8, line 46, of the printed bill, as amended, strike out "(5)", and insert in lieu thereof the following. "(7)".

Amendment No. 14.

On page 9, line 3, of the printed bill, as amended, strike out "(6)", and insert in lieu thereof the following: "(8)".

Amendment No. 15.

On page 9, line 18, of the printed bill, as amended, strike out "(7)", and insert in lieu thereof the following: "(9)".

Amendment No. 16.

On page 10, line 3, of the printed bill, as amended, strike out "(8)", and insert in lieu thereof the following: "(10)".

Amendment No. 17.

On page 10, line 51, of the printed bill, as amended, strike out "(9)", and insert in lieu thereof the following: "(11)".

Amendment No. 18.

On page 11, line 12, of the printed bill, as amended, strike out "(10)", and insert in lieu thereof the following: "(12)".

Amendment No. 19.

On page 11, line 22, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "10".

Amendment No. 20.

On page 14, line 39, of the printed bill, as amended, strike out "the", and insert in lieu thereof the following: "any".

Amendment No. 21.

On page 14, line 40, of the printed bill, as amended, strike out "vote of".

Amendment No. 22.

On page 14, line 41, of the printed bill, as amended, after "judges", insert the following: "thereof".

Amendment No. 23.

On page 14, line 42, of the printed bill, as amended, after "to", insert the following: "delinquent".

Amendment No. 24.

On page 15 of the printed bill, as amended, strike out lines 4 and 5, and insert in lieu thereof the following:

"SEC. 6. All acts or parts of acts inconsistent with this act are hereby repealed, provided, however, that this act shall not be construed to repeal any provision of the Penal Code or other law of this State or of any ordinance of any town, city, county or city and county of this State defining as crime the act of any person who sells, furnishes, or gives away any alcoholic beverage to any person under the age of 21 years or that defines as crime the act of any person under the age of 21 years in taking part in any gambling game or game of chance where anything of value may be won or lost, or the act of any person permitting any such person

under the age of 21 years to frequent, enter, gamble, remain in, or be employed in any place where gambling is carried on or take part in any games of chance in such place, or any law of this State for the protection of minors; nor, except for the purposes of avoiding a multiplicity of proceedings and unnecessary expenses thereof, over the custody of a minor as provided in section 15½ of this act, shall it be construed to repeal, effect or change any provision of the Civil Code relating to adoptions of minors or to the powers, rights, duties and responsibilities of the State Department of Social Welfare or any organization licensed by said department to find homes for children and place children in homes for adoption, or of the Code of Civil Procedure relating to the general guardianship of the person of minors or the laws relating to proceedings, in habeas corpus over the custody of minors; nor shall any such minors involved in any proceeding under section 15½ of this act be deemed to be wards of said juvenile court or subject to any provisions of said Juvenile Court Law except for the purposes of avoiding a multiplicity of legal procedures and the unnecessary expenses thereof as provided for in section 15½ of this act. Any change in the nature of the custody of a minor legally sought from that originally granted in petitions under section 15½ of this act shall be by a supplementary petition in such case originally filed herein in accordance with the provisions of said section 15½ of this act applying to original petitions filed thereunder."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1455—An act authorizing the Director of Finance, upon behalf of the State, to prospect for, drill for, develop, extract, take and remove or dispose of, and to grant leases and easements for taking or extraction of, oil, gas or other hydrocarbons, or other minerals, of whatsoever kind, within and from certain lands belonging to the State; to acquire by purchase, eminent domain or otherwise, real property or interests therein necessary for the purposes of this act; providing for the disposition of all funds received pursuant to the provisions hereof; repealing all acts or parts of acts inconsistent or in conflict with this act, and making an appropriation for the purpose of carrying out the provisions of this act.

Committee Amendments to Assembly Bill No. 1455.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, of the title and insert in lieu thereof the following:

"An act relating to State lands, authorizing the Director of Finance, on behalf of the State of California to enter into contracts for the production of oil, gas and other hydrocarbons therefrom, authorizing the production and sale or other disposition of oil, gas and other hydrocarbons from such lands by lease or contract or by the State, and providing for the exercise of the powers of eminent domain in connection therewith."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 17, and on page 2, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1. This act shall not be deemed to repeal or otherwise affect any of the provisions of any other statutes of this State, except in so far as the provisions of such other statutes are directly in conflict herewith.

SEC. 2. The public interest and the general welfare of the State of California demand and require that the property rights of the State of California in and to the oil, gas and other hydrocarbons beneath and within the tidelands, overflowed and submerged lands belonging to this State particularly described in section 3 of this act be immediately protected, and that oil, gas and other hydrocarbons within and beneath such lands be extracted and removed therefrom in the manner herein provided.

The Legislature hereby reaffirms that the policy of the State is to protect its beaches from contamination or pollution and to avoid interfering in any way with the public rights of fishing and navigation. The oil, gas and other hydrocarbons within and beneath the lands described in section 3 can be recovered consistent with this policy only by means of wells drilled from the littoral lands or lands adjacent thereto.

The Legislature further declares that great and irreparable loss and injury will result to the State unless prompt and urgent action is taken for the recovery of such oil, gas and other hydrocarbons and that prompt and expeditious drilling of necessary

wells for the extraction of such oil, gas and other hydrocarbons can best be obtained by entering into contracts or lease agreements, as herein provided, with the owners or other persons having rights in and to such littoral lands or lands adjacent thereto.

SEC 3. The State lands referred to in section 2 of this act are situated in Orange County, and are particularly described as follows:

Beginning at a point in the ordinary high-water mark of the Pacific Ocean at the intersection of the said ordinary high-water mark with the west line of Section 29, T. 5 S., R. 11 W., S. B. M.; thence southeasterly along said ordinary high-water mark a distance of five (5) miles to a point in said ordinary high-water mark; thence southwesterly at right angles with said ordinary high-water mark and in a straight line three (3) miles from said ordinary high-water mark to a point in the Pacific Ocean; thence northwesterly along a line which is parallel to said ordinary high-water mark a distance of five (5) miles to a point in the Pacific Ocean; thence northeasterly in a straight line to the point of beginning.

SEC. 4. The acquisition of rights of way and easements in, upon, over or through littoral lands and lands adjacent to the State lands described in section 3 for the purposes of this act is hereby declared to be for a public use. Whenever the Director of Finance, with the consent of the Governor, has elected to proceed under the provisions of section 11 of this act he may, in the name of the people of the State of California, and in the manner provided for in and by the sections of the Code of Civil Procedure relating to eminent domain, condemn any rights of way and easements in, upon, over or through such littoral lands or adjacent lands whenever he shall deem the acquisition thereof necessary or convenient for the extraction, development, protection, recovery or storage of oil, gas and other hydrocarbons from the State lands described in section 3 of this act.

Rights of way and easements as herein used shall be deemed to mean and include the right to enter in and upon and take possession of and use such part or portion of the surface or subsoil of the said littoral lands or lands adjacent thereto as the said director shall deem necessary or convenient for drilling sites or for carrying out any of the purposes of this act, and the right to construct and install derricks, machinery, storage tanks and receptacles thereon, and drill therein and from or through such littoral and adjacent lands to and into the lands described in section 3 hereof, and to construct all such roads, pipe lines and other things over, through or across such littoral lands or lands adjacent thereto as may be necessary or convenient to carry out any of the purposes of this act or to extract, develop, protect, recover or store oil, gas and other hydrocarbons from the lands described in section 3.

SEC. 5 The Director of Finance, on behalf of the State of California, subject only to the provisions of this act, and irrespective of any acreage limitation, is hereby authorized and directed to contract for the development, extraction, recovery, storage and sale of oil, gas and other hydrocarbons within and from the subsurface of the lands described in section 3, whether within the known geologic structure of a producing oil or gas field or not, and whether or not they front on an incorporated city or be within any given distance on either side thereof, but excepting and excluding any portion of all of the State-owned lands which may then be subject to a previously issued oil and gas lease or a valid and subsisting prospecting permit issued pursuant to law in that behalf.

Said director shall first prepare the form of contract to be executed, and such contract shall contain such terms and conditions consistent with the provisions of this act as shall be necessary or proper to carry into effect the provisions of this act.

SEC. 6. The form of contract to be prepared by the said director shall provide for a term of thirty (30) years from and after the date of its execution, and shall provide for a royalty to the State which shall be such percentage in amount or value of the oil, gas and other hydrocarbons produced and saved from the property covered by said contract as said director shall determine, but in no event shall said royalty be for an amount less than forty per centum (40%) of the net proceeds as hereinafter defined. Said form of contract shall also provide, with reference to payment of royalty to the State:

(a) For an annual rental payment in advance in the sum of $10 per acre for each acre, or portion thereof, of the State lands described and included within any such contract, which rental shall be credited upon the royalties as they accrue for the year for which such rental is paid; and

(b) For advance royalties in an amount equal to 12½ per cent of the gross value of all oil, gas and other hydrocarbons produced and saved from the property covered by said contract during the preceding calendar month, said royalty to be paid on or before the twenty-fifth day of each month for the preceding calendar month.

The advance royalties provided for by this subsection (b) shall likewise be credited upon the total royalties as they accrue during the entire term of said contract.

Net proceeds as used in this section shall be deemed to mean the sum of money remaining after deducting from the total gross value of all oil, gas and other hydrocarbons produced from the land covered by said contract the following items:

(1) The amount of all taxes, license fees, or other development charges which may be levied or assessed upon the rights granted under any such contract and upon all the materials and equipment which may be used in the development, production, extraction, protection, storage and/or recovery of oil, gas or other hydrocarbons from the said State lands.

(2) All expenses, costs and liabilities incurred directly or indirectly in the drilling operations or maintaining of such State lands or in pumping, cleaning out, repairing or redrilling any or all wells and the cost of maintenance of sumps, tanks, pipe lines, or any other facilities used in conjunction with the development of said State lands, the cost of cleaning oil and a sum equal to five per cent (5%) of all installation, drilling, operating, production and maintenance expenses, which sum shall be the agreement cost of supervision and management overhead, and without limitation of the foregoing by reason of said specific items, any and all expenditures made in connection with the development, operation, and maintenance of said State lands, or any wells thereon, the abandonment of any such wells, and all costs incurred in carrying out the purposes of this act.

Said form of contract shall also contain the following provisions:

(c) That all operations thereunder shall be conducted in such manner as will not destroy or impair any right of fishing, navigation, or commerce, or any easement, right, privilege, trust, or use vested in the people of this State;

(d) In event there be any well or wells drilled so that the producing intervals thereof are within three hundred (300) feet of any exterior boundary line of the property embraced by the contract, and which are producing oil, gas or other hydrocarbon substances in commercially paying quantities, and as to which no royalty is being paid to the State, the contractor shall reasonably offset such wells so as to minify drainage. For such purpose the contractor shall not be required to operate with more than two (2) strings of tools;

(e) That the contractor shall comply with all reasonable rules and regulations not inconsistent with the provisions of this act that the Director of Finance thereafter makes affecting the leased lands and the production of oil, gas and other hydrocarbons therefrom;

(f) That the contractor at any time after the drilling of the first well may quitclaim the lands described in his contract in their entirety, or as to part or parts thereof, with the privilege of retaining 20 acres surrounding each producing or drilling well, and thereupon the contractor shall be released from all further obligations and duties as to the area so quitclaimed, and all rentals and drilling requirements shall be reduced pro rata. All lands quitclaimed shall remain subject to the easements and rights of way in said contract provided for. Except for such easements and rights of way as so provided, full right to the land so quitclaimed shall revest in the State free and clear of all claims of the contractor except that the State, its successors and assigns, shall not drill any well on the land quitclaimed within 300 feet of any producing or drilling well retained by the contractor, and the director is authorized to enter into a new contract with respect to said quitclaimed lands in accordance with the provisions of this act.

(g) The contractor shall within ninety (90) days from the execution of said contract commence drilling operations and shall prosecute the same with reasonable diligence until oil or gas is found in paying quantities, or to a depth of which further drilling would in the judgment of contractor, be unprofitable. In the event that the contractor shall not within ninety (90) days from the execution of said contract commence drilling operations, then said contract may be declared forfeited by the director, and thereupon said contract shall be null and void, and all rights of the contractor under said contract be at an end. If oil is found in paying quantities in any well so drilled by the contractor, said contractor shall continue to drill additional wells, working with reasonable diligence, until a total number of wells, including offset wells, shall have been drilled equal to one (1) well for each three hundred thirty (330) feet, or major fraction thereof, of the direct distance along the ordinary high-water mark of the lands embraced in the contract. The contractor may drill as many additional wells as he may desire.

(h) Each well drilled pursuant to the terms of such contract shall be slant drilled from littoral lands or lands adjacent thereto to and into the subsurface of the State lands. The derrick, machinery and any and all other surface structures, equipment and appurtenances shall be located upon the littoral lands or lands adjacent thereto and all surface operations shall be conducted on and from such lands.

SEC. 7. All wells drilled pursuant to any contract issued pursuant to this act shall be slant drilled from the littoral lands or lands adjacent thereto and drilled into the subsurface of the property described in said contract. The derrick, machinery, and any and all surface structures, equipment and appliances shall be located upon said littoral lands or lands adjacent thereto and all surface operations shall be conducted on and from such littoral lands or lands adjacent thereto.

SEC. 8. After the form of such contract shall have been prepared, but before the execution thereof, the Director of Finance shall offer to enter into a contract or contracts with the owner or owners of the littoral lands or lands adjacent thereto, or with any person, firm or corporation possessing present existing rights, rights of way or easements over, on or through such lands, which rights, rights of way or easements are sufficient to enable such person, firm or corporation to commence work under the terms of the proposed contract immediately upon its execution, for the development, extraction and recovery of the oil, gas and other hydrocarbons from said State lands subject to the provisions of this act. Such offer shall be made by publishing notice thereof once a week for two consecutive weeks in two newspapers of general circulation, one published in the city of Los Angeles and one in the City and County of San Francisco.

SEC. 9. The offer or offers provided for in section 8 shall be accepted by the execution in duplicate by the person, firm or corporation to whom such offer is made of the form of contract prepared by the Director of Finance and the delivery of such contracts to the director. The director shall thereupon sign such contracts on behalf of the State, deliver one copy thereof to the contractor and retain the other copy in his office.

The failure to accept such offer in the manner herein provided within two weeks from the date of the last publication provided for in section 8 shall constitute a rejection of the offer.

SEC. 10 Any contract herein authorized shall be subject to all prior existing easements and/or rights of way.

SEC 11. If said director fails to secure a contract for the development and extraction of the oil, gas and other hydrocarbons from any State lands upon the terms and for royalties hereinbefore provided, he may, with the consent of the Governor, proceed in the name of the State, without further notice or advertising, to develop and extract the oil, gas and other hydrocarbons from said State lands from drilling sites, rights of way and/or easements upon said littoral and other adjacent lands acquired as hereinbefore provided. Nothing in this section shall be deemed to require the State to engage in the development and extraction of said oil, gas and other hydrocarbons from said State lands, and the method provided in this section shall be resorted to only in the event said director is unable to procure a satisfactory contract for such development and extraction, and only in the event the Governor shall consent to such method. If said director determines that the oil, gas and other hydrocarbons shall be extracted from said State lands by the State, and the Governor consents thereto, said director may purchase, with any funds appropriated therefor, or, if the Governor consents thereto, with moneys then available in the emergency fund, all necessary equipment, materials and supplies, and he shall promptly proceed with the necessary drilling operations and with the construction of derricks, wells, pipe lines, storage tanks and other necessary and convenient structures, and the maintenance and operation thereof, and he may do all things necessary or proper for the extraction, storage and sale of oil, gas and other hydrocarbons from said State lands. The construction of such structures may be performed by contract or by day labor, in the discretion of said director.

Said director may sell, at the current market price, all oil, gas or other hydrocarbons produced, or may hold and store the same if he deems it desirable, and generally may do all things necessary in the operation of such property and the disposition of the oil, gas or other hydrocarbons produced therefrom as is consistent with accepted efficient business practices in private industry.

SEC. 12. All moneys received by the Director of Finance under the provisions of this act shall be reported promptly to the Controller and paid into the general fund.

SEC. 13. The Director of Finance may make and enforce reasonable rules and regulations not inconsistent with this act for the purpose of carrying out the provisions hereof, and he may do all things reasonably necessary for such purpose.

SEC. 14. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The Legislature hereby declares that it would have passed this act, and each and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Kuchel:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 796 of the Agricultural Code, relating to navel oranges

Referred to Committee on Introduction of Bills.

By Mr. Voigt (By request):

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 3607.5 to the Political Code, relating to taxation of the Henry E Huntington Library and Art Gallery.

Referred to Committee on Introduction of Bills.

By Mr. Millington:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to pay the claim of Harvey B Whitten against the State of California.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1937

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them

By Mr. Kuchel:

An act to amend section 796 of the Agricultural Code, relating to navel oranges.

By Mr. Voigt (By request):

An act to add section 3607.5 to the Political Code, relating to taxation of the Henry E Huntington Library and Art Gallery.

By Mr. Millington:

An act making an appropriation to pay the claim of Harvey B Whitten against the State of California.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Domnue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—64.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2837: By Mr. Kuchel—An act to amend section 976 of the Agricultural Code, relating to navel oranges.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2838: By Mr. Voigt (By request)—An act to add section 3607.5 to the Political Code, relating to taxation of the Henry E. Huntington Library and Art Gallery.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2839: By Mr. Millington—An act making an appropriation to pay the claim of Harvey B Whitten against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Constitutional Amendment No. 52: By Mr. Dilworth—Proposed amendment to Article XI, section 5, of the Constitution, relative to the appointment and compensation of deputies of certain county officers.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 53: By Mr. Turner—Proposed amendment to Article XIII, section 14, of the Constitution, relative to taxes paid by insurance companies.

Introduced, and referred to Committee on Constitutional Amendments.

Consideration of Senate Amendments to Assembly Bill No. 964.

Assembly Bill No. 964—An act to amend sections 1000, 1001 and 1010 of the Probate Code, relating to partial and ratable distribution of the estates of decedents.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 964?

Amendment No. 1.

On page 1, line 20, of the printed bill, following the word "indebted", strike out the comma, and insert in lieu thereof the following: "and that all inheritance taxes payable in said proceeding have been paid, or that the State Controller has in writing consented to said distribution".

Amendment No. 2.

On page 2, line 16, of the printed bill, following the word "expired", strike out the comma, and insert in lieu thereof "and all inheritance taxes payable in said proceeding have been paid, or that the State Controller has in writing consented to said distribution".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 964 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Wilhamson, Yorty, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 964 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1207.

Assembly Bill No. 1207—An act to amend section 647 of the Vehicle Code, relating to tests of lamps or devices.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1207?

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, after "code", insert a comma and the following: "and may expend such sums as may be necessary for this purpose from funds appropriated for the support of the department".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1207 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine,

Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1207 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1222.

Assembly Bill No. 1222—An act to amend sections 471, 516, and 715 of the Vehicle Code, relating to highways, including bridges and structures, and the regulation and control of vehicles thereon.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1222?

Amendment No. 1.

On page 1, line 24, of the printed bill, at the end of the line, add "not less than".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1222 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1222 ordered to enrollment.

Notices of Motion to Reconsider Continued.

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 628 was refused passage was continued until the next legislative day.

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2575 was passed was continued until the next legislative day.

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2673 was passed was continued until the next legislative day.

Third Reading of Assembly Bills.

Assembly Bill No. 1094—An act to amend section 487 of the Penal Code, relating to grand theft.

Bill read third time.

Demand for Previous Question.

Messrs. Yorty, Pelletier, Reaves, Morgan, and Call demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1094.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Turner moved a call of the Assembly.

Motion carried.

Time, twelve o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr Speaker—68.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Notice of Motion to Reconsider Assembly Bill No. 962 Waived.

Mr. Flint waived his notice of motion to reconsider the vote whereby Assembly Bill No 962 was passed.

Assembly Bill No. 962 ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At twelve o'clock and fifteen minutes p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Turner.

The roll of absentees was called, and Assembly Bill No. 1094 passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Martin, McMurray, Miller, Eleanor; Millington, Muldoon, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, Watson, Williamson, and Mr. Speaker—44

NOES—Call, Cassidy, Clark, Cronin, Dawson, Gilbert, Hawkins, Hornblower, Hunt, Lore, Maloney, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Welsh, and Yorty—26.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1094.

Mr. Voigt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1094 was this day passed.

Reconsideration of Assembly Bill No. 963.

In compliance with a notice given on a previous day, Mr. Flint moved that the vote whereby Assembly Bill No. 963 was passed be reconsidered.

The roll was called, and Assembly Bill No. 963 reconsidered by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 963 ordered on third reading calendar.

Recess.

At twelve o'clock and fifteen minutes p m., on motion of Mr Robertson, the Assembly was declared at recess until two o'clock p m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Withdrawal and Re-reference of Senate Bill No. 524.

On motion of Mr. Johnson, Senate Bill No. 524 was withdrawn from the Committee on Crime Problems, and re-referred to the Committee on Building and Construction.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 963—An act to amend section 1227 of the Penal Code, relating to a judgment of death remaining in force unexecuted.

Motion to Amend Assembly Bill No. 963.

Mr. Flint moved to amend Assembly Bill No. 963 as follows:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, strike out "thirty", and insert in lieu thereof the following: "sixty".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, strike out "forty", and insert in lieu thereof the following: "ninety".

Amendment No. 3.

On page 1, line 10, of the printed bill, as amended, strike out "five".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out line 21, and insert in lieu thereof the following: "than sixty days nor more than ninety days from the time".

Amendments adopted.

Request for Unanimous Consent.

Mr. Call asked for, and was granted, unanimous consent to take up Assembly Bill No. 963, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 963, as Amended.

Assembly Bill No. 963—An act to amend section 1227 of the Penal Code, relating to a judgment of death remaining in force unexecuted.

Assembly Bill No. 963, as amended, read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Call, Cronin Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Peyser, Redwine, Robertson, Sawallisch, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, and Mr. Speaker—48.

NOES—Cassidy, Gilbert, Hunt, Pelletier, Reaves, Richie, Tenney, and Yorty—8.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1413—An act to add section 92.5 to the Penal Code, relating to gifts to jurors.

Bill read third time, and refused passage by the following vote:

AYES—Beene, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Dannenbrink, Donnelly, Garibaldi, Garland, Glick, Heisinger, Johnson, Latham, Leonard, Miller, Eleanor; Miller, George P., Richie, Sawallisch, Turner, Walker, Yorty, and Mr. Speaker—22.

NOES—Boyle, Breed, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Field, Flint, Gannon, Gilbert, Hawkins, Hornblower, Hunt, Kuchel, Laughlin, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Stream, Tenney, Watson, and Williamson—37.

Notice of Motion to Reconsider Assembly Bill No. 1413.

Mr. Donnelly gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1413 was this day refused passage.

Hon. Ernest O. Voigt in the Chair.

At two o'clock and thirty-five minutes p.m., Hon. Ernest O Voigt, member of the Assembly from the Sixty-First District, in the chair.

Assembly Bill No. 298—An act to amend section 1 of an act entitled "An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State," approved June 25, 1935, relating to limitations on expenditures under said act.

Bill read third time, and refused passage by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Johnson, Latham, Lyon, Meehan, Millington, Morgan, Muldoon, Redwine, and Scudder—19.

NOES—Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Flint, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—48.

The Speaker in the Chair.

At three o'clock and twenty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 234—An act to amend section 24 of, and to add sections 24.1 to 24.5, inclusive, to the State Bar Act, relating to admissions to the State Bar.

Bill read third time.

Demand for Previous Question.

Messrs. Reaves, King, Burns, Hugh M., Robertson, and Mrs. Daley demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question not sustained.

Demand for Previous Question.

Messrs McMurray, Heisinger, Flint, Johnson, and Miller demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 234.

The roll was called, and Assembly Bill No. 234 refused passage by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dilworth, Field, Garibaldi, Garland, Johnson, Kepple, Kuchel, Latham, Levey, Lyon, Martin, Miller, Eleanor; Muldoon, Peek, Peyser, Redwine, Robertson, Rosenthal, Scudder, Stream, Thorp, Walker, Watson, Weber, Welsh, and Williamson—36

NOES—Burns, Michael J., Cassidy, Crowley, Daley, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Reaves, Richie, Sawallisch, Sheehan, Tenney, Turner, Voigt, Yorty, and Mr. Speaker—37.

Notice of Motion to Reconsider Assembly Bill No. 234.

Mr. Welsh gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 234 was refused passage.

Assembly Bill No. 1120—An act to amend section 552 of the Labor Code, relating to days of rest.

Motion to Amend Assembly Bill No. 1120.

Mr. Richie moved to amend Assembly Bill No. 1120 as follows:

Amendment No. 1.

On page 1, lines 4 and 5, of the printed bill, as amended, strike out the comma and "provided, however, that the", and insert in lieu thereof a period and the following: "The".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 6, and insert in lieu thereof the following: "the following cases:

(a) Emergencies.

(b) Where the employee is employed by two different and separate employers.

(c) Where the employee at his option, accumulates the days of rest to which he is entitled in order to avail himself of all of them at one time. But the period over which such days may be accumulated shall not exceed 30 days."

Amendments adopted.

Assembly Bill No. 1120 ordered to reprint, and re-engrossment.

Assembly Bill No. 50—An act to amend section 451 of the Agricultural Code, relating to dairies and dairy products.

Motion to Amend Assembly Bill No. 50.

Mr. Heisinger moved to amend Assembly Bill No. 50 as follows:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out ", when designated and authorized by".

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out "him in writing".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 15 to 21, inclusive, and insert in lieu thereof the following:

"For the purpose of this division "approved milk inspection service" means a milk inspection unit and laboratory maintained in connection with a county or city or combination of either or both for the purpose of grading and inspecting market milk produced for shipment to and sale or distribution within the jurisdiction of such approved milk inspection service, conformable to the provisions of this division and the rules and regulations established by the director, which inspection service shall be approved in writing by the director, or a milk inspection service established by proclamation of the director."

Amendment No. 4.

On page 2, line 7, of the printed bill, strike out "the representatives thereof".

Amendment No. 5.

On page 2, line 10, of the printed bill, after the word "regulations", insert the following: "and provide plans and specifications at cost"

Amendment No. 6.

On page 2, line 12 of the printed bill, strike out the word "rulings", and insert in lieu thereof the following: "rules and regulations, plans and specifications".

Amendment No. 7.

On page 2, line 16, of the printed bill, strike out the word "sanitary".

Amendment No. 8.

On page 2, line 16, of the printed bill, after the word "hazards", insert the following: "to sanitation".

Amendment No. 9.

On page 2 of the printed bill, following line 18, insert the following: "The rules, regulations, plans and specifications herein provided shall be the standards of all milk inspection services operating in the same geographical areas of the State."

Amendment No. 10.

On page 2 of the printed bill, strike out all of lines 26 to 42, inclusive, and insert in lieu thereof the following:

"490. It is unlawful to sell any milk as, or under the representation of, guaranteed or Grade A milk, except under the supervision of a milk inspection service approved by the director. A person authorized to sell market milk within the jurisdiction of a milk inspection service may sell market milk from the same supply,

of the same quality, in similar containers, and under the same label in territory outside the jurisdiction of any milk inspection service, if local ordinances are not thereby violated, and also in territory within the jurisdiction of any other milk inspection service, if the consent of said other milk inspection service has been previously obtained. It is unlawful to sell in any city or county or any combination of cities and counties, in which a milk inspection service, approved by the director has been established, any market milk other than graded milk as provided in this division."

Amendment No. 11.

On page 2, line 50, of the printed bill, strike out the word "no".

Amendment No. 12.

On page 2 of the printed bill, strike out all of lines 51 and 52.

Amendment No. 13.

On page 3 of the printed bill, strike out lines 1 to 5, inclusive.

Amendment No. 14.

On page 3, line 15, of the printed bill, after the word "director", insert the following: "and from the approved milk inspection service in whose jurisdiction the market milk is sold".

Amendment No. 15.

On page 3, line 17, of the printed bill, after the word "director", insert the following: "or approved milk inspection service".

Amendment No. 16.

On page 3, line 26, of the printed bill, after the word "director", insert the following: "and the approved milk inspection service, if applicant is within the jurisdiction of an approved milk inspection service,".

Amendment No. 17.

On page 3, line 28, of the printed bill, strike out the word "only", and insert in lieu thereof: "annually".

Amendment No. 18.

On page 3, line 30, of the printed bill, at the end of the sentence, insert the following: "For the issuance, registration and renewal of the permits authorized by this section by an approved milk inspection service such approved milk inspection service may charge not to exceed two dollars for each permit."

Amendment No. 19.

On page 3, line 32, of the printed bill, strike out the words "any grade of".

Amendment No. 20.

On page 3, line 32, of the printed bill, after the word "milk", insert a comma and the following: "outside the jurisdiction of any approved milk inspection service,".

Amendment No. 21.

On page 3, line 35, of the printed bill, strike out "1937", and insert in lieu thereof "January 1, 1938".

Amendment No. 22.

On page 4 of the printed bill, strike out all of lines 6 to 37, inclusive.

Amendments adopted.

Assembly Bill No. 50 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills.

Senate Bill No. 860—An act to amend section 3a of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions.

Motion to Amend Senate Bill No. 860.

Mr. Welsh moved to amend Senate Bill No 860 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "3a of the Workmen's Compensation," and insert in lieu thereof the following: "Labor Code,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "Insurance and Safety Act of 1917,".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, after "definitions", insert the following: "with respect to workmen's compensation".

Amendment No. 4.

On page 1, lines 1 and 2, of the printed bill, strike out "3a of the Workmen's Compensation, Insurance and Safety Act of 1917" and insert in lieu thereof the following: "3212 of the Labor Code".

Amendment No. 5.

On page 1, line 4, of the printed bill, strike out "Sec 3a ", and insert in lieu thereof the following: "3212 "

Amendment No. 6.

On page 1, line 18, of the printed bill, strike out "salaries", and insert in lieu thereof the following: "salaried".

Amendments adopted.

Senate Bill No. 860 ordered to reprint, and third reading calendar.

Motion to Print Report in Journal.

On motion of Mr. Reaves, the following report of the Interim Committee to Investigate Unemployed Self-help Cooperatives, was ordered printed in the Journal:

Report of Interim Committee to Investigate Unemployed Self-Help Cooperatives.

Honorable Wm. Moseley Jones, Speaker of the Assembly,
Assembly Chamber, Sacramento, California

MR. SPEAKER: The Interim Committee to Investigate Unemployed Self-help Cooperatives, pursuant to Assembly resolution adopted June 16, 1935, and composed of the following members, Patrick J. McMurray, Ernest C. Crowley, Frank J. Waters, Gene Flint, and Fred Reaves, chairman, begs to report.

The committee met in the State Building in Los Angeles and named Patrick J. McMurray vice chairman, and Gene Flint, secretary.

The following day the committee reconvened to hear a plan outlined by Mr. John Wink, president of the Utopian Society. It was then agreed to make independent investigations.

During the years 1931 to 1934 the people of California found themselves in the midst of an economic and industrial collapse. Thousands of men were suddenly thrown out of employment, with little or no cash reserves. As a result hardships and actual suffering resulted.

County charities departments, particularly in Los Angeles County, found themselves faced with a burden with which they were not organized to cope.

At the same time farmers and truck gardeners found themselves without a market, due to the fact that their former customers were out of work. An unemployed veteran at Compton offered to trade his labor for some of the products of the garden. These vegetables he distributed among his friends On the following day he returned with several of his comrades. Out of this humble beginning organizations began to spring up within a few weeks that contained 2,500 families, drawn from the surrounding towns and communities. Other towns and communities soon followed the example and by this time there were 25 or 30 of these organizations who organized themselves into county central organizations. There were three delegates from each local organization, and these said local organizations were known as units and were given numbers.

Other communities continued to form until in 1933 there were more than 200 such units in Los Angeles County. The Los Angeles County board of supervisors sensed that the charity load could be supplemented and a vast amount of produce recovered that otherwise would have gone to waste The board appointed Col Wyman as food administrator, whose duty was to cooperate with and coordinate etc. Also later to administer a $60,000 fund for gas and oil This fund was later supplemented by other allocations.

The gross amount of foodstuffs and their value is hard to determine due to the fact that the fruit and vegetables received were of an inferior quality and a huge waste was entailed. Suffice to say at one time in 1933 and 1934 some 45,000 persons were on their rolls and foodstuffs, mostly fruits and vegetables, were recovered and distributed by the hundreds of tons Thus amounting in the aggregate to some millions of dollars and perhaps prevented a breakdown in Los Angeles County by partially relieving the sudden load

It should be understood that at no time was a unit in a position to maintain a family without some supplemental income. During the early part of 1933 a State-wide organization was formed Several of these organizations had sprung up in the counties south of Los Angeles also Alameda, San Jose, and some others, and many and varied were the schemes and theories advanced but in one thing they all agreed that capital was indispensable.

It was only natural that such a vast organization should consider theirs a permanent situation and took steps to weld themselves together and work out a

program which succeeded in securing Federal funds How much? Then Relief Administrator Hopkins sent a Mr. Winslow Carlton to Los Angeles to administer the funds. Outright grants of money were made to the units for the purchase of machinery, trucks, and equipment Later loans were made to purchase raw material. These loans are now being made by SRA.

From the time that the Federal relief was instituted membership in the cooperatives started to decline and after the WPA was inaugurated most of the units closed their doors for lack of membership. Only those who had received grants and loans were able to survive, with a greatly reduced membership.

Method of Grants.

Grants of money were made to the units with which to purchase machinery, trucks, etc., and was restricted to that purpose.

Loans.

Loans were made to purchase raw material with the provision that they should be repaid in goods, but with the condition that these goods were not to be sold in open market in competition with private business and the surplus, which was the profit, was to be retained by the unit

Surplus.

Those employed in the units having a Federal grant and were known as grant units (those not having grants were called nongrant units) were given credit for labor using points (a point was ½ cent), at the day or week in some instances. Members could redeem points for goods, produce, or leave on deposit. These deposits were used to exchange with other unit producing a different line and thus a greater variety of goods were available.

This may sound like an ideal set-up but in practice it did not work out, for the following reasons, as above stated no unit could maintain a family who had no cash income, hence it was impossible to keep a trained personnel The result was that the cost of production was so high that it was necessary to write off some of the credits in order to reduce the production cost. Men refused to work in the units when they could secure work on the PWA, WPA, or direct relief through the SRA. Thus when Federal relief through the various agencies reached its peak the nongrant units were abandoned, and grant units continued with a reduced membership

Lack of Outlet.

We found that perhaps the greatest handicap is their lack of an adequate market or outlet for their products; most outstanding instance was Santa Ana.

Where the unit had received a grant for the purchase of broom making machinery and broom corn, but they soon found that the restricted market offered them i.e., other units were soon glutted. On the occasion of the committee's visit to this unit the broom project had been closed and the men were engaged in cutting and selling wood where there were no restrictions.

Perhaps the most outstanding success in the nongrant unit class was the cooperative at Carlsbad. This is essentially a consumers' cooperative but work projects are taken such as the picking of beans and the pay taken in beans which is sent to the cooperative cannery at Wilmington and canned, later distributed back to the members as needed. The store operated by this unit is a credit to the town. It has a large fresh up to date stock of meats and groceries, is clean and run as any up to date store should be.

The employees were efficient and courteous and except for the sign on the window one would never suspect this store to be a cooperative.

We further learned that there was a great deal of red tape and delay in granting the loans for purchase of material. Sometimes the funds are delayed until after the season for the particular kind of fruit or vegetables intended to process had passed.

Conclusions:

(1) We respectfully suggest that a revolving fund of not less than $2,000,000 be set up out of the $48,000,000 allocated for the SRA.

(2) That facilities be set up so that these loans can be made without undue delay.

(3) That in the event the SRA is consolidated the Department of Social Welfare, that a man familiar and experienced in the cooperatives be employed to administrate the fund.

(4) That the State receive payment in goods for such loans and that the co-ops be not allowed to compete with private business in the open market

FRED REAVES, Chairman.
P. J. McMURRAY.
E. C. CROWLEY.
GENE FLINT.
FRANK J. WATERS.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 12, 1937.

Honorable Members of the Assembly, State Capitol, Sacramento, California.

GETLEMEN: I am returning herewith without my signature **Assembly Bill No. 1679,** being

"An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds in civil actions or proceedings."

The veto is predicated upon the broad proposition that the enactment of such a measure would constitute a cession of certain of the sovereign rights of the people of this State to the Federal Government, which rights were among those specifically withheld by the people at the time of the creation of the Federal Government.

Aside from the principle involved which would result in the breaking down of the sovereignty of the State in a piece-meal fashion, the people of the State would be under a disability since any citizen of this State damaged or injured on account of the institution of an action, or the filing of a defense, without merit, would be without an adequate remedy to obtain compensation for such damage or injury.

Yours most respectfully,

[SEAL]

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1679 ordered on unfinished business calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 12, 1937.

MR SPEAKER: I am directed to inform your honorable body that pursuant to a motion adopted in connection therewith, the Senate requests that the following bill be returned to the Senate for further action:

Senate Bill No. 456—An act to amend section 12974 of the Insurance Code, to repeal section 12975 thereof, and to add sections 12975 and 12975.5 thereto, all relating to the insurance fund in the State Treasury, making an appropriation, and providing the same shall take effect immediately

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

On motion of Mr. Welsh, the above request was granted.

Senate Bill No. 456 ordered returned to the Senate.

SENATE CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Senate Bill No. 799—An act to repeal an act entitled "An act to permit governing boards of school districts to provide for the payment of retirement salaries to the teachers and other employees thereof in the manner prescribed by this act," approved June 19, 1929, and to add a new part to Division V of the School Code to be known as Part V, all relating to the retirement by school districts of employees thereof.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 799 read first time, and referred to Committee on Education.

SENATE CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 25—Approving certain amendments to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-third day of March, 1937.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 25, at this time, without reference to committee or calendar, and that the same be considered engrossed.

Consideration of Senate Concurrent Resolution No. 25.

Senate Concurrent Resolution No. 25—Approving certain amendments to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-third day of March, 1937.

Senate Concurrent Resolution No. 25 read, and adopted by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, April 12, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 12.
Assembly Bill No. 2415.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Special Order Set for Assembly Bill No. 2826.

On motion of Mr. Levey, the consideration of Assembly Bill No. 2826 was made a special order of business for Tuesday, April 13, 1937, at two o'clock and forty-five minutes p.m.

Notice of Motion to Withdraw Assembly Bills Nos. 696 and 697 from Committee.

Mr. Gilbert gave notice, in compliance with Rule 58, he would move to withdraw Assembly Bills Nos. 696 and 697 from the Committee on Governmental Efficiency and Economy, and have them placed upon the calendar.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Joint Resolution No. 39: By Mr. Robertson—Relative to memorializing the Congress of the United States to enact certain legislation concerning aviation.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to have Assembly Joint Resolution No. 39, placed upon the unfinished business calendar, without reference to committee.

Assembly Joint Resolution No. 39 ordered to print and engrossment.

Assembly Concurrent Resolution No. 42: By Mr. Peyser—Relative to recommending gubernatorial proclamation of "California Vintage Weeks" for the period of August 29, 1937, to September 18, 1937.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 42, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 42.

Assembly Concurrent Resolution No. 42—Relative to recommending gubernatorial proclamation of "California Vintage Weeks" for the period of August 29, 1937, to September 18, 1937.

Assembly Concurrent Resolution No. 42 read, and adopted by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered to print and transmitted to the Senate.

Assembly Constitutional Amendment No. 54: By Mr. Donihue—Proposed addition to Article XXVII of the Constitution, relative to the assessment and collection of State taxes, and providing for the office and prescribing the powers and duties of the State Tax Commissioner.

Introduced, and referred to Committee on Constitutional Amendments.

Re-reference of Assembly Constitutional Amendment No. 32.

On motion of Mr. Latham, Assembly Constitutional Amendment No. 32 was withdrawn from the calendar, and re-referred to the Committee on Constitutional Amendments.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred:

Assembly Bill No. 2025.

Respectfully reports the same back with the recommendation: Do pass as amended.

SHEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1937.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred:

Assembly Bill No. 293.

Assembly Bill No. 2026.

Respectfully reports the same back without recommendation, as amended.

TENNEY, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 30.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2281.	Assembly Bill No. 2501.
Assembly Bill No. 2426.	Assembly Bill No. 2810.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 562.	Assembly Bill No. 1216.
Assembly Bill No. 563.	Assembly Bill No. 1221.
Assembly Bill No. 953.	Assembly Bill No. 1343.
Assembly Bill No. 1208.	Assembly Bill No. 1726.
Assembly Bill No. 1210.	Assembly Bill No. 1729.
Assembly Bill No. 1212.	Assembly Bill No. 1787.
Assembly Bill No. 1213.	Assembly Bill No. 2223.
Assembly Bill No. 1215.	

And reports the same correctly enrolled, and presented to the Governor on this twelfth day of April, 1937, at four o'clock p.m.

CUNNINGHAM, Chairman.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1477 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1651 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1652 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2374 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1653 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1283 re-referred to Committee on Insurance.

Assembly Bill No. 267 re-referred to Committee on Oil Industries.

Assembly Bill No. 247 re-referred to Committee on Oil Industries.

Assembly Bill No. 1813 re-referred to Committee on Agriculture.

Assembly Bill No. 2401 re-referred to Committee on Public Utilities.

Assembly Bill No. 1862 re-referred to Committee on Fish and Game.

Assembly Bill No. 2336 re-referred to Committee on Fish and Game.

Assembly Bill No. 2663 re-referred to Committee on Fish and Game.

Assembly Bill No. 1845 re-referred to Committee on Elections.

Assembly Bill No. 1425 re-referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1267 re-referred to Committee on Agriculture.

Assembly Bill No. 778 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2501 re-referred to Committee on Unemployment.

Assembly Constitutional Amendment No. 30 re-referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 22 re-referred to Committee on Constitutional Amendments.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Notices of Motion to Reconsider Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1052 was passed was continued until the next legislative day.

On motion of Mr. Field, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 516 was passed was continued until the next legislative day.

On motion of Mr. Clark, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 343 was passed was continued until the next legislative day.

On motion of Mr. Clark, the consideration of his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 12 was adopted was continued until the next legislative day.

On motion of Mr. Clark, the consideration of his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 11 was adopted was continued until the next legislative day.

On motion of Mr. Johnson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 63 was passed was continued until the next legislative day.

Adjournment.

At four o'clock and thirty minutes p m , on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Tuesday, April 13, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FORTY-NINTH LEGISLATIVE DAY
ONE HUNDREDTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 13, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. Henry P. Meehan, Speaker pro tempore of the Assembly, in the chair.

Assistant Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Donnelly, the further reading of the Journal of Monday, April 12, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. O'Donnell, on motion of Mr. Turner.

Mr. King, on motion of Mr. Robertson.

Mr. Corwin, on motion of Mr. Stream.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. W. E. Libby of Los Angeles.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Thera Smith, City Clerk of Escondido, wife of Theron Smith, one of the attaches of the Assembly.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Anne K. Granlee,

teacher, and the following students of Bruella School: Fred Steele, Billy Sims, Robert Hoffman, Thomas Makamura, Lawrence Stickel, Virgil Brown, Billie Mattice, Kazushi Fukumoto, Richard Geiszler, Richard Velasquez, James Rinaud, Ervin Floth, George Shimada, H. D. Potter, Clinton Brown, Albert Reich, Jeanne Davis, Francis Molmengo, Fusaye Nishima, Effie Maris, Janice Wooten, Eleanor Gribaudo, Mary Fuso, Hattie Karuta, Melinda Vossler, Ethel Manassero, Delyle Gentner, Luselotte Sinz, Helen Cox, Tsuyuku, Kimumura, Elva Brown, Esther Fuchs, Kathryn Kirschenmann, Dorothy Yanagi, Clara Stickel, and Freda Lind, and Mr. Arthur Young.

On request of Mr. Welsh, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. W. J. M. Maxwell of Los Angeles.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to P. Warren Gentle and A. Keith Halva of Los Angeles.

On request of Mr. Reaves, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs. Herschelroth of Los Angeles.

On request of Messrs. Pelletier and Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. M. Evelyn Perkins and Mrs. Marguerite Herschelroth of Los Angeles.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L. L. Chesney, C. E. Hotchkiss, J. Theodore Hollie, and George I. Shafer.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Carl E. Hotchkiss of Los Angeles.

On request of Messrs. Williamson, Cronin, and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to St. Ives Law Club, Honor Law Society of the University of San Francisco, as follows: Robert E. Lanctot, President; Charles P. Scully, Treasurer; William P. Golden, Jr., Recorder; Edward T. Moran, Robert Benson, Robert E. Moore, Robert Oakley, Edward Ewing, Francis G. Rovere, Robert Horner, George D. Murphy, John H. Riordan, Jr.; Edward W. Dreier, Jr., Thomas F. Casey, Jr., Harry C Ewing, Jr., William S. Hogan, Jr., William A. Landtbom, Harry Sloan, Harry Clifford, Thomas J. O'Toole, Noel J. Dyer, Edward Sweeney, George Cronin, William Schaffer, Henry Wickstrom, John Leith, Thomas Mahoney, Edward T. Heavey, and Dr. A. Russell Berti.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to S. G. Lighty, principal; and the following junior and senior students of Williams Union High School: Aileen Dutel, Ila Eakin, Beatrice Jauregui, Marcille Wardell, Granene Mulford, Phyllis Nichols, Raymond Warsley, June Davis, Ruth Johnson, Arthur Nason, Merle Landrus, Nora Lack, Jack Keberlein, Ellis Rogers, Pauline Gobel, Bradford Higgins, Glen Schales, Lorraine Beauchamp, Yvonne Gilbert, Albert Davis, Matt Jauregui, Bill Thomas, Page Commons, Glen Monar, Norma Rice, Norma Chatfield, Louie Ollegrini, Elva Sites, Zora Fowler, Bob

Edwards, Leonard Bower, Cleo Dunn, Jack Forsythe, Richard Keberlein, Buster Gobel, Floyd Wescott, Elaine Manor, Joe Kintana, Mildred Bedford, Elinor Brainard, Helen Jauregui, Gene Gray, Beth Forsythe, Dale Tucker, Norman Commons, and Fredia Egbert.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to R. J. Nichols and George Jofte of Los Angeles.

On request of Mr. Patterson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fred S McCargar of Salinas.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to a motion adopted in connection therewith, the Senate requests that the following bill be returned to the Senate for further action:

Senate Bill No. 473—An act to amend sections 380 51, 380 52, 380 55 and 380 59, of the Agricultural Code, relating to live stock marks and brands.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

On motion of Mr. Morgan, Senate Bill No. 473 was withdrawn from the Committee on Live Stock and Dairies, and returned to the Senate

Second Reading of Assembly Bills.

Assembly Bill No. 2025—An act to repeal section 3819a of the Political Code and to add a new section 3819a thereto, relating to redemption of property from tax sales.

Committee Amendments to Assembly Bill No. 2025.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "all counties in this State", and insert in lieu thereof the following: "any county, on resolution of the board of supervisors, passed by a four-fifths vote,".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out "have the power and shall".

Amendment No. 3.

On page 1, line 10, of the printed bill, strike out "said counties", and insert in lieu thereof the following: "such a county".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 25 and 26, and insert in lieu thereof the following: "the auditor shall charge the tax collector with the amount of taxes unpaid as shown by the delinquent list;".

Amendment No. 5.

On page 2 of the printed bill, between lines 16 and 17, insert the following:

"The tax collector shall mark the date of payment of any tax or of the several partial payments as the case may be in the abstract assessment book or the delinquent list, opposite the name of the person assessed.

It shall be the duty of the tax collector to pay into the county treasury all money collected by him under the provisions of this section at the same time and in the same manner as other money collected by him are so paid, such payments to be made in accordance with section 3753.

A settlement with the county auditor for all money collected under the provisions of this section shall be made by the tax collector in accordance with section 3753. Semiannually, on the fifteenth day of February and the fifteenth day of August, the county auditor shall audit the books and records of the tax collector, balancing the unpaid and paid taxes shown on the delinquent assessment rolls and abstract delinquent rolls hereinafter provided for with the proper tax accounts of the auditor, crediting the tax collector with all delinquent taxes paid and settled for as shown by the copies of redemption certificates and by the treasurer's receipts on file in the office of the county auditor and tax collector. Thereafter, a new balance of unpaid delinquent

taxes shall be charged to the tax collector and such charge shall be made in accordance with the balances verified by such examination and audit made by the county auditor.

Within 30 days after the effective date of this act, the tax collector in each county shall prepare, with the aid and cooperation of the county auditor, an abstract delinquent roll from all delinquent lists now and heretofore filed and kept in the office of the county auditor, excepting the delinquent list for the years subsequent to the year for which property was last deeded to the State of California for unpaid delinquent taxes.

Such abstract delinquent roll shall be in the same form, as near as is practical, as the delinquent list for the fiscal year 1936-1937.

Said abstract delinquent roll shall contain in numerical or alphabetical order all matters contained in the delinquent list from which the said abstract delinquent roll is prepared, and said abstract delinquent roll shall be permanently bound in convenient volumes, tabbed and indexed according to each year of delinquency.

The board of supervisors of each county shall furnish the tax collector with the necessary clerical assistance, office room, furniture, equipment and supplies for use in his office in connection with provisions of this section.

Each year on the first day of August, after the tax collector has performed the duties required in section 3785, the tax collector shall prepare an abstract delinquent roll from the delinquent list of property which has been unpaid more than five years. Upon completion, the abstract delinquent roll so prepared shall be examined and audited by the county auditor who shall add up the total of unpaid taxes thereon shown and charge such unpaid delinquent taxes to the tax collector

Each of the provisions of sections 3881 and 3881a relating to the correction of defects in description or form or clerical errors of the assessor in the assessment book or of the tax collector in the delinquent list or the clerical errors of the auditor in the assessment book may be corrected in the abstract delinquent roll hereinbefore mentioned in the same manner as other defects and errors are corrected in accordance with the provisions of the Political Code

The abstract delinquent roll prepared in accordance with the provisions of this section, or copy thereof, certified by the county tax collector, showing unpaid taxes against any person or property, is prima facie evidence of the assessment, the property assessed, the delinquency, the amount of taxes due and unpaid, and that all the forms of law in relation to the assessment and levy of such taxes and the equalization thereof have been complied with"

Amendment No. 6.

On page 2 of the printed bill, following line 27, insert the following

"In each county, the board of supervisors may, whenever in their discretion the public interest will be best subserved thereby, by ordinance, elect to separate the duties herein consolidated and transferred to the tax collector by redelegating to the auditor and to the treasurer their respective duties relating to the redemption of property from sales to the State for nonpayment of taxes."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2026—An act regulating the practice of engineering; providing for the creation and establishment of a State Board of Registration for Professional Engineers; granting certain powers to and prescribing the duties of said board; providing for the examination and registration of professional engineers, and providing penalties for the violation of this act; and repealing an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929.

Committee Amendments to Assembly Bill No. 2026.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "of", insert the following: "mechanical, electrical, mining, and chemical".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, strike out the semicolon, and insert in lieu thereof a period, and strike out all of lines 7 and 8.

Amendment No. 3.

On page 1 of the printed bill, strike out line 5, and insert in lieu thereof the following: "mechanical, electrical, mining, and chemical engineering in this State, including all persons practicing such".

Amendment No. 4.

On page 1 of the printed bill, strike out line 12, and insert in lieu thereof the following: "as such an engineer, or to represent himself as such an engineer, or use".

Amendment No. 5.

On page 2, line 14, of the printed bill, strike out "civil."

Amendment No. 6.

On page 2 of the printed bill, strike out lines 17 to 27, inclusive, and insert in lieu thereof the following: "ties the economics of, and the use and design of, materials of construction and the determination of the physical qualities of mechanical and electrical structures, apparatus".

Amendment No. 7.

On page 2 of the printed bill, strike out lines 32 and 33, and insert in lieu thereof the following: "eries, pipe lines, and processes. The execution as a".

Amendment No. 8.

On page 2 of the printed bill, strike out lines 43 to 52, inclusive.

Amendment No. 9.

On page 3, line 1, of the printed bill, strike out the figure "5", and insert in lieu thereof the following: "4".

Amendment No. 10.

On page 3, line 3, of the printed bill, strike out "five (5)", and insert in lieu thereof the following: "four (4)".

Amendment No. 11.

On page 3, line 4, of the printed bill, strike out "civil engineer, one a".

Amendment No. 12.

On page 3, line 9, of the printed bill, strike out "five (5)", and insert in lieu thereof the following: "four (4)".

Amendment No. 13.

On page 3 of the printed bill, strike out lines 12 to 26, inclusive, and insert in lieu thereof the following: "expire as follows one member, January 15, 1938; one member, January 15, 1939; one member, January 15, 1940; and one member, January 15, 1941. Vacancies occurring under"

Amendment No. 14.

On page 3, line 43, of the printed bill, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 15.

On page 4, line 1, of the printed bill, strike out "7", and insert in lieu thereof the following: "6".

Amendment No. 16.

On page 4 of the printed bill, strike out lines 18 to 33, inclusive.

Amendment No. 17.

On page 4, line 34, of the printed bill, strike out "9", and insert in lieu thereof the following: "7".

Amendment No. 18.

On page 4, line 49, of the printed bill, strike out "10", and insert in lieu thereof the following: "8".

Amendment No. 19.

On page 5, line 36, of the printed bill, strike out "11", and insert in lieu thereof the following: "9".

Amendment No. 20.

On page 6, line 3, of the printed bill, strike out "12", and insert in lieu thereof the following: "10".

Amendment No. 21.

On page 6 of the printed bill, strike out lines 16, 17, and 18, and insert in lieu thereof the following: "least one (1) year."

Amendment No. 22.

On page 6, line 23, of the printed bill, strike out "1935", and insert in lieu thereof the following: "1937".

Amendment No. 23.

On page 6 of the printed bill, strike out lines 26 to 37, inclusive.

Amendment No. 24.

On page 6, line 38, of the printed bill, strike out "14", and insert in lieu thereof the following: "11".

Amendment No. 25.

On page 7, line 3, of the printed bill, strike out "15", and insert in lieu thereof the following: "12".

Amendment No. 26.

On page 7, line 13, of the printed bill, strike out "16", and insert in lieu thereof the following: "13".

Amendment No. 27.

On page 7, line 26, of the printed bill, strike out "17", and insert in lieu thereof the following: "14".

Amendment No. 28.

On page 7, line 39, of the printed bill, strike out "18", and insert in lieu thereof the following: "15".

Amendment No. 29.

On page 8, line 9, of the printed bill, strike out "19", and insert in lieu thereof the following: "16".

Amendment No. 30.

On page 8, line 20, of the printed bill, strike out "20", and insert in lieu thereof the following: "17".

Amendment No. 31.

On page 8, line 43, of the printed bill, strike out "21", and insert in lieu thereof the following: "18".

Amendment No. 32.

On page 8, line 49, of the printed bill, strike out "four-fifths (4/5)", and insert in lieu thereof the following: "three-fourths (¾)".

Amendment No. 33.

On page 9, line 22, of the printed bill, strike out "four (4)", and insert in lieu thereof the following: "three (3)".

Amendment No. 34.

On page 9, line 25, of the printed bill, strike out "16." and insert in lieu thereof the following: "19".

Amendment No. 35.

On page 9 of the printed bill, strike out lines 29 to 32, inclusive, and insert in lieu thereof the following:

"(b) Any person registered as a civil engineer in this State under that certain act entitled "An act regulating the practice of civil engineering," approved June 14, 1929."

Amendment No. 36.

On page 10, line 5, of the printed bill, strike out "23", and insert in lieu thereof the following: "20".

Amendment No. 37.

On page 10 of the printed bill, strike out lines 31 to 39, inclusive.

Amendment No. 38.

On page 9, line 41, of the printed bill, after the word "State", add paragraph (dd) which reads as follows: "officers and employees of corporations engaged in the business of transporting or distributing water, gas or electricity within the State of California, practicing solely as such officers or employees".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 293—An act to amend section 3½ of the Contractor's License Law, relating to exemptions therefrom.

Committee Amendments to Assembly Bill No. 293.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 2, 3, 3½, 4, 5, 6, 7, 8, 9, 9a and 12 of an act entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the business of contracting and the registration and licensing of contractors."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out the figure "3½", and insert in lieu thereof the figure "2".

Amendment No. 3.

On page 1 of the printed bill, commencing with line 3, strike out all of said line 3, and all of the balance of the bill, and insert in lieu thereof the following:

"Sec. 2. This act shall not apply to:

(a) An authorized representative or representatives of the United States Government, the State of California, or any incorporated town, city, county, city and county, irrigation district, reclamation district or other municipal or political corporation or subdivision of this State;

(b) Officers of a court, providing they are acting within the scope of their office;

(c) Public utilities operating under the regulation of the State Railroad Commission on construction, maintenance and development work incidental to their own business; or any construction, repair or operation incidental to the discovering or producing of petroleum or gas, or the drilling, testing, abandoning, or other operation of any petroleum or gas well, when performed by an owner or lessee;

(d) Owners of property, building or improving structures thereon for the occupancy of such owners, and not intended for sale;

(e) The sale or installation of any finished products, materials, or articles of merchandise, which are not actually fabricated into and do not become a permanent fixed part of the structure;

(f) Any construction, alteration, improvement or repair of personal property;

(g) Any construction, alteration, improvement or repair carried on within the limits and boundaries of any site or reservation, the title of which rests in the Federal Government;

(h) Any work or operation on one undertaking or project by contract or contracts the aggregate contract price for which for labor, materials, and all other items, is less than $50, such work or operations being considered as of casual, minor, or inconsequential nature; provided, however, that the exemption shall not apply in any case wherein the work of construction is only a part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than $50 for the purpose of evasion of this act, or otherwise.

(i) Any construction or operation incidental to the construction and repair of irrigation and drainage ditches of regularly constituted irrigation districts, reclamation districts, or to farming, dairying, agriculture, viticulture, horticulture, or stock or poultry raising, or clearing or other work upon land in rural districts for fire prevention purposes, except when performed by a licensee under this act.

SEC. 2. Section 3 of the act cited in the title hereof is hereby amended to read as follows:

Sec 3. A contractor within the meaning of this act is a person, firm, copartnership, corporation, association or other organization, or any combination of any thereof, excepting licensed architects or registered civil engineers acting solely in their professional capacity, who in any capacity other than as the employee of another with wages as the sole compensation, undertakes or submits a bid, to construct, alter, repair, add to, subtract from, improve, move, wreck, or demolish any building, highway, road, railroad, excavation or other structure, project, development, or improvement, or to do any part thereof, including the erection of scaffolding or other structures or works in connection therewith; including the eradication of or the processing against infestation by pests structurally injurious to buildings or structures; provided that the term contractor, as used in this act, shall include subcontractor or specialty contractor, but shall not include anyone who merely furnishes materials or supplies without fabricating the same into, or consuming the same in the performance of, the work of the contractor as herein defined

SEC 3. Section 3½ of the act cited in the title hereof is hereby amended to read as follows:

Sec. 3½. For the purposes of classification, the term "contracting business" shall be defined as including any or all of the following branches: general engineering contracting, general building contracting and specialty contracting, which branches are specifically described as follows:

(a) The term "general engineering contractor" within the meaning of this act is a contractor as that term is defined in this act whose principal contracting business is in connection with fixed works for any or all of the following divisions or subjects: irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, railroads, highways, tunnels, airports and airways, sewerage and bridges.

(b) A "general building contractor" within the meaning of this act is a contractor as that term is defined in this act whose principal contracting business is in connection with any structure built, being built, or to be built, for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind, requiring in its construction the use of more than two unrelated building trades or crafts, or to do or superintend the whole or any part thereof but shall not include anyone who merely furnishes materials or supplies, as defined in section 2 (f) of this act.

without fabricating the same into, or consuming the same in the performance of the work of the general building contractor.

(c) A "specialty contractor" within the meaning of this act is a contractor as that term is defined in this act whose operations as such are the performance of construction work requiring special skill, and whose principal contracting business involves the use of specialized building trades or crafts.

The registrar with the approval of the board shall adopt such rules and regulations as may be necessary to effect the classification of contractors in accordance with the definitions of the branches of the contracting business as defined in this section and in a manner consistent with established usage and procedure as found in the construction business.

SEC. 4. Section 4 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 4. (a) There is hereby created a Contractors' State License Board, hereinafter called and referred to as the board. Except as provided in Article IIa of Chapter III of Title I of Part III of the Political Code, the board shall succeed to and take over all of the functions and duties of the director of the Department of Professional and Vocational Standards as they relate to the administration of this act.

The director of the department shall designate a sum not to exceed 10 per cent of the total income of the Contractors' License Board for each fiscal year to be transferred to the professional and vocational standards fund as the board's share of the cost of administration of the Department of Professional and Vocational Standards.

The board shall be composed of seven (7) members, all of whom shall be contractors actively engaged in the contracting business and have been so engaged for a period of not less than five (5) years preceding the date of their appointment, and who shall so continue in the contracting business during the term of their office. One member of said board shall be a general engineering contractor, three members shall be general building contractors, and three members shall be specialty contractors. Each member of the board shall be of recognized standing in his branch of the contracting business, shall be at least thirty (30) years of age, and of good character. Each member of the board shall have been a citizen and resident of the State of California for at least five years next preceding his appointment. The members of the board shall be appointed by the Governor within thirty (30) days after the effective date of this act, and shall be appointed with terms of office to expire as follows: one general building contractor and one specialty contractor, January 15, 1936; one general building contractor and one specialty contractor, January 15, 1937; one general building contractor and one specialty contractor, January 15, 1938; the general engineering contractor, January 15, 1939. The Governor shall appoint to fill the vacancy caused by the expiration of the term of office, a member or members from the same branch of the contracting business for a term of four (4) years. Each member shall hold office after the expiration of his term until his successor shall have been duly appointed and qualified. If vacancies shall occur in the board for any cause, the same shall be filled by appointment of the Governor for the balance of the unexpired term. The Governor may remove any member of the board for misconduct, incompetency or neglect of duty.

(b) Each member of the board shall receive a certificate of appointment from the Governor, and before entering upon the discharge of the duties of his office, shall file with the Secretary of State, the constitutional oath of office. No one shall be eligible for appointment on the board who does not at the time hold an unexpired license to operate as a contractor under this act.

(c) The board shall, within thirty (30) days after its appointment by the Governor, meet in the city of Sacramento at a time and place to be designated by the Governor and organize by electing a chairman, and a vice chairman, each to serve until the close of the fiscal year. Said board shall have power to appoint such committees and to make such by-laws, rules and regulations as it shall deem necessary to carry out the provisions of this act. The board shall adopt a seal for its own use. The seal shall have the words "Contractors' State License Board, State of California," and the care and custody thereof shall be in the hands of the registrar, hereinafter created.

(d) Any member or committee of the board may administer oaths and may take testimony and proofs concerning all matters within the jurisdiction of the board.

(e) The board shall hold not less than four (4) regular meetings each fiscal year, once in July, once in October, once in January and once in April, for the purpose of transacting such business as may properly come before it. At the July meeting of each year the board shall elect officers. Special meetings of the board may be held at such times as the board may provide in its by-laws. Four (4) members shall constitute a quorum at a board meeting. Four (4) members of the board may call a special meeting at any time. Due notice of each meeting and the time and place thereof shall be given each member in such manner as the by-laws

may provide. Each member shall be reimbursed for his traveling expenses necessarily incurred in the performance of his duties hereunder.

(f) The board shall have the power to procure such equipment and records as may be necessary to carry out the provisions of this act. The board by and with the approval of the Director of the Department of Professional and Vocational Standards shall appoint a registrar of contractors, and fix his compensation, who shall be the executive secretary of the board and shall carry out all of the administrative duties as in this act provided and as delegated to him by the board. For the purpose of administration of this act there may be appointed a deputy registrar, a chief reviewing and hearing officer and such other assistants and subordinates as may be necessary, such appointments to be made in accordance with the provisions of Civil Service Laws.

The registrar, with the approval of the board and the Director of the Department of Professional and Vocational Standards, may, when funds are available, cooperate in the enforcement of governmental legislation relating to the construction industry, and shall appoint such assistants as may be necessary therefor

(g) The board shall have the power in its discretion to review and sustain or reverse by a majority vote any action or decision of the registrar.

(h) The board, in addition to the usual periodic reports, shall within thirty (30) days prior to the meeting of the regular session of the Legislature submit to the Governor a full and true report of its transactions during the preceding biennium including a complete statement of the receipts and expenditures of the board during the period A copy of said report shall be filed with the Secretary of State. All records shall be public records.

SEC. 5. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5. Under such rules and regulations as the board may adopt, and upon the approval of such rules and regulations by the Director of the Department of Professional and Vocational Standards, the registrar shall have the power and authority to investigate, classify, and to qualify applicants for contractors' licenses by written or oral examination, or both

The qualifications to be required of an applicant by the board are as follows:

(1) Such degree of experience, and such general knowledge of the Building, Safety, Health and Lien Laws of the State and of the rudimentary administrative principles of the contracting business as may be deemed necessary by the board for the safety and protection of the public. The applicant, if an individual, may qualify as to the aforementioned experience and knowledge by personal appearance or by the appearance of his responsible managing employee, and if a copartnership, or corporation, or any other combination or organization, by appearance of the responsible managing officer or member of the personnel of such applicant firm. If the person qualifying by examination as to experience and knowledge shall, for any reason whatsoever, cease to be connected with the licensee to whom the license is issued, the licensee shall so notify the registrar in writing within ten (10) days from such cessation. If such notice is given the license shall remain in force for a reasonable length of time to be determined by rules of the board; provided, however, that if such licensee fails to so notify the registrar within such ten (10) days, at the end of such ten (10) days his or its license shall be ipso facto suspended; provided, however, that the license shall be reinstated upon the filing of an affidavit executed by the licensee or a member of the licentiate firm so suspended and filed with the registrar, to the effect that the person originally appearing for examination on behalf of the licensee has been replaced by another individual who shall have been qualified by examination as in this section provided, and who shall not have had a license suspended or revoked, nor have been connected with any licensee who has had his or its license suspended or revoked for reasons that should preclude him from personally qualifying as to good character as in this section required of an applicant.

(2) The possession by the applicant of good character. Lack of character may be established by showing: (a) that applicant has committed or done any act which, if committed or done by any licensed contractor, would be grounds, under section 9 of this act, for the suspension or revocation of a contractor's license, or (b) that applicant has committed or done any act involving dishonesty, fraud or deceit whereby said applicant has been benefited or whereby some injury has been sustained by another, or (c) that applicant bears a bad reputation for honesty and integrity, and (d) that applicant has been convicted of a felony.

(3) That applicant has never been refused a license or had a license revoked for reasons that should preclude the granting of the license applied for.

(4) Provided that no license shall be issued to a corporation, copartnership, or other combination or organization if any responsible officer of such corporation, or other combination or organization, or any member of such copartnership does not meet the qualifications required of an applicant by this section other than those relating to knowledge and experience.

To obtain an original license under this act the applicant shall submit to the registrar, on such forms as he shall prescribe, accompanied by a fee of $10, and

in accordance with such rules and regulations as may be deemed necessary and adopted by the board in order to carry out the foregoing provisions of this section, an application in writing for such license, containing the statement that the applicant desires the issuance of a license under the terms of this act. The information contained in such application forms shall include a complete statement of the general nature of the applicant's contracting business, and stating concisely the classification or classifications under which the applicant desires to be qualified as a contractor, and, in addition, if the applicant is an individual, his name and address, if a copartnership the names and addresses of all partners, and if a corporation, association or other organization the names and addresses of the president, vice president, secretary, and chief construction managing officer or officers, or responsible managing employee, together with all other information which may be deemed necessary by the registrar.

Licenses issued under this section may be classified in accordance with section 3½ of this act as general engineering, general building, and specialty contracting, provided that the specialty contracting division may be further subdivided in accordance with established practices in the construction industry.

SEC. 6. Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec 6. Upon receipt of said application and of said fee, and after such examination and investigation as the registrar may require in accordance with the provisions of section 5 of this act, if no valid reason exists for further investigation of said applicant, it shall be the duty of the registrar forthwith and within fifteen (15) days to issue a license to the applicant permitting him to engage in business as a contractor under the terms of this act for the balance of the fiscal year following the approval of the application, provided the applicant has furnished such complete information and in such manner as may be required by the registrar in accordance with section 5 of this act.

If the information brought to the attention of the registrar concerning the character and integrity of the applicant is such that, in the registrar's discretion, it would be proper to deny the application, the registrar shall forthwith notify the applicant by registered mail, or by personal service, to show cause within such time, not less than five days nor more than 30 days, why the application should not be denied.

SEC 7. Section 7 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 7. All licenses issued under the provisions of this act shall lapse and expire on June 30th of each year. The fees received under this act shall be deposited in the contractors' license fund, which fund is hereby created, and all moneys in said fund are hereby appropriated for the purposes of carrying out the provisions of this act.

Application for renewal of a current license at any time before June 30th of any year shall authorize operation as a contractor by such licensee until actual issuance of such renewal license for the ensuing fiscal year. The annual renewal fee shall be $5. In making application for renewal of a license issued under the provisions of this act such licensee applicant shall not be required to take any other or further examination to obtain such renewal license, provided such licensee has not been suspended or his license lapsed for any cause, for a period of one year or more, at the time of making such application. All applications for renewal of license shall be accompanied by the annual renewal fee and shall be filed with the Registrar of Contractors not later than June 30th of each year, otherwise, such licenses shall be ipso facto suspended and shall be renewable only on the payment of a fee of $5, in addition to the current renewal fee, and unless so renewed shall remain suspended during the remainder of the fiscal year. After a license has been suspended as in this section provided, for the period of one or more fiscal years, a new application for license must be made and a new license issued in accordance with the provisions of section 5 of this act.

The license issued under this act shall be signed by the licensee, shall be nontransferable, and shall be displayed in the licensee's main office or chief place of business, and satisfactory evidence of the possession thereof, and the current annual renewal thereof shall be exhibited by him upon demand.

A surviving member or members of a licensed copartnership by reason of death shall be entitled to continue in business under such license until the expiration date of such license; provided due application therefor is made to the registrar within 30 days after the death of the member, and same is approved by the registrar in accordance with such rules and regulations as he may adopt.

All licensees shall report to the registrar all changes of personnel, name style, or addresses recorded under this act, within 30 days after same shall occur.

Sec. 8. The registrar shall maintain at the office of the Department of Professional and Vocational Standards in Sacramento, open to public inspection during office hours, a complete indexed record of all applications and all licenses issued and of all renewed licenses under this act, and of all revocations, cancellations and suspensions thereof; and shall furnish a certified copy of any license issued, upon

receipt of the sum of 50 cents, and such certified copy shall be received in all courts and elsewhere as evidence of the facts stated therein.

Whenever funds are available for that purpose, it shall be the duty of the registrar to publish a list of contractors, with their addresses, registered under the provisions of this act and of licenses issued, suspended or revoked, and such further information with respect to this act and the administration thereof as he may deem proper. He may furnish such lists to such public works and building departments, public officials or public bodies, associations, groups, bodies and individuals interested in or allied with the building and construction industry in this or any other State as in his judgment may be deemed advisable

Said lists of registered contractors, and of licenses issued, suspended or revoked, may, whenever funds are available for that purpose, be furnished to the public officials and others hereinbefore enumerated at such intervals as the registrar may deem necessary. Copies of said lists may also be furnished by the registrar upon request to any firm or individual upon payment of such reasonable fee or fees as may be determined by the registrar.

Whenever funds are available for that purpose, the registrar may publish and disseminate such information with relation to the administration and enforcement of this act to licentiates of the board, and such other public officials or bodies, associations, groups, bodies and individuals interested in or allied with the building and construction industry, as he may deem necessary to carry out the purposes of this act

It shall be the duty of the Registrar of Contractors, with the approval of the Director of the Department of Professional and Vocational Standards, to adopt and promulgate such rules and regulations as he may deem necessary to carry out the provisions of this section.

SEC. 9. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

Sec 9. The Registrar of Contractors may upon his own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any contractor within the State and shall have power to temporarily suspend or permanently revoke a license issued under the provisions of this act if the holder, while a licensee or applicant hereunder, is guilty of or commits any one or more of the following acts or omissions:

(1) Abandonment without legal excuse of any construction project or operation engaged in or undertaken by the licensee as a contractor as defined by section 3 of this act:

(2) Diversion of funds or property received for prosecution or completion of a specific construction project or operation, or for a specified purpose in the prosecution or completion of any construction project or operation, and their application or use for any other construction project or operation, obligation or purpose;

(3) Wilful departure from or disregard of, plans or specifications in any material respect, and prejudicial to another without consent of the owner or his duly authorized representative, and without the consent of the person entitled to have the particular construction project or operation completed in accordance with such plans and specifications;

(4) Wilful or deliberate disregard and violation of the building laws of the State, or of any political subdivision thereof, or of the safety laws or labor laws or compensation insurance laws of the State;

(5) Failure to make and keep records showing all contracts, documents, records, receipts and disbursements of the licensee in all of his transactions as a contractor as that term is defined in this act, which records shall be open to inspection by the registrar, provided that such records shall not be required to be kept for a longer period than three years after completion of any construction project or operation to which such records refer;

(6) Misrepresentation of a material fact by applicant in obtaining a license;

(7) Failure in a material respect on the part of a licensee to complete any construction project or operation for the price stated in the contract for such construction project or operation or in any modification of such contract;

(8) Aiding or abetting an unlicensed person to evade the provisions of this act or knowingly combining or conspiring with an unlicensed person, or allowing one's license to be used by an unlicensed person, or acting as agent or partner or associate, or otherwise, of an unlicensed person with the intent to evade the provisions of this act. The word person as used herein shall be deemed to apply to an individual, firm, copartnership, corporation, association or other organization or any combination of any thereof;

(9) Failure in any material respect to comply with the provisions of this act;

(10) The doing of any wilful or fraudulent act by the licensee as a contractor in consequence of which another is substantially injured;

(11) Acting in the capacity of a contractor under any license issued hereunder except: (a) in the name of the licensee as set forth upon the license, or (b) in accordance with the personnel of the licensee as set forth in the application for such license, or as later changed as in this act provided;

(12) Knowingly entering into a contract with a contractor as herein defined while such person is not licensed as in this act provided;

(13) Wilful failure or refusal without legal excuse on the part of a licensee as a contractor to prosecute a construction project or operation with reasonable diligence, causing material injury to another;

(14) Wilful or deliberate failure on the part of any person, firm, association, copartnership, corporation, agent or officer thereof, to pay any moneys when due for any materials or services rendered in connection with the operations of such person, firm or corporation as a contractor, as in this act defined, when having the capacity to pay or when having received sufficient funds therefor as payment for the particular construction work, project, or operation for which the services or materials were rendered or purchased; or false denial of any such amount due or the validity of the claim thereof with intent to secure for himself, his employer or other person, any discount upon such indebtedness or with intent to hinder, delay, or defraud the person or persons to whom such indebtedness is due.

SEC. 10. Section 9a of the act cited in the title hereof is hereby amended to read as follows:

Sec. 9a. Upon the filing with the registrar of a verified complaint charging a licensee with the commission within two years prior to the date of filing of such complaint of any act which is cause for suspension or revocation of license, the registrar must forthwith issue a citation directing the licensee, within ten days after service of the citation upon him, to appear by filing with the registrar his verified answer to the complaint, showing cause, if any he has, why his license should not be suspended or revoked; provided, however, that the appearance of the licensee by the filing of an answer may be waived by the complainant with the approval of the registrar, in which case the registrar shall proceed to a hearing as hereinafter provided. Service of the citation upon the licensee shall be fully effected by mailing a true copy thereof, together with a true copy of the complaint, by United States *registered mail in a sealed envelope with postage fully prepaid thereon addressed* to the licensee at his latest address of record in the registrar's office. Service of said citation shall be complete at the time of said deposit subject to the provisions of section 1013 of the Code of Civil Procedure of this State. Failure of the licensee to answer may be deemed an admission by him of the commission of the act or acts charged in the complaint and his license shall thereupon be suspended forthwith pending any hearing of the cause which the registrar in his discretion may order; provided that the registrar shall have power, in the event of such failure to answer, to suspend or revoke the license without further evidence than the verified complaint in the case.

Upon the filing of the answer, the registrar shall fix a time and place for the hearing and give the licensee and the complainant not less than five days' notice thereof. The notice may be served by depositing by registered mail in the United States mail a true copy of the notice inclosed in a sealed envelope with postage thereon fully prepaid and addressed to the licensee and to the complainant, respectively, at his last known address. Failure of the licensee to appear at such hearing, after having been notified as in this section provided, may be deemed an admission by him of the commission of the act or acts charged in the complaint and his license may thereupon be suspended forthwith pending any hearing of the cause which the registrar in his discretion may order; provided that the registrar shall have the power, in the event of such failure to appear, to suspend or revoke the license without further evidence than the verified complaint in the case. With the notice to the complainant there shall be attached or inclosed a copy of the answer. If either party has appeared by counsel, the notice shall be given in like manner, to counsel instead of to the party.

Upon the hearing, the registrar shall hear all relevant and competent evidence material to the issues and shall have power to continue the hearing from time to time as in his judgment may be necessary or proper. After the hearing is concluded and the matter submitted, the registrar shall, within 20 days after such submission, render his decision in writing, suspending or revoking the license or dismissing the complaint, with a brief statement of his reasons therefor. He shall give to the complainant and the licensee, or their respective attorneys, notice of the decision, by mail, in the same manner as prescribed herein for the giving of notice of hearing. Such decision may provide for the immediate complete suspension by the licensee of all operations as a contractor during the period fixed by the decision. The decision may however contain a provision permitting the licensee to complete any or all contracts shown by competent evidence taken at *said hearing to be then uncompleted* The *decision may also contain a provision* imposing upon the licensee compliance with such specific conditions as may be just in connection with his operations as a contractor as disclosed at said hearing and may further provide that until such conditions are complied with no application for restoration of the license so suspended or revoked shall be accepted by the registrar. The decision of the registrar suspending or revoking a license shall take effect immediately upon the service of such notice of decision; provided that the registrar shall have the power to grant a stay of execution of such decision suspending or revoking a license, pending the filing by the licensee of a petition to the superior court for a writ of review or to the registrar for a rehearing as hereinafter provided.

The licensee may within 20 days after such service of notice of the decision of the registrar suspending or revoking a license, apply for a rehearing by filing with the registrar his petition in writing therefor. Within five days after such filing, the registrar shall cause notice thereof to be served upon the complainant by mailing a copy of the petition for rehearing to the complainant in the same manner as herein prescribed for the giving of notice of hearing. Within 20 days after the service of the last mentioned notice the registrar shall either grant or deny said petition and if said petition is not granted within said period of 20 days it shall be deemed to be denied.

In his order granting or denying a rehearing, the registrar shall set forth a statement of the particular grounds and reasons for his action on the petition and shall forthwith mail a copy of the order to the parties who have appeared in support of or in opposition to the petition for rehearing. If a rehearing is granted, the registrar shall vacate the decision theretofore rendered suspending or revoking the license and shall set the matter for further hearing on due notice to the parties, given in the same manner as prescribed herein for the giving of notice of an original hearing.

After submission of the matter upon rehearing, the registrar shall promptly render his decision in writing and give notice thereof in the same manner as of a decision rendered upon an original hearing.

Any citation, notice or other process or any paper or document provided by this section to be served on any party may be personally served as provided in section 1011 of the Code of Civil Procedure with the same effect as if served by mail as in this act provided.

At any time before a case is finally submitted for decision to the registrar, whether upon an original hearing, or upon a rehearing, a complaint or answer may, upon the motion of either party and with the consent of the registrar, or upon the registrar's own motion, be amended; provided that if new charges are alleged in an amended complaint the defendant may upon request be allowed a reasonable time to prepare his defense to such new charges. Ten days shall be deemed a reasonable time in such case.

Any decision of the registrar, whether upon an original hearing or after a rehearing as herein provided, shall be subject to review by the superior court under the provisions of Chapter I, Title I, Part III, of the Code of Civil Procedure The party desiring such review of the decision of the registrar shall file his petition therefor in the superior court within 20 days after service upon him of the registrar's decision, or, in case a rehearing has been applied for, within 20 days after service upon him of the order denying such application therefor, or within 20 days after service upon him of the registrar's decision upon rehearing, and, in any proceeding for review, the court may in its discretion, upon the filing of a proper bond by the licensee in an amount to be fixed by the court, but not less than $1,000 guaranteeing the compliance by the licensee with such specific conditions as may have been imposed upon him by the registrar's decision, permit the licensee to continue to do business as a contractor pending entry of judgment by the court in the case. The person desiring such review shall pay to the registrar the sum of 20 cents for each 100 words of the transcript of the record and proceedings certified to the reviewing court.

The suspension or revocation of license as in this act provided may also be embraced in any action otherwise proper in any court involving the licensee's performance of his legal obligation as a contractor.

SEC. 11. Section 12 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 12. Any person, who acts in the capacity of a contractor within the meaning of this act without a license as herein provided, and any person who conspires with another person to violate any of the provisions of this act, is guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not to exceed $500, or by imprisonment in the county jail for a term not to exceed six months, or by both such fine and imprisonment, in the discretion of the court.

No person engaged in the business or acting in the capacity of a contractor as defined by section 3 of this act, shall bring or maintain any action in any court of this State for the collection of compensation for the performance of any act or contract for which a license is required by this act without alleging and proving that such person was a duly licensed contractor at all times during the performance of such act or contract.

The word "person" as used in this section includes an individual, a firm, copartnership, corporation, association, or other organization."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day

Notices of Motion to Reconsider Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 628 was refused passage was continued until the next legislative day.

On motion of Mr. Heisinger, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 218 was refused passage was continued until the next legislative day.

Reconsideration of Assembly Bill No. 1413.

In compliance with a notice given on a previous day, Mr. Donnelly moved that the vote whereby Assembly Bill No. 1413 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 1413 reconsidered by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, and Yorty—60.

NOES—None.

Assembly Bill No 1413 ordered on third reading calendar.

Reconsideration of Assembly Bill No. 343.

In compliance with a notice given on a previous day, Mr. Clark moved that the vote whereby Assembly Bill No. 343 was passed be reconsidered.

The roll was called, and Assembly Bill No. 343 reconsidered by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—64.

NOES—None.

Consideration of Assembly Bill No. 343.

Assembly Bill No. 343—An act, to be known as the Usury Law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, and providing penalties for the violation of the provisions hereof.

Motion to Amend Assembly Bill No. 343.

Mr. Clark moved to amend Assembly Bill No. 343 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "interest", insert the following: "and other compensation".

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, after "any", insert the following: "interest and".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out line 15, and insert in lieu thereof the following, "borrower a total aggregate compensation in excess of 12 per cent per annum."

Amendments adopted.

Request for Unanimous Consent.

Mr. Williamson asked for unanimous consent to take up Assembly Bill No. 343, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Mr. Robertson withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Williamson moved that the Rules be temporarily suspended for the consideration of Assembly Bill No 343, as amended, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, and Yorty—63.

NOES—Fulcher, Garland, Redwine, and Robertson—4.

Consideration of Assembly Bill No. 343, as Amended.

Assembly Bill No. 343—An act, to be known as the Usury Law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, and providing penalties for the violation of the provisions hereof.

Assembly Bill No. 343, as amended, read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—60.

NOES—Garland, and Rosenthal—2.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. Henry A. Dannenbrink in the Chair.

At two o'clock and ten minutes p.m., Hon. Henry A. Dannenbrink, member of the Assembly from the Eighteenth District, in the chair.

Notices of Motion to Reconsider Waived.

Mr. Clark waived his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 12 was adopted.

Assembly Constitutional Amendment No 12 ordered transmitted to the Senate.

Mr. Clark waived his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 11 was adopted.

Assembly Constitutional Amendment No. 11 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 63.

In compliance with his notice given on a previous day, Mr. Yorty moved that the vote whereby Assembly Bill No. 63 was passed be reconsidered.

The roll was called, and Assembly Bill No. 63 reconsidered by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—70.

NOES—None.

Consideration of Assembly Bill No. 63.

Assembly Bill No. 63—An act to prescribe and fix the maximum legal rate of interest and other compensation on loans or forbearances of any money, goods or things in action, or on accounts after demand or judgment, and to provide penalties for the violation hereof.

Motion to Amend Assembly Bill No. 63.

Mr. Clark moved to amend Assembly Bill No. 63 as follows:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, insert after "any", the following: "interest and"

Amendment No. 2.

On page 1, line 11, of the printed bill, as amended, insert after "borrower", the following: "a total aggregate compensation of".

Amendments adopted.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to take up Assembly Bill No. 63, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 63, as Amended.

Assembly Bill No. 63—An act to prescribe and fix the maximum legal rate of interest and other compensation on loans or forbearances of any money, goods or things in action, or on accounts after demand or judgment, and to provide penalties for the violation hereof.

Assembly Bill No. 63, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—65.

NOES—Garland, and Robertson—2.

Title read and approved. Bill ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 2673.

In compliance with a notice given on a previous day, Mr. Weber moved that the vote whereby Assembly Bill No. 2673 was passed be reconsidered.

The roll was called, and Assembly Bill No. 2673 reconsidered by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—66.

NOES—None.

Consideration of Assembly Bill No. 2673.

Assembly Bill No. 2673—An act to amend section 16 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to exemptions from the provisions of the act.

Motion to Amend Assembly Bill No. 2673.

Mr. Weber moved to amend Assembly Bill No. 2673 as follows:

Amendment No. 1.

On page 1 of the printed bill, after line 6, insert the following:

"(b) A subordinate to a civil engineer registered under this act, or a subordinate to a civil engineer exempted under this act, in so far as he acts solely in such capacity; this exemption, however, shall not permit any such subordinate to practice civil engineering in his own right or to use the title "civil engineer" or "structural engineer."

Amendment No. 2.

On page 1, line 10, of the printed bill, strike out "(b)", and insert in lieu thereof the following: "(c)".

Amendment No. 3.

On page 1, line 13, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendment No. 4.

On page 2, line 1, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(e)".

Amendment No. 5.

On page 2, line 5, of the printed bill, strike out "(e)", and insert in lieu thereof the following: "(f)".

Amendment No. 6.

On page 2, line 19, of the printed bill, strike out "(f)", and insert in lieu thereof the following: "(g)".

Amendments adopted.

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up Assembly Bill No. 2673, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2673, as Amended.

Assembly Bill No. 2673—An act to amend section 16 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to exemptions from the provisions of the act.

Assembly Bill No. 2673, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine,

Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, and Welsh—55.

NOES—Burns, Hugh M., Crowley, Fulcher, Garibaldi, Leonard, Tenney, and Yorty—7.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. John B. Pelletier in the Chair.

At two o'clock and twenty minutes p.m., Hon. John B. Pelletier, member of the Assembly from the Forty-Fourth District, in the chair.

Notice of Motion to Reconsider Assembly Bill No. 2575 Waived.

Mr. Fulcher waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2575 was passed.

Assembly Bill No. 2575 ordered transmitted to the Senate.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 2415—An act to amend section 735.3 of the Agricultural Code.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2415?

Amendment No. 1.

On page 2, line 9, of the printed bill, as amended, strike out "association or", and insert in lieu thereof the following: "an association of".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2415 by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Welsh, Williamson, and Yorty—63

NOES—None.

Assembly Bill No. 2415 ordered to enrollment.

Assembly Bill No. 12—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817*l*, and 3817m, of the Political Code and to add sections 3817b5 and 3817c5 thereto, relating to taxation and assessment, including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 12?

Amendment No. 1.

On page 2, line 29, of the printed bill, as amended, strike out the words "State and county".

Amendment No. 2.

On page 2, line 43, of the printed bill, as amended, strike out the words "State and county".

Amendment No. 3.

On page 3, line 7, of the printed bill, strike out the words "State and county"

Amendment No. 4.

On page 1, line 1 of the title of the printed bill, as amended, following "sections"; insert the following: "3817,".

Amendment No. 5.

On page 1 of the printed bill, as amended, preceding line 1, insert the following:

"SECTION 1. Section 3817 of the Political Code is hereby amended to read as follows:

3817. In all cases where real estate has been sold, or may hereafter be sold to the State for delinquent taxes and the State has not disposed of the same, the person whose estate has been or may hereafter be sold, his heirs, executors, administrators

or other successors in interest shall, at any time after the same has been sold to the State and before the State shall have disposed of the same, have the right to redeem such real estate by paying to the county treasurer of the county wherein the real estate may be situated, the amount of taxes, penalties for delinquency, and costs due thereon at the time of such sale, and also all taxes that were a lien upon said real property at the time said taxes became delinquent; and also all unpaid taxes of every description which are a lien against the property, for each year since the sale, as shown on the delinquent assessment rolls in the then permanent custody of the county auditor; or, if not so assessed, then upon the value of the property as fixed by the assessor under section 3817m and also all costs and epenses of such redemption, and penalties as follows, to wit:

One per cent per month, if redeemed within five years from July first of the year of sale; if not redeemed within five years from July first of the year of sale, one per cent per month for a period of five years and at the rate of one-half of one per cent per month thereafter to the time of redemption.

The penalty shall be computed beginning July first of the year of sale upon the amount of taxes delinquent at the time of sale, and upon the amount of each year's taxes in like manner, beginning the first day of July of the year when the property would have been sold for the taxes of that year, if there had been no previous sale.

The county auditor shall, on the application of the person desiring to redeem, make an estimate of the amount to be paid, and shall give him triplicate certificates of the amount, specifying the several amounts thereof, which certificates the redemptioner shall deliver to the county treasurer, together with the money, and the county treasurer shall give triplicate receipts, written or indorsed upon said cerificates, one to the redemptioner, and two to the county auditor, who shall deliver one of the said receipts to the State Controller.

Upon consummation of the redemption and the delivery of the receipts aforesaid by the treasurer, the auditor shall report the same to the assessor, tax collector and recorder, and the recorder shall, without payment of fee, note on the margin of the record of the certificate of sale, or deed, if issued, the fact of such redemption, the date thereof, and by whom redeemed, which certificate of sale, or deed, shall become null and void, and all right, title and interest acquired by virtue of the tax sale, shall cease and determine.

The county treasurer shall settle for the moneys received as for other State and county moneys

The State Controller shall, upon request of the auditor, issue a receipt which may be recorded in the recorder's office of the county in which said real estate is situated, in the book of deeds, and the record thereof shall have the same effect as that of a deed of reconveyance of the interest conveyed by such deed or certificate of sale.

This section shall also apply to State lands sold by the State when the full amount of the purchase price has not been paid to the State therefor, after the deed to the State, provided for in section 3785 has been filed with the Surveyor General; provided, however, that one of the receipts showing the redemption of such land shall be delivered to the Surveyor General who shall issue his receipt to the redemptioner; and provided further, that no certificates of redemption shall be issued by the county auditor until he has first ascertained from the Surveyor General that the land has not been disposed of by the State."

Amendment No. 6.

On page 1, line 1, of the printed bill, as amended, strike out "1", and insert in lieu thereof the following: "1.5".

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out lines 2 and 3 and insert in lieu thereof the following: "then upon the value of the property as fixed by the assessor under the provisions of section 3817m, with interest on the".

Amendment No. 8.

On page 2, line 26, of the printed bill, as amended, strike out "1937", and insert in lieu thereof the following: "1936".

Amendment No. 9.

On page 3 of the printed bill, as amended, strike out all of lines 48, 49, 50 and 51

Amendment No. 10.

On page 4, line 13, of the printed bill, as amended, strike out "section 3897" and insert in lieu thereof the following: "sections 3897, 3897a and 3897b".

Amendment No. 11.

On page 4, line 20, of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "sections".

Amendment No. 12.

On page 4, line 21, of the printed bill, as amended, after "3897", insert the following: ", 3897a, and 3897b".

Amendment No. 13.

On page 4, line 27, of the printed bill, as amended, after "to", insert the following: "prohibit".

Amendment No. 14.

On page 4, line 30, of the printed bill, as amended, strike out "and until February 1, 1939,".

Amendment No. 15.

On page 4, line 34, of the printed bill, as amended, strike out "and until February 1, 1939,".

Amendment No. 16.

On page 5, line 23, of the printed bill, as amended, after the period, insert the following: "No such credit shall be allowed after five years from date of default of any installment payment."

Amendment No. 17.

On page 5, line 31, of the printed bill, as amended, strike out "the same or another", and insert in lieu thereof the following: "a".

Amendment No. 18.

On page 5 of the printed bill, as amended, strike out lines 39 to 43, inclusive, and insert in lieu thereof the following:

"3817h. All or any part of the money received in accordance with the provisions of any section providing for payment of delinquent taxes in installments may be held until redemption is completed, or may be distributed as the money is received. If distributed as received, the money shall be distributed to the same funds for which, and in the same proportions in which, the delinquent taxes were levied, starting with the year first delinquent and proceeding successfully by years until the payments equal all the unpaid taxes. Money thereafter received shall be held until full redemption is made. On redemption, distribution of moneys not previously distributed is governed by section 3816."

Amendment No. 19.

On page 5, line 50, of the printed bill, as amended, strike out "1937", and insert in lieu thereof the following: "1936".

Amendment No. 20.

On page 6, line 10, of the printed bill, as amended, strike out "assessed", and insert in lieu thereof the following: "which are a lien".

Amendment No. 21.

On page 6 of the printed bill, as amended, strike out all of line 14, and insert in lieu thereof the following: "fixed by the assessor under the provisions of section 3817m."

Amendment No. 22.

On page 6, line 13, of the printed bill, as amended, strike out "so".

Amendment No. 23.

On page 1 of the printed bill, as amended, strike out line 2 of the title, and insert in lieu thereof the following: "3817*l*, and 3817m of the Political Code, to repeal section 3817k thereof, and to add".

Amendment No. 24.

On page 1, line 11, of the printed bill, as amended, strike out "1939", and insert in lieu thereof the following: "1938".

Amendment No. 25.

On page 1, line 24, of the printed bill, as amended, strike out "1937", and insert in lieu thereof the following: "1936".

Amendment No. 26.

On page 2, line 3, of the printed bill, as amended, strike out "1939", and insert in lieu thereof the following: "1938".

Amendment No. 27.

On page 2, line 7, of the printed bill, as amended, strike out "1939", and insert in lieu thereof the following: "1938".

Amendment No. 28.

On page 2, line 9, of the printed bill, as amended, strike out "1938-1939", and insert in lieu thereof the following: "1937-1938".

Amendment No. 29.

On page 2, line 22, of the printed bill, as amended, strike out "1939", and insert in lieu thereof the following: "1938".

Amendment No. 30.

On page 2, line 34, of the printed bill, as amended, strike out "1939", and insert in lieu thereof the following: "1938".

Amendment No. 31.

On page 2, line 38, of the printed bill, as amended, strike out "1937", and insert in lieu thereof the following: "1936".

Amendment No. 32.

On page 2, line 39, of the printed bill, as amended, strike out "1939", and insert in lieu thereof the following: "1938".

Amendment No. 33.

On page 2, line 40, of the printed bill, as amended, strike out "1938-1939", and insert in lieu thereof the following: "1937-1938".

Amendment No. 34.

On page 2, line 43, of the printed bill, as amended, strike out "1940", and insert in lieu thereof the following: "1939".

Amendment No. 35.

On page 3, line 22, of the printed bill, as amended, strike out "1948", and insert in lieu thereof the following: "1947".

Amendment No. 36.

On page 3, line 27, of the printed bill, as amended, strike out "1948", and insert in lieu thereof the following: "1947".

Amendment No. 37.

On page 3 of the printed bill, as amended, strike out line 50, and insert in lieu thereof the following: "1937 or 1938 or in the month of January, 1939, but at the day and hour fixed in".

Amendment No. 38.

On page 4, line 6, of the printed bill, as amended, strike out "January, 1940", and insert in lieu thereof the following: "February, 1939".

Amendment No. 39.

On page 4, line 20, of the printed bill, as amended, after "prohibit", insert the following: "the making of".

Amendment No. 40.

On page 4, line 21, of the printed bill, as amended, strike out "made".

Amendment No. 41.

On page 4 of the printed bill, as amended, strike out line 23, and insert in lieu thereof the following:

"In the years 1937 and 1938 and until February 1, 1939, the".

Amendment No. 42.

On page 4 of the printed bill, as amended, strike out line 28 and insert in lieu thereof the following:

"In the years 1937 and 1938 and until February 1, 1939, the notice".

Amendment No. 43.

On page 5 of the printed bill, as amended, strike out lines 9 to 29, inclusive, and insert in lieu thereof the following:

"3817f. Any person, his heirs, executors, administrators, or other successors in interest, who makes an installment payment on account of delinquent taxes, penalties, costs, and interest, in accordance with the provisions of any section providing for such payment, and who elects to redeem the property, shall receive credit on the amount necessary to redeem for the total amount, without an allowance for interest thereon, previously paid in installments. Such credit shall be allowed after computation of the amount necessary to redeem."

Amendment No. 44.

On page 5 of the printed bill, as amended, strike out lines 32 to 50, inclusive, and on page 6, strike out lines 1 to 35, inclusive, and insert in lieu thereof the following:

"3817g. Any person, his heirs, executors, administrators, or other successors in interest, who elected to pay delinquent taxes in installments in accordance with the provisions of any section providing for such payment and who has defaulted in his payments under such section, and who elects to pay delinquent taxes in installments under the same or another section providing for such payment, shall receive credit on the amount payable for the total amount, without an allowance of interest thereon, previously paid. This credit is in addition to and not a substitute for the payment of any part of any installment payable

SEC. 6. Section 3817h of the Political Code is hereby amended to read as follows:

3817h. All moneys received in accordance with the provisions of any section providing for redemption or for payment of delinquent taxes in installments shall be distributed after receipt of the money as prescribed for distribution of money received on redemption."

Amendment No. 45.

On page 6, line 46, of the printed bill, as amended, strike out "1938", and insert in lieu thereof the following: "1937".

Amendment No. 46.

On page 7 of the printed bill, as amended, strike out lines 8 to 21, inclusive, and insert in lieu thereof the following: "repealed."

Amendment No. 47.

On page 7, lines 25 and 26, of the printed bill, as amended, strike out "under sections 3817c, 3817c2, 3817c3, 3817c4, 3817c5, or 3817i", and insert in lieu thereof the following: "in installments under any section providing for such payment".

Amendment No. 48.

On page 7, lines 38 and 39, of the printed bill, as amended, strike out "under sections 3817, 3817c, 3817c2, 3817c3, 3817c4, 3817c5, 3817i or 3817j of the Political Code and", and insert in lieu thereof the following: "or delinquent taxes are being paid in installments on property and it".

Amendment No. 49.

Strike out all of section 12 of the printed bill, as amended.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 12 by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—66.

NOES—None.

Assembly Bill No. 12 ordered to enrollment.

Resolution.

The following resolution was offered:

By Mr. Garland:

House Resolution No. 133.

WHEREAS, The United States Census of the year 1930 revealed that there were then residing in the State of California 373,376 aliens; and

WHEREAS, It is important to the taxpayers in and the electors of the State of California, and is essential to the members of the Legislature in their consideration of the State budget, that information and data be furnished the legislators from various public officials in order that all bills relating to welfare and work relief, that have heretofore been or may be introduced at this session, may be properly and informatively considered; now, therefore, be it

Resolved by the Assembly of the State of California, That the Clerk of the Assembly be instructed to obtain, as soon as possible within ten days after the passage of this resolution, information as follows:

(a) That he request the Department of Institutions to inform the Assembly, in so far as it is able to do so, as to the number of aliens receiving aid in State institutions and the cost of such aid, in the following way:

Nationality.	Men.	Women.	Children.	Total number.	Total cost of these aliens.

Total aid to institutions. Percentage of aid to aliens in institutions. Grand total

(b) That he request the Department of Penology to inform the Assembly, in so far as it is able to do so, as to the number of aliens dealt with in the administration of its various divisions, the ratio between said number and the number of citizens dealt with and the cost of dealing with such aliens.

(c) That he request the Department of Public Health to inform the Assembly, in so far as it is able to do so, as to the number of aliens dealt with in the administration of its various divisions, the ratio between said number and the number of citizens dealt with, and the cost of dealing with such aliens.

(d) That he request the Department of Social Welfare to inform the Assembly, in so far as it is able to do so, as to the number of aliens dealt with in the administration of its various divisions, the ratio between said number and the number of citizens dealt with, the cost of dealing with such aliens and the effect of the National Social Security Act on its cost of operation.

(e) That he request the Department of Industrial Relations to inform the Assembly, in so far as it is able to do so, as to the number of aliens dealt with in

the administration of its various divisions, the ratio between said number and the number of citizens dealt with, and the cost of dealing with such aliens, and the effect of the National Social Security Act on its cost of operation; and be it further

Resolved, That the Clerk of the Assembly be instructed to request from the chairman of the board of supervisors of each county and city and county in the State, information in so far as they are able to furnish the same, as to

(a) The number of aliens of each nationality of men, women, and children receiving aid in public institutions and outside public institutions in those counties;

(b) The total cost of such aid to each nationality;

(c) What effect the National Social Security Act has had on the budgets of those counties; and

(d) Desirable legislation with respect to problems concerning aliens;

and be it further

Resolved, That the Clerk of the Assembly be instructed to request each department above named to propose desirable legislation with respect to problems concerning aliens.

Request for Unanimous Consent.

Mr. Garland asked for unanimous consent to take up House Resolution No. 133, at this time, without reference to committee or calendar.

Mr. Dannenbrink withheld his consent.

House Resolution No. 133 referred to Committee on Rules.

Hon. Ernest C. Crowley in the Chair.

At two o'clock and twenty-five minutes p.m., Hon. Ernest C. Crowley, member of the Assembly from the Fifth District, in the chair.

Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up.

Consideration of Assembly Bill No. 71.

Assembly Bill No. 71—An act to limit the number of cars in a train, and prescribing penalties for violation thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donohue, Donnelly, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Weber, Welsh, Williamson, and Yorty—50.

NOES—Beene, Breed, Call, Dilworth, Field, Garibaldi, Kepple, Kuchel, Latham, Lyon, Martin, Millington, Muldoon, Peyser, Redwine, Robertson, Scudder, Stream, Walker, and Watson—20.

Title read and approved. Bill ordered transmitted to the Senate.

Explanation of Vote.

Because we are sincerely in favor of Assembly Bill No. 71, we would have voted "Aye", had we not been unavoidably absent from the Chambers during the roll call on this bill.

WILLIAM MOSELEY JONES.
PATRICK J. McMURRAY.

Leaves of Absence.

Mr. Garland was granted leave of absence for the balance of this legislative day, on motion of Mr. Welsh.

Mr. Baynham was granted leave of absence for the balance of this legislative day, on motion of Mr. Muldoon.

Hon. Chas. W. Stream in the Chair.

At two o'clock and forty minutes p.m., Hon. Chas. W. Stream, member of the Assembly from the Eightieth District, in the chair.

Recess.

At two o'clock and forty-three minutes p.m., the Speaker declared the Assembly at recess to hear from Isadore B Dockweiler

Reassembled.

At two o'clock and forty-four minutes p m , the Assembly reconvened

Special Order.

The hour of two o'clock and forty-five minutes p m., having arrived, the special order heretofore set for this hour was taken up.

Assembly Bill No. 2826—An act to add section 925a to the Penal Code, relating to grand juries and the public sessions thereof.

Urgency clause read, and adopted by the following vote:

AYES—*Andreas, Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell,* Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—62.

NOES—None.

Assembly Bill No 2826 read third time, and passed by the following vote:

AYES—Beene, Burns, Hugh M., Call, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, Williamson, and Yorty—41.

NOES—Boyle, Breed, Cassidy, Cunningham, Desmond, Fulcher, Gilbert, Hunt, Johnson, Kepple, Kuchel, Lore, Lyon, Meehan, Millington, Peek, Redwine, Robertson, Rosenthal, Sawallisch, Tenney, Watson, and Welsh—23.

Title read and approved

Notice of Motion to Reconsider Assembly Bill No. 2826.

Mr Robertson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2826 was this day passed.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 39.
Assembly Bill No. 2505.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 208.
Assembly Bill No. 1120.
And reports the same correctly re-engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 386.
Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 946.
Senate Bill No. 183.

Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 786.
Assembly Bill No. 1285.
Assembly Bill No. 2340.

Respectfully reports the same back with the recommendation: Do pass

CLARK, Chairman.

The above reported bills ordered on second reading calendar

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:

Assembly Bill No. 2092.
Senate Bill No. 231.
Senate Bill No. 490.

Respectfully reports the same back with the recommendation Do pass

ANDREAS, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1003.

Respectfully reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

CLARK, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1569.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Senate Bill No. 854.
Senate Bill No. 898.
Senate Bill No. 899.

Respectfully reports the same back with the recommendation. Do pass.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Senate Bill No. 62.
Senate Bill No. 98.

Respectfully reports the same back with the recommendation: Do pass.

CRONIN, Chairman.

The above reported bills ordered on second reading calendar

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937

MR. SPEAKER: Your Committee on Ways and Means, to which was referred.
Assembly Bill No. 490.
Assembly Bill No. 491.
Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:
Assembly Bill No. 1929.
Assembly Bill No. 2731.
Respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR SPEAKER. Your Committee on Medical and Dental Laws, to which was referred:
Assembly Bill No. 1319.
Assembly Bill No. 1472.
Respectfully reports the same back with the recommendation: Do pass as amended.

CRONIN, Chairman

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred.
Senate Bill No. 55.
Respectfully reports the same back with the recommendation: Do pass as amended.

KING, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR SPEAKER: Your Committee on Education, to which was referred:
Senate Bill No. 799.
Senate Bill No. 989.
Respectfully reports the same back with the recommendation. Do pass as amended

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 1123. **Assembly Bill No. 1675.**
Assembly Bill No. 1629. **Assembly Bill No. 1852.**
Respectfully reports the same back without recommendation, as amended

CLARK, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR SPEAKER. Your Committee on Judiciary General, to which was referred
Assembly Bill No. 1698.
Assembly Bill No. 1754.
Respectfully reports the same back with the recommendation: Do pass as amended

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 2740.
Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER. Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 1918. **Assembly Bill No. 2122.**
Assembly Bill No. 1921. **Assembly Bill No. 2123.**
Respectfully reports the same back with the recommendation: Do pass as amended.
DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 2051.
Respectfully reports the same back with the recommendation: Do pass as amended
ROBERTSON, Chairman

The above reported bill ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:
Senate Bill No. 444.
Respectfully reports the same back with the recommendation: Do pass
RICHIE, Chairman

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 1079.
Respectfully reports the same back with the recommendation: Do pass as amended.
CLARK, Chairman.

The above reported bill ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred:
Assembly Constitutional Amendment No. 38.
Respectfully reports the same back without recommendation.
HUNT, Chairman.

The above reported bill ordered to engrossment.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred:
Assembly Constitutional Amendment No. 48.
Senate Constitutional Amendment No. 4.
Respectfully reports the same back with the recommendation: Be adopted.
HUNT, Chairman.

The above reported bills ordered to engrossment.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:
Assembly Constitutional Amendment No. 4.
Respectfully reports the same back with the recommendation. Be adopted as amended.
HUNT, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 2512.
Respectfully reports the same back without recommendation, as amended.
HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

Reconsideration of Assembly Bill No. 234.

In compliance with a notice given on a previous day, Mr. Welsh moved that the vote whereby Assembly Bill No. 234 was refused passage be reconsidered.

Demand for Previous Question.

Messrs. Cunningham, Kepple, Boyle, Muldoon, and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 234.

The roll was called, and Assembly Bill No. 234 reconsidered by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, Miller, Eleanor; Morgan, Muldoon, Peek, Peyser, Reaves, Redwine, Robertson, Sawallisch, Thorp, Walker, Watson, Weber, Welsh, and Williamson—45.

NOES—Cassidy, Donahue, Gilbert, Hornblower, Hunt, Maloney, Miller, George P., Millington, Patterson, Richie, Sheehan, Tenney, Turner, Voigt, and Yorty—15.

Assembly Bill No. 234 ordered on third reading calendar.

Notice of Motion to Reconsider Assembly Bill No. 1052 Continued.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1052 was refused passage was continued until the next legislative day.

Hon. E. V. Latham in the Chair.

At four o'clock and thirty minutes p.m., Hon. E. V. Latham, member of the Assembly from the Fifty-Third District, in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 72—An act to amend section 132 of the Civil Code, relating to divorce.

Motion to Amend Assembly Bill No. 72.

Mr. Yorty moved to amend Assembly Bill No. 72 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "Sections", insert the following: "61,".

Amendment No. 2.

On page 1 of the printed bill, as amended, before line 1, insert the following:

"SECTION 1. Section 61 of the Civil Code is hereby amended to read as follows:

61. A subsequent marriage contracted by any person during the life of a former husband or wife of such person, with any person other than such former husband or wife, is illegal and void from the beginning, unless:

1. The former marriage has been annulled or dissolved. In no case can a marriage of either of the parties during the life of the other, be valid in this State, if contracted within three months after the entry of an interlocutory decree in a proceeding for divorce.

2. Unless such former husband or wife is absent, and not known to such person to be living for the space of five successive years immediately preceding such subsequent marriage, or is generally reputed or believed by such person to be dead at the time such subsequent marriage was contracted. In either of which cases the subsequent marriage is valid until its nullity is adjudged by a competent tribunal."

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, strike out "1.", and insert in lieu thereof the following: "2."

Amendment No. 4.

On page 1, line 21, of the printed bill, as amended, strike out "2.", and insert in lieu thereof the following: "3."

Amendments adopted

Assembly Bill No. 72 ordered to reprint, and re-engrossment.

Assembly Bill No. 2387—An act to empower and authorize the institution of a suit and/or action against the people of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one Beesemeyer, and of men associated with him in the enterprise known and/or designated as the Guaranty Building and Loan Association, and/or waive the statute of limitations by the State of California.

Motion to Amend Assembly Bill No. 2387.

Mr Lore moved to amend Assembly Bill No. 2387 as follows:

Amendment No. 1.

On page 2, line 27, of the printed bill, as amended, strike out "set forth", and insert in lieu thereof the following: "defined".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 29 to 32, inclusive, and insert in lieu thereof the following: "any building and loan association, as herein defined, and who suffered or suffers loss of such funds or"

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 36 to 44, inclusive, and insert in lieu thereof the following:

"(b) A "trustee" denotes any person, association, or corporation who has heretofore legally taken over, or shall hereafter legally take over the assets of any building and loan association, as herein defined, for preservation, administration or liquidation on behalf of the depositors of such building and loan association."

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 47 and 48, insert the following:

"(d) "Negligence" as used herein and as used in section 688 of the Political Code, shall mean the failure for a period of five years or more of officers or employees of the State in the examination of the books, records or accounts of any building and loan association, as herein defined, to detect therefrom and report to the Building and Loan Commissioner any unconcealed theft or acts of theft of funds of such building and loan association which have continued over a period of five years or more.

(e) "Building and loan association" shall mean any building and loan association organized and operating under the laws of the State of California, or which has been organized and has operated under the laws of the State of California."

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following: "tion shall have a claim".

Amendment No. 6.

On page 3 of the printed bill, as amended, strike out lines 14 to 21, inclusive, and insert in lieu thereof the following: "negligence of officers or employees of the State. Such claim shall".

Amendment No. 7.

On page 3, line 26, of the printed bill, as amended, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 8.

On page 3, line 29, of the printed bill, as amended, before "sections", insert the following: "section 667 or of".

Amendment No. 9.

On page 3, line 31, of the printed bill, as amended, strike out "shall", and insert in lieu thereof the following. "may".

Amendment No. 10.

On page 3, line 33, of the printed bill, as amended, after "provisions of", insert the following: "section 667 or".

Amendment No. 11.

On page 3, line 38, of the printed bill, as amended, after the period, insert the following: "The State Board of Control shall take action on any such claim within 30 days after its presentation and render a decision thereon within 90 days after such presentation"

Amendment No. 12.

On page 3, line 40, of the printed bill, as amended, after "Control", insert the following: "or by the Legislature".

Amendment No. 13.

On page 3, line 41, of the printed bill, as amended, strike out "668", and insert in lieu thereof the following: "688".

Amendment No. 14.

On page 3, line 47, of the printed bill, as amended, strike out "668", and insert in lieu thereof the following: "688".

Amendment No. 15.

On page 4, line 3, of the printed bill, as amended, after "act", insert the following: "upon claims presented to the State Board of Control".

Amendment No. 16.

On page 4 of the printed bill, as amended, strike out lines 5 to 12, inclusive, and insert in lieu thereof the following:

"SEC. 6. Any action or suit brought under the provisions of this act shall be commenced in the superior court in the county in which the trustee has his or its principal place of business."

Amendments adopted.

Assembly Bill No. 2387 ordered to reprint, and re-engrossment.

Assembly Bill No. 1794—An act licensing and regulating persons engaged in the business of writing, procuring and furnishing bail and bail bonds in criminal actions and providing penalties for the violation thereof.

Motion to Amend Assembly Bill No. 1794.

Mr. Cunningham moved to amend Assembly Bill No. 1794 as follows:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 2 to 5, inclusive, and insert in lieu thereof, the words "such occupation".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 1794, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1794, as Amended.

Assembly Bill No. 1794—An act licensing and regulating persons engaged in the business of writing, procuring and furnishing bail and bail bonds in criminal actions and providing penalties for the violation thereof.

Assembly Bill No. 1794, as amended, read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 990—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts.

Bill read third time.

Motion to Set Assembly Bill No. 990 as Special Order.

Mr. Kepple moved that the consideration of Assembly Bill No. 990 be made a special order of business for Wednesday, April 14, 1937, at two o'clock p.m.

The roll was called, and the motion lost by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Cottrell, Cunningham, Dannenbrink, Field, Garibaldi, Gilbert, Johnson, Kepple, Latham, Lore, Martin, Mayo, Meehan, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Redwine, Richie, Rosenthal, Stream, Tenney, Thorp, Turner, Walker, Watson, and Yorty—33.

NOES—Burns, Michael J., Call, Cronin, Crowley, Dawson, Donihue, Donnelly, Fulcher, Gannon, Glick, Hawkins, Heisinger, Hornblower, Hunt, Leonard, Levey, Maloney, Miller, George P., Millington, Patterson, Peyser, Sawallisch, Scudder, Sheehan, Voigt, Weber, and Williamson—27.

The Speaker in the Chair.

At five o'clock p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Demand for Previous Question.

Messrs. Call, Field, Heisinger, Mayo and Dawson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 990.

The roll was called, and Assembly Bill No. 990 refused passage by the following vote:

AYES—Boyle, Clark, Cunningham, Dannenbrink, Dilworth, Donihue, Field, Flint, Gilbert, Glick, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Martin, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Robertson, Rosenthal, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—33.

NOES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Dawson, Donnelly, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Leonard, Levey, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Weber, and Williamson—36.

Notice of Motion to Reconsider Assembly Bill No. 990.

Mr. Kepple gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 990 was this day refused passage.

Second Reading of Senate Bill—(Out of Order).

Senate Bill No. 799—An act to repeal an act entitled "An act to permit governing boards of school districts to provide for the payment of retirement salaries to the teachers and other employees thereof in the manner prescribed by this act," approved June 19, 1929, and to add a new part to Division V of the School Code, to be known as Part V, containing sections 5.1100, 5.1101, 5.1102, 5.1103, 5.1104, 5.1105, 5.1106, 5.1107, 5.1108, 5.1109, 5.1110, and 5.1111, all relating to the retirement by school districts of employees, and declaring the urgency hereof.

Committee Amendments to Senate Bill No. 799.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out the period following the word "thereof", and insert in lieu thereof the following: ", declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment No. 2.

On page 4, line 3, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "fifteen".

Amendment No. 3.

On page 4, line 25, of the printed bill, strike out the word "requirements", and insert in lieu thereof the word "provisions".

Amendment No. 4.

On page 4, line 25, of the printed bill, after the word "section", insert the following: "requiring such plan to be in accordance with sound business practices and recognized actuarial methods".

Amendment No. 5.

On page 4, lines 38 and 39, of the printed bill, strike out the following: "including all years so served prior to July 1, 1937,".

Amendment No. 6.

On page 4, line 50 of the printed bill, strike out the following: "to interrupt the years of continuous", and insert in lieu thereof the following: "as a break in the continuity of".

Amendment No. 7.

On page 5, line 1, of the printed bill, after the word "hereof", insert the following: ", but such period of leave shall not be counted as time served toward retirement unless such period is so counted under the State Teachers Retirement Law".

Amendment No. 8.

On page 5, line 20, of the printed bill, strike out the word "All", and insert in lieu thereof the following: "When any district shall establish such a district retirement plan there shall be created in the treasury of the county in which such district is located, and opened upon the books of the auditor and treasurer of such county, a trust fund account to be known and designated as the "District retirement fund" and all monies, whether from contributions by teachers or other employees, or by the district, or from any source, properly belonging to said district retirement fund, shall be placed therein. Upon approval of the district retirement board, herein provided for, all".

Amendment No. 9.

On page 5, lines 22 and 23, of the printed bill, strike out the following: "at the same time".

Amendment No. 10.

On page 5, line 24, of the printed bill, strike out the following "; but the members of the said", and insert in lieu thereof the following: ". Members of".

Amendment No. 11.

On page 5, line 37, of the printed bill, after the word "proportion", insert the following: ", as nearly as may be practicable,".

Amendment No. 12.

On page 5, line 40, of the printed bill, after the period, insert the following: "The county treasurer of the county in which the district establishing the plan is located, shall be ex officio a member of the district retirement board."

Amendment No. 13.

On page 5, line 42, of the printed bill, after the period, insert the following: "Such district retirement board shall have such further powers and duties as may be prescribed by the governing board of the district."

Amendment No. 14.

On page 5 of the printed bill, strike out lines 43 to 52, inclusive, and on page 6, strike out lines 1 and 2, and insert in lieu thereof the following:

"5 1109. Such district retirement board shall have charge and control of the district retirement fund of the district and of the payment of all retirement salaries and annuities payable therefrom. Said district retirement board shall have power, and it shall be its duty, to invest such funds in securities which are legal for the investment of funds of savings banks in this State and to sell such securities and reinvest the proceeds in securities legal for investment of funds of savings banks when in the judgment of such district retirement board such sale and reinvestment is advisable; provided, that no investment in or sale of securities shall be made except upon authorization of said district retirement board at a meeting thereof.

Said board also shall have power, and it shall be its duty, to collect the income from such securities and pay the same into said district retirement fund, and may sue in its own name when necessary to carry out the powers and duties hereby conferred upon it. The attorney for the governing board of the district shall act as attorney for said district retirement board without additional compensation.

All securities purchased by the district retirement board shall be deposited with the county treasurer for safe keeping.

All payments from the district retirement fund shall be made in the same manner as payments from school district funds but shall be subject to approval of the district retirement board and warrants drawn on such fund shall be signed by at least one member of the district retirement board who shall be designated by such board.

The duties herein imposed upon the county treasurer shall be deemed a part of his official duties, for the faithful performance of which he shall be liable upon his official bond.

It shall be the duty of the county auditor to audit the accounts of the district retirement board at least once every 12 months and report upon the financial condition thereof to the governing board of the district."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Yorty:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Yorty:

An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act shall take effect immediately.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Bill No. 2840: By Mr. Yorty—An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to take up Assembly Bill No. 2840, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 2840.

Case of Urgency.

The following resolution was offered by Mr. Yorty:

Resolved, That Assembly Bill No. 2840 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2840, at this time.

Second Reading of Assembly Bill No. 2840.

Assembly Bill No. 2840—An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Third Reading of Assembly Bill No. 2840.

Assembly Bill No. 2840—An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan,

Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Notices of Motion to Reconsider Continued.

On motion of Mr. Field, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 516 was passed was continued until the next legislative day.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 276 was passed was continued until the next legislative day.

On motion of Mr. Voigt, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1094 was passed was continued until the next legislative day.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 13, 1937.

Honorable Members of the Assembly,
State Capitol, Sacramento, California.

GENTLEMEN: I am returning herewith without my signature **Assembly Bill No. 1682,** being

"An act to amend section 566 of the Code of Civil Procedure, relating to restrictions on appointment of receiver."

The section of the Code of Civil Procedure which this measure would amend places restrictions upon the appointment of receivers in the State courts. Under the existing law, without the written consent of the parties a judge is prohibited from appointing as receiver a party to the action, an attorney of the party, a person interested in the action or a person related to the judge by consanguinity or affinity within the third degree. The prohibition against the appointment of a party to an action, attorney of the party or person interested in an action has been the law of this State since 1872.

These prohibitions were obviously adopted to prevent the appointment of persons who by virtue of their interest in the action might harbor a bias or prejudice.

By the proposed amendments a number of these safeguards would be taken away not only in the appointment of officers and employees of the State, but also in the appointment of officers and employees of the Federal Government.

Aside from the proposal which would authorize the appointment of officers and employees of the United States as receivers in actions in which the Federal Government is interested, and which I oppose for the reason that this would constitute a cession of certain of the sovereign rights of the people of this State to the Federal Government without affording adequate protection to citizens of this State, I am not unmindful of the unconscious partiality which might be taken by a State officer or employee acting as receiver in a matter in which the State might be interested.

For the foregoing reasons, it is my opinion that the interests of the parties in receiverships would not receive added protection by these proposals.

Yours most respectfully,

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1682 ordered on unfinished business calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 427—An act relating to the acquisition by the State of a site or sites in the city of Fresno, the erection thereon of a building or buildings to house all State offices and agencies, maintaining headquarters in that city, and making an appropriation therefor.

Motion to Amend Assembly Bill No. 427.

Mr. Burns, Hugh M., moved to amend Assembly Bill No. 427 as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", with the exception of the Department of

Natural Resources and the Division of Highways of the Department of Public Works, each of which may continue to use and occupy any building or buildings or grounds of which it may be the owner at the effective date of this act."

Amendment adopted.

Assembly Bill No. 427 ordered to reprint, and re-engrossment.

Assembly Bill No. 934—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes.

Motion to Amend Assembly Bill No. 934.

Mr. Cronin moved to amend Assembly Bill No. 934 as follows:

Amendment No. 1.

On page 1, lines 12 to 14, of the printed bill, strike out "566 of the Statutes of 1933, approved May 26, 1933, relating to employment contracts;", and insert in lieu thereof the following: "1 of Part 3 of Division II of the Labor Code;".

Amendment No. 2.

On page 2, lines 10 and 11, of the printed bill, strike out "2 of Chapter 566 of the Statutes of 1933, approved May 26, 1933, relating to employment contracts", and insert in lieu thereof the following: "921 of the Labor Code".

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out "have jurisdiction to".

Amendments adopted.

Assembly Bill No. 934 ordered to reprint, and re-engrossment.

Assembly Bill No. 2090—An act relating to certain State lands and the production and disposition of oil, gas, and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in conflict therewith, and making appropriations for carrying out its purposes.

Motion to Amend Assembly Bill No. 2090.

Mr. Turner moved to amend Assembly Bill No. 2090 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to add sections 26, 26a, 26b, 26c, 26d, 26e, 26f, 26g, 26h, 26i, 26j, 26k, 26l, 26m, 26n, 26o, 26p, 26q, 26r, 26s, 26t, 26u, 26v and 26w to an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921,".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, after "therefrom," insert the following: "providing for the acquisition and condemnation of rights of way or easements to gain access to said State lands,".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 4 and 5 of the title, and insert in lieu thereof the following: "or in conflict herewith, declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment No. 4.

On page 1, line 1, of the printed bill, after "Section 1.", insert the following: "Section 26 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 26."

Amendment No. 5.

On page 1 of the printed bill, strike out all of lines 6 to 17, inclusive, and insert in lieu thereof the following:

"The area bounded by a line beginning at the northeast corner of the northwest quarter of the northeast quarter of Section 4, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 14,520 feet, more or less, to the northeast corner of the northwest quarter of Section 1, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence 48° 40′ west a distance of 10,901 feet, more or

less, to a point in the Pacific Ocean; thence 41° 20′ east to a point of beginning, except that portion thereof lying landward from the high water mark of the Pacific Ocean."

Amendment No. 6.

On page 1, line 18, of the printed bill, after "Sec. 2.", insert the following: "Section 26a is hereby added to said act to read as follows:
Sec. 26a."

Amendment No. 7.

On page 1, line 24, of the printed bill, after "Sec. 3.", insert the following: "Section 26b is hereby added to said act to read as follows:
Sec. 26b."

Amendment No. 8.

On page 1, line 25, of the printed bill, strike out the comma following the word "directed", and also strike out "in the manner hereinafter provided,".

Amendment No. 9.

On page 2, line 4, of the printed bill, after "Sec. 4.", insert the following: "Section 26c is hereby added to said act to read as follows:
Sec. 26c."

Amendment No. 10.

On page 2, line 8, of the printed bill, after "Sec. 5.", insert the following: "Section 26d is hereby added to said act to read as follows:
Sec. 26d."

Amendment No. 11.

On page 2, line 12, of the printed bill, after "access", insert the following: "by the public".

Amendment No. 12.

On page 2, line 13, of the printed bill, after "lands", insert the following: "or".

Amendment No. 13.

On page 2, line 21, of the printed bill, strike out "necessity", and insert in lieu thereof the following: "use".

Amendment No. 14.

On page 2, line 25, of the printed bill, after "Sec. 6.", insert the following: "Section 26e is hereby added to said act to read as follows.
Sec. 26e"

Amendment No. 15.

On page 2, line 28, of the printed bill, strike out "nine (9)", and insert in lieu thereof the following: "eleven".

Amendment No. 16.

On page 2 of the printed bill, strike out all of lines 30 to 52, inclusive, and strike out all of page 3, and lines 1 to 34, inclusive, of page 4, and insert in lieu thereof the following:

"Parcel A. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northeast quarter of Section 4, Township 6 South, Range 11 West, S. B. B & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of said Section 4, thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean

Parcel B. The area bounded by a line beginning at the northeast corner of Section 4, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of the northwest quarter of Section 3, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean

Parcel C. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northwest quarter of Section 3, Township 3 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of Section 3, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel D. The area bounded by a line beginning at the northeast corner of the northwest quarter of Section 3, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of the northeast quarter of Section 3, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel E. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northeast quarter of Section 3, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of Section 3, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel F. The area bounded by a line beginning at the northeast corner of Section 3, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of the northwest quarter of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel G. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northwest quarter of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel H. The area bounded by a line beginning at the northeast corner of the northwest quarter of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of the northeast quarter of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel I. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northeast quarter of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel J. The area bounded by a line beginning at the northeast corner of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of the northwest quarter of Section 1, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel K. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northwest quarter of Section 1, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of Section 1, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of begin-

ning; except that portion thereof lying landward from the high water mark of the Pacific Ocean."

Amendment No. 17.

On page 4, line 35, of the printed bill, after "Sec. 7.", insert the following: "Section 26f is hereby added to said act to read as follows:
Sec. 26f."

Amendment No. 18.

On page 4 of the printed bill, strike out lines 40 to 48, inclusive, and insert in lieu thereof the following: "lease."

Amendment No. 19.

On page 4, line 49, of the printed bill, after "Sec. 8.", insert the following: "Section 26g is hereby added to said act to read as follows Sec. 26g."

Amendment No. 20.

On page 5 of the printed bill, strike out lines 21 to 24, inclusive, and insert in lieu thereof the following: "bers shall be given. Like information as to".

Amendment No. 21.

On page 5 of the printed bill, strike out lines 34 to 36, inclusive, and the numeral "6", in line 37, and insert in lieu thereof the following: "5".

Amendment No. 22.

On page 5, line 39, of the printed bill, after "Sec. 9.", insert the following: "Section 26h is hereby added to said act to read as follows:
Sec. 26h."

Amendment No. 23.

On page 6, line 9, of the printed bill, after "Sec. 10.", insert the following: "Section 26i is hereby added to said act to read as follows:
Sec. 26i."

Amendment No. 24.

On page 6 of the printed bill, strike out lines 14 to 19, inclusive, and insert in lieu thereof the following:
"SEC. 11. Section 26j is hereby added to said act to read as follows:
Sec. 26j. A copy of the list so prepared by the Director of Finance shall be sent by him to all persons who have qualified as bidders hereunder."

Amendment No. 25.

On page 6, line 20, of the printed bill, after "Sec. 12.", insert the following: "Section 26k is hereby added to said act to read as follows:
Sec. 26k."

Amendment No. 26.

On page 6, line 25, of the printed bill, after "Sec. 13.", insert the following: "Section 26*l* is hereby added to said act to read as follows:
Sec. 26*l*"

Amendment No. 27.

On page 6, line 30, of the printed bill, after "Sec. 14.", insert the following: "Section 26m is hereby added to said act to read as follows:
Sec. 26m."

Amendment No. 28.

On page 6, line 38, of the printed bill, after "Sec. 15.", insert the following: "Section 26n is hereby added to said act to read as follows:
Sec 26n."

Amendment No. 29.

On page 6, line 43, of the printed bill, strike out "adjacent", and insert in lieu thereof the following: "littoral".

Amendment No. 30.

On page 6, line 45, of the printed bill, after "Sec. 16.", insert the following: "Section 26o is hereby added to said act to read as follows:
Sec. 26o."

Amendment No. 31.

On page 6, line 47, of the printed bill, strike out "to afford", and insert in lieu thereof the following: "not to prevent".

Amendment No. 32.

On page 7, line 19, of the printed bill, after "Sec. 17.", insert the following: "Section 26p is hereby added to said act to read as follows:
Sec. 26p."

Amendment No. 33.

On page 7, line 43, of the printed bill, after "Sec. 18.", insert the following: "Section 26q is hereby added to said act to read as follows:
Sec. 26q."

Amendment No. 34.

On page 7 of the printed bill, strike out lines 48 to 52, inclusive, and on page 8, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SEC. 19. Section 26r is hereby added to said act to read as follows:

Sec. 26r. Any person bidding on any of said parcels may be in attendance at the time said bids are opened, either in person or through an agent."

Amendment No. 35.

On page 8 of the printed bill, strike out lines 7 and 8, and insert in lieu thereof the following:

"SEC. 20. Section 26s is hereby added to said act to read as follows:

Sec. 26s. In the event two or more persons bid on".

Amendment No. 36.

On page 8 of the printed bill, strike out lines 12 to 16, inclusive, and insert in lieu thereof the following: "of said persons shall receive said lease."

Amendment No. 37.

On page 8, line 17, of the printed bill, after "Sec. 21.", insert the following: "Section 26t is hereby added to said act to read as follows:

Sec. 26t."

Amendment No. 38.

On page 8, line 29, of the printed bill, after "Sec. 22.", insert the following: "Section 26u is hereby added to said act to read as follows:

Sec. 26u."

Amendment No. 39.

On page 8 of the printed bill, strike out lines 40 to 42, inclusive.

Amendment No. 40.

On page 8, line 43, of the printed bill, strike out "Sec. 24.", and insert in lieu thereof the following:

"SEC. 23. Section 26v is hereby added to said act to read as follows:

Sec. 26v."

Amendment No. 41.

On page 8, line 51, of the printed bill, strike out "Sec. 25." and insert in lieu thereof the following:

"SEC. 24. Section 26w is hereby added to said act to read as follows:

Sec. 26w."

Amendment No. 42.

On page 9, line 1, of the printed bill, strike out "26", and insert in lieu thereof the following: "25".

Amendments adopted.

Assembly Bill No. 2090 ordered to reprint, and re-engrossment.

Assembly Bill No. 506—An act to amend section 2.972 of the School Code, relating to compensation for members of city boards of education in school districts situated wholly or partly within cities of the first and one-half class.

Motion to Amend Assembly Bill No. 506.

Mr. Cronin moved to amend Assembly Bill No. 506 as follows:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, after "unit," strike out "on and after January 1, 1938,".

Amendment No. 2.

On page 1, line 22, of the printed bill, as amended, after "such day;" insert the following: "provided, that prior to January 1, 1938, employer means any employing unit which for some portion of a day, but not necessarily simultaneously, in each of twenty different weeks, whether or not such weeks are or were consecutive, has within the current calendar year or had within the preceding calendar year in employment eight or more individuals, irrespective of whether the same individuals are or were employed in each such day;".

Amendments adopted.

Assembly Bill No. 506 ordered to reprint, and re-engrossment.

Assembly Bill No. 1370—An act to add a new section to the Agricultural Code, to be numbered 810 6, relating to the standardization of brussels sprouts.

Motion to Amend Assembly Bill No. 1370.

Mr. Leonard moved to amend Assembly Bill No. 1370 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 22, inclusive, and insert in lieu thereof the following:

"810 6. Brussels sprouts shall be free from mold, decay and from serious damage due to insects. Individual sprouts shall not be soft or spongy.

Not more than 10 per cent, by weight, of the sprouts in any one container, or in bulk, shall be below these requirements, and not to exceed one-half of this tolerance shall be allowed for any one cause with the exception of serious aphis damage of which not more than 10 per cent tolerance will be allowed.

All containers of brussels sprouts shall bear upon them in plain letters on one side or one end, the name of the person who first packed or authorized the packing of the brussels sprouts, or the name under which such person is engaged in business, together with a sufficiently explicit address to permit ready location of such packer."

Amendment adopted.

Assembly Bill No. 1370 ordered to reprint, and re-engrossment.

Assembly Bill No. 1906—An act to amend section 1238 of the Civil Code by adding "joint tenancy" property of the husband and wife thereto.

Motion to Amend Assembly Bill No. 1906.

Mr. Cottrell moved to amend Assembly Bill No 1906 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "by adding", and strike out lines 2 and 3 of the title, and insert in lieu thereof the following: ", relating to homesteads."

Amendment adopted.

Assembly Bill No. 1906 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills.

Senate Bill No. 214—An act granting to the city of Pittsburg and its successors certain salt, marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon, and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands for wharf out privileges hereby granted.

Motion to Amend Senate Bill No. 214.

Mr. Sawallisch moved to amend Senate Bill No. 214 as follows:

Amendment No. 1.

On page 2, line 28, of the printed bill, as amended, after "lease", insert the following: "upon such terms as it shall deem advisable,".

Amendment No. 2.

On page 2, line 29, of the printed bill, as amended, after "years", insert a comma.

Amendment No. 3.

On page 2, line 33, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "subject to the terms and conditions therefor contained in such leases, respectively."

Amendments adopted.

Senate Bill No. 214 ordered to reprint, and third reading calendar.

Senate Bill No. 929—An act to add section 37 to the Fish and Game Code, relating to disposition of game.

Motion to Amend Senate Bill No. 929.

Mr. Hornblower moved to amend Senate Bill No. 929 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the words: "birds, fish, mollusks and crustaceans".

Amendment adopted.

Senate Bill No. 929 ordered to reprint, and third reading calendar.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 208 re-referred to Committee on Education.

Assembly Bill No. 2505 re-referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 92 re-referred to Committee on Irrigation

Senate Bill No. 237 re-referred to Committee on Medical and Dental Laws.

Senate Bill No. 721 re-referred to Committee on Judiciary General.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 13, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Joint Resolution No. 31.

Assembly Concurrent Resolution No. 42.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills order to enrollment.

SENATE CHAMBER, SACRAMENTO, April 12, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 455—An act to amend sections 10692, 10693, 10696, 10697, 10698, 10699, 10700, 10710, 10721, 10723, 10724, 10728 and 10740 of the Insurance Code, and to add sections 10669.5, 10696.6, 10722.5, 10722.6, 10722.7, 10725.5, and 10726.5 thereto, all relating to life insurance.

Senate Bill No. 663—An act to amend the title of Article V of Chapter I of Part III of Division IV of the School Code; to repeal sections 5.782, 5.783 and 5.784 thereof and Articles VI and VIa of Chapter I of Part III of Division IV of the School Code; and to add to said Chapter I of Part III of Division IV of the School Code two new articles to be numbered VI and VIa, all relating to payments from school district funds;

Senate Bill No. 839—An act to amend sections 1273 and 1274 of the Fish and Game Code, relating to deer;

Senate Bill No. 660—An act to amend section 43 of the Probate Code;

Senate Bill No. 662—An act to amend section 41 of the Probate Code, relating to devises and bequests to charity;

Senate Bill No. 661—An act to amend section 42 of the Probate Code;

Senate Bill No. 468—An act to amend section 105 of the Insurance Code, relating to insurance;

Senate Bill No. 496—An act to amend section 2 of the Corporate Securities Act, to exempt from the provisions of said act certificates of deposit for securities approved by the California Districts Securities Commission for certification as legal investments for savings banks and trust companies;

Senate Bill No. 274—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Senate Bill No. 572—An act to add a new section to be numbered 4041.29 to the Political Code, relating to powers of boards of supervisors;

Senate Bill No. 1120—An act to amend sections 4260, 4272 and 4285 of the Political Code, relating to compensation for public services to counties;

Senate Bill No. 508—An act to amend sections 5.10, 5.42, 5.60 and 5.84 of the School Code of the State of California, relating to the establishment of R. O. T. C. units in State colleges and the teaching of courses in military science and tactics in connection therewith;

Senate Bill No. 571—An act to add a new article to Chapter 1 of Part III of Division V of the School Code to be known as Article IVa, relating to the loss or destruction of warrants on funds of school districts.

Senate Bill No. 195—An act to amend section 4259 of the Political Code, relating to salaries of officers of the counties of the thirtieth class;

Senate Bill No. 422—An act to amend section 664a to the Political Code, relating to the payment of State officers and employees;

Senate Bill No. 949—An act to add section 3810 to the Political Code, relating to payment of delinquent taxes before sale to the State;

Senate Bill No. 1107—An act empowering any State institution to advance to the Napa State Farm out of its support appropriation money to cover the cost of meat to be delivered to it, after processing for use.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 455 read first time, and referred to Committee on Insurance.

Senate Bill No. 663 read first time, and referred to Committee on Education.

Senate Bill No. 839 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 660 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 662 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 661 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 468 read first time, and referred to Committee on Insurance.

Senate Bill No. 496 read first time, and referred to Committee on Corporations.

Senate Bill No. 274 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 572 read first time, and referred to Committee on County Government.

Senate Bill No. 1120 read first time, and referred to Committee on County Government.

Senate Bill No. 508 read first time, and referred to Committee on Education.

Senate Bill No. 571 read first time, and referred to Committee on Education.

Senate Bill No. 195 read first time, and referred to Committee on County Government.

Senate Bill No. 422 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 949 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 1107 read first time, and referred to Committee on Governmental Efficiency and Economy.

SENATE CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 1125—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class;

Senate Bill No. 467—An act to amend sections 1011, 1016, 1017, 1033, 1037, and 1047 of, and to add section 1056.5 to, the Insurance Code, all relating to proceedings in cases of insolvency or delinquency of insurers;

Senate Bill No. 960—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein;

Senate Bill No. 633—An act to add section 1083d to the Political Code, relating to the publication of notice of intention to circulate petitions;

Senate Bill No. 9—An act to add section 742 to the Fish and Game Code, relating to marlin swordfish meat;

Senate Bill No. 344—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonment and parole of prisoners;

Senate Bill No. 971—An act to amend the title and sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, and 14, and to renumber 14a to be section 14½, of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the distribution and sale of motor fuels and oil;

Senate Bill No. 826—An act to amend section 4307 of the Political Code, relating to county charges;

Senate Bill No. 168—An act to add sections 1.5 and 5.5 to an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, relating to county fire protection districts.

Senate Bill No. 566—An act to repeal sections 2.2134, 2.2135 and 4.375 of the School Code, and to add thereto two new sections to be numbered 4.368 and 4.375, all relating to maximum school district tax rates and school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the second paragraph of section 1 of Article IV of the Constitution of said State, relating to the time for submission of initiative measures to the electors.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 1125 read first time, and referred to Committee on County Government.

Senate Bill No. 467 read first time, and referred to Committee on Insurance.

Senate Bill No. 960 read first time, and referred to Committee on State Grounds and Parks.

Senate Bill No. 633 read first time, and referred to Committee on Elections.

Senate Bill No. 9 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 344 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 971 read first time, and referred to Committee on Oil Industries.

Senate Bill No. 826 read first time, and referred to Committee on County Government.

Senate Bill No. 168 read first time, and referred to Committee on County Government.

Senate Bill No. 566 read first time, and referred to Committee on Revenue and Taxation.

Senate Constitutional Amendment No. 25 referred to Committee on Constitutional Amendments.

SENATE CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 899.
Assembly Bill No. 900.
Assembly Bill No. 901.
Assembly Bill No. 902.
Assembly Bill No. 903.
Assembly Bill No. 904.
Assembly Bill No. 905.
Assembly Bill No. 908.
Assembly Bill No. 910.
Assembly Bill No. 911.
Assembly Bill No. 912.
Assembly Bill No. 913.
Assembly Bill No. 914.
Assembly Bill No. 915.
Assembly Bill No. 916.
Assembly Bill No. 917.
Assembly Bill No. 918.
Assembly Bill No. 919.
Assembly Bill No. 920.
Assembly Bill No. 921.
Assembly Bill No. 922.
Assembly Bill No. 923.
Assembly Bill No. 924.
Assembly Bill No. 1786.
Assembly Bill No. 892.
Assembly Bill No. 893.
Assembly Bill No. 894.
Assembly Bill No. 895.
Assembly Bill No. 896.
Assembly Bill No. 897.
Assembly Bill No. 898.
Assembly Bill No. 1219.
Assembly Bill No. 1502.
Assembly Bill No. 1789.
Assembly Bill No. 296.
Assembly Bill No. 2752.
Assembly Bill No. 1742.
Assembly Bill No. 23.
Assembly Bill No. 196.
Assembly Bill No. 650.
Assembly Bill No. 1025.
Assembly Bill No. 320.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 576.
Assembly Bill No. 1860.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Adjournment.

At five o'clock and forty minutes p.m., on motion of Mr. Robertson, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Wednesday, April 14, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTIETH LEGISLATIVE DAY
ONE HUNDRED FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 14, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Williamson, the further reading of the Journal of Tuesday, April 13, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Laughlin, on motion of Mr. Glick.

Mr. Corwin, on motion of Mr. Stream.

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Burns, Michael J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. G. V. D. Hindley, of Ferndale, Humboldt County.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mina Bardenhewer and Mrs. Harry Shreve, of Alameda.

On request of Mr. Mayo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles Tryon,

George Dietz, Alfred Giemy, Frank Grillo, Frank Wittmayer, all of Angels Camp.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Davida Wright, District Child Welfare Chairman; Ethel B. Bernier, Principal of Vine Hill School, and Mrs. S. Lundgren, and Mrs. V. Howe, Rudolph Korth, Orvis McKinley, Elsie Molta, Howard Ray, Joseph Silva, Marian Sodaro, Salvadore Cola, Henry De Corte, Ethel Giannini, Earl Gibbs, Ulysses Merrill, Eugenia Moglia, Annie Querin, Winnifred Ray, Josephine Rose, and Elmer Lundgren.

On request of Mr. Dannenbrink, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Elizabeth B. Graham, Secretary of the Women's Democratic Advisory Committee for Northern California.

On request of Mr. Kepple, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Fred Neushutz of Whittier.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leonard A. Wilson, Chief Clerk of the Nevada Assembly.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Jacobs and Mrs. Behrman and the following pupils of the seventh and eighth grades of the Dixon Grammar School: Joyce Alm, Bernice Anderson, Jean Bates, Helen Bello, Annabelle Brown, Alma Bruhn, Anita Cagle, Aileen Callaghan, Elma Dodini, Lucy Goncalves, Clara Lye, Alice Warfield, Albert Bartok, Irvin Boles, Robert Holly, Bill Lyon, Joe Lopez, Jay Lewis, Robert Larson, Carven McGrew, Charles McGimsey, Jerome Potter, Walter Rayn, John Riis, William Seyman, J. P. Thomsen, Frank Williams, Robert Webb, Curtis Mayhew, Dean Jacobs, Jean Marie Eggert, Darleene Hissey, Douglas Goodin, Vivian Powell, Jack Clark, Marjorie Hughes, Orval Sievers, Anna Marie Johns, Margaret Ellis, Stuart Averill, Bill Hooper, Joe Avila, Lillian McVeigh, Helen Warfield, Russell Merrit, Carol Castner, Royce Lucas, and Margaret Goncalves.

Communication.

The following communication was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed her credentials, and is duly recognized as representative of the newspaper set opposite her name:

Eastbay Reporter.....Mrs. Laura Barnes

JAMES G. SMYTH, Chief Clerk.

Notice of Motion to Withdraw Assembly Bill No. 2175 from Committee.

Mr. Latham gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 2175 from the Committee on Labor and Capital, and have it placed upon the calendar.

Notice of Motion to Withdraw Assembly Bill No. 17 from Committee.

Mr. Hunt gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 17 from the Committee on Public Health and Quarantine, and have it placed upon the calendar.

Notice of Motion to Withdraw Assembly Constitutional Amendment No. 20 from Committee.

Mr. Gilbert gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Constitutional Amendment No. 20 from the Committee on Constitutional Amendments, and have it placed upon the calendar.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 20.
Assembly Bill No. 24.
Assembly Bill No. 25.
Assembly Bill No. 26.
Assembly Bill No. 27.
Assembly Bill No. 28.
Assembly Bill No. 33.
Assembly Bill No. 38.
Assembly Bill No. 448.
Assembly Bill No. 449.
Assembly Bill No. 520.
Assembly Bill No. 521.
Assembly Bill No. 522.
Assembly Bill No. 2100.
Assembly Bill No. 2277.
Assembly Concurrent Resolution No. 38.

And reports the same correctly enrolled, and presented to the Governor on this fourteenth day of April, 1937, at eleven o'clock a m

CUNNINGHAM, Chairman.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 2796.
Respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Civil Service, to which was referred:
Assembly Bill No. 2831.
Respectfully reports the same back with the recommendation: Do pass as amended.

CROWLEY, Chairman.

The above reported bill ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
Senate Bill No. 167.
Assembly Bill No. 2353.
Respectfully reports the same back without recommendation, as amended.

MEEHAN, Chairman.

The above reported bills ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred.
Assembly Bill No. 863.
Respectfully reports the same back without recommendation, as amended.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 554.
Assembly Bill No. 2027.

Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DONIHUE, Chairman.

The above reported bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 134.
Assembly Bill No. 2229.
Assembly Bill No. 2424.
Assembly Bill No. 2425.

Respectfully reports the same back without recommendation, as amended.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2028.

Respectfully reports the same back with the recommendation: Do pass as amended

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 80.
Senate Bill No. 278.
Senate Bill No. 544.
Senate Bill No. 545.
Senate Bill No. 546.
Senate Bill No. 547.
Senate Bill No. 549.
Senate Bill No. 737.
Assembly Bill No. 2282.
Assembly Bill No. 2505.

Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 861.

Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1287.
Assembly Bill No. 2012.

Respectfully reports the same back with the recommendation: Do pass as amended.

DONNELLY, Chairman.

The above reported bills ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: I am directed to inform your honorable body that pursuant to a motion adopted in connection therewith, the Senate requests that the following bills be returned to the Senate for further action

Senate Bill No. 637—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees;

Senate Bill No. 638—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

By unanimous consent, Senate Bills Nos. 637 and 638 were withdrawn from committee and returned to the Senate.

SENATE CHAMBER, SACRAMENTO, April 13, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following.

Senate Concurrent Resolution No. 26—Relative to reports of the Department Encampment of Grand Army of the Republic.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Concurrent Resolution No. 26 referred to Committee on Contingent Expenses.

Third Reading of Senate Bills—(Out of Order).

Senate Joint Resolution No. 3—Relative to hours of employment of persons on interstate carriers.

Senate Joint Resolution No. 3 read, and adopted by the following vote:

AYES—Baynham, Breed, Burns, Hugh M. Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved July 31, 1921, relating to the creation of cemetery districts.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Crowley:

An act to amend section 4 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved July 31, 1921, relating to the creation of cemetery districts.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey,

Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated.

Assembly Bill No. 2841: By Mr. Crowley—An act to amend section 4 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved July 31, 1921, relating to the creation of cemetery districts.

Bill read first time, and referred to Committee on Judiciary General.

Second Reading of Assembly Bills.

Assembly Bill No. 386—An act to amend section 224 of the Civil Code, relating to the adoption of children.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 946—An act to amend the title to Article IV, Chapter 14, Division 3 of the Probate Code and to amend sections 541.5, 645, 646, 752, 770, 772, 780, 830, 860, 1480, 1482, 1531, 1532 and 1533 of the Probate Code, to repeal section 930.5 of the Probate Code, and to add sections 578a, 1518 and 1519 to the Probate Code, all relating to the estates of deceased persons, incompetent persons and minors.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1285—An act to add a new section to the School Code to be numbered 4.1014 and to add a new article to Chapter I of Part V of Division IV of the School Code to be known as Article X, relating to bonds issued by school districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2340—An act to add a new chapter to the School Code to be known as Chapter X of Part II, Division VI, comprising sections 6.734, 6.735, 6.736, 6.737, and 6.738, requiring the State Board of Education, in accordance with rules and regulations to be adopted by it, to supply to all pupils, in attendance in elementary schools in the State, other than public schools, free of cost or any charge whatever, to such pupils, all textbooks adopted for use in the day and evening elementary schools of the State, in accordance with the provisions of section 7 of Article IX of the Constitution, and all other textbooks that it may adopt for use in such schools, requiring the governing boards of all high school districts of the State, in accordance with rules and regulations to be adopted by the State Board of Education, to purchase and furnish textbooks to pupils in attendance in high schools in the State, other than public high schools, requiring the governing boards of elementary school districts of the State to furnish to pupils attending private elementary schools in said district, free of cost or other charge to such pupils, all books adopted for supplementary use, or for use in post-graduate courses in the public elementary schools in said districts, and requiring the State Board of Education to furnish to minor children in private institutions, in this State, who are receiving instruction in elementary branches in such institutions, free of cost or charge to such minors, all textbooks (including

supplementary textbooks and books for use in post-graduate courses) which are furnished to pupils attending public elementary schools of the State.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 786—An act to add a new section to the School Code to be numbered 2.75, relating to the bonded indebtedness of high school districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2092—An act to amend sections 2 and 3 of an act entitled: "An act defining henceforth the exterior boundaries of Reclamation District No. 108; situated partly in the counties of Colusa and Yolo, and providing for the continuation in office of the present trustees of said district and for the election and qualification of their successors, and providing that the management and control of the affairs of said Reclamation District No. 108, as defined in this act, are subject to the provisions of the Political Code of the State of California and to all other laws of the State, except as provided in said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district; providing also for the management, control and administration of the affairs of said district; also ratifying the incorporation of certain lands in said Reclamation District No. 108, as described in certain notices filed and recorded in the office of the county recorder of the county of Colusa, State of California, and also authorizing the trustees of said Reclamation District No. 108 to make an equitable settlement with the owner of such land so incorporated as to the cost of any work heretofore done by Reclamation District No. 108, or its predecessors in interest, or that may be hereafter done before the going into effect of this act, and also declaring Reclamation District No. 108 as defined in this act, to be the successors in interest of Reclamation District No. 108, defined in that certain act approved May 26, 1917, also that certain Reclamation District No. 108, defined in that certain act approved May 18, 1915, and also that certain Reclamation District No. 108, defined in that certain act approved April 23, 1913, and also directing the commissioners of assessment, heretofore appointed by the board of supervisors of Colusa County, to include the lands in said assessment, as described in this act, in the event that said assessment is not levied before this act shall take effect." Approved May 7, 1919.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1569—An act to permit the State, counties, cities and counties, and cities to do work and expend funds to protect the beaches from erosion or the effects of erosion and to permit cooperation with other governmental agencies.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 490—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 491—An act to amend section 1507 of the Welfare and Institutions Code, relating to needy children.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1929—An act amending section 1603 of the Business and Professions Code, relating to appointment of members of the State Board of Dental Examiners.

Committee Amendments to Assembly Bill No. 1929.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "1603", and insert in lieu thereof the following: "1602".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "1603", and insert in lieu thereof the following: "1602".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 18, inclusive, and insert in lieu thereof the following:

"1602 All of the members of the board shall have been actively and legally engaged in the practice of dentistry in the State of California, for at least five years next preceding the date of their appointment, shall be eligible to membership in California or Southern California State Dental Association at the time the appointment is made, and none of them shall be a member of the faculty of any dental college or dental department of any medical college in the State of California, or shall have any financial interest in any such college."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2731—An act to amend sections 3, 4, 5, 6, 7, 9, 10, 12, 16, 17, and 19 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the said Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic.

Committee Amendments to Assembly Bill No. 2731.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the first two lines of the heading and insert in lieu thereof the following:

"An act to amend sections 3, 4, 5, 6, 9, 10, 12, 13 and 17, of an initiative act entitled "An act prescribing the"."

Amendment No. 2.

On page 2, line 41, of the printed bill, strike out the word "be", and insert in lieu thereof the word "by".

Amendment No. 3.

On page 4 of the printed bill, strike out lines 18, 21, 23, and 24, and insert in lieu thereof the following: "Electro therapy----------200".

Amendment No. 4.

On page 4, line 31, of the printed bill, strike out the word "one", and insert in lieu thereof the letter "i".

Amendment No. 5.

On page 5 of the printed bill, strike out lines 33 to 46, inclusive

Amendment No. 6.

On page 8, line 19, of the printed bill, strike out the word "practicing" and insert in lieu thereof the following: "holding a license to practice".

Amendment No. 7.

On page 9 of the printed bill, strike out lines 4 to 17, inclusive

Amendment No. 8.

On page 9 of the printed bill, strike out lines 31 to 41, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1319—An act to amend section 1 of an act entitled "An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act," approved April 7, 1927, relating to the unlawful use of degrees, certificates or transcripts necessary for the practice of a healing art.

Committee Amendments to Assembly Bill No. 1319.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, after the comma following the word "degree", at the end of the line, insert the words "or drugless practitioner degree, or naturopathic degree".

Amendment No. 2.

On page 1, line 14, of the printed bill, after the comma following the word "practitioners", and before the word "chiropodists", insert the word "naturopaths", followed by a comma.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1472—An act to regulate the practice of naturopathy; to create and appoint a self-sustaining Board of Naturopathic Examiners; to prescribe their tenure of office, powers, duties, compensation, etc; to require and regulate the issuance of licenses to practice; to establish and collect fees for the examination of applicants and for the issuance and renewal of licenses; to define naturopathy; to define and qualify naturopathic colleges; to provide for the taking of examinations by qualified applicants; to segregate naturopaths from the State Medical Act; to provide for the assessment and collection of penalties for the violation of this act; and to provide for the handling, custody, and disbursement of all funds collected under this act

Committee Amendments to Assembly Bill No. 1472.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 7 of the printed bill, between lines 39 and 40, insert the following:

"(f) Practicing, attempting to practice, conspiring to practice, aiding or abetting anothers' practicing, or endeavoring to procure, practice by advertising, soliciting or other means, under any name or designation other than the true, full and correct name of such person The name under which such person obtained his license from the board shall, be deemed such person's full, true and correct name unless the same be changed by a decree of a court of competent jurisdiction;

(g) Advertising, announcing, stating, being associated with any person or institution, or being in the employ of any person or institution, advertising, announcing or stating a way or method of the treatment or cure, or where the treatment or cure can be obtained, of any venereal disease, lost manhood, any means, or method whereby the menses or monthly period of women can be regulated or disorders thereof treated or cured or reestablished if suppressed."

Amendment No. 2.

On page 8 of the printed bill, strike out lines 12 to 27, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1123—An act to amend section 3.331 of the School Code, relating to high school students residing in this State and attending high school in an adjoining State.

Committee Amendments to Assembly Bill No. 1123.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after the word "sections", insert the following: "3.330,".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, after the figure "3.331", insert a comma and the figure "3.332".

Amendment No. 3.

On page 1, line 1 of the title of the printed bill, as amended, strike out the word "and", and insert in lieu thereof a comma and the following: "3.335, 3.336,".

Amendment No. 4.

On page 1, line 2 of the title of the printed bill, as amended, after the number "3.337", insert the following: "and 3.338".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out all of line 5, and insert in lieu thereof the following:

"SECTION 1. Section 3.330 of the School Code is hereby amended to read as follows:

3.330. The average daily attendance of pupils residing in any county of this State and attending high school in an adjoining State shall be reported by the county superintendent of schools in his annual report to the Superintendent of Public Instruction, who shall include such average daily attendance in the average daily attendance in all the duly established high schools of the State for the last preceding school year certified by him to the State Controller as provided in this code.

The Superintendent of Public Instruction, in making the apportionments of the State high school fund, shall apportion to each county on account of the average daily attendance of pupils residing in such county and attending high school in an adjoining State an amount equal to that apportioned to the high school districts of the State on account of the average daily attendance in such districts during the preceding school year. The amounts apportioned to a county under the provisions of this section shall be deposited in the county treasury to the credit of the county high school tuition fund, which is hereby created.

SEC. 2. Section 3.331 of the School Code is hereby".

Amendment No. 6.

On page 2, line 7, of the printed bill, as amended, strike out the word "counties", and insert in lieu thereof the following: "a county".

Amendment No. 7.

On page 2, line 8, of the printed bill, as amended, after the word "who", insert the following: "reside in a high school district and who".

Amendment No. 8.

On page 2, line 14, of the printed bill, as amended, after the word "fund", insert the following: "and State general fund".

Amendment No. 9.

On page 2, line 19, of the printed bill, as amended, strike out the following: $10 per pupil per month", and insert in lieu thereof the following: "50 cents per pupil per day".

Amendment No. 10.

On page 2, line 25, of the printed bill, as amended, strike out the word "the".

Amendment No. 11.

On page 2 of the printed bill, as amended, strike out all of lines 26 to 50, inclusive, and insert in lieu thereof the following: "on the approval of the county superintendent of schools, after deducting the amount of money apportioned to the county high school tuition fund from State funds on account of the attendance of such pupils as hereinbefore provided, the board of supervisors shall levy a tax on the taxable property of such elementary school district not in excess of one-half the remainder of the cost of tuition and transportation of such pupils during the preceding school year, but the rate of such tax shall not exceed 75 cents on the $100 nor shall such rate be less than the rate of tax which, if levied on the total assessed valuation of all high school districts in the county during the then current school year, would have raised the total amount of money raised by taxes required by the budgets of such high school districts to be levied on the high school districts,

including delinquent taxes, during such school year, and the board of supervisors shall levy a tax on the taxable property of the county in an amount which, when added to the amount apportioned to the county from State funds on account of the attendance of such pupils, and the amounts levied against elementary school districts as hereinbefore provided, will produce a fund large enough to pay the tuition, and also the transportation not to exceed 50 cents per pupil per day, of any pupil or pupils in such elementary school districts in the county who attended high school for the previous year in a high school district in an adjoining State. The total of all monies raised by taxes under the provisions of this section shall be placed in the county treasury to the credit of the county high school tuition fund.

SEC. 3 Section 3.332 of the School Code is hereby amended to read as follows:

3 332. The total cost per pupil in average daily attendance for maintaining the school shall be the amount of money necessary to be raised for paying the tuition, and also the transportation not to exceed 50 cents per pupil per day, of these pupils for the previous school year."

Amendment No. 12.

On page 3, line 1, of the printed bill, as amended, strike out the figure "2", and insert in lieu thereof the figure "4".

Amendment No. 13.

On page 3 of the printed bill, as amended following line 7, insert the following:

"SEC. 5. Section 3 335 of the School Code is hereby amended to read as follows:

3 335. On receiving the report from the county auditor, the superintendent of schools shall draw his requisition in favor of the county treasurer of the county and State in which the high school educating the children is located, and shall transmit the same by registered mail to said county treasurer, to be placed to the credit of the high school district educating such children together with a statement, showing the names and average daily attendance of pupils whose tuition is to be paid.

SEC. 6. Section 3.336 of the School Code is hereby amended to read as follows:

3.336 On receiving the requisition from said county treasurer, the auditor of the county in California, mentioned in this article, shall draw his warrant on the county treasurer, and the county treasurer shall pay the same"

Amendment No. 14.

On page 3, line 8 of the printed bill, as amended, strike out the following: "Sec. 3", and insert in lieu thereof the following: "Sec. 7".

Amendment No. 15.

On page 3, line 13, of the printed bill, as amended, beginning in said line 13, strike out the following: "$10 per month", and insert in lieu thereof the following "50 cents per day"

Amendment No. 16.

On page 3, line 14, of the printed bill, as amended strike out the following: "an order", and insert in lieu thereof the following: "his requisition".

Amendment No. 17.

On page 3, line 15, of the printed bill, as amended, after the word "the", insert the word "county".

Amendment No. 18.

On page 3, line 15, of the printed bill, as amended, after the word "school", insert the word "tuition".

Amendment No. 19.

On page 3, after line 22, insert the following

"SEC. 8. Section 3 338 of the School Code is hereby amended to read as follows:

3 338. On receiving the requisition in payment of the transportation, the auditor shall draw his warrant, and the treasurer shall pay the same"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1629—An act to add a new section to the School Code to be numbered 3 362 and to amend sections 3.291, 3 400 and 3.411 of said code, all relating to junior colleges maintained by junior college districts

Committee Amendments to Assembly Bill No. 1629.

The following amendments were submitted by the committee.

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to repeal Chapters V and VI of Part III, and Chapter V and VI of Part V, of Division III of the School Code; to add to Part III of Division III of said code a new chapter to be known as Chapter V, to add to Part V of Division III of said code a new chapter to be known as Chapter V, to amend sections 3 291,

4 871, 4.873, 4 884 and 4.885 of said code, all relating to secondary schools, declaring the urgency thereof and providing that this act shall take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 25, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. Chapters V and VI of Part III, and Chapters V and VI of Part V, all of Division III of the School Code are hereby repealed.

SEC. 2. A new chapter is hereby added to Part III of Division III of the School Code to be known as Chapter V and to read as follows:

Chapter V—Junior Colleges.

Article I—Establishment.

3.350. Junior colleges shall be established and maintained in high school districts and in junior college districts in accordance with the provisions of this article.

3.351. The governing board of any high school district having an assessed valuation of $5,000,000 or more may, with the approval of the State Board of Education, establish and maintain one or more junior colleges.

3.352. The governing board of each junior college district shall establish and maintain one or more junior colleges.

Article II—Types of Junior Colleges.

3 360. Each junior college shall provide for the education of pupils in the thirteenth and fourteenth grades and for the education of such adults and minors as may properly be admitted but who are not classifiable by grade.

3 361. On recommendation by the Superintendent of Public Instruction and approval by the State Board of Education, the governing board of any district authorized to establish and maintain a junior college may, by resolution establish one or more four-year junior colleges for the education of pupils in grades eleven to fourteen, inclusive; provided that in any junior college district embracing two or more high school districts, such resolution must be approved in writing by a majority of the members of the governing board of each such high school district before such four-year junior college may be established.

3 362. Junior colleges may be maintained as separate institutions or in conjunction with any day high school.

Article III—Admission.

3.370. The principal of any two-year junior college shall admit thereto any high school graduate and any other person over 18 years of age who in his judgment is capable of profiting from the instruction offered in the junior college.

3.371. The principal of any four-year junior college shall admit thereto any pupil who has completed the work of the tenth grade and any other person over 16 years of age who in his judgment is capable of profiting from the instruction offered in the junior college.

Article IV—Finance.

3 380. The State Board of Education shall adopt rules and regulations fixing minimum standards entitling districts to receive State aid for the support of junior colleges.

3 381. The State Department of Education shall annually investigate each junior college to determine whether it has met such standards.

3 382. The State Department of Education shall provide for a uniform system of cost accounting for all junior colleges.

3.383. Four-year junior colleges shall be financed in the same manner and from the same funds as provided in this code for the financing of two-year junior colleges; excepting that the provisions of Chapter IV of Part II of Division IV of this Code, relating to the junior college tuition fund shall not be applicable in the case of pupils attending the eleventh and twelfth grades in any four-year junior college; and providing that, in separate junior college districts embracing two or more high school districts and maintaining a four-year junior college, a maximum district tax rate of 60 cents may be levied for junior college purposes, and in any case where a high school district is coterminous with a junior college district a maximum district tax rate of $1.10 may be levied for all secondary school purposes, exclusive of bond interest and redemption, subject to the provisions of this code relative to increases in maximum rates of school district taxes.

SEC. 3. A new chapter is hereby added to Part V of Division III of the School Code to be known as Chapter V and to read as follows:

Chapter V—Junior College Courses of Study.

3 810. A course of study for each junior college shall be prepared under the direction of the governing board of the district maintaining such junior college and shall be subject to the approval of the State Board of Education.

3 811. The course of study for two-year junior colleges shall be designed to fit the needs of pupils of the thirteenth and fourteenth grades and may include courses of instruction designed to prepare for admission to the upper division of higher institutions of learning and such other courses of instruction designed to prepare persons for agricultural, commercial, homemaking, industrial and other vocations, and such courses of instruction as may be deemed necessary to provide for the civic and liberal education of the citizens of the community.

3.812. No State funds shall be apportioned to any district on account of the attendance of students enrolled in junior college courses unless such courses have been approved by the State Board of Education.

3.813. The governing board of each district maintaining a junior college shall prescribe requirements for graduation from junior college courses.

3.814. The minimum requirement for graduation from a two-year junior college course of study shall be at least 60 credit hours of work.

3.815. The minimum requirement for graduation from a four-year junior college course of study shall be at least 120 credit hours of work.

3.816. A credit hour of junior college work is hereby defined as approximately three hours of recitation, study and laboratory work per week throughout one-half year.

3.817. Special day and evening junior college classes may be established by the governing board of any district maintaining a junior college for the admission of adults and of such minors as may be able more advantageously to attend such special classes than regular junior college classes.

SEC. 4. Section 3.291 of the School Code is hereby amended to read as follows:

3.291. Each high school district must establish and maintain for the convenience of the day pupils of the district at least one four-year high school, or in lieu thereof, at least one junior high school, and one senior high school, or if the high school district is situated within a junior college district maintaining a four-year junior college, at least one junior high school providing for the education of pupils of grades seven to ten, inclusive.

A high school district which is a part of a junior college district maintaining a junior college or colleges offering four years of work including the eleventh, twelfth, thirteenth and fourteenth grades may, at the option of the governing board thereof, maintain only one or more junior high schools.

SEC. 5. Section 4.871 of the School Code is hereby amended to read as follows:

4.871. He shall apportion to each high school district $550 for each year of the six-year course covering grades nine to fourteen, inclusive, maintained in each high school or junior college therein during the preceding school year.

SEC. 6. Section 4.873 of the School Code is hereby amended to read as follows:

4.873. He shall apportion to each high school district on account of each high school or junior college maintained therein $80 for each unit or major fraction of a unit of the first ten units of average daily attendance in special day classes, special evening classes and evening high school classes, including compulsory continuation classes for persons under 18 years of age, maintained in connection with each such high school or junior college during the preceding school year; $60 for each unit or major fraction of a unit of the second ten units of such attendance; and $40 for each unit or major fraction of a unit of the third ten units of such attendance.

SEC. 7. Section 4.884 of the School Code is hereby amended to read as follows:

4.884. He shall allow for each high school district $250 for each year of the six-year course, covering grades nine to fourteen, inclusive, maintained in each high school or junior college therein during the preceding school year.

SEC. 8. Section 4.885 of the School Code is hereby amended to read as follows:

4.885. He shall allow to each high school district on account of each high school or junior college maintained $40 for each unit or major fraction of a unit of the first ten units of average daily attendance in special day classes, special evening classes and evening high school classes, including compulsory continuation classes for persons under 18 years of age, maintained in connection with each such high school or junior college during the preceding school year; $30 for each unit or major fraction of a unit of the second ten units of such attendance; and $20 for each unit or major fraction of a unit of the third ten units of such attendance.

SEC. 9. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore go into immediate effect.

The facts constituting such necessity are as follows: This act is intended to give definite legal status to a new type of educational institution recently developed in this State. Changes in the methods of financing this type of institution, as provided in this act, will have to be effective at the beginning of the fiscal year in order that the institution may be financed under the provisions of this act throughout the ensuing fiscal year. State apportionments to be made during 1938-1393 will be affected and such apportionments must be based upon the maintenance of the new type of educational institution during the entire preceding school year. For these reasons it is necessary that the act be given immediate effect."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1675—An act to add a new part to Division II of the School Code to be known as Part VII, relating to the formation, government, support, control and administration of unified school districts created from school districts not coterminous and not having governing boards of identical personnel.

Committee Amendments to Assembly Bill No. 1675.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, after the word "unified", insert the word "secondary".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, strike out the following: "created from school districts not coterminous and" and strike out all of line 5 of said title, and insert in lieu thereof a comma and the following: "declaring the urgency thereof and providing that this act shall take effect immediately".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 5 to 24, both inclusive, and strike out the remainder of said bill, and insert in lieu thereof the following:

"Part VII—Unification of High School Districts and Junior College Districts having Coterminous Boundaries.

Chapter I—Formation of Unified Secondary School Districts.

2.3000. On the first day of July, 1937, each high school district, the boundaries of which are coterminous with those of a junior college district, and each such junior college district shall be merged into a new district to be known as a unified secondary school district.

2.3001. On the effective date of the formation of any new junior college district embracing a single high school district, or of any change in the boundaries of any high school district or junior college district which shall result in the boundaries of such high school district and such junior college district becoming coterminous, such coterminous high school district and junior college district shall be merged into a new district to be known as a unified secondary school district.

2.3002. Each unified secondary school district shall be designated by the name of the high school district, the words "unified secondary school district" being substituted for the words "high school district", "union high school district", "joint union high school district", "city high school district", or "county high school district", previously employed to designate the high school district so merged into the unified secondary school district.

2.3003. All provisions of this code or of any statutes of this State applicable to high school districts or to junior college districts shall be applicable to unified secondary school districts, excepting in so far as such provisions shall be in conflict with, or inconsistent with, the provisions of this Part.

CHAPTER II—GOVERNMENT OF UNIFIED SECONDARY SCHOOL DISTRICTS

2.3010. Each unified secondary school district shall be governed by the governing board of the high school district merged into such unified secondary school district. Such governing board shall be designated, on and after the effective date of the formation of the unified secondary school district, as the board of trustees or board of education, as the case may be, of said unified secondary school district.

2.3011. Members of the governing boards of each unified secondary school district shall be elected or appointed in the manner provided by law for the election or appointment of members of the governing board of the high school district merged into such unified secondary school district.

CHAPTER III—POWERS AND DUTIES OF GOVERNING BOARDS OF UNIFIED SECONDARY SCHOOL DISTRICTS

2.3020. The governing board of each unified secondary school district shall have such powers and duties as are by law vested in the governing boards of high school districts and junior college districts, in addition to such powers and duties as may be vested specifically in governing boards of unified school districts.

CHAPTER IV—ANNEXATION TO UNIFIED SECONDARY SCHOOL DISTRICTS

2.3030. Elementary school districts or high school districts may be annexed to a unified secondary school district in such manner as is provided by this code for the annexation of elementary school districts or high school districts to high school districts or to junior college districts.

CHAPTER V—EMPLOYEES

2.3040. Every employee of any high school district or junior college district which is merged into a unified secondary school district shall become an employee of the unified secondary school district.

2.3041. Service of employees in any high school district or junior college district merged into a unified secondary school district completed prior to the effective date of the merging of such districts shall be considered as service in the unified school district for the purpose of provisions of this code relating to the classification of persons employed in school districts in positions requiring certification qualifications.

CHAPTER VI—BONDS

2.3050. Bonds may be issued and sold in unified secondary school districts subject to the provisions of Part V of Division IV of this code, except that the total amount of the bonds issued by any unified secondary school district for high school purposes, and for junior college purposes, respectively, including the amount of the outstanding bonded indebtedness of the districts merged into such unified secondary school district, may not exceed 5 per cent of the assessed valuation of the unified secondary school district for each of such purposes.

CHAPTER VII—BONDED INDEBTEDNESS

2.3060. The bonded indebtedness of any high school district or junior college district merged into a unified secondary school district shall become the bonded indebtedness of the unified secondary school district.

CHAPTER VIII—PROPERTY, FUNDS AND OBLIGATIONS

2.3070. All property, funds and obligations of any high school district or junior college district merged into a unified secondary school district shall become the property, funds and obligations of the unified secondary school district.

CHAPTER IX—FINANCIAL SUPPORT

2.3080. Apportionments of State funds shall be computed and made to unified secondary school districts for the support of high schools and junior colleges in the same manner and from the same funds as apportionments to high school districts and junior college districts.

2.3081 Each unified secondary school district shall be considered as a junior college district for the purposes of sections 4.270 to 4.278, inclusive, of this code.

2.3082. The maximum rate of school district tax which may be levied in a unified secondary school district for all purposes may not exceed $1.10 on each $100 of assessed valuation, excepting as an increased maximum rate may be authorized by majority vote of the electors as provided for all school districts elsewhere in this code.

CHAPTER X—JURISDICTION

2.3090. The county superintendent of schools of the county in which the greatest part of the assessed valuation of any unified secondary school district lies shall have jurisdiction over such district for such purposes as may be specified in this code.

CHAPTER XI—MERGING INTO UNIFIED SCHOOL DISTRICTS

2.3100. On the effective date of the reduction of the number of elementary school districts embraced within any unified secondary school district to one elementary school district, such unified secondary school district and such elementary school district shall be merged into a unified school district to be governed by the provisions of this code relating to unified school districts.

CHAPTER XII—BUDGETS AND DISTRICT TAXES FOR UNIFIED SECONDARY SCHOOL DISTRICTS FOR THE SCHOOL YEAR 1937-1938

2.3110 Budgets submitted for the school year 1937-1938 by the governing boards of high school districts and junior college districts affected by the provisions of this part shall be consolidated by the county superintendent of schools as the budget of the unified secondary school district into which such districts are merged, and district taxes levied thereunder shall be levied as a single rate of tax for the support of the schools of the unified secondary school district.

SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore go into immediate effect.

The facts constituting the necessity are as follows: This act is designed to simplify the administrative and financial structure of the State school system and to further the economical and efficient administration of school district expenditures.

Further, the provisions of this act create new school districts of a unified type, effective as of July 1, 1937, but unless enacted as an urgency measure the provisions of Chapter XII relative to the support of such new school districts during their first year of existence would be inoperative and such new school districts would be without proper financial aid for one year.

In order, therefore, to secure the full measure of the benefits to be derived from the enactment of this legislation, it is essential that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1852—An act to amend section 2.810 of the School Code, relating to contracts by governing boards of school districts.

Committee Amendment to Assembly Bill No. 1852.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out ", but", and insert a period, and strike out lines 6, 7 and 8, and insert in lieu thereof a period and the following:

"The ownership of less than 5 per cent of the stock or shares of a corporation or association with which a contract may be made by a school district shall not be considered as involving an interest in the contract within the meaning of this section.

Nothing in this section shall be construed as prohibiting the board from entering into a contract with the employer of any member of the board."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1698—An act to amend section 737kk of Political Code, relating to the salary of judges of the superior court, in and for the county of San Diego.

Committee Amendment to Assembly Bill No. 1698.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the blank, and insert in lieu thereof the following: "seven thousand five hundred".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1754—An act to regulate persons engaged in determining the value of real estate.

Committee Amendments to Assembly Bill No. 1754.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 3, line 29, of the printed bill, as amended, strike out the words "twenty-five (25)", and insert in lieu thereof "fifteen (15)".

Amendment No. 2.

On page 3, line 39, of the printed bill, as amended, after the word "board", insert a comma.

Amendment No. 3.

On page 4, line 1, of the printed bill, as amended, strike out the word "ninety", and insert in lieu thereof "one-hundred and eighty".

Amendment No. 4.

On page 4, line 2, of the printed bill, as amended, strike out "(90)", and insert in lieu thereof "(180)".

Amendment No. 5.

On page 4, line 26, of the printed bill, as amended, between the word "board", and the word "shall", insert "or who has otherwise qualified as in section 6 hereof provided".

Amendment No. 6.

On page 6, line 43, of the printed bill, as amended, strike out the word "refusing", and insert in lieu thereof "reproving".

Amendment No. 7.

On page 6, line 52, of the printed bill, as amended, after the word "certification", strike out the period, and insert in lieu thereof "thereof. Thereupon the Real Estate Commissioner shall, within 30 days, make and certify such transcript."

Amendment No. 8.

On page 7 of the printed bill, as amended, strike out line 32, and insert in lieu thereof "as amended, and the Inheritance Tax Act of 1935 as amended, or in any way repealing or abrogating any".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2740—An act to add section 1278a to the Code of Civil Procedure, relating to change of name.

Committee Amendment to Assembly Bill No. 2740.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following: "using the false name to discontinue using it or it must order the person to use only his right name".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1918—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.

Committee Amendments to Assembly Bill No. 1918.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out all of lines 28 to 51, inclusive, and insert in lieu thereof the following. "judgment credit, or shall determine the personal liability of any defendant for the payment of the debt secured by such mortgage or deed of trust and shall name such defendants against whom a deficiency judgment may be ordered following the proceedings hereinafter prescribed. In the event of such waiver the decree shall so declare and there shall be no judgment for a deficiency. In the event that a deficiency is not waived and it is decreed that any defendant is personally liable for such debt, then upon application of the plaintiff filed at any time within three months of the date of the foreclosure sale and after a hearing thereon at which the court shall take evidence and at which hearing either party may present evidence as to the fair value of the property or the interest therein sold as of the date of sale, the courts shall render a money judgment against such defendant or defendants for the amount by which the amount of the indebtedness with interest and costs of sale and of action exceeds the fair value of the property or interest therein sold as of the date of sale, provided, however, that in no event shall the amount of said judgment, exclusive of interest from the date of sale and of costs, exceed the difference between the amount for which the property was sold and the entire amount of the indebtedness secured by said mortgage or deed of trust. Notice of such hearing must be served upon all defendants who have appeared in the action and against whom a deficiency judgment is sought, or upon their attorneys of record, at least 15 days before the date set for such hearing. Upon application of any party made at least ten days before the date set for such hearing the court shall, and upon its own motion the court at any time may, appoint one of the inheritance tax appraisers provided for by law to appraise the property or the interest therein sold as of the time of sale. Such appraiser shall file his appraisal with the clerk and the same shall be admissible in evidence. Such appraiser shall take and subscribe an oath to be attached to the appraisal that he has truly, honestly and impartially appraised the property to the best of his knowledge and ability. Any appraiser so appointed may be called and examined as a witness by any party or by the court itself The court must fix the compensation, not to exceed $5 per day, and expenses for the time actually engaged in such appraisal, which may be taxed and allowed in like manner as other costs."

Amendment No. 2.

Strike out all of page 3 of the printed bill.

Amendment No. 3.

On page 4 of the printed bill, strike out all of lines 1 to 12, inclusive

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1921—An act to amend section 580a of the Code of Civil Procedure, limiting amount of deficiency judgments and the time within which actions therefor may be commenced.

Committee Amendments to Assembly Bill No. 1921.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, commencing in line 11, strike out the following. "market intrinsic".

Amendment No. 2.

On page 1, line 13, of the printed bill, following the period insert the following: "Upon the application of either party made at least ten days before the time of trial the court shall, and upon its own motion the court at any time may, appoint

one of the inheritance tax appraisers provided for by law to appraise the property or the interest therein sold as of the time of sale Such appraiser shall file his appraisal with the clerk and the same shall be admissible in evidence. Such appraiser shall take and subscribe an oath to be attached to the appraisal that he has truly, honestly, and impartially appraised the property to the best of his knowledge and ability. The court must fix the compensation of such appraiser, not to exceed $5 per day, and expenses for the time actually engaged in such appraisal, which may be taxed and allowed in like manner as other costs. Before rendering any judgment the court shall find the fair value of the real property, or interest therein sold, at the time of sale after taking evidence thereon and after hearing any competent evidence presented by the parties The court may render judgment for not more than the amount by which the entire amount of the indebtedness due at the time of sale exceeded the fair value of the real property or interest therein sold at the time of sale with interest thereon from the date of sale; provided, however, that in no event shall the amount of said judgment, exclusive of interest from date of sale and exclusive of costs of sale and of action, exceed the difference between the amount for which the property was sold and the entire amount of the indebtedness secured by said deed of trust or mortgage."

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 12 to 52, inclusive.

Amendment No. 4.

On page 3 of the printed bill, strike out all of lines 1 to 15, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2122—An act to amend sections 639, 640, 1280 and 1281 of the Code of Civil Procedure, relating to the investigation, arbitration, reference and settlement of disputes concerning boundary lines, monuments, courses, bearings, distances and calls.

Committee Amendments to Assembly Bill No. 2122.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 26, of the printed bill, strike out the following: "Validity of arbitration agreements."

Amendment No. 2.

On page 2, line 50, of the printed bill, strike out the following: "What may be arbitrated. Judgment thereon"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2123—An act to amend section 4218 of the Political Code, and to add a new section to the Political Code, to be known as section 4221a, relating to the investigation, arbitration, reference and settlement of disputes concerning boundary lines, monuments, courses, bearings, distances and calls

Committee Amendments to Assembly Bill No. 2123.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 8, of the printed bill, after "research", insert "of records."

Amendment No. 2.

On page 2 of the printed bill, strike out lines 19 to 31, inclusive, and in line 32, strike out "his deputies The", and insert in lieu thereof the following: "establish a committe for boundary line arbitration to consist of the county surveyor who shall be the chairman of the committee and serve permanently, and two members and four alternate members appointed by said board of supervisors from a list furnished by the county surveyor of ten licensed surveyors or registered civil engineers who, as such, shall have had at least five years responsible charge of land surveying practice in this State. The appointed members shall serve at the pleasure of said board, and new members shall be appointed in the same manner. No such appointment shall exceed three years; provided, however, the board of supervisors may make successive appointments. Revocation, suspension or expiration of such license or registration shall automatically disqualify any such member or alternate member pending his reinstatement.

An alternate member may be selected by the remaining members of the committee to serve in place of any member disqualified to serve. All of the provisions

applicable to the disqualification of superior court judges shall be applicable to such members.

The civil legal advisor of the county or city and county shall, at the request of said committee, attend hearings of the committee, in an advisory capacity. The county surveyor and legal advisor may each act through his deputies. The committee shall act as arbitrators or referees when selected as provided in the Code of Civil Procedure.

Said committee shall constitute the committee for boundary line arbitration and it shall act as arbitrators or referees when selected as provided in the Code of Civil Procedure. Each".

Amendment No. 3.

On page 2, line 34, of the printed bill, strike out "$15", and insert in lieu thereof "$25".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2051—An act making an appropriation to the State Department of Finance for the purchase of real property, declaring the urgency thereof, and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 2051.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after "purchase", insert the following: "an improvement".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "$_____", and insert in lieu thereof the following: "$250,000 or so much thereof as may be necessary is hereby appropriated".

Amendment No. 3.

On page 1, lines 2 and 3, of the printed bill, strike out "is hereby appropriated".

Amendment No. 4.

On page 1 of the printed bill, strike out line 4, and insert in lieu thereof the following: "and improvement of real property in the city of Sacramento including all necessary expenses connected therewith."

Amendment No. 5.

On page 1 of the printed bill, strike out lines 5 to 9, inclusive, and insert in lieu thereof the following:

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately.

The facts constituting such necessity are as follows: Owing to the aftermath of the present financial depression and the diminution of taxes resulting therefrom and the consequent lack of money and funds wherewith to defray the expense of State governmental functions and duties, it is imperative for the immediate preservation of the public peace, health and safety that the State conserve its money and funds and in particular that its costs and expenses for maintaining, housing and furnishing office space for its agencies be reduced to the most economical figure to the end that it may be able to maintain and discharge its governmental functions and duties. That by purchasing and improving real property at the present time and by means of the appropriation hereinbefore mentioned, and using the property for State purposes, the State will be enabled to obtain space and accommodations at a figure compatible and commensurable with the exigencies of its present financial ability to pay therefor. Unless the real property is purchased and improved and used for State purposes at the present time the State will be unable to discharge its duties properly or at all, or to house, care for, and protect the property of this State, and as a result its governmental functions and duties will be impaired."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1079—An act to amend section 2.1204 of the School Code, relating to the powers and duty of the county superintendents of the schools of California.

Committee Amendments to Assembly Bill No. 1079.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 4, and insert in lieu thereof the following: "study for the elementary schools of a county, except those in districts governed by city boards of education."

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "diction."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2512—An act to amend section 707 of the Vehicle Code, relating to equipment of motor vehicles.

Committee Amendments to Assembly Bill No. 2512.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section", and insert in lieu thereof the following: "sections 649, 656 and".

Amendment No. 2.

On page 1 of the printed bill, after line 10, insert the following:

"SEC. 2. Section 649 of the Vehicle Code is hereby amended to read as follows:

649. Laboratory Specifications Governing Headlamps. The department shall determine whether any pair of headlamps submitted for test will in actual use, when mounted upon a motor vehicle as provided in this code, produce ample light to reveal any vehicle or person within a distance of approximately 175 feet but without projecting above the horizontal plane passing through the centers of such lamps any glaring light and as a means of determining such qualities every pair of headlamps before receiving approval shall meet the following laboratory test as to intensity and distribution of light; provided, however, that a reasonable amount of variation from the requirements set out hereafter in this section shall be allowed to make possible the approval of any reflector, glass or lens for which letters patent have been issued by the United States or which has been approved by the United States Bureau of Standards as filling the requirements of safety, provided such glass, lens or reflector can be so adjusted, arranged and operated as to avoid dangerous glare or dazzle and to adequately light the road substantially in compliance with the provisions above set out in this section.

The light projected by such headlights shall be as follows:

(a) In the median vertical plane parallel to the lamps on a level with the centers of the lamps, not less than 3,000 apparent candlepower.

(b) In the median vertical plane, one degree of arc below the level of the center of the lamps, not less than 15,000 apparent candlepower and there shall not be less than 15,000 apparent candlepower anywhere on the horizontal line through this point one degree to the left or to the right of this point.

(c) In the median vertical plane, one degree of arc above the level of the center of the lamps not more than 1,500, nor less than 500 apparent candlepower.

(d) Four degrees of arc to the left of the median vertical plane and one degree of arc above the level of the center of the lamps, not more than 800 apparent candlepower.

(e) One and one-half degrees of arc below the level of the center of the lamps and three degrees of arc to the left and to the right, respectively, of the median vertical plane, not less than 10,000 apparent candlepower nor less than this amount anywhere on the line connecting these two points.

(f) Three degrees of arc below the level of the center of the lamps and six degrees of arc to the left and to the right, respectively, of the median vertical plane, not less than 2,000 apparent candlepower nor less than this amount anywhere on the line connecting these two points.

(g) The maximum beam shall not exceed 60,000 candlepower nor shall the maximum intensity exist lower than two degrees of arc below the level of the lamps.

SEC. 3 Section 656 of the Vehicle Code is hereby amended to read as follows:

656. Revocation of Certificate of Approval. Whenever the department receives information that any lamp or device of a type sold commercially and which has been approved by the department does not under ordinary conditions of use comply with the requirements of this code the department in its discretion may upon 30 days' notice to the manufacturer thereof require that such lamp or device be retested by the department. For such retest the department may purchase in the open market one or more units of such approved lamp or device. In the event such lamp or device upon such retest fails to meet the requirements of this code the department shall have authority to suspend or revoke the certificate of approval

previously issued therefor. No fee shall be charged for any such retest, and no revocation of the approval of headlight or lens or lighting device by the department shall take effect until six months after revocation, and such revocation shall apply only to vehicles manufactured and used thereafter, provided, that if on application of the manufacturer the United States Bureau of Standards decides that such lamp or device does fulfill the requirements set up in this chapter such decision of the said bureau shall control."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 4—Proposed amendment to Article XIII, section 9, of the Constitution, relative to State and county boards of equalization.

Committee Amendments to Assembly Constitutional Amendment No. 4.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed measure, strike out lines 23 and 24.

Amendment No. 2.

On page 1, line 25, of the printed measure, strike out "5", and insert in lieu thereof the following: "4".

Amendment No. 3.

On page 1, line 27, of the printed measure, strike out "fifth", and insert in lieu thereof the following: "fourth".

Amendment No. 4.

On page 1 of the printed measure, following line 27, add the following:

"(5) The county of Los Angeles constitutes the Fifth Equalization District."

Amendment No. 5.

On page 2, line 14, of the printed measure, after the last parenthesis, add the following: "That member of the Board of Equalization elected at the 1938 general election for the fourth equalization district shall be a member for that district in which he resides. The Governor shall appoint one member for that district which is not represented by an elected member, who shall serve until his successor is elected and qualifies.

(d)".

Amendments adopted

Assembly Constitutional Amendment No 4 ordered to reprint and engrossment.

Assembly Bill No. 2796—An act to amend sections 89, 90, 124, 468, 511, 740 and 758 of and to add sections 91, 511.5 and 511.6 to the Vehicle Code, relating to speed laws and speed zones.

Committee Amendments to Assembly Bill No. 2796.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 10 to 16, inclusive, and insert in lieu thereof the following: "fronting thereon is so occupied. A business district may be longer than the".

Amendment No. 2.

On page 2, line 1, of the printed bill, as amended, strike out "or grounds,".

Amendment No. 3.

On page 2, line 5, of the printed bill, as amended, strike out "or grounds".

Amendment No. 4.

On page 2, line 8, of the printed bill, as amended, strike out "or grounds".

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out lines 17 to 19, inclusive, and insert in lieu thereof the following: "Works, and the Chief of the California Highway Patrol, may, after a public hearing,".

Amendment No. 6.

On page 5 of the printed bill, as amended, strike out lines 43 to 47, inclusive.

Amendment No. 7.

On page 6, lines 5 and 6, of the printed bill, as amended, strike out "or the local authority conducting such hearing, as the case may be,".

Amendment No. 8.

On page 6, line 9, of the printed bill, as amended, strike out ". which shall in", and insert in lieu thereof the following: ". Such maximum speed limit may be any one of the following rates of speed which is most consistent with the evidence presented at the hearing. (1) 15 miles per hour; (2) 20 miles per hour; (3) 25 miles per hour; (4) 30 miles per hour, (5) 45 miles per hour; (6) 50 miles per hour. In".

Amendment No. 9.

On page 6, line 10, of the printed bill, as amended, insert after "event", the following: "shall such maximum speed limit".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 183—An act to amend sections 1, 2, 3, 5, 6, 11, 12, 17 and 18 of, to repeal section 13 of, and to add section 24 to, an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising and the regulation thereof.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 231—An act to amend section 36 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929', and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, Statutes 1931, Chapter 1020, page 2045, as amended, relating to the length of time that bonds issued under the provisions of that act may run to maturity.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 490—An act to amend the "American River Flood Control District Act," approved May 28, 1927, as amended, by adding a new section thereto to be numbered "Section 16a" relating to the issuance of refunding bonds at a lower interest rate in exchange for outstanding bonds of the district; and containing a provision declaring this act to be an emergency matter, stating the facts constituting such emergency and providing that this act shall take effect immediately upon its passage.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 854—An act to repeal certain sections of the Political Code herein specified, relating to cities and towns.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 898—An act to amend section 4 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to registered warrants.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 899—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended, by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district or flood control district.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 62—An act to amend sections 1, 1c, and 5 of, and to add sections 1e and 9.5 to, the State Narcotic Act, relating to habit forming, narcotic and other dangerous drugs and substances.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 98—An act to add section 1.4 to the State Narcotic Act, relating to habit-forming narcotic and other dangerous drugs and substances.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 55—An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately.

Committee Amendments to Senate Bill No. 55.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 26, of the printed bill, strike out the word "and", and insert in lieu thereof the following: "on".

Amendment No. 2.

On page 2, line 30, of the printed bill, after the word "bond.", insert the following paragraph:

"Whenever interest is paid as authorized in this section upon any bond which does not provide for penalties for delinquencies in the payment of principal and interest, then and in that event, when, at any subsequent time, any installment of principal is paid, such payment must be accompanied by the payment of interest upon such installment of principal at the rate named in the bond from the date when such payment of principal became due to the date of actual payment, and the amount of such interest so paid shall be paid to the holder of the bond at the time when he surrenders the coupon on the bond for the installment of principal so paid. In all cases in which the interest coupons attached to any such bond (that is to say, a bond which does not provide for penalties for delinquency in the payment of principal or interest) have heretofore been paid but there still remains for payment one or more installments of principal upon such bond, then, and in that event, from and after July 1, 1937, the provisions of this act shall only be applicable to such bonds if there shall be paid to the officer charged with the duty of receiving payment on account of such bond, interest at the rate named therein, on the amount of the unpaid principal from the date such principal became delinquent, to said first day of July, 1937, and after said date, by the payment of semiannual interest at the rate named in the bond, upon the amount of unpaid principal upon such bond, computed from said first day of July, 1937, or from the last date to which any such interest was paid, as the case may be. Such interest shall be paid on or before the first day of January and July respectively, and upon such payment the

provisions of this act shall be applicable to such bond until, but not beyond, the due date for the next payment of such interest, as hereinabove provided."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 989—An act to amend section 2.971 of the School Code, relating to election of boards of education.

Committee Amendments to Assembly Bill No. 989.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 2.971", and insert in lieu thereof the following: "sections 2.971 and 2.1040".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "election of".

Amendment No. 3.

On page 1 of the printed bill, following line 9, add the following:

"SEC. 2. Section 2.1040 of the School Code is hereby amended to read as follows:

2.1040. In every high school district formed and existing in an incorporated city or town, or in a single school district, the board of education or board of school trustees of the incorporated city or town or school district shall constitute the high school board, and shall have the management and control of the high school in said district unless otherwise provided in the charter governing any such city.

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 444—An act to amend section 1 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, as amended, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons.

Bill read second time, and ordered on third reading calendar.

Motion to Appoint Select Committee.

Mr. Pelletier moved that the Speaker appoint a Committee of Three to invite the Senate to join with the Assembly to hear the petition of a certain delegation

Substitute Motion.

Mr. Flint moved, as a substitute motion, that the Assembly refuse a hearing to Mr. Noble.

Demand for Previous Question.

Messrs Flint, Boyle, Reaves, Cunningham and Martin demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—Dilworth, and Hornblower—2.

The question being on the substitute motion by Mr. Flint.

The roll was called, and the substitute motion lost by the following vote:

AYES—Boyle, Breed, Flint, Hunt, Johnson, Mayo, and Sheehan—7.

NOES—Baynham, Beene, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59

Statement of Vote.

I wish to make the following statement in regard to the Robert Noble case introduced on the Assembly floor today.

I am not opposing the principles for which the followers of racketeering Robert Noble stand, but I do oppose such a man, whose character and record is not above reproach, being elected as a leader of a group who are deserving of consideration and adequate old age pensions. I wish to go on record, again stating that Robert Noble is not a person morally or mentally equipped to carry on or lead the principles set down by his followers.

GENE FLINT.

Amendment to Motion.

Mr. Maloney moved to amend the motion by Mr. Pelletier as follows: That the Assembly recess from the hour of three o'clock p.m., until three o'clock and thirty minutes p.m., this day, and that the delegation be allowed the use of the Assembly Chamber at that time.

Motion carried by the following vote:

AYES—Baynham, Boyle, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—44

NOES—Breed, Burns, Michael J., Dilworth, Garland, Glick, Johnson, King, Kuchel, Latham, Lyon, Mayo, Meehan, Miller, George P., Tenney, Welsh, Yorty, and Mr. Speaker—17.

The question being on the motion by Mr. Pelletier, as amended.

The roll was called, and the motion, as amended, carried by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Cunningham, Daley, Donihue, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, King, Kuchel, Latham, Lore, Lyon, Martin, Miller, George P., Patterson, Peek, Pelletier, Richie, Robertson, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—33

NOES—Baynham, Breed, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donnelly, Hornblower, Johnson, Levey, Maloney, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peyser, Reaves, Scudder, Sheehan, and Williamson—23.

Appointment of Select Committee.

Pursuant to the above motion by Mr. Pelletier, the Speaker appointed Messrs. Pelletier, Meehan and Maloney as such Select Committee.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 576—An act to amend sections 304 and 307 of the Vehicle Code, relating to operator's and chauffeur's licenses, and declaring the urgency hereof.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 576?

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, strike out the comma and the words: "and declaring the urgency hereof".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 576 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 576 ordered to enrollment.

Assembly Bill No. 1860—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 2, 5, 6, 7, 8, all relating to the composition, powers, government, and management of metropolitan water districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1860?

Amendment No. 1.

On page 2 of the printed bill, strike out line 41.

Amendment No. 2.

On page 3, line 17, of the printed bill, after the word "provided", insert a comma.

Amendment No. 3.

On page 10, line 7, of the printed bill, strike out the comma after the word "provided", and insert a comma after the word "that".

Amendment No. 4.

On page 10, line 23, of the printed bill, after the word "provided", insert a comma.

Amendment No. 5.

On page 10, line 29, of the printed bill, after the word "rates", insert the word "at".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1860 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1860 ordered to enrollment.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Continued.

On motion of Mr King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day.

Notices of Motion to Reconsider Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1052 was passed was continued until the next legislative day.

On motion of Mr. Field, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 516 was passed was continued until the next legislative day.

On motion of Mr. Heisinger, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 218 was refused passage was continued until the next legislative day.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 990 was refused passage was continued until the next legislative day.

Notice of Motion to Withdraw Assembly Bill No. 267 Waived.

Mr. Boyle waived his notice of motion to withdraw Assembly Bill No. 267 from the Committee on Oil Industries.

Third Reading of Assembly Bills.

Assembly Joint Resolution No. 39—Relative to memorializing the Congress of the United States to enact certain legislation concerning aviation.

Assembly Concurrent Resolution No. 39 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Walker, Weber, Welsh, Williamson, Yorty, and Mr Speaker—64

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 78—An act to amend section 479 of the Agricultural Code, relating to market milk.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—Peyser—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 862—An act to amend section 488 of the Agricultural Code, relating to Grade "A" milk.

Motion to Amend Assembly Bill No. 862.

Mr. Thorp moved to amend Assembly Bill No. 862 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "Grade B milk", and insert in lieu thereof the following: "milk".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 10 and 11, insert the following: "no two cows freshen within four consecutive months and which are found by any milk inspection service to comply fully with the remaining provisions of this division are exempt from such scoring requirements and from the use of labels".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 16 to 19, inclusive.

Amendments adopted.

Assembly Bill No 862 ordered to reprint, and re-engrossment

Assembly Bill No. 1936—An act to transfer the duties, powers, purposes, responsibilities, and jurisdiction of the Relief Commission and Relief Administrator to the Department of Social Welfare.

Urgency clause read and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1936 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Recess.

At three o'clock p.m., pursuant to a motion previously carried, the Speaker declared the Assembly at recess.

Reassembled.

At three o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Third Reading of Assembly Bills (Resumed).

Assembly Bill No. 1120—An act to amend section 552 of the Labor Code, relating to days of rest.

Motion to Amend Assembly Bill No. 1120.

Mr. Burns, Hugh M., moved to amend Assembly Bill No. 1120 as follows:

Amendment No. 1.

On page 1 of the printed bill, after line 13, add the following:

"(d) In the preparation and care of dead human bodies and transportation and care of the sick or injured; in the harvesting of agriculture products and the processing of perishable products."

Amendment read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dilworth, Field, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Leonard, Levey, Maloney, Mayo, McMurray, Millington, Morgan, Muldoon, O'Donnell, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, and Weber—39.

NOES—Call, Clark, Dawson, Domhue, Donnelly, Gilbert, Hawkins, Hunt, Johnson, King, Latham, Lore, Martin, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Richie, Tenney, Voigt, Welsh, Yorty, and Mr. Speaker—24.

Re-reference of Assembly Bill No. 1120.

On motion of Mr. Richie, Assembly Bill No. 1120 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

Assembly Bill No. 234—An act to amend section 24 of, and to add sections 24.1 to 24.5, inclusive, to the State Bar Act, relating to admissions to the State Bar.

Motion to Amend Assembly Bill No. 234.

Mr. Welsh moved to amend Assembly Bill No. 234 as follows.

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended in the Assembly March 19, 1937, strike out the word "the", and strike out all of lines 12 and 13, and insert in lieu thereof the following: "have reached the age of 25 years;".

Amendment adopted.

Assembly Bill No. 234 ordered to reprint, and re-engrossment.

Recess.

At four o'clock p.m., on motion of Mr. Thorp, the Assembly was declared at recess to allow Mr. Hoxie of California Agricultural College at Davis, to address the Assembly.

Reassembled.

At four o'clock and ten minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Third Reading of Senate Bills—(Out of Order).

Senate Bill No. 668—An act to amend section 1030 of the Political Code, relating to office hours.

Motion to Amend Senate Bill No. 668.

Mr. Burns, Hugh M., moved to amend Senate Bill No. 668 as follows.

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 11 to 16, inclusive.

Amendment adopted.

Senate Bill No. 668 ordered to reprint, and third reading calendar

Re-reference of Assembly Bills Nos. 1459 and 1119.

On motion of Mr. Richie, Assembly Bills Nos. 1459 and 1119 were withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2232—An act to amend section 1 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal

Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by the electors, November 4, 1924, relating to the State Athletic Commission.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Field, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—Cottrell, and Robertson—2.

Title read and approved. Bill ordered transmitted to the Senate

Hon. Wilbur F. Gilbert in the Chair.

At four o'clock and twenty minutes p.m., Hon. Wilbur F. Gilbert, member of the Assembly from the Fifty-Fourth District, in the chair.

Assembly Bill No. 241—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Motion to Amend Assembly Bill No. 241.

Mr. Patterson moved to amend Assembly Bill No. 241 as follows.

Amendment No. 1.

On page 1, line 23, of the printed bill, after the period, insert the following:

"'Agricultural employment' as that term is used in this act is defined to mean the planting, cultivation, harvesting, processing, and/or transportation from field, orchard or farm to cannery, dehydrator, packing house, shipping point, market, or warehouse, of agricultural products."

Amendment No. 2.

On page 2, line 2, of the printed bill, as amended, strike out "as a common carrier".

Amendments refused adoption by the following vote:

AYES—Beene, Burns, Michael J., Cassidy, Cottrell, Daley, Dilworth, Field, Garibaldi, Gilbert, Kepple, Kuchel, Latham, Lyon, Martin, Miller, Eleanor; Millington, O'Donnell, Stream, Walker, and Watson—20.

NOES—Burns, Hugh M., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donnelly, Gannon, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Weber, Welsh, Williamson, and Yorty—40.

Assembly Bill No. 241 read third time, and refused passage by the following vote:

AYES—Burns, Michael J., Cassidy, Clark, Dawson, Flint, Gilbert, Hawkins, Hornblower, Hunt, King, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peck, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Williamson, Yorty, and Mr. Speaker—28

NOES—Baynham, Beene, Boyle, Burns, Hugh M., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, and Welsh—45.

Notice of Motion to Reconsider Assembly Bill No. 241.

Mr. Patterson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 241 was this day refused passage.

Motion to Print Report in Journal.

On motion of Mr. Tenney, the following report of the Modesto Defendants Committee was ordered printed in the Journal.

MODESTO DEFENDANTS COMMITTEE REPORT

Mr. Speaker and Members of the Assembly

The committee appointed pursuant to an Assembly resolution passed in the Assembly January 21, 1937, for the purpose of investigating the conviction of certain men known as the "Modesto Defendants" and allegations of perjury and subornation of perjury connected therewith, reports as follows:

The committee met in the State Building in Los Angeles, California, on the tenth, eleventh and twelfth of February, 1937, and examined the following witnesses:

H. C. Magee.
Andrew D. Brown.
Edwin Myers.
William S. Briggs.
Harry Christoffsen.
Mrs. Hannah Briggs.
Herman Stuyvelaar.
James F. Scrudder.
D. O. Rice.
W. J. Gordon.
Glenn M. DeVore.

The transcript of testimony and all proceedings had in Los Angeles are contained in three volumes of 490 pages.

The committee met in the State Building in San Francisco, California, on the seventeenth, eighteenth, nineteenth and twentieth of February, 1937, and again on the twenty-fifth, twenty-sixth and twenty-seventh of February, 1937, and heard the following witnesses:

Ralph O. Marron.
Hugh Robertson.
George M. Healy.
Sidney DuBose.
William J. Quinn.
John A. Engler.
Harry J. Majors.
Sidney E. Lewis.
John Michael Sayers.
C. C. Nunnally.
Ellis G. Early.
H. B. Wright.
Herman Stuyvelaar.
Grattan Maddox Hogin.
John Sousa.
J. W. Irvine.
James P. Arnold.
Robert C. Johnston.
Bertram D. Robertson.
Arthur Quackenboss.
Glenn M. DeVore.
Leslie A. Cleary.
Charles W. Dullea.
Edward A. Harding.
George H. Page.

The committee met in San Quentin State Prison the afternoon of February 19, 1937, and heard the following witnesses:

Robert J. Fitzgerald.
Victor H. Johnson.
Reuel Stanfield.

The transcript of testimony and all proceedings had in San Francisco and in San Quentin State Prison are contained in three volumes of 1266 pages, making six volumes of testimony. (Testimony taken in Los Angeles will hereafter be designated as L. A. and testimony taken in San Francisco will be designated as S. F.)

In addition to questioning witnesses the committee examined the original statements made by the defendants and others to District Attorney Leslie A. Cleary of Stanislaus County early in the morning of April 21, 1935, and caused these statements to be set forth in the transcript. All available affidavits were examined and made part of the record. The testimony given by James F. Scrudder before the Stanislaus County grand jury May 10, 1935, was closely examined and the transcript made part of the record as Exhibit Number 4. Likewise the transcript of the testimony taken before the Stanislaus County grand jury January 28 and 29, 1937, was also closely examined and made part of the record. The committee listened to 14 or more of the Ediphone records reproducing a conversation between Mr. and Mrs. James F. Scrudder, Mr. and Mrs. William S. Briggs and H. C. Magee, made without the knowledge of Mr. and Mrs. Scrudder on the

evening of December 1, 1936. Many parts of the transcript taken from these recordings are set forth in the transcript of these proceedings.

The outstanding facts of the case may be briefly stated as follows:

In the Spring of 1935 a strike was in progress known as the "Tankers' Strike." On or about the tenth day of April, 1935, some dynamite was stolen from a quarry in Marin County. About six-thirty or seven o'clock on the evening of April 20, 1935, Grattan Hogin, sheriff of Stanislaus County, received a telephone call at his residence in Modesto from an official of the Standard Oil Company at Patterson that they had received word from San Francisco that some men were on their way to Patterson and that they feared trouble. These Standard Oil officials had the license number of a Nash car. Late that evening or early the morning of the twenty-first, Standard Oil guards stopped two cars, a Chrysler and a Nash, in which were 11 men. Six sticks of dynamite were found in the Chrysler. The men were taken to the county jail in Modesto. Six sticks of dynamite were found on the roadside the following morning, alleged to have been thrown from the Nash car before it was stopped.

Two of the men arrested, James F. Scrudder and Hal Marchant, revealed to Jack Sayers, special agent for the Standard Oil Company, that they were undercover men. Hal Marchant did not hesitate to state that he was in the employ of the Standard Oil Company. Scrudder's status was not made clear. These men were the chief witnesses for the prosecution, and although the defendants were indicted under five counts, they were found guilty of but one, reckless and malicious possession of dynamite. The jury recommended leniency.

On or about December 11, 1936, the substance of 18 Ediphone records was published purporting to be statements made by Scrudder and recorded without his knowledge in which he was alleged to have said that the Modesto Defendants had been framed; that he had perjured himself and that he had done so under intimidation of Standard Oil officials, District Attorney Leslie A. Cleary and Special Prosecutor Glenn M. DeVore.

The committee has carefully sifted all the testimony given by the witness in the trial court and has subpenaed and examined every available witness during the course of the investigation. Hal Marchant could not be found and it is believed that he is beyond the borders of the State. Neither George Brazelton (hereafter mentioned) nor his alleged wife, Helen, could be found. In the case of these witnesses the committee has had to rely on the transcript of the trial and upon statements made before District Attorney Leslie A. Cleary and before the county grand jury of Stanislaus County.

As a result of the investigation the committee finds as follows:

1. That without the testimony of Scrudder, now entirely discredited by his own confessions, Reuel Stanfield, Victor H. Johnson, Robert J. Fitzgerald, John Sousa, John Burrows, Henry Silva and Patsy Ciambrelli would not have been convicted on any count contained in the indictment, and the presumption of their innocence is fortified by the evidence before the committee.

It should be said in this connection that this finding casts no reflection on the Honorable Roy B. Maxey, judge of the superior court, who presided at the trial. The transcript of the trial shows and all parties thereto state that Judge Maxey heard the case in an honest and impartial manner. Likewise it should be stated that the jury that heard the case and brought back the verdict acted in good faith, honestly and intelligently. The basis of this miscarriage of justice is the perjury of the prosecution's chief witness, James F. Scrudder.

2. That James F. Scrudder perjured himself before the Stanislaus grand jury on the tenth day of May, 1935, at the trial of the defendants, before the Stanislaus grand jury January 28, 1937, and before this legislative committee. The committee's estimation of Scrudder may be summed up as follows: He is a cunning psycopathic liar with a complex for "detecting" and "snooping"; a megalomaniac who would sacrifice his brother or best friend to gratify his own ego; and an intriguing parasite who would betray his greatest benefactor in hope of greater rewards.

3. That Glenn M. De Vore, special prosecutor hired by the Standard Oil Company, was not guilty of subornation of perjury.

4. That there is no evidence to sustain charges of subornation of perjury on the part of Leslie A. Cleary, district attorney of Stanislaus County.

5. That the case should have been entitled THE PEOPLE OF THE STATE OF CALIFORNIA and THE STANDARD OIL COMPANY OF CALIFORNIA versus THE DEFENDANTS.

6. That there is strong evidence of what may be termed "a tacit conspiracy to frame" the defendants on the part of certain individuals, and particularly on the part of James F. Scrudder and Hal Marchant. This statement is not intended to convey the idea of an express agreement to "frame" the defendants, but rather a tacit agreement prompted by the zeal of hirelings to "produce" results for their employers.

The committee bases its findings as set forth above on the record and specifically on the following:

1. Reuel Stanfield, Victor H. Johnson, Robert J. Fitzgerald, John Sousa, John Burrows, Henry Silva and Patsy Ciambrelli were convicted in Modesto, California, under the third count of an indictment containing five counts. They were found guilty of the offense of reckless and malicious possession of dynamite and the verdict carried a recommendation for leniency. They were acquitted of the other four counts, which included conspiracy to injure property and persons by the use of explosives, conspiracy to injure persons by the use of blackjacks, etc., and the possession of blackjacks. All of these men are members of maritime unions, particularly of the Pacific Coast Marine Firemen, Oilers, Watertenders and Wipers Association. Both Reuel Stanfield and Victor H. Johnson were effective members of the striker's committee.

James F. Scrudder held a working permit in the San Francisco unit of the International Longshoremen's Association; the International Longshoremen's Association was not involved in the strike. He had gained a foothold in the I. L. A. while that organization was on strike, and had quit a well-paying job as a painter on the San Francisco Bridge in order to do so. He had done strike duty, going around in squad cars with "six and eight" men in a car; which picket-duty he declares "was fighting, going after nonunion men." (Page 45 at line 12, Stanislaus grand jury, May 10, 1935.)

On the afternoon of April 20, 1935, a man by the name of Donald W. Cobble notified some of the union men that he had a letter from his wife, who was a waitress in a hotel in Patterson, that strike breakers were being housed at a hotel in that town. It was Saturday and the men decided to organize a party, take a trip to Patterson, and investigate the situation. The Mohawk Tavern, located at the foot of Commercial Street near the Ferry Building, and adjacent to the Union Halls, was a usual meeting place for the men and the party was to start from there.

The evidence shows that the defendants were within the Mohawk Tavern eating and drinking. Two of the men were more or less intoxicated. Scrudder testified that Rodger had gone for the dynamite and that when he returned with the 12 sticks, caps and fuses, he (Scrudder) insisted that it be separated into two packages. The division was made, and the two packages were tightly wrapped in newspapers and one package placed in the Nash and one in the Chrysler. Scrudder testified that Buyle carried the package for the Chrysler across the street and placed it in the car.

Scrudder told District Attorney Leslie A. Cleary, the night of the arrest, that only Rodger, Buyle and possibly Marchant, had anything to do with dividing the dynamite. The rest of the defendants were inside the Mohawk Tavern when Buyle and Rodger split up the packages in the street and placed them in the cars. Scrudder told H. C. Magee and Mr. and Mrs. William Briggs (see Los Angeles Transcript) that only these three men and he knew that the dynamite was in the cars. He also stated to these people that the defendants were "framed" and that if he told the truth that they would go free. He told them that he would be willing to spend a year in jail if he could right the wrong that he had done.

In view of the fact that most men who are unfamiliar with the use of dynamite fear to come in contact with it, there is grave doubt that 11 men, and particularly seamen, would knowingly ride in a car containing dynamite. The fact that few of the men knew each other, and that none of them knew the entire group, should be considered. It appears incredible to the committee that total strangers (for the greatest part) should suddenly place such confidence in each other that, without misgivings, 11 of them should start out with dynamite to blow up a hotel.

The committee discredits Scrudder's affidavits and testimony that his statements to Mr. and Mrs. Briggs and to H. C. Magee, including those recorded on the Ediphone records without his knowledge, were made under "fear" and intimidation. This explanation is entirely discredited in view of Scrudder's original statement to District Attorney Cleary the night of the arrest, which corroborates many statements made by Scrudder to Mr. and Mrs. Briggs and H. C. Magee. In this statement Scrudder told Cleary that only Buyle and Rodger were present when the dynamite was separated into two packages. The committee listened to Ediphone records of the conversation recorded on the night of December 1, 1936, between Mr. and Mrs. Briggs, H. C. Magee and Mr. and Mrs. Scrudder, and the committee is convinced that the statements made by Scrudder were not made under the slightest fear or intimidation, but, on the contrary, were quite spontaneous, boastful, and for the most part prompted by his dissatisfaction with the poor rewards he had received for his services. Details, ranging in degree of significance, have been completely verified by the committee, many of which were not adduced at the trial. The committee is further convinced that Scrudder was more truthful in his statements to District Attorney Leslie A. Cleary and to Mr. and Mrs. William Briggs and H. C. Magee than at any other time. He did not tell the whole truth to District Attorney Cleary and he fell into vicious and malicious lies in his statements to the others. Most of these lies were prompted by his intense disappointment in receiving such poor rewards from the Standard Oil Company when he believed

that his perjured testimony was instrumental in breaking the strike, and, consequently were directed toward Attorney Glenn M. DeVore, District Attorney Cleary and the Standard Oil Company Special Agent, James P. Arnold.

There is good reason to believe, and the evidence, in part at least, supports the contention that Scrudder and George Brazelton induced Buyle and Rodger to steal the dynamite from Marin County; that Donald W. Cobble incited the union men to go to Patterson; that the seven defendants organized a picketing party for legitimate reconnoitering; that Scrudder induced Buyle and Rodger to take the dynamite with the picketing party; that the dynamite was divided and placed in the cars without the knowledge of these seven defendants and that they had no knowledge of its presence until they were arrested by the Standard Oil guards at Patterson.

2. The record does not raise any doubt of the guilt of Alphonse Buyle and John Rodger. The record, affidavits and transcript of the testimony taken at the trial does indicate, however, that both these misguided men were tools in the hands of James Scrudder and George Brazelton.

It is an established fact that Brazelton's alleged wife, Helen, accompanied the men to shield them from suspicion.

Scrudder admits an acquaintanceship and something of friendship with George Brazelton. It was George Brazelton that sponsored Scrudder for admission into the I. L. A.

George Brazelton and his alleged wife were never brought to trial, although they were secretly indicted by the Stanislaus grand jury.

A close scrutiny of Scrudder's testimony regarding the theft of the dynamite reveals an unusual knowledge of details. He testified that Brazelton merely told him that Buyle and Rodger had taken Brazelton's wife and had gone to Marin County to steal some dynamite. The following morning Scrudder testified that he asked Buyle about it and was able to tell Buyle that it was stolen from McNear's Point (See SF1071, line 8 and LA226, line 15). This fact, according to Scrudder, was not published in the papers until at least two days later.

3. To report all the lies and the perjuries of James Scrudder told in this case is a task too great for this committee to undertake. The following merely touches upon the mass of conflicting statements made by him, most of which were under oath.

An examination of his testimony before the Stanislaus County grand jury May 10, 1935 (page 49, beginning at line 24), will reveal that he told the grand jury that he was not a "detective"; that he was not a "detective" at any time; that he did not have "pay" from any "outfit" as an undercover agent. He told the committee that he was giving volunteer information to the San Francisco police department without compensation; "no salary at all." (L.A. 209 at line 5.) An examination of his statement to District Attorney Cleary on April 21, 1935, reveals that he was receiving $30 per week from Captain George M. Healy of the San Francisco police department that "Healy took up with oil companies" (Page S.F. 275 beginning at line 10.) This testimony is corroborated by Healy, Majors and James P. Arnold, head of the investigating division of the Standard Oil Company. Scrudder testified at the trial (page 1850 Trial Transcript) that he had told Cleary that he was an employee of the San Francisco police department. He lied again before the Stanislaus grand jury on January 28, 1937, when he stated: "I was not on the pay roll of the Standard Oil nor of the police department. What I was doing then was voluntarily. I was employed as a stevedore at the time." (Page 32, beginning at line 17 of the Transcript of Testimony taken before the Stanislaus grand jury January 28, 29, 1937.) He lied again (page 60, beginning at line 8 of the Transcript of Testimony taken before the Stanislaus grand jury January 28 and 29, 1937) when he stated that he did not expect to get "any pay of any sort, a job of any sort" or "anything" for his services.

When testifying before the Stanislaus grand jury on May 10, 1935, he made this statement: "I couldn't get ahold of any authorities there (at San Francisco) or I would have killed it. It had me worried." (Page 47 at line 5.) At the trial of the defendants in Modesto he gave this testimony: Q. Did you communicate with the police department at all before you left San Francisco? A. I did. Q. You did? A. Yes. Q. And who did you communicate with? A. Officer Harry Majors. (Page 1943 at line 20 of the Trial Transcript.) He also testified before the Stanislaus grand jury that a police "squad" car was in the alley near the Mohawk Tavern and that he walked down to investigate. A subpolice station was within a block and he left the Mohawk Tavern three times to telephone Majors.

4. There is nothing in the record to substantiate the charge made by Scrudder to Magee and Mr. and Mrs. Briggs that Glenn M. DeVore was guilty of subornation of perjury. The committee heard the Ediphone records of the conversation between Mr. and Mrs. Scrudder, Mr. and Mrs. William S. Briggs and H. C. Magee and heard Scrudder say that DeVore caused him to change his testimony. There is nothing in the record as gathered by the committee to substantiate this charge and the committee does not hesitate to report that any unsubstantiated and uncorroborated statement made by Scrudder should be viewed with caution and suspicion. The committee believes that Scrudder was disgruntled because of his poor treatment

at the hands of the Standard Oil Company and that he was seriously considering ways and means of bringing the company to terms. He stated that Marchant had received more money for his part of the affair than he had received, which statement is verified by James P. Arnold, and his ego was wounded. He also may have been suffering some human pangs of regret and remorse in regard to the defendants he had sent to prison and it may have been that he was willing to right the wrong he had committed, because, after all, he had gained so little for his pains. But his charge against Glenn M DeVore is not corroborated anywhere else in the record and for that reason the committee can not give credence to it.

The testimony does establish the fact, however, that Glenn M. DeVore was paid in excess of $14,000 by the Standard Oil Company to assist Leslie A. Cleary, the duly elected district attorney of Stanislaus County, in prosecuting the defendants. DeVore received expenses and $7,500 for the trial work and $6,500 plus expenses to resist the appeal of the defendants. All of this money was paid to him by the Standard Oil Company of California. As there is no law on the statute books of the State of California known to the members of the committee, which prohibits an attorney to act as special prosecutor and to accept pay from private corporations for such services, the committee reports that DeVore's conduct appears to have been ethical and professionally proper. The fact that DeVore was in continuous contact with Standard Oil officials during the trial is of little consequence in view of the above and in view of the fact that he was not representing the people of the State of California but was representing his client, the Standard Oil Company.

5. What is said above in regard to subornation of perjury on the part of Glenn M. DeVore is equally true in regard to subornation of perjury on the part of District Attorney Leslie A. Cleary. Although the conduct of Cleary in conferring daily with Standard Oil officials is open to criticism on the ground that he was a duly elected official of Stanislaus County and not an attorney for the oil company as was DeVore, there is nothing to substantiate Scrudder's charges of subornation of perjury. Although Scrudder's testimony changed quite often there is nothing to indicate that Leslie A. Cleary was forcing him to change it. Therefore we only have Scrudder's word that Cleary was guilty of subornation of perjury. And, as stated above, the allegations made by Scrudder that are unsubstantiated and uncorroborated are not entitled to credence.

Leslie A. Cleary is a man who believes that Communists are lurking behind every pillar and post and that "Red" armies are apt to materialize out of thin air at any minute to destroy the government. He believes that every activity on the part of organized labor to better their working and living conditions of working men is "subversive" and "un-American". He is burdened with the idea that every strike and every labor dispute is ordered and directed by Moscow. He thinks the present tendencies in government radical and very serious. The committee wishes to state that this finding is not reported in derogation of District Attorney Cleary, but, on the contrary, is stated in his defense. The committee believes that these convictions on the part of Mr. Cleary are sincere and honest and that they explain his unusual and extraordinary zeal in the prosecution of these defendants.

6. When an offense of such magnitude and seriousness as the reckless and malicious possession of dynamite is committed it should be prosecuted by law in the name of the people.

Although the tanker service of the Standard Oil Company suffered little from the strike, in the instant case the commitee finds that this private corporation hired Glenn M. DeVore as a special prosecutor to assist the duly elected district attorney of Stanislaus County in the prosecution of the defendants for such an offense. The Standard Oil Company, through its special agent, James P. Arnold, paid Attorney Glenn M. DeVore $7,500 for his services in prosecuting the defendants. But the company did not stop there. This corporation was not satisfied in convicting and sending these men to prison, but was concerned in keeping them there. So Glenn M. DeVore was paid an additional $6,500 by the company to resist the appeal of the defendants. In addition the company paid DeVore a considerable sum to cover his expenses during the trial and in connection with the appeal.

The committee finds that the Standard Oil Company paid the expenses of the chief witnesses at the trial and in addition thereto paid James F. Scrudder $650; Hal Marchant $1,320; George Brazelton $100 and Helen Brazelton $100. (S.F. 905.) In addition to this, the company furnished guards for Scrudder from the day the Stanislaus grand jury brought in its indictment of the defendants until the day the trial ended; paid the expenses, hotel bills and doctor bills for Mrs. Scrudder and gave Scrudder a job. It should be said in this connection that James Scrudder was virtually a prisoner of the Standard Oil Company during the interval he was given guards. (Ediphone records and testimony of Jack Sayers, San Francisco Transcript)

District Attorney Cleary and Glenn M DeVore were in constant consultation with Jack Sayers and James P. Arnold throughout the duration of the trial. Cleary was in constant touch with Sayers from the night the defendants were arrested. James P. Arnold and Jack Savers, Standard Oil officials, took up residence in Modesto during the trial and DeVore and Cleary went over the events of the trial with one or the other every evening. (S.F. 873 at line 10)

Arnold paid Cleary $208.50 which is explained by Cleary as a reimbursement for expenses incurred by him in bringing two court reporters from Portland to testify in the trial of the defendants at Modesto. (S.F. 1117 at line 10.) Why the Standard Oil Company should reimburse Stanislaus County is not explained.

It is from these well-corroborated facts and others too numerous to mention, that the committee concluded that the prosecution of the defendants was actually carried on by the Standard Oil Company and not the people of the State of California.

7. While direct evidence is lacking to prove an express "frameup" of these defendants, there is abundant evidence of what may be termed a tacit conspiracy to "frame" them. The committee looks upon the following facts as highly significant:

James P. Arnold, chief special agent for the Standard Oil Company, stationed in San Francisco, was the directing head of strike-breaking activities for what was known as the "Six Oil Company's Tanker Committee." (S.F. 858 at line 26.)

Jack Sayers, special agent, working under orders of Arnold, moved his strike breakers and guards from San Luis Obispo to Fairfield (or Fairtax) and finally came to rest in Patterson on or about April 1, 1935.

Hal Marchant was hired by Arnold as an undercover operator on or about the sixth day of April, 1935. (S.F. 855 at line 7.) Arrangements had previously been made for the employment of Marchant. He was sent to Arnold by a Mr. Bacon and a Mr. O'Dale of the Red detail or Communist detail of the Portland police department. (Trial Transcript, page 2308, beginning at line 12.) From the day of his meeting Arnold, he made a report daily. His testimony at the trial of the Modesto defendants indicates that he was engaged in strike-breaking activities in Portland and that he had been instrumental on one occasion, at least, in attempting to incite labor men to violence during a strike. While serving Mr Arnold, he was also a delegate to the Joint Tanker Strike Committee from the Sailors' Union in Portland. Marchant received his expenses and an allowance from the union.

Scrudder was employed by the San Francisco police department on or about the same date and his salary of $30 per week was paid by Arnold (S.F. 919 at line 21. Compare S F 906 at line 13), although no one admits it except Arnold. That Scrudder knew of the arrangement is evidenced by his remark to Cleary the night of the arrest when he said "Healy took up with oil companies" mentioning the sum of $30. (S.F. 275 at line 10.) He was given a list of names by Captain Healy "to look these guys up." (Statement to District Attorney Cleary April 21, 1935. S.F. 286 at line 16.) (See Healy's denial S.F. 1099.)

George Brazelton and Scrudder were friends Brazelton knew Rodger and Buyle. He "loaned" his "wife" to these two men the night they stole the dynamite.

Donald W. Cobble was apparently an undercover man planted in San Francisco for the purpose of sending the defendants out of the county. (S F. 801 at line 6.) Marchant told Cleary the night of the arrest. (S.F. 801 at line 6.) "* * * the way it looked to me it was a trap from the start, and I will tell you the reason why I made that observation was the fact that this informer (Cobble) in San Francisco * * *" "* * * and I formed the conclusion right there that it was a trap, you know, to get these fellows, see * * *". It was Cobble who informed the union man that his wife, who was supposed to be employed as a waitress in the hotel in Patterson, had written him that strike breakers were being housed in Patterson, which led the men to take the trip to investigate, but not to blow up a hotel where the wife of one of their supposed friends might be living and working.

The committee recognizes the fact that Marchant's statements in respect to Cobble are not corroborated by other evidence, upon which conclusions may be drawn that there was an express "frameup", rather than what the committee has termed a "tacit conspiracy to frame". Cobble was a witness for the State at the trial in Modesto Mr. Arnold guaranteed payment of Cobble's expenses. (Trial Transcript, pages 3467-2474).

The committee finds that Scrudder had his car overhauled at a time, when under the circumstances, he could hardly afford it. He was quite insistent that he not be left out of any "trip" or "party" and was careful to inform the men that his car was available for picket duty or anything else. He had done strike duty before and had gone out with six and eight men in what he termed "squad cars" "fighting, going after nonunion men." He had attempted to incite the men to violence before. (Statement to Cleary the night of the arrest.) He told Cleary that he had said to Buyle. "Listen, Boele, the car is at your disposal, we ought to get some things around this town."

The committee finds that Scrudder could have notified the police before leaving San Francisco and should have done so; but that he was more interested in 'producing" for his employers. He testified that a police "squad" car was in the alley and that he went down to investigate. (Testimony taken before the grand jury of Stanislaus County, May 10, 1935, page 28 at line 3.)

The committee believes that there is a greater significance in many of Scrudder's statements than appear on the surface. The night of the arrest, he said to District Attorney Leslie A. Cleary "If you had another car tonight, we probably would have got another load." (S.F. 277 at line 25.)

The committee was unable to definitely determine how information actually got from San Francisco to Patterson that the union men were on the way down. There are many broken links in the series of telephone calls that are alleged to have

originated with Scrudder and ended in the sheriff's office in Modesto The committee feels that these broken links are important and that the lack of explanation is significant.

Scrudder testified that he called Harry Majors, the evening of the twentieth of April, 1935. (L A. 248 at line 13; L.A. 249 at line 21.) Majors testified that Scrudder called him and told him that two cars were going to Patterson with "the stuff" and that he (Majors) then called Captain Healy. Healy testified that Majors called him and told him that the men were on their way to Patterson with dynamite. (S.F. 1,100 at line 17.) He further testified that he then called the sheriff's office in Modesto. (S F. 1100 at line 19) Sheriff Hogin of Stanislaus County testified that either Jack Sayers or a Robertson, both employees of the Standard Oil Company, called him from Patterson and that the word dynamite was not mentioned. (S.F. 662 at line 26.) He was told that word had been received *from San Francisco that a "car had left San Francisco loaded with men,* apparently coming to Patterson." (S.F. 665 at line 18.) Bertram D. Robertson testified that he received a telephone call from Arthur Quackenboss, a member of the Tanker's Committee, in San Francisco. He testified that Quackenboss told him that he (Quackenboss) had just received a call from the San Francisco police department that two cars containing a "beef squad" were on the way to Patterson. (S.F. 1003 at line 26.) Robertson then called Sheriff Hogin. (S.F. 1005 at line 5.) Quackenboss testified that someone in the San Francisco police department called him and told him to notify Modesto that some of the boys were on the way down. (S.F. 1088 at line 2.) He then called Robertson at Modesto. (S.F. 1088 at line 15.) It was either Majors of the San Francisco police department that called Quackenboss. or someone in Major's office. (S F. 1091 at line 25) Healy testified that Majors called him and told him the men were on the way with dynamite. (S F. 1100 at line 18) Healy then called the sheriff's office in Modesto. (S F. 1100 at line 21.) Healy testified: "I told them that I had received information that there were two carloads of men on their way to Patterson with some dynamite" (S F. 1100 at line 25.) Majors testified that he did not call anyone other than Healy. (S.F. 1143 at line 24) Who was it then, that called Quackenboss? Majors was quite positive that no one from his office could have called Quackenboss. (S.F. 1146 at line 23) The records of the telephone company do not reveal a single telephone call from the San Francisco police department to Modesto on the twentieth of April, 1935. Did Healy actually call the sheriff's office in Modesto? If he did, to whom did he deliver his message? If someone called Quackenboss from the San Francisco police department, who was it? Did Marchant contact Arnold, or perhaps call Quackenboss on the telephone? Did the Standard Oil officials have knowledge that the cars were coming to Patterson early in the afternoon of April 20, 1935, and that dynamite would be discovered in them?

These are only a few of the questions the committee were unable to have satisfactorily answered and the committee reports them as significant because, under ordinary circumstances, they should be easy to answer

The committee makes the following recommendations:

1. That a full and complete pardon for Ruel Stanfield, Victor H. Johnson, Robert J. Fitzgerald, John Sousa, John Burrows, Henry Silva and Patsy Ciambrelli be granted, because their legal presumption of innocence obtains in view of Scrudder's confession and discredited testimony.

2. The enactment of a law prohibiting private corporations from defraying expenses of public prosecutions, or furnishing special counsel to assist in criminal prosecutions.

3 The enactment of a law prohibiting district attorneys, city attorneys and all public prosecutors from accepting financial aid, either directly or indirectly, from private corporations in the prosecution of a public offense.

4. Legislation making it mandatory upon the trial judge in a criminal case arising out of, or involving, labor disputes to instruct the jury that the testimony of any witness appearing to be a "stool pigeon" or undercover operator must be received with suspicion and caution

5. The enactment of such legislation as may be necessary to authorize the employment of special assistants to district attorneys in the prosecution of cases where such assistance is reasonably necessary for the prosecution of any particular case.

6. The enactment of legislation prohibiting district attorneys, city attorneys and all other public prosecutors from conferring and consulting with private corporation officials, other than witnesses to be called in trial, in all public offenses involving labor disputes or arising out of labor disputes.

7. The enactment of legislation providing that all private guards employed by private corporations shall be deputized in the county where they are employed and that their authority shall extend only to the physical limits of the property they are hired to guard.

JACK B. TENNEY, Chairman.
SAMUEL WILLIAM YORTY.
PAUL A. RICHIE.

Announcement by Minority Members of Committee.

Mr. Millington announced that a report by himself and Mr. Redwine, representing the minority members, would be filed within the next three or four days.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 65—An act to amend the "Retail Sales Tax Act of 1933," relating to definitions and exemptions.

Motion to Amend Assembly Bill No. 65.

Mr. Hunt moved to amend Assembly Bill No 65 as follows:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, as amended, strike out "amend sections 2, 3 and 5 of", and insert in lieu thereof the following: "add section 5a to".

Amendment No. 2.

On page 1 of the printed bill as amended, strike out line 3 of the title, and insert in lieu thereof the following: "to".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 27, inclusive; on page 2, strike out lines 1 to 52, inclusive; and on page 3, strike out lines 1 to 46, inclusive, and insert in lieu thereof the following:

"Section 1. Section 5a is hereby added to the Retail Sales Tax Act of 1933 to read as follows:

Sec. 5a. There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act the gross receipts from the sale of food products for human consumption, regardless of whether such food products are furnished, prepared, or served for consumption on the premises where sold, or otherwise. "Food products" as used herein includes cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery. "Food products" does not include spirituous, malt or vinous liquors, soft drinks, sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith.

The provisions of this section shall supersede any provisions of section 5 hereof which are in conflict herewith."

Amendment No. 4.

On page 3, line 47, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "2".

Amendment No. 5.

On page 3, line 49, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "3".

Amendments adopted.

Request for Unanimous Consent.

Mr. Hunt asked for, and was granted, unanimous consent to take up Assembly Bill No. 65, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 65, as Amended.

Assembly Bill No. 65—An act to amend the "Retail Sales Tax Act of 1933," relating to definitions and exemptions.

Assembly Bill No. 65, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—Breed, Burns, Hugh M., Call, Dilworth, Garibaldi, Garland, Johnson, Morgan, Muldoon, and Stream—10.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 65.

Mr. Scudder gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 65 was this day passed.

Assembly Bill No. 1339—An act to amend section 26½ of the "Retail Sales Tax Act of 1933," relating to the preference of claims for personal services over claims for sales tax.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 38.
Assembly Constitutional Amendment No. 48.
Assembly Bill No. 490.
Assembly Bill No. 491.
Assembly Bill No. 786.
Assembly Bill No. 1285.
Assembly Bill No. 1455.
Assembly Bill No. 1569.
Assembly Bill No. 2092.
Assembly Bill No. 2340.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 72.
Assembly Bill No. 427.
Assembly Bill No. 506.
Assembly Bill No. 1370.
Assembly Bill No. 1906.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Manufactures.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Manufacturers, to which was referred:

Assembly Bill No. 395.
Assembly Bill No. 1334.

Respectfully reports the same back with the recommendation: Do pass.

DALEY, Chairman.

The above reported bills ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 814.
Assembly Bill No. 939.
Assembly Bill No. 2170.
Assembly Bill No. 2204.
Assembly Bill No. 2562.
Assembly Bill No. 2647.

Respectfully reports the same back with the recommendation: Do pass.

FLINT, Chairman.

The above reported bills ordered on second reading calendar.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1937.

MR SPEAKER: Your Committee on Building and Construction, to which was referred:

Senate Bill No. 524.

Respectfully reports the same back with the recommendation: Do pass.

TENNEY, Chairman.

The above reported bill ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 262.
Assembly Bill No. 2316.
Senate Bill No. 869.

Respectfully reports the same back with the recommendation: Do pass.

BOYLE, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred.

Assembly Bill No. 68.
Assembly Bill No. 1378.

Respectfully reports the same back without recommendation, as amended

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred.

Assembly Bill No. 1761.
Assembly Bill No. 1908.

Respectfully reports the same back with the recommendation: Do pass as amended

BOYLE, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Senate Bill No. 721.

Respectfully reports the same back with the recommendation. Do pass.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 2336. **Senate Bill No. 207.**
Assembly Bill No. 2702. **Senate Bill No. 212.**
Senate Bill No. 196.

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred

Assembly Bill No. 1766.

Respectfully reports the same back with the recommendation Do pass as amended

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 2815.
Senate Bill No. 408.
Senate Bill No. 656.

Respectfully reports the same back with the recommendation Do pass

HORNBLOWER, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 1011.

Respectfully reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

HORNBLOWER, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 427 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1455 re-referred to Committee on Oil Industries.

Assembly Constitutional Amendment No. 38 re-referred to Committee on Constitutional Amendments.

Reconsideration of Assembly Bill No. 2826.

In compliance with a notice given on a previous day, Mr. Robertson moved that the vote whereby Assembly Bill No. 2826 was passed be reconsidered.

The roll was called, and Assembly Bill No. 2826 refused reconsideration by the following vote:

AYES—Baynham, Boyle, Clark, Daley, Desmond, Donihue, Fulcher, Garland, Gilbert, Hunt, Johnson, Kepple, King, Kuchel, Lore, Muldoon, O'Donnell, Peek, Redwine, Richie, Robertson, Tenney, Watson, and Yorty—24.

NOES—Beene, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Patterson, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Stream, Voigt, Walker, Weber, and Williamson—40.

Assembly Bill No. 2826 ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2730—An act to amend section 104 of the Bank Act, relating to participation certificates.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At five o'clock and five mintues p m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 1647—An act to amend section 135d of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Red-

wine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Special Order Set for Assembly Bill No. 2090.

On motion of Mr. O'Donnell, the consideration of Assembly Bill No. 2090 was made a special order of business for Thursday, April 15, 1937, at two o'clock and thirty minutes p.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1624—An act to amend section 3 220 of the School Code, relating to the system of public instruction.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1139—An act to amend section 10½ of the Optometry Law, relating to the unlawful practice of optometry.

Bill read third time.

Demand for Previous Question.

Messrs. Voigt, Reaves, Flint, Morgan and Hunt demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1139.

The roll was called, and Assembly Bill No. 1139 passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Leonard, Levey, Lore, Lyon, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—57.

NOES—Call, Crowley, Dawson, Hornblower, Maloney, Mayo, Meehan, Richie, Sheehan, and Stream—10.

Title read and approved. Bill ordered transmitted to the Senate.

Motion for Temporary Suspension of Rules.

Mr. Hunt moved that the Rules be temporarily suspended for the consideration of the notice by Mr. Scudder to reconsider Assembly Bill No. 65, at this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Dawson, Donnelly, Flint, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, King, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Patterson, Pelletier, Richie, Rosenthal, Sheehan, Tenney, Voigt, Yorty, and Mr. Speaker—30.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Johnson, Kepple, Lyon, Martin, Miller, Eleanor, Morgan, Muldoon, Peek, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Watson, and Weber—37.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Beene:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Santa Clara.

Referred to Committee on Introduction of Bills.

By Mr. Morgan (By request):

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to create a Commission to Study Existing Public and Private Arboreta and Botanic Gardens and make recommendations for the establishment of a publicly owned arboretum and botanic garden, and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

By Mr. Latham:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to authorize municipal corporations to abandon parks and sell and convey the land embraced therein.

Referred to Committee on Introduction of Bills.

By Mr Hornblower:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately."

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR SPEAKER: Your Committee on Introduction of Bills to which were referred the following bills herewith returns the same with the recommendation that the authors be permitted to introduce them:

By Mr. Beene:

An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Santa Clara.

By Mr. Latham:

An act to authorize municipal corporations to abandon parks and sell and convey the land embraced therein.

By Mr. Morgan (by request):

An act to create a Commission to Study Existing Public and Private Arboreta and Botanic Gardens and make recommendations for the establishment of a public owned arboretum and botanic garden, and making an appropriation therefor

By Mr. Hornblower.

An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly,

Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—66.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2842: By Mr Beene—An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Santa Clara.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Bill No. 2843: By Mr. Morgan (By request)—An act to create a Commission to Study Existing Public and Private Arboreta and Botanic Gardens and make recommendations for the establishment of a publicly owned arboretum and botanic garden, and making appropriation therefor.

Bill read first time, and referred to Committee on State Grounds and Parks.

Assembly Bill No. 2844: By Mr. Latham—An act to authorize municipal corporations to abandon parks and sell and convey the land embraced therein.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2845: By Mr. Hornblower—An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Commerce and Navigation.

Assembly Joint Resolution No. 40: By Mrs. Daley—Relative to memorializing Congress to pass the proposed General Welfare Act of 1937, embodying the principles of the Townsend Plan for relieving the distress of the aged, providing jobs for the young and middle-aged, and placing relief on a "pay-as-you-go" basis.

Introduced, and referred to Committee on Federal Relations.

Assembly Constitutional Amendment No. 55: By Mr. Clark—Proposed amendment to Article VI, of the Constitution, by adding section 22 thereto, relative to superior court officers and attaches.

Introduced, and referred to Committee on Constitutional Amendments.

Third Reading of Senate Bills—(Out of Order).

Senate Bill No. 799—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5 1121, 5 1122, 5.1132, 5 1135, 5 1136, 5 1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered 5.1139 to the School Code.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Senate Bill No. 799 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By Mr. Patterson:

House Resolution No. 134.

Resolved: That this Assembly empower the Social Welfare Committee, or any member thereof, to subpena witnesses to appear before it to submit testimony, and the committee shall be empowered to administer and take oaths.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up House Resolution No. 134, at this time, without reference to committee or calendar.

House Resolution No. 134 read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Call, Cassidy, Clark, Daley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr Speaker—51.

NOES—Cottrell, Dilworth, Field, Glick, Lore, Muldoon, Robertson, and Scudder—8

Request for Additional Printing of Report.

Mr Tenney requested that 500 copies of the Report of the Modesto Defendants Case be printed as a separate document.

Request referred to the Committee on Rules

Notices of Motion to Reconsider Continued.

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 628 was refused passage was continued until the next legislative day.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 276 was passed was continued until the next legislative day.

On motion of Mr. Voigt, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1094 was passed was continued until the next legislative day.

Adjournment.

At five o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Thursday, April 15, 1937.

DAVID V OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FIRST LEGISLATIVE DAY
ONE HUNDRED SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 15, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Colwin, Cronin, Crowley Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Laughlin, the further reading of the Journal of Wednesday, April 14, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Cottrell, on motion of Mr. Beene.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs Howard Griswold, Fredonia, New York; Mr. Ray E. Untereiner, Pasadena; and Mrs. Leo E. Sievert, San Marino.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. L. E. Coggins, and Judge Jacob Harder of Hayward.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Colusa County High School Boys Senate: Robert McNary, Colusa; David McNary,

Colusa; Laurence Yates, Colusa; Harold Yates, Colusa; James Harbison, Colusa; John Bisho, Colusa; Robert Caldwell, Colusa; Virgil Lee, Princeton; George Hansen, Princeton; George Anthony, Princeton; Lawrence Prindle, Princeton; Edward Gellis, Princeton; and Franklin Braithwaite.

On request of Messrs. Johnson and Dannenbrink, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to members of the Civic Cooperation Committee of the Berkeley Women's City Club: Councilwoman Carrie L. Hoyt, Chairman; Mrs. Edward N. Ament, Mrs. Mabel Jensen, Mrs. J. C. Green, Mrs. Matthew Morton, Jr., Mrs. Hollis R. Thompson, Estelle Nace, Mrs. M. Krunich, Mrs. W. H. Cochran, Mrs. E. M. Cameron, Mrs. Salisbury, Mrs. Frank H. Stackpole, Mrs. Fannie McIntosh, Mrs. Inez Rice, Mrs. C. Morgan Smith, Mrs. F. H Raybourne, Mrs. Wherlie, Mrs. M. Egan, Mrs. V. Cowell, Mrs. S. J. Jeffries, Mrs. W. Parney, Mrs. J. Johnston, Miss Louise Conger, Miss Thomas, and Mrs. Kate Henry of Newcastle; and Mr. Frank H. Stackpole.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Isabelle Compton Jackson, teacher, and the following pupils of Florin West School: Joanne Wisner, Inez Laws, Ruby Rau, Betty Haight, Dorotha Lyon, Alva Mae Bashaw, Virginia Eck, Irene Sibley, Bernice Kern, Donald French, Billy Braziel, Sam Cassieri, Sam Bacchini, Joe Vasquez, Joe Lopez, Gerald Nichols, Johnie Silveria, Carl Winthers, James Jackson, Marvin Silveria, Donald Butler, Ted Stewart, Edward Eck, Clifford Weatherbee and Billy Francisco; and Mrs. Jackson, Mrs. Butler, Mrs. French, and Mrs. Bahlhorn.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. E. Hinshaw, Mayor of Signal Hill.

On request of Mr. Peek, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. P. Mulholland, City Attorney of Signal Hill.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Julia Kelly of San Diego.

Assistant Chief Clerk Greenburg Reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 14, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No. 1276.	Assembly Bill No. 1706.
Assembly Bill No. 2270.	Assembly Bill No. 1705.
Assembly Bill No. 1391.	Assembly Bill No. 211.
Assembly Bill No. 1140.	Assembly Bill No. 1063.
Assembly Bill No. 10.	Assembly Bill No. 132.
Assembly Bill No. 1574.	Assembly Bill No. 2445.
Assembly Bill No. 305.	Assembly Bill No. 2446.
Assembly Bill No. 2356.	Assembly Bill No. 2444.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1211. **Assembly Bill No. 1915.**
Assembly Bill No. 1861. **Assembly Bill No. 1925.**

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on *this day passed the following:*

Senate Bill No. 576—An act to amend section 2924½ of the Civil Code and section 580b of the Code of Civil Procedure, relating to deficiency judgments;

Senate Bill No. 573—An act to add two new sections to be numbered 2953 and 2954 to the Civil Code, relating to debts secured by mortgages, trust deeds or other hypothecation of real property.

Senate Bill No. 285—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to acquire, sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the acquisition, production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect;

Senate Bill No. 931—An act to amend section 1270, and to repeal sections 1271, 1271.5 and 1272 of the Fish and Game Code, relating to deer.

Senate Bill No. 54—An act to add section 4506 to the Political Code, to repeal certain acts superseded by the Political Code and the Code of Civil Procedure, all relating to courts of justice and various officers connected therewith;

Senate Bill No. 349—An act to amend section 193 of the Penal Code, relating to the penalty for the crime of manslaughter;

Senate Bill No. 928—An act to add section 12805 to the Fish and Game Code, relating to deer tag license.

Senate Concurrent Resolution No. 24—Relative to honoring Captain Charles M. Weber, pioneer.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 576 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 573 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 285 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No 931 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 54 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 349 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 928 read first time, and referred to Committee on Fish and Game.

Senate Concurrent Resolution No. 24 referred to Committee on Rules.

Second Reading of Assembly Bills.

Assembly Bill No. 2831—An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the several counties and districts as defined herein, of the State of California, consisting of retirement compensation and death benefits.

Committee Amendments to Assembly Bill No. 2831.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, after the word "value", strike out the following: "to the principal sum".

Amendment No. 2.

On page 2, line 21, of the printed bill, strike out the word "section", and insert in lieu thereof the following: "sections 49 and".

Amendment No. 3.

On page 2, line 45, of the printed bill, after the word "annually", insert the following: "on December 31st".

Amendment No. 4.

On page 3, line 15, of the printed bill, after the word "person", strike out the following: "in the employ of", and insert in lieu thereof the following: "by".

Amendment No. 5.

On page 3, line 17, of the printed bill, strike out the following: "in such county".

Amendment No. 6.

On page 3, line 18, of the printed bill, strike out the word "actual".

Amendment No. 7.

On page 4, line 35, of the printed bill, strike out the period, and insert in lieu thereof the following: "at the commencement of each term of office for which he is elected or reelected."

Amendment No. 8.

On page 6, line 49, of the printed bill, after the word "the", insert the following: "rate of interest, the".

Amendment No. 9.

On page 7, line 3, of the printed bill, after the word "the", insert the following: "rate of interest, the".

Amendment No. 10.

On page 7, line 6, of the printed bill, after the word "fix", insert the following "the rate of interest, the".

Amendment No. 11.

On page 8 of the printed bill, between lines 21 and 22, insert the following: "(4) Pension reserve."

Amendment No. 12.

On page 8, line 22, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "5".

Amendment No. 13.

On page 8, line 23, of the printed bill, strike out the following: "(5) Death benefit reserve."

Amendment No. 14.

On page 9, line 7, of the printed bill, strike out "There", and insert in lieu thereof the following: "Regular interest"; and after the word "semiannually", insert the following: "on June 30th and December 31st".

Amendment No. 15.

On page 9, line 8, of the printed bill, strike out the word "held", and strike out the comma and the remainder of said line, and insert in lieu thereof the following: "to the credit of each member which has been on deposit for six months immediately prior to such date."

Amendment No. 16.

On page 9, line 9, of the printed bill, strike out the following: "3½ per cent compounded annually."

Amendment No. 17.

On page 13, line 40, of the printed bill, strike out the following: "the rate of".

Amendment No. 18.

On page 13, line 41, of the printed bill, strike out the word "is", and insert in lieu thereof the following: "can be".

Amendment No. 19.

On page 15, line 49, of the printed bill, strike out the figures "137", and insert in lieu thereof the figures "144".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2353—An act to amend section 13 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle," approved May 15, 1933, relating to the disposition of moneys received under said act.

Committee Amendment to Assembly Bill No. 2353.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 4, of the printed bill, after the period, insert the following: "The moneys so transferred to the State highway fund shall be used exclusively for the repair, or reconstruction of, or additions to those bridges which have been posted for less than legal speeds or weights under the provisions of sections 516 and 715 of the Vehicle Code."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 863—An act to amend section 482 of the Agricultural Code, relating to market milk.

Committee Amendments to Assembly Bill No. 863.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, in the title of the printed bill, strike out "Section 482", and insert in lieu thereof "Sections 482, 630, 631 and 691".

Amendment No. 2.

On page 1 of the printed bill, after line 7, insert the following:

"630. (a) Persons who test milk or cream, purchased, received or sold on the basis of milk fat contained therein must hold a tester's license. Methods or processes of testing must be approved by the department. A separate license is required for each method or process used by any one person.

(b) Persons, other than licensed testers, who take samples of milk or cream purchased, received or sold on the basis of milk fat contained therein, on which sample tests are to be made as a basis of payment, and all persons who weigh milk or cream, the weight to be used as a basis of payment must hold a sampler's and weigher's license. When one person does both sampling and weighing only one license is required. In cases of emergency a person may weigh or sample for a period not exceeding one week, without a license. Any person who takes samples of milk or cream for testing shall hold the same in an unchanged condition until delivered to a licensed tester.

(c) Persons who make bacteriological determinations of milk or cream to be used as a basis of payment or determining value must hold a technician's license.

(d) Persons who pasteurize milk, cream, ice milk mix and sherbert mix, ice cream mix, must first obtain a pasteurizer's license from the State Department of Agriculture.

631. Applications for tester's, sampler's and weigher's, technician's or pasteurizer's licenses shall be made to the department which shall examine each applicant for the license applied for as to his qualifications and knowledge of the law applicable to him.

The original fee for such licenses is:

(a) For a tester's license, five dollars.

(b) For a sampler's and weigher's license, one dollar.

(c) For a technician's license, five dollars.

(d) For a pasteurizer's license, five dollars.

All such licenses expire on the thirty-first day of each December and may be renewed within 30 days prior to the expiration thereof upon payment of a fee of one dollar if the licensee has complied with all the requirements of the law and rules and regulations applicable to him.

691. A dairy is insanitary in the following cases:

(a) If the pails, cans, bottles or other containers for milk or its products, or the strainers, coolers or other utensils, appliances, apparatus or equipment coming in contact with the milk or its products are not sound, smooth, free from rust or open seams or are not thoroughly washed and afterwards sterilized by exposing them to water or water vapor at a temperature above 170 degrees Fahrenheit for a period of at least 15 minutes, or by boiling water or by superheated steam each time the same are used; or if the containers, utensils, appliances or equipment after sterilization are not adequately dried and protected from flies and dust and other contamination; or if any containers, utensils, appliances or equipment are used for any purpose other than that of handling milk or the products of milk.

(b) If the udders, flanks, hind legs and tails of cows are not reasonably clean during milking.

(c) If the milk or cream is not protected from contamination by dust and flies.

(d) If the person or wearing apparel of the dairyman, his employees or other persons who handle the milk or its products are soiled or not washed with reasonable frequency, or if the hands of milkers are not clean during the entire period of milking.

(e) If the milk or cream is not cooled to as low a temperature as practicable within one hour after it is drawn from the cows, and kept as cool as conditions will permit until delivery to the plant or consumer.

(f) If a suitable milk house or room, properly screened to exclude flies and insects is not provided and maintained for the separating, cooling, mixing, canning and keeping, or otherwise caring for the milk or cream. Said milk house or room shall not be located in or be a part of any dwelling house, barn, or poultry house, and shall not be used for any other purpose; and if any milk or cream is separated, cooled, mixed, canned or kept in any room or place which is occupied by any person as a sleeping or living apartment, or occupied by fowls, or animals.

(g) If any urinal, privy vault, open cesspool, pig pen, stagnant water, accumulation of manure or other filth is permitted within 100 feet of the milk house or room, or within 50 feet of any cow stables, or stanchions or other place where milking is done.

(h) If to the interior of cattle stables, barns, milking sheds, milk house or room, an application of lime whitewash or paint is not made, if in the judgment of an authorized inspector it is needed.

(i) If the walls become soiled with manure, urine or other filth.

(j) If the yards or enclosures are filthy or insanitary, or if any part of such yards or inclosures, other than pastures, are made the depositories of manure in heaps or otherwise, where it is allowed to ferment and decay.

(k) If the water supply for use around the dairy or for drinking by live stock is stagnant, polluted with manure, urine drainage, decaying vegetable or animal matter or pathogenic bacteria from any source.

(l) If the feed is spoiled, or otherwise unfit for feeding cows for the production of milk."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2229—An act to provide a Code of Procedures to be followed in the administration and control of the financial operations and transactions of the State.

Committee Amendments to Assembly Bill No. 2229.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title thereof, and insert in lieu thereof the following:

"An act to enact a Fiscal Code relating to State revenue, taxes, moneys and property, and the collection, acquisition, disposition, administration, supervision, management, control and use thereof and budgeting, auditing, accounting and reporting with respect thereto."

Amendment No. 2.

On page 1, line 6, of the printed bill, after the word "context", strike out the colon, and add the following: "the following words shall have the following meanings:".

Amendment No. 3.

On page 1 of the printed bill, strike out line 14, and insert in lieu thereof the following:

"(c) "Executive Budget" means the recommendations of the Governor to the Legislature, as to the financial plans, including expenditures, to be authorized, with the accompanying statements and explanations, prepared as provided herein.

(c1) "Departmental Budget" means a budget prepared and submitted by each State officer or agency to the Department of Finance.

(c2) "State Budget" means a budget prepared for each fiscal year by the Direc-".

Amendment No. 4.

On page 1 of the printed bill, strike out line 23, and insert in lieu thereof the following. "budget and the State and departmental budgets."

Amendment No. 5.

On page 2, line 22, of the printed bill, after the word "as", strike out the comma.

Amendment No. 6.

On page 2, line 23, of the printed bill, after the word "year", strike out the comma.

Amendment No. 7.

On page 2 of the printed bill, strike out lines 44 and 45, and insert in lieu thereof the following: "are represented by cash or its equivalent actually received or by amounts accrued and receivable, or partly by each."

Amendment No. 8.

On page 2 of the printed bill, after line 45, add the following:

"(r) "Budget allotment" means an authorization by the Director of Finance to a budget unit to expend under a legislative appropriation money not in excess of a specified sum or specified sums for a purpose or for purposes specified in such authorization, under the procedures herein prescribed.

(s) "Commitment voucher" means a written statement on a form prescribed in accordance with the provisions of this code describing an item or items of expenses or capital outlays chargeable against an appropriation to which the State has been committed by any form of contract or order whether oral or written, and showing the estimated or actual sum of money payable by the State upon fulfillment of such contract or order by the contractor or vendor.

(t) "Work program" means the statement of a budget unit setting forth for a definite future period or periods its estimated requirements for funds under appropriations.

(u) "Statement of indebtedness" means a written claim against the State for the payment of money.

(v) "Department" means the Department of Finance.

(w) "Treasurer" means the Treasurer of the State of California.

(x) "Contingencies" means emergencies for which no appropriations or insufficient appropriations have been made by law.

(y) "Classified service" means all State positions in the State civil service subject to Article XXIV of the Constitution.

"(z) "Unclassified service" means all State positions exempt from the State civil service under said Article XXIV of the Constitution.

Amendment No 9.

On page 2 of the printed bill, strike out lines 51 and 52, and insert in lieu thereof the following: "pare and within the first 30 days of each regular session and prior to its recess, submit to the Legislature in accordance with this code an Executive Budget embracing the legislative, judicial and executive branches of the State Government and".

Amendment No. 10.

On page 3, line 17, of the printed bill, strike out "the budget year", and insert in lieu thereof the following: "each year of the biennium covered by the budget".

Amendment No. 11.

On page 3 of the printed bill, strike out lines 20 to 22, both inclusive, and insert in lieu thereof the following: "modified by the Legislature. The several amounts appro-".

Amendment No. 12.

On page 4, line 7, of the printed bill, after the words "of assets," add the following: "receipts in advance of revenue accruals for the next succeeding year,".

Amendment No. 13.

On page 4 of the printed bill strike out line 25, and insert in lieu thereof the following: "close of the last completed fiscal year, and by estimates as of the close of the current fiscal year, (1) the total funded debt, (2) the".

Amendment No. 14.

On page 4, line 31, of the printed bill, after the first word "the", add the following: "State".

Amendment No. 15.

On page 4, line 33, of the printed bill, strike out the word "budget", and insert in lieu thereof the following: "fiscal".

Amendment No. 16.

On page 4, lines 33 and 34, of the printed bill, strike out the word "distributed", and insert in lieu thereof the following: "tabulated".

Amendment No. 17.

On page 4, line 52, of the printed bill, strike out "budget", and insert in lieu thereof the following: "fiscal".

Amendment No. 18.

On page 5, line 2, of the printed bill, strike out the second word "budget", and insert in lieu thereof the following: "fiscal".

Amendment No. 19.

On page 5, line 15, of the printed bill, strike out the word "budget", and insert in lieu thereof the following: "fiscal".

Amendment No. 20.

On page 5, line 35, of the printed bill, strike out the word "budget", and insert in lieu thereof the following: "fiscal".

Amendment No. 21.

On page 5 of the printed bill, strike out lines 42 to 46, both inclusive, and insert in lieu thereof the following: "(k) Such other information as the Governor may deem".

Amendment No. 22.

On page 5, line 50, of the printed bill, after the word "fund," add the following: "and each fiscal year,".

Amendment No. 23.

On page 5, line 51, of the printed bill, strike out the words "the budget", and insert in lieu thereof the following: "each said fiscal".

Amendment No. 24.

On page 6 of the printed bill, strike out lines 5 and 6, and insert in lieu thereof the following: "prepared,".

Amendment No. 25.

On page 6, lines 9 and 10, of the printed bill, strike out ", in quadruplicate,".

Amendment No. 26.

On page 6, line 24, of the printed bill, strike out "October", and insert in lieu thereof the following: "September".

Amendment No. 27.

On page 6, line 36, of the printed bill, strike out the word "fifteenth", and insert in lieu thereof the following: "first".

Amendment No. 28.

On page 6, line 39, of the printed bill, strike out the words "the next fiscal year", and insert in lieu thereof the following: "each of the next two fiscal years".

Amendment No. 29.

On page 6, line 41, of the printed bill, after the word "required", strike out the comma and add the following: "by the director,".

Amendment No. 30.

On page 6, line 45, of the printed bill, strike out the word "a", and insert in lieu thereof the following: "in".

Amendment No. 31.

On page 7, line 35, of the printed bill, strike out the word "appropriation", and insert in lieu thereof the following: "appropriate".

Amendment No. 32.

On page 7, line 38, of the printed bill, strike out the word "appropriations", and insert in lieu thereof the following: "appropriate".

Amendment No. 33.

On page 7 of the printed bill, strike out lines 40 to 45, both inclusive.

Amendment No. 34.

On page 7, line 51, of the printed bill, after the word "detailed", add the following: "departmental".

Amendment No. 35.

On page 8, line 5, of the printed bill, after the word "complete", add the following: "State".

Amendment No. 36.

On page 8, line 13, of the printed bill, strike out the second word "the", and insert in lieu thereof the following: "said State".

Amendment No. 37.

On page 8 of the printed bill, strike out lines 17 to 20, both inclusive.

Amendment No. 38.

On page 8 of the printed bill, strike out line 38, and insert in lieu thereof the following: "for ordinary recurring expenses."

Amendment No. 39.

On page 9, line 9, of the printed bill, after the word "appropriations", add the following: "from the same fund".

Amendment No. 40.

On page 9 of the printed bill, strike out lines 36 and 37, and insert in lieu thereof the following: "tures without further specific appropriation."

Amendment No. 41.

On page 9, line 38, of the printed bill, after the word "provided", insert the following: "for the Department of Finance."

Amendment No. 42.

On page 9, line 39, of the printed bill, strike out the following: "of the Bureau of Purchases,".

Amendment No. 43.

On page 9, line 41, of the printed bill, after the word "and", insert the following: "a like fund may be provided".

Amendment No. 44.

On page 9, line 42, of the printed bill, strike out the following: ", such as the Division of Architecture,".

Amendment No. 45.

On page 9, line 44, of the printed bill, after the word "costs", strike out the period and insert the following: "of such services."

Amendment No. 46.

On page 9, line 49, of the printed bill, strike out the comma and insert in lieu thereof the following: "and shall be".

Amendment No. 47.

On page 9, line 49, of the printed bill, after the word "appropriation", add a period.

Amendment No. 48.

On page 9 of the printed bill, strike out lines 50 to 52, both inclusive, and on page 10, strike out lines 1 and 2, both inclusive.

Amendment No. 49.

On page 10, line 19, of the printed bill, strike out the word "budget", and insert in lieu thereof the following: "State and departmental budgets".

Amendment No. 50.

On page 10 of the printed bill, strike out lines 22 to 34, both inclusive, and insert in lieu thereof the following: "correct errors."

Amendment No. 51.

On page 10, line 37, of the printed bill, strike out the following: ", through the Department of Finance,".

Amendment No. 52.

On page 11, lines 15 and 16, of the printed bill, strike out the following: ", through the Department of Finance,".

Amendment No. 53.

On page 12, line 33, of the printed bill, after the second word "as", insert the following: "the Department of Finance may approve".

Amendment No. 54.

On page 12, line 34, of the printed bill, strike out the word "are".

Amendment No. 55.

On page 12, line 49, of the printed bill, after the word "Director", strike out the comma, and insert the following: "of Finance".

Amendment No. 56.

On page 13, lines 1 and 2, of the printed bill, strike out the words "Board of Finance", and insert in lieu thereof the following: "Governor".

Amendment No. 57.

On page 13 of the printed bill, strike out lines 18 to 22, both inclusive, and insert in lieu thereof the following: "and correct, giving all of the information required by the Director of Finance; or".

Amendment No. 58.

On page 13, line 23, of the printed bill, strike out the words "and materials", and insert in lieu thereof the following: ", materials and equipment".

Amendment No. 59.

On page 13, line 29, of the printed bill, strike out the word "contractual", and insert in lieu thereof the following: "contract".

Amendment No. 60.

On page 14, line 2, of the printed bill, strike out the word "officer", and insert in lieu thereof the following: "employee".

Amendment No. 61.

On page 14, lines 8 and 9, of the printed bill, strike out the following: ", within the next business day after being so received".

Amendment No. 62.

On page 14, line 17, of the printed bill, strike out the words "the director".

Amendment No. 63.

On page 14 of the printed bill, strike out lines 18 to 26, both inclusive, and insert in lieu thereof the following: "If the voucher is approved the director shall so indicate thereon."

Amendment No. 64.

On page 14, line 28, of the printed bill, strike out the word "department", and insert in lieu thereof the following: "budget unit".

Amendment No. 65.

On page 15, line 10, of the printed bill, strike out the word "person", and insert in lieu thereof the following: "officer or agent of any budget unit".

Amendment No. 66.

On page 15, line 19, of the printed bill, strike out "But every person", and insert in lieu thereof the following: "Every officer or agent of any budget unit".

Amendment No. 67.

On page 15, line 46, of the printed bill, strike out the word "Legislature", and insert in lieu thereof the following: "law".

Amendment No. 68.

On page 16, line 1, of the printed bill, after the word "agent", strike out the period and insert the following: "and then only on a warrant drawn by the Director of Finance."

Amendment No. 69.

On page 16, line 6, of the printed bill, strike out the words "in accordance with law", and insert in lieu thereof, "by the Director of Finance".

Amendment No. 70.

On page 16 of the printed bill, between lines 29 and 30, insert the following: "The Attorney General or his authorized deputy assigned to the Department of Finance shall pass upon the legality of claims submitted to him by the director."

Amendment No. 71.

On page 16, lines 33 and 34, of the printed bill, strike out the words "as provided by law", and insert in lieu thereof the following: "by the Director of Finance".

Amendment No. 72.

On page 16 of the printed bill, strike out lines 36 and 37, and insert in lieu thereof the following: "to the Auditor General."

Amendment No. 73.

On page 16 of the printed bill, strike out lines 38 and 39, and insert in lieu thereof the following:

"SEC. 4. Recordation of Warrants Issued. The Director shall prepare a".

Amendment No. 74.

On page 16, line 40, of the printed bill, strike out "at any one time" and insert in lieu thereof the following "on any one day".

Amendment No. 75.

On page 16, line 43, of the printed bill, after the second word "the", insert the following: "fund and".

Amendment No. 76.

On page 17 of the printed bill, between lines 2 and 3, insert the following:

"SEC. 4a. Whenever any warrant legally drawn is lost or destroyed before payment the legal owner or custodian may secure the issuance of a duplicate upon presentation to the director of an affidavit setting forth the number, date, amount, and name of the payee, of said warrant and all material facts relative to its destruction, accompanied by a bond with two sufficient sureties in double the amount involved

4b. If the director is satisfied that such warrant was lost or destroyed and with the sufficiency of the bond he shall issue a duplicate warrant plainly marked as such, stop payment on the original warrant, and appropriately record the issuance of such duplicate"

Amendment No. 77.

On page 17, lines 5 and 6, of the printed bill, strike out the words "officer authorized by law to draw warrants," and insert in lieu thereof the following: "Director of Finance,".

Amendment No. 78.

On page 17, line 14, of the printed bill, strike out the following: ", the issuing officer,".

Amendment No. 79.

On page 17 of the printed bill, strike out lines 16 and 17, and insert in lieu thereof, the following:

"SEC. 6. Use of Signature Machines. The Director of Finance or the Treasurer may".

Amendment No. 80.

On page 17, line 20, of the printed bill, after the word and period "State.", insert the following:

"Such officer may secure forgery insurance as a protection against forgery resulting from the use of such machine and charge the premium therefor against his appropriation,".

Amendment No. 81.

On page 17, line 38, of the printed bill, strike out the word "department", and insert in lieu thereof, the following: "budget unit".

Amendment No. 82.

On page 18 of the printed bill, between lines 18 and 19, insert the following:

"SEC. 9a. Whenever any interest coupon or any State bond or obligation or any warrant issued is not presented for payment within two years after the date upon which the same matures or was issued, the director shall cancel the same in his records and direct the State Treasurer or bank at which the same is payable to refuse payment thereof, and thereupon the amount thereof shall revert to the fund from which such coupon, bond or obligation was payable or upon which said warrant was drawn."

Amendment No. 83.

On page 18, line 23, of the printed bill, after the word "at", insert the following: "or prior thereto".

Amendment No. 84.

On page 18, line 42, of the printed bill, after the word "fifth", insert the following: "business".

Amendment No. 85.

On page 19 of the printed bill, strike out lines 10 to 12, both inclusive, and insert in lieu thereof the following: "heads of the budget units to show in the manner prescribed by the Department of Finance: (1) the designation of each debtor, (2) the amount of the claim, (3) the age of the claim, and".

Amendment No. 86.

On page 19, line 13, of the printed bill, strike out "(5)", and insert in lieu thereof the following: "(4)".

Amendment No. 87.

On page 19, lines 17 and 18, of the printed bill, strike out the following: ", through the Department of Finance,".

Amendment No. 88.

On page 19 of the printed bill, strike out lines 33 and 34, and insert in lieu thereof the following:

"SECTION 1. Unified and Integrated System of Accounts. The Director".

Amendment No. 89.

On page 20, line 11, of the printed bill, strike out the following: "Current liabilities,".

Amendment No. 90.

On page 21, line 3, of the printed bill, after the word "of", add the following: "the".

Amendment No. 91.

On page 21, line 4, of the printed bill, strike out the word "departments", and insert in lieu thereof the following: "budget units".

Amendment No. 92.

On page 21, line 7, of the printed bill, strike out the word "departments", and insert in lieu thereof the following: "budget units".

Amendment No. 93.

On page 21, line 8, of the printed bill, strike out the word "departments", and insert in lieu thereof the following: "budget units".

Amendment No. 94.

On page 21, line 12, of the printed bill, strike out the word "department", and insert in lieu thereof the following: "budget unit".

Amendment No. 95.

On page 21, line 15, of the printed bill, strike out the word "department", and insert in lieu thereof the following: "budget unit".

Amendment No. 96.

On page 15, line 20, of the printed bill, strike out the word "departments", and insert in lieu thereof the following: "budget units".

Amendment No. 97.

On page 21, line 22, of the printed bill, strike out the word "departments", and insert in lieu thereof the following: "budget units".

Amendment No. 98.

On page 21, line 25, of the printed bill, strike out the word "departments", and insert in lieu thereof the following: "budget units".

Amendment No. 99.

On page 21, line 26, of the printed bill, strike out "departments", and insert in lieu thereof, the following: "budget units".

Amendment No. 100.

On page 21, line 12, of the printed bill, strike out the word "institutions", and insert in lieu thereof the following: "subdivisions".

Amendment No. 101.

On page 21 of the printed bill, strike out lines 23 and 24, and insert in lieu thereof the following: "responsible to the director. Such representative may be required by the director to examine and certify commitments vouchers or state-".

Amendment No. 102.

On page 21, line 37, of the printed bill, strike out "through the department".

Amendment No. 103.

On page 21 of the printed bill, strike out line 48.

Amendment No. 104.

On page 21, line 47, of the printed bill, after the word "month", add a period.

Amendment No. 105.

On page 21, line 49, of the printed bill, strike out the word "ten", and insert in lieu thereof the following: "fifteen".

Amendment No. 106.

On page 22 of the printed bill, strike out lines 18 to 20, both inclusive, and insert in lieu thereof the following:

"Each such annual report and statement shall be examined and certified to be correct, subject to any necessary qualifications, by the Auditor General before it is issued. The Director of".

Amendment No. 107.

On page 22, line 40, of the printed bill, after the word "shall", add the following: ", unless otherwise authorized by the Director of Finance,".

Amendment No. 108.

On page 22, lines 49 and 50, of the printed bill, strike out "as provided by law", and insert in lieu thereof "by the Director of Finance".

Amendment No. 109.

On page 23, line 14, of the printed bill, after the word "fund,", add the following: "the custody, safeguarding or deposit thereof,".

Amendment No. 110.

On page 24 of the printed bill, between lines 13 and 14, add the following:

"SEC. 4a. All moneys received by the Treasurer shall be deposited in the general fund except:

(1) Whenever any statute provides for the payment of money into a special fund therein created and (2) whenever any statute provides for the use of money collected for a special purpose the director shall provide for its deposit in the State Treasury in a special fund designated by him.

SEC. 4b All moneys donated to the State shall be reported to the director on a pay-in voucher and deposited in the State Treasury to the credit of the fund designated in writing by the donee, or if none is so designated, then to the State school fund."

Amendment No. 111.

On page 24, lines 31 and 32, of the printed bill, strike out "in accordance with law", and insert in lieu thereof the following "by the Director of Finance"

Amendment No. 112.

On page 24 of the printed bill, between lines 48 and 49, add the following:

"SEC 5a. Any money withdrawn from the State Treasury as provided by law but subsequently returned for any reason shall be reported to the director on a pay-in voucher and deposited in the State Treasury to the credit of the fund from which it was drawn."

Amendment No. 113.

On page 25, line 3, of the printed bill, strike out the word "extension", and insert in lieu thereof the following: "illustration".

Amendment No. 114.

On page 25, line 33, of the printed bill, strike out the word "all", and insert in lieu thereof the following: "Except as otherwise provided by law, all".

Amendment No. 115.

On page 25 of the printed bill, strike out lines 36 and 37, and insert in lieu thereof the following: "the Director of Finance. Such investments".

Amendment No. 116.

On page 25, line 38, of the printed bill, after the word "treasurer", add the following: "with the approval of the Director of Finance".

Amendment No. 117.

On page 26 of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following: "on the first day of each month furnish to the Department of Finance a statement over his official signature".

Amendment No. 118.

On page 26 of the printed bill, strike out lines 12, 13, and 14, and insert in lieu thereof the following: "with the provisions of this section shall be notified by mail by the director to forthwith furnish such statement. Any State".

Amendment No. 119.

On page 26 of the printed bill, strike out lines 33 and 34, and insert in lieu thereof the following: "issued;".

Amendment No. 120.

On page 26, line 35, of the printed bill, strike out the portion of the word: "ment,".

Amendment No. 121.

On page 26 of the printed bill, between lines 39 and 40, insert the following:

"SEC. 12. The director must, when either the general fund or the interest and sinking fund of the State Treasury is exhausted, and there is money in some other fund not required to meet any demand which has accrued or may accrue against it, report such fact to the Governor and the Treasurer. If they find that the money is not needed in such other fund, the Governor may order the director to direct the transfer of such money, or any part thereof, to the general fund or to the interest and sinking fund, as the case may be. All moneys so transferred must be returned to the fund from which it was transferred as soon as there is sufficient money in the fund to which the transfer was made to return it. Nothing in this section warrants the transfer of any money from any fund so as to in any manner interfere with the object for which such fund was created."

SEC. 13. Whenever the Director of Finance draws his warrant upon the State Treasurer payable out of the general fund in the State Treasury, and said warrant represents an amount in excess of the unapplied money in the general fund, the Director of Finance shall upon the date that such warrant is drawn present such warrant to the State Treasurer, who shall indorse upon the back thereof the date of presentation and that the same is not paid for want of funds and bears interest at the rate fixed by the Governor, Treasurer and Director of Finance from the date of such registration to and including the date upon which the State Treasurer first advertises that said warrant is payable upon presentation. Indorsement by the Treasurer in the manner hereinabove prescribed shall constitute the registration of such warrant.

The Governor, Treasurer and Director of Finance acting as a committee shall by majority vote fix the rate of interest paid on warrants registered hereunder but such rate shall not exceed five per cent per annum.

After the registration thereof the State Treasurer shall return warrants to the Director of Finance for distribution.

The Director of Finance shall furnish the State Treasurer with a separate warrant register for warrants which are registered under this section, and the State Treasurer shall stamp on said warrant register the date on which any warrant is registered and the date on which said warrant register the date on which any warrant is registered and the date on which said warrant is first advertised as payable.

Whenever the Director of Finance deems that there are sufficient unapplied moneys in the general fund in the State Treasury to pay all or some of the registered warrants outstanding against said general fund, he shall notify the State Treasurer of the numbers of the warrants which are to be redeemed. The State Treasurer shall immediately publish notice that said warrants are redeemable by advertising for six consecutive days, Sundays excepted, in newspapers publishing legal notices published in the city of Sacramento, in the city of San Francisco, and in the city of Los Angeles.

Said notice shall read substantially as follows:

NOTICE TO HOLDERS OF STATE OF CALIFORNIA WARRANTS.

State warrants number _____ to number _____, inclusive, drawn against the general fund in the State Treasury are now payable upon presentation to the State Treasurer.

(Name of State Treasurer)
State Treasurer.

Warrants registered in accordance with the provisions of this section shall cease to bear interest on the date following the date upon which said advertisements first appear.

After payment of support of the public school system, as provided for in section 14 of Article XIII of the Constitution, all moneys remaining in the general fund in the State Treasury shall be first applied to the payment of the principal and interest of any outstanding bonds of the State of California as such principal and interest become due. If at any time it is necessary to register warrants for the payment of such principal and interest, warrants so registered shall constitute a prior lien in the order of their issuance on any moneys thereafter received into the general fund in the State Treasury, and said warrants shall be paid before any other warrants regardless of the prior issuance of the latter.

For the purposes of this section "unapplied money" means money in the general fund in the State Treasury for which outstanding warrants have not already been drawn and which would remain in said general fund if all outstanding warrants theretofore drawn were paid.

SEC. 14. If and when any State revenue mentioned in section 15 of Article XIII of the Constitution, other than revenue payable into the general fund of the State, is or has been set apart to be applied by the State to the support of the public school system and the State university, which such revenue would otherwise have been paid or from which such revenue was set apart. There is hereby specifically appropriated out of the State general fund such amounts as may be necessary to make such repayments. Except as otherwise provided in this section, such repayments shall be made from the first moneys accruing to the general fund over and above those then necessary to provide for payments for the support of the public school system and the State university, and over and above those moneys, if any, which under the Constitution of California must first be applied to the payment of obligations of the State existing at the time such revenues were set apart. In the event money has been set apart from more than one such revenue, and moneys available are insufficient for repayment in full, repayments shall be made in the proportions in which such revenues so set apart are then unpaid.

In the event that any claim against any appropriation made from any special fund for the support of any State department, office, board, commission, or other State agency, can not be paid out of such special fund by reason of the depletion of such special fund as a result of any such setting apart of revenues therefrom, or of revenues which would otherwise have been paid thereinto, such claim or claims shall be paid from the appropriation hereby made out of the general fund to the extent only of the sum or sums so set apart. It is the intention of the Legislature to provide to the fullest extent of its power for priority of such repayments and to prevent the interruption of the performance of any State function by providing an alternative method of repayment by use of general fund registered warrants, when and if necessary.

SEC. 15. Whenever any State agency except the State Compensation Insurance Fund has drawn against any bank account for the payment of any claim and payment of such claim has not been paid for a period of six months by reason of the failure of the claimant to present the instrument to the bank, the State agency shall pay the amount of said claim to the State Treasurer in trust and whenever the amount of any claim against the State has been deposited in trust with the State Treasurer by any department, board, officer or commission, because of inability to locate the claimant thereof, the State Treasurer shall thereafter hold the same for the payment of such claim for a period of two years after such return thereof, and if the said claim be not so paid within said period of time, said amount so returned shall at the close of the next succeeding fiscal year revert to and become a part of the general fund of the State."

Amendment No. 122.

On page 27 of the printed bill, strike out lines 27 to 42, both inclusive, and in lieu thereof, insert the following: "be furnished by the various budget units. In so doing it shall".

Amendment No. 123.

On page 27, line 44, of the printed bill, strike out the word "his", and insert in lieu thereof the following: "its".

Amendment No. 124.

On page 27, line 44, of the printed bill, strike out the second word "his", and insert in lieu thereof the following: "the".

Amendment No. 125.

On page 27 of the printed bill, strike out lines 48 to 52, both inclusive, and on page 28, strike out lines 1 to 3, both inclusive.

Amendment No. 126.

On page 28, line 27, of the printed bill, after the word "to", add the following: "all".

Amendment No. 127.

On page 28 of the printed bill, strike out lines 29 to 33, both inclusive, and insert in lieu thereof the following: "shown by its records, and to others requesting such notice. Such notice shall contain gen-".

Amendment No. 128.

On page 28, line 38, of the printed bill, strike out the second word "The".

Amendment No. 129.

On page 28 of the printed bill, strike out lines 39 to 41, both inclusive, and insert in lieu thereof the following: "All bids shall be in writing,".

Amendment No. 130.

On page 28, line 42, of the printed bill, strike out the words "and read".

Amendment No. 131.

On page 28, line 43, of the printed bill, strike out "as they are opened,".

Amendment No. 132.

On page 28, line 47, of the printed bill, strike out the word "advertised", and insert in lieu thereof the following: "called".

Amendment No. 133.

On page 29 of the printed bill, strike out line 14, and insert in lieu thereof the following: "a fixed amount,".

Amendment No. 134.

On page 29, line 40, of the printed bill, strike out the second word: "The".

Amendment No. 135.

On page 29 of the printed bill, strike out lines 41 to 52, both inclusive, and on page 30, strike out lines 1 and 2.

Amendment No. 136.

On page 30, line 29, of the printed bill, strike out the words: "to the".

Amendment No. 137.

On page 30 of the printed bill, strike out lines 30 and 31, and insert in lieu thereof the following: "in the form and in the number of copies prescribed by the director, to the Department of Finance unless it shall otherwise direct."

Amendment No. 138.

On page 30, line 35, of the printed bill, strike out the word "his", and insert in lieu thereof: "its".

Amendment No. 139.

On page 30, line 51, of the printed bill, strike out: "The stores' rec-".

Amendment No. 140.

On page 30 of the printed bill, strike out line 52, and on page 31, strike out lines 1 to 4, both inclusive.

Amendment No. 141.

On page 31, line 52 of the printed bill, strike out the word "departments", and insert in lieu thereof the following: "budget units".

Amendment No. 142.

On page 32, line 2, of the printed bill, strike out the word "shall", and insert in lieu thereof the following: "may".

Amendment No. 143.

On page 32, line 10, of the printed bill, strike out the word "shall", and insert in lieu thereof the following: "may".

Amendment No. 144.

On page 32, line 15, of the printed bill, strike out the word "He", and insert in lieu thereof the following: "The Director".

Amendment No. 145.

On page 33, line 6, of the printed bill, after the word "State", add the following: "except positions for which the rate of compensation is fixed by the Constitution".

Amendment No. 146.

On page 33 of the printed bill, strike out lines 7 to 34, both inclusive, and insert in lieu thereof the following: "with an official compensation plan. The compensa-

tion plan for positions in the classified service as defined in this code shall be developed, adopted and applied as approved in the civil service laws of the State. The compensation plan for the unclassified service as defined in this code shall be developed, adopted and applied as provided in this article. Except that a single rate of compensation, instead of a salary range, may be applied to any position or class of positions in the unclassified service, the compensation plan for the unclassified service shall conform to the specifications established under the civil service laws for the compensation plan applicable to the classified service.

At the request of the Director of Finance the State Personnel Board shall prepare a tentative compensation plan for the unclassified service, which shall provide, as nearly as possible, for compensation of the positions in the unclassified service at rates consistent with the rates in effect for the classified service. The Director of Finance shall promulgate the plan with such revisions as he may find it necessary to make and such plan shall thereafter govern the payment of salaries in the unclassified service. Such plan may be amended from time to time by the Director of Finance but he shall first submit such proposed amendment to the State Personnel Board for recommendations before it shall be effective. The State Personnel Board may propose amendments to the Director of Finance. Copies of the compensation plan in effect for both the classified and unclassified service, including the rules for its application and administration, shall be printed and made available as a supplement to the executive budget. The executive budget shall contain an analysis of each request of any budget".

Amendment No. 147.

On page 33 of the printed bill, strike out lines 41 to 51, both inclusive, and on page 34, lines 1 to 17, both inclusive, and insert in lieu thereof the following: "recommended by the Governor is based.

SEC. 2. Regulation of Hours of Service and Attendance and Absence of State Personnel. The Department of Finance shall adopt regulations with respect to hours of service, attendance and absence, applicable to the classified and the unclassified service. Such regulations shall be prepared in cooperation with the State Personnel Board and shall conform to the civil service laws. The Director of Finance may delegate the administration of such regulations to the Executive Officer of the State Personnel Board."

Amendment No. 148.

On page 34, line 43, of the printed bill, after the word "item.", add the following: "With the consent of the State Personnel Board, the Director of Finance may delegate all or any part of the pre-audit of pay rolls to the Executive Officer of the State Personnel Board In the event of such delegation the responsibility of said executive officer for the performance of the duty so assigned shall be the same as if such duties had been assigned to him by law."

Amendment No. 149.

On page 34, line 49, of the printed bill, after the word "State", strike out the period, and add the following: ", except when such positions are officially established as part-time positions and then such persons shall not draw compensation for more than the equivalent of one full time position. Ex officio positions for which no compensation is allowed, shall not be regarded as positions within the meaning of this provision"

Amendment No. 150.

On page 35 of the printed bill, strike out lines 14 and 15, and insert in lieu thereof the following: "visions of this section Each such bond shall provide for payment to the State."

Amendment No. 151.

On page 35 of the printed bill, strike out lines 35 to 50, both inclusive.

Amendment No. 152.

On page 36 of the printed bill, strike out lines 17 to 20, both inclusive, and insert in lieu thereof the following: "in the most economical manner by authorizing the permanent or temporary use of automobiles as required in individual cases;".

Amendment No. 153.

On page 36 of the printed bill, strike out line 52, and insert in lieu thereof the following: "hereby appropriated from any moneys in the general fund in the State Treasury not otherwise appropriated the".

Amendment No. 154.

On page 37, line 3, of the printed bill, strike out the word "appropriations", and insert in lieu thereof the following: "allotments".

Amendment No. 155.

On page 37, line 28, of the printed bill, after the words "of the", insert the following: "State".

Amendment No. 156.

On page 37 of the printed bill, strike out lines 51 and 52, both inclusive, and on page 38, strike out lines 1 to 5, both inclusive, and insert in lieu thereof the

following: "to make allocations of automobiles in accordance with authorizations as prescribed in section 1 of this article. He shall be responsible for the operation and".

Amendment No. 157.

On page 38, line 15, of the printed bill, strike out "shall see".

Amendment No. 158.

On page 38 of the printed bill, strike out lines 16 to 18, both inclusive, and insert in lieu thereof the following: "for the filing of records and reports described herein."

Amendment No. 159.

On page 38 of the printed bill, after line 18, insert the following:

"Article 11.
Claims of Private Individuals Against the State.

SEC. 1. Any private party having a claim against the State not otherwise provided by law may present a verified claim thereof within two years after the accrual thereof to the director, who, after notice of time and place of hearing to the claimant shall hear the same and give notice by mail to the claimant of his decision.

SEC. 2. If the claim be disapproved in whole or in part and be on contract or for negligence against the State, the claimant may, within 30 days after the receipt of notice of such disapproval, bring a suit against the State. The complaint in such action must be accompanied by an undertaking in the sum of $500, with two good and sufficient sureties thereon, approved by the court, conditioned that if the State prevail in such action the claimant will pay the costs, including a reasonable attorney's fee to be assessed by the court, which may be awarded in such action against him. The rules of practice in other civil actions shall apply but said suit must be brought in the county of Sacramento and service of summons shall be made on the director and Attorney General.

SEC. 3. All claims approved and all judgments against the State shall be reported in the next Executive Budget to the Legislature and when appropriations are made for the payment thereof, the director shall draw his warrant not exceeding the amount of the claim nor the amount of the appropriation therefor and deliver the same to the claimant. Said warrant shall be of like effect as a warrant issued under section 5 of Article 4 of this code.

Article 12.
Transfers, Repeals and Effect on Code.

SEC. 1. (a). This code shall supersede all contrary provisions of law inconsistent herewith as to matters covered hereby, and whenever by any provision of law in force or which may hereafter be enacted provision is made: (1) for the reporting of moneys collected and received, the filing of claims or the drawing of warrants with or by the State Treasurer, or other officer; or (2) the keeping of accounts, budgeting, allocation of appropriations and funds, vouchers, records of disbursements, transfers of money between funds, and appropriations or revolving funds; and (3) purchase of supplies, materials, or payment of salaries differing from said Fiscal Code, said Fiscal Code shall govern and supersede each and all such provisions, and the Director of Finance is hereby vested with all such powers conferred upon any other officer, but said director shall exercise the same as and in the manner provided by this code.

(b) The State Board of Control is hereby abolished and all powers, duties and functions thereof not otherwise specifically provided for are hereby transferred to the Department of Finance.

SEC. 2. Without limitation on section 1 hereof, the Fiscal Code shall govern the collection, receipt, reporting, records and accounting respecting transmittal, payment into the State Treasury, use, disbursement, disposition and revolving funds of all moneys in or payable into a special fund in the State Treasury under any law embraced within the Department of Professional and Vocational Standards, and whenever any such law provides any method with respect thereto differing from the Fiscal Code, said Fiscal Code shall supersede the same, and all powers, duties, purposes and jurisdictions of the State Controller or State Board of Control with respect thereto are hereby vested in the Department of Finance.

SEC. 3. Without limitation on section 1 hereof, the Fiscal Code shall govern the receiving and handling of all moneys, whether appropriated or donated, disbursements, methods of accounting, and reporting, purchase of supplies, and protection of moneys and properties of the State hospitals, Industrial Home of the Adult Blind, Women's Relief Corps Home, California School for the Deaf and Blind, and orphan asylums, under Chapters 1, 1b, and 1c, and Article 1, and Article 2 of Chapter 2, and Chapter 2a, of Title 5 of Part 3 of the Political Code, and the governing bodies of each such institution shall be charged with compliance with the Fiscal Code and such head or governing body, subject to the approval of the Department of Finance, shall make such rules relating to the duties of subordinates in connection therewith as will enable such governing body to comply with said Fiscal Code, and whenever a duty is imposed upon the State Controller under

said laws, the same shall be hereafter exercised by the director but under and subject to said Fiscal Code.

SEC. 4. Without limitation on section 1 hereof, the Fiscal Code shall govern the receiving and handling of all State moneys by pilot commissioners or boards of pilot commissioners, and their subordinates, and all pilots, under Articles 5, 6, 7, 9, 10 and 11 of Chapter 1 of Title 6 of Part 3 of the Political Code, and such commissioners or board of pilot commissioners shall be charged with compliance with the Fiscal Code and the same, subject to the approval of the Department of Finance, shall make such rules relating to the duties of subordinates and pilots in connection therewith as will enable the same to comply with said Fiscal Code, and whenever a duty is imposed on the State Controller under said laws, the same shall be hereafter exercised by the director but under and subject to said Fiscal Code.

SEC. 5. Without limitation on section 1 hereof, the Director of Finance shall succeed to and is hereby vested with the powers, duties, functions, purposes and jurisdiction of the State Controller, the Controller, the Controller of State, the Board of Control, and the State Board of Control, under:

1. Sections 476, 528, 540, 689, 695 as added by Chapter 923 of the Statutes of 1933; 726, 749, 754, 782, 1322, 2297, 2298, 2415, 3408d, 3694, 3713, 3714a, 3729, 3734, 3737, 3755, 3763, 3772, 3773, 3785, 3804, 3805b, 3816, 3817, 3819, 3819a, 3865, 3866, 3867, 3868, 3869, 3870, 3873, 3897, 3897a, 3897b, 3897d, 3898, 4088, and 4290 of the Political Code.
2. Section 478 of the Civil Code.
3. Sections 1272a and 1274 of the Code of Civil Procedure.
4. Sections 440 and 1557 of the Penal Code, and
5. Section 5 of Chapter 529, Statutes of 1929, as amended.
6. Chapter 289, Statutes of 1919 as amended, Chapter 708, Statutes of 1921 as amended, Chapter 628, Statutes of 1913 as amended, Chapter 235, Statutes of 1913, as amended, and Chapter 211, Statutes of 1903.
7. Chapter 155, Statutes of 1923.
8. Chapter 216, Statutes of 1925, and Chapter 142, Statutes of 1923.
9. Chapter 165, Statutes of 1913 as amended.
10. Chapter 211, Statutes of 1925 and Chapter 176, Statutes of 1919 as amended, and Chapter 313, Statutes of 1923.
11. Section 49 of the Pacific Colony Act.
12. Chapter 662, Statutes of 1927 as amended.
13. Chapter 13, Statutes of 1915.
14. Section 8 of the Workmens Compensation Insurance and Safety Act.
15. Section 770 of the Military and Veterans Code.
16. Section 1 of the Narcotic Rehabilitation Act.
17. Section 4 of Chapter 766, Statutes of 1915 as amended.
18. Section 11 of Chapter 183, Statutes of 1907 as amended.
19. Section 17 of the Unemployment Relief Bond Act of 1933.
20. Section 27 of the Central Valley Project Act of 1933.
21. Chapter 93, Statutes of 1893.
22. Chapter 550, Statutes of 1911 as amended.
23. Section 8 of the Direct Primary Law.
24. Section 2 of Chapter 726, Statutes of 1935.
25. Chapter 277, Statutes of 1907.
26. Chapter 16, Statutes of 1923 as amended.
27. Sections 11792, 11793, 11794, 11795, 11796, 11798, and 11799, of the Insurance Code.
28. Sections 5 and 8 of the California District Securities Commission Act.
29. Section 7 of Chapter 39, Statutes Extra Session of 1911.
30. Section 9 of the California Nautical School Act.
31. Section 15 of the Old Age Security Act of the State of California.
32. Sections 108 and 109 of Chapter 700, Statutes of 1931 as amended, and Chapter 81, Statutes of 1933.
33. Chapter 131, Statutes of 1895.
34. Section 8 of Chapter 763, Statutes of 1927 as amended.
35. Section 13 of the Sacramento and San Joaquin Drainage District Refunding Act.
36. The Veterans Farm and Home Purchase Act, the Veterans Welfare Bond Act of 1933, the Veterans Welfare Bond Act of 1921, the California Veterans Welfare Act, the Veterans Welfare Bond Act of 1925 and the Veterans Welfare Bond Act of 1929.
37. The California Soldiers Land Settlement Act of 1919 and section 27 of the Land Settlement Act.
38. Section 5 of Chapter 956, Statutes of 1933.
39. Chapters 675, 25 and 352, Statutes of 1935.
40. Section 4 of Chapter 233, Statutes of 1903 as amended.
41. Section 10 of Chapter 756, Statutes of 1933 and section 8 of Chapter 638, Statutes of 1935.

42. Sections 10 and 11 of Chapter 679, Statutes of 1913 as amended.
43. Section 3 of Chapter 695, Statutes of 1927 as amended.

SEC. 6. Without limitation on section 1 hereof, the Director of Finance shall succeed to and is hereby vested with the powers, duties, purposes, functions and jurisdiction of the State Controller and Treasurer of the State under section 21 of the Bank Act and of the State Board of Control under section 137 of said Bank Act.

SEC. 7. Without limitation on section 1 hereof, the Director of Finance shall succeed to and is hereby vested with the powers, duties, purposes, functions and jurisdiction of the Adjutant General and Controller under section 330 of the Military and Veterans Code.

SEC. 8. Without limitation on section 1 hereof, the Director of Finance shall succeed to and is hereby vested with the powers, duties, purposes, functions and jurisdiction of the Governor and State Board of Control under section 531 of the Political Code. Said director shall exercise said powers, duties, purposes, functions and jurisdiction transferred to him under this section as nearly as may be possible under and pursuant to this code.

SEC. 9. The director shall administer and enforce and perform all of the powers, duties, purposes, functions and jurisdiction of all officers under Chapter 281, Statutes of 1889, subject to the applicable provisions of this code, but all moneys received thereunder shall be paid into the State Treasury to the credit of the school land deposit fund therein mentioned.

SEC. 10. The Direct Tax Commission mentioned in Chapter 672, Statutes of 1927, is hereby abolished and the director shall administer and enforce said act and perform all functions, powers, duties, purposes and jurisdiction of said commission under said act.

SEC. 11. The director shall exercise all powers, duties, purposes, functions and jurisdiction transferred to him hereunder as nearly as may be possible under and pursuant to the terms of this code.

SEC. 12. (a) The following acts and code sections are hereby repealed:

1. Sections 241, 242, 243, 244, Article XII of Chapter 2 of Title 1 of Part 3, sections 535, 661, 661½, 663, 664, 665, 666, 667, 668, 669, 670, 674a, 675a, 675b, 677, 677a, 677.5, 678, 686, 688, 2165a, 3872, 3877, 3878, 3879, and 3880 of the Political Code; and

2. Sections 441, 1583, 1584, 1585 of the Penal Code; and

3. Chapter 117, Statutes of 1872, Chapter 157, Statutes of 1921, Chapter 93, Statutes of 1899, section 9 of Chapter 16, Statutes of 1923, Chapter 215, Statutes of 1891, Chapter 11, Statutes of 1933, Chapter 351, Statutes of 1915 as amended, Chapter 460, Statutes of 1923 and Chapter 354, Statutes of 1927;

4. Sections 190, 191 and 192 of the Military and Veterans Code.

(b) All other acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 13. The Department of Finance shall have possession and control of all records, documents, moneys, funds, appropriations and properties, real, personal and mixed, heretofore held by any State officer or agency in connection with the administration or discharge of any powers, duties, functions, purposes and jurisdiction of any such State officer or agency hereunder transferred to and vested in the Department of Finance. The moneys, funds, appropriations and property so transferred to the department shall be used solely for the support and maintenance of the department in administering and enforcing the law under which it was derived or for which use it was intended.

SEC. 14. All persons in the State civil service heretofore discharging functions in this code transferred to or vested in the Department of Finance shall retain their respective positions under said department subject to ouster as provided in the laws relating to the State civil service and in particular the power of the director to reduce the staff in the interests of economy with attendant lay-off of individuals.

SEC. 15. This code shall not apply to The Regents of the University of California but said regents shall:

(1) Submit to the director not later than the first day of October of each even numbered year estimates of the receipts and financial requirements of the University of California for the next two fiscal years accompanied by such explanatory data as may be required;

(2) Upon request of the Governor or the director, participate in public hearings during the preparation of the Executive Budget.

SEC. 16. This code shall take effect upon the adoption of a constitutional amendment ratifying its provisions."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2425—An act to add a new article to Chapter III of Title I of Part III of the Political Code, to be numbered Article IIIA, embracing sections 360 to 360d, both inclusive, relating to a Department of Revenue.

Committee Amendments to Assembly Bill No. 2425.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to add two new articles to Chapter III of Title I of Part III of the Political Code, one to be numbered Article 2.5 embracing sections 360 to 360i, both inclusive, and creating a Department of Revenue, and one to be numbered Article 2.8 embracing sections 360j to 360m, both inclusive, and creating a Board of Tax Appeals, all relating to State revenue and taxes".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and all of pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. A new article is hereby added to Chapter III of Title I of Part III of the Political Code to be numbered Article 2.5 embracing sections 360 to 360i both inclusive, and to read as follows:

ARTICLE 2.5.
Department of Revenue

360. A department of the government of the State of California to be known as the Department of Revenue is hereby created.

360a. Except as otherwise herein prescribed, the provisions of sections 348 to 359b, both inclusive, of the Political Code shall apply to and govern the conduct of said department.

360b. The department shall be under the control of a civil executive officer to be known as the Director of Revenue which office is hereby created. He shall be appointed by the Governor with the advice and consent of the Senate on the basis of qualifications for the duties involved and hold office at the pleasure of the Governor. He shall receive a salary of $5,000 per year together with actual and necessary travelling expenses incurred in the performance of the duties of his office. He shall execute and deliver as provided by law an official bond in the sum of $25,000. He shall be a member of the Governor's Council and the head of said department. Subject to civil service and salary classification provisions of law, he may appoint and fix the salaries of such deputies and assistants including not exceeding five assistant inheritance tax attorneys as he may deem necessary.

360c. The department shall be charged generally with all duties and responsibilities in relation to the assessment and collection of State taxes and with the direction and superintendence of the collection and payment of all moneys due the State.

360d. The director with the approval of the Governor shall organize the department in such manner as he may deem necessary properly to segregate and conduct the work of the department. Within said department there shall be at least the following divisions:

A Franchise Tax Division, an Inheritance Tax Division, a Motor Vehicle Tax Division, a Sales Tax Division and a Division of Statistics and Research.

The Inheritance Tax Division shall gather, publish and distribute information, data, forms and otherwise assist all persons administering or enforcing the Inheritance or Transfer Tax Laws.

360e. The department shall administer and enforce the following laws including all amendments thereof now or hereafter to be enacted and shall succeed to and is hereby vested with all of the powers, duties, purposes, functions, responsibilities and jurisdiction now or hereafter conferred upon:

1. The State Board of Equalization, the Controller and the State Board of Control under the Use Tax Act of 1935;

2 The State Board of Equalization, the Controller and the State Board of Control under the Retail Sales Tax Act of 1933

3. The State Board of Equalization and the State Controller under the Motor Vehicle Fuel License Tax Act and section 3900a of the Political Code.

4. The State Controller under the Inheritance Tax Act of 1935.

5. The State Controller under section 328d of the Civil Code.

6. The Bank and Corporation Franchise Tax Commissioner and the State Board of Equalization under the Personal Income Tax Act of 1935.

7. The Franchise Tax Commissioner, the State Board of Equalization, the State Board of Control and the State Controller under the Bank and Corporation Franchise Tax Act and under Chapter 211, Statutes of 1933 as amended.

8 The State Treasurer under section 10e and section 10g of Chapter 216, Statutes of 1929 as amended and under section 7a of Chapter 102, Statutes of 1907 as amended.

9. The Department of Finance, the State Controller and the State Treasurer under Chapter 612, Statutes of 1911 as amended.

10. The State Board of Equalization and the Controller under sections 23 to 37, both inclusive, of the Alcoholic Beverage Control Act.

11. The Secretary of State and the State Controller under Chapter 190, Statutes of 1915 as amended.

12. The State Controller under section 15 of the Bank Act.

13. The Controller, the Controller of State, the State Treasurer, and the State Board of Control under sections 3668, 3668a, 3668b, 3669, 3669a, 3669b, 3669c and 3669d of the Political Code.

14 The Department of Motor Vehicles and the Division of Registration under Division 3 and Division 6 exclusive of Section 381 and that portion of section 382 relating to duplicate chauffeur's badges and duplicate operator's or chauffeurs' licenses of the Vehicle Code and under Chapter 35, Statutes of 1935.

15. The Superintendent of the Motor Vehicle Department and the Department of Motor Vehicles as to the registration of aircraft under sections 3 and 4 and that portion of section 8 relating to registration of aircraft of Chapter 783, Statutes of 1921.

16. The State Board of Equalization, the Department of Motor Vehicles and the State Controller under Chapter 339, Statutes of 1933 and Chapter 340, Statutes of 1933.

17. The Department of Motor Vehicles under Chapter 362, Statutes of 1935.

18. The State Controller, under sections 38 to 44, both inclusive, of Chapter 718, Statutes of 1915 as amended.

360f. The director shall enforce all provisions of the Vehicle Code relating to the registration of vehicles and shall make suitable rules to carry out the same and prescribe forms of certificates of ownership and registration cards for vehicles subject to registration All records of the department relating to the registration of vehicles shall be open to public inspection.

360g. The department shall have possession and control of all records, documents, moneys, funds, appropriations and property, real, personal and mixed, heretofore held by each State officer or agency mentioned in section 360e hereof in administering those laws therein specified. Money, funds, appropriations and property so transferred to the department shall be used solely for the support and maintenance of the department in administering and enforcing the law under which the same was derived or for which use it was intended.

360h. All persons in the State Civil Service heretofore discharging functions in this article transferred to or vested in the department shall retain their respective positions under the department subject to ouster as provided in the State Civil Service Law and in particular the power of the director to reduce the staff in the interests of economy with attendant lay-off of individuals.

360i. Within the department there is hereby created a Tax Commission consisting of the director and four chiefs of divisions of said department selected by said director. Said commission shall supervise and direct the work of the Division of Research and Statistics in the compilation of data and the making of reports regarding the revenues of the State and the assessment, collection and administration of State taxes and in the development of suggestions for improvement in administrative procedure in connection therewith. All such data and reports shall be open to public inspection. Upon request said commission shall advise the Governor and any appropriate State agency and the Legislature or any member thereof as to any matter respecting State revenue or taxes Upon request of any one or more citizen taxpayers said commission shall furnish such information, data and reports as it may possess or reasonably can obtain with or without a charge but in any event not exceeding the actual cost thereof

SEC. 2. A new article is hereby added to Chapter 3 of Title 1 of Part 3 of the Political Code to be numbered Aritcle 2.8 embracing sections 360j to 360m, both inclusive, and to read as follows:

ARTICLE 2.8.

Board of Tax Appeals.

360j. There is hereby created a Board of Tax Appeals consisting of three members who shall not hold any other State office or position appointed by the Governor with the advice and consent of the Senate on the basis of their qualifications for the judicial duties involved for a term of six years, to run with the office and not the incumbent, save that the first terms of such offices shall expire respectively January 1, 1940, January 1, 1942 and January 1, 1944. Each said member shall receive $15 per day for each day actually spent in the performance of the duties of said board together with actual and necessary traveling expenses incurred in connection therewith.

360k. Any person aggrieved by the assessment or levy of any tax or license fee by any State department or agency or paying any tax or license fee under protest, specifying the grounds thereof, may petition said Board of Tax Appeals for a correction or refund, depending upon the relief sought. Thereupon the board shall fix a time and place of hearing hereof and shall possess all of the powers given the head of a department under section 353 of this code in connection therewith. Said board shall render its decision within ten days after completion of such hearing and give the petitioner notice thereof by registered mail directed to the address specified in the petition.

360L. (a) A decision of said Board of Tax Appeals shall be a prerequiste to the maintenance of any petition for a writ of review or any other court action respecting the assessment, levy or collection of any State tax or license fee or a refund of any State tax or license fee theretofor paid.

(b) A party aggrieved by any decision of said Board of Tax Appeals may within 30 days after the rendition thereof, petition for a writ of review in the manner provided by Chapter 1 of Title 1 of Part 3 of the Code of Civil Procedure

360m. (a) The provisions of section 360k and 360L of this article are exclusive as to the matters covered thereby and applicable to all State taxes and license fees and said sections shall supersede all provisions of law and the powers of all other State departments and agencies respecting the same

(b) The Board of Tax Appeals shall succeed to and is hereby vested with all of the powers, duties, purposes, functions, responsibilities and jurisdiction now or hereafter conferred upon the Board of Review, Correction and Equalization under Chapter 718, Statutes of 1915 as amended but said Board of Tax Appeals shall exercise the same as nearly as may be practicable under the provisions of this article and section 360L of this article shall be applicable to all matters thereunder.

SEC. 3. This act shall take effect upon the adoption of a constitutional amendment ratifying its provisions."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2424—An act to establish an independent office of auditor.

Committee Amendments to Assembly Bill No. 2424.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert the following:

"An act to amend Article VI of Chapter 3 of Title 1 of Part 3 of the Political Code and to repeal sections 658 and 679 of said code, relating to the Auditor General and the transfer of certain duties heretofore exercised by the State Controller and the Department of Finance to the Auditor General and providing for the auditing and management of the fiscal and business affairs of the State."

Amendment No. 2.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Article VI of Chapter 3 of Title 1 of Part 3 of the Political Code is hereby amended to read as follows:

ARTICLE VI.
Auditor General.

Sec. 433. It is hereby declared to."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 16 to 28, both inclusive, and on page 2, strike out lines 1 and 2, and insert in lieu thereof the following:

"Sec. 434. The Auditor General shall be a civil executive officer. He shall receive an annual salary of $5,000, together with actual and necessary traveling expenses incurred in the performance of his duties. Subject to civil service and salary classification provisions of law, he may appoint and fix the compensation of such deputies and assistants as he may deem necessary. In the performance of his duties he may hold hearings and shall have the powers of a head of a department as specified in section 353 of this code."

Amendment No. 4.

On page 2 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"Sec. 435. "It shall be the duty of the."

Amendment No. 5.

On page 2, line 4, of the printed bill, after the word "Auditor", insert the following: "General".

Amendment No. 6.

On page 2, line 6, of the printed bill, strike out the word "often".

Amendment No. 7.

On page 2, line 14, of the printed bill, strike out the word "other".

Amendment No. 8.

On page 2 of the printed bill, strike out lines 15 and 16, and insert in lieu thereof the following: "investigations as may be requested by the Governor, and shall audit".

Amendment No. 9.

On page 2, line 23, of the printed bill, strike out the words "independent auditor", and insert in lieu thereof the following: "Auditor General".

Amendment No. 10.

On page 2, lines 27 and 28, of the printed bill, strike out the following: "Board, commission, institution or other", and insert in lieu thereof the following: "or".

Amendment No. 11.

On page 2, line 29, of the printed bill, after the word "Auditor", insert the following: "General".

Amendment No. 12.

On page 2 of the printed bill, strike out lines 37 and 38, and insert in lieu thereof the following: "shall be filed with the Legislature within the time limited by law for the submission of the Executive Budget. It shall also be the duty of".

Amendment No. 13.

On page 2 of the printed bill, strike out lines 42 to 49, both inclusive, and insert in lieu thereof the following:

"SEC 436. In the course of any audit conducted under the pro-".

Amendment No. 14.

On page 3, line 8, of the printed bill, after the portion of the word "ment", insert the following: ", or issuing a warrant for the payment of,".

Amendment No. 15.

On page 3 of the printed bill, strike out line 13, and insert in lieu thereof the following: "Sec. 437. If at any time the Audi-".

Amendment No. 16.

On page 3, line 14, of the printed bill, after that portion of the word "tor", add the following: "General".

Amendment No. 17.

On page 3 of the printed bill, strike out lines 22 to 24, inclusive, and insert in lieu thereof the following: "Governor and the Director of Finance, and if the matter so discovered constitute a criminal offense he shall in his judgment also lay the facts before the Attorney General."

Amendment No. 18.

On page 3 of the printed bill, strike out lines 25 to 33, both inclusive, and insert in lieu thereof the following:

"SEC. 438. Immediately after the completion of".

Amendment No. 19.

On page 3, line 35, of the printed bill, strike out the word "act", and insert in lieu thereof the following: "article".

Amendment No. 20.

On page 3, line 35, of the printed bill, after the word "Auditor", insert the following: "General".

Amendment No. 21.

On page 3, line 37, of the printed bill, strike out the word "other".

Amendment No. 22.

On page 3 of the printed bill, strike out lines 41 to 43, both inclusive, and insert in lieu thereof the following:

"Transmit to each member of the Legislature at the same time the Executive Budget is transmitted to them, a".

Amendment No. 23.

On page 3, line 45, of the printed bill, strike out the word "of", and insert in lieu thereof the following: "or".

Amendment No. 24.

On page 3, lines 46 and 47, of the printed bill, strike out the words "General Assembly", and insert in lieu thereof the following: "Legislature."

Amendment No. 25.

On page 3 of the printed bill, strike out line 51, and insert in lieu thereof the following:

"SEC. 439. The Auditor General shall".

Amendment No. 26.

On page 4, line 6, of the printed bill, after the word "Auditor", add the following: "General".

Amendment No. 27.

On page 4 of the printed bill, strike out lines 11 to 14, both inclusive, and insert in lieu thereof the following: "viction thereof shall be punished by a fine of not less than $100 or by imprisonment in the county jail for not less than one month nor more than 12 months, or by both such fine and imprisonment."

Amendment No. 28.

On page 4 of the printed bill, strike out lines 15 to 52, both inclusive, and all of page 5, and insert in lieu thereof the following:

"SEC. 2. The Auditor General is hereby vested with and shall succeed to all the powers, duties, functions, purposes and jurisdiction of the Controller or State Controller under the Direct Primary Law. Whenever the term "Controller" or "State Controller" is used in said act the same shall hereafter mean the Auditor General.

SEC. 3. The Auditor General shall succeed to and is hereby vested with all the powers, duties, functions, purposes and jurisdiction of the Department of Finance under section 33 of that certain act entitled "An act to establish a system of unemployment reserves for this State and making an appropriation therefor, approved June 25, 1935." Whenever the term "Department of Finance" is used in said section the same shall hereafter mean the Auditor General.

SEC 4 The Auditor General shall have possession and control of all records, documents, moneys, funds, appropriations and property, real, personal and mixed heretofore held by any State officer or agency in connection with the administration or discharge of any powers, duties, functions, purposes or jurisdiction hereunder transferred to or vested in the Auditor General. All moneys, funds, appropriations and property so transferred to the Auditor General shall be used solely for the support and maintenance of his office in administering and enforcing the law under which it was derived or for which use it was intended.

SEC. 5 All persons in the State civil service heretofore discharging functions in this article transferred to or vested in the Auditor General shall retain their respective positions under said Auditor General, subject to ouster as provided in the laws relating to the State civil service and in particular the power of the Auditor General to reduce the staff in the interests of economy with attendant lay-off of individuals.

SEC. 6. (a) Sections 658 and 679 of the Political Code are hereby repealed.

(b) All other acts or parts of acts in conflict herewith are hereby repealed.

SEC. 7. If any portion of this act is held unconstitutional, such decision shall not affect the validity of any other portion of this act

SEC. 8. This act shall take effect upon the adoption of a constitutional amendment ratifying "The Fiscal Code" as adopted by the Legislature at its fifty-second session and approved by the Governor."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 134—An act to amend section 105 of an act entitled "An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor," approved June 9, 1931, as amended, relating to part time employment of retired employees.

Committee Amendment to Assembly Bill No. 134.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, after "exceed", insert the following: "twenty-six".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2028—An act to amend an act entitled "An act to authorize and control the deposit in banks of moneys belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, by amending sections 1, 2, 3, and 5 thereof, relating to the deposit of public moneys.

Committee Amendments to Assembly Bill No. 2028.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 7 and 8 of the title, and insert in lieu thereof the following: "ing section 1 thereof and by adding a new section thereto to be numbered section 3a, relating to the deposit of public moneys, to

declare the urgency thereof, and to provide that this act shall take effect immediately."

Amendment No. 2.

On page 2, line 3, of the printed bill, strike out "on inactive deposits,".

Amendment No. 3.

On page 2, line 9, of the printed bill, after the word "than", insert the following: "one-half of one per centum per annum on active deposits and".

Amendment No. 4.

On page 2, line 19, of the printed bill, after the word "corporation.", insert the following:

"Such deposits, with interest thereon, shall be subject to withdrawal at any time upon the demand of the Treasurer or other authorized official; provided, however, that all inactive deposits shall be subject to notice of at least 30 days for the payment thereof; and provided further, that the treasurer may, with the consent of the governing body of the county, city and county, city, town, municipality or other public or municipal corporation, deposit any part of such moneys for a definite term and may agree with any depositary bank or banks as to the period of time of any deposit or deposits, but no such agreement shall provide for the deposit of any of said moneys for a longer period than one year; and provided further, that such".

Amendment No. 5.

On page 2, line 32, of the printed bill, strike out the word "Such", before the word "Treasurer".

Amendment No. 6.

On page 2 of the printed bill, strike out all of lines 40 to 52, both inclusive, and insert in lieu thereof the following:

"SEC. 2. There is hereby added to said act a new section to be numbered section 3a to read as follows:

Sec. 3a. Notwithstanding any of the provisions of this act the Treasurer may, and he is hereby expressly authorized, to deposit funds and to enter into contracts relating thereto with any State or National bank in compliance with and subject to such provisions and conditions relating to the payment of interest on public funds as are now or may hereafter be prescribed by any act of the Congress of the United States or rules or regulations of any department or agency of the Federal Government adopted pursuant thereto and which said acts, rules or regulations impose lawful and binding regulations governing the payment of interest on deposits of public funds by member banks of the Federal Reserve System or banks the deposits of which are insured by the Federal Deposit Insurance Corporation and which acts, rules or regulations governing the payment of interest are in conflict with the provisions of this act. Such Treasurer may, during the existence of such conflicting provisions between such Federal law or regulations and the provisions of this act, with the consent of the governing body of the county, city and county, city, town, municipality or other public or municipal corporation, determine what amount of money shall be deposited as inactive deposits and the rate or rates of interest thereon, and shall determine what amount of money shall be deposited as active deposits and shall enter into such contract or contracts with such depositary or depositaries as in his judgment will be to the public advantage so to do, which contract or contracts shall fix the duration of deposits and the rate or rates of interest thereon, if any, and provide conditions for the withdrawal and repayment thereof and, within the requirements of section 4 of this act, prescribe the security therefor. Upon the enactment by the United States of any law removing restrictions imposed upon banks by the laws of the United States or by any regulation thereunder relative to the payment of interest upon public funds, any such agreement theretofore entered into by any treasurer and any bank shall be subject to termination by either party thereto."

Amendment No. 7.

On page 3 of the printed bill, strike out all of lines 1 to 52, both inclusive, and insert in lieu thereof the following:

"SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into immediate effect.

The facts constituting such necessity are as follows: Upon the expiration of two years after the enactment by Congress of the Banking Act of 1935, signed by the President August 23, 1935, said act prohibits all banks, members of the Federal Reserve System, from paying any interest upon any deposit in the United States, including deposits of public funds made by or on behalf of any State, county, school district, or other subdivision or municipality, which is payable on demand, and makes the payment of interest by such banks on all such deposits, other than those payable on demand, subject to limitation by regulation by the Board of Governors of the Federal Reserve System. Said Banking Act

of 1935 also authorizes the Board of Governors of the Federal Reserve System to define "demand" and "time" deposits and to determine what shall be deemed to be a payment of interest and to prescribe such rules and regulations as it may deem necessary, and also requires that no such bank shall pay any time deposit before its maturity except upon such conditions and in accordance with such rules and regulations as may be prescribed by the said board.

Unless the laws of the United States and of the State of California be brought into harmony, in this respect, on or before August 23, 1937, it will become mandatory that very large sums of public money be withdrawn from deposit with banks and that all amounts so withdrawn be held by the Treasurer in his own possession and handled in currency.

It is necessary that the withdrawal of such an amount of currency from circulation at one time be prevented and that the radical and objectionable changes in the handling of public financial transactions that would immediately ensue, as an inevitable consequence of such withdrawal and holding of currency, be obviated and that the means of deriving revenue from the depositing of public funds be impeded as little as possible. This act will permit deposits of public moneys to be made in such manner as to comply with the Federal requirements. This act is necessary in order to provide for the economical, orderly and safe handling of such moneys."

Amendment No. 8.

On page 4 of the printed bill, strike all of lines 1 to 10, both inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2505—An act to amend section 1 of an act entitled "An act authorizing and requiring boards of commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations," approved March 26, 1895, relating to vacations of members of fire departments.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 2282—An act to amend section 4295 of the Political Code, relating to official service without fee.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 861—An act to amend section 533 of the Agricultural Code, relating to imitation cream.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1287—An act to add section 736.3a to the Agricultural Code, relating to retail prices for fluid milk.

Committee Amendments to Assembly Bill No. 1287.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 736.3a to", and insert in lieu thereof the following "Article 4 to Chapter 10 of Division IV of".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill strike out "retail prices for fluid milk", and insert in lieu thereof the following: "the marketing and distribution of fluid milk and fluid cream".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1. Article 4 of Chapter 10 of Division IV is hereby added to the Agricultural Code to read as follows:

Article 4. Construction and Interpretation.

738. The Legislature hereby declares that by making any additions to, or amendments of, Chapter 10 of Article IV of this code in the fifty-second regular session of the California Legislature, it intends to formulate a comprehensive scheme for the regulation of the marketing and distribution of fluid milk and fluid cream. If, however, any provision of, or amendment or addition to, said Chapter 10 of Division IV of this code, either as originally enacted or as amended or added to at said session, should be held to be unconstitutional, the unconstitutionality of such provision shall not affect any other provision of said chapter

If any article, section, subsection, sentence, clause or phrase of any provision of Chapter 10 of Division IV of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining provisions of said chapter. The Legislature hereby declares that it would have enacted each article, section, subsection, sentence, clause or phrase of said chapter irrespective of the fact that one or more other articles, sections, subsections, sentences, clauses or phrases be declared unconstitutional"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2012—An act to add section 319 to the Agricultural Code, relating to the sale of animals.

Committee Amendment to Assembly Bill No. 2012.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "jennies or any bovine animal", and insert in lieu thereof the following: "or jennies".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 395—An act to amend section 537e of the Penal Code, relating to the purchase or sale of manufactured articles from which identification marks have been removed.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1334—An act to amend sections 3, 4, and 11 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs, and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulterating, mislabeling, misbranding, false advertising, and sale of foods and the powers of the State Board of Public Health in relation thereto.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 814—An act to regulate hours of labor, and to provide penalties for violation hereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2562—An act to amend section 1 of "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to hours of labor in subterranean or underground employment.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 939—An act to amend sections 9c and 9d of, and to add sections 9e and 9f to, the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to workmen's compensation.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2204—An act to add section 5a to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calen-

dar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to the employment of apprentices.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2170—An act to provide for the employment of union labor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2647—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 262—An act to amend section 3 of the "Retail Sales Tax Act of 1933," relating to the levy of sales taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2316—An act relating to taxation, to add section 5.3 to the Retail Sales Tax Act of 1933 and section 4.3 to the Use Tax Act of 1935, providing for exemptions.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 68—An act to amend section 3617 of the Political Code, relating to revenue and taxation.

Committee Amendments to Assembly Bill No. 68.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 3617", and insert in lieu thereof the following: "sections 3617 and 3627".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "taxation", insert the following: ", including the method of appraisement of property for taxation".

Amendment No. 3.

On page 2 of the printed bill, strike out lines 21 to 32, inclusive, and insert in lieu thereof the following:

"Fifth—All property shall be assessed at 50 per cent of its "full cash value." The terms "value" and "full cash value" mean the amount at which the property would be taken in payment of a just debt from a solvent debtor, except that, on and after the first Monday in March, 1939, the terms, "value" and "full cash value" of real estate shall be ascertained by capitalizing the annual net average warranted productivity, income or utility of real estate, at a capitalization rate of not less than 8 per cent, this percentage to include allowance for the physical depreciation of the property. In determining the "actual value" of notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein, the assessor shall not take into account the existence of any custom or common method, if any, of assessing any other class or classes of property at less than the full cash value thereof."

Amendment No. 4.

On page 3 of the printed bill, following line 15, insert the following:

"Eighth—In determining the net average warranted annual productivity, income or utility of the property, the assessor shall take into consideration the property's net earnings for a period not to exceed three years next preceding the date of assessment thereof, and may require a verified statement of all gross income and of all expenses incident to the operation of the property for a term not to exceed three years immediately prior to the assessment. Failure of the taxpayer to furnish the assessor with such statement, or with any other statement in regard to the property, when required by the assessor so to do, shall enjoin such taxpayer or others affected by the assessment from contesting the amount of the assessment.

In case of improved properties where the improvement in such as to make it suitable for special purposes only, or where the property is occupied or used by the owner (yielding its utility directly to the owner), or where such improved property is temporarily vacant, such property shall be assessed in relation to the annual productivity, income or utility of occupied property of like character, similarly situated; due consideration being given to the demand for and the supply of, and to the reasonable absorption rate of the type of property which is being assessed.

Should there be available for income comparison no other property improved in like manner, of like character, and similarly situated, then the replacement cost of an adequate improvement may be regarded as determining the use or utility value of owner-occupied buildings. Items which do not add to the property's usefulness or earning power shall not be included in the valuation of any property.

In the valuation of vacant and unused property in the congested district in any incorporated village, town or city, such property shall be appraised with reference to utilized property of like character, similarly situated, due consideration being given to the demand for and the supply of, and to the reasonable absorption rate of the type of property which is being assessed.

Should the property taxed be in the category of industrial, income or rental properties, and such property be equipped and furnished, in whole or in part, with movable or removable equipment and furnishings, two-thirds of the annual depreciation of such chattels shall be allowed as an expense in arriving at the warranted net income from the property.

SEC 2. Section 3627 of the Political Code is hereby amended to read as follows:

3627. All taxable property must be assessed at its full cash value, except that all notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein of the classes taxable under the provisions of section 16 of Article XIII of the Constitution of this State, shall be assessed at their actual value as the same is defined in section 3617 of this code. In determining the actual value of shares of capital stock there shall be deducted the actual value of property located in or having its situs in this State of the corporation by which such shares of capital stock are issued.

Except as hereinafter in this section otherwise provided, real estate shall be assessed by capitalizing the net average warranted annual productivity, income or utility thereof as provided by subdivision fifth of section 3617 of this code; provided, however, that if such property consists of unused tracts or vacant subdivided and platted lots, in any incorporated village, town or city, and outside of the congested district thereof, the full cash value thereof must be ascertained with relation to the average warranted earning power of unplatted and unsubdivided land of similar character and similarly situated.

The assessor shall, in evaluating all classes of property under the eighth subdivision of section 3617, give due consideration to the demand for and the supply of, and to the reasonable absorption rate of the type of property which is being assessed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1378—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

Committee Amendments to Assembly Bill No. 1378.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9 of the title of the printed bill, strike out the words "sections 2, 3, 4, 5," and also strike out the remainder of the title, and insert in lieu thereof the following: "section 9 thereof, relating to the allocation of funds to consolidated cities."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out the numeral "2", and insert in lieu thereof the numeral "9".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 3 to 12, both inclusive.

Amendment No. 4.

On page 2 of the printed bill, strike out all of lines 1 to 32, both inclusive.

Amendment No. 5.

On page 3 of the printed bill, strike out all of lines 1 to 41, both inclusive.

Amendment No. 6.

On page 4, line 3, of the printed bill, after the period following the word "fund", insert the following:

"The appropriation hereby made for the use of the Department of Motor Vehicles shall be effective as of January 1, 1937."

Amendment No. 7.

On page 4, line 5, of the printed bill, strike out the word "each", and insert in lieu thereof the following: "the eighty-eighth, eighty-ninth and ninetieth".

Amendment No. 8.

On page 4, line 6, of the printed bill, strike out the word "year", and insert in lieu thereof the word "years".

Amendment No. 9.

On page 4, line 28, of the printed bill, strike out the words "each fiscal year", and insert in lieu thereof the following: "the eighty-eighth, eighty-ninth and ninetieth fiscal years".

Amendment No. 10.

On page 4, line 41, of the printed bill, strike out the words "each fiscal year", and insert in lieu thereof the following: "the eighty-eighth, eighty-ninth and ninetieth fiscal years".

Amendment No. 11.

On page 5 of the printed bill, strike out all of lines 4 to 36, both inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1908—An act to amend sections 1, 3, 7 and 11 of the Motor Vehicle Fuel License Tax Act, relating to the definition of terms used in said act, the imposition of a license tax thereunder, the determination of taxable distributions of motor vehicle fuel, and the refund of said license tax under certain conditions.

Committee Amendments to Assembly Bill No. 1908.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after "Act," insert "and to add two new sections, to be numbered, 4a and 4b, to said act,".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, strike out "and".

Amendment No. 3.

On page 1, in the last line of the title of the printed bill, strike out the period and add ", the acquisition of property by the State because of nonpayment of said license tax and the disposition of such property."

Amendment No. 4.

On page 3, line 11, of the printed bill, strike out "stolen,".

Amendment No. 5.

On page 3, line 20, of the printed bill, strike out "until", and insert in lieu thereof "unless".

Amendment No. 6.

On page 4 of the printed bill, after line 30, add the following:

'SEC. 5. A new section, to be numbered 4a, is hereby added to the act cited in the title hereof, to read as follows:

Sec. 4a. The Controller may bid at any sale conducted under the provisions of section 4 of this act.

SEC. 6. A new section, to be numbered 4b, is hereby added to the act cited in the title hereof, to read as follows:

Sec. 4b. Whenever the State of California shall acquire an interest in any real or personal property as provided in section 4 of this act, the Controller may, with the consent of the Department of Finance, sell the property or any part thereof at private sale or at public auction. He may advertise the sale by one publication, at least ten days before the date set for such sale, in a newspaper of general circu-

lation in the county or city and county in which the property to be sold is situated If there be no newspaper of general circulation in such county or city and county, then publication may be made by posting notice in three public places in such county or city and county for the ten day period The sale provided in this section shall be conducted by the Controller or his duly authorized representative; and he may reject any or all bids at such sale The proceeds of such sale shall be distributed by the Controller in the following order. (a) The payment of all expenses of such sale (b) The payment of taxes and penalties accruing under this act which are a lien on the property. (c) The remainder, if any, to the general fund of the State of California At any such sale, the Controller shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest title in the purchaser free from any lien for taxes and penalties accruing under this act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1761—An act to amend section 3817a of the Political Code, relating to extending the period of redemption

Committee Amendments to Assembly Bill No. 1761.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "of", insert the following: ", and to add sections 3817.3 and 3817.4 to,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "extending the period of".

Amendment No. 3.

On page 3, lines 4 and 5, of the printed bill, strike out "shall, on or before April 20th of any year,".

Amendment No. 4.

On page 3, lines 16 and 17, of the printed bill, strike out ", on or before April 20th of any year, of ten", and insert in lieu thereof the following: "of twenty".

Amendment No. 5.

On page 3, line 22, of the printed bill, strike out "two", and insert in lieu thereof the following "six".

Amendment No. 6.

On page 4, line 3, of the printed bill, strike out "The county treasurer shall", and strike out lines 4 and 5.

Amendment No. 7.

On page 4 of the printed bill, strike out lines 12 to 22, inclusive.

Amendment No. 8.

On page 4, line 23, of the printed bill, after "2", insert the following: "Section 3817.3 is hereby added to the Political Code, to read as follows:

3817.3. Where property has been deeded to the State under section 3785 and stands in the name of the State and redemption is made of the property between the time when taxes become a lien on property and the time when the first installment of taxes is delinquent, the auditor shall notify the assessor in writing of the redemption and the assessor shall assess such property at present value, on the assessment roll, as if such property were assessable on the first Monday in March *in the year of redemption, in the name of the holder of the fee title immediately prior* to the deed to the State or his successor in interest. Thereafter, taxes on such property shall be collected in the same manner as those on other property on the assessment roll.

SEC. 3. Section 3817.4 is hereby added to the Political Code, to read as follows:

3817.4. Where property has been deeded to the State under section 3785 and stands in the name of the State and redemption is to be made of the property after *the first installment of taxes is delinquent, the auditor shall notify* the assessor in writing of this fact and the assessor shall determine the present value of such property, shall notify the auditor in writing of such value, and, if the second installment of taxes is not yet delinquent, shall place such property on the assessment roll then in the possession of the tax collector. The auditor shall compute, as of the time of redemption, the delinquent taxes and penalties which would be collectible by the tax collector if the property were on the assessment roll, and these shall be paid in the same manner as the amount necessary to redeem Thereafter taxes and

penalties on such property shall be collected in the same manner as those on other property on the assessment roll

Sec. 4."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2336—An act to add section 50 to the Fish and Game Code, relating to the licensing of land owners to collect fees or other charges for the privilege of hunting on their land

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2702—An act to add section 37 to the Fish and Game Code, relating to the preservation of fish and game.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1766—An act to amend sections 536.5 and 536.8 of the Fish and Game Code, relating to the installation of fish screens.

Committee Amendments to Assembly Bill No. 1766.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "536.5 and 536.8", and insert in lieu thereof the following: "535, 537, 538, 539, 540 and 541".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, before the word "relating", insert the following: "and to repeal sections 542, 543, 544, 545, 546 and 547 of the said code all".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, after the word "installation", insert the following: "and maintenance".

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "536.5", and insert in lieu thereof the figure "535".

Amendment No. 5.

On page 1 of the printed bill, strike out all of lines 3 to 28, both inclusive, and insert in lieu thereof the following:

"535. The commission shall examine all conduits and order the owners to install and it is the duty of the owners of a conduit to install a screen on any conduit when, in the opinion of the commission, such a screen is necessary to prevent fish from passing into the conduit. Except as provided in sections 536.9, 537 and 538, one-half of the expense of constructing or installing a screen shall be paid by the owner of a conduit, and one-half by the commission.

SEC. 2. Section 537 of said code is hereby amended to read as follows:

537. When a screen has been installed, the owner thereof may, by written notice within 90 days after such installation, request the commission to inspect the screen for the purpose of accepting the same. Thereupon it is the duty of the commission to inspect the screen, and if the same has been installed in accordance with the order and plans and specifications agreed upon by the commission and the owner as provided in section 541 of this article or approved by the Chief of the Division of Water Resources of the State of California, the commission must accept and approve the same in writing. If, upon such inspection it appears that the screen has not been constructed and installed in accordance with such plans and specifications it is the duty of the commission, within 60 days after such inspection, to notify the owner of any deviation from the order. Thereupon such deviation may be remedied within 90 days, and a further inspection requested.

SEC. 3. Section 538 of said code is hereby amended to read as follows:

538. After acceptance, should the screen fail to function in an efficient manner, no changes in conditions affecting its operations having occurred subsequent to the acceptance of the screen, then the owner shall not be required to install a new screen; provided, however, nothing herein contained shall prohibit the commission from installing another screen therein at the sole cost and expense of the commis-

sion and of the type, size, mesh, and at a location agreed upon by the commission and the owner, or approved by the Chief of the Division of Water Resources of the State of California, as provided in section 541 of this code.

SEC. 4. Section 539 of said code is hereby amended to read as follows:

539. It is unlawful for the owner of a conduit to refuse, fail or neglect to install a screen in compliance with an order from the commission or to permit said screen to be removed or taken out of place except for repairs or cleaning while water is running in said conduit.

SEC. 5. Section 540 of said code is hereby amended to read as follows:

540. In lieu of the commission ordering the owner to install a screen as provided in sections 535, 536, 536.5, 536.6, 536 7, 536 8, 537 and 538, the commission may, at its option, elect to construct and install the screen itself and in which event the type, size, mesh, and location of the screen and the time within which the screen shall be installed shall be determined as provided by section 541 of this code. In the event the commission shall elect to construct and install the screen, one-half of the cost of construction and installation of such screen shall be paid by the owner. The commission may pay the entire cost of such construction and installation of such screen from the fish and game preservation fund and upon completion of such a screen notify the owner of one-half of the cost of such screen and the owner shall, within 30 days therefrom, remit one-half of the cost of said screen to the commission.

SEC. 6. Section 541 of the said code is hereby amended to read as follows:

541. Any screen installed under any of the provisions of this article shall be such as will be reasonably adequate to prevent fish from passing into the conduit and such as will not unnecessarily impede the flow of water or prevent the owner from diverting the amount of water he is legally entitled to divert. The type, size, mesh and location of the screen and the time within which the screen shall be installed shall be mutually agreed upon by the commission and the owner of the conduit. In the event the commission and the owner of the conduit can not agree upon the type, size, mesh and location of the screen and the time within which the same shall be installed, such matters shall be submitted to the Chief of the Division of Water Resources of the State of California whose decision thereon shall be final and conclusive. If the owner and the commission shall fail to agree upon the type, size, mesh and location of the screen and the time within which the screen shall be installed within 60 days from the first submission of proposed plans and specifications by the commission to the owner, either the commission or the owner may submit such matters, in writing to the Chief of the Division of Water Resources for final and conclusive decision and he shall within 60 days from such reference render his decision in writing determining such matters. The commission shall maintain and keep the screen in repair and shall quarterly notify the owner in writing of the cost of such maintenance and repairs and the owner shall within 30 days remit to the commission one-half of the said cost. The owner of the conduit shall operate and keep free from debris any screen heretofore or hereafter installed and shall quarterly notify the commission in writing of such cost of such operation and keeping the screen free of debris and the commission shall within 30 days remit to the owner one-half of the said cost. Before the installation of any screen, under the provisions of this article, the commission and the owner shall enter into an agreement defining the method of determining the cost of maintenance, repairs, operation and keeping the screen free of debris, and the agreement shall provide that in the event either the commission or the owner object to such costs, then such costs shall be referred to the Director of Finance for his final and conclusive decision.

SEC. 7. Sections 542, 543, 544, 545, 546 and 547 of the said code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2815—An act to amend section 603 of the Vehicle Code, relating to vehicles and animals on certain property.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 167—An act to amend sections 136 and 136.5 of the Streets and Highways Code, relating to contracts of the Department of Public Works.

Committee Amendments to Senate Bill No. 167.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out the following: ", and to add a new section to be numbered 202.1 to,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 3 to 5, inclusive, of the title, and insert in lieu thereof the following: "of the Department of Public Works."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 4 to 10, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 278—An act to add section 28.5 to the Agricultural Code, relating to refunds.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 80—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Natural Resources, Division of Parks, over and appertaining to the State Burial Grounds to the Department of Finance of the State of California, and to repeal certain acts specified herein.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 737—An act to amend section 531 of the Political Code, relating to the State Printing Plant.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 544—An act to amend Chapter 493, Statutes of California, 1917, entitled "An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act," approved May 17, 1917, as amended, and to add new sections thereto to be known as 7a, 7b, 7c, 7d, 7e, and 7f, setting forth the manner of application and providing for rules and regulations for the use of State-owned property.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 549—An act to amend section 3805c of the Political Code, providing for the cancellation of assessments on certain lands of the State.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 545—An act to repeal "An act to provide for the survey and creation of camp sites on State lands," approved May 15, 1923 (Chapter 155, Statutes of California, 1923).

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 546—An act to amend sections 3, 4, 5, 6, 7, 8, 10, 14 and 16 of an act entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911, relating to the powers and duties of the Division of State Lands with respect thereto.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 547—An act to amend subsection 5, and to add a new subsection to be numbered 10 to section 675 of the Political Code, empowering the Director of Finance to execute grants to real property belonging to the State to the United States of America, and to withdraw from sale public lands of the State.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 524—An act to amend sections 2, 4, 10, 11, 15, 28, 29, 30, 32, 42, 46, 52, 55, 56, 61, 62 and 63 of the State Housing Act, relating to houses designed for human habitation.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 869—An act to amend section 19 of the "Inheritance Tax Act of 1935," relating to inheritance taxation and more particularly to the time of payment to the State Treasurer of inheritance taxes collected by the county treasurers and interest thereon.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 721—An act to amend section 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 196—An act to amend section 1151 of the Fish and Game Code, relating to use of lights.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 212—An act to add section 875.5 to the Fish and Game Code, relating to nets.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 207—An act to amend section 137 of the Fish and Game Code, relating to game refuges.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 656—An act to amend section 124 of the Vehicle Code, relating to the administration of the California Highway Patrol.

Bill read second time, and ordered on third reading calendar.

Notices of Motion to Reconsider Continued.

On motion of Mr. King, the consideration of his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331 was continued until the next legislative day

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr. Field, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 516 was passed was continued until the next legislative day.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 276 was passed was continued until the next legislative day.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 990 was refused passage was continued until the next legislative day.

Reconsideration of Assembly Bill No. 1052.

In compliance with a notice given on a previous day, Mr. Kepple moved that the vote whereby Assembly Bill No. 1052 was passed be reconsidered.

The roll was called.

Motion for Call of the Assembly.

Pending the announcement of the vote, Mr. Kepple moved a call of the Assembly.

Motion lost by the following vote.

AYES—Baynham, Boyle, Breed, Crowley, Cunningham, Daley, Dilworth, Gannon, Garibaldi, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Robertson, Stream, Thorp, and Walker—25.

NOES—Andreas, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Dannenbrink, Dawson, Donihue, Donnelly, Fulcher, Hawkins, Hornblower, **Hunt, Laughlin, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Peek,** Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Welsh, Williamson, **Yorty, and Mr. Speaker—36.**

The roll was called, and Assembly Bill No 1052 refused reconsideration by the following vote:

AYES—Baynham, Beene, Breed, Call, Cunningham, Daley, Dannenbrink, Dilworth, Gannon, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Lore, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Redwine, Robertson, Stream, Thorp, Walker, Watson, and Welsh—30

NOES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Dawson, Donihue, Donnelly, Fulcher, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Maloney, Mayo, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Williamson, Yorty, and Mr. Speaker—35

Assembly Bill No 1052 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 628.

In compliance with a notice given on a previous day, Mr. Fulcher moved that the vote whereby Assembly Bill No. 628 was refused passage be reconsidered.

The roll was called, and Assembly Bill No 628 reconsidered by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Glick, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, Reaves, Robertson, Sawallisch, Stream, Turner, Voigt, Walker, Welsh, and Williamson—41.

NOES—Andreas, Boyle, Dawson, Gilbert, Hawkins, Hunt, Lore, Meehan, Peek, Rosenthal, Sheehan, Watson, Yorty, and Mr. Speaker—14.

Consideration of Assembly Bill No. 628.

Assembly Bill No. 628—An act to amend section 216 of the Vehicle Code, relating to registration of motor vehicles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Sheehan, Stream, Turner, Walker, Watson, Welsh, and Yorty—47.

NOES—Dawson, Gilbert, Hornblower, Hunt, King, Lore, Maloney, Richie, Rosenthal, Tenney, Voigt, and Mr. Speaker—12

Title read and approved Bill ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 218.

In compliance with a notice given on a previous day, Mr. Heisinger moved that the vote whereby Assembly Bill No. 218 was refused passage be reconsidered.

The roll was called.

Motion for Call of the Assembly.

Pending the announcement of the vote, Mr. Heisinger moved a call of the Assembly.

Motion lost by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Crowley, Daley, Dilworth, Donnelly, Gannon, Garibaldi, Heisinger, Kepple, Latham, Lyon, Martin, Millington, Morgan, Scudder, Stream, Thorp, Turner, and Walker—22.

NOES—Beene, Boyle, Cassidy, Clark, Cronin, Cunningham, Dannenbrink, Dawson, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Lore, Maloney, Mayo, Meehan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—39.

The roll was called, and Assembly Bill No. 218 refused consideration by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Crowley, Daley, Dawson, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Kepple, Kuchel, Latham, Laughlin, Martin, Meehan, Miller, George P., Millington, Morgan, Reaves, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, and Watson—34.

NOES—Boyle, Breed, Cassidy, Clark, Cunningham, Dannenbrink, Gilbert, Hawkins, Hornblower, Hunt, Johnson, King, Lore, Lyon, Maloney, Mayo, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sheehan, Tenney, Voigt, Yorty, and Mr. Speaker—29.

Third Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 2825—An act to amend section 737a of the Political Code, relating to salaries of judges of the superior court in and for the county of Alameda.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—63.

NOES—Donnelly, Latham, and Lore—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 387—An act to amend section 737g of the Political Code, relating to the compensation of the judges of the superior court in and for the county of Contra Costa.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—62.

NOES—Donnelly, Heisinger, Latham, and Lore—4.

Title read and approved. Bill ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 65.

In compliance with a notice given on a previous day, Mr. Scudder moved that the vote whereby Assembly Bill No. 65 was passed be reconsidered.

The roll was called, and Assembly Bill No. 65 refused reconsideration by the following vote:

AYES—Breed, Call, Corwin, Dilworth, Gannon, Garibaldi, Johnson, Miller, Eleanor; Morgan, Muldoon, Scudder, and Thorp—12.

NOES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Doni-

hue, Donnelly, Field, Flint, Fulcher, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—56.

Assembly Bill No. 65 ordered transmitted to the Senate.

Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up.

Motion to Continue Special Order.

Mr. Boyle moved that the special order heretofore set for this hour be continued until two o'clock p m., on Tuesday, April 20, 1937.

The roll was called, and the special order continued by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Field, Flint, Garibaldi, Glick, Hawkins, Hornblower, Hunt, King, Latham, Laughlin, Lore, Lyon, Martin, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—45.

NOES—Crowley, Dilworth, Donnelly, Garland, Heisinger, Johnson, Kuchel, Meehan, O'Donnell, Redwine, and Voigt—11.

Notice of Motion to Reconsider Assembly Bill No. 1094 Waived.

Mr. Voigt waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1094 was passed.

Assembly Bill No. 1094 ordered transmitted to the Senate.

Motion to Withdraw Assembly Bill No. 176 from Committee.

In compliance with a notice given on a previous day, Mr. Pelletier moved to withdraw Assembly Bill No. 176 from the Committee on Judiciary Codes, and have it placed upon the calendar.

The roll was called, and the motion to withdraw lost by the following vote:

AYES—Andreas, Cassidy, Clark, Cronin, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Hawkins, Hunt, King, Lore, McMurray, Meehan, Miller, George P., Patterson, Pelletier Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Yorty, and Mr. Speaker—27.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Flint, Fulcher, Glick, Heisinger, Johnson, Kuchel, Latham, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Robertson, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, and Williamson—38.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 14, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

Assembly Bill No. 1105—An act to amend section 7 of an act entitled "An act authorizing the establishing of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts as amended.

For reasons which seem to me to be compelling, I am returning herewith, without my approval, Assembly Bill No. 1105, which proposes to increase the annual salaries of thirty municipal judges in the city of Los Angeles from $6,500 to $7,500, and the monthly salaries of court clerk and the court marshal from $450 to $500.

Having carefully examined the measure, and the reasons advanced for its enactment, I am convinced that no considerations are involved which justify suspension of a policy of consistent economy in the administration of all governmental agencies subject to my control.

The only policy of governmental economy which can be maintained efficiently, is a policy that honestly economizes wherever and whenever possible without impairment of public service. That this is a fact which the great body of taxpayers recognize and approve is attested by the hundreds of letters and telegrams received by me from those in all walks of life.

Despite the fact that Assembly Bill No. 1105 makes no direct demands upon the revenue of the State, it does, nevertheless, propose a further demand upon the general taxpayer, and I am unable to give it my approval.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1105 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 14, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

I am returning herewith, without my approval, **Assembly Bill No. 2080,** being "An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to municipal courts and the judges and attaches thereof, in cities or cities and counties of the second and one-half class."

The action thus taken is prompted by the same considerations as set forth in a message refusing approval of Assembly Bill No. 1105.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2080 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 14, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

I am returning herewith, without my approval, **Assembly Bill No. 2061,** being "An act to amend sections 737b, 737c, 737i, and 737oo of the Political Code, relating to the salary of judges of the superior court."

The action thus taken is prompted by the same considerations as set forth in a message refusing approval of Assembly Bill No. 1105.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2061 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 14, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

I am returning herewith, without my approval, **Assembly Bill No. 401,** being "An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners."

The action thus taken is prompted by the same considerations as set forth in a message refusing approval of Assembly Bill No. 1105.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 401 ordered on unfinished business calendar.

Motion to Withdraw Assembly Bill No. 177 from Committee.

In compliance with a notice given on a previous day, Mr. Pelletier moved to withdraw Assembly Bill No. 177 from the Committee on Judiciary Codes, and place it on the calendar.

The roll was called, and the motion to withdraw lost by the following vote:

AYES—Clark, Crowley, Donahue, Donnelly, Flint, Gilbert, Hunt, King, Lore, McMurray, Meehan, Morgan, Patterson, Pelletier, Reaves, Rosenthal, Tenney, Turner, Voigt, and Yorty—20.

NOES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Fulcher, Gannon, Garibaldi, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Levey, Lyon, Martin, Mayo, Miller, Eleanor, Millington, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, and Mr. Speaker—44.

Motion to Withdraw Assembly Bill No. 696 from Committee.

In compliance with a notice given on a previous day, Mr. Gilbert moved to withdraw Assembly Bill No. 696 from the Committee on Public Charities and Corrections, and place it on the calendar.

The roll was called, and Assembly Bill No. 696 withdrawn by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 696 ordered on second reading calendar.

Motion to Withdraw Assembly Bill No. 697 from Committee.

In compliance with a notice given on a previous day, Mr. Gilbert moved to withdraw Assembly Bill No 697 from the Committee on Public Charities and Corrections, and place it on the calendar.

The roll was called, and Assembly Bill No. 697 withdrawn by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—64.

NOES—None.

Assembly Bill No 697 ordered on second reading calendar.

Motion to Withdraw Assembly Bill No. 2175 from Committee.

In compliance with a notice given on a previous day, Mr. Latham moved to withdraw Assembly Bill No. 2175 from the Committee on Labor and Capital, and place it on the calendar.

The roll was called, and Assembly Bill No. 2175 withdrawn by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Cassidy, Cronin, Crowley, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Levey, Lore, Lyon, Mayo, McMurray, Miller, Eleanor; Morgan, Peyser, Reaves, Redwine, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Williamson—41.

NOES—Andreas, Baynham, Burns, Hugh M., Clark, Daley, Dannenbrink, Donnelly, Flint, Glick, Hawkins, Kuchel, Martin, Meehan, Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Sawallisch, Sheehan, Yorty, and Mr. Speaker—24.

Assembly Bill No. 2172 ordered on second reading calendar.

Reconsideration of Assembly Bill No. 241.

In compliance with a notice given on a previous day, Mr. Patterson moved that the vote whereby Assembly Bill No. 241 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 241 refused reconsideration by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, King, Levey, Lore, Maloney, McMurray, Meehan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Weber, Williamson, Yorty, and Mr. Speaker—36.

NOES—Andreas, Beene, Boyle, Breed, Cronin, Crowley, Cunningham, Daley, Desmond, Dilworth, Field, Fulcher, Gannon, Garland, Glick, Johnson, Kepple, Kuchel, Latham, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Scudder, Stream, Walker, and Watson—34.

Motion to Set Assembly Bill No. 2387 as Special Order.

On motion of Mr. Lore, the consideration of Assembly Bill No 2387 was made a special order of business for Friday, April 16, 1937, at two o'clock and thirty minutes p.m.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 799.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 27—Relative to approving certain amendments to the charter of the city of Porterville, a municipal corporation in the county of Tulare, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the sixth day of April, 1937;

Senate Concurrent Resolution No. 28—Relative to approving certain amendment to the charter of the city of Vallejo in the county of Solano, State of California, as voted for and ratified by the electors of the city at an election held therein on the sixth day of April, 1937.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Garland asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 27 at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 27.

Senate Concurrent Resolution No. 27—Relative to approving certain amendments to the charter of the city of Porterville, a municipal corporation in the county of Tulare, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the sixth day of April, 1937.

Senate Concurrent Resolution No. 27 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr Crowley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 28, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 28.

Senate Concurrent Resolution No. 28—Relative to approving certain amendment to the charter of the city of Vallejo in the county of Solano,

State of California, as voted for and ratified by the electors of the city at an election held therein on the sixth day of April, 1937.

Senate Concurrent Resolution No. 28 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request to Print Extra Copies of Assembly Concurrent Resolution No. 38.

Mr. Maloney requested that 1,000 extra copies of Assembly Concurrent Resolution No. 38 be printed.

Request referred to Committee on Rules.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Fulcher:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4266 of the Political Code, relating to the compensation of county officers and jurors in counties of the thirty-seventh class.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Fulcher

An act to amend section 4266 of the Political Code, relating to the compensation of county officers and jurors in counties of the thirty-seventh class.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2846: By Mr. Fulcher—An act to amend section 4266 of the Political Code, relating to the compensation of county officers and jurors in counties of the thirty-seventh class.

Bill read first time, and referred to Committee on County Government.

Assembly Constitutional Amendment No. 56: By Mr. Patterson—Proposed amendment to Article XVIII of the Constitution, relative to the amendment of the Constitution, and the repeal of section 6 of Article IV.

Introduced, and referred to Committee on Constitutional Amendments.

Third Reading of Senate Bills—(Out of Order).

Senate Bill No. 636—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof," approved May 1, 1911, relating to the use and transfer of such lands; declaring the urgency thereof and providing this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Senate Bill No. 636 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1721—An act relating to the sale, disposition of, advertising, and control through licensing and otherwise, of prophylactics.

Motion to Amend Assembly Bill No. 1721.

Mr. Boyle moved to amend Assembly Bill No. 1721 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 21 to 24, inclusive, and insert in lieu thereof the following: "manufacturer. All prophylactics shall be constructed of such material that their efficacy shall not be destroyed nor impaired by the application of lubricants commonly used in connection therewith, including prophylactic ointments, petroleum jellies, mineral oils, or lubricating creams."

Amendment adopted.

Assembly Bill No. 1721 ordered to reprint, and re-engrossment.

Assembly Bill No. 1370—An act to add a new section to the Agricultural Code, to be numbered 810.6, relating to the standardization of brussels sprouts.

Motion to Amend Assembly Bill No. 1370.

Mr. Leonard moved to amend Assembly Bill No. 1370 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 13, and insert in lieu thereof the following: "who first placed or authorized the placing in such containers of the brussels".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 17 to 23, inclusive.

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive.

Amendments adopted.

Assembly Bill No. 1370 ordered to reprint, and re-engrossment.

Assembly Bill No. 268—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions.

Motion to Amend Assembly Bill No. 268.

Mr. Boyle moved to amend Assembly Bill No. 268 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1 to 4, inclusive, of the title and insert in lieu thereof the following.

"An act to amend section 5 of the Retail Sales Tax Act of 1933, relating to exemptions from the tax imposed upon tangible personal property by said act."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 18, inclusive, and strike out all of pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5 There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act the following:

(a) The gross receipts from sales of tangible personal property which this State is prohibited from taxing under the Constitution or laws of the United States of America or under the Constitution of this State.

(b) The gross receipts from the sales, furnishing, or service of gas, electricity, and water, when delivered to consumers through mains, lines, or pipes.

(c) The gross receipts from the sale of gold bullion or gold concentrates or gold precipitates by the producer or refiner thereof.

(d) The gross receipts from sales of tangible personal property used for the performance of a contract on public works executed prior to the effective date of this act.

(e) The gross receipts from the sale of food products for human consumption. "Food products" as used herein includes cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery. "Food products" does not include spirituous, malt or vinous liquors, soft drinks, sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith, nor does the term "food products" include the furnishing, preparing or serving for a consideration of any tangible personal property consumed on the premises of the person furnishing, preparing or serving such tangible personal property.

(f) The gross receipts from the sale of medicines, surgical supplies and appliances used exclusively in the treatment of human disease, injuries or ailments."

Amendments adopted.

Assembly Bill No. 268 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills.

Senate Bill No. 183—An act to amend sections 1, 2, 3, 5, 6, 11, 12, 17 and 18 of, to repeal section 13 of, and to add section 24 to, an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising and the regulation thereof.

Motion to Amend Senate Bill No. 183.

Mr. Fulcher moved to amend Senate Bill No. 183 as follows:

Amendment No. 1.

On page 2, line 28, of the printed bill, as amended, after the period, add the following: "Said term shall not include, however, the placing, erecting, constructing or maintaining of advertising structures or signs pertaining exclusively to the business of the person placing such structures or signs."

Amendment No. 2.

On page 4, line 1, of the printed bill, as amended, strike out the figure "400", and insert in lieu thereof the following: "800".

Amendment No. 3.

On page 4, line 3, of the printed bill, as amended, strike out the figure "400", and insert in lieu thereof the following: "800".

Amendments adopted.

Senate Bill No. 183 ordered to reprint, and third reading calendar.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 293.	**Assembly Bill No. 1698.**
Assembly Bill No. 2025.	**Assembly Bill No. 1852.**
Assembly Bill No. 2026.	**Assembly Bill No. 1929.**
Assembly Bill No. 262.	**Assembly Bill No. 2051.**
Assembly Bill No. 395.	**Assembly Bill No. 2122.**
Assembly Bill No. 814.	**Assembly Bill No. 2123.**
Assembly Bill No. 861.	**Assembly Bill No. 2170.**
Assembly Bill No. 939.	**Assembly Bill No. 2204.**
Assembly Bill No. 1079.	**Assembly Bill No. 2282.**
Assembly Bill No. 1319.	**Assembly Bill No. 2512.**
Assembly Bill No. 1334.	**Assembly Bill No. 2740.**

Assembly Constitutional Amendment No. 4.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 50.
Assembly Bill No. 934.
Assembly Bill No. 2090.
Assembly Bill No. 2352.
Assembly Bill No. 2622.
Assembly Bill No. 234.
Assembly Bill No. 441.
Assembly Bill No. 442.
Assembly Bill No. 862.
Assembly Bill No. 1123.
Assembly Bill No. 1754.
Assembly Bill No. 2796.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2622 re-referred to Committee on Judiciary General.

Assembly Bill No. 2352 re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 2026 re-referred to Committee on Building and Construction.

Assembly Bill No. 293 re-referred to Committee on Building and Construction.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:

Assembly Bill No. 1250.
Assembly Bill No. 1519.
Assembly Bill No. 2496.

Respectfully reports the same back with the recommendation: Do pass as amended.

HAWKINS, Chairman.

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Senate Bill No. 135.
Senate Bill No. 1028.

Respectfully reports the same back without recommendation, as amended.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 2756.

Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 1085.
Assembly Bill No. 1417.
Assembly Bill No. 1465.
Assembly Bill No. 2219.

Respectfully reports the same back with the recommendation: Do pass as amended.

GILBERT, Chairman.

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Senate Bill No. 396.
Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Senate Bill No. 862.
Assembly Bill No. 503.
Respectfully reports the same back with the recommendation: Do pass as amended.

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 481.
Assembly Bill No. 2283.
Respectfully reports the same back with the recommendation: Do pass as amended.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:
Senate Bill No. 71.
Senate Bill No. 265.
Respectfully reports the same back with the recommendation: Do pass as amended

GILBERT, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 440.
Assembly Bill No. 1904.
Senate Bill No. 445.
Respectfully reports the same back with the recommendation: Do pass as amended.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 208.
Assembly Bill No. 1355.
Respectfully reports the same back without recommendation, as amended.

CLARK, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Senate Bill No. 314.
Assembly Bill No. 2014.
Respectfully reports the same back with the recommendation: Do pass

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 2013.
Respectfully reports the same back without recommendation, as amended.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Irrigation, to which was referred:
Assembly Bill No. 2829.
Senate Bill No. 92.
Senate Bill No. 1123.
Respectfully reports the same back with the recommendation: Do pass.

GARLAND, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 70.
Assembly Bill No. 2828.
Assembly Bill No. 2834.
Senate Bill No. 274.
Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Mines and Mining.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred:
Assembly Bill No. 692.
Senate Bill No. 260.
Respectfully reports the same back with the recommendation: Do pass.

FULCHER, Chairman.

The above reported bills ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:
Assembly Joint Resolution No. 23.
Respectfully reports the same back without recommendation

HEISINGER, Chairman

The above reported bill ordered to engrossment.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred
Assembly Bill No. 204.
Assembly Bill No. 396.
Assembly Bill No. 536.
Assembly Bill No. 1389.
Assembly Bill No. 2568.
Respectfully reports the same back with the recommendation: Do pass as amended.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 1431.
Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CLARK, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 2583.
Respectfully reports the same back without recommendation, and be re-referred to Committee on Motor Vehicles.

ROSENTHAL, Chairman.

The above reported bill re-referred to Committee on Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred
Assembly Bill No. 2070.
Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

ROSENTHAL, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 2338.

Respectfully reports the same back with the recommendation: Do pass

MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 550.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred.

Assembly Bill No. 1499.

Respectfully reports the same back with the recommendation: Do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred

Assembly Bill No. 722.
Assembly Bill No. 1825.
Senate Bill No. 691.
Senate Bill No. 1094.

Respectfully reports the same back with the recommendation: Do pass

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:

Assembly Bill No. 1518.
Assembly Bill No. 1521.
Assembly Bill No. 2495.
Assembly Bill No. 2498.
Assembly Bill No. 2501.

Respectfully reports the same back with the recommendation: Do pass.

HAWKINS, Chairman.

The above reported bills ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 2845.

Respectfully reports the same back with the recommendation: Do pass.

MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 346.
Assembly Bill No. 407.
Assembly Bill No. 928.
Assembly Bill No. 1314.
Assembly Bill No. 2052.
Assembly Bill No. 2053.

Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 1028.
Assembly Bill No. 1346.
Assembly Bill No. 1619.
Assembly Bill No. 2224.
Assembly Bill No. 2742.

Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

Adjournment.

At four o'clock and ten minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Friday, April 16, 1937.

DAVID V OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SECOND LEGISLATIVE DAY
ONE HUNDRED THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 16, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Reaves, the further reading of the Journal of Thursday, April 15, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Redwine, on motion of Mr. Latham.

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Andreas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles A. Perrin of Ontario.

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hedwig Deppner, Fannette Greenberg, and Sophie Shmaeff.

On request of Messrs. Dannenbrink and Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. E. S. Peterson, Mrs. Helen Peterson, and Mrs. Homer Buckley.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marjorie Cramer, member of State Central Committee, Fifty-Fourth District.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Henry Struve of Watsonville.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Buchanan, Mr. and Mrs. Bobo, Mrs Codina, and Mrs. Davidson, teachers and parents, and the following students of Fair Oaks School: Wilma Johns, Betty Hemmingsen, Shirley Castle, Jean Ries, Thelma Burgess, Natalia Hammett, Ruth Blunk, Beatrice Lopez, Norma Fitter, Alpha Beers, Myra Anderson, Frances Brown, Edith Osborn, Robert Ward, Ben Scott, Tom Bivens, Lloyd Bobo, Emmette McGraph, David Williamson, Harry Johnson, Elmer Kanoff, Pedro Codina, Robert Davidson, Lynn Roark, Myrle Lenville, George Roediger, Glenn Cochran, Neal Andrews, and Bert Kasjaka.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Helen Gilbert of Alameda.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles H. Kanen, principal; Emily Schwartz, and Anita Gamma, teachers; and the following seventh and eighth grade students of Bonita Grammar School, Crows Landing: Tony Avila, Anthony Bertao, Helen Bettencourt, George Brazil, Elvina Cardoza, Beatrice Durao, Lucille Enos, Arthur Flowers, Ralph Gordon, Howard Hanshew, Billy Harrity, Billy Isom, Alvan Mattos, A. F. Nunes, Lucille Oliveria, Roy Peters, Teresa Rocha, Frank Silva, John Silva, Alex Silveira, John Wallis, Lena Wallis, Wayne Want, Margaret Smith, William Silva, Louie Carlos, John Barcelles, Virgil Bettencourt, Manuel Cardoza, Manuel Cardoza, Jr., Alerd Caton, Alvira Faria, Eddie Faria, Thomas Garrett, Leland Gordon, Robert Harrity, Garth Kanen, Georgina Melo, Marvin Morganti, Glenn Niman, Clarice Payton, Dorothy Peichoto, Frank Peichoto, Sadie Philips, Joe Ramos, Georgina Simas, Ethel Soares, Alvin Rocha, Walter Want, Manuel Pacheco, Tony Peters, Raymond Caseri, Muriel Isom, Evelyn Bettencourt, and Lupe Carlos.

On request of Messrs. Cottrell and Beene, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Kennedy, principal; Lawrence Hill, and Helen Shake, teachers; Mrs. Scott, and Mrs Fickes, parents; and the following pupils of the self-government group of the Willow Glenn Junior High School of San Jose, Santa Clara County: Audrey Fisher, Connie Work, Peggy McLellan, Margaret Smitherum, Ardell Jewett, Raymond Puck, Gilbert Barr, Patty Chilton, Jean Wilson, Francis Cunningham, Ralston Harvey, Dale Jones, Betty Mae Pate, Charlotte Flanner, Harriet Callisch, Mary Jane Drysdale, Jeane Fickes, Corinne Newell, Charles Morrison, Eileen Eddy, William Puterbaugh Verne De Benedictis, Shirley Barr, James Payne, Jane Moore, Helen Barr, Frank Sarstrom, Marjorie McReynolds, Bobby Chopping, Todd Mansfield, Patricia Mason, Margie Scott, Durette Scott, Betsy Sotzin, Betty Prouse, Ralph Smith, Jay Gould, Lucille Askland, Herbert Parks, Helen Nelson, Bud

Tarp, Jean Eastman, Margaret Jansen, Ruth Ernst, Richard Mathis, Jack Rawlings, Norma Tate, Harold Truscott, Norma Gerrells, Dick Bartle, Dean Peterson, Hugh Donovan, Winona Beach, Beverly Greer, Eva Gire, Junior Enfantino, and Lucinda Peterson.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Dave Mass, and Mrs. Rose Schlom of Hollywood.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs. H. L. Taylor of Los Gatos.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to S. L. Heisinger, Jr., Duane Heisinger and Fred C. Armstrong.

On request of the San Diego Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to T. Le Roy Richards, Supervisor of San Diego County.

On request of Mr. McMurray and San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. J. Trainor of San Francisco.

Assistant Chief Clerk Greenburg Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR SPEAKER: Your Committee on Rules, to which was referred the request of Mr. Maloney that 1,000 extra copies of Assembly Concurrent Resolution No. 38 be printed;

Respectfully reports the same back with the recommendation that the request be granted.

PEEK, Chairman.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 12.
Assembly Bill No. 836.
Assembly Bill No. 964.
Assembly Bill No. 1207.
Assembly Bill No. 1222.
Assembly Bill No. 2415.

And reports the same correctly enrolled, and presented to the Governor on this fifteenth day of April, 1937, at four o'clock p m.

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 946.
Assembly Bill No. 1472.
Assembly Bill No. 1675.
Assembly Bill No. 1918.
Assembly Bill No. 1921.
Assembly Bill No. 2316.
Assembly Bill No. 2562.
Assembly Bill No. 2647.
Assembly Bill No. 2702.
Assembly Bill No. 2731.
Assembly Bill No. 2815.
Assembly Joint Resolution No. 23.
Assembly Bill No. 68.
Assembly Bill No. 70.
Assembly Bill No. 134.
Assembly Bill No. 346.
Assembly Bill No. 407.
Assembly Bill No. 550.
Assembly Bill No. 692.
Assembly Bill No. 696.
Assembly Bill No. 697.
Assembly Bill No. 863.
Assembly Bill No. 928.
Assembly Bill No. 1287.
Assembly Bill No. 1314.
Assembly Bill No. 1499.
Assembly Bill No. 1766.
Assembly Bill No. 1825.
Assembly Bill No. 2012.
Assembly Bill No. 2052.
Assembly Bill No. 2053.
Assembly Bill No. 2353.
Assembly Bill No. 2828.
Assembly Bill No. 2829.
Assembly Bill No. 2834.
Assembly Bill No. 2845.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1670.
Assembly Bill No. 2387.
Assembly Bill No. 268.
Assembly Bill No. 1370.
Assembly Bill No. 1721.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Assembly Bill No. 1368.

Respectfully reports the same back without recommendation, as amended.

REAVES, Chairman.

The above reported bill ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937.

MR SPEAKER: Your Committee on Labor and Capital, to which was referred:

Assembly Bill No. 408.

Respectfully reports the same back without recommendation, as amended.

FLINT, Chairman.

The above reported bill ordered on second reading calendar.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No. 1486.
Assembly Bill No. 2410.

Respectfully reports the same back with the recommendation: Do pass as amended.

BAYNHAM, Chairman.

The above reported bills ordered on second reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:

Assembly Bill No. 1455.

Respectfully reports the same back with the recommendation: Do pass as amended.

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Senate Bill No. 7.

Respectfully reports the same back with the recommendation: Do pass

LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 24.

Respectfully reports the same back with the recommendation: Be adopted.

PEEK, Chairman.

The above reported bill ordered on third reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:

Assembly Bill No. 267.

Respectfully reports the same back with the recommendation: Do pass as amended.

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Senate Bill No. 165.
Assembly Bill No. 1400.
Assembly Bill No. 1830.
Assembly Bill No. 1831.
Assembly Bill No. 1832.
Assembly Bill No. 2836.

Respectfully reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1402.
Assembly Bill No. 1674.

Respectfully reports the same back with the recommendation: Do pass as amended

SAWALLISCH, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 2243.
Assembly Bill No. 2244.
Assembly Bill No. 1491.

Respectfully reports the same back without recommendation, as amended.

SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 23.
Assembly Bill No. 196.
Assembly Bill No. 296.
Assembly Bill No. 320.
Assembly Bill No. 576.
Assembly Bill No. 650.
Assembly Bill No. 892.
Assembly Bill No. 893.
Assembly Bill No. 894.
Assembly Bill No. 895.
Assembly Bill No. 896.
Assembly Bill No. 897.
Assembly Joint Resolution No. 31.
Assembly Concurrent Resolution No. 42.

And reports the same correctly enrolled, and presented to the Governor on this sixteenth day of April, 1937, at three o'clock p.m.

CUNNINGHAM, Chairman.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 554.

Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1305.
Assembly Bill No. 1743.
Assembly Bill No. 2517.
Assembly Bill No. 1932.
Assembly Bill No. 1933.

Respectfully reports the same back without recommendation, as amended.

TURNER, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2581.

Respectfully reports the same back with the recommendation: Do pass as amended.

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:
Assembly Bill No. 2313.
Respectfully reports the same back with the recommendation: Be re-referred to Committee on Hospitals and Asylums.

TURNER, Chairman.

The above reported bill re-referred to Committee on Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:
Assembly Bill No. 1934.
Respectfully reports the same back with the recommendation: Be re-referred to Committee on Crime Problems.

TURNER, Chairman.

The above reported bill re-referred to Committee on Crime Problems.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 1049. **Assembly Bill No. 2723.**
Assembly Bill No. 1089. **Assembly Bill No. 2790.**
Respectfully reports the same back with the recommendation: Do pass as amended.

MULDOON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 777.
Assembly Bill No. 1014.
Respectfully reports the same back with the recommendation: Do pass.

MULDOON, Chairman

The above reported bills ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, April 15, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 57—An act to amend section 86 of, and to add sections 86.5, 86.6, 86.7, 845.5, 845.6 and 845.7 to the Fish and Game Code, relating to the use of nets.

Senate Bill No. 241—An act creating a Labor Relations Commission, for the mediation, arbitration, and conciliation of labor disputes, defining the jurisdiction, powers and duties of the commission and the rights, remedies, powers, and duties of employers and employees, and prescribing penalties for the violation of its provisions;

Senate Bill No. 750—An act to amend section 722 of the Fish and Game Code, relating to the sale of fish

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ Assistant Secretary

Senate Bill No. 57 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 241 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 750 read first time, and referred to Committee on Fish and Game.

SENATE CHAMBER, SACRAMENTO, April 16, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:
Senate Bill No. 636.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 636 ordered on unfinished business calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 696—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 697—An act to amend section 56 of the Labor Code and to add to Division I thereof Chapter 6, consisting of sections 150, 151 and 152, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2175—An act to regulate the employment of labor on public works.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1519—An act to amend sections 22 and 23 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1519.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "employment", and insert in lieu thereof the following: "unemployment."

Amendment No. 2.

On page 2 of the printed bill, as amended, after line 13, insert the following: "A special "Employment Service Account" shall be maintained as part of the Unemployment Administration fund."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2496—An act to amend section 55 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 2496.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after "for", strike out "each", and insert in lieu thereof the following: "the".

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, after "year", insert the following: "next succeeding the base period".

Amendment No. 3.

On page 1, line 6, of the printed bill, as amended, before "such", insert the following: "any".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1250—An act to establish a Department of Unemployed Cooperative Reciprocal Economy.

Committee Amendments to Assembly Bill No. 1250.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 6, line 2, of the printed bill, as amended, strike out ", and in which not less than ninety per", and strike out all of lines 3 and 4, and insert in lieu thereof a period.

Amendment No. 2.

On page 6, line 42, of the printed bill, strike out "$5,000,000", and insert in lieu thereof the following: "$2,000,000".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2756—An act to amend sections 10 and 11 of the Fish and Game Code, relating to the Fish and Game Commission.

Committee Amendments to Assembly Bill No. 2756.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "by", insert "holding office at the pleasure of".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "with the consent on the Senate".

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "Three", and insert in lieu thereof the following: "Two".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following: "mercial fishing interests; one shall represent the commercial fishermen, one shall represent the canners of fish, and one, who shall be the chairman, shall represent the general public and shall not be interested either in commercial or sporting fishing."

Amendment No. 5.

On page 1, lines 15 and 16, of the printed bill, strike out "of twenty-five dollars a day each day devoted to the business of the commission."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1417—An act to provide for carrying out the provisions of subdivision 5 of section 8½ of Article XI of the Constitution, relating to the calling of elections.

Committee Amendments to Assembly Bill No. 1417.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the comma following the word "shall", strike out the remainder of said line 6, strike out all of lines 7 to 10, inclusive, and insert in lieu thereof the following: "at the next general election held not less than 30 days after the adoption of such charter or charter amendment, cause to be printed on the ballot at such election the following question:"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 16 to 18, inclusive, and insert in lieu thereof the following:

"Provided, however, that if a special election shall be held in such county, at which all of the qualified electors of such county shall be entitled to vote, prior to such general election and not less than 30 days after the adoption of such charter or charter amendment by such city, then such question shall be submitted at such special election.

SEC. 2. The votes on such question shall be cast, counted, canvassed and declared as in other cases where propositions or questions are submitted to the electorate."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1465—An act to amend sections 2.876, 2.877, 2.878, 2.885, 2.890, 2.891 and to repeal section 2.886 of the School Code, relating to school district elections.

Committee Amendments to Assembly Bill No. 1465.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the first comma, insert the following: "2.876½,".

Amendment No. 2.

On page 3 of the printed bill, after line 29, insert the following:

"SEC. 8. A new section, to be numbered 2.876½ and to read as follows, is hereby added to the School Code:

2.876½. Governing boards of school districts of every kind and class may mail to each registered voter within the school district a sample ballot and a notice designating the polling place, and the cost thereof may be paid out of the funds of the district. Such sample ballot shall be printed on paper of a color different from that of the official ballot and shall be designated "Sample Ballot" upon the face thereof."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2219—An act to amend sections 2, 3, 5, 6, 8, and 30 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, relating to elections in cities of the fifth and sixth class.

Committee Amendments to Assembly Bill No. 2219.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 4 of the printed bill, strike out lines 5 to 7, both inclusive, and insert in lieu thereof the following:

"It shall not be necessary to print or send out sample ballots for such election. It shall likewise not be necessary to send out polling place cards unless it is intended, for the holding of such election, to consolidate some of the regular election precincts last established for State or county election purposes, in which event the city clerk shall prepare polling place cards and mail same out to registered electors as provided by section 1210 of the Political Code."

Amendment No. 2.

On page 5 of the printed bill, strike all of lines 35 to 50, both inclusive, and on page 6, strike all of lines 1 to 4, both inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1085—An act to amend section 7 of the Direct Primary Law, relating to filing fees of candidates at primary elections.

Committee Amendment to Assembly Bill No. 1085.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 21, of the printed bill, strike out "hundred twenty-five dollars", and insert in lieu thereof the following: "per cent of the annual salary of such office".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 503—An act to amend sections 4242.1 and 4242.2 of the Political Code, relating to the compensation of county officers in counties of the thirteenth class.

Committee Amendments to Assembly Bill No. 503.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "seven", and insert in lieu thereof the following: "five".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "($7,000)", and insert in lieu thereof the following: "($5,000)".

Amendment No. 3.

On page 1 of the printed bill, strike out line 14, and insert in lieu thereof the following: "four thousand two hundred dollars ($4,200) per".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 481—An act to amend the Inheritance Tax Act of 1935 to insert between sections numbered 18 and 19 a section to be numbered 18a, relating to the determination of the priority of the tax lien.

Committee Amendments to Assembly Bill No. 481.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, commencing with the word "the", strike out all of said line up to and including the word "insert"; and strike out all of lines 2, 3, and 4, and insert in lieu thereof the following: "Section 17 of the Inheritance Tax Act of 1935, relating to inheritance taxation."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out all of said line 1, commencing with the words "Section 18-a is hereby added to the inheritance"; strike out all of lines 2 to 10, inclusive, and insert in lieu thereof the following:

"Sec. 17. (1) If it shall appear to the superior court upon petition of the State Controller that any transfer has been made within the meaning of this act, and the taxability thereof, and the liability for such tax and the amount thereof have not been determined, and that no proceedings are pending in any court in this State wherein the taxability of such transfer and the liability therefor, and the amount thereof may be determined, said court shall issue a citation ordering and directing the persons who may appear liable therefor or be known to own the property transferred or any part thereof or any interest therein, to appear before said court or before an inheritance tax appraiser to be designated by said order at a time and place in said order named, not less than ten days nor more than one year from the date of such order, to be examined, under oath by said court, or by said appraiser as the case may be, concerning said transfer and all facts connected therewith, and concerning the property transferred and the character and value thereof. If said person or persons shall be directed to appear before said appraiser said appraiser shall, at the time and place in said order named, or at such time and place to which said appraiser may adjourn said hearing, proceed to examine said person or persons and such witnesses as said appraiser may subpena before him, and for the purpose of said hearing, and for the purpose of ascertaining any facts concerning the taxability of said transfer or any taxes due on account of such transfer, said appraiser shall have the powers of a referee of said court, and is hereby authorized to issue subpenas compelling the attendance of witnesses before him, and to administer oath, and to take the evidence of such witnesses under oath concerning such property and the value thereof and concerning such transfer. Said appraiser shall report to said court his findings and conclusions in relation to said transfer and said tax, and may return to said court any depositions, exhibits or other testimony or information taken before him or exhibited to him. The procedure subsequent to the filing of said report shall conform to subdivision (2) of section 16 of this act.

Except as herein otherwise provided, the service of such citation and the time, manner and proof thereof, and the hearing and determination thereon, and the hearing and determination upon the facts returned in such report, and the enforcement of the determination or decree shall conform to the provisions of Chapter XXII, Division III of the Probate Code, and the clerk of the court shall, upon the request of the State Controller, furnish, without fee, one or more transcripts of such decree, and the same shall be docketed and filed by the county clerk of any county in the State, without fee, in the same manner and with the same effect as provided by section 674 of the Code of Civil Procedure for filing a transcript of an original docket.

The superior court may hear the said cause upon the relation of the parties and the testimony of witnesses, and evidence produced in open court, and, if the court shall find that said property is not subject to any tax, as herein provided, the court shall by order, so determine; but if it shall appear that said property, or any part thereof, is subject to any such tax the same shall be appraised and taxed as in other cases.

(2) Verified petitions may be filed by any interested party with the superior court alleging and admitting that a transfer within the meaning of this act has been made and the taxability thereof and the liability for such tax and the amount thereof have not been determined, and that no proceedings are pending in any court in this

State wherein the taxability of such transfer and the liability therefor and the amount thereof, may be determined, and that the petitioner desires such determination and desires to pay said tax, if any be due. Upon the filing of such petition the superior court or a judge thereof shall by order designate and appoint an inheritance tax appraiser to ascertain and report to said court the amount of the inheritance tax, if any, due by said petitioner on account of such transfer, and shall fix a time and place, not less than ten days thereafter, for the hearing of said matter before said inheritance tax appraiser, a copy of which petition and order shall be forthwith mailed to the State Controller, and shall refer said petition and said matter to said inheritance tax appraiser who shall have all the powers of a referee of said court, including the powers prescribed in subdivision (1) of section 16 of this act. The procedure subsequent to said reference to said appraiser shall conform to the provisions of subdivisions (1) and (2) of section 16 of this act.

(3) Actions may be brought against the State by an interested person for the purpose of quieting the title to any property against the lien or claim of lien of any tax or taxes under this act, or for the purpose of having it determined that any property is not subject to any lien for taxes nor chargeable with any tax under this act. No such action shall be maintained where any proceedings are pending in any court in this State wherein the taxability of such transfer and the liability therefor and the amount thereof may be determined. All parties interested in said transfer and in the taxability thereof shall be made parties thereto and any interested person who refuses to join as plaintiff therein may be made a defendant. Summons for the State in said action shall be served upon the State Controller.

At any time after issue is joined in such action the court, on its own motion, or upon the motion of any interested party, may by order appoint and designate an inheritance tax appraiser to hear said matter and report to the court thereon and shall in such order fix a time and place for the hearing of said matter before said inheritance tax appraiser, and direct notice of such time and place to be given in such manner as the court shall deem proper and shall refer said matter to said inheritance tax appraiser who shall have all of the power of a referee of said court, including the powers prescribed in subdivision (1) of section 16 of this act. The procedure subsequent to said reference to said appraiser shall conform to the provisions of subdivision (1) and (2) of section 16 of this act.

Should the court determine that the property described in the complaint is subject to the lien of said tax and that said property has been transferred within the meaning of this act, the court shall award affirmative relief to the State in said action, and judgment shall be rendered therein in favor of the State, ascertaining and determining the amount of said tax, and the person or persons liable therefor, and the property chargeable therewith or subject to lien therefor.

(4) Actions under this section shall be commenced in the superior court of the county in which is situated any part of any real property against which any lien is sought to be enforced, or to which title is sought to be quieted against any lien, or claim of lien; but if in said action no lien against real property is sought to be enforced, the action shall be brought in the superior court of the county which has or which had jurisdiction of the administration of the estate of the decedent mentioned herein.

(5) No fee shall be charged said State Controller by any public officer in this State for the filing or recording of any petition, lis pendens, decree or order, or for the taking of oaths or acknowledgments in any proceeding taken under this act; nor shall any undertaking be required from or costs charged against the State Controller or the State of California in any such proceeding.

(6) In proceedings under subdivisions (1), (2), or (3) of this section and in all other cases where an inheritance tax appraiser appraises property for inheritance tax purposes said inheritance tax appraiser shall be paid by the transferee or transferees, survivor or survivors, beneficiary or beneficiaries, grantee or grantees, his actual and necessary expenses and compensation for his services, to be computed in accordance with the schedule and rates set forth in section 609 of the Probate Code."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2283—An act to amend section 4300-1 of the Political Code, relating to fees in municipal courts.

Committee Amendment to Assembly Bill No. 2283.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 12 to 16, inclusive, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 440—An act to repeal sections 5.741, 5.742, 5.743, 5.744, and 5.745 of the School Code and to add thereto three new sections to be numbered 5.741, 5.742, and 5.743, all relating to the payment of salaries of persons employed by school districts in positions requiring certification qualifications.

Committee Amendment to Assembly Bill No. 440.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of lines 44 to 52, inclusive, and strike out all of page 3.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1904—An act to amend section 6.2a of the School Code, relating to insurance on school property.

Committee Amendment to Assembly Bill No. 1904.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"6.2a. In districts situated within or party within cities of the first class or of the first and one-half class any board of education may establish a fund in the county treasury for the purpose of covering fire losses to school property in lieu of carrying fire insurance in insurance companies as provided in section 6.2 of this code. In such fund shall be placed such sums, to be provided in the budget of the district as will create an amount, which together with investments made from such fund, will be sufficient in the judgment of the board of education of the district upon the advice of competent actuaries to protect such board of education against losses by fire on all or any part of the school property within its jurisdiction. Nothing contained herein shall be construed as prohibiting the board of education of the district from providing protection against fire losses partly by means of such fund and partly by means of fire insurance written by fire insurance companies as provided in section 6.2 of this code.

Such fund shall be considered as separate and apart from all other funds of the district and the balance therein shall not be considered as being part of the working cash of the district in compiling annual budgets or fixing annual tax rates.

Warrants shall not be drawn on or transfers made from the fund so created except to reimburse the district for losses by fire and then only after resolution duly adopted by the board of education of the district based upon findings by competent appraisers.

The cash placed in such fund may be invested and re-invested by the county treasurer with the advice and consent of the board of education of the district in securities which are legal investments for surplus county funds in this State. The income derived from such investments together with interest earned on uninvested funds shall be considered revenue of and be deposited in such fund.

The county treasurer shall make quarterly reports to the board of education of the district as to the condition of the fund, using as a basis for such report the cost or market value, which ever may be the lower, of the securities held as investments plus the cash in such fund."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 208—An act to add a new section to the School Code to be numbered 2.95, relating to the powers and duties of superintendents of school districts.

Committee Amendments to Assembly Bill No. 208.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 18, of the printed bill, strike out "He", and insert in lieu thereof the following: "Excepting in districts where the governing board has appointed or designated an employee other than the superintendent, or a deputy, or assistant superintendent, to prepare and submit a budget he".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 23 and 24, and in line 25, strike out "get, he", and insert in lieu thereof the following: "He".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1355—An act to add a new section to the School Code to be numbered 5.452, relating to the employment of teachers.

Committee Amendment to Assembly Bill No. 1355.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "5.452,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 7, inclusive, and in line 8, strike out "SEC 2", and insert in lieu thereof the following: "SECTION 1".

Amendment No. 3.

On page 1, line 11, of the printed bill, as amended, after "county", add the following: "not in districts either employing a city superintendent of schools or a district superintendent of schools and".

Amendment No. 4.

On page 1, line 19, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "2".

Amendment No. 5.

On page 2 of the printed bill, as amended, between lines 2 and 3, as a separate paragraph, add the following:

"If there are on the list described in section 5.453 any teacher or teachers both willing and qualified to teach in such school, who have taught consecutively in such county for as long a time as any teacher on the list of three teachers, hereinabove mentioned in this section, then the name or names of such teacher or teachers shall also be submitted to the governing board."

Amendment No. 6.

On page 2, line 3, of the printed bill, as amended, strike out the first "4", and insert in lieu thereof the following: "3".

Amendment No. 7.

On page 2, line 12, of the printed bill, as amended, strike out the first "5", and insert in lieu thereof the following: "4".

Amendment No. 8.

On page 2, line 20, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "5".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2013—An act to add section 735.5 to the Vehicle Code, relating to procedure upon arrest.

Committee Amendment to Assembly Bill No. 2013.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 11, inclusive, and insert in lieu thereof the following:

"735 5. Custody of Person Arrested Pending Appearance Before Magistrate. Whenever an arrest is made by a member of the California Highway Patrol and the arresting officer is required to hold the person in custody for the purpose of taking him before a magistrate, it shall be the duty of any peace officer to take and hold such person in custody temporarily at the request of the arresting officer pending the taking of the person arrested before the nearest or most accessible magistrate."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2014—An act to add a new section to the School Code, to be numbered 5.507, relating to employees in positions requiring certification qualifications.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2829—An act to add section 8a to the California Water District Act, relating to assessments for the redemption of bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 70—An act to extend the time of payment of installment contracts for the sale of real estate, mortgages, and trust deeds when relief has heretofore been granted by order of court or agreement of the parties, and to declare the urgency hereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2828—An act to amend section 58 of the Warehouse Receipts Act, relating to definition of terms.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2834—An act to amend sections 11, 12, 20, 21 and 22 of the "General Cemetery Act" and adding section 21a thereto, relating to cemeteries and powers of cemetery corporations.

Bill read second time, and ordered to engrossment

Assembly Bill No. 692—An act to amend section 7 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties and compensation of a State Mineralogist, who shall perform the duties of the office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, as amended, relating to the office of the State Mineralogist.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2338—An act validating the formation and existence of harbor districts of every kind and class, and validating all proceedings for the issuance of bonds of such districts and all bonds heretofore issued or sold or to be issued or sold by such districts, and authorizing the levy and collection of taxes sufficient to pay the principal and interest thereof.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 550—An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to

provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1499—An act to amend section 73 of the Vehicle Code, and to add thereto section 73.3, relating to definitions.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1825—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 722—An act to add sections 21, 22, 23, 24, and 25 to, to amend sections 13, 14, 14a, and 14b of, and to repeal sections 15 and 16 of, the Planning Act, relating to State, regional, county and city planning.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1521—An act to amend section 44 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2845—An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 346—An act to amend section 542 of the Code of Civil Procedure, relating to attachments.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 407—An act to amend section 542a of the Code of Civil Procedure, relating to attachment liens.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 928—An act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1518—An act to add section 56.5 to, and to amend sections 13 and 56 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2495—An act to amend section 46 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 2498—An act to amend sections 12 and 54 of, and to repeal sections 14 and 53 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reverves.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2501—An act to add sections 6 5, 8 5, 9.5 and 9.7 to, and amend sections 7, 8, 9, 37 and 38 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1314—An act to amend section 1218 of the Code of Civil Procedure, relating to punishment of contempt.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2052—An act to amend section 4300b of the Political Code.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2053—An act to amend section 4300d of the Political Code.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1028—An act to add sections 1183, 1783.1 and 1183.2 to the Penal Code, relating to the writ of error coram nobis.

Committee Amendments to Assembly Bill No. 1028.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to add section 4469 to the Political".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 28, inclusive, and on page 2, strike out lines 1 to 35, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 4469 is hereby added to the Political Code to read as follows:

4469. The common law writ of error coram nobis shall be applicable as a matter of right in criminal cases wherein the codes do not provide a remedy, and the use of this writ shall be permissible in cases of intrinsic as well as extrinsic fraud. This section is intended to and does apply to all judgments or decrees hereafter and heretofore made and entered."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1619—An act to amend section 362a of the Civil Code, relating to the amendment of articles of incorporation.

Committee Amendments to Assembly Bill No. 1619.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 1 to 24, inclusive, and insert in lieu thereof the following:

"(3) If any such amendment would change any outstanding shares in any one or more of the following respects: (a) to authorize the corporation to levy assessments thereon; (b) to reduce the dividend rate thereof; (c) to make noncumulative, in whole or in part, as to dividends shares which had theretofore been cumulative; (d) to reduce the redemption price thereof; (e) to reduce any amount payable thereon upon voluntary or involuntary liquidation; (f) to eliminate, diminish or alter adversely conversion rights pertaining thereto; (g) to diminish or eliminate voting rights pertaining thereto; (h) to diminish or alter adversely any options or rights theretofore granted to the holders thereof to purchase other shares of the corporation; (i) to change adversely any sinking fund provision relating thereto; (j) to rearrange the priority of such outstanding shares so as to make them subject to the preferences of other than outstanding shares as to distributions by way of dividends or otherwise; then the vote or written consent of shareholders required for the approval of any such amendment shall include the vote or written consent of the holders of two-thirds of the outstanding shares of any such class or series which would be changed by such amendment in any one or more of said foregoing respects, regardless of limitations or restrictions on the voting power thereof.

(4) If any such amendment would change any outstanding shares in any one or more of the following respects: (a) to make nonassessable shares which had theretofore been assessable; (b) to increase the dividend rate thereof; (c) to make cumulative, in whole or in part, as to dividends shares which had theretofore been noncumulative; (d) to increase the redemption price thereof; (e) to increase any amount payable thereon upon voluntary or involuntary liquidation; (f) to create, increase or alter advantageously the conversion rights pertaining thereto; (g) to create or increase voting rights pertaining thereto; (h) to create, increase or alter advantageously any options or rights granted to the holders thereof to purchase other shares of the corporation; (i) to change advantageously the relative priority thereof as to distributions, whether by way of dividends or otherwise, by the rearrangement of the relative priorities of the classes or series of shares of the corporation theretofore authorized; then the vote or written consent of shareholders required for the approval of any such amendment shall include the vote or written consent of the holders of a majority of all other outstanding shares of the corporation, regardless of limitations or restrictions on the voting power thereof.

(5) If any such amendment would create a new class or series of shares not theretofore authorized by the articles of incorporation, or would increase the authorized number of shares of any existing class or series, regardless of whether or not such amendment would result in the increase of the total authorized number of shares of the corporation, then the vote or written consent of shareholders required for the approval of any such amendment shall include the vote or written consent of the holders of a majority of all outstanding shares of the corporation, regardless of limitations or restrictions on the voting power thereof, and such vote or written consent shall be sufficient for such approval regardless of the relative priority of such new class or series with respect to outstanding shares.

(6) If any such amendment would authorize the remedy by action for the collection of an assessment on fully paid shares, then the vote or written consent of the holders of all outstanding shares, regardless of limitations or restrictions on the voting power thereof, shall be required for the approval thereof.

Different series or subdivisions of the same class of shares shall not be construed to constitute different classes of shares for the purpose of voting or consent by classes except when such series is adversely affected by an amendment in a different manner than other shares of the same class.

The articles of incorporation may require the vote or written consent of the holders of any greater percentage or fraction of the outstanding shares of any one or more classes or series for the approval of any amendment of the articles or of amendments of particular kinds or for particular purposes, or may require for such approval the vote or written consent of the holders of a greater percentage or fraction of the voting power or outstanding shares, than would otherwise be required under this section

The requirements of subdivision (3) and (4) of this section respectively with respect to the vote or written consent of shareholders, shall not apply to any amendment referred to in said subdivisions the purpose of which is merely to split up or subdivide the shares of a particular class or series into a larger number of shares with the same aggregate par value or without par value, or merely to change the outstanding shares into a smaller number of shares with the same aggregate par value or without par value, without otherwise changing the relative preferences, rights or privileges thereof, providing the articles as so amended contain a statement of such purpose and the effect thereof on outstanding shares.

In soliciting proxies authorizing the holder thereof to vote in favor of any amendment referred to in subdivisions (3) and (4) hereof, or in soliciting written consents of shareholders thereto, it shall be the duty of the corporation (the performance of which shall not be a condition precedent to the validity of the amendment) to mail to each shareholder of the corporation addressed to such holder at his address appearing on the books of the corporation, or given by him to the corporation for the purpose of notice, or if no such address appears or is given, at the place where the principal office of the corporation is located, a concise summary of the proposed amendment and the changes proposed to be effected thereby in the rights of the shareholders"

Amendment No. 2.

On page 2, line 37, of the printed bill, before "shall", insert the following: "shall be stricken from the articles or".

Amendment No. 3.

On page 2, line 39, of the printed bill, strike out "or stricken from."

Amendment No. 4.

On page 2, line 40, of the printed bill, after the period, insert the following: "The wording of any such provision proposed to be amended shall be deemed to be that which is contained in the original articles, unless such wording has been changed pursuant to a statute which expressly authorized the amendment of articles, in which event such wording shall be deemed to be that which is provided for in the document or documents filed for the purpose of making such amendment effective. No change which has become effective pursuant to any statute which did not expressly provide for the amendment of articles shall be deemed to have the effect of impliedly amending the affected provision of the articles so as to read in conformity with such change."

Amendment No. 5.

On page 2 of the printed bill, strike out all of lines 41 to 48, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2224—An act substituting Articles III and IV for the existing Articles III and IV, Chapter I of Title III, of Part I, of the Code of Civil Procedure of the State of California.

Committee Amendments to Assembly Bill No. 2224.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following:

"An act to amend sections 204b, 206 and 210 of, to add sections 206a, 206b, 206c, 206d, 206e, 206f, and 206g to,".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out "of the State of California.", and insert in lieu thereof the following: ", relating to jurors."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and on page 2, strike out lines 1 to 17, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 204b of the Code of Civil Procedure is hereby amended to read as follows:

204b. Annually, and pursuant to section 206 of this code, the jury commissioner shall furnish the judges of the court a list of persons qualified to serve as trial jurors or grand jurors during the ensuing year, or until a new list of jurors shall be required. The jury commissioner shall at all times be under the supervision and control of the judges of the court.

SEC. 2. Section 206 of the Code of Civil Procedure is hereby amended to read as follows:".

Amendment No. 4.

On page 2, line 18, of the printed bill, strike out "205", and insert in lieu thereof the following: "206".

Amendment No. 5.

On page 2 of the printed bill, between lines 28 and 29, insert the following:

"SEC. 3. Section 206a is hereby added to the Code of Civil Procedure to read as follows:".

Amendment No. 6.

On page 2, line 29, of the printed bill, strike out "206", and insert in lieu thereof the following: "206a".

Amendment No. 7.

On page 2 of the printed bill, strike out line 51, and insert in lieu thereof the following:

"SEC. 4. Section 206b is hereby added to the Code of Civil Procedure to read as follows:

206b. Upon receiving the key number secured under section 206a of this code, the".

Amendment No. 8.

On page 3, line 13, of the printed bill, strike out "206", and insert in lieu thereof the following: "206a".

Amendment No. 9.

On page 3, line 19, of the printed bill, strike out "act", and insert in lieu thereof the following: "code".

Amendment No. 10.

On page 3 of the printed bill, strike out lines 39 to 52, inclusive, and strike out pages 4 and 5, and insert in lieu thereof the following: "jurors.

SEC. 5. Section 206c is hereby added to the Code of Civil Procedure to read as follows:

206c. The jury commissioner shall take the list of names thus selected, certify that it has been made in accordance with sections 206a and 206b of this code, and shall forthwith summon all the persons named on the said list to appear for examination to determine whether or not they are qualified for, or exempted from, jury service.

SEC. 6. Section 206d is hereby added to the Code of Civil Procedure to read as follows:

206d. Every person so summoned under section 206c shall be required to appear for examination and for failure to do so shall be punished for a contempt of the court. The examination by the jury commissioner of said prospective jurors shall be confined exclusively, except as determined by section 206e, to determining whether or not said persons possess the qualifications prescribed in section 198 of this Code of Civil Procedure, or are not competent under section 199 thereof, or are entitled to exemption under section 200 of said Code of Civil Procedure, and a record shall be kept of each person so examined, together with a statement of the reason for his disqualification or exemption if he is not selected as a juror.

SEC. 7. Section 206e is hereby added to the Code of Civil Procedure to read as follows:

206e. Where a prospective juror represents to the jury commissioner that service upon the jury panel will work a hardship upon him, the commissioner is authorized to accept in his stead some member of said prospective juror's family, designated by said prospective juror, who is not otherwise disqualified to act as a juror and who is willing to serve.

SEC. 8. Section 206f is hereby added to the Code of Civil Procedure to read as follows:

206f. No person shall be empanelled for the trial of any case unless he has been selected in accordance with the foregoing rules and no person's name shall be placed on the jury list unless he has been selected by the foregoing procedure.

SEC. 9. Section 206g is hereby added to the Code of Civil Procedure to read as follows:

206g. All records of said jury commissioner shall be public records and shall be open to inspection at all reasonable times.

SEC. 10. Section 210 of the Code of Civil Procedure is hereby amended to read as follows:

210. When a juror is called for service upon a trial jury and represents to the court that continued service on such jury will work a hardship upon him or his business, the said juror shall be excused from further jury duty on said panel upon the completion of one trial. Otherwise a juror shall be excused from further service upon the jury after he has been called and appeared in court on 20 days for service upon the jury whether he is chosen as a trial juror or not."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2742—An act to amend section 138 to add sections 89, 108 and 109 to the Civil Code, relating to divorce, separate maintenance and the custody of children.

Committee Amendments to Assembly Bill No. 2742.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following:

"An act to amend sections 131, 132, and 138, and to add sections 89, 89.1, 89.2, 89.3, 89.4, 89.5, 89.6, 89.7, 89.8, 89.9, 108 and".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 25, inclusive, and on page 2, strike out lines 1, 2, and 3, and insert in lieu thereof the following:

"89. The board of supervisors of each county and city and county shall appoint one or more persons to act as a conciliation commissioner, whose duty shall be to endeavor to foster a better understanding between the parties who come before him with domestic difficulties.

SEC. 2. Section 89.1 is hereby added to the Civil Code to read as follows:

89.1. Any person contemplating an action for divorce, separate maintenance, or annulment of marriage, shall, before he commences such an action, present the causes upon which he intends to base such an action to the conciliation commissioner.

SEC. 3. Section 89.2 is hereby added to the Civil Code to read as follows:

The commissioner must then set a date for a hearing which shall be attended by both spouses in person. Any interested relatives or friends may be invited to attend the hearing.

SEC. 4. Section 89.3 is hereby added to the Civil Code to read as follows:

If the defendant spouse refuses to attend the hearing the commissioner may by petition inform the superior court of the county wherein the hearing is held that the defendant spouse so refuses to attend. Upon the filing of such a petition the court may order the defendant spouse to appear before it and show cause why he should not attend the hearing

SEC. 5. Section 89.4 is hereby added to the Civil Code to read as follows:

89.4. The hearing shall be of an informal nature and shall not be bound by the technical rules of evidence. The commissioner may inquire into any matter or require such information from the parties as he may deem necessary to the disposition of the problems before him.

SEC. 6. Section 89.5 is hereby added to the Civil Code to read as follows:

89.5. At the conclusion of the hearing the commissioner shall make such recommendations to the parties as he sees fit If he believes that the parties can be reconciled he may order that the parties attempt to affect a reconciliation. If he believes that the parties cannot be reconciled he must immediately issue a certificate to that effect to the complainant spouse.

SEC. 7. Section 89.6 is hereby added to the Civil Code to read as follows:

89.6. If the commissioner orders that a reconciliation be attempted by the parties, he may, upon notification by the complainant spouse that such a reconciliation has been attempted without success, issue a certificate to the complainant spouse to that effect.

SEC. 8. Section 89.7 is hereby added to the Civil Code to read as follows:

89.7. In no case shall the parties be required to attempt to reconcile their difficulties for a period of longer than 60 days.

SEC. 9 Section 89.8 is hereby added to the Civil Code to read as follows:

89.8. No action for divorce, separate maintenance or annulment of marriage shall be commenced until the complainant spouse shall have obtained the certificate herein provided for.

SEC. 10. Section 89.9 is hereby added to the Civil Code to read as follows:

89.9. Any person who has domestic difficulties may apply to the commissioner for his aid to overcome them, even though no legal action is contemplated."

Amendment No. 3.

On page 2, line 4, of the printed bill, strike out "SEC. 2", and insert in lieu thereof the following: "SEC. 11".

Amendment No. 4.

On page 2, line 9, of the printed bill, strike out "SEC. 3", and insert in lieu thereof the following: "SEC. 12".

Amendment No. 5.

On page 2, line 13, of the printed bill, strike out "SEC. 4", and insert in lieu thereof the following: "SEC. 13".

Amendment No. 6.

On page 2, line 13, of the printed bill, strike out "138", and insert in lieu thereof the following: "131".

Amendment No. 7.

On page 2 of the printed bill, after line 14, insert the following:

"131. In actions for divorce, the court must file its decision and conclusions of law as in other cases, and if it determines that no divorce shall be granted, final judgment must thereupon be entered accordingly. If it determines that the divorce ought to be granted, an interlocutory judgment must be entered, declaring that the party in whose favor the court decides is entitled to a divorce and declaring at what time a final decree may be granted, which time shall be determined under the provisions of section 132 of this code. After the entry of the interlocutory judgment, neither party shall have the right to dismiss the action without the consent of the other.

SEC. 14. Section 132 of the Civil Code is hereby amended to read as follows:

132. The court on motion of either party, or upon its own motion may enter the final judgment granting the divorce, when one year has expired after the entry of such interlocutory judgment, or when that period of a year has passed which when added to the time that the parties to a divorce have spent in an effort to effect a reconciliation under order of the conciliation commissioner would equal one year after the entry of the interlocutory judgement. Such final judgment shall restore them to the status of single persons, and permit either to marry after the entry thereof; and such other and further relief as may be necessary to complete disposition of the action, but if any appeal is taken from the interlocutory judgment or motion for a new trial made, final judgment shall not be entered until such motion or appeal has been finally disposed of, nor then, if the motion has been granted or judgment reversed. The death of either party after the entry of the interlocutory judgment does not impair the power of the court to enter final judgment as hereinbefore provided; but such entry shall not validate any marriage contracted by either party before the entry of such final judgment, nor constitute any defense of any criminal prosecution made against either.

SEC. 15. Section 138 of the Civil Code is hereby amended to read as follows:

138. In actions for divorce the court may, during the pendency of the action, or at the final hearing or at any time thereafter during the minority of any of the children of the marriage, make such order for the custody, care, education, maintenance and support of such minor children as may seem necessary or proper, and may at any time modify or vacate the same. Such court orders shall be directed to both the parents and the children and shall be obeyed by the children while they are minors. Regardless of custody, both parents shall continue to have a voice in all important decisions concerning their children. In awarding the custody the court is to be guided by the following considerations:

(1) By what appears to be for the best interest of the child in respect to its temporal and its mental and moral welfare; and if the child is of a sufficient age to form an intelligent preference, the court may consider that preference in determining the question;

(2) As between parents adversely claiming the custody, neither parent is entitled to it as of right; but other things being equal, if the child is of tender years, it should be given to the mother; if it is of an age to require education and preparation for labor and business, then to the father.

(3) If the defendant is not desirous of a divorce and is willing to live with the plaintiff, the child should be given to him during the pendency of the action.

(4) If, after a divorce has been granted a parent who has been given the custody of a child remarries, the child should be given to the parent who remains unattached.

Any parent who is denied the custody of his child shall be given the right, unless there are grave reasons against it, to have his child visit him for not less than 30 continuous days in each year so long as he remains unmarried.

If the normal filial feelings of a minor child becomes alienated from the parent who does not have the custody of such child, unless caused by such parent's ill treatment or wilful neglect of such child, it shall be a good reason for giving such parent the custody of such child, or else of placing such child in a neutral home."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1346—An act to amend section 690.23 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Committee Amendments to Assembly Bill No. 1346.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "section", and insert in lieu thereof the following: "sections 690.22 and ".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out all of lines 1 and 2, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 690.22 of the Code of Civil Procedure is hereby amended to read as follows:

690.22. All money received by any person, a resident of the State, as a pension, or retirement or disability or death or other benefit, from the United States Government, or from the State, or any county, city or city and county, or other political subdivision of the State, or any public trust, or public corporation, or from the governing body of any of them, or from any public board or boards, whether the same shall be in the actual possession of such pensioner or beneficiary, or deposited, loaned or invested by him, is exempt from execution or attachment.

SEC. 2. Section 690.23 of the Code of Civil Procedure is hereby amended to read as follows:"

Amendment No. 3.

On page 1, line 5, of the printed bill, after the word "State," insert the following: "or any public trust, or public corporation, or by the governing body of any of them, or by any public board or boards,".

Amendment No. 4.

On page 1, line 5, of the printed bill, after the word "contributions", strike out "from", and insert in lieu thereof the word "by".

Amendment No. 5.

On page 1, line 7, of the printed bill, after the word "subdivision," insert the following: "or such public trust, public corporation, governing body, or public board or boards,".

Amendment No. 6.

On page 1, line 8, of the printed bill, after the words "payment of", insert the word "disability,".

Amendment No. 7.

On page 1, line 9, of the printed bill, before the word "benefits," insert the following: "or other".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 204—An act to amend section 692 of, and to add a new section to be numbered 692a to, the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust or mortgage.

Committee Amendments to Assembly Bill No. 204.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, following the word "any", insert the following: "mortgage or".

Amendment No. 2.

On page 1, line 21, of the printed bill, strike out the following: "and not more than 30 days".

Amendment No. 3.

On page 2, line 9, of the printed bill, strike out "the provision of", and insert in lieu thereof the following: "under power of sale contained in".

Amendment No. 4.

On page 2, line 12, of the printed bill, strike out the following: "and not more than 30 days".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 536—An act to amend sections 11 and 166 of the Penal Code, relating to contempt of court.

Committee Amendments to Assembly Bill No. 536.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 11 and", and insert in lieu thereof the following: "section".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive.

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "SEC. 2", and insert in lieu thereof the following: "SECTION 1".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 10 to 13, inclusive, and insert in lieu thereof the following:

"166. Every person guilty of any contempt of court, of either of the following kinds, is guilty of a misdemeanor:".

Amendment No. 5.

On page 2 of the printed bill, between lines 5 and 6, insert the following:

"7. The publication of a false or grossly inaccurate report of the proceedings of any court;".

Amendment No. 6.

On page 2, line 8, of the printed bill, strike out "7", and insert in lieu thereof the following: "8".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 396—An act to add section 3308 to the Civil Code, relating to the measure of damages on the termination of a lease.

Committee Amendment to Assembly Bill No. 396.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 16, inclusive, and insert in lieu thereof the following:

"3308. The parties to any lease of real or personal property may agree therein that if such lease shall be terminated by the lessor by reason of any breach thereof by the lessee, the lessor shall thereupon be entitled to recover from the lessee the worth at the time of such termination, of the excess, if any, of the amount of rent and charges equivalent to rent reserved in the lease for the balance of the stated term or any shorter period of time over the then reasonable rental value of the premises for the same period.

The rights of the lessor under such agreement shall be cumulative to all other rights or remedies now or hereafter given to the lessor by law or by the terms of the lease; provided, however, that the election of the lessor to exercise the remedy hereinabove permitted shall be binding upon him and exclude recourse thereafter to any other remedy for rental or charges equivalent to rental or damages for breach of the covenant to pay such rent or charges accruing subsequent to the time of such termination. The parties to such lease may further agree therein that unless the remedy provided by this section is exercised by the lessor within a specified time the right thereto shall be barred."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1389—An act to amend section 1217 of the Code of Civil Procedure, relating to the trial for contempt.

Committee Amendments to Assembly Bill No. 1389.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, strike out "1217", and insert in lieu thereof the following: "1211".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "1217", and insert in lieu thereof the following: "1211".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert in lieu thereof the following:

"1211. When a contempt is committed in the immediate view and presence of the court, the person charged with the contempt shall be tried on such charge before a judge other than the judge before whom the contempt is committed. Upon the hearing, the case shall be heard upon an affidavit setting out the facts alleged to constitute the contempt and the answer of the person charged with the contempt and upon whatever evidence may be adduced in conformity with the rules of evidence governing criminal trials.

When the contempt is not committed in the immediate view and presence of the court, or of the judge or justice at chambers, an affidavit shall be presented to the court, judge, or justice, of the facts constituting the contempt, or a statement of the facts by the referees or arbitrators, or other judicial officers."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2568—An act to add section 1920a to the Code of Civil Procedure, relating to evidence

Committee Amendment to Assembly Bill No. 2568.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after "Vehicles", strike out "are prima facie evidence of the facts", and in line 5, strike out "stated therein", and insert in lieu thereof a comma and the following: "when certified by the department, shall be admitted in evidence with the same force and effect as the original records".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 135—An act to amend sections 11, 13, 15, 15c, and 21 of, and to add section 11a to, an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to the tenure and powers of the general manager, the redemption of and signatures to bonds, civil service, and the establishment of a retirement system, all relating to municipal utility districts.

Committee Amendments to Senate Bill No. 135.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended March 9, 1937, strike out the word "four", and insert in lieu thereof the word "three".

Amendment No. 2.

On page 2, line 23, of the printed bill, as amended, strike out the words "four-fifths" and insert in lieu thereof the words "a majority".

Amendment No. 3.

On page 3, line 33, of the printed bill, as amended, after the words "retirement board", insert the following: "of not more than five members, at least two members of which shall be the elected representatives of the employees,".

Amendment No. 4.

On page 12, line 4, of the printed bill, as amended, change the word "may", to "shall".

Amendment No. 5.

On page 12, line 39, of the printed bill, as amended, strike out the word "thirty", and insert in lieu thereof the word "fifteen".

Amendment No. 6.

On page 12 of the printed bill, as amended, strike out the entire line 51, and the first two words and the comma following the word "same" in line 52, and insert in lieu thereof the following: "unless the employee within 15 days after the date of the order requests the general manager to review the same,".

Amendment No. 7.

On page 13 of the printed bill, as amended, strike out lines 7, 8 and 9, and insert in lieu thereof the following: "dishonesty, or inattention to duties."

Amendment No. 8.

On page 13, line 14, of the printed bill, as amended, strike out the word "thirty", and insert in lieu thereof the word "fifteen".

Amendment No. 9.

On page 13, line 20, of the printed bill, as amended, strike out the period after the word "appointment", and insert the following: "or in the purchase of supplies. A violation of this provision shall work a forfeiture of the office of such director."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 1028—An act to add section 2B to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to boundaries of municipal corporations.

Committee Amendments to Senate Bill No. 1028.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "851,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 20 to 25, inclusive, and on page 2, strike out lines 1 to 8, inclusive.

Amendment No. 3.

On page 2, line 9, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "2".

Amendment No. 4.

On page 2, line 38, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "3".

Amendment No. 5.

On page 3, line 16, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "4".

Amendment No. 6.

On page 3, line 44, of the printed bill, as amended, after the period, insert the following. "Except as to the number of members of the city council, the provisions of section 851 of this act shall be applicable to such municipal corporation."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 396—An act to amend sections 692, 698, 699, 701 and 716 of the Vehicle Code, relating to size, weight, loading and operation of vehicles.

Committee Amendments to Senate Bill No. 396.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 12, of the printed bill, strike out "Towel", and insert in lieu thereof the following: "Towed".

Amendment No. 2.

On page 2, line 48, of the printed bill, strike out "(e)", and insert in lieu thereof the following: "(c)".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 862—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class.

Committee Amendments to Senate Bill No. 862.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 1, of the printed bill, as amended, strike out "one thousand six", and insert in lieu thereof the following: "three thousand four".

Amendment No. 2.

On page 2, line 44, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "five".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 71—An act to amend section 1160 of the Political Code, relating to opening and closing of the polls.

Committee Amendments to Senate Bill No. 71.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "seven", and insert in lieu thereof the following: "six".

Amendment No. 2.

On page 1 of the printed bill, following line 14, add the following: "The board of supervisors or other legislative body of any county or city and county may by ordinance adopted prior to publication of notice of an election, provide that the polls be opened at seven o'clock a.m. of the day of any election, including any primary election, and be kept open until seven o'clock p.m. of the same date, when the polls shall be closed, except as provided in section 1164 of this code."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 265—An act to amend section 24 of the Direct Primary Law, relating to party conventions.

Committee Amendments to Senate Bill No. 265.

The following amendments were submitted by the committee:

Amendment No. 1

On page 6, line 7, of the printed bill, strike out "it", strike out lines 8 to 11, inclusive, and insert in lieu thereof the following: "shall certify the name of each elector so nominated, his residence and his business address to the Secretary of State. Such certificates shall be delivered to and filed with the Secretary of State. The Secretary of State shall cause the names of the candidates for President and Vice President of the several political parties to be placed upon the ballot for the ensuing November election. The names of the candidates for electors of President and Vice President shall not be printed upon the ballot. The votes cast for candidates for President and Vice President of each political party shall be counted for the candidates for Presidential Electors of such political party whose names have been filed with the Secretary of State."

Amendment No. 2.

On page 9, line 17, of the printed bill, strike out "seven", and insert in lieu thereof the following: "five".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 445—An act to repeal an act entitled "An act providing for the setting aside of moneys raised for building purposes by school districts for three fiscal years and the expenditures of such moneys thereafter," approved April 22, 1929, and to add to Chapter I of Part III of Division IV of the School Code a new article to be known as Article IIa, relating to accumulation and expenditure of funds by school districts for capital outlay purposes.

Committee Amendments to Senate Bill No. 445.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 1, of the printed bill, as amended, after the word "special", insert the word "accumulative".

Amendment No. 2.

On page 2, line 14, of the printed bill, as amended, after the word "special", insert the word "accumulative".

Amendment No. 3.

On page 2, line 17, of the printed bill, as amended, after the word "filed", insert the word "shall".

Amendment No. 4.

On page 2, line 18, of the printed bill, as amended, after the word "special", insert the word "accumulative".

Amendment No. 5.

On page 2, line 22, of the printed bill, as amended, after the word "special", insert the word "accumulative".

Amendment No. 6.

On page 2, line 31, of the printed bill, as amended, after the word "special", insert the word "accumulative".

Amendment No. 7.

On page 2, line 37, of the printed bill, as amended, strike out "The payment of", and insert in lieu thereof the following:

"Funds heretofore accumulated by a school district under the provisions of an act entitled "An act providing for the setting aside of moneys raised for building purposes by school districts for three fiscal years and the expenditures of such moneys thereafter," approved April 22, 1929, are hereby transferred to the special accumulative building fund of such district in the county treasury, which fund is hereby created.

The governing board of such district may continue the accumulation of funds in the special accumulative building fund of the district in the manner provided hereinbefore for the establishment of such fund. The expenditure of all moneys in such fund shall be subject to the provisions of this section

The payment of".

Amendment No. 8.

On page 2, line 38, of the printed bill, as amended, after the word "special", insert the word "accumulative".

Amendment No. 9.

On page 2, line 39, of the printed bill, as amended, after the word "school", insert the word "district".

Amendment No. 10.

On page 2, line 42, of the printed bill, as amended, after the word "special", insert the word "accumulative".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 314—An act to add a new article to Chapter IV of Part I of Division I of the School Code to be known as Article IV, relating to the supervision of the health of pupils enrolled in elementary schools.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 92—An act to amend section 627 of the Penal Code, relating to trespass.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1123—An act to add section 4d to an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to irrigation districts, and declaring the existing law, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 274—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 260—An act to amend sections 1426b and 1426d of the Civil Code, relating to notices of location of lode and placer mining claims.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 691—An act to amend section 4286 of the Political Code, relating to the compensation of county officers and their deputies, assistants and employees, and of jurors in counties of the fifty-seventh class.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1094—An act to amend section 3714 of the Political Code, relating to annual financial estimates of counties

Bill read second time, and ordered on third reading calendar.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1455—An act relating to State lands, authorizing the Director of Finance, on behalf of the State of California to enter into contracts for the production of oil, gas and other hydrocarbons therefrom, authorizing the production and sale or other disposition of oil, gas and other hydrocarbons from such lands by lease or contract or by the State, and providing for the exercise of the powers of eminent domain in connection therewith.

Committee Amendment to Assembly Bill No. 1455.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 7 of the printed bill, as amended, strike out lines 9 to 45, inclusive.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 267—An act to amend section 675 of the Political Code, relating to the Department of Finance.

Committee Amendments to Assembly Bill No. 267.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 50, of the printed bill, as amended, after "State", insert the following: "under the terms and conditions hereinafter specified".

Amendment No. 2.

On page 2, line 52, of the printed bill, as amended, strike out "under", and on page 3, line 1, strike out "the terms and conditions hereinafter specified".

Amendment No. 3.

On page 3, line 11, of the printed bill, as amended, strike out "such", and insert in lieu thereof the following: "within a".

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out lines 22 to 26, inclusive, and insert in lieu thereof the following: "may consider necessary and desirable for the purpose of convenient access to said State lands for the development and production of oil, gas and other hydrocarbon substances therefrom and for the transportation and storage of such oil, gas or other hydrocarbon substances. The acquisition of real property or interest therein for such purposes is hereby declared to be a public use. He may institute condemnation".

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out line 31, and in line 32, strike out "after described lands", and insert in lieu thereof the following: "therein for such purposes".

Amendment No. 6.

On page 3 of the printed bill, as amended, strike out lines 35 to 37, inclusive, and insert in lieu thereof the following "may be made available to any person, firm, association or corporation".

Amendment No. 7.

On page 4 of the printed bill, as amended, strike out lines 18 to 27, inclusive, and insert in lieu thereof the following.

"i. Any lease or contract made by the Director of Finance shall provide for the development and extraction of the oil, gas, and other hydrocarbon substances from said State".

Amendment No. 8.

On page 5 of the printed bill, as amended, strike out lines 5 to 52, inclusive, and insert in lieu thereof the following:

"*j* The revenues accruing to the State under the provisions of this subdivision shall be deposited in the treasury in a fund for the relief of needy aged persons. The provisions hereof shall not constitute an appropriation, and the moneys deposited in said fund shall be expended only in such manner as may hereafter be provided by law."

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1861—An act for the relief of certain assessment districts and for that purpose empowering municipal corporations to render financial aid to such districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1861?

Amendment No. 1.

On page 1, line 3, of the printed bill, after the figures "1925", insert a comma and the following: "the Municipal Improvement District Act of 1927 or an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915"

Amendment No. 2.

On page 4, line 23, of the printed bill, after the figure "1925", insert a comma and the following: "the Municipal Improvement District Act of 1927 or an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1861 by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Watson, Weber, Welsh, Yorty, and Mr Speaker—63.

NOES—None.

Assembly Bill No. 1861 ordered to enrollment.

Assembly Bill No. 1915—An act to add section 6.53 to the School Code, relating to provision of a place for children to eat lunches brought from home.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1915?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "6.53", and insert in lieu thereof the following: "6.54".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "6.53", and insert in lieu thereof the following: "6.54".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out line 3, and insert in lieu thereof the following:

"6.54. The governing board of every school district shall provide".

Amendment No. 4.

On page 1, line 4, of the printed bill, as amended, strike out "healthy", and insert in lieu thereof the following: "healthful".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1915 by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Yorty, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1915 ordered to enrollment.

Assembly Bill No. 1925—An act to amend section 4264 of the Political Code, relating to salaries of county officers in counties of the thirty-fifth class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1925?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 9, 10 and 11, and insert in lieu thereof the following: "annum. Such deputies and employees as are allowed the auditor by the board of supervisors shall be appointed by the auditor".

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, strike out "to", and insert in lieu thereof the folowing: "shall".

Amendment No. 3.

On page 1, line 18, of the printed bill, as amended, strike out the semicolon; strike out lines 19 to 22, inclusive, and insert in lieu thereof a period and the following: "Such deputies and employees as are allowed the district attorney by the board of supervisors shall be appointed by the district attorney and their salaries shall be paid in equal".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1925 by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1925 ordered to enrollment.

Assembly Bill No. 1211—An act to amend the Vehicle Code by amending sections 34, 36, 37, 38, 49, 66 and 67 thereof, and by adding thereto sections 32.5, 50 and 82.5, relating to definitions of words and phrases.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1211?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the numerals "66", strike out "and 67", and insert in lieu thereof the following: "67 and 131".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, after the figures "82.5", insert the following: "describing the forms of required documents and".

Amendment No. 3.

On page 3 of the printed bill, following line 21, insert the following:

"131. Authority of Officers and Employees. (a) Officers and employees of the department are for the purposes of this code authorized to administer oaths and acknowledge signatures, and shall do so without fee.

(b) The director and such officers of the department as he may designate may, upon request, prepare under the seal of the department and deliver without charge

a certified copy of any record of the department received or maintained under this code.

(c) Whenever the acknowledgment of any document is made necessary by the provisions of this code or under any regulation of the department, the signature of the applicant attested to in his presence by the signature of a subscribing witness will be accepted in lieu of such acknowledgment.

(d) Any person who knowingly makes a false statement or conceals a material fact in any document required to be filed with the department as herein provided shall be guilty of a misdemeanor."

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 1 to 5, inclusive, of the title, and insert in lieu thereof the following:

"An act to amend sections 34, 36, 37, 38, 49, 66, 67, and 131 of, and to add sections 32.5, 50, and 82.5 to, the Vehicle Code, relating to motor vehicles."

Amendment No. 5.

On page 3 of the printed bill, as amended, between lines 14 and 15, insert the following:

"SEC. 11. Section 131 of the Vehicle Code is hereby amended to read as follows:".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1211 by the following vote:

AYES—Andreas, Bayuham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1211 ordered to enrollment.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 331 Waived.

Mr. King waived his notice of motion to reconsider the sustaining of the Governor's veto to Assembly Bill No. 331.

Notice of Motion to Reconsider Assembly Bill No. 206 Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

Reconsideration of Assembly Bill No. 516.

In compliance with a notice given on a previous day, Mr. Field moved that the vote whereby Assembly Bill No. 516 was passed be reconsidered.

The roll was called, and Assembly Bill No. 516 refused reconsideration by the following vote:

AYES—Cottrell, Cunningham, Dannenbrink, Field, Garibaldi, Garland, Gilbert, Johnson, Kepple, Kuchel, Latham, Lore, Martin, Miller, Eleanor; Morgan, Muldoon, Scudder, and Walker—18.

NOES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Daley, Donihue, Donnelly, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Leonard, Maloney, McMurray, Meehan, Miller, George P., Millington, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Watson, Yorty, and Mr. Speaker—35.

Assembly Bill No. 516 ordered transmitted to the Senate.

Leaves of Absence.

Mr. Cronin was granted leave of absence for the balance of this legislative day, on motion of Mr. Peyser.

Mr. Levey was granted leave of absence for the balance of this legislative day, on motion of Mr. Peyser.

Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up.

Consideration of Assembly Bill No. 2387.

Assembly Bill No. 2387—An act to empower and authorize the institution of a suit and/or action against the people of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one Beesemeyer, and of men associated with him in the enterprise known and/or designated as the Guaranty Building and Loan Association, and/or waive the statute of limitations by the State of California.

Hon. Gardiner Johnson in the Chair.

At three o'clock and fifteen minutes p.m., Hon. Gardiner Johnson, member of the Assembly from the Nineteenth District, in the chair.

Motion to Amend Assembly Bill No. 2387.

Mr. Muldoon moved to amend Assembly Bill No. 2387 as follows:

Amendment No. 1.

On page 1, lines 3 and 4 of the title of the printed bill, as amended, strike out "building and loan associations", and insert in lieu thereof the following: "financial institutions".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 5 of the title, and insert in lieu thereof a comma.

Amendment No. 3.

On page 1, line 7 of the title of the printed bill, as amended, strike out "limiting recovery thereunder,".

Amendment No. 4.

On page 1, lines 9 and 10, of the printed bill, as amended, strike out "building and loan association," and insert in lieu thereof the following: "financial institution".

Amendment No. 5.

On page 1, line 12, of the printed bill, as amended, strike out "act or acts of theft", and insert in lieu thereof the following: "wrongful act or omission".

Amendment No. 6.

On page 1 of the printed bill, as amended, strike out lines 13 and 14, and insert in lieu thereof the following: "of such financial institution".

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out lines 1 to 27, inclusive, and insert in lieu thereof the following:

(b) A "financial institution" denotes a bank, trust company, building and loan association, or other firm or corporation doing business under the laws of the State, authorized by law to accept deposits of money, and which is subject to examination, inspection, or control by the State of California or any officer or urgency thereof.

(c) "Negligence," as used herein and as used in section 688 of the Political Code, means the failure of any officer or employee of the State to perform any duty imposed upon him by law with respect to any financial institution."

Amendment No. 8.

On page 2, line 29, of the printed bill, as amended, strike out "building", and strike out lines 30 to 33, inclusive, and insert in lieu thereof the following: "financial institution shall have a claim against the people of".

Amendment No. 9.

On page 2 of the printed bill, as amended, strike out lines 46 to 48, inclusive, and insert in lieu thereof the following: "virtue of the provisions of any other law of this State."

Amendment No. 10.

On page 2 of the printed bill, as amended, strike out lines 49 and 50, and insert in lieu thereof the following:

"SEC. 3 All claims of depositors for losses heretofore suffered shall be presented to".

Amendment No. 11.

On page 3 of the printed bill, as amended, strike out line 3, and insert in lieu thereof the following: "claims of the".

Amendment No. 12.

On page 3, line 4, of the printed bill, as amended, after "suffered", insert the following: "shall be presented".

Amendment No. 13.

On page 3, line 6, of the printed bill, as amended, strike out "For", and strike out lines 7 to 10, inclusive, and insert in lieu thereof the following: "The State".

Amendment No. 14.

On page 3, line 15, of the printed bill, as amended, strike out "trustee", and insert in lieu thereof the following: "depositor or his assignee".

Amendment No. 15.

On page 3 of the printed bill, as amended, strike out lines 19 to 21, inclusive, and insert in lieu thereof the following: "actions to final judgment. In so far as the same are consistent".

Amendment No. 16.

On page 3 of the printed bill, as amended, strike out lines 39 to 42, inclusive.

Amendments read, and refused adoption by the following vote:

AYES—Beene, Cottrell, Muldoon, Peyser, Robertson, Scudder, Thorp, Walker, and Williamson—9.

NOES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—56.

Assembly Bill No. 2387 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Call, Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Weber, Welsh, Yorty, and Mr. Speaker—51.

NOES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Crowley, Garibaldi, Johnson, Leonard, Mayo, Muldoon, Peyser, Robertson, Scudder, Thorp, Walker, Watson, and Williamson—18.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At three o'clock and forty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Third Reading of Assembly Bills.

Assembly Bill No. 103—An act to add section 207.5 to the Labor Code, relating to the payment of wages.

Motion to Amend Assembly Bill No. 103.

Mr. Miller moved to amend Assembly Bill No. 103 as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after "of", insert the following: "the action of".

Amendment No. 2.

On page 1, line 7, of the printed bill, as amended, strike out "employer's, employees," and insert in lieu thereof the following: "employer's employees".

Amendment No. 3.

On page 1 of the printed bill, as amended, between lines 16 and 17, insert the following: "No fee shall be charged, collected or paid by or to any person, firm or

corporation with relation to the collection of any award to any persons whose names are published in any notice or list as herein provided."

Amendments adopted.

Request for Unanimous Consent.

Mr. Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 103, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 103, as Amended.

Assembly Bill No. 103—An act to add section 207.5 to the Labor Code, relating to the payment of wages.

Assembly Bill No. 103, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Donahue, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 50—An act to amend section 451 of the Agricultural Code, relating to dairies and dairy products.

Motion to Amend Assembly Bill No. 50.

Mr. Heisinger moved to amend Assembly Bill No. 50 as follows:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out ", and to add section 492.5 to".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, after "services", strike out the comma.

Amendment No. 3.

On page 3, line 34, of the printed bill, as amended, after "distributing", strike out "of".

Amendment No. 4.

On page 3, line 46, of the printed bill, as amended, after "458", insert the following: "subdivision".

Amendments adopted.

Assembly Bill No. 50 ordered to reprint, and re-engrossment.

Assembly Bill No. 1591—An act to amend the Military and Veterans Code. (Statutes of 1935, Chapter 389.)

Motion to Amend Assembly Bill No. 1591.

Mr. Boyle moved to amend Assembly Bill No. 1591 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "193,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "301".

Amendment No. 3

On page 1, line 3 of the title of the printed bill, after "sections", strike out "296½", and insert in lieu thereof the following: "193, 296½, 301,".

Amendment No. 4.

On page 1 of the printed bill, strike out line 5 of the title, and insert in lieu thereof the following: ", relating to military and veterans' affairs."

Amendment No. 5.

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 53 of the Military and Veterans Code is hereby amended to read as follows:

53. For the purpose of administration, the department shall be organized by the director in such manner as he deems necessary and proper to conduct the work of the department and shall be divided into four divisions as follows:

(a) The Division of Military Affairs, which shall include the National Guard and which shall be administered by the chief of the division.

(b) The Division of Veterans' Welfare, which shall be administered by the Veterans' Welfare Board, the chairman of such board being the chief of the division.

(c) The Division of Veterans' Homes, which shall be administered by the Board of Directors of the Veterans' Home of California and the Board of Directors of the Women's Relief Corps of California, the chief of the division to be appointed by and hold office at the pleasure of the Board of Directors of the Veterans' Home of California.

(d) The Division of Athletics, which shall be administered by the State Athletic Commission, the chief of the division to be appointed by, receive such salary as shall be fixed by, and hold office at the pleasure of such commission

(e) The Division of Naval Affairs, which shall include the Naval Militia, and which shall be administered by the Commanding Officer of the Naval Militia, who shall be the chief of the division

SEC. 2. Section 141 of the Military and Veterans Code is hereby amended to read".

Amendment No. 6.

On page 1 of the printed bill, strike out line 22, and insert in lieu thereof the following:

"SEC. 3. Section 193 is hereby added to said code to read as".

Amendment No. 7.

On page 2 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following:

"SEC 4. Section 282 of said code is hereby repealed.

SEC. 5. Section 284 of said code is hereby amended to read".

Amendment No. 8.

On page 2 of the printed bill, strike out line 14, and insert in lieu thereof the following:

SEC. 6. Section 285 of said code is hereby amended to read".

Amendment No. 9.

On page 2 of the printed bill, strike out lines 24 and 25, and insert in lieu thereof the following:

"SEC. 7. Section 286 of said code is hereby repealed.

SEC. 8. Section 287 of said code is hereby amended to read".

Amendment No. 10.

On page 2 of the printed bill, strike out lines 35 and 36, and insert in lieu thereof the following:

"SEC. 9. Section 288 of said code is hereby repealed.

SEC. 10. Section 289 of said code is hereby amended to read".

Amendment No. 11.

On page 2 of the printed bill, strike out line 44, and insert in lieu thereof the following:

"SEC. 11. Section 290 of said code is hereby amended to read".

Amendment No. 12.

On page 3 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SEC. 12. Section 291 of said code is hereby amended to read"

Amendment No. 13.

On page 3 of the printed bill, strike out line 6, and insert in lieu thereof the following:

"SEC. 13. Section 292 of said code is hereby amended to read".

Amendment No. 14.

On page 3 of the printed bill, strike out line 15, and insert in lieu thereof the following:

"SEC. 14. Section 293 of said code is hereby amended to read".

Amendment No. 15.

On page 3 of the printed bill, strike out lines 20 and 21, and insert in lieu thereof the following:

"SEC. 15 Section 295 of said code is hereby repealed.

SEC. 16. Section 296 of said code is hereby amended to read".

Amendment No. 16.

On page 3 of the printed bill, strike out line 28, and insert in lieu thereof the following:

"SEC. 17. Section 296½ is hereby added to said code, to read as".

Amendment No. 17.

On page 3 of the printed bill, strike out line 37, and insert in lieu thereof the following:

"SEC. 18. Section 300 of said code is hereby amended to read".

Amendment No. 18.

On page 4 of the printed bill, strike out line 7, and insert in lieu thereof the following:

"SEC. 19. Section 301 is hereby added to said code, to read".

Amendment No. 19.

On page 4 of the printed bill, strike out line 17, and insert in lieu thereof the following:

"SEC 20. Section 302 is hereby added to said code, to read as".

Amendment No. 20.

On page 4 of the printed bill, strike out line 26, and insert in lieu thereof the following:

"SEC 21. Section 303 is hereby added to said code, to read as".

Amendment No. 21.

On page 4 of the printed bill, strike out line 32, and insert in lieu thereof the following:

"SEC. 22. Section 304 is hereby added to said code, to read as"

Amendment No. 22.

On page 4 of the printed bill, strike out line 41, and insert in lieu thereof the following:

"SEC 23. Section 305 is hereby added to said code, to read as".

Amendment No. 23.

On page 4 of the printed bill, strike out line 48, and insert in lieu thereof the following

"SEC. 24. Section 306 is hereby added to said code, to read as".

Amendment No. 24.

On page 5 of the printed bill, strike out line 35, and insert in lieu thereof the following:

"SEC. 25. Section 307 is hereby added to said code, to read as".

Amendment No. 25.

On page 5 of the printed bill, strike out lines 50 to 52, inclusive, and insert in lieu thereof the following:

"SEC. 26 Section 330 of said code is hereby amended to read as follows:

330. There shall be audited and allowed by the Adjutant General and paid out of the appropriation for military purposes upon the warrant of the Controller to the commanding officer of:

(a) Each rifle, machine gun, regimental headquarters, regimental service, and howitzer companies of infantry, the sum of $150 per month.

(b) Each firing battery, combat train, regimental headquarters battery, and regimental service battery of coast artillery, the sum of $150 per month.

(c) Each firing battery, combat train, service battery, and regimental headquarters battery of field artillery, the sum of $150 per month.

(d) Each signal, military police, ordnance, service, motor transport, and wagon company, the sum of $150 per month.

(e) Each tank company and divisional aviation unit, the sum of $200 per month.

(f) Each brigade headquarters, brigade headquarters company, divisional headquarters company, and battalion headqurters company of infantry, the sum of $125 per month.

(g) Each regimental headquarters of infantry, coast artillery and field artillery and each division headquarters, the sum of $200 per month, except if a regimental headquarters is organized before the regiment has been fully completed then such portion of the $200 as the Adjutant General deems necessary.

(h) Each medical detachment attached to an infantry, coast artillery or field artillery regiment, the sum of $125 per month"

Amendments adopted.

Assembly Bill No. 1591 ordered to reprint, and re-engrossment.

Assembly Bill No. 428—An act to add a new section to the School Code to be numbered 4.192, relating to the insuring of employees of county superintendents of schools against liabilities imposed by law.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 429—An act to amend sections 5.210 and 5.212 of the School Code, relating to examinations by county boards of education of applicants for elementary teaching certificates.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2200—An act to amend section 2 972 of the School Code, relating to compensation for members of city boards of education in school districts situated wholly or partly within cities of the first and one-half class

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 35—An act to amend section 2995a of the Political Code, relating to reports and publications furnished to the State Library.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2814—An act to add section 4020.5 to the Political Code, relating to coroners.

Bill read third time, and refused passage by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cunningham, Dannenbrink, Field, Gannon, Heisinger, Kepple, Latham, Leonard, Lyon,

Martin, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Scudder, Thorp, Turner, Weber, and Williamson—26.

NOES—Cassidy, Cottrell, Crowley, Daley, Dawson, Donihue, Donnelly, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Kuchel, Lore, Maloney, Mayo, Meehan, Muldoon, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—35.

Notice of Motion to Reconsider Assembly Bill No. 2814.

Mr. Burns, Hugh M., gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2814 was this day refused passage.

Assembly Bill No. 1151—An act to amend section 76 of the Improvement Act of 1911, relating to the treasurer's list of bonds upon which payments have not been made and to notice of delinquency.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Scudder, Sheehan, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1364—An act to amend section 8a of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such county officers for the services so rendered to such municipal corporations," approved March 27, 1895 (Statutes 1895, p 219), relating to manner of making redemption of property sold to cities for nonpayment of taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2801—An act to add section 59a to, and to amend sections 62, 63 and 64 of, the Improvement Act of 1911, relating to bonds and assessments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 841—An act to amend section 5 of an act entitled "An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, providing for the adoption of the merit system by the governing boards of such districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 890—An act to amend section 1 of an act entitled "An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately," approved February 1, 1935, relating to the foreclosure of special assessment bonds.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 890 read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Motion to Amend Title to Assembly Bill No. 890.

Mr. Cunningham moved to amend the title as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the words "February 1, 1935", add the following: "as amended.".

Amendment adopted.

Title, as amended, read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2426—An act to add a new section to be numbered section 12a to an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities and upon property and rights of way owned by municipalities and for the laying out, opening, extending, widening,

straightening or acquiring in whole or in part of public streets, squares, lanes, alleys, easements, courts and places within municipalities to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued," approved June 11, 1915, relating to assessments and bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2659—An act to amend sections 13a and 14 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisition of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding."

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—Robertson—1.

Motion to Amend Title to Assembly Bill No. 2659.

Mr. Leonard moved to amend the title as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "of", strike out "an act", and strike out lines 2 to 15, inclusive, and insert in lieu thereof the following: "the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, relating to procedure, limitation of actions, and exemptions under said act."

Amendment adopted.

Title, as amended, read and approved. Bill ordered transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 13, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1138.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Joint Resolution No. 5.
Assembly Bill No. 8.
Assembly Bill No. 620.
Assembly Bill No. 1057.
Assembly Bill No. 2587.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 16, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 1130.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended,

Assembly Bill No. 1532.
Assembly Bill No. 600.
Assembly Bill No. 197.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 343—An act to amend the title and sections 1 and 17 of "An act to establish an institution for the confinement, care and reformation of women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor" (Statutes 1935, Chapter 497), relating to the California Institution for Women;

Senate Bill No. 1126—An act to add section 903 to the Fish and Game Code, relating to nets.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 343 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 1126 read first time, and referred to Committee on Fish and Game.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 72—An act to amend section 132 of the Civil Code, relating to divorce.

Motion to Amend Assembly Bill No. 72.

Mr. Yorty moved to amend Assembly Bill No. 72 as follows:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, strike out "within", and strike out lines 10 and 11, and insert in lieu thereof the following: "prior to the time at which a final decree of divorce could have been lawfully rendered as to such party."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 21, and insert in lieu thereof the following: "When six months have expired, or, if there are minor children of the marriage, when one year has expired after the entry".

Amendment No. 3.

On page 2, line 27, of the printed bill, as amended, strike out "three months", and strike out lines 28 and 29, and insert in lieu thereof the following: "the time the final judgment".

Amendments read, and adopted by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Kepple, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—Cassidy, King, Miller, George P., Tenney, and Williamson—5.

Request for Unanimous Consent.

Mr. Kepple asked for, and was granted, unanimous consent to take up Assembly Bill No. 72, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 72, as Amended.

Assembly Bill No. 72—An act to amend section 132 of the Civil Code, relating to divorce.

Assembly Bill No. 72, as amended, read third time, and refused passage by the following vote:

AYES—Breed, Call, Clark, Cunningham, Dannenbrink, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, Lore, Mayo, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Yorty, and Mr. Speaker—31.

NOES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Crowley, Daley, Dawson, Desmond, Dilworth, Donihue, Field, Garland, Heisinger, Johnson, King, Kuchel, Latham, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Robertson, Sheehan, Stream, Walker, Watson, Weber, and Williamson—36.

Notice of Motion to Reconsider Assembly Bill No. 72.

Mr. Tenney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 72 was this day refused passage.

Assembly Bill No. 329—An act to add section 653h to the Penal Code, relating to installation of dictographs.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Crowley, Daley, Dawson, Donnelly, Field, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Mayo, McMurray, Miller, George P., Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Weber, and Yorty—43.

NOES—Baynham, Breed, Cassidy, Cottrell, Cunningham, Dannenbrink, Dilworth, Donihue, Fulcher, Gannon, Glick, Heisinger, Johnson, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Thorp, Walker, Watson, and Mr. Speaker—24.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 378—An act to amend section 400 of the Vehicle Code, relating to negligence, upon the part of officers, agents, and employees of the State, counties, cities and counties, municipal corporations, school districts, irrigation districts, districts established by law, and political subdivisions of the State, and authorizing suits relative thereto and providing the place of trial of such actions and prescribing the period of time within which such actions may be commenced.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1191—An act to amend sections 4, 4d, 6, 15, 17b and 20 of the Juvenile Court Law, relating to the provision of care, custody and maintenance for minor persons, through or under the supervision of the juvenile court.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1818—An act to amend section 13 of and to add section 12a to the Juvenile Court Law, relating to juveniles.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, and Yorty—65.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1939—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of San Mateo, State of California.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 390—An act to amend section 689b of the Code of Civil Procedure, relating to selling personal property under execution.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1468—An act to amend section 1058 of the Code of Civil Procedure, relating to bonds when State is a party.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington,

Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Welsh, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 808—An act to amend sections 105 and 107 of the Civil Code, relating to divorce.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Welsh, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion for Consideration of Senate Bills.

On motion of Mr. King, Wednesday afternoon, April 21, 1937, was set aside for the exclusive consideration of Senate bills.

Assembly Bill No. 2340 Set as Special Order.

On motion of Mr. Hornblower, the consideration of Assembly Bill No. 2340 was made a special order of business for Monday, April 19, 1937, at two o'clock p.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1905—An act to amend section 146 of the Civil Code by adding a section thereto to be numbered 5, relating to homesteads on property held in joint tenancy.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—Lore, and Tenney—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1906—An act to amend section 1238 of the Civil Code by adding "joint tenancy" property of the husband and wife thereto.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—Tenney—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 258—An act to add section 12 (a) to the Personal Property Brokers Act, relating to regulation of the contracts of personal property brokers.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Withdrawal and Re-reference of Senate Bill No. 566.

On motion of Mr. Boyle, Senate Bill No. 566 was withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Education.

Motion to Print Communication in Journal.

On motion of Mr. Dawson, the following communication was ordered printed in the Journal:

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS, April 9, 1937.

Honorable Kennett B. Dawson,
1124 Leavenworth Street, San Francisco, California.

MY DEAR MR. DAWSON: I have just received yours of April 7th enclosing copy of the resolution passed respecting myself on the twentieth anniversary of my service in the Senate I did not know about the resolution until I received your letter. It came to me as a most agreeable surprise. I want to express to you, and to the other authors of it my deep appreciation and my heartfelt thanks There has rarely occurred in my life an incident which I so highly prize, or which I will cherish more than this act of the California Legislature. Please do me the kindness to thank the members for me.

Sincerely yours

HIRAM W JOHNSON.

Recess.

At five o'clock and thirty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 259—An act to add four new sections to the Civil Code to be numbered 2981, 2982, 2983, and 2984, relating to conditional sale or lease contracts.

Motion to Amend Assembly Bill No. 259.

Mr. Yorty moved to amend Assembly Bill No. 259 as follows

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "the", strike out "purchaser", and insert in lieu thereof the following: "seller".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 2 and 3, and insert in lieu thereof the following: "in writing and contain the following statements.".

Amendment No. 3.

On page 2 of the printed bill, between lines 13 and 14, add a new subdivision to be known as "(e)", and to read as follows:

"Failure to state any charge as provided by this act shall make collection of said omitted charge unenforceable."

Amendments adopted.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to take up Assembly Bill No. 259, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 259, as Amended.

Assembly Bill No. 259—An act to add four new sections to the Civil Code to be numbered 2981, 2982, 2983, and 2984, relating to conditional sale or lease contracts.

Assembly Bill No. 259, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Dannenbrink, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Kuchel, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; O'Donnell, Pelletier, Reaves, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—44

NOES—Donihue—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 285—An act to amend section 92 of, and to add sections 108 and 109 to the Civil Code, relating to grounds of divorce.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

Motion carried.

Time, eight o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; O'Donnell, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—48.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Re-reference of Assembly Bill No. 333.

On motion of Mr. Maloney, Assembly Bill No. 333 was withdrawn from the calendar, and re-referred to the Committee on Crime Problems.

Re-reference of Assembly Bill No. 2058.

On motion of Mr. Scudder, Assembly Bill No. 2058 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1060—An act to amend sections 1295, 1297, 1298, 1300 and 1301 of the Penal Code, all relating to bail.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Don-

nelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—Dilworth—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1404—An act to add section 52¼ to the "Public Utilities Act," relating to the sale of stocks and other securities to employees.

Motion to Amend Assembly Bill No. 1404.

Mr. Donnelly moved to amend Assembly Bill No. 1404 as follows:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, before "Every", insert the following: "Sec. 52¼."

Amendment adopted.

Request for Unanimous Consent.

Mr. Donnelly asked for, and was granted, unanimous consent to take up Assembly Bill No. 1404, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1404, as Amended.

Assembly Bill No. 1404—An act to add section 52¼ to the "Public Utilities Act," relating to the sale of stocks and other securities to employees.

Motion to Amend Assembly Bill No. 1404.

Mr. Williamson moved to amend Assembly Bill No. 1404 as follows:

Amendment No. 1.

On page 1, line 17, of the printed bill, strike out "or suggesting to".

Amendment read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Call, Cottrell, Daley, Dannenbrink, Dawson, Desmond, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Miller, Eleanor; Muldoon, Peyser, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—39.

NOES—Burns, Hugh M., Cassidy, Crowley, Cunningham, Dilworth, Donnelly, Flint, Hawkins, Heisinger, King, Lore, Martin, Mayo, Meehan, Miller, George P., O'Donnell, Peek, Pelletier, Reaves, Richie, Tenney, Turner, and Yorty—23.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1404, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1404, as Amended.

Assembly Bill No. 1404—An act to add section 52¼ to the "Public Utilities Act," relating to the sale of stocks and other securities to employees.

Assembly Bill No. 1404, as amended, read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves,

Richie, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—55.

NOES—Baynham, Call, Hornblower, Latham, Lyon, Robertson, and Stream—7.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1271—An act to add two new sections to the Insurance Code to be numbered 11665 and 11666, relating to requirement that all licensed employers be insured for workmen's compensation.

Motion to Amend Assembly Bill No. 1271.

Mr. Garibaldi moved to amend Assembly Bill No 1271 as follows:

Amendment No. 1.

On page 1, lines 9 and 10, of the printed bill, strike out "California Workmen's Compensation and Insurance Act as it may now or hereafter exist", and insert in lieu thereof the following: "Workmen's Compensation Insurance Laws of this State".

Amendment No. 2.

On page 1, lines 23 and 24, of the printed bill, strike out "Workmen's Compensation Act", and insert in lieu thereof the following: "Workmen's Compensation Insurance Laws of this State".

Amendment No. 3.

On page 2, line 7, of the printed bill, after the comma following "California", insert the following: "and that he is not complying with the self insurance provisions of the Workmen's Compensation Insurance Laws of this State, and if he is subject to the provisions of these Workmen's Compensation Insurance Laws,".

Amendments adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Assembly Bill No. 1271, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1271, as Amended.

Assembly Bill No. 1271—An act to add two new sections to the Insurance Code to be numbered 11665 and 11666, relating to requirement that all licensed employers be insured for workmen's compensation.

Assembly Bill No. 1271, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—62.

NOES—Williamson—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1273—An act to add section 20.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to termination of liability.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch,

Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1274—An act to add section 5803.5 to the Labor Code, relating to termination of liability for workmen's compensation benefits.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1203—An act to regulate the business of selling used motor vehicles by dealers not residing in or having a permanent place of business in this State, and by resident dealers purchasing, handling and selling used motor vehicles received or acquired from non-resident dealers; requiring the registration of all used cars brought into this State for the purpose of sale to be registered with the Department of Motor Vehicles, and requiring all such dealers to execute and deliver to each purchaser of each used motor vehicle a bond indemnifying the purchaser against failure of title or breach of warranty or fraudulent misrepresentations; requiring the delivery of a certificate of title to the vendee; defining the term dealer and vendor, and providing penalties for the violation of the provisions of this act.

Motion to Amend Assembly Bill No. 1203.

Mr. Hornblower moved to amend Assembly Bill No. 1203 as follows:

Amendment No. 1.

On page 2, line 10, of the printed bill, as amended, strike out ", quality condition, use or value".

Amendment No. 2.

On page 2, lines 11 and 12, of the printed bill, as amended, strike out "Said bond shall be in the full amount of the sale price of such motor vehicle", and insert in lieu thereof the following: "The bond shall terminate or mature in not less than one year from the date that it is filed, shall be for an amount equal to the full market value of the vehicle in connection with which it is filed, as such value is determined by the Department of Motor Vehicles".

Amendments adopted.

Assembly Bill No. 1203 ordered to reprint, and re-engrossment.

Assembly Bill No. 1500—An act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income, to create such housing authorities in cities, and cities and counties, having a population of more than 15,000 and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for a certification of the bonds by the Attorney General; to confer remedies on obligees of housing authorities; and to declare an emergency.

Motion to Amend Assembly Bill No. 1500.

Mr. Watson moved to amend Assembly Bill No. 1500 as follows:

Amendment No. 1.

On page 7 of the printed bill, between lines 47 and 48, insert the following:

"SEC. 8 5. Bonds of Contractors. The provisions of an act entitled "An act to secure the payment of claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as now or hereafter amended, are hereby expressly made applicable to any housing project under this act."

Amendment adopted

Request for Unanimous Consent.

Mr. Hawkins asked for, and was granted, unanimous consent to take up Assembly Bill No. 1500, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1500, as Amended.

Assembly Bill No. 1500—An act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income, to create such housing authorities in cities, and cities and counties, having a population of more than 15,000 and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for a certification of the bonds by the Attorney General; to confer remedies on obligees of housing authorities; and to declare an emergency.

Motion to Amend Assembly Bill No. 1500.

Mr Hawkins moved to amend Assembly Bill No. 1500 as follows:

Amendment No. 1.

On page 1, lines 5 and 6 of the title of the printed bill, strike out "and cities and counties, having a population of more than 15,000", and insert in lieu thereof the following: "cities and counties,".

Amendment No. 2.

On page 2, line 29, of the printed bill, strike out ", having", and strike out line 30, and in line 31, strike out "or State census)".

Amendment No. 3.

On page 2, line 46, of the printed bill, strike out "having a population of less than 30,000,".

Amendment No. 4.

On page 2, line 48, of the printed bill, strike out "(2) in the case of a housing author-", strike out lines 49 and 50, and in line 51, strike out "torial boundaries thereof;".

Amendment No. 5.

On page 3, line 2, of the printed bill, strike out "(3)", and insert in lieu thereof the following: "(2)".

Amendment No. 6.

On page 5, line 3, of the printed bill, strike out "The", and insert in lieu thereof the following: "Three of the".

Amendment No. 7.

On page 5, line 4, of the printed bill, strike out "three, four and five", and insert in lieu thereof the following: "and three".

Amendment No. 8.

On page 5, lines 5 and 6, of the printed bill, strike out "but thereafter", and insert in lieu thereof the following: "and two shall be designated to serve for terms of four years from the date of their appointments. Thereafter".

Amendment No. 9.

On page 5, line 7, of the printed bill, strike out "five", and insert in lieu thereof the following "four".

Amendments adopted.

Request for Unanimous Consent.

Mr. Hawkins asked for unanimous consent to take up Assembly Bill No. 1500, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Mrs. Daley withheld her consent.

Motion for Temporary Suspension of Rules.

Mr. Hawkins moved that the Rules be temporarily suspended for the consideration of Assembly Bill No. 1500.

Objection to Unanimous Consent Withdrawn.

Mrs. Daley withdrew her objection to the consideration of Assembly Bill No. 1500, as amended, at this time, by unanimous consent.

Consideration of Assembly Bill No. 1500, as Amended.

Assembly Bill No. 1500—An act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such housing authorities in cities, cities and counties, and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for a certification of the bonds by the Attorney General; to confer remedies on obligees of housing authorities; and to declare an emergency.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1500 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—66

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1533—An act to amend the Political Code of the State of California by adding thereto a new section to be designated section 3346, to authorize county fire wardens, county officers charged with the duty of preventing or combating forest, brush or grass fires, or any officers of a county fire protection district, to summon any able-bodied person within the county, or within the fire protection district, to assist in combating a forest, brush or grass fire.

Motion to Amend Assembly Bill No. 1533.

Mr. Martin moved to amend Assembly Bill No. 1533 as follows:

Amendment No. 1.

On page 1 of the printed bill, after line 16, insert the following paragraph:

"It is the duty of the officer who thus orders any person to assist in fighting fire to cause notice of the order to be given forthwith to the family of such person or to any person within the county whom the person ordered may designate. The person so ordered to fight fire shall be reimbursed by the county or the county fire protection district whose officer so ordered him, for the amount of damage to wearing apparel sustained by him while responding and acting pursuant to the order. Every person who violates any provision of this section is guilty of a misdemeanor, punishable by a fine of not exceeding $25 or by imprisonment in the county jail for not exceeding 30 days, or by both such fine and imprisonment."

Amendment adopted.

Request for Unanimous Consent.

Mr. Martin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1533, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1533, as Amended.

Assembly Bill No. 1533—An act to amend the Political Code of the State of California by adding thereto a new section to be designated section 3346, to authorize county fire wardens, county officers charged with the duty of preventing or combating forest, brush or grass fires, or any officers of a county fire protection district, to summon any able-bodied person within the county, or within the fire protection district, to assist in combating a forest, brush or grass fire.

Assembly Bill No. 1533, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—58.

NOES—Cassidy, King, Robertson, and Yorty—4.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1501—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain and to provide that this shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—57.

NOES—Call, Dilworth, Field, Latham, Lyon, Peyser, and Scudder—7.

Assembly Bill No. 1501 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Muldoon, O'Donnell, Peek,

Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—57.

NOES—Call, Cottrell, Dilworth, Field, Latham, Lyon, Peyser, Scudder, and Thorp—9.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1501.

Mr. Peyser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1501 was this day passed.

Assembly Bill No. 1501 ordered to reprint.

Assembly Bill No. 1573—An act to authorize cities, cities and counties, towns, counties, and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks, playgrounds, streets, and other improvements and facilities, by exercising certain other powers and by making agreements relating to such aid; to authorize cities, cities and counties, towns, counties and other political subdivisions to contract with respect to the sums to be paid them for improvements, services and facilities to be provided for the benefit of housing projects; to require certain cities, cities and counties, and counties to make an appropriation for the first year's administrative expenses of housing authorities; to authorize certain cities, cities and counties, towns and counties to pay moneys to housing authorities; and to declare an emergency.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1573 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—Field, Latham, Lyon, and Stream—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 862—An act to amend section 488 of the Agricultural Code, relating to Grade "A" milk.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—Fulcher, and King—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1678—An act to provide that the property and bonds of housing authorities shall be exempt from taxation and assess-

ments; to authorize certain payments in lieu of such taxes and assessments; and to provide that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58.

NOES—Dilworth, Field, Latham, Lyon, Scudder, and Thorp—6.

Assembly Bill No. 1678 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sheehan, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—Cottrell, Dilworth, Field, Latham, Lyon, Scudder, Stream, and Thorp—8.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 40—Proposed amendment to Article IV, section 34a, of the Constitution, relative to taxation.

Assembly Constitutional Amendment No. 40 read, and refused adoption by the following vote:

AYES—Burns, Michael J., Cottrell, Daley, Dilworth, Donnelly, Garibaldi, Garland, Heisinger, Kepple, Kuchel, Latham, Lyon, Martin, Richie, Robertson, Scudder, Stream, Walker, Watson, and Weber—20

NOES—Andreas, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Flint, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Sheehan, Turner, Voigt, Williamson, Yorty, and Mr. Speaker—41.

Assembly Bill No. 1817—An act relating to the State civil service and declaring the urgency thereof and providing that this act shall take effect immediately.

Motion to Amend Assembly Bill No. 1817.

Mr. Rosenthal moved to amend Assembly Bill No. 1817 as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "four".

Amendment read, and refused adoption by the following vote:

AYES—Andreas, Baynham, Cassidy, Clark, Crowley, Desmond, Donihue, Donnelly, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Leonard, Lore, Meehan, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Yorty, and Mr. Speaker—30.

NOES—Boyle, Call, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Field, Fulcher, Gannon, Johnson, Kepple, Kuchel, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Muldoon, Peyser, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—32.

Assembly Bill No. 1817 read third time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Cottrell, Daley, Dannenbrink, Dilworth, Donnelly, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—54.

NOES—Burns, Hugh M., Call, Crowley, Cunningham, Dawson, Desmond, Donihue, Field, Garibaldi, Garland, Latham, Maloney, Sheehan, and Stream—14.

Assembly Bill No. 1817 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Call, Cassidy, Cottrell, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., O'Donnell, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Voigt, Walker, Weber, Yorty, and Mr. Speaker—46.

NOES—Clark, Crowley, Cunningham, Dawson, Desmond, Field, Garibaldi, Hornblower, Latham, Maloney, Muldoon, Peek, Peyser, Scudder, Sheehan, Stream, and Williamson—17.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 85—An act to amend section 1274 and to repeal section 1273 of the Fish and Game Code, relating to deer.

Motion to Amend Assembly Bill No. 85.

Mr. Heisinger moved to amend Assembly Bill No. 85 as follows:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "one".

Amendment adopted.

Assembly Bill No. 85 ordered to reprint, and re-engrossment.

Assembly Bill No. 1171—An act to add section 2409 to the Business and Professions Code, relating to unprofessional conduct in the practice of chiropody.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Dannenbrink, Desmond, Donihue, Donnelly, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Patterson, Peek, Peyser, Reaves, Richie, Robertson, Rosenthal, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—48.

NOES—Burns, Hugh M., Call, Crowley, Dawson, Dilworth, Fulcher, Garibaldi, Hornblower, Kuchel, Maloney, Mayo, O'Donnell, Sawallisch, Sheehan, and Stream—15.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1171.

Mr. Call gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1171 was this day passed.

Assembly Bill No. 1173—An act to add section 14.3 to the State Medical Practice Act, relating to unprofessional conduct in the practice of chiropody.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Dannenbrink, Desmond, Donihue, Donnelly, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Reaves, Robertson, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—48.

NOES—Burns, Hugh M., Call, Dawson, Dilworth, Fulcher, Garibaldi, Garland, Hornblower, Maloney, Mayo, Sawallisch, and Sheehan—12.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1173.

Mr. Call gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1173 was this day passed.

Assembly Bill No. 2662—An act to amend sections 83 and 883 of the Fish and Game Code, relating to fishing in Districts 15 and 16.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2594—An act to add to the School Code sections 2.310, 2.600, 2.877, 2.1021, 2.1058, 2.1061, 2.1095, 2.1111 and 2.1321; and to repeal certain acts and parts of acts specified herein, all relating to the public school system.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 658—An act relating to rates of interest.

Motion to Amend Assembly Bill No. 658.

Mr. Tenney moved to amend Assembly Bill No. 658 as follows:

Amendment No. 1.

On page 2, lines 23 and 24, of the printed bill, strike out "shall violate either of those sections", and insert in lieu thereof the following: "violates any of the provisions of this act".

Amendment adopted.

Assembly Bill No. 658 ordered to reprint, and re-engrossment.

Assembly Constitutional Amendment No. 21—Proposed amendment to Article XI, section 12 and Article IV, section 31, of the Constitution, relative to the powers of the State Legislature to levy taxes for county, city and other municipal purposes, and the making of gifts to counties, cities and other municipal corporations.

Assembly Constitutional Amendment No. 21 read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1318—An act to amend section 814 of the Agricultural Code, relating to the standardization of lettuce.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie,

Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—Hunt, King, Sheehan, and Tenney—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1154—An act to amend sections 3738, 3821 and 3831 of the Political Code and to add to said code a new section to be numbered 3832, relating to the collection of unsecured taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1152—An act to amend section 3747a of the Political Code, relating to segregation of valuation of property on the assessment roll.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 1558—An act to amend section 3816 of the Political Code, relating to distribution of moneys received on account of redemption or purchase of lands sold to the State for nonpayment of taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—66

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 1762—An act to amend section 3818 of the Political Code, relating to segregation of property on the assessment rolls

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2016—An act to amend section 120 of the Agricultural Code, relating to nursery licenses.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2457—An act to amend section 50¾ of the Public Utilities Act, relating to the granting of certificates of public convenience and necessity.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2457.

Mr. Kuchel gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2457 was this day passed.

Assembly Bill No. 2456—An act to amend section 3 of the City Carriers' Act, relating to the issuance of permits thereunder by the Railroad Commission.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2456.

Mr. Kuchel gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2456 was this day passed.

Assembly Bill No. 1610—An act to add sections 5 and 6 and to amend the title of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provision," approved April 11, 1935, relating to civil service for cites and counties.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth,

Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—54.

NOES—Andreas, Flint, Glick, Muldoon, O'Donnell, Scudder, and Stream—7.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1097—An act to repeal section 488a of the Penal Code, relating to theft of avocados, citrus or deciduous fruit.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Pelletier, Peyser, Sawallisch, Scudder, Stream, Turner, Voigt, Walker, Watson, Weber, and Mr. Speaker—42.

NOES—Cassidy, Clark, Cunningham, Dawson, Gilbert, Hawkins, Hornblower, Hunt, King, Maloney, Peek, Reaves, Richie, Sheehan, Tenney, Williamson, and Yorty—17.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1759—An act amending section 111 of the Penal Code, relating to expense of trial of convicts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—Dilworth, and Robertson—2.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1759.

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1759 was this day passed.

Assembly Bill No. 1370—An act to add a new section to the Agricultural Code, to be numbered 810.6, relating to the standardization of brussels sprouts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—King, Richie, and Tenney—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No 399—An act to amend section 1261 of the Agricultural Code, relating to produce dealers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney,

Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2810—An act to amend section 486 of the Civil Code relating to regulations of trains, and penalties.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2682—An act to amend section 702 of the Code of Civil Procedure, relating to redemption of property.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Call Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—Crowley, and Fulcher—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 615—An act to amend sections 1245, 1246, 1248, 1249, 1254 and 1255 of the Code of Civil Procedure, and to add new sections to be numbered 1244.1, 1245.2, 1246.1, 1246.3, 1248.1, 1248.2, 1254.1, 1254.2 and 1254.3 to the Code of Civil Procedure, relating to eminent domain.

Motion to Amend Assembly Bill No. 615.

Mr. Johnson moved to amend Assembly Bill No. 615 as follows:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, after "defendants", strike out "by".

Amendment adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 615, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 615, as Amended.

Assembly Bill No. 615—An act to amend sections 1245, 1246, 1248, 1249, 1254 and 1255 of the Code of Civil Procedure, and to add new sections to be numbered 1244.1, 1245.2, 1246.1, 1246.3, 1248.1, 1248.2, 1254.1, 1254.2 and 1254.3 to the Code of Civil Procedure, relating to eminent domain.

Assembly Bill No. 615, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Muldoon, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder,

Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 508—An act to add to the Labor Code sections 860, 861, 862, and 863, to be known as Chapter 7 of Part 2 of Division II thereof, relating to hours of labor of persons employed as personal or domestic workers and providing penalties.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Weber, Yorty, and Mr. Speaker—46.

NOES—Cunningham, Daley, Dilworth, Field, Fulcher, Garland, Latham, Leonard, Lyon, Miller, Eleanor; Muldoon, Scudder, Stream, Walker, and Watson—15.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2078—An act to add section 793.5 to the Fish and Game Code, relating to abalones and prohibiting the taking thereof at any time in Fish and Game Districts 15, 16 or 17.

Motion to Amend Assembly Bill No. 2078.

Mr. Hornblower moved to amend Assembly Bill No. 2078 as follows:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, strike out "19, 20 and 20A.", and insert in lieu thereof the following: ", 20, 20A, and in those portions of District 19 not lying within 3 miles of any island within said District 19."

Amendment adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 2078, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2078, as Amended.

Assembly Bill No. 2078—An act to add section 793.5 to the Fish and Game Code, relating to abalones and prohibiting the taking thereof at any time in Fish and Game Districts 15, 16 or 17.

Assembly Bill No. 2078, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2055—An act relating to the making of real estate subdivisions and the making and recording of maps, and empowering cities, cities and counties, and counties in connection therewith, making certain acts misdemeanors, prescribing penalties therefor, and repealing all acts or portions of acts in conflict herewith.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1263—An act to amend section 61 of the "Bank Act," relating to legal investments for savings banks.

Motion to Amend Assembly Bill No. 1263.

Mr. Cunningham moved to amend Assembly Bill No. 1263 as follows:

Amendment No. 1.

On page 7, line 43, of the printed bill, strike out the comma.

Amendment No. 2.

On page 7, line 50, of the printed bill, strike out "first," and insert in lieu thereof the following: "(first)".

Amendment No. 3.

On page 8, line 6, of the printed bill, strike out "second," and insert in lieu thereof the following: "(second)".

Amendment No. 4.

On page 8, line 16, of the printed bill, following the word "bonds", insert a comma.

Amendment No. 5.

On page 8, line 18, of the printed bill, strike out "third" and insert in lieu thereof the following: "(third)".

Amendment No. 6.

On page 8, line 22, of the printed bill, strike out the comma following the word "indebtedness", and insert a comma after the quotation marks following said word "indebtedness".

Amendments adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 1263, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1263, as Amended.

Assembly Bill No. 1263—An act to amend section 61 of the "Bank Act," relating to legal investments for savings banks.

Assembly Bill No. 1263, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—Dannenbrink—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 786—An act to add a new section to the School Code to be numbered 2.75, relating to the bonded indebtedness of high school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—Dilworth, Garland, O'Donnell, and Robertson—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2092—An act to amend sections 2 and 3 of an act entitled "An act defining henceforth the exterior boundaries of Reclamation District No 108; situated partly in the counties of Colusa and Yolo, and providing for the continuation in office of the present trustees of said district and for the election and qualification of their successors, and providing that the management and control of the affairs of said Reclamation District No. 108, as defined in this act, are subject to the provisions of the Political Code of the State of California and to all other laws of the State, except as provided in said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district; providing also for the management, control and administration of the affairs of said district; also ratifying the incorporation of certain lands in said Reclamation District No. 108, as described in certain notices filed and recorded in the office of the county recorder of the county of Colusa, State of California, and also authorizing the trustees of said Reclamation District No. 108 to make an equitable settlement with the owner of such land so incorporated as to the cost of any work heretofore done by Reclamation District No. 108, or its predecessors in interest, or that may be hereafter done before the going into effect of this act, and also declaring Reclamation District No. 108 as defined in this act, to be the successors in interest of Reclamation District No. 108, defined in that certain act approved May 26, 1917, also that certain Reclamation District No. 108, defined in that certain act approved May 18, 1915, and also that certain Reclamation District No. 108, defined in that certain act approved April 23, 1913, and also directing the commissioners of assessment, heretofore appointed by the board of supervisors of Colusa County, to include the lands in said assessment, as described in this act, in the event that said assessment is not levied before this act shall take effect," approved May 7, 1919.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1626—An act to amend section 5.124 of the School Code, relating to the teaching force of the public schools.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; O'Donnell, Peek, Pelletier, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1613—An act to amend section 1 and section 14 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927, relating to admission to practice.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Peek, Pelletier, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1413—An act to add section 92.5 to the Penal Code, relating to gifts to jurors.

Motion to Amend Assembly Bill No. 1413.

Mr. Gannon moved to amend Assembly Bill No. 1413 as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "at any time subsequent to", and insert in lieu thereof the following: "within two years of".

Amendment No. 2.

On page 1, line 6, of the printed bill, after "trial", insert the following, "as a reward for his vote,".

Amendments adopted.

Request for Unanimous Consent.

Mr Gannon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1413, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1413, as Amended.

Assembly Bill No. 1413—An act to add section 92.5 to the Penal Code, relating to gifts to jurors.

Assembly Bill No. 1413, as amended, read third time, and refused passage by the following vote:

AYES—Andreas, Burns, Michael J., Clark, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hunt, Johnson, Lore, Mayo, Miller, Eleanor; Miller, George P., O'Donnell, Richie, Rosenthal, Sawallisch, Turner, Voigt, Yorty, and Mr Speaker—27

NOES—Baynham, Boyle, Call, Cassidy, Cottrell, Crowley, Dawson, Desmond, Donihue, Field, Flint, Fulcher, Hawkins, Hornblower, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Muldoon, Peek, Pelletier, Reaves, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, and Williamson—37.

Assembly Bill No. 1285—An act to add a new section to the School Code to be numbered 4 1014 and to add a new article to Chapter I of Part V of Division IV of the School Code to be known as Article X, relating to bonds issued by school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1081—An act to amend section 10 of the State Civil Service Act, relating to examinations.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr Speaker—61.

NOES—Cottrell, Dilworth, and Scudder—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1940—An act to amend section 6d of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and relating to existing utilities therein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1940.

Mr. Gannon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1940 was this day passed.

Assembly Bill No. 1698—An act to amend section 737kk of Political Code, relating to the salary of judges of the superior court, in and for the county of San Diego.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier,

Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—58.

NOES—Donnelly, Heisinger, Kuchel, and Latham—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1754—An act to regulate persons engaged in determining the value of real estate.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Kepple, King, Kuchel, Latham, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Muldoon, Peek, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—44.

NOES—Burns, Hugh M., Cassidy, Dannenbrink, Donihue, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Leonard, Lore, McMurray, Miller, George P., O'Donnell, Pelletier, Robertson, Sheehan, Turner, and Williamson—20.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1754.

Mr. Turner gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1754 was this day passed.

Hon. Hubert B. Scudder in the Chair.

At eleven o'clock and forty minutes p.m., Hon. Hubert B. Scudder, member of the Assembly from the Seventh District, in the chair.

Assembly Constitutional Amendment No. 4—Proposed amendment to Article XIII, section 9, of the Constitution, relative to State and county boards of equalization.

Assembly Constitutional Amendment No. 4 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 4.

Mr. Boyle gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 4 was this day adopted.

Assembly Bill No. 1918—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At eleven o'clock and fifty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 1921—An act to amend section 580a of the Code of Civil Procedure, limiting amount of deficiency judgments and the time within which actions therefor may be commenced.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1079—An act to amend section 2.1204 of the School Code, relating to the powers and duty of the county superintendents of the schools of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2505—An act to amend section 1 of an act entitled "An act authorizing and requiring boards or commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations." approved March 26, 1895, relating to vacations of members of fire departments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—61

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No 861—An act to amend section 533 of the Agricultural Code, relating to imitation cream

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Burns, Hugh M, Burns, Michael J, Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—60.

NOES—Flint, King, Richie, and Tenney—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2375—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as subsequently amended, entitled and known and cited as "California Toll Bridge Authority Act" by amend-

ing the title thereof and by amending sections 20 and 22½ thereof and by adding thereto new sections numbered 6¾ and 9¼a, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the authorization of the issuance and sale of revenue bonds for the purpose of retiring, paying, funding and refunding outstanding bonds on certain conditions and prescribing the form thereof and the amount for which the same may be issued; also providing for the acquisition in eminent domain of real property for the purpose of exchange of the same for real property needed for the purpose of such bridges; also providing for the acquisition of property and rights of way and for the lease, sale, exchange or other disposition of any property or interest therein not necessary for the purposes of any such bridge; and providing that this act become effective immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., O'Donnell, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Motion to Amend Assembly Bill No. 2375.

Mr. Johnson moved to amend Assembly Bill No. 2375 as follows:

Amendment No. 1.

On page 7, line 19, of the printed bill, as amended, strike out the word "purchases", and insert in lieu thereof "purposes".

Amendment adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2375, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2375, as Amended.

Assembly Bill No. 2375—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as subsequently amended, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 20 and 22½ thereof and by adding thereto new sections numbered 6¾ and 9¼a, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the authorization of the issuance and sale of revenue bonds for the purpose of retiring, paying, funding and refunding outstanding bonds on certain conditions and prescribing the form thereof and the amount for which the same may be issued; also providing for the acquisition in eminent domain of real property for the purpose of exchange of the same for real property needed for the purpose of such bridges; also providing for the acquisition of property and rights of way and for the lease, sale, exchange or other disposition of any property or interest therein not necessary for the purposes of any such bridge; and providing that this act become effective immediately.

Assembly Bill No. 2375, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Hawkins Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., O'Donnell, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2375.

Mr. Cassidy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2375 was this day passed.

Assembly Bill No. 2375 ordered to reprint.

Assembly Bill No. 2012—An act to add section 319 to the Agricultural Code, relating to the sale of animals.

Motion to Amend Assembly Bill No. 2012.

Mr. Burns, Hugh M., moved to amend Assembly Bill No. 2012 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "319", and insert in lieu thereof the following: "378.5".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "319", and insert in lieu thereof the following: "378.5".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "319", and insert in lieu thereof the following: "378.5".

Amendment No. 4.

On page 1, line 5, of the printed bill, strike out "or any bovine animal".

Request for Unanimous Consent.

Mr. Burns, Hugh M., asked for, and was granted, unanimous consent to take up Assembly Bill No. 2012, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2012, as Amended.

Assembly Bill No. 2012—An act to add section 378.5 to the Agricultural Code, relating to the sale of animals.

Assembly Bill No. 2012, as amended, read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., O'Donnell, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—53.

NOES—Daley, Dawson, Garibaldi, King, Richie, Stream, and Tenney—7.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2012.

Mrs. Daley gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 2012 was this day passed.

Assembly Bill No. 939—An act to amend sections 9c and 9d of, and to add sections 9e and 9f to, the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J. Call, Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—59.

NOES—Pelletier, and Yorty—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2204—An act to add section 5a to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in contract, and providing other penalties for violation of the provisions thereof." approved May 25, 1931, relating to the employment of apprentices.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M Burns, Michael J, Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 2170—An act to provide for the employment of union labor.

Motion to Amend Assembly Bill No. 2170.

Mr. Reaves moved to amend Assembly Bill No 2170 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "refuses to", and insert in lieu thereof the following: "interferes with".

Amendment No. 2.

On page 1, line 7, of the printed bill, before "the", insert a comma.

Amendments adopted

Request for Unanimous Consent.

Mr. Reaves asked for, and was granted, unanimous consent to take up Assembly Bill No 2170, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2170, as Amended.

Assembly Bill No. 2170—An act to provide for the employment of union labor.

Assembly Bill No. 2170, as amended, read third time, and refused passage by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Dawson, Donihue, Donnelly, Flint, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, King, Lore, Maloney, McMurray, Meehan, Miller, George P., O'Donnell, Pelletier, Reaves, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Weber, Yorty, and Mr. Speaker—32.

NOES—Baynham, Boyle, Call, Cunningham, Desmond, Dilworth, Field, Fulcher, Gannon, Garland, Johnson, Kepple, Kuchel, Latham, Lyon, Martin, Mayo, Miller, Eleanor; Muldoon, Robertson, Scudder, Stream, Walker, and Watson—24.

Notice of Motion to Reconsider Assembly Bill No. 2170.

Mr. Reaves gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2170 was this day refused passage.

Assembly Bill No. 1766—An act to amend sections 536.5 and 536.8 of the Fish and Game Code, relating to the installation of fish screens.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Muldoon, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, and Mr. Speaker—56

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1319—An act to amend section 1 of an act entitled "An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act," approved April 7, 1927, relating to the unlawful use of degrees, certificates or transcripts necessary for the practice of a healing art.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2702—An act to add section 37 to the Fish and Game Code, relating to the preservation of fish and game.

Bill read third time, and refused passage by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cunningham, Daley, Donihue, Fulcher, Gannon, Garibaldi, Johnson, Kepple, Latham, Lore, Martin, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Richie, Robertson, Sawallisch, Scudder, Stream, Turner, Walker, and Mr. Speaker—30.

NOES—Andreas, Boyle, Crowley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garland, Gilbert, Heisinger, Hornblower, Hunt, King, Kuchel, Leonard, Lyon, Maloney, Mayo, McMurray, Miller, George P., Reaves, Rosenthal, Sheehan, Tenney, Voigt, Watson, Weber, and Yorty—30

Notice of Motion to Reconsider Assembly Bill No. 2702.

Mrs. Daley gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 2702 was this day refused passage.

Notice of Motion to Reconsider Assembly Bill No. 2457 Waived.

Mr. Kuchel waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2457 was passed.

Assembly Bill No. 2457 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 2456 Waived.

Mr. Kuchel waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2456 was passed.

Assembly Bill No. 2456 ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 888—An act providing an additional or alternative method for financing the acquisition, construction or completion of public utilities by any public agency of the State authorized by law to own and operate such public utilities systems by the issuance and sale of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues; providing for a statutory lien on the revenues derived from the operation of said public utility; and defining the terms public agency and public utility as included herein.

Motion to Amend Senate Bill No. 888.

Mr. Desmond moved to amend Senate Bill No. 888 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 9 and 10, and insert in lieu thereof the following: "municipality, or any public or municipal corporation, or any department of any city, city and county, or municipality"

Amendment No. 2.

On page 2 of the printed bill, strike out lines 15, 16, 17, 18 and 19, and insert in lieu thereof the following: "such public agency, said legislative body shall cause a report to be prepared by a competent engineer of the estimated cost of such public utility and of the estimated income and revenues to be derived from the operation thereof and, in addition, the estimated annual cost of maintaining and operating said public utility and the estimated annual charge for the payment of principal and interest on revenue bonds to be issued for such acquisition, construction and completion. Such engineer may be the regularly elected or appointed engineer of such public agency or any other engineer whom such public agency may employ for the purpose of preparing such report, and such public agency is hereby empowered to employ an engineer for such purpose. Such report shall set forth in reasonable detail the estimated cost of either the acquisition, or construction, or completion, or any combination of the above as alternatives, of any public utility, and the estimated income or revenue to be derived from the operation thereof. After considering the report, the legislative body shall adopt or reject said report or cause such amendments to be made thereto as it deems advisable. At any time subsequent to the adoption of such report or any amended report, the legislative body may by ordinance provide for the submission to the qualified voters of such public agency of a proposition of issuing revenue bonds for the purposes set forth in said report, or in said report as amended, at any general or special election called for that purpose. If such report be adopted, the bonds to be issued as hereinafter provided shall not be invalidated by reason of any defect, either in form or substance, of such report."

Amendment No. 3.

On page 2, line 21, of the printed bill, after "purposes", insert the following: "generally".

Amendment No. 4.

On page 2, line 22, of the printed bill, after the comma, insert the following: "and refer to the engineering report adopted by the legislative body for further particulars thereof, including".

Amendment No. 5.

On page 2, line 23, of the printed bill, after "completed," insert the following: "and shall recite".

Amendment No. 6.

On page 2, line 39, of the printed bill, strike out the period after the word "payable", and insert a comma and the following: "and in addition thereto sufficient to pay all maintenance and operation charges of the public utility to be acquired from the proceeds of such revenue bonds."

Amendment No. 7.

On page 3, line 16, of the printed bill, after the words "a premium of", add the following: "not to exceed".

Amendment No. 8.

On page 3, line 25, of the printed bill, strike out "and in a newspaper published", and insert in lieu thereof the following: "(or if no such newspaper be published within such public agency, then in any newspaper published within the county in which such public agency, or part thereof, is situated), and in a newspaper published either in".

Amendment No. 9.

On page 3, line 28, of the printed bill, after the words "Los Angeles, California," add the following: "as the legislative body may determine,".

Amendment No. 10.

On page 3, line 31, of the printed bill, strike out the period at the end of the sentence, and insert in lieu thereof a comma and the following: "if the legislative body shall have provided funds sufficient for the payment of the principal, interest and premium, if any, upon the bonds so called for redemption."

Amendment No. 11.

On page 3, line 38, of the printed bill, strike out the period at the end of the sentence, and insert in lieu thereof a comma and the following: "except that interest for the first year may be paid in one installment at the end of such year. The legislative body may provide that interest during construction may be paid out of the proceeds of the sale of said bonds as part of the cost of construction, provided that not more than five years' interest upon such bonds shall be paid out of the proceeds of the sale thereof."

Amendment No. 12.

On page 4 of the printed bill, between lines 13 and 14, add a new sentence to read as follows:

"SEC. 12.2. Every public agency issuing revenue bonds under the terms of this act shall be deemed to have convenanted and agreed by and with each and every holder and subsequent owner of such bonds and coupons, so long as any of said revenue bonds shall be issued and outstanding and unpaid, as follows:

SEC. 12.3. That the public agency will at all such times maintain the public utility acquired, constructed or completed with the proceeds of said bonds in good repair, working order and condition and will from time to time make all needful and proper repairs, renewals or replacements and will continuously operate the public utility;

SEC. 12.4. That no public utility service will be delivered without charge and that the public agency or any department, agency or instrumentality thereof supplied with services of the public utility will pay a reasonable charge therefor, not less than the actual cost of the services furnished by such public utility (including in such cost maintenance and operation and the principal and interest of the revenue bonds issued therefor) and that all such charges made to said public agency will be paid monthly within the next calendar month following the calendar month in which such public utility service shall have been so supplied;

SEC. 12.5. That the public agency will not sell, lease, transfer or mortgage the public utility thereof or at any time create or suffer to be created any prior lien or charge upon the public utility or any part thereof or upon the revenues, income, receipts, earnings and profits of the public utility (other than the lien and charge of the revenue bonds issued for the acquisition, construction and completion thereof);

SEC. 12.6. That if all or any part of the public utility shall be taken by eminent domain proceedings or other proceedings now or hereafter authorized by law, the entire proceeds realized by the public agency therefrom shall be applied first to the payment of the principal and interest and redemption price, if any, of the revenue bonds issued for the acquisition, construction or completion of such public utility before any part thereof shall be used for any other purpose;

SEC. 12.7. That the public agency will take out, and will, at all times, while any of such bonds are outstanding, maintain such classes of insurance against such risks, and in such minimum amounts, as may be specified by resolution or ordinance adopted prior to the delivery of the bonds;

SEC. 12.8. That in the event of loss or damage to any portion of the public utility which shall be covered by insurance, the public agency shall repair or reconstruct such damaged or destroyed portion and shall apply the proceeds of the insurance covering losses for that purpose, and that the public agency will begin such repairs or reconstruction promptly as such damage or destruction shall occur, and shall complete such repairs or reconstruction as expeditiously as possible, and shall pay or cause to be paid out of the proceeds of such insurance all costs and expenses in connection therewith, to the end that such repairs or reconstruction shall be completed free and clear of all mechanics' and other liens and claims.

SEC. 12.9. The faithful performance by the public agency, the legislative body thereof and of each and every officer of the public agency with respect to the matters hereinbefore set forth shall be enforceable by any holder of bonds or coupons issued under the provisions of this act and the provisions of this section constitute a part of the contract between the public agency and holders and all subsequent owners of such revenue bonds or coupons so long as the same shall be outstanding and unpaid."

Amendment No. 13.

On page 4, line 26, of the printed bill, after the words "promotional expenses", add a new sentence to read as follows: "Before offering any of said bonds for sale, the legislative body of the public agency shall give notice of the time and place of such sale by publication of notice thereof at least once a week for two succeeding weeks in a newspaper printed and published in such public agency, the first publication of which shall be not less than 14 days prior to the date fixed for such sale; provided, that if there be no newspaper published within such public agency, notice of such sale shall be given by publication thereof in a newspaper published in the City and County of San Francisco and in the city of Los Angeles, State of California. Such notice shall state that sealed bids will be received by the legislative body at the time and place fixed in such notice and said bonds will be awarded to the highest and best bidder therefor. The legislative body may provide in the notice of sale of said bonds that sealed bids will be received for alternative offers based upon one or more fixed schedules of maturities, interest rates and redemption prices, if any, and shall designate its preference with respect to such maturities and redemption prices, in which event the legislative body may accept any said offer for the sale of said bonds irrespective of whether the same shall be the highest price bid for said bonds so offered, except that the highest price for any specific alternative proposal stated in said notice of sale shall be accepted, by the legislative body. None of said revenue bonds shall be sold at private sale, nor shall any public agency enter into any contract for the sale of such bonds or give or execute any option for the sale thereof, but all such bonds shall be sold at public sale in the manner herein provided."

Amendment No. 14.

On page 5, line 3, of the printed bill, after the word "thereafter", insert the following: "cause an engineering report to be prepared, as provided in section 4 hereof, and".

Amendment No. 15.

On page 8 of the printed bill, between lines 5 and 6, insert the following:

"This act shall in no wise affect the "Revenue Bond Act of 1937," but is intended to and does provide an alternative procedure covering the matters specified in this act."

Amendments adopted.

Senate Bill No. 888 ordered to reprint, and third reading calendar.

Resolutions.

The following resolutions were offered:

By Messrs. Hornblower, and Meehan:

House Resolution No. 135.

WHEREAS, It has come to the attention of the Assembly that the State Personnel Board has heretofore increased the salary ranges of certain State employees, and particularly certain groups of State employees in the lower salary brackets; and

WHEREAS, It appears that those employees affected by such increase in salary ranges have not received the same, now, therefore, be it

Resolved, That a committee of five members of the Assembly be appointed by the Speaker thereof to ascertain the cause, if any, why such State employees have not received their salary increases as ordered by the Personnel Board, and report back to the Assembly their findings at the earliest possible date.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up House Resolution No. 135, at this time, without reference to committee or calendar.

House Resolution No. 135 read, and adopted by the following vote:

AYES—Andreas, Bayuham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. *Speaker*—58.

NOES—None.

By Messrs. Garibaldi, and Maloney.

House Resolution No. 136.

WHEREAS, On the evening of April 15th the members and attaches of the Legislature enjoyed the biennial Legislative Ball and

WHEREAS, At the Legislative Ball entertainment of the highest order was furnished through the courtesy of Mr. Louis B. Mayer of Metro-Goldwyn-Mayer, Mr. Jack Warner, of Warner Brothers Studio, Mr. Daryl Zanuck, of 20th Century-Fox, Mr. Harry Cohn, of Columbia Pictures; Mr. Sam Briskin of the RKO Studios, and the Motion Picture Producers Association and,

WHEREAS, The following artists entertained the members of the Legislature, the attaches and their friends:

Bill Robinson	Eadie Adams
Dick Foran	Herman Bing
Cliff Edwards	Eddie Becker
Ann Miller	Milton Beecher

therefore, be it

Resolved, That the Assembly express its appreciation to the motion picture studios and to the artists who furnished such delightful entertainment, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to forward copies of this resolution to each of the above named artists and to Mr. Louis B. Mayer, The Warner Brothers, Mr. Daryl Zanuck, Mr. Harry Cohn, Mr. Sam Briskin and the Motion Picture Producers Association

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up House Resolution No. 136, at this time, without reference to committee or calendar.

House Resolution No. 136 read, and unanimously adopted.

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Concurrent Resolution No. 43: By Messrs. Boyle, Cunningham, Flint, Gilbert, Hawkins, Hunt, King, Laughlin, Lore, Lyon, Morgan, Pelletier, Reaves, Redwine, Rosenthal, Tenney, Voigt, Waters, Welsh, and Yorty—Relative to approving 14 certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at certain special elections held therein on the sixth day of April, 1937.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to have Assembly Concurrent Resolution No. 43 placed on the unfinished business calendar without reference to committee.

Assembly Concurrent Resolution No. 43 ordered to print and engrossment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2025—An act to repeal section 3819a of the Political Code and to add a new section 3819a thereto, relating to redemption of property from tax sales.

Bill read third time. and passed by the following vote

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—59

NOES—Gilbert, and Hunt—2.

Title read and approved

Notice of Motion to Reconsider Assembly Bill No. 2025.

Mr Dannenbrink gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2025 was this day passed.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 16, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

I am returning herewith, without my approval, **Assembly Bill No. 2380,** being

"An act to amend section 11.4 of an act entitled 'An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled "An act to define the duties of and to license land surveyors," approved March 16, 1907,' approved May 24, 1933, relating to land surveyors."

The present law requires the county surveyor in filing subdivision maps to index the same by grant, tract, subdivision "and/or United States Subdivision." Assembly Bill No. 2380 strikes out the words above quoted "and or United States Subdivision."

Protests respecting the enactment of this bill which eliminates the keeping of such indexes state that in many instances these indexes are the only manner in which maps can or should be filed, and that the maintenance of such indexes is of distinct value to those interested in surveys since it obviates the necessity of unlimited searching to acquire the information desired.

Since there seems to be no good reason for the repeal of this provision, and that its retention is of distinct value and service to those who are called upon from time to time to refer to the records, I am not giving the measure my approval.

Respectfully submitted,

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 2380 ordered on unfinished business calendar.

Further Proceedings Under Call of the Assembly Dispensed With.

At eleven o'clock and fifty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Tenney.

The roll of absentees was called, and Assembly Bill No. 285 passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Crowley, Daley, Dannenbrink,, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hornblower, Hunt, Johnson, King, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Muldoon, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Watson, and Yorty—43.

NOES—Burns, Michael J., Cassidy, Cottrell, Cunningham, Dawson, Dilworth, Field, Garland, Heisinger, Kepple, Kuchel, Latham, Lyon, Martin, Miller, Eleanor;

O'Donnell, Robertson, Scudder, Thorp, Walker, Weber, Williamson, and Mr. Speaker—23.

Title read and approved. Bill ordered transmitted to the Senate.

Withdrawal and Re-reference of Assembly Bill No. 430.

On motion of Mr. Richie, Assembly Bill No. 430 was withdrawn from the Committee on Education, and re-referred to Committee on Labor and Capital.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No 2731 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1675 re-referred to Committee on Education.

Assembly Bill No. 1670 re-referred to Committee on County Government.

Adjournment.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a m , Monday, April 19, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-THIRD LEGISLATIVE DAY
ONE HUNDRED SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 19, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Henry P. Meehan, Speaker pro tempore of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—77.

Quorum present.

Prayer.

Prayer was offered by Rev William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Dannenbrink, the further reading of the Journal of Friday, April 16, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Speaker, on motion of Mr. Meehan.

Mr. Waters, on motion of Mr. Cunningham.

Mr. Cassidy, on motion of Mr. Donihue.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lena B. Everett, teacher; and the following students of the low eighth social study class of Stanford Junior High School, Sacramento: Edith Argante, Tia Juana Carr, Marvin, Calloway, Donald Affeldt, Sarah Eichler, John Lish, Josephine Lish, Ella Mae Faulkner, Eugene McDonald, Donald Gorgen, Clyde Ralph, Gayle Fisher, Dorothy Schmidt, Winifred Mase, Reba Forsyth, Pauline Covitch, Norma Markham,

Marjorie Tariel, Billy Sellier, Kenneth Lind, Wayne Curtis, Vincent Asta, Phyllis Stabenaw, Betty Harris, Lilian Powell, Betty Bleucher, Henry Scharosch, Patricia Tinsli, Robert Wood, and Billie Jean Roland.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Frank C. Jordan.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. J. D. Buchanan of Glendale.

On request of Mr. Dannenbrink, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Donald N. Williams and Alice May Williams of Oakland.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Charlotte Arnold of Berkeley.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. John Riddell and Mrs. E. M. Lazard of Los Angeles.

On request of Mr. Walker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss O. May Juvenal, City Clerk, Brawley.

On request of Mr Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. H. L. Rose, Jr., of Los Angeles.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Julia Gardner, of the Piute Tribe, Robert St. Marie of the Serrano Tribe and Wm. Fuller of the Me-Wok Tribe, representing California Indian Rights Association, Inc., and Charles M. Johnson, legal adviser.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 204.	Assembly Bill No. 1908.
Assembly Bill No. 481.	Assembly Bill No. 2013.
Assembly Bill No. 503.	Assembly Bill No. 2219.
Assembly Bill No. 536.	Assembly Bill No. 2568.
Assembly Bill No. 1028.	Assembly Bill No. 2742.
Assembly Bill No. 1085.	Assembly Bill No. 2756.
Assembly Bill No. 1346.	Assembly Bill No. 2831.
Assembly Bill No. 1378.	Assembly Bill No. 2424.
Assembly Bill No. 1389.	Assembly Bill No. 2425.
Assembly Bill No. 1417.	Assembly Bill No. 2028.
Assembly Bill No. 1465.	Assembly Bill No. 777.
Assembly Bill No. 1514.	Assembly Bill No. 1014.
Assembly Bill No. 1619.	Assembly Bill No. 1830.
Assembly Bill No. 1629.	Assembly Bill No. 2175.
Assembly Bill No. 1761.	Assembly Bill No. 2836.
Assembly Bill No. 1904.	

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 50.
Assembly Bill No. 85.
Assembly Bill No. 208.
Assembly Bill No. 267.
Assembly Bill No. 396.
Assembly Bill No. 658.
Assembly Bill No. 1203.
Assembly Bill No. 1250.
Assembly Bill No. 1355.
Assembly Bill No. 1455.
Assembly Bill No. 1519.
Assembly Bill No. 1591.
Assembly Bill No. 2496.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 38.

Respectfully reports the same back without recommendation.

HUNT, Chairman.

The above reported bill ordered on third reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 778.

Respectfully reports the same back with the recommendation: Do pass.

MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1937.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred:

Assembly Bill No. 1425.
Assembly Bill No. 1951.

Respectfully reports the same back with the recommendation: Do pass.

SHEEHAN, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 2622.

Respectfully reports the same back with the recommendation: Do pass as amended.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2824.

Respectfully reports the same back with the recommendation: Do pass as amended.

CLARK, Chairman.

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:

Assembly Bill No. 1515.
Assembly Bill No. 1524.
Assembly Bill No. 1525.
Assembly Bill No. 1526.

Respectfully reports the same back without recommendation, as amended.

HAWKINS, Chairman.

The above reported bills ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR SPEAKER: Your Committee on Insurance, to which was referred:
Assembly Bill No. 1007.
Respectfully reports the same back without recommendation, as amended.

SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 17.
Respectfully reports the same back without recommendation, as amended.

MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:
Assembly Bill No. 578.
Respectfully reports the same back with the recommendation: Do pass as amended.

SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 898.	Assembly Bill No. 917.
Assembly Bill No. 899.	Assembly Bill No. 918.
Assembly Bill No. 900.	Assembly Bill No. 919.
Assembly Bill No. 901.	Assembly Bill No. 920.
Assembly Bill No. 902.	Assembly Bill No. 921.
Assembly Bill No. 903.	Assembly Bill No. 922.
Assembly Bill No. 904.	Assembly Bill No. 923.
Assembly Bill No. 905.	Assembly Bill No. 924.
Assembly Bill No. 908.	Assembly Bill No. 1025.
Assembly Bill No. 910.	Assembly Bill No. 1219.
Assembly Bill No. 911.	Assembly Bill No. 1502.
Assembly Bill No. 912.	Assembly Bill No. 1742.
Assembly Bill No. 913.	Assembly Bill No. 1786.
Assembly Bill No. 914.	Assembly Bill No. 1789.
Assembly Bill No. 915.	Assembly Bill No. 1860.
Assembly Bill No. 10.	Assembly Bill No. 2270.
Assembly Bill No. 132.	Assembly Bill No. 2444.
Assembly Bill No. 211.	Assembly Bill No. 2445.
Assembly Bill No. 305.	Assembly Bill No. 2446.
Assembly Bill No. 916.	Assembly Bill No. 2752.

And reports the same correctly enrolled, and presented to the Governor on this nineteenth day of April, 1937, at three o'clock p m.

CUNNINGHAM, Chairman.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 2385.
Respectfully reports the same back with the recommendation: Do pass as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 1368—An act to provide for the special treatment of insane and feeble-minded prisoners, for the construction of special housing and medical facilities, and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 1368.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to transfer the Folsom State Hospital from the Department of Institutions to the State Board of Prison Directors, to amend section 154 and to repeal Chapter 2 of Part 4 in Division VI, comprising sections 6850 to 6855, inclusive, of the Welfare and Institutions Code"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"SECTION 1. The institution at the Folsom State Prison, which is known as the Folsom State Hospital, is hereby transferred from the State Department of Institutions to the State Board of Prison Directors to be administered by the State Board of Prison Directors according to the same provisions of law under which the Folsom State Prison is administered

SEC 2 Section 154 of the Welfare and Institutions Code is hereby amended to read as follows:

154 The department has jurisdiction over the following institutions:

Agnews State Hospital.	Pacific Colony.
Camarillo State Hospital	Patton State Hospital.
Industrial Home for the Adult Blind	Sonoma State Home.
Mendocino State Hospital.	State Narcotic Hospital.
Napa State Hospital	Stockton State Hospital.
Norwalk State Hospital	

SEC 3 Chapter 2 of Part IV in Division VI, comprising sections 6850 to 6855, inclusive, of the Welfare and Institutions Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 408—An act to create a State Board of Mediation and Conciliation, to provide for arbitration, mediation and conciliation in labor disputes and making an appropriation to carry out the purposes of this act

Committee Amendments to Assembly Bill No. 408.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 13, and insert in lieu thereof the following: "Senate. Three members of the mediation board shall be".

Amendment No. 2.

On page 1 of the printed bill, strike out line 15, and insert in lieu thereof the following "three members of the board shall be appointed as representa-"

Amendment No. 3.

On page 1, line 16, of the printed bill, strike out "the ninth member", and insert in lieu thereof the following: "three members"

Amendment No. 4.

On page 1, line 17, of the printed bill, strike out "a representative", and insert in lieu thereof the following "representatives".

Amendment No. 5.

On page 1, line 20 of the printed bill, strike out "The", and insert in lieu thereof the following: "Of those first appointed, the".

Amendment No. 6.

On page 1 of the printed bill, strike out line 22, and insert in lieu thereof the following "employers, one member representing the employees, and one member representing neither group shall".

Amendment No. 7.

On page 1, line 23, of the printed bill, strike out "one year", and insert in lieu thereof the following: "two years".

Amendment No. 8.

On page 1 of the printed bill, strike out line 24, and insert in lieu thereof the following: "the employers, one member representing the employees, and one member representing neither group".

Amendment No. 9.

On page 1, line 25, of the printed bill, strike out "two", and insert in lieu thereof the following: "three".

Amendment No. 10.

On page 1, line 26, of the printed bill, strike out "and", and insert a comma.

Amendment No. 11.

On page 1 of the printed bill, strike out line 27, and on page 2, strike out lines 1, 2, 3 and 4, and insert in lieu thereof the following: "employees and one member representing neither group shall be appointed for a term of".

Amendment No. 12.

On page 2, line 34, of the printed bill, strike out "consisting of three members each", and insert in lieu thereof the following: ", each division to consist of one member from each group,"

Amendment No. 13.

On page 6 of the printed bill, strike out lines 2 to 11, inclusive, and in line 12, strike out "dition of an original award"

Amendment No. 14.

On page 6, lines 17 and 18, of the printed bill, strike out "or by the Supreme Court".

Amendment No. 15.

On page 6 of the printed bill, strike out lines 29 to 43, inclusive, and insert in lieu thereof the following: "Sec. 22 The".

Amendment No. 16.

On page 6, line 48, of the printed bill, strike out "25", and insert in lieu thereof the following: "23".

Amendment No. 17.

On page 7, line 3, of the printed bill, strike out "26", and insert in lieu thereof the following: "24".

Amendment No. 18.

On page 7, line 9, of the printed bill, strike out "27", and insert in lieu thereof the following "25".

Amendment No. 19.

On page 7, line 13, of the printed bill, strike out "28", and insert in lieu thereof the following: "26".

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2410—An act to add section 85 to the Public Utilities Act, relating to public utilities.

Committee Amendments to Assembly Bill No. 2410.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the figures "85", and insert in lieu thereof the figures "2.1".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out the figures "85", and insert in lieu thereof the figures "2.1".

Amendment No. 3.

On page 1, line 11, of the printed bill, as amended, strike out "Sec. 85", and insert in lieu thereof "Sec. 2.1".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1486—An act to amend section 536 of the Civil Code of the State of California, relative to the use of streets by public utilities and liabilities therefor

Committee Amendments to Assembly Bill No. 1486.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "amend section 536 of", and insert in lieu thereof the following "add section 536a to".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the word "streets", insert the following: "and highways for pole lines".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, strike out the word "thereto", and insert in lieu thereof the following: "of public utilities, officers and employees thereof, governmental agencies and public officers and employees by reason thereof".

Amendment No. 4.

On page 1 of the printed bill, strike out all of line 1, after the words "Section 1.", and strike out all of lines 2 to 10, both inclusive, and insert in lieu thereof the following: "A new section is hereby added to the Civil Code of the State of California to be numbered 536a and to read as follows:

"536a."

Amendment No. 5.

On page 1, line 12, of the printed bill, strike out the word "of", and insert in lieu thereof the following: "the traveling public from".

Amendment No. 6.

On page 1, line 14, of the printed bill, strike out the words "which for the pur-" and strike out all of lines 15 to 17, inclusive, and insert in lieu thereof the following: "or to any officer or employee thereof, or to any city or county, or to any officer or employee thereof, or to any officer or employee of the State of California, or to any other public officer or employee,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1400—An act to amend sections 11526 and 11528 of the Insurance Code, relating to voluntary mutualization of incorporated insurers or departments thereof.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1830—An act to amend section 12490 of the Insurance Code, relating to mortgage insurers, to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1831—An act to amend sections 12422, 12489 and 12629 of the Insurance Code, all relating to mortgage insurers.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1832—An act to amend sections 12421, 12428, 12484, 12486, 12488 and 12501 of the Insurance Code, all relating to mortgage insurers.

Motion to Amend Assembly Bill No. 1832.

Mr. Lyon moved to amend Assembly Bill No. 1832 as follows:

Amendment No. 1.

On page 2, line 19, of the printed bill, as amended, strike out "and", and insert in lieu thereof the following: "to".

Amendment No. 2.

On page 2, line 22, of the printed bill, as amended, strike out "fifteen", and insert in lieu thereof the following: "twenty-five".

Amendments adopted.

Assembly Bill No. 1832 ordered to reprint and engrossment.

Assembly Bill No. 2836—An act to add section 1280.5 to the Insurance Code, relating to reciprocal or interinsurance exchanges.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1674—An act to amend sections 1170, 1172, 1173, 1174, 1175, 1178, 1191, 1192, 1196, 1200, and 1201 of the Insurance Code, and to add section 1180 thereto, all relating to investments by insurers.

Committee Amendments to Assembly Bill No. 1674.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "1192." insert the following: "and".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out the following: "1200 and 1201".

Amendment No. 3.

On page 2 of the printed bill, between lines 10 and 11, insert the following: "Such insurers also may invest in such bonds issued by any city or city and county of this State, or by any department or board of any such city or city and county, payable solely out of the revenues from a revenue producing utility owned, controlled or operated by such city or city and county, or by such department or board thereof, as, under the laws of this State, shall now or hereafter be legal investment for savings banks."

Amendment No. 4.

On page 3, line 15, of the printed bill, as amended, strike out the period and last quotation mark, and insert in lieu thereof the following: "; bonds, debentures and notes issued by any Federal home loan bank, or consolidated Federal home loan bank notes, bonds and debentures issued by the Federal Home Loan Bank Board in accordance with the provisions of the Federal Home Loan Bank Act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1402—An act to amend sections 1101, 1102, 1103, 1104 and 1106 of the Insurance Code, relating to transactions between an insurer and its officers, directors, trustees and other persons.

Committee Amendment to Assembly Bill No. 1402.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 3, of the printed bill, as amended, after the word "loan", insert the following: ", other than a policy loan.".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2243—An act to amend section 11740 of the Insurance Code, relating to annual statements.

Committee Amendment to Assembly Bill No. 2243.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of printed bill, strike out all of lines 18, 19, and all of that part of line 22 including the first parenthesis and the words "rebates and returns of overcharges", and also strike out the final parenthesis; and in line 23, strike out the words "in in each industrial classification".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2244—An act to amend section 11821 of the Insurance Code, relating to the compensation insurance rates for each class of business insured by the State Compensation Insurance Fund.

Committee Amendments to Assembly Bill No. 2244.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 21, of the printed bill, after the period add the following: "If the cost experience of the State Compensation Fund is not sufficient to be indicative of a fair average rate, the experience of the industry, as a whole, either in the State of California or in other States, may be used as a basis in determining the rate."

Amendment No. 2.

On page 1, line 23, of the printed bill, strike out the words "State Department of Finance", and insert in lieu thereof the following: "Industrial Accident Commission".

Amendment No. 3.

On page 1, line 27, of the printed bill, strike out the words "not in excess of", and on page 2, strike out lines 1 and 2, and insert in lieu of all of the words the following: "Shall be added thereto not to exceed 25 per cent of the total rate".

Amendment No. 4.

On page 2, line 6, of the printed bill, strike out the words "and from the records of the State Compensation Insur-", and in line 7, the words "ance Fund".

Amendment No. 5.

On page 2 of the printed bill, strike out all of lines 9 to 15, inclusive

Amendment No. 6.

On page 2 of the printed bill, strike out all of lines 16 to 26, inclusive, and insert in lieu thereof the following: "There shall be established for the State Compensation Insurance Fund by the administrators thereof a method whereby each insured employer may obtain credits or returns or rebates or dividends, which as in the discretion of the commission, such employer may be entitled as the employer's proportion of divisible surplus. Such credits or returns or rebates or dividends to which any insured employer may be entitled shall be due and payable immediately after the final premium has been actually determined on each policy, but in no event later than nine months after expiration of the policy".

Amendment No. 7.

On page 2 of the printed bill, after the words inserted by Amendment No. 6, add the following: "Nothing herein shall be construed as prohibiting the establishment of a minimum premium charge per year for compensation insurance, but such minimum premium shall be uniform in each industrial classification".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1491—An act to add Chapter 11B to Part 2 of Division 2 of the Insurance Code, authorizing the creation, organization and government, and providing for the regulation of public associations to be known as medical service associations, defining medical service contracts, providing standard provisions for such contracts, providing for the deposit of security by medical service associations, providing for certificates of authority for associations entering into medical service contracts, and rendering through members medical services and providing for the powers and liabilities of medical service associations.

Committee Amendments to Assembly Bill No. 1491.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following: "An act providing for the establishment of a Health Reserves Commission, defining health service practice, providing for the licensing, control and regulation of health service practice, providing for the supervision and control by the Health Reserves Commission of persons rendering medical service on a fixed fee contract basis, providing requirements as to the form of such contracts, providing for the maintenance of reserves for the protection of users of such service, providing for the licensing of persons rendering such services, and providing penalties."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 18, inclusive, and strike out all of pages 2 to 12, inclusive, and insert in lieu thereof the following:

"Article 1. General Provisions and Definitions.

SECTION 1. This act shall be known and may be cited as the Health Service Act

SEC. 2. This act shall be liberally construed to effect its purposes. These purposes are:

(a) To enable the people of California to obtain prompt and adequate medical service or hospital services whenever needed on a budgeted basis;

(b) To enable physicians or groups of physicians to enter into health service contracts,

(c) To make as economical as possible the expense of administering health service contracts;

(d) To make adequate provision for the financial responsibility of those who agree to render services under health service contracts; and

(e) To preclude commercial exploitation in the rendering of medical care under health service contracts.

SEC. 3. As used in this act "commission" means the Health Reserves Commission.

SEC. 4. "Commissioner" means a member of the commission.

SEC. 5. "Insurance Commissioner" means the Insurance Commissioner of this State.

SEC. 6. "Health service practice" is the rendering or furnishing by a physician or group of physicians to three or more persons of medical services or medical and hospital services, or, by other persons, of hospital services, when the funds for defraying the cost and the administration of such services are derived in whole or in part:

(a) From contracts on a fixed fee basis providing for the services included therein, for a definite sum and for a definite period whatever may be the amount of such services required during the period of the contract;

(b) From the sale or other disposition of memberships, stocks or other rights or privileges; or

(c) From contributions donated or contributed in part or in whole by persons not necessarily receiving such services, for the purpose of establishing such services and providing for the maintenance thereof

SEC. 7. "Physician" or "physician and surgeon" means a person who holds an unrevoked physician's and surgeon's certificate issued to him by the Board of Medical Examiners of this State

SEC. 8. "Health service contract" is an agreement by a physician or group of physicians authorized to engage in health service practice to provide to the beneficiary named therein, in consideration of a sum certain, the professional services of physicians therein included (together with, if so provided therein, all or any part of the hospital service enumerated in any act regulating nonprofit hospital service plans) for a specified period in the event that the beneficiary is in need thereof.

SEC. 9. The masculine gender includes the feminine and neuter

SEC 10. The singular number includes the plural, and the plural number includes the singular.

SEC 11. "Shall" is mandatory and "may" is permissive

SEC. 12. "Person" means a natural person, association or corporation, except when used to refer to an individual authorized to perform professional services, then it means a natural person only.

SEC. 13 If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more of the other sections, subsections, sentences, clauses or phrases is unconstitutional.

Article 2 The Health Reserves Commission.

SEC. 20. This act shall be administered by the Health Reserves Commission, which is hereby created.

SEC. 21. The commission shall be composed of the Insurance Commissioner, the President of the State Board of Public Health of this State and four additional members, two of whom shall be physicians who hold the degree of doctor of medicine and two of whom shall be persons of business, financial and administrative experience.

SEC. 22. The commissioners, other than the Insurance Commissioner and the President of the State Board of Health, shall be appointed by the Governor with the consent of the Senate The first commissioners shall be appointed within 30 days after the effective date of this act.

SEC. 23 The terms of the four appointed commissioners shall expire: two on February 28, 1939, and two on February 28, 1941. Upon the expiration of these terms, the term for each appointed commissioner shall be four years. In the event of a vacancy in any term, the Governor shall appoint a commissioner for the unexpired portion thereof.

SEC. 24. No commissioner shall in any way participate in the rendering of health service practice while serving as a member of the Health Reserves Commission.

SEC. 25. No two of the appointed members of the commission shall be residents of the same county, to the end that the commission shall be fairly representative of the geographical sections of the State.

SEC. 26 Ex officio members of the commission shall receive no compensation for their services as members Appointive members shall receive fifteen (15) dollars per diem for days of service actually rendered Each member shall receive his actual

and necessary travelling expenses incurred in performing duties imposed upon him by the provisions of this act.

Article 3. Powers and Duties of Health Reserves Commission.

SEC. 30. The commission may employ a confidential secretary and fix his compensation The confidential secretary shall serve at the pleasure of the commission

SEC 31. Subject to civil service laws, the commission may from time to time appoint such professional, expert, clerical and other assistants and employees as may be necessary for the administration of this act, and may fix the method and amount of their compensation and assign their duties

SEC 32 The commission shall procure and have offices in the city of Sacramento and in such other places as it may require in its discretion.

SEC 33 The commission shall meet at such times and in such places as may be expedient and necessary for the proper performance of its duties

SEC 34. The commission shall have the powers of the head of a department, as such powers are specified in section 353 of the Political Code. The commission may delegate such powers to one or more of its members or to its confidential secretary.

SEC 35 The commission shall have power to regulate and control health service practice and to investigate, regulate and control the operations and affairs of all persons engaged in health service practice.

SEC. 36 The commission shall also have power to prescribe, administer and enforce reasonable and uniform regulations for health service practice, including, but not confined to such matters as:

(a) The ratio of physicians to beneficiaries,

(b) The adequacy of the services rendered under health service contracts and other contracts subject to regulation by the commission;

(c) The rates to be charged for health service contracts and other contracts subject to regulation by the commission and the rates to be paid for services rendered, and

(d) Acquisition costs and methods.

SEC 37 In prescribing regulations for health service practice the commission shall make such as it has found, after due examination of the material facts, will not result in unjust enrichment to any persons engaged in health service practice or in unreasonable compensation to such persons, and which, at the same time, will not impair the adequacy of services rendered under health service contracts

SEC 38 All regulations prescribed by the commission pursuant to authority granted in this article shall be enforceable against and binding upon, all persons engaged in health service practice; and any violation thereof by any person shall be a cause for the suspension or revocation of the certificate of authority of such person by the commission or by any other State authority from which his certificate of authority was obtained.

Article 4. Regulations, Certificates of Authority and Reserves.

SEC. 50 No person may engage in health service practice without first obtaining a certificate of authority from the commission, unless a certificate of authority is required and has been obtained from the Insurance Commissioner.

SEC 51 Any physician or group of physicians desiring to engage in health service practice must first apply in writing to the commission for a certificate of authority. Each application shall be accompanied with a filing fee of twenty-five (25) dollars

SEC. 52. Such application must be verified and filed in the office of the commission.

SEC. 53. The application shall contain, in addition to such other information as is required by the commission, the following:

(a) A description of the type of service to be rendered by the applicant to persons to whom he will render any service or who will be a recipient of services rendered, under health service practice;

(b) A description of the physical facilities to be used in the rendition of such services,

(c) The names, offices and residence addresses of all physicians and surgeons who will engage in health service practice under the certificate of authority, if issued; and

(d) A statement of the rates or other charges which applicant proposed to require of persons with whom he contracts.

SEC. 54 Upon the filing of an application it shall be the duty of the commission to examine it and other papers and documents filed therewith, if any. The commission may, if it deems it advisable, conduct an examination and investigation of the applicant and his affairs, at his expense.

SEC. 55 The commission shall not issue a certificate of authority to any applicant unless he and all persons who are to render professional services under the certificate of authority applied for have been practicing the profession for which they are licensed in the geographical area to be served by the applicant for at least three years immediately preceding the application

SEC. 56. *If the commission finds that the proposed plan of operation of applicant* is not unfair, unjust or inequitable, it shall issue to the applicant a certificate of authority authorizing applicant to engage in health service practice.

SEC. 57. Every certificate of authority issued under the provisions of this act shall expire on the first day of July after its issuance, unless sooner revoked. The commission shall require the payment, in advance, of a renewal fee equal to one cent for each person then entitled to receive medical services from the holder of an issued certificate of authority applying for renewal, but in no event less than twenty-five (25) dollars, for issuing each annual certificate of authority.

SEC 58 No person shall engage in health service practice unless said person shall have and at all times maintain a reserve fund equal to the sum of all amounts payable to persons other than beneficiaries, plus the amount of unearned periodic fees or other charges, plus an amount equal to the following minimum sums in relation to the number of beneficiaries to whom he has issued or agreed to issue health service contracts:

Number of Beneficiaries	Amount of Reserve Fund
1,000 or less	$5,000.00
1,001 to 2,000, inclusive	7,500 00
2,001 to 3,000, inclusive	10,000.00
3,001 to 4,000, inclusive	12,500.00
4,001 to 6,000, inclusive	15,000.00
6,001 to 8,000, inclusive	17,500.00
8,001 to 10,000, inclusive	20,000.00
10,001 or more	25,000 00

If hospital services are included in health service contracts, then any such person shall have and at all times maintain, in addition to the amounts above required, a reserve fund equal to the minimum amounts required for nonprofit hospital service plan corporations. This additional reserve fund shall be computed as provided in any statute now or hereafter enacted governing nonprofit hospital service plans

Article 5 Contract Forms and Approval of Commission

SEC. 60. A health service contract shall not be issued or delivered to any person in this State until:

(a) A copy of the form thereof, including the form of application and any rider or indorsements, is filed with the commission,

(b) Either (1) thirty days expires without notice from the commission after filing such copy or copies, or (2) the commission gives written approval prior to that time.

SEC. 61. A health service contract shall not be issued or delivered to any person in this State:

(a) Unless the entire consideration therefor and the mode of transmitting the consideration are expressed in the contract;

(b) Unless the times at which the right to professional service take effect and terminate are stated in the portion of the contract above the evidence of its execution;

(c) Unless all printed portions or any indorsement or attached papers are plainly printed in type of which the face is not smaller than ten point;

(d) Unless a brief description of the contract is printed on its first page and on filing back in type of which the face is not smaller than fourteen point;

(e) Unless the exceptions of the contract are printed with the same prominence as the benefits to which they apply;

(f) Unless, if any portion of such contract purports, by reason of the circumstances under which an illness occurs, or an injury is incurred, to reduce the right to professional service to an amount less than that provided for the same illness or injury occurring under ordinary circumstances, such portion is printed in bold face type and with greater prominence than any other portion of the text of the contract,

(g) Unless the nature of the professional services to be rendered under the contract is set forth in full;

(h) Unless a statement of the terms and provisions upon which the contract may be terminated is plainly set forth;

(i) If the contract includes hospital services, unless the requirements as to contract form of any act regulating nonprofit hospital service plans are fulfilled, or, if applicable, unless the requirements as to contract form of section 10810 of the Insurance Code are fulfilled.

Article 6 Reports.

SEC 70. Each holder of a certificate of authority shall file with the commission such monthly, quarterly or other periodical reports as it may require, setting forth the number of outstanding health service contracts, the duration of each such contract, the premiums payable thereunder and such other information as the commission may require.

SEC 71. On or before the first Monday of March of each year each holder of a certificate of authority shall file an annual report in the form required by the commission, setting forth:

(a) The number of contracts of each type in effect;

(b) A brief statement of the services actually rendered under contracts during the previous year;

(c) A financial statement of the previous year, showing the total receipts and expenditures for said year; and

(d) Such other information as the commission may require with respect to health service contracts, the assets securing their performance and the financial condition of the person reporting.

SEC 72 Every holder of a certificate of authority shall keep records sufficient and complete for the purpose of furnishing at all times the information required to be reported to the commission under this act, and sufficient to furnish complete information as to services rendered. Such records shall be subject to examination by the commission, at the expense of the person examined, payable in advance If any person refuses to pay such expenses in advance, the commission may refuse to issue its certificate of authority and shall revoke any existing certificate of authority.

SEC. 73 The Insurance Commissioner shall provide access to the commission to all reports in his office filed by persons engaging in health service practice and subject to this act but not required to obtain certificates of authority from the commission.

Article 7. Revocation of Certificates of Authority, Procedure

SEC. 80. The commission may, after notice and hearing, suspend or revoke any certificate of authority issued by it or issued by the Insurance Commissioner to a person subject to this act, if it finds that the holder thereof has failed to comply with the provisions of this act.

SEC 81 Any person whose certificate of authority has been suspended or revoked by the commission has the right to appeal from the action of the commission suspending or revoking such certificate of authority, to a court of competent jurisdiction

SEC 82 The commission shall revoke a certificate of authority if the holder thereof has had his physician's and surgeon's certificate suspended or revoked If a certificate of authority is held by a group of physicians and one or more of the physicians in such group are suspended from the practice of medicine and surgery or have their physician's and surgeon's certificates revoked, the commission shall revoke the existing certificate of authority as to the physicians whose physician's and surgeon's certificates have been suspended or revoked.

Article 8 Liquidation and Insolvency

SEC 90 Any liquidation of the affairs of any holder of a certificate of authority issued by the commission shall be conducted under the supervision of the commission.

SEC. 91. The holder of a certificate of authority issued by the commission shall be deemed to be insolvent and subject to liquidation by the commission if his reserve fund shall be impaired so as to be less than the amounts required to be maintained by the provisions of this act In determining whether there has been an impairment of the reserve fund the unexpired portions of all premiums received by and paid to said holder on health service contracts then in force shall be deemed a liability.

Article 9. Creation of Health Service Practice Fund.

SEC 100. There is hereby created the health service practice fund, which shall be administered by the commission.

SEC. 101. All moneys received by the commission shall be paid over to the State Controller and by him deposited in the State Treasury of this State and credited to the 'Health service practice fund" hereinabove created, and to the particular account specified by the commission

SEC 102 All amounts paid into said fund are hereby appropriated to the Health Reserves Commission, to be expended only for the purpose of meeting its necessary expenses in the performance of the duties imposed upon it by this act. Claims against the fund shall be paid in accordance with the provisions of law.

Article 10. Exclusions, Penalties and Special Provisions.

SEC. 110. No person, other than a physician, may engage in health service practice if medical services are included in the services proposed to be rendered or rendered.

SEC. 111 Any physician or other person who shall engage in health service practice in violation of the provisions of this act shall be deemed guilty of a misdemeanor

SEC. 112. The Insurance Commissioner is hereby vested with authority, if so instructed by the commission, to proceed in any court of competent jurisdiction

for an injunction restraining any person or persons from engaging in health service practice in violation of the provisions of this act.

SEC. 113. Fraternal societies having a supreme governing or legislative body and subordinated lodges or branches by whatever name known, into which members are elected, initiated and admitted in accordance with its constitution, laws, rules, regulations and prescribed ritualistic ceremonies, having a membership of not less than 5,000 persons and requiring that subordinate lodges or branches must hold regular or stated meetings at least once a month, shall not be deemed to be engaging in health service practice and such fraternal societies shall not be affected by this act in any way."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1305—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof

Committee Amendment to Assembly Bill No. 1305.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 4, of the printed bill, as amended, strike out the second "or", which follows the word "results", and insert in lieu thereof the following: "of".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2517—An act to amend section 5 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Committee Amendment to Assembly Bill No. 2517.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 10 to 12, inclusive, and insert in lieu thereof the following: "Within fifteen days after the date this amendment takes effect the Governor shall appoint two members, one to hold office until July 26, 1940, and the other to hold office until July 26, 1941, and until their successors are appointed and qualify."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1743—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, as amended, relating to horse racing and the funds derived therefrom.

Committee Amendment to Assembly Bill No. 1743.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, following the figures "13.", insert the following:

"All fees, commissions, and other moneys received by the board shall be paid into the State Treasury immediately upon receipt of the same and credited to a special fund hereby created, to be known as the "Fair and exposition fund." There is hereby appropriated annually out of said moneys the following: $20,000 to the board to defray the expenses of the officers and employees provided for herein; $125,000 for the support of the California State Fair; $125,000 to the Los Angeles County fair; $15,000 to the Sixth District Agricultural Association of the State of California, for the purpose of holding a permanent exposition and exhibition of all citrus products and of all of the industries and industrial enterprises, resources, and products of every kind and nature of the State of California, with a view of improving, exploiting, encouraging and stimulating the same, to which there shall never be any charge of admission, and for the support of the buildings and grounds and other property of the Sixth District Agricultural Association, for the fiscal year 1937-1938, $50,000 to the Sixth District Agricultural Association of the State of California for the purpose of holding a spring and/or fall flower show in Los Angeles, (said sum to be payable to the association on or before March 1, 1938, and annually the net receipts from said flower show, up to the sum of $50,000 thereof, shall be paid into the State Treasury and placed in a fund entitled "Sixth District Agricultural Association flower show fund" and are hereby appropriated to such association annually for and shall constitute a revolving fund for an annual flower show by said association in Los Angeles. The words "net receipts" as used herein shall mean the difference between all moneys received in any year by said Sixth District Agricultural Association from any source for the flower show of that year and the moneys actually expended in such year for premiums and all other expenses of said flower show), of the balance of said moneys after all of the above deductions have been made, 5 per cent for payment to and use of those certain citrus fruit fairs defined in section 94 of the Agricultural Code, but not to district agricultural associations or county fairs, said sum to be apportioned between such citrus fruit fairs upon the basis of the population of the several counties in which such fairs are held, and if only one such fair is held, then it shall receive all of said sum; 40 per cent of such balance for the encouragement of county, district or combined county and district agricultural fairs (exclusive of the Los Angeles County fair, the Sixth District Agricultural Association and such citrus fruit fairs) to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by section 92 of the Agricultural Code and other applicable provisions of law, but no such county, district or combined county and district agricultural fair shall receive a sum greater than $40,000 from the fair and exposition fund in any one year. If in any year said 40 per cent of such balance is less than 60 per cent of the amount of said 40 per cent of such balance in the year 1935, then during said year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by section 13 of Chapter 769 of the Statutes of 1933 and by section 92 of the Agricultural Code. The balance of said moneys in said fund after all of the above deductions have been made is hereby transferred to the credit of the general fund in the State Treasury and is hereby appropriated for the benefit of permanent improvements and support at State educational institutions devoted to agricultural and vocational training in animal husbandry and for the purpose of unemployment relief.

One-third of such funds is hereby appropriated, allocated and apportioned to the State Emergency Relief Administration for the relief of unemployment within the State of California; one-third of such funds is hereby appropriated, allocated and apportioned to the California Polytechnic School; and one-third of such funds is hereby appropriated, allocated and apportioned to the University of California.

The funds hereby appropriated, allocated and apportioned for the relief of unemployment within the State of California and for the benefit of the California Polytechnic School and the University of California are in addition to any other funds heretofore or hereafter appropriated for such purposes and for such institutions."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2581—An act to amend sections 1 and 3 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission

empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by the electors November 4, 1924, relating to amateur boxing, sparring and wrestling matches and exhibitions.

Committee Amendments to Assembly Bill No. 2581.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "5 members, 3", and insert in lieu thereof the following: "five members, four".

Amendment No. 2.

On page 1, lines 14 to 16, of the printed bill, and on page 2, line 1, strike out the following: "Speaker of the Assembly and one new member by the President of the Senate; these appointments shall be for four years from date of appointment. Successors of", and insert in lieu thereof the following: "Governor for a term ending January 1, 1941. Thereafter".

Amendment No. 3.

On page 2, line 2, of the printed bill, after "commission", insert the following: "appointed by the Governor".

Amendment No. 4.

On page 2, line 6, of the printed bill, after the period, insert the following "Commencing on January 1, 1938, the fifth member of the commission shall be the President of the Board of Directors of the Veterans' Home of California, acting ex officio."

Amendment No. 5.

On page 2, lines 38 and 39, of the printed bill, strike out "shall issue", and insert in lieu thereof the following: "may, in its discretion, issue, and at its pleasure revoke,".

Amendment No. 6.

On page 3 of the printed bill, strike out lines 33 to 36, inclusive

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1932—An act to amend section 2185c of the Political Code, relating to the arrest and commitment of persons addicted to the intemperate use of stimulants and authorizing their confinement in private hospitals.

Committee Amendments to Assembly Bill No. 1932.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 2, line 13, of the printed bill, after the word "insane", insert the following "or in the event that the person sought to be committed is not a poor or indigent person, either in the State hospital for the care and treatment of the insane".

Amendment No. 2.

On page 2, line 16, of the printed bill, strike out the following: "which said private hospital or sanitarium", and insert in lieu thereof the following "as the court in its discretion may determine, which place of commitment shall be"

Amendment No. 3.

On page 2 of the printed bill, strike out all of line 17.

Amendment No. 4.

On page 3 of the printed bill, strike out all of lines 10 to 17, inclusive

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1933—An act to amend section 5404, 5407 and to add section 5409 to the Welfare and Institutions Code, relating to dipsomaniacs, inebriates and stimulant addicts.

Committee Amendments to Assembly Bill No. 1933.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, after the word "insane", insert the following: "or in the event that the person sought to be committed is not a poor or indigent person, either in a State hospital for the care and treatment of the insane".

Amendment No. 2.

On page 1, line 10, of the printed bill, strike out the following: "which said pri-", and insert in lieu thereof the following: "as the court in its discretion may determine".

Amendment No. 3.

On page 1 of the printed bill, strike out all of line 11

Amendment No. 4.

On page 1, line 12, of the printed bill, strike out the following: "Department of Institutions", and insert in lieu thereof the following. "which place of commitment shall be".

Amendment No. 5.

On page 2 of the printed bill, strike out all of lines 22 to 29, inclusive

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2790—An act relating to the care and control of venereal diseases, granting other and further powers in relation thereto to the State Board of Public Health and its subordinate agencies, authorizing the acceptance of Federal Social Security funds and making an appropriation therefor

Committee Amendments to Assembly Bill No. 2790.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out ", control and treatment", and insert in lieu thereof the following: "and control".

Amendment No. 2.

On page 1, line 10, of the printed bill, strike out ", control and treatment", and insert in lieu thereof the following: "and control"

Amendment No. 3.

On page 2, line 3, of the printed bill, strike out "in establishing", and insert in lieu thereof the following: "for contributing to".

Amendment No. 4.

On page 2, lines 4 and 5, of the printed bill, strike out "diagnosis and treatment", and insert in lieu thereof the following: "control".

Amendment No. 5.

On page 2, line 10, of the printed bill, strike out ", control and treatment", and insert in lieu thereof the following: "and control".

Amendment No. 6.

On page 2, lines 15 and 16, of the printed bill, strike out ", control and treatment", and insert in lieu thereof the following: "and control".

Amendment No. 7.

On page 2, lines 17 and 18, of the printed bill, strike out "of, examination and treatment", and insert in lieu thereof the following: "and control".

Amendment No. 8.

On page 2 of the printed bill, strike out lines 22 to 26, inclusive, and insert in lieu thereof the following:

"SEC. 4. The State Board of Public Health shall have power to commence and maintain all proper and necessary actions and proceedings to enforce its regulations for carrying out the provisions of this act."

Amendment No. 9.

On page 3, line 6, of the printed bill, strike out ", control and treatment", and insert in lieu thereof the following "and control".

Amendment No. 10.

On page 3, line 9, of the printed bill, strike out "person".

Amendment No. 11.

On page 3, lines 19 to 21, of the printed bill, strike out "to investigate all cases not receiving treatment which is according to the view of the said State Department of Public Health proper treatment,".

Amendment No. 12.

On page 3, lines 30 and 31, of the printed bill, strike out ", prevention and treatment of cases", and insert in lieu thereof the following: "and prevention".

Amendment No. 13.

On page 3 of the printed bill, between lines 33 and 34, insert the following:

"It shall be incumbent upon any State agency conducting a public hospital to admit acute venereal disease cases, when, in the opinion of the State Department of Public Health or the local health officer having jurisdiction, such persons infected with venereal disease may be a menace to public health."

Amendment No. 14.

On page 3, line 38, of the printed bill, after the first comma insert the following: "serving meals,".

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1089—An act to provide for the control, prevention, and cure of venereal diseases; providing for the establishment of a State Bureau of Venereal Diseases under the direction of the State Board of Health and defining its powers and duties; and providing for the granting of State financial aid for the control, prevention, and care of venereal diseases, and making an appropriation therefor.

Committee Amendment to Assembly Bill No. 1089.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 8, line 34, of the printed bill, as amended April 6, 1937, delete the sentence beginning with the words "Nothing in this act * * *" to the period in line 38, and insert in lieu thereof the following:

"Nothing in this act shall be construed to interfere with the freedom of any adherent of the teachings of any well-recognized religious sect, denomination, or organization to depend exclusively upon prayer for healing in accordance with the teachings of such religious sect, denomination or organization. Any person utilizing the right acknowledged in the preceding sentence shall, together with any person or persons treating him, be exempt from all provisions of this act regarding venereal diseases, except that the laws of the State of California and rules and regulations of the State Board of Public Health regarding compulsory reporting of communicable diseases and the quarantine of such diseases and the provisions of section 7 of this act regarding callings in which he may not be permitted to engage shall apply."

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1049—An act providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof.

Committee Amendments to Assembly Bill No. 1049.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 23, of the printed bill, strike out "use", and insert in lieu thereof the following: "sell, buy, rent, give, take or otherwise traffic in"

Amendment No. 2.

On page 2 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following: "provided in section 1 of this act, or to erase, obliterate or".

Amendment No. 3.

On page 2, line 51, of the printed bill, strike out "punishable for the first offense", and strike out line 52, and on page 3, strike out lines 1 to 7, inclusive, and insert in lieu thereof a period.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2723—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors.

Committee Amendments to Assembly Bill No. 2723.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15 of the title of the printed bill, strike out "used".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "relating to", and insert in lieu thereof the following: "regulating".

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out the first "used".

Amendment No. 4.

On page 2, line 7, of the printed bill, after "of", insert the following: "public".

Amendment No. 5.

On page 2, line 25, of the printed bill, after "of", insert the following: "public".

Amendment No. 6.

On page 3, lines 14 and 15, of the printed bill, strike out the following: "It is unlawful to use second hand tin plate for manufacturing food containers", and insert in lieu thereof the following. "Food containers manufactured from second hand tin plate, and intended"

Amendment No. 7.

On page 3, line 17, of the printed bill, after "consumption", strike out the period, and insert in lieu thereof the following: "shall not be so used for packing until after having been cleansed and sterilized in compliance with rules and regulations issued by the California State Board of Public Health. Such rules and regulations shall prescribe equipment and methods that will insure the cleanliness and sterile condition of such containers in order that they will be safe for the use intended."

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 777—An act to amend section 3a of an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to the formation of such districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1014—An act to amend section 4 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, as amended, to delete the provision declaring artificially colored canned tomatoes or tomato products adulterated, this act to take effect immediately.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 7—An act to amend section 4 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 165—An act to amend sections 6010 and 7015 of the Insurance Code, both relating to county mutual fire insurers.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 554—An act authorizing the Director of Natural Resources to receive and hold land for forestry purposes, to enter into agreements with the Federal Government or other agencies for acquiring by lease, purchase or otherwise such lands as are desirable for State forests, to manage such land and to dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes, to make an appropriation therefor, and to repeal an act entitled "An act authorizing the Director of Natural Resources to receive and hold land for future development for forestry purposes, to manage such land and dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes," approved July 15, 1935, to declare the urgency thereof, and to provide that this act shall take immediate effect.

Bill read second time, and ordered on third reading calendar.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1532—An act to amend section 384 of the Penal Code of the State of California amending subdivision 11 thereof, relating to the refusal of a person summoned to render assistance in combating forest, brush, or grass fires when ordered so to do by certain county officers.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1532?

Amendment No. 1.

On page 4 of the printed bill, after line 22, insert the following:

"(14) Nothing in this act shall be construed to authorize any county fire warden, fireman, or county officer to obligate the State of California for the payment of any moneys."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1532 by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Clark, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lyon, Maloney, Martin, Meehan, Miller, George P., Muldoon, Patterson, Pelletier, Peyser Reaves, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Walker, Watson, and Yorty—45.

NOES—None.

Assembly Bill No. 1532 ordered to enrollment.

Assembly Bill No. 197—An act to amend section 1011 of the Code of Civil Procedure, relating to service of notices and papers in civil actions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 197?

Amendment No. 1.

On page 1, line 19, of the printed bill, as amended, strike out "or it may be made by mail", and insert in lieu thereof the following: "and if his residence is not known, or is not in the same county with his office, or being in the same county it is not open, or there is not found thereat any person of not less than 18 years of age, then".

Amendment No. 2.

On page 1, line 24, of the printed bill, as amended, strike out the semicolon and insert in lieu thereof a period and the following: "Service upon an attorney may also be made by mail by putting the same, inclosed in a sealed envelope, into the post office directed to such attorney at his office, in any case where the office of the attorney making such service is situated in the same county but in a city other than that in which the attorney to be served maintains his office."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 197 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Lore, Lyon, Maloney, Martin, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Voigt, Walker, Watson, and Yorty—49

NOES—None.

Assembly Bill No. 197 ordered to enrollment.

Notices of Motion to Reconsider Continued.

On motion of Mr. Call, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1171 was passed was continued until the next legislative day.

On motion of Mr. Call, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1173 was passed was continued until the next legislative day.

Reconsideration of Assembly Bill No. 1501.

In compliance with a notice given on a previous day, Mr. Peyser moved that the vote whereby Assembly Bill No. 1501 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1501 refused reconsideration by the following vote:

AYES—Beene, Call, Dilworth, Field, Johnson, Peyser, Scudder, and Sheehan—8.

NOES—Baynham, Boyle, Breed, Burns, Michael J., Clark, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Kuchel, Leonard, Lore, Lyon, Maloney, Martin, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Stream, Tenney, Turner, Walker, Watson, and Yorty—43.

Assembly Bill No. 1501 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 1940 Waived.

Mr. Gannon waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1940 was passed.

Assembly Bill No. 1940 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 4 Waived.

Mr. Boyle waived his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 4 was adopted.

Assembly Constitutional Amendment No. 4 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 2025 Waived.

Mr. Dannenbrink waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2025 was passed.

Assembly Bill No. 2025 ordered transmitted to the Senate.

House Resolution No. 119—Relative to appointing a Committee to Investigate Pollution of Waters.

Committee Amendments to House Resolution No. 119.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the typewritten resolution, at the bottom of the page, after the word "determine", strike out the semicolon, and the words "and be it further", and insert in lieu thereof a period.

Amendment No. 2.

Strike out all of page 3 of the typewritten resolution.

Amendments adopted.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Clark, the Assembly was declared at recess until the hour of two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker pro tempore Meehan in the chair.

Recess.

At two o'clock and ten minutes p.m., by order of the Speaker pro tempore, the Assembly was declared at recess for the purpose of hearing from Huang Chao-Chin, Consul General of the Republic of China.

Reassembled.

At two o'clock and fifteen minutes p.m., the Assembly reconvened.

Speaker pro tempore Meehan in the chair.

Re-reference of Assembly Bill No. 1591.

On motion of Mr. Boyle, Assembly Bill No. 1591 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Third Reading of Assembly Bills.

Assembly Bill No. 2281—An act to amend subdivision (a) section 410 of the Vehicle Code, relating to suspension of license and registration while judgment unsatisfied and until giving proof of ability to respond in damages.

Motion to Amend Assembly Bill No. 2281.

Mr. Cronin moved to amend Assembly Bill No. 2281 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "subdivision (a),".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "Subdivision (a)", and insert in lieu thereof the following: "Section 410".

Amendment No. 3.

On page 1, line 3, of the printed bill, after the period following the section number, insert the following. "Suspension of License and Registration While Judgment Unsatisfied and Until Giving of Proof of Ability to Respond in Damages."

Amendment No. 4.

On page 1 of the printed bill, following line 20, insert the following:

"(b) The department upon receiving such proof of any such final and unsatisfied judgment rendered by a court of competent jurisdiction in this or any other State or in a District Court of the United States shall forthwith suspend all operators' and chauffeurs' licenses issued to the judgment debtor and the registration cards and license plates issued for all motor vehicles registered in the name of such judgment debtor as owner. Furthermore, the department shall not reissue nor renew any such suspended license, registration card or license plate nor issue to the judgment debtor any operator's or chauffeur's license or a registration card or license plate for any motor vehicle while such judgment remains in effect and until such judgment is satisfied in full or to the extent hereinafter specified and unless the judgment debtor also gives proof of his ability to respond in damages in the manner and to the extent hereinafter specified for accidents occurring after the date of the giving of such proof."

Amendments adopted

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 2281, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 2281, as Amended.

Assembly Bill No. 2281—An act to amend subdivision (a) section 410 of the Vehicle Code, relating to suspension of license and registration while judgment unsatisfied and until giving proof of ability to respond in damages.

Assembly Bill No. 2281, as amended read third time, and passed by the following vote:

AYES—Bayham, Beebe, Boyle, Breed, Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Love, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon O'Donnell, Peek, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Tenney, Thorp Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—58

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Hon. Jeanette E. Daley in the Chair.

At two o'clock and twenty minutes p.m., Hon. Jeanette E. Daley, member of the Assembly from the Seventy-Eighth District, in the chair

Assembly Bill No. 2340—An act to add a new chapter to the School Code to be known as Chapter X of Part II, Division VI, comprising sections 6.734, 6.735, 6.736, 6.737, and 6.738, requiring the State Board of Education, in accordance with rules and regulations to be adopted by it, to supply to all pupils, in attendance in elementary schools in the State, other than public schools, free of cost or any charge whatever, to such pupils, all textbooks adopted for use in the day and evening elementary schools of the State, in accordance with the provisions of section 7 of Article IX of the Constitution, and all other textbooks that it may adopt for use in such schools, requiring the governing boards of all high school districts of the State, in accordance with rules and regulations to be adopted by the State Board of Education, to purchase and furnish textbooks to pupils in attendance in high schools in the State, other than public high schools, requiring the gov-

erning boards of elementary school districts of the State to furnish to pupils attending private elementary schools in said district, free of cost or other charge to such pupils, all books adopted for supplementary use, or for use in post-graduate courses in the public elementary schools in said districts, and requiring the State Board of Education to furnish to minor children in private institutions, in this State, who are receiving instruction in elementary branches in such institutions, free of cost or charge to such minors, all textbooks (including supplementary textbooks and books for use in post-graduate courses) which are furnished to pupils attending public elementary schools of the State.

Motion to Amend Assembly Bill No. 2340.

Mr. Hornblower moved to amend Assembly Bill No. 2340 as follows:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "6.734, 6.735, 6.736, 6.737 and 6.738", and insert in lieu thereof the following: "6.736, 6.737, 6.738, 6.739, and 6.739½".

Amendment No. 2.

On page 2, lines 1 and 2, of the printed bill, strike out "6.734, 6.735, 6.736, 6.737 and 6.738", and insert in lieu thereof the following: "6.736, 6.737, 6.738, 6.739, and 6.739½".

Amendment No. 3.

On page 2, line 10, of the printed bill, strike out "6.734", and insert in lieu thereof the following: "6.736".

Amendment No. 4.

On page 2, line 21, of the printed bill, strike out "6.735", and insert in lieu thereof the following "6.737".

Amendment No. 5.

On page 2, line 31, of the printed bill, strike out "6.736", and insert in lieu thereof the following: "6.738".

Amendment No. 6.

On page 2, line 41, of the printed bill, strike out "6.737", and insert in lieu thereof the following: "6.739".

Amendment No. 7.

On page 3, line 1, of the printed bill, strike out "6.738", and insert in lieu thereof the following: "6.739½".

Amendments adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 2340, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2340, as Amended.

Assembly Bill No. 2340—An act to add a new chapter to the School Code to be known as Chapter X of Part II, Division VI, comprising sections 6.736, 6.737, 6.738, 6.739, and 6.739½, requiring the State Board of Education, in accordance with rules and regulations to be adopted by it, to supply to all pupils, in attendance in elementary schools in the State, other than public schools, free of cost or any charge whatever, to such pupils, all textbooks adopted for use in the day and evening elementary schools of the State, in accordance with the provisions of section 7 of Article IX of the Constitution, and all other textbooks that it may adopt for use in such schools, requiring the governing boards of all high school districts of the State, in accordance with rules and regulations to be adopted by the State Board of Education, to purchase and furnish textbooks to pupils in attendance in high schools in the State, other than public schools, requiring the

governing boards of elementary school districts of the State to furnish to pupils attending private elementary schools in said district, free of cost or other charge to such pupils, all books adopted for supplementary use, or for use in post-graduate courses in the public elementary schools in said districts, and requiring the State Board of Education to furnish to minor children in private institutions, in this State, who are receiving instruction in elementary branches in such institutions, free of cost or charge to such minors, all textbooks (including supplementary textbooks and books for use in post-graduate courses) which are furnished to pupils attending public elementary schools of the State.

Assembly Bill No. 2340, as amended, read third time.

Hon. Earl D. Desmond in the Chair.

At three o'clock and twenty-five minutes p.m., Hon Earl D. Desmond, member of the Assembly from the Ninth District, in the chair.

Demand for Previous Question.

Messrs. Dawson, Sheehan, Cottrell, Miller, and Meehan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2340, as amended.

The roll was called, and Assembly Bill No. 2340 passed by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Sawyer, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, and Yorty—55.

NOES—Breed, Clark, Daley, Domino, Garland, Gilbert, Heisinger, Johnson, Kepple, Kuchel, Mayo, Miller, Eleanor; Millington, Morgan, Peek, and Redwine—16.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Cunningham:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to define cemetery brokers and cemetery salesmen; to provide for the regulation, supervision, examination and licensing thereof by the State Real Estate Division and the Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof, and making an appropriation therefor

Referred to Committee on Introduction of Bills.

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation.

Referred to Committee on Introduction of Bills

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 4 and 23 of an act entitled "An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act," approved May 3, 1923, as amended, relating to voting machines.

Referred to Committee on Introduction of Bills

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr Cunningham:

An act to define cemetery brokers and cemetery salesmen; to provide for the regulation, supervision, examination and licensing thereof by the State Real Estate Division and Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof, and making an appropriation therefor.

By Mr. Rosenthal:

An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation.

By Mr Lyon:

An act to amend sections 4 and 23 of an act entitled "An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town at any or all elections held therein, and for ascertaining the immediate result of such elections, and providing for the punishment of all violations of the provisions of this act," approved May 3, 1923, as amended, relating to voting machines

CALL, Chairman

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—65.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2847: By Mr. Cunningham—An act to define cemetery brokers and cemetery salesmen; to provide for the regulation, supervision, examination and licensing thereof by the State Real Estate Division and Real Estate Commissioner, to provide for the enforcement of said act and penalties for the violation thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary General

Assembly Bill No. 2848: By Mr. Rosenthal—An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2849: By Mr. Lyon—An act to amend sections 4 and 23 of an act entitled "An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act," approved May 3, 1923, as amended, relating to voting machines.

Bill read first time, and referred to Committee on Elections.

Resolution.

The following resolution was offered:

By Messrs. Morgan and Lyon:

House Resolution No. 137.

WHEREAS, The date of Sunday, April 18th, marked the thirty-first anniversary of the appalling disaster which practically destroyed the city of San Francisco in the year 1906; and

WHEREAS, The extent and amount of the destruction was so great as to appall the stoutest hearts; and

WHEREAS, The people of this great community, animated by the dauntless and indomitable spirit of the pioneers, spared neither time nor strength nor money in rebuilding a mighty metropolis upon the ruins and ashes of the city they had loved and lost; and

WHEREAS, The City and County of San Francisco are now giving fresh evidence of their vision and their courage by planning an exposition of world-wide scope and importance in the year 1939; now, therefore be it

Resolved by the Assembly of the State of California, That we hereby record our unbounded admiration of the city which as Bret Harte truly said, "serene, indifferent of fate still sitteth at the western gate."; and be it further

Resolved, That we congratulate the people of San Francisco on their convincing demonstration of courage, pride, and patriotism, and their exemplification of the rugged energy and fortitude engendered by their heritage from their pioneer forebears; and be it further

Resolved, That we extend our hearty congratulations on their successful past, with an equal measure of good wishes for their successful future.

Request for Unanimous Consent.

Mr. Morgan asked for, and was granted, unanimous consent to take up House Resolution No. 137, at this time, without reference to committee or calendar.

House Resolution No. 137 read, and unanimously adopted.

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1937.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 19—Relative to memorializing the President and Congress to enact legislation proposed by H. R. 5243 and S. 1779, providing for the appropriation of moneys for the purpose of paying the claims of California Indians pursuant to treaty arrangement.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Asistant Secretary.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 19, at this time, without reference to committee or calendar.

Consideration of Senate Joint Resolution No. 19.

Senate Joint Resolution No. 19—Relative to memorializing the President and Congress to enact legislation proposed by H. R. 5243 and S. 1779, providing for the appropriation of moneys for the purpose of paying the claims of California Indians pursuant to treaty arrangement.

Senate Joint Resolution No. 19 read, and adopted by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2834—An act to amend sections 11, 12, 20, 21 and 22 of the "General Cemetery Act" and adding section 21a thereto, relating to cemeteries and powers of cemetery corporations.

Motion to Amend Assembly Bill No. 2834.

Mr. Kepple moved to amend Assembly Bill No. 2834 as follows:

Amendment No. 1.

On page 5, line 25, of the printed bill, after "body", strike out "or", and insert in lieu thereof the following: "of a deceased person or the".

Amendment No. 2.

On page 5 of the printed bill, after line 51, insert the following:

"In any proceeding commenced hereunder by a cemetery association it may seek an order providing for the interment of more than one body or cremated remains. Where a proceeding is commenced involving more than one body or cremated remains the allegations of the petition shall separately state the facts as to each body or cremated remains, and the court may make a separate order as herein provided as to each body or cremated remains."

Amendments adopted.

Assembly Bill No. 2834 ordered to reprint, and re-engrossment.

Assembly Bill No. 2122—An act to amend sections 639, 640, 1280 and 1281 of the Code of Civil Procedure, relating to the investigation, arbitration, reference and settlement of disputes concerning boundary lines, monuments, courses, bearings, distances and calls.

Motion to Amend Assembly Bill No. 2122.

Mr. Laughlin moved to amend Assembly Bill No. 2122 as follows:

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended, strike out the following "LLL"; and insert in lieu thereof: "III".

Amendment adopted.

Assembly Bill No. 2122 ordered to reprint and re-engrossment

Assembly Bill No. 2336—An act to add section 50 to the Fish and Game Code, relating to the licensing of land owners to collect fees or other charges for the privilege of hunting on their land.

Motion to Amend Assembly Bill No. 2336.

Mr. Glick moved to amend Assembly Bill No. 2336 as follows:

Amendment No. 1.

On page 2, line 7, of the printed bill, as amended, strike out "if after investigation," and insert in lieu thereof the following: "if, after investigation, it".

Amendment No. 2.

On page 2, line 19, of the printed bill, as amended, strike out "etc.", and insert in lieu thereof the following: "or natural landmarks".

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 42 to 45, inclusive, and insert in lieu thereof the following: "killed, or possessed under the provisions of this chapter. The provisions of this code relating to seasons and to bag or possession limits shall apply to game birds taken under the provisions of this chapter."

Amendments adopted.

Assembly Bill No. 2336 ordered to reprint, and re-engrossment.

Notice of Motion to Withdraw Assembly Bill No. 523 from Committee.

Mr. Lore gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 523 from the Committee on Public Utilities, and have it placed upon the calendar.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No 1514 re-referred to Committee on Civil Service.

Assembly Bill No 1123 re-referred to Committee on Education.

Assembly Bill No 1629 re-referred to Committee on Education.

Assembly Bill No. 1929 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2740 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2512 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 2425 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2424 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 134 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 68 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1378 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 208 re-referred to Committee on Education.

Assembly Bill No 1355 re-referred to Committee on Education.

Assembly Bill No. 2013 re-referred to Committee on Judiciary General.

Assembly Bill No. 1028 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1619 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2742 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1346 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2796 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 863 re-referred to Committee on Live Stock and Dairies

Senate Bill No. 167 re-referred to Committee on Roads and Highways.

Senate Bill No. 135 re-referred to Committee on Municipal Corporations.

Senate Bill No. 1028 re-referred to Committee on Municipal Corporations.

Special Order Set for Assembly Bill No. 267.

On motion of Mr. Welsh, the consideration of Assembly Bill No. 267 was made a special order of business for Tuesday, April 20, 1937, at two o'clock and twenty minutes p.m.

Special Order Set for Assembly Bill No. 1455.

On motion of Mr. Welsh, the consideration of Assembly Bill No. 1455 was made a special order of business for Tuesday, April 20, 1937, at two o'clock and ten minutes p.m.

Notice of Motion to Reconsider Assembly Bill No. 1754 Waived.

Mr. Turner waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1754 was passed.

Assembly Bill No. 1754 ordered transmitted to the Senate.

Notices of Motion to Reconsider Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 276 was passed was continued until the next legislative day.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 990 was refused passage was continued until the next legislative day.

On motion of Mr. Burns, Hugh M., the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2814 was passed was continued until the next legislative day.

On motion of Mr. Tenney, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 72 was refused passage was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1759 was passed was continued until the next legislative day.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 2170 was refused passage was continued until the next legislative day.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2375 was passed was continued until the next legislative day.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No 2702 was passed was continued until the next legislative day.

Adjournment.

At four o'clock and thirty minutes p.m., on motion of Mr. Clark, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Tuesday, April 20, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FOURTH LEGISLATIVE DAY
ONE HUNDRED SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 20, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Henry P. Meehan, Speaker pro tempore of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—75.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Hawkins, the further reading of the Journal of Monday, April 19, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Garland, on motion of Mr. Voigt.

Mr. Andreas, on motion of Mr. Cottrell.

Mr. Cassidy, on motion of Mr. Meehan.

Mr. Corwin, on motion of Mr. Stream.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Clark and the Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James M. Carter, of Los Angeles.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Genevieve O. Blaisdell, President of the Republican Women's Club of Altadena, and a member of the Republican State Central Committee; and Mrs. W. H.

Riley, past Secretary of Los Angeles District Federation of Women's Clubs.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry R. Bennett, of Palm City.

On request of Mr. Hawkins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rev. John Raine, Mrs. Charles H. Dodge, Chairman Educational Department, Father Divine Righteous Government; Mrs. Francis C. Browne, Mrs. Christena Tomson, and Miss Faith Bounty.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Virginia Alice Coffman.

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. L. S. Cooke, of Santa Monica, and Mr. Elton Rule, of Sacramento.

On request of Mr. Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Ruth Travis, Carleton Travis and Bruce Hotchkiss, of Oakland.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fred Hudson, Donald Younger, A. D. McKinnon and James Slaven.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. K. Bingaman and Arlene Dunn.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jack Soares and Mrs. Rex McCurdy, of Concord.

On request of Mr. Dannenbrink, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James Morton, Berneice Morton, of Berkeley, and Miss Arlene Dunn, of Oakland.

On request of Messrs. Dilworth, and Levey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. C. B. Walters, of San Francisco.

On request of Messrs. Meehan, and Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. D. E. Eddleman and Mr. R. H. Harvey.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Sarah Kellogg, of Los Angeles.

The Speaker in the Chair.

At eleven o'clock and ten minutes a.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred: **Senate Concurrent Resolution No. 26.**

Respectfully reports the same back with the recommendation: Be adopted.

LEVEY, Chairman.

The above reported bill ordered on third reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred: **Assembly Bill No. 1826.**

Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred: **Assembly Bill No. 2554.**

Respectfully reports the same back without recommendation, as amended.

KING, Chairman.

The above reported bill ordered on second reading calendar.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred: **Senate Concurrent Resolution No. 22.**

Respectfully reports the same back with the recommendation: Be adopted.

MILLER, GEORGE P., Chairman

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred: **Assembly Bill No. 455.**

Respectfully reports the same back with the recommendation: Do pass.

MILLER, GEORGE P., Chairman

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred.

Assembly Bill No. 1871. **Senate Bill No. 516.**
Assembly Bill No. 2846. **Senate Bill No. 1120.**

Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman

The above reported bills ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937

MR. SPEAKER: Your Committee on County Government, to which was referred **Senate Bill No. 1106.**

Respectfully reports the same back with the recommendation: Do pass as amended

LAUGHLIN, Chairman

The above reported bill ordered on second reading calendar

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937

MR. SPEAKER: Your Committee on Education, to which was referred. **Assembly Bill No. 1123.**

Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 2651.
Respectfully reports the same back without recommendation, as amended.

CLARK, Chairman.

The above reported bill ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 579—An act relating to certain State lands and the production and disposition of oil, gas and other hydrocarbon substances therefrom, providing for the condemnation of real property, rights of way, easements and other interests therein for the purposes of this act, repealing all acts or parts of acts inconsistent or in conflict therewith;

Senate Bill No. 394—An act to amend sections 6901, 6902, and 6903 of the Labor Code, relating to train crews.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 579 read first time, and referred to Committee on Oil Industries.

Senate Bill No. 394 read first time, and referred to Committee on Labor and Capital.

Communication.

The following communication was received and read:

STATE CAPITOL, SACRAMENTO, CALIFORNIA, April 19, 1937.

Hon. William Moseley Jones, Speaker of the Assembly.
State Capitol, Sacramento, California.

MY DEAR MR. JONES: His Excellency, M Amine Youssef Bey, Envoy Extraordinary and Minister Plenipotentiary of His Majesty, the King of Egypt, to the United States, is now visiting California and various commercial bodies have suggested that our Legislature invite His Excellency to address a joint meeting of the Senate and Assembly in Sacramento on next Friday.

Governor Merriam's secretary has indicated that the Governor possibly would be present in the Assembly Chamber when the Egyptian Minister is present.

I am taking this matter up with Lieutenant Governor Hatfield and Senator Rich, President pro tempore of the Senate.

It has been suggested that moving picture news reels be taken of the Minister and yourself and of the Governor and, possibly, that the meeting be broadcast over the radio.

I hope that we can have your cooperation in this matter.

With every good wish, I am, as always,
Cordially and sincerely,

WALTER McGOVERN, State Senator

Motion to Recess to Allow Mohammed Amine Youssef Bey to Address the Assembly.

Mr. Williamson moved that the Assembly recess at two o'clock p m., on Friday, April 23, 1937, to hear from His Excellency, Mohammed Amine Youssef Bey, Royal Egyptian Minister to the United States in Washington, D. C.

Motion carried

Second Reading of Assembly Bills.

Assembly Bill No. 778—An act to amend section 5 of the act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to compensation and expenses of officers of such districts.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1425—An act to amend section 4295 of the Political Code.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1951—An act to amend section 3408a of the Political Code, relating to cancellation of taxes.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2622—An act to define business opportunity brokers and salesmen; to provide for the regulation, supervision and licensing thereof by the State Real Estate Division and the Real Estate Commissioner, to provide for the enforcement of said act and penalties for the violation thereof.

Committee Amendments to Assembly Bill No. 2622.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out all of lines 7 to 12, inclusive.

Amendment No. 2.

On page 3, line 13, of the printed bill, as amended, after "SEC. 3", strike out the "d", and insert in lieu thereof "c".

Amendment No. 3.

On page 7, line 10 of the printed bill, as amended, after "within the", strike out "calendar", and insert in lieu thereof the word "fiscal"

Amendment No. 4.

On page 7, line 38, of the printed bill, as amended, strike out "calendar", at the end of the line, and insert in lieu thereof "fiscal".

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2824—An act to add Chapter VI-A to Part III, Division V, of the School Code, relating to conventions of teachers.

Committee Amendments to Assembly Bill No. 2824.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 5, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "not less than four nor more than ten".

Amendment No. 2.

On page 3, line 12, of the printed bill, as amended, strike out "four"

Amendment No. 3.

On page 3, line 27, of the printed bill, as amended, strike out "four".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1515—An act to add sections 3, 101.5 and 101.6 to, amend sections 61, 65, 66, 67, 68, 69, 70, 71, 96 and 100 of, and to repeal section 50 of Article 5 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1515.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, after "and after", strike out "January 1, 1938", and insert in lieu thereof the following: "said date".

Amendment No. 2.

On page 1, line 15, of the printed bill, after "to", strike out "those".

Amendment No. 3.

On page 1, line 16, of the printed bill, after "individuals", strike out "entitled thereto", and insert in lieu thereof the following: "eligible under this act".

Amendment No. 4.

On page 1, line 18, of the printed bill, after "may", strike out "approve and in accordance with such regulations"; and in line 19, strike out "as the commission may", and insert in lieu thereof the following: "by regulation".

Amendment No. 5.

On page 2, line 4, of the printed bill, after "register", insert the following: "both".

Amendment No. 6.

On page 2, line 4, of the printed bill, after "unemployed", insert the following: "and for work and thereafter continue to so register".

Amendment No. 7.

On page 2, line 4, of the printed bill, after "at", strike out "a State", and insert in lieu thereof the following: "the nearest public".

Amendment No. 8.

On page 2, line 5, of the printed bill, after "in the", strike out "local"; and after "district", strike out "or such other place as"; and in line 6, strike out "the commission approves,"

Amendment No. 9.

On page 2, line 6, of the printed bill, after "or", strike out "in"; and in line 7, strike out "which he resides", and insert in lieu thereof the following: "such other place as the commission approves".

Amendment No. 10.

On page 2, line 8, of the printed bill, after "prescribe.", strike out "After so registering such unem-"; and strike out lines 9 to 12, inclusive; and in line 13, strike out "as the commission shall prescribe."

Amendment No. 11.

On page 2, line 13, of the printed bill, after "period shall", insert the following: "commence to"

Amendment No. 12.

On page 2, line 14, of the printed bill, after "date of", strike out "filing", and insert in lieu thereof the following: "the making".

Amendment No. 13.

On page 2, line 22, of the printed bill, after "at the", strike out "local State", and insert in lieu thereof the following: "nearest public".

Amendment No. 14.

On page 2, line 23, of the printed bill, strike out "or such other place as the commission approves," and after "at which", strike out "the", and insert in lieu thereof the following: "such".

Amendment No. 15.

On page 2, line 24, of the printed bill, after "as unemployed", strike out "within such"; and in line 25, strike out "time", and insert in lieu thereof the following: ", or such other place as the commission approves,"

Amendment No. 16.

On page 2, line 27, of the printed bill, after "employer", strike out the period, and insert in lieu thereof the following: "and such other persons as the commission shall by general rule prescribe."

Amendment No. 17.

On page 2, line 38, of the printed bill, after "the time", strike out "fixed", and insert in lieu thereof the following: "and in the manner prescribed".

Amendment No. 18.

On page 3, line 2, of the printed bill, after "thereof", strike out the period, and insert in lieu thereof the following: ", or when so ordered by the commission shall refer such claim or any question involved therein to a referee who shall make his decision with respect thereto in accordance with the procedure prescribed in section 69 of this act."

Amendment No. 19.

On page 3, line 3, of the printed bill, after "deputy", insert the following: "or referee".

Amendment No. 20.

On page 3, line 4, of the printed bill, after "any", strike out "such", and insert in lieu thereof the following: "other".

Amendment No. 21.

On page 3, line 5, of the printed bill, after "by", strike out "regulations", and insert in lieu thereof the following: "rule or regulation".

Amendment No. 22.

On page 3, line 5, of the printed bill, after "decision", strike out the period, and insert in lieu thereof the following: "and the reasons therefor".

Amendment No. 23.

On page 3, line 6, of the printed bill, after "or any", strike out "such", and insert in lieu thereof the following: "other".

Amendment No. 24.

On page 3, line 10, of the printed bill, after "commission", strike out "or", and insert in lieu thereof the following: "an appeal from the decision of".

Amendment No. 25.

On page 3, line 10, of the printed bill, after "deputy", strike out "a request for a hearing"; and in line 11, strike out "upon the claim", and insert in lieu thereof the following: "or referee".

Amendment No. 26.

On page 3, line 11, of the printed bill, after "deputy", insert the following: "or referee".

Amendment No. 27.

On page 3, line 12, of the printed bill, after "therewith", strike out the period, and insert the following: ", provided that if the referee affirms a decision of a deputy, or the commission affirms a decision of the referee, allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken, but if such decision is finally reversed no employer's account shall be charged with benefits so paid."

Amendment No. 28.

On page 3, line 19, of the printed bill, after "Whenever", insert the following: "a claimant or".

Amendment No. 29.

On page 3, line 20, of the printed bill, after "for", strike out "a review"; and in line 21, strike out the first "of", and insert in lieu thereof the following: "an appeal from".

Amendment No. 30.

On page 3, line 21, of the printed bill, after "decision of", strike out "the", and insert in lieu thereof the following: "a".

Amendment No. 31.

On page 3, line 21, of the printed bill, after "designate", insert the following: "as its representative".

Amendment No. 32.

On page 3, line 22, of the printed bill, strike out "a", and insert in lieu thereof the following: "an impartial".

Amendment No. 33.

On page 3, line 22, of the printed bill, after "to", strike out "review such decision", and insert in lieu thereof the following: "hear and decide such disputed claim".

Amendment No. 34.

On page 3, line 22, of the printed bill, after "decision", insert the following: "No deputy or referee shall participate in any case in which he is an interested party."

Amendment No. 35.

On page 3, line 27, of the printed bill, after "claim" (in strikeout type), strike out "Such referee may", and insert in lieu thereof the following: "Unless such appeal is withdrawn the referee shall give the claimant and any other interested person an opportunity for a fair hearing and shall".

Amendment No. 36.

On page 3, line 27, of the printed bill, after "secure", insert the following "such".

Amendment No. 37.

On page 3, line 28, of the printed bill, after "evidence", strike out "which", and insert in lieu thereof the following: "as".

Amendment No. 38.

On page 3, line 28, of the printed bill, after "decision", strike out "or", and insert in lieu thereof the following: "and"

Amendment No. 39.

On page 3, line 30, of the printed bill, after "of the", strike out "record submitted to", and insert in lieu thereof the following: "facts found by".

Amendment No. 40.

On page 3 of the printed bill, between lines 32 and 33, insert the following:

"A claimant, an employer or any interested person may appeal to the commission from a decision or order of the referee within five calendar days after delivery of such notification of the decision or order, or within seven calendar days after such notification was mailed to the last known address of the claimant, employer or any interested person. In the absence of such an appeal to the commission, in the manner prescribed herein, the decision or order of the referee shall be deemed a final decision of the commission."

Amendment No. 41.

On page 3, line 35, of the printed bill, after "of", strike out "the", and insert in lieu thereof the following: "a".

Amendment No. 42.

On page 3 of the printed bill, strike out lines 37 to 49, inclusive.

Amendment No. 43.

On page 4, line 10, of the printed bill, after "and the", strike out "conduction", and insert in lieu thereof the following. "conduct".

Amendment No. 44.

On page 4, line 11, of the printed bill, after "with the", insert the following: "rules and".

Amendment No. 45.

On page 4, line 12, of the printed bill, after "commission.", insert the following: "Such rules and regulations need not conform to statutory rules of evidence and other technical rules of procedure prescribed by the laws of this State."

Amendment No. 46.

On page 4, line 17, or the printed bill, after "hearing." strike out "review or", and after "investigation", insert the following "or in the discharge of any duties imposed".

Amendment No. 47.

On page 4 of the printed bill, between lines 23 and 24, insert the following:

"No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda and other records before the deputy, referee, or the commission, or any duly authorized representative of the department, or any obedience to the subpena of any of them in any cause or proceeding before such persons on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or any thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying"

Amendment No. 48.

On page 4, line 28, of the printed bill, after "Code", insert the following "relative to proceedings in justices courts".

Amendment No. 49.

On page 4, line 34, of the printed bill, after "or its", insert the following: "authorized".

Amendment No. 50.

On page 4, line 36, of the printed bill, after "in any", strike out "procedure", and insert in lieu thereof the following: "proceeding"

Amendment No. 51.

On page 4, line 37, of the printed bill, after "commission", insert the following: "or its authorized representative".

Amendment No. 52.

On page 4, line 38, of the printed bill, after "shall", strike out "either".

Amendment No. 53.

On page 4, line 39, of the printed bill, after "than", strike out "10 per cent of"; and in line 40, strike out the first "the", and insert in lieu thereof the following: "an".

Amendment No. 54.

On page 4, line 40, of the printed bill, after "amount", strike out "of the benefit awarded", and insert in lieu thereof the following "approved".

Amendment No. 55.

On page 4, line 46, of the printed bill, after "claimant", insert the following: "or an employer".

Amendment No. 56.

On page 4, line 52, of the printed bill, after "fund", insert the following: "In those cases where a penalty is assessed against an employer his reserve account, as maintained under this act, shall be debited with the amount of the penalty so assessed and such amount shall be deposited in said fund."

Amendment No. 57.

On page 4, line 52, of the printed bill, after "commission and", strike out "every member thereof", and insert in lieu thereof the following: "its duly authorized representatives".

Amendment No. 58.

On page 5, line 2, of the printed bill, after "department", insert "as", and after "forth in", strike out "section 353", and insert in lieu thereof the following: "Article II, of Chapter III, Title I, Part III".

Amendment No. 59.

On page 5, line 3, of the printed bill, after "investigation", insert the following: ", hearing".

Amendment No. 60.

On page 5, line 8, of the printed bill, after "Every", strike out "employer", and insert in lieu thereof the following: "employing unit".

Amendment No. 61.

On page 5, line 13, of the printed bill, after "claimant", insert the following: "or his authorized representative".

Amendment No. 62.

On page 5 of the printed bill, between lines 16 and 17, insert the following:

"In the event any employer shall fail to keep and furnish to the commission any required records or reports necessary for a full determination, decision on appeal, or other proper disposition of any claim for benefits in any proceeding under this act, it shall be presumed that the claimant is entitled to the maximum amount of benefits payable under this act unless the contrary is established and if not so established the presumption mentioned in this section shall be conclusive and the deputy, referee or commission shall determine, decide or dispose of such claim in accordance therewith."

Amendment No. 63.

On page 5 of the printed bill, after "Sec. 100", strike out lines 19 to 26, inclusive, and insert in lieu thereof the following: "Information obtained in the course of administration of this act shall be held confidential and shall not be published or open to public inspection in any manner revealing the individual or employing unit's identity, but any claimant (or his authorized representative) at a hearing before a deputy, referee or the commission shall be supplied with such information to the extent necessary for the proper presentation of his claim. Any commissioner or employee of the department who violates any provision of this section shall be guilty of a misdemeanor."

Amendment No. 64.

On page 5, line 31, of the printed bill, after "who", insert the following: "wilfully".

Amendment No. 65.

On page 5, line 31, of the printed bill, after "any", strike out "general", and insert in lieu thereof the following: "provision of this act or any".

Amendment No. 66.

On page 5, line 31, of the printed bill, after "rule", insert the following: "or regulation".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1524—An act to amend section 60 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to part-time workers.

Committee Amendments to Assembly Bill No. 1524.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 19, of the printed bill, after "their", strike out "full-time", and after "weekly", insert the following: "installment amount".

Amendment No. 2.

On page 1, line 19, of the printed bill, after "weekly", strike out "wage", and after "total wages", insert the following: "for employment by employers".

Amendment No. 3.

On page 1, line 20, of the printed bill, after "rules", strike out "shall".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1525—An act to amend sections 90 and 91 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1525.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 13, of the printed bill, strike out "employees", and insert in lieu thereof the following: "workers".

Amendment No. 2.

On page 2, line 15, of the printed bill, after "for", insert the following: "the".

Amendment No. 3.

On page 2, line 17, of the printed bill, after "its", strike out "classifications." and insert in lieu thereof the following: "general".

Amendment No. 4.

On page 2, line 17, of the printed bill, after "such", insert the following: "other"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1526—An act to amend section 93 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to the Division of State Employment Agencies

Committee Amendments to Assembly Bill No. 1526.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 4, of the printed bill, after "The", insert the following: "commission, through the".

Amendment No. 2.

On page 2, line 5, of the printed bill, after "Employment", insert a comma.

Amendment No. 3.

On page 2, line 7, of the printed bill, strike out "Said", and insert in lieu thereof the following: "The commission, through said"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1007—An act to add section 11743 to the Insurance Code, relating to workmen's compensation insurance premiums.

Committee Amendment to Assembly Bill No. 1007.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "or the sum of five dollars, whichever is greater.

Any admitted insurer may issue group policies to farm or trade associations, the members of which employ only part-time employees."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 17—An act relating to foods; to provide for the public health and safety by licensing places where food is prepared for human consumption, to be consumed on the premises, providing regulations, restrictions and conditions under which food may be prepared and sold for consumption therein; providing for the administration, disposition of funds, and penalties for the violation of the provisions of this act.

Committee Amendments to Assembly Bill No. 17.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 7, of the printed bill, commencing with the word "drink", strike out to and including the word "business" in line 11, and insert in lieu thereof the following: "drinks, tobaccos, ice cream or ices, confections and baker products. Any such establishment conducted or connected with any business whatsoever in or on the same premises, excepting the hotel business, railway dining cars, confectionery stores and bakeries or any room in any place whatsoever, wherein any business is conducted excepting the sale of meals, foods, drinks, tobaccos, hotel business, confectionery stores or bakeries".

Amendment No. 2.

On page 2, line 17, of the printed bill, insert a new subsection (f), as follows:

"(f) "Club" shall mean a corporation or association which is the owner, lessee or occupant of an establishment operated solely for objects of a social, fraternal or athletic nature having a bona fide membership list and the majority of members of which pay dues at least once in every year, but not for pecuniary gain, and the property as well as the advantages of which belongs to the members."

Amendment No. 3.

On page 2, line 26, of the printed bill, strike out the phrase "section 3 of".

Amendment No. 4.

On page 2, line 26, of the printed bill, after the word "shall", insert the following: "require the licensing nor".

Amendment No. 5.

On page 2, line 27, of the printed bill, after the first word "of", insert the following: "or the serving of food by."

Amendment No. 6.

On page 2, line 27, of the printed bill, after the word "houses", insert the following: "or bona fide clubs."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 578—An act to add section 16½ to, and to amend sections 9, 12, 19, 20, 30, 65 and 67 of, the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to compensation and insurance of workmen.

Committee Amendments to Assembly Bill No. 578.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2 of the printed bill, strike out lines 26, 27 and 28, and insert in lieu thereof the following: "injury, no disability payment shall be recoverable for the first seven days of disability suffered, provided, however, that in case the injury results in a period of disability lasting longer than forty-nine days from the day the employee leaves work as a result of the injury, the disability payment shall be allowed from the date of the injury."

Amendment No. 2.

On page 3 of the printed bill, strike out lines 44, 45 and 46, and insert in lieu thereof the following: "disability, the injured employee shall not be entitled to both a temporary and permanent disability payment, but only to the greater of the two."

Amendment No. 3.

On page 4 of the printed bill, strike out all of line 19 following the period after the word "existed", and strike out all of lines 20 to 52, inclusive

Amendment No. 4.

On page 5 of the printed bill, strike out lines 1 to 49, inclusive.

Amendment No. 5.

On page 6 of the printed bill, strike out lines 28 to 52, inclusive, and on page 7, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following: "shall be a sum sufficient, when added to the disability indemnity which at the time of his death has accrued and become payable, under the provisions of subsection (b) hereto, to make the total disability indemnity and death benefit equal to three times his average annual earnings, such average annual earnings to be taken at not less than three hundred thirty-three dollars and thirty-three cents nor more than one thousand nine hundred ninety-nine dollars and ninety-two cents; provided, however, that said death benefit when added to the disability indemnity which at the time of his death has accrued and become payable shall not exceed the sum of five thousand dollars where such death shall occur on or before March 31, 1938 and shall not exceed the sum of six thousand dollars where such death shall occur after March 31, 1938, except as otherwise provided in subdivision (b) of section 6 of this act and section 29 of this act.

(2) In case the deceased employee leaves no person wholly dependent upon him for support, but one or more persons partially dependent therefor, the said dependents shall be allowed the reasonable expenses of his burial, not to exceed one hundred fifty dollars, and in addition thereto, a death benefit which shall amount to three times the annual amount devoted by the deceased to the support of the person or person so partially dependent; provided, that the death benefit shall not be greater than the sum sufficient, when added to the disability indemnity which, at the time of the death, has accrued and become payable, under the provisions of subsection (b) hereof, to make the total disability indemnity, and death benefit equal to three times his average annual earnings; such average annual earnings to be taken at not less than three hundred thirty-three dollars and thirty-three cents nor more than one thousand nine hundred ninety-nine dollars and ninety-two cents; provided however, that said death benefit when added to the disability indemnity which at the time of his death has accrued and become payable shall not exceed the sum of five thousand dollars where such death shall occur on or before March 31, 1938 and shall not exceed the sum of six thousand dollars where such death shall occur after March 31, 1938, except as otherwise provided in subdivision (b) of section 6 of this act and section 29 of this act."

Amendment No. 6.

On page 7 of the printed bill, strike out line 26, and the words "and not", appearing in line 27, and insert in lieu thereof the following: "than six dollars and forty-one cents nor".

Amendment No. 7.

On page 8, line 51, of the printed bill, after the word "fee", and before the word "from", insert the following: "in connection with any proceeding before the commission".

Amendment No. 8.

On page 9, line 1, of the printed bill, strike out the comma following the word "insurer", and strike out the remainder of said line, and all of line 2 up to and including the period following the word "not", and insert in lieu thereof a period

Amendment No. 9.

On page 10 of the printed bill, strike out lines 46 to 52, inclusive, and on page 11, strike out lines 1 and 2, and insert in lieu thereof the following: "(f) Within five days after written notice of the filing of an application for compensation, copies of all hospital and medical records and reports, including all radiographs pertaining thereto, in the possession of any physician treating or who has treated such injured or deceased employee, or in the possession of any insurance carrier or employer or in the possession of the applicant, in connection with such employee's hospitalization or treatment, shall be delivered to and filed with the commission and shall be open to the inspection of the applicant and the defendant. In case any new or additional medical reports or radiographs are taken, the same or copies thereof shall be so filed within ten days after such examination unless otherwise ordered by the commission. Such reports and radiographs when filed shall be immediately available to all parties. Any such records and reports, copies of which have not been so filed with the commission, unless otherwise ordered by the commission, may not be introduced in evidence at any hearing before the commission."

Amendment No. 10.

On page 11, line 11, of the printed bill, strike out the words "rate of seven per cent per annum", and insert in lieu thereof "legal rate applicable to judgments".

Amendment No. 11.

On page 11, line 18, of the printed bill, strike out the words "The commission", and strike out lines 19 to 23, inclusive, and insert in lieu thereof the following: "In the event a rehearing is granted pursuant to the provisions of section 64 of this act, the commission may, if the applicant (as defined in section 17) prevails upon such rehearing, grant in addition to any award, a reasonable attorney's fee for the services of an attorney at law rendered in connection with the rehearing and the application therefor, said attorney's fee to be in addition to the award made and to be paid to the attorney at law entitled thereto by the employer or his insurance carrier. In the event a writ of review is granted pursuant to the provisions of section 67 of this act upon the petition of the applicant (as defined in section 17) and provided that the order, decision or award of the commission is set aside or the case remanded for further proceedings before the commission, the commission, if the applicant receives an award out of such further proceedings where no award was originally obtained, (or greater than the original award, if an award was made as a result of the original hearing) may grant in addition to any award a reasonable attorney's fee for the services of an attorney at law rendered in connection with the writ of review, the application therefor and the further proceedings held before the commission, said attorney's fee to be in addition to the award made and to be paid to the attorney at law entitled thereto by the employer or his insurance carrier."

Amendment No. 12.

On page 14 of the printed bill, strike out lines 9 to 13, inclusive

Amendment No. 13.

On page 14, line 28, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "fifteen".

Amendment No. 14.

On page 14, line 49, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "twenty".

Amendment No. 15.

On page 14, line 51, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "twenty".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2385—An act to repeal Articles 1, 3, and 5 and to amend Article 4 of Chapter 8, Division V of the Agricultural Code and to add a new article to be numbered 1 to Chapter 8, Division V of the Agricultural Code, all relating to eggs and egg products.

Committee Amendments to Assembly Bill No. 2385.

The following amendments were submitted by the committee

Amendment No. 1.

On page 4, line 17, of the printed bill, strike out "chicken eggs in bulk", and insert in lieu thereof the following: "to consumers, chicken eggs from bulk lots".

Amendment No. 2.

On page 4, line 30, of the printed bill, after the word "wholesaler", insert the following: "or retailer".

Amendment No. 3.

On page 4 of the printed bill, strike out all of lines 37 to 41, inclusive, and insert in lieu thereof the following:

"(f) When occasional sales are made without advertising, by the producer, from eggs produced on his own premises."

Amendment No. 4.

On page 5, line 8, of the printed bill, strike out "any person", and insert in lieu thereof the following: "a wholesaler".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Consideration of Senate Amendment to Assembly Bill No. 600.

Assembly Bill No. 600—An act to amend section 28a of the Improvement Act of 1911, relating to reassessment procedure and relief from special assessments.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 600?

Amendment No. 1.

On page 1, line 21, of the printed bill, strike out the following: "for aiding the work".

Amendment No. 2.

On page 2, line 17, of the printed bill, after the period, strike out the remainder of said line 17, and strike out all of lines 18, 19, 20 and 21

Amendment No. 3.

On page 2, line 22, of the printed bill, strike out "ence shall be made", and insert in lieu thereof the following. "The notice shall contain a reference to the original assessment and diagram and reference shall also be made".

Amendment No. 4.

On page 2, line 23, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "as to the extent of the district affected by these proceedings and for all other particulars."; and strike out the remainder of said line 23; strike out all of lines 24 and 25, and in line 26, strike out the words "less frequently".

Amendment No. 5.

On page 2, line 29, of the printed bill, strike out the last word "When"; strike out all of lines 30, 31, 32 and in line 33, the word "reassessment", and insert in lieu thereof the following: "When the city council is satisfied with the correctness of the reassessment it shall confirm the same."

Amendment No. 6.

On page 2, line 43, of the printed bill, strike out the words "street superintendent", and insert in lieu thereof the following: "city treasurer or such other officer as the city council may designate".

Amendment No. 7.

On page 3, line 5, of the printed bill, strike out the word "ordering", and insert in lieu thereof the following: "the confirmation of"

Amendment No. 8.

On page 3, line 9, of the printed bill, strike out the words "or the person"; and strike out all of line 10, and insert in lieu thereof the following: "or where a purchaser under a contract of purchase or a lessee under a lease pursuant to the terms of which contract of purchase or lease, is required to and has made such payment or payments upon the original assessment or bonds, then such purchaser or lessee".

Amendment No. 9.

On page 3, line 16, of the printed bill, strike out the word "the", before the word "payment", and insert in lieu thereof the word "such"

Amendment No. 10.

On page 4, line 31, of the printed bill, after the word "ordinance", insert the following: "or resolution".

Amendment No. 11.

On page 3, line 36, of the printed bill, strike out the words "one year", and insert in lieu thereof the following: "two years".

Amendment No. 12.

On page 3 of the printed bill, strike out all of lines 37 to 43, both inclusive, and insert in lieu thereof the following: "notice. Reference shall be made to said reassessment and diagram for all particulars. Such notice shall be published once a week for two (2) weeks. In case claim for such refund shall".

Amendment No. 13.

On page 4, line 8, of the printed bill, strike out the word "on", and insert in lieu thereof the word "from"

Amendment No. 14.

On page 4 of the printed bill, following line 13, add the following paragraph:

"The making of any reassessment pursuant to the provisions of this section in any proceeding shall not constitute a bar or limit the right to make further reassessments as the city council may determine."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 600 by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Stream, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr Speaker—51.

NOES—None.

Assembly Bill No. 600 ordered to enrollment.

Notices of Motion to Reconsider Continued.

On motion of Mr. Clark, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 206 was refused passage was continued until the next legislative day

On motion of Mr Call, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1171 was passed was continued until the next legislative day

On motion of Mr Call, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 1173 was passed was continued until the next legislative day.

On motion of Mr Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 2170 was refused passage was continued until the next legislative day.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2375 was passed was continued until the next legislative day.

Motion to Withdraw Assembly Bill No. 523 from Committee.

In compliance with a notice given on a previous day, Mr. Lore moved to withdraw Assembly Bill No. 523 from the Committee on Public Utilities, and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Welsh, Stream, Beene, Millington and Field demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Bill No. 523.

The roll was called, and the motion to withdraw lost by the following vote:

AYES—Burns, Hugh M. Burns, Michael J., Clark, Cronin, Donnelly, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Lore, McMurray, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, and Yorty—19

NOES—Baynham, Beene, Breed, Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Welsh, Williamson, and Mr. Speaker—44.

Reconsideration of Assembly Bill No. 990.

In compliance with a notice given on a previous day, Mr. Kepple moved that the vote whereby Assembly Bill No. 990 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 990 refused reconsideration by the following vote:

AYES—Baynham, Clark, Daley, Dilworth, Donihue, Field, Gilbert, Hunt, Kepple, Kuchel, Latham, Lore, Martin, Miller, Eleanor; Morgan, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—28

NOES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger Hornblower, Johnson, Leonard, Levey, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, Peyser, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, and Williamson—38

Reconsideration of Assembly Bill No. 2012.

In compliance with a notice given on a previous day, Mr Burns, Hugh M., moved that the vote whereby Assembly Bill No 2012 was passed be reconsidered.

The roll was called, and Assembly Bill No. 2012 reconsidered by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Yorty, and Mr. Speaker—55

NOES—None.

Motion to Amend Assembly Bill No. 2012.

Mrs. Daley moved to amend Assembly Bill No. 2012 as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after "corporation", insert the following: "not".

Amendment adopted.

Assembly Bill No. 2012 ordered to reprint, and re-engrossment.

Recess.

At twelve o'clock and ten minutes p.m., on motion of Mr. Clark, the Assembly was declared at recess until the hour of two o'clock p m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Special Order.

The hour of two o'clock p.m., having arrived, the special orders heretofore set for this hour were taken up.

Motion to Continue Special Orders.

Mr. Clark moved that the consideration of Assembly Bills Nos. 2090, 267 and 1455 be continued as a special order of business until Tuesday, April 27, 1937.

The roll was called, and the special orders continued by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Flint, Garibaldi, Gilbert, Glick, Hawkins, Hunt, Kepple, Latham, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sheehan, Stream, Tenney, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—47.

NOES—Dilworth, Gannon, Johnson, and Morgan—4.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 1826—An act making an appropriation for the eradication of bovine tuberculosis and to amend section 239 of the Agricultural Code, relating to the payment of indemnities

Committee Amendments to Assembly Bill No. 1826.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 18, of the printed bill, as amended, strike out "twelve dollars and fifty cents", and insert in lieu thereof the following: "fifteen dollars".

Amendment No. 2.

On page 1 of the printed bill, as amended, after line 24, insert the following:

"SEC. 3 No money shall be expended from the appropriation made in this act unless and until the Director of Agriculture has established tuberculosis control areas covering all of each county of this State."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Third Reading of Assembly Bills.

Assembly Bill No. 2149—An act to recover damages for and to defend trespasses against certain land belonging to the State situate in Orange County and to validate and ratify certain agreements of easements or permits in and to said lands granted in the name of the State of persons paying consideration therefor.

Motion to Amend Assembly Bill No. 2149.

Mr. O'Donnell moved to amend Assembly Bill No. 2149 as follows:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "to", and insert in lieu thereof the following: "to confirm,".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", to prohibit the granting of additional easements, declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment No. 3.

On page 2 of the printed bill, as amended, after line 29, insert the following:

"SEC. 4 Nothing herein shall be construed as giving to the State officers named herein or any other State official or employee the power or authority to grant any easement or privilege for any well drilled in or on said property after the effective date hereof Except as may be provided by statute subsequently enacted hereto, the Chief of the Division of State Lands is hereby expressly prohibited from granting any further or additional agreement for easement in and to the lands herein described; and is further expressly prohibited from consenting under any existing agreements to the drilling of any additional well into said State lands described, but the provisions hereof shall not be construed to prohibit under said agreements consents for the redrilling, lengthening, or deepening of existing wells.

SEC. 5 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1, Article IV of the Constitution of the State of California and as such shall take effect immediately The following is a statement of the facts constituting such necessity:

Underlying the State lands described herein, there is a reservoir of crude petroleum and natural gas, which, according to official reports of and to the Legislature, lies under said State lands. In the past the Legislature has adopted legislation prohibiting drilling for oil or gas on the tide or submerged lands of the State but in the case of the lands herein described such legislation has been defeated and the policy of the State frustrated by the operations of private concerns and individuals drilling from sites on private lands wells bottomed on State lands With many such private companies, the State has entered into agreements whereby for a valuable consideration and payment of royalty to the State easements have been granted authorizing such persons to abstract oil, gas, and other petroleum products from said State lands. Other persons and companies with whom the State has no agreement, may be found, upon an accurate survey showing the location of wells, to be trespassing on said State lands and thus depleting the natural resources underlying the State lands without payment to the State of royalty or compensation of any nature.

Also, there is before the Legislature certain legislation pending which would provide for the leasing and development of said State lands by the State or through leases executed by the State.

In order to give effect to such intended legislation; to preserve the right of the State to royalties being received from those having executed agreements of easement with the State; to provide for the prosecution of those trespassing without permits, to prohibit further agreements of easement being executed by the Division of State Lands, it is necessary that the existing agreements be approved and no future agreements be executed allowing any additional wells until such time as there is passed comprehensive legislation directly authorizing the development or prohibiting future development of the natural resources owned by the State"

Amendments adopted

Assembly Bill No. 2149 ordered to reprint, and re-engrossment.

Assembly Bill No. 85—An act to amend section 1274 and to repeal section 1273 of the Fish and Game Code, relating to deer.

Bill read third time, and refused passage by the following vote

AYES—Burns, Hugh M., Clark, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Kepple, Latham, Levey,

Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Pelletier, Peyser, Reaves, Richie, Sawallisch, Tenney, Thorp, Turner, Voigt, and Yorty—31.

NOES—Baynham, Beene, Boyle, Breed, Cottrell, Cunningham, Daley, Dannenbrink, Donihue, Field, Flint, Glick, Hornblower, Johnson, Kuchel, Leonard, Lore, Maloney, Martin, McMurray, Muldoon, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Walker, Watson, Welsh, Williamson, and Mr. Speaker—32.

Assembly Bill No. 234—An act to amend section 24 of, and to add sections 24.1 to 24.5, inclusive, to the State Bar Act, relating to admissions to the State Bar.

Motion to Amend Assembly Bill No. 234.

Mr. Tenney moved to amend Assembly Bill No. 234 as follows and requested that the amendments be voted upon separately.

Amendment No. 1.

On page 1, line 21, of the printed bill, as amended, after "Sec. 24.", insert the following: "2."

Amendment No. 1 read, and adopted.

Amendment No. 2.

On page 1 of the printed bill, as amended, before the semicolon in line 24, insert the following: "or the Philippine Commonwealth".

Amendment No. 2 read, and refused adoption by the following vote:

AYES—Gilbert, Hawkins, Hunt, Pelletier, Reaves, Richie, Rosenthal, and Tenney—8.

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—57.

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "at least 30 hours of work of college grade, or equivalent, in letters, arts or sciences, provided however, that these requirements shall not apply to students who".

Amendment No. 3 read, and refused adoption by the following vote:

AYES—Burns, Michael J., Flint, Gilbert, Hawkins, Hornblower, Hunt, Latham, Lore, McMurray, Meehan, Miller, George P., Pelletier, Reaves, Richie, Stream, Tenney, Voigt, Yorty, and Mr. Speaker—19.

NOES—Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Heisinger, Johnson, Kepple, Laughlin, Levey, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Walker, Watson, Welsh and Williamson—46.

Further Consideration of Amendments Deferred.

On motion of Mr. Tenney, the further consideration of his amendments was deferred temporarily.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Bill No. 234, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 234, as Amended.

Assembly Bill No. 234—An act to amend section 24 of, and to add section 24.1 to 24.5, inclusive, to the State Bar Act, relating to admissions to the State Bar.

Motion to Amend Assembly Bill No. 234.

Mr. Hornblower moved to amend Assembly Bill No. 234 as follows:

Amendment No. 1.

On page 2, line 8, of the printed bill, after the word "of", strike out the words "Twenty-five years", and insert in lieu thereof the words "Twenty-one years".

Amendment read, and refused adoption by the following vote:

AYES—Burns, Michael J., Daley, Dawson, Donihue, Donnelly, Fulcher, Gilbert, Heisinger, Hornblower, Hunt, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Pelletier, Reaves, Richie, Sheehan, Tenney, Turner, Voigt, Watson, and Yorty—25.

NOES— Beene, Boyle, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Field, Gannon, Garibaldi, Glick, Johnson, Kepple, Latham, Laughlin, Leonard, Lyon, Martin, Miller, Eleanor; Millington, Morgan, O'Donnell, Peek, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Walker, Welsh, Williamson, and Mr. Speaker—39.

Further Consideration of Amendments by Mr. Tenney.

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 10 to 11, inclusive, and insert in lieu thereof the following: "law student at least one year before taking the bar examination, subject to the power of the examining committee for".

Amendment No. 4 read, and refused adoption by the following vote:

AYES—Baynham, Burns, Michael J., Daley, Dawson, Donnelly, Flint, Gilbert, Heisinger, Hornblower, Hunt, Latham, Lore, Maloney, McMurray, Meehan, Miller, George P., Pelletier, Reaves, Richie, Sheehan, Tenney, Voigt, and Yorty—23.

NOES—Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Field, Gannon, Garibaldi, Glick, Johnson, Kepple, Kuchel, Laughlin, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Peek, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Walker, Watson, Welsh, and Mr. Speaker—39.

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 13 to 19, inclusive, and insert in lieu thereof the following:

"(7) Have (a) graduated from a law school having as a prerequisite for admission high school education, or equivalent, and requiring for graduation (1) at least ninety units of college work in letters, arts or sciences, or equivalent, and (2) requiring at least three years study of law for full time students and at least four years study of law for part time students;

(b) Have passed an examination to be given by the committee of bar examiners showing that the applicant has in some field or fields of education the equivalent in information and mental achievement of a student who has completed 60 units of college work; or

(c) Have studied law diligently in good faith for at least four years

(d) In determining equivalency as provided for in this section, four years of business or professional experience shall be deemed to be an equivalent of one year (30 units) of college work."

Amendment No. 5 read, and refused adoption by the following vote:

AYES—Burns, Michael J., Daley, Donnelly, Flint, Gilbert, Heisinger, Hornblower, Hunt, Lore, Maloney, McMurray, Meehan, Miller, George P., Pelletier, Reaves, Richie, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Yorty, and Mr. Speaker—24.

NOES—Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Gannon, Garibaldi, Glick, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Thorp, Walker, Welsh, and Williamson—41.

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 22 to 26, inclusive, and insert in lieu thereof the following:

"(9) In determining whether or not an applicant is of good moral character, the Board of Bar Examiners shall require him to take an aptitude and character test prepared under the direction of the Psychology Department of the University of California or of Stanford University, or both, which shall have for its aim the determination of the moral fibre of the individual rather than information of specific acts of misconduct, and the expense thereof shall be born by the State Bar out of funds derived from the same sources as those now used in conducting the bar examinations

(10) No other requirements for admission to the bar shall be made except that which can be shown by a written examination of his general education, his legal training, his mental ability, his moral qualifications and aptitude for the practice of law".

Amendment No. 6 read, and refused adoption by the following vote:

AYES—Burns, Michael J., Daley, Flint, Gilbert, Glick, Hawkins, Heisinger, Hunt, Lore, Maloney, Meehan, Patterson, Pelletier, Richie, Tenney, and Yorty—16.

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Levey, Lyon, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, Williamson, and Mr. Speaker—50.

Amendment No. 7.

On page 2, line 32, of the printed bill, as amended, before the semicolon, insert the following: "or of the Philippine Commonwealth"

Amendment No 7 withdrawn.

Motion to Amend Assembly Bill No. 234.

Mr. Hornblower moved to amend Assembly Bill No. 234 as follows:

Amendment No. 1.

On page 2, line 5, of the printed bill, after the word "work", strike out the following: "acceptable to the University of California for admission to its junior year".

Amendment read, and adopted by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M, Burns, Michael J, Clark, Crowley, Daley, Dawson, Desmond, Donnelly, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Laughlin, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Patterson, Reaves, Richie, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Yorty, and Mr. Speaker—37.

NOES—Beene, Breed, Call, Cottrell, Cronin, Cunningham, Dannenbrink, Dilworth, Donihue, Gannon, Johnson, Kepple, Kuchel, Latham, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Peyser, Redwine, Robertson, Rosenthal, Scudder, Thorp, Walker, Welsh, and Williamson—30.

Request for Unanimous Consent.

Mr. Welsh asked for unanimous consent to take up Assembly Bill No. 234, as amended, at this time, without reference to reprint, or calendar, and that the same be considered re-engrossed

Mr. Tenney withheld his consent

Motion for Temporary Suspension of the Rules.

Mr Welsh moved that the Rules be temporarily suspended for the consideration of Assembly Bill No 234.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Baynhan, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson Desmond, Donihue, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Thorp, Turner, Voigt, Watson, Welsh, Williamson, and Mr. Speaker—55.

NOES—Dilworth, Gilbert, Heisinger, Meehan, Patterson, Tenney, and Yorty—7.

Consideration of Assembly Bill No. 234, as Amended.

Assembly Bill No. 234—An act to amend section 24 of, and to add sections 24.1 to 24.5, inclusive, to the State Bar Act, relating to admissions to the State Bar.

Assembly Bill No. 234, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Desmond, Dilworth, Field, Gannon, Garibaldi, Glick, Johnson, Kepple, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Peyser, Redwine, Robertson, Rosenthal, Scudder, Thorp, Voigt, Walker, Weber, Welsh, Williamson, and Mr. Speaker—43.

NOES—Burns, Michael J., Crowley, Daley, Dawson, Donihue, Donnelly, Fulcher, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Leonard, Maloney, Mayo, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Reaves, Richie, Sawallisch, Sheehan, Tenney, Turner, Watson, and Yorty—28

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 234.

Mr. Tenney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 234 was this day passed.

Assembly Bill No. 234 ordered to reprint.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 30—Relative to the appointment of a Mediation Commission for the settlement of labor disputes now existing in the city of Stockton and county of San Joaquin.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Weber asked for unanimous consent to take up Senate Concurrent Resolution No. 30, at this time, without reference to committee or calendar.

Mr. Hornblower withheld his consent.

Motion for Temporary Suspension of Rules.

Mr. Weber moved that the Rules be temporarily suspended for the consideration of Senate Concurrent Resolution No. 30.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Desmond, Dilworth, Field, Fulcher, Gannon, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, and Williamson—46

NOES—Baynham, Clark, Dannenbrink, Dawson, Donihue, Gilbert, Glick, Hawkins, Heisinger, Hunt, Lore, Meehan, Peek, Pelletier, Reaves, Richie, Rosenthal, Welsh, Yorty, and Mr. Speaker—20.

Consideration of Senate Concurrent Resolution No. 30.

Senate Concurrent Resolution No. 30—Relative to the appointment of a Mediation Commission for the settlement of labor disputes now existing in the city of Stockton and county of San Joaquin.

Demand for Previous Question.

Messrs. Lyon, Cunningham, Muldoon, Flint, and Maloney demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Senate Concurrent Resolution No. 30

The roll was called, and Senate Concurrent Resolution No. 30 adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66

NOES—Dannenbrink, Richie, and Welsh—3

Title read and approved

Notice of Motion to Reconsider Senate Concurrent Resolution No. 30.

Mr. Welsh gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Concurrent Resolution No. 30 was this day adopted.

Motion for Temporary Suspension of Rule 84.

Mr. Hornblower moved that Rule 84, permitting reconsideration of Senate Concurrent Resolution No. 30, be temporarily suspended.

The roll was called, and Rule 84 temporarily suspended by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty and Mr. Speaker—62.

NOES—Dannenbrink, Flint, Richie, Rosenthal, and Welsh—5.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 386—An act to amend section 224 of the Civil Code, relating to the adoption of children.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Richie, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—63

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division 1 of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive.

Motion to Amend Assembly Bill No. 1879.

Mr Clark moved to amend Assembly Bill No. 1879 as follows:

Amendment No. 1.

On page 2, line 45, of the printed bill, as amended, strike out "For this purpose the board," and insert in lieu thereof the following: "The board may designate any one of its members to act in its behalf on any appeals that come before it, other than appeals of persons who are applicants for, or recipients of, aid under the laws of this State.

For the purpose of this section the board,".

Amendment No. 2.

On page 5 of the printed bill, as amended, strike out lines 43 to 46, inclusive, and insert in lieu thereof the following: "institution which receives State aid for the care or support of its inmates shall, before their adoption, be sub-".

Amendments read, and adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Welsh, Williamson, Yorty, and Mr Speaker—59.

NOES—None.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Assembly Bill No. 1879, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1879, as Amended.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division 1 of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive.

Assembly Bill No. 1879, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Domhue, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58

NOES—Cronin, Desmond, Donnelly, Field, Heisinger, Mayo, Meehan, Reaves, and Thorp—9.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1879.

Mr. Donnelly gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1879 was this day passed.

Motion for Temporary Suspension of Rule 84.

Mr Clark moved that Rule 84 be temporarily suspended for the reconsideration of Assembly Bill No 1879, at this time

The roll was called, and the motion for temporary suspension of Rule 84 lost by the following vote:

AYES—Burns, Hugh M., Clark, Cottrell, Crowley, Daley, Dilworth, Domhue, Fulcher, Glick, Hawkins, Hunt, Johnson, Kepple, Kuchel, Martin, Meehan, Miller, Eleanor; Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Watson, Yorty, and Mr. Speaker—31.

NOES—Breed, Burns, Michael J., Call, Cronin, Dannenbrink, Dawson, Desmond, Donnelly, Field, Gannon, Gilbert, Heisinger, Hornblower, Leonard, Levey, Maloney, Mayo, McMurray, Miller, George P., Millington, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, Weber, and Williamson—32.

Assembly Bill No 1879 ordered to reprint.

Motion to Appoint Select Committee.

On motion of Mr. Williamson, the Speaker was requested to appoint a Select Committee of Three to escort His Excellency Mohammed Amine Youssef Bey, Royal Egyptian Minister to the United States in Washington, D. C., to the Assembly Chambers.

Appointment of Select Committee.

In accordance with the above motion, the Speaker appointed Messrs. Williamson, Burns, Michael J., and Sawallisch as such Select Committee.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 744.

Mr. Fulcher moved to expunge the record, and rescind the action whereby the Assembly, on March 18, 1937, passed Assembly Bill No. 744, and that the bill be recalled from the Senate.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—**Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark,** Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1824.

Mr. O'Donnell moved to expunge the record, and rescind the action whereby the Assembly, on April 1, 1937, passed Assembly Bill No. 1824, and that the bill be recalled from the Senate.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2197.

Mr. Robertson moved to expunge the record, and rescind the action whereby the Assembly, on April 10, 1937, passed Assembly Bill No. 2197, and that the bill be recalled from the Senate.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Weber:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 3 and 5 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols.

Referred to Committee on Introduction of Bills.

By Mr. Breed:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to renumber Article 11a of Chapter I, Part IV, Division II of the School Code, to be Article IIa, and to renumber and amend sections 2.1365 and 2.1366 of

the School Code, to be sections 2 1405 and 2 1406 respectively, relating to the State Council of Educational Planning and Coordination

Referred to Committee on Introduction of bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them

By Mr. Weber

An act to amend sections 3 and 5 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols

By Mr. Breed

An act to renumber Article 11a of Chapter I, Part IV, Division II of the School Code, to be Article IIa, and to renumber and amend sections 2 1365 and 2 1366 of the School Code, to be sections 2 1405 and 2.1406 respectively, relating to the State Council of Educational Planning and Coordination.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated.

Assembly Bill No. 2850: By Mr. Weber—An act to amend sections 3 and 5 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6 1923, relating to forest land fire patrols.

Bill read first time, and referred to Committee on Conservation.

Assembly Bill No. 2851: By Mr. Breed—An act to renumber Article 11a of Chapter I, Part IV, Division II of the School Code, to be Article IIa, and to renumber and amend sections 2 1365 and 2.1366 of the School Code, to be sections 2 1405 and 2 1406 respectively, relating to the State Council of Educational Planning and Coordination.

Bill read first time, and referred to Committee on Education.

Assembly Constitutional Amendment No. 57: By Mr Donihue—Proposed amendment to Article XX of the Constitution, by repealing section 22 thereof, and adding section 24 thereto, relating to alcoholic beverages.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 58: By Mr Voigt—Proposed amendment to Article II of the Constitution by adding section 2¼ thereto, relative to registration and voting.

Introduced, and referred to Committee on Constitutional Amendments.

Notice of Motion to Reconsider Assembly Bill No. 1759 Waived.

Mr. Desmond waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1759 was passed.

Assembly Bill No. 1759 ordered transmitted to the Senate.

Motion to Print Minority Report in Journal.

On motion of Mr. Redwine, the following Minority Report of the Select Committee Appointed to Investigate the So-Called Modesto Defendants Case, was ordered printed in the Journal:

MINORITY REPORT OF THE MODESTO DEFENDANTS COMMITTEE.

Mr. Speaker and Members of the Assembly.

The undersigned find themselves unable to either coincide with or sign the report filed by the majority because of the conviction that both the premise and the conclusion are not based on or supported by the evidence presented to us.

Before going into the reasons that necessitate this minority report, we desire to make plain that we believe that this entire investigation was a breach of the proprieties, for the reason, aside from other things, that there not only was at the time of the direction of the report, but there still is pending in the Appellate Courts of California, the appeal of Alphonse Buyle on a conviction in Stanislaus County for malicious possession and transportation of dynamite, and also the appeal of Alphonse Buyle and John Rodgers from a conviction by a jury in Marin County of the crime of grand theft; namely, the stealing of the dynamite involved.

We appreciate the fact that any report of this committee, and this bears equal reference to the minority as well as to the majority report, is an indelicate invasion of the province of the courts, and as a matter of decency the minority desire to state that we only submit our convictions on this subject because we have to and without any desire to express an opinion as to the guilt or innocence of the defendants, but only to express our opinion as to the fairness of the trial and the question of whether or not the defendants were, to use an expression of the vernacular, "framed."

The aforementioned improprieties are only accentuated by the presence on the committee of an office associate of the present chief defense counsel for the defendants.

In view of the demands of the investigation, however, the minority felt it necessary to question Buyle and Rodgers. That privilege was denied us by the majority of this committee on the ground that an appeal was pending which would determine the fate of these two men. That belated acquisition of a sense of delicacy is also applied by the minority to this entire investigation, and we assert that the same sense of delicacy and propriety should apply to this whole investigation, and the Assembly of the State of California should pay enough respect to final determination of our Appellate Courts to have denied this investigation until the last right of appeal had been exhausted by the defendants.

The resolution directs the committee "to make a special investigation to determine whether perjury and subornation of perjury were committed." The recitals indicate no intent that we investigate the transparent perjuries of the defendants themselves—venial offenses.

From the investigation made, your committee concludes that there was no subornation of perjury. In this the majority of the committee are in accord with the members of the committee making this minority report.

The recitals of the Assembly's resolution focused attention on the dictaphone records upon which the charges of perjury are based. The charges urged have been twofold:

1. That Scrudder perjured himself regarding his employment as informer;
2. That Scrudder perjured himself regarding knowledge of various defendants other than Rodger and Buyle that dynamite was present in the cars

1 Scrudder's testimony at the Modesto trial stated his relations with the San Francisco police, and the fact that he was paid by them. This testimony was consistent with everything your committee has learned from the police officers and others. It disclosed the whole situation. Scrudder had no direct relations with the oil companies until after the arrest.

2. Scrudder testified at all times that all of the defendants except perhaps Sousa and Burrows knew of the presence of dynamite in the cars The dictagraph records show positively that Scrudder told the same thing to Messrs. Magee and Briggs. According to them, he also made inconsistent statements. Scrudder admits that for his own purposes he undertook to deceive Messrs. Magee and Briggs. That he did so does not indicate in any way that his testimony on this point was perjured.

The report of the majority of this committee is devoted largely to matters not within the purview of the resolution appointing the committee outside of the province of the Legislature.

Thus the first finding (Assembly Daily Journal, April 14, 1937, p. 37) deals with the guilt or innocence of certain of the defendants. To this point most of the argument is addressed. The first recommendation of the majority is that these men be pardoned. Under the Constitution of this State, these questions are committed to the judicial and executive branches of the government The legislative branch can not properly be concerned with them. Without trespassing, however, upon the functions of the other branches of the government, it seems proper to add that the record made before this committee fully sustains the action of the other branches of the government. The majority concedes that two of the defendants, Buyle and Rodger, were guilty of dangerous and desperate crimes (Journal, p. 38). With these men the other defendants associated themselves on some sort of a wild adventure. Some at least took the precaution of disposing of their identification cards (S.F. 786). They and their representatives have never offered even a plausible explanation of what their object was. At the outset, when arrested, one defendant refused to give any statement (S F. 755) The others concurred in an obvious fabrication that Scrudder was just taking the men in his car for a ride and that since his engine had just been overhauled, Rodger and his men "gave this other fellow the push" (S.F. 736. 770, 773, 776, 782. 821). At the trial they said that they went to do picket duty (e.g., Mod. Trial, p. 1414). For a time the defense claimed that the dynamite was planted in the cars at Patterson (e.g., Mod. Grand Jury, pp. 124-125). The majority of this committee now concedes that the dynamite was not planted, but put in the cars by two of the defendants. The majority is unable to say what the object of these two defendants was. For the others, however, the majority offers the implausible explanation that their object was "investigation"—*in the dead of night* (Journal, pp. 38-41). The other defendants and their counsel must have known or suspected the guilt of the two, whose guilt the majority now concedes, yet they elected to cast their lot together at the trial. It is not strange that those who undertook a joint defense should have received a joint verdict of guilty. On this issue—the guilt of these seven defendants —the majority finds "a tacit conspiracy to frame" naming as conspirators Marchant and Scrudder particularly (Journal, p 37), and also Cobble (p. 41). The record does not even suggest cooperation between these men. According to the record the only time Cobble saw either of the others was when Stanfield brought them together (Mod. Trial, p. 1068). There is nothing in the record that hints that either Scrudder or Marchant knew that the other was anything except an enthusiastic striker. There is nothing in the record to intimate that Cobble was an "undercover man" (Journal, p 41), or anything except an enthusiastic striker. There is nothing in the record justifying any question regarding the fairness of the trial these defendants received. If it were not presumptuous to do so, therefore, we would concur with the conclusion of the majority that "the transcript of the trial shows and all parties thereto state that Judge Maxey heard the case in an honest and impartial manner. Likewise it should be stated that the jury that heard the case and brought back the verdict acted in good faith, honestly and intelligently" (Journal, p. 37).

Most dramatic and recent events have reaffirmed the correctness of this verdict and refuted the charges of frame-up, perjury and subornation. January 29, 1937, before the grand jury, Aaron Sapiro, counsel for Fitzgerald and the other defendants, testified regarding the men in Scrudder's Nash car:

> "A. Scrudder, Marchant and Buyle are in the front seat, and Souza, Burrows and Fitzgerald were in the back seat
>
> Q. No dynamite was found in Scrudder's car, was it?
>
> A. No, that is the dynamite that was thrown out on the road and was supposed to have been found along the road, and unquestionably was so found.
>
> Q. Was thrown out on the road and found on the road?
>
> A. Yes" (Mod. Grand Jury, p. 120, lines 2-10)
>
> "Q Fitzgerald threw it out, Fitzgerald was in the back seat? A. Yes" (Mod Grand Jury, p. 120, lines 16-17).
>
> "A JUROR: Do you have any ideas why he threw out something that he didn't know what it was? A. Yes, they said, 'Throw it out,' apparently, they said, they were being followed and told him to throw the package out and he threw it out, then Buyle threw his package out
>
> MR. MARRON: Buyle? A. Yes, he threw his out.
>
> Q. His fuses? A. He had just, I think, one fuse, he threw it out" (Mod Grand Jury, p 121, lines 14-16)
>
> "What we maintain is that * * * in the other car, the men in the front seat knew there was dynamite, and it is a possibility that Fitzgerald might have, although I believe he did not" (Mod Grand Jury, p 124, lines 1-2, 4-7)

Before this committee Fitzgerald established his guilty knowledge by *denying the existence of the package in the car, denying that he threw it out, denying that anyone threw anything out* (S.F. 359, 368, 369, 377, 378, 403).

With the same reservation we would concur with the finding of the majority that "the record does not raise any doubt of the guilt of Alphonse Buyle and John Rodger" (Journal, p. 38) For the reasons we have stated, we feel that the majority went outside the functions committed to them by the Assembly, outside of the functions of the legislative department of the State Government itself in seeking to palliate that guilt by the suggestion that these men were tools of others (Journal, p. 38). The record supports this in no way. According to the record Cobble never saw Buyle or Rodger, Marchant never saw Buyle or Rodger until after they had stolen the dynamite Scrudder never discussed the theft with Buyle or Rodger and knew nothing of it until after they had stolen the dynamite Brazelton knew nothing of the theft until after Buyle and Rodger had embarked upon it. If Buyle and Rodger were the tools of anyone, the obvious suspicion arises that they were the tools of Stanfield and Johnson. This, however, the record does not disclose. This, however, is not a matter within the committee's jurisdiction.

Equally outside of our jurisdiction is the majority's criticism of the economical, social and philosophical views of the district attorney, Mr. Cleary (Journal, p. 40). In fairness to him we say that the record shows him to have been honest, efficient and devoted, sacrificing his personal interests and his health to the successful performance of his public duty. Remembering the admitted guilt of Buyle and Rodger, the question presents itself immediately whether that guilt would have been admitted now if the district attorney had acted differently.

Equally outside of the jurisdiction of the committee is the discussion of the aid rendered to the prosecution by private interests (Journal, pp 37, 40-42). A similar question presents itself here, remembering the admitted guilt of Buyle and Rodger, whether that guilt would be now admitted if private interests had not assisted the prosecution. In this connection again with the same reservation we say that if it were within our jurisdiction, we would concur with the majority that "as there is no law in the statute books of the State of California known to the members of the committee which prohibits an attorney to act as special prosecutor and to accept pay from private corporations for such service, the committee reports that DeVore's conduct appears to have been ethical and professionally proper"

Summarizing the foregoing matter, we dispose of all other issues as outside of the jurisdiction of the committee, and we answer the two specific queries put by the Assembly's resolution categorically, that neither perjury nor subornation of perjury was committed in connection with the conviction of the "Modesto Defendants"

While the foregoing adequately disposes, we submit, of the matters involved in this investigation, we will at the expense of brevity answer in detail the premises and conclusions stated by the majority.

The principal premise of the majority is that James Scrudder perjured himself before the Stanislaus grand jury on May 10, 1935, and on January 28, 1937; at the trial of the defendants, and before this committee.

We respectfully submit that at all four of those hearings at which Scrudder was under oath, his testimony was consistent in every important and material particular.

The majority concludes in connection with this thought that Scrudder is what they designate as a "cunning psychopathic liar." The majority also goes into the use of some extremely intemperate language, and even though it was justified we would be extremely reluctant to attach our names to any document that exhausts the subject of vituperation, and in passing, neither the conclusion nor the language is justified from the evidence.

The majority concludes that Glen M. DeVore was not guilty of subornation of perjury, and in this conclusion we concur. They conclude that there is no evidence to sustain charges of subornation on the part of Leslie A. Cleary, the district attorney of Stanislaus County, and in this conclusion we agree Next, however, the majority concludes that the case should have been entitled *"The People of the State of California and Standard Oil Company of California vs. the Defendants"* There is absolutely nothing in the record to sustain this conclusion. First, Standard Oil Company did not employ anybody to either assist in the procuring of evidence, or in the assistance to the district attorney in the prosecution of the action What money was expended in these two connections was done by the tankers committee, consisting of six oil companies, of which Standard Oil Company was one (see pp 888-889 S.F. Tr.). While that is only a detail, the evidence is conclusive that neither Standard Oil Company nor the tankers committee expended any money that was not either legal or proper It is true that this tankers committee did expend the sums of money named in the majority report, but legally they had a right to do it, and morally here can be no criticism of expenditure of money for the purpose of protecting their rights, and there is nothing in the record before us to justify any other conclusion than that they honestly believed that they were protecting their rights in the strictest accordance with every demand of law, morality or decency, so we can not agree with this conclusion for reasons that will be hereinafter stated.

Conclusion seven by the majority was that there was no express agreement to "frame" the defendants The majority assert, however that there is strong evidence of what may be termed "a tacit conspiracy to frame the defendants' on the part of certain individuals, and particularly on the part of James F.

Scrudder and Hal Marchant. The complete absurdity of this conclusion is demonstrated in the testimony before the committee.

As to the narrative contained in the succeeding pages after the conclusion, most of it is true; however, the statement that Scrudder had left a well paying job as painter on the San Francisco Bridge is hardly sustained by the evidence. He was receiving $11 per day, but the record shows that he had to abandon this work because he had been in the hospital due to lead poisoning (L.A. Tr p. 210), which is relatively unimportant, however.

As to the statement of the majority, that Scrudder insisted upon the separation of the dynamite into two packages, that is only half true. The record shows that the following, as well as Scrudder, made this demand. Stanfield (L.A. 342), Buyle (L.A. 342), Rodger (L.A. 342), Ciambrelli (L.A. 244, 245, 246), Marchant (L.A. 244, 245).

The statement of the majority that Scrudder told H. C. McGee and Mr. and Mrs. William Briggs that only three men knew of the presence of the dynamite in the car stands as one of the examples of the selection of isolated remarks to sustain an erroneous conclusion. This statement ignores the fact that Scrudder also told McGee and Mr. and Mrs. Briggs that the other defendants knew about the dynamite (Disc. 3). Scrudder on one occasion did tell these people that only three men, besides himself, knew of the presence of the dynamite, but he explained that by saying that he was leading them on to find out why they were pursuing and interrogating him. In this connection we refer to the affidavit of Mrs. Pettinger, which was dated December 15, 1936 (L.A. 97-98), and in which affidavit the affiant states that Scrudder came to her as a notary public following his conversations with the persons above named, to make a record of the fact that he was leading them on for the purpose of determining what they were trying to do with him (L.A. 97).

To divert from the main course for a moment, the majority opinion places great reliance upon the dictaphonic records of conversations in which Scrudder was led along to the end of a complete disclosure of his soul, and in these records examined and listened to by the committee, in which we believe Scrudder spoke freely and without restraint, he stated in connection with the dynamite as follows: All of the men knew it was there "except two and they didn't know it was there until it was brought there" (Disc. 3).

Phonographic record No. 3 does not mention to whom Scrudder was referring as the two were never disclosed, but as a matter of conclusion it was quite obvious he must have been referring to Souza and Burroughs, who at the time of their embarking on this adventure, were not in the full possession of their faculties, due to excess worship at the altar of Bacchus.

It is true that at all times Scrudder testified that he, Rodgers, Buyle and Marchant divided the dynamite; never did he state, however, that the rest were uninformed as to its presence, excepting when he was talking to Mr. and Mrs. Briggs and McGee, which is fully explained (L.A. 97-98). He did state to these persons that the defendants were framed, but he gave reasons for that statement as above explained, and all of the evidence above, as shown by the transcript of the trial at Modesto and the hearings before the grand jury, and as adduced by this committee, demonstrates that the contrary is true.

We are in accord with the conclusion that men unfamiliar with the use of dynamite are extremely reluctant to place themselves in its presence. Two conclusions can be drawn from this premise; one that the seven did not know it was there, which the majority reaches, and the other that they were sufficiently aware of the innocuous effect of dynamite in the absence of a fulminating cap. The majority concludes they were innocent and did not know the dynamite was there but the minority declines to accept any conclusion based upon such specious reasoning. It is equally probable that the nine men were sufficiently cognizant of the properties and powers of dynamite and knew that they had nothing to fear.

The references to fact that Scrudder told the district attorney that only Rodgers, Buyle and Marchant had anything to do with dividing of the dynamite was merely the relation of a physical condition and we again repeat that at no time except in his deliberate misstatement to McGee and Mr. and Mrs. W. S. Briggs did he ever state that the seven knew nothing of the dynamite and that is conclusively explained as shown by the Pettinger affidavit.

We agree with the majority opinion that the recordation on the Ediphone records was from statements made without either fear or intimidation on Scrudder's part, but every statement he made, as recorded on these Ediphone records, was that all nine of the defendants knew of the presence of the dynamite, seven of them before Rodgers brought it to the Mohawk Tavern.

Equally true is the fact that the majority conclusion that Scrudder was more truthful in his statement to District Attorney Cleary and to Mr. and Mrs. Briggs and McGee than at any other time, finds no justification in the record, particularly the reference to the Briggses and McGee, and it follows logically that the language characterizing Scrudder is without justification.

The majority has reached a mere conclusion as to what prompted the statements made by Scrudder to Mr. and Mrs. Briggs and McGee. We decline to draw a conclusion, believing that the province of this investigation is to decide the question of whether or not the defendants had a fair trial and not to place our opinions against the verdict reached by the juries who heard the evidence.

As to the conclusion reached by the majority that Scrudder and Brazelton induced Buyle and Rodgers to steal the dynamite from Marin County; that Donald W. Cobble incited the union men to go to Patterson; that the seven defendants organized a picketing party for legitimate reconnoitering; that Scrudder induced Buyle and Rodgers to take the dynamite with the picketing party; that the seven other than Buyle and Rodgers had no knowledge of the presence of the dynamite, until they were arrested at Patterson, has no background in the record at all and has no foundation.

It is impossible for us to quote nonexistent testimony, but we challenge the majority to point to anything in the record to justify this impossible conclusion.

The majority opinion recognizes the guilt of Alphonse Buyle and John Rodgers. The record justifies no other conclusion.

Reference is made to an affidavit of Herman Stuyvelaar by which Stuyvelaar states that Buyle told him that the theft of the dynamite was prompted by Brazelton. The majority accepts this third-handed hearsay as evidence. It might be appropriate at this point to mention that the chairman of this committee is an attorney with a full appreciation of the probative value of testimony of this character. Even the majority makes no statement that either Scrudder or Brazelton had any knowledge of an intended theft of the dynamite, but concedes that Scrudder learned of it afterward. If this is a part of a "frame-up," then Scrudder is eliminated from the suggested conspiracy by the majority on the statement that Scrudder knew nothing of the theft until the consummation of the act.

The majority opinion states, "* * * to report all the lies and the perjuries of James Scrudder told in this case is a task too great for this committee to undertake * * *" and then proceeds to quote isolated excerpts that demonstrate nothing which could "whitewash" a group of men who knowingly participated in an adventure that could have no conclusion except felonious destruction of property. To analyze those excerpts: It is true that Scrudder told the grand jury that he was not a detective. Without going into a dissertation on the subject of philology, we concede that had Scrudder claimed to be a "detective" he would have been guilty of indecent boasting. It is true, however, that he worked under the direction of the San Francisco police department at a compensation of $30 per week; that under the direction of Chief of Police Quinn, Captain Healy paid him. It is true that before the grand jury of Stanislaus County, Scrudder stated that he was not on the payroll of the Standard Oil Company or the police department. The former was true for he received nothing from the Standard Oil Company nor from the tanker committee, except as compensation for the time that he was held in Modesto pending the trial of the case. He had at that time received pay from the San Francisco police department and, if that is a perjury, the majority have made the most they could of it, but might it be mentioned that the statement had nothing to do with the guilt or innocence of the nine men, two of whom are guilty even under the reluctant concessions of the majority. The majority states that he lied again before the Stanislaus grand jury on January 28th and 29th when he stated that he did not expect to get any pay for his services. We find ourselves unable to refute the soul-reading conclusions of the majority, but with all due respect to the majority conclusions based upon their psychic powers, we state that the record is devoid of justification for this conclusion. The material point (if the matter of Scrudder's connection and pay is at all material or important) is that at the trial he truthfully testified as to his connection with, and his receiving pay from, the San Francisco police department.

It is true that Scrudder did state that, had he been able to get hold of the authorities in San Francisco, he would have killed it (obviously referring to the proposed expedition). In view of the testimony of Scrudder at the hearing, and incidentally of the testimony of such of the defendants as the majority permitted us to see and listen to, it is obvious that Scrudder could not have either reported to the squad car or to the subpolice station with any hope of having officers catch the defendants with the dynamite. He did telephone to Majors, concealing the purpose of the call, however, by telling Stanfield that he was phoning to his wife. As a matter of reasoning, is it humanly possible that Scrudder could have left the others, gone to either the squad car or the police station and returned with police officers to arrest the men who, under the admission of the majority were the custodians of the dynamite. But it is too obvious for comment that officers would have been seen approaching and the dynamite would have vanished and there would have been nothing upon which an arrest could have been predicated.

The next conclusion of the majority, that there is nothing to substantiate the charge made by Scrudder to McGee and Mr. and Mrs. Briggs that Glenn N. DeVore was guilty of subornation of perjury, is the only conclusion that could be reached and, in this connection, the minority is in accord. As to the "disgruntled mental attitude" of Scrudder, as to "human pangs of regret and remorse" set forth in the majority opinion, we submit that this portion of the paragraph is without justification.

It is true that Devore was paid to assist Leslie A. Cleary, the district attorney of Stanislaus County, in prosecuting and on the appeal of the action.

In this connection, may it be said that Mr. Cleary appealed to U. S. Webb, the Attorney General for the State of California, for assistance in the carrying on of the prosecution of this action (S.F. 1114). That his request was justified by the conditions was demonstrated by the fact that the defendants had six attorneys, most of whom are recognized as leaders of the Bar in matters pertaining to criminal procedure The Attorney General, under the law as it existed at that time, was apparently unable to give him this assistance and, as a consequence, he appealed to the tankers committee for help in meeting the vast array of legal armament that these "innocent men" felt required to have to establish their innocence What was paid to these six lawyers for the defense was never disclosed to this committee and we make no mention of staggering sums that were mentioned off the record, but suffice to say, the most modest of the sums mentioned made the fee of DeVore pale into insignificance.

The majority concedes that Leslie A. Cleary, the district attorney of Stanislaus County, was innocent of any subornation of perjury. No other conclusion could be reached under the record. An attempt is made to criticize him for consulting with representatives of the tanker committee. It is true that he did consult with James Arnold and others, but it is equally true that they were endeavoring to assist him in the prosecution by furnishing what even the majority concedes was no more than the facts. The attempt to criticize such conduct could find no justification for it was both legally and ethically within the proprieties. The conclusion of the majority that Cleary is a man who believes that communists are lurking behind every pillar and post and that "red" armies are apt to materialize out of thin air at any minute to destroy the Government, is a conclusion that is too absurd to merit comment. Needless to say, the record is devoid of one single word that furnishes any justification for this conclusion

We agree with the conclusion that an offense of this magnitude and seriousness should be prosecuted by law in the name of the people of the State of California and that is just exactly what was done in this case.

Comment is made by the majority on the fact that after the conviction of these defendants, the oil companies further paid DeVore for his services in resisting the appeal. In the name of common sense, if such a virtue still remains on this earth, what else could they have done? The defense employed a battery of legal brains and ability which certainly required at least, legal armaments approaching the onslaught in efficiency to meet the attack.

The majority finds that the Standard Oil Company paid the expenses of certain witnesses specifically set forth in their report At the risk of being accused of constant repetition, on a matter which seems of little importance, and yet should be accurate if stated at all, the evidence before the committee showed that while the Standard Oil Company advanced moneys for these expenses they were accounted for and paid by the tanker committee, consisting of the six oil companies. However, let it be remembered that the persons named were kept in Modesto for the purpose of testifying, for a period of time that certainly justified some compensation. Whether the amounts were excessive or inadequate, however, does not in the slightest degree tell the story which is the question before this committee of whether or not the defendants were guilty or innocent or more germane to the subject of our investigation, whether they were given a fair trial. It is equally true that Scrudder was guarded during all of this period, but it is not true that he was virtually or at all a prisoner (L.A. 379). It is hardly necessary to comment on the fact that Scrudder undoubtedly needed protection and even with the liberal ideas of the majority, no comment is made on the propriety of seeing that one of the witnesses for the people was not sent on a journey to that bourne from which no traveler returns

It is true that Arnold, representing the tanker committee, paid to District Attorney Cleary the sum of $208.30 "to reimburse the district attorney's fund or budget" which according to Cleary represented the expense of bringing from Portland to the trial at Modesto two shorthand reporters whose testimony and notes were necessary to impeach the testimony of one of the defendants' witnesses which they had brought from Portland. Arnold reimbursed Cleary's fund for this expenditure as he had previously agreed to do (S.F. 881, 117, 118). Nothing would appear illegal or improper in this, but if it was, it could have no possible bearing on the guilt or innocence of the defendants, nor the question under investigation, i. e., whether the defendants were convicted by reason of perjury or subornation of perjury. It is equally obvious from the record that the prosecution was not carried on by Standard Oil Company, neither was it carried on by the tanker committee, but was carried on by the taxpayers of Stanislaus County. The only connection that DeVore, as special prosecutor, had was in research and preparation. Cleary conducted the case (S.F. 116).

The majority concedes that there isn't the slightest vestige of testimony to justify the conclusion, or report, that it was an express "frame-up." The majority does say that there was a tacit conspiracy to "frame" them. Webster defines "tacit" as silent or implied. "Tacit" may be the correct word for the record is absolutely silent on anything to justify the conclusion and so far as the use of the word as a synonym for "implied," the reasons as given for that conclusion by the majority is unsustained

The statement of the majority, that James P. Arnold was director of the strike-breaking activities, is not in accordance with the facts. Arnold was in charge of the tanker committee guards, and investigating activities, but he had no part in the selection or hiring of any "strike breakers" (S.F. 866). But whatever his capacity, that had nothing to do with Buyle and Rodgers stealing dynamite and embarking with seven others on a felonious expedition.

Jack Sayer was guarding strike breakers at a congregation point for the purpose of completing crews for tankers and, upon getting a complete crew, transferred them to the water front. What had that to do with the theft of dynamite and the proposed dynamiting of a hotel? It is true that Hal Marchant was employed by Arnold as an under-cover operator for the purpose of learning what the strikers were doing. Not a word is suggested in the record (nor can any process of astrology, necromancy or crystal gazing draw a conclusion) that he had anything to do with the theft of the dynamite or was responsible for the expedition to Patterson.

It is true that Scrudder worked under the San Francisco police department and that he received pay from them. Not a suggestion is found in either the record or the report of the majority that Scrudder knew anything about the theft of the dynamite until after it had been done. Do any of these things constitute a frame-up, to put the answer in the negative? It is stated in the majority opinion that Brazelton and Scrudder were friends, that Brazelton knew Rodgers and Buyle; that Brazelton's wife—the word "wife," however, not being sanctified by either the blessing of priest, clergy or judiciary—accompanied Rodgers and Buyle on the expedition on which the dynamite was stolen Again taking refuge in the negative, what has this to do with the guilt or innocence of the seven men other than Rodgers and Buyle, the last two admittedly being guilty? Donald W. Cobble, according to the majority, was apparently an under-cover man planted in San Francisco for the purpose of sending the defendants out of the county. Reference being made to the San Francisco transcript, page 801, at line 6. It would have embarrassed Sherlock Holmes to have attempted to reach that deduction from this clue. Reference is made by the majority to a statement by Marchant to Cleary, "* * * the way it looked to me, it was a trap from the start, etc." From this, no conclusion can be drawn except the one that *there was no conspiracy* to "frame" these men. Marchant was the only under-cover man in the employ of the tanker committee. If he was not informed of the proposed or prospective conspiracy to "frame" them, who was? Then the conclusion of the majority falls for no other reason that its own unbalanced weight. It is true that Cobble notified the committee that his wife was a waitress in a hotel at Patterson, that strike breakers were being employed there. What of it? There isn't anything in the record to show that Cobble was anything other than a conscientious union man who desired to help his fellow members to obtain their ends, namely, the successful conclusion of the strike.

The only evidence in the record as to the motives that inspired the expedition to Patterson is found in the reasons finally given by the men themselves They testified that they went to Patterson for the purpose of investigating the situation. Let us analyze it: Eleven men left San Francisco between six-thirty and seven o'clock p.m., for a destination over an unknown road so far as any of them were concerned, to a goal approximately 100 miles distant; applying the mechanical ability of two old automobiles to the chronometer, they would have arrived in Patterson between eleven and twelve o'clock at night and, incidentally, that is when they did arrive. At that hour of the night there would have been nobody awake in Patterson except the night watchman. We respectfully submit that only one conclusion can be drawn from the hour of arrival and that leads invariably to the thought of violence at an hour when no witness would be present to testify on the day of retribution In plain English, the only conclusion the minority can reach is that these nine men went to Patterson on a felonious and illegal mission for. if their purpose and desires had been honorable, and they really intended to investigate. they would have endeavored to arrive at an hour when "sleek headed men and such as sleep o' night" would have been available for interrogation without disturbing their repose. Can any normal human being draw any other conclusion than that the expedition was one with no other objective than that of ultimate violence? We have already commented on the fact that Scrudder could not have notified the police before leaving San Francisco by any other method than the one he adopted. It is true that Scrudder told Cleary on the night of the arrest that, "If we had another car tonight we probably would have another load" In this connection, might it be said that Herman Stuyvelaar testified before this committee that three other men were to have gone on the expedition, but, for reasons sufficient to them, would not go (L. A. 188). The minority desires to draw no unjustifiable conclusions, but might it not be concluded that these three other men, upon learning the objective of the mission, declined to participate in any felonious patrolling with dynamiting as the ultimate aim?

We agree with the majority that there is nothing to justify a definite determination of how the information actually went from San Francisco to Patterson on the night that the two cars left. We regard that as of minor importance for the ultimate object of this investigation is to determine whether or not the defend-

ants had a fair trial. Captain Healy testified that he telephoned to Modesto It is apparent that he did not, for the records of the telephone company show no call from the police department in San Francisco to Patterson on the night of April 20th Quackenboss, who was in charge of the office of the joint tankers committee testified that he received the call from the police department at San Francisco and that he telephoned it to Patterson In view of the records of the telephone company, that is probably the true statement of facts, but there is no criticism that should apply to Captain Healy because his memory missed the minutia of detail after a lapse of two years Equally true, we are not inclined to decide whether or not the San Francisco police department was reimbursed by the tanker committee for the salary paid to Scrudder, for by either answer no light is thrown on either the fairness of trial nor the guilt or innocence of the defendants. The majority recommends a full and complete pardon be granted Reuel Stanfield, Victor H Johnson, Robert J. Fitzgerald, John Sousa, John Burroughs, Henry Silva and Patsy Ciambrelli for the reason, as they state, because of the legal presumption of innocence in view of Scrudder's alleged confession and discredited testimony The majority bases a conclusion upon a conclusion when the basic conclusion rests upon no premise at all, at least so far as the record goes. Let us examine the record

The majority admits that Buyle and Rodgers stole the dynamite; that they were guilty. It follows as the night the day that the dynamite was in the cars when they left San Francisco. There were eleven men in the party, including Buyle and Rodgers, admittedly guilty, and also including Scrudder and Marchant, both under-cover agents, and seven others. Admittedly these eleven men in many instances did not know each other, with the exception of Buyle and Rodgers who were close friends, Stanfield and Johnson, similarly situated; Burroughs and Sousa, likewise intimates—there was no closeness of either acquaintance or friendship. Admitting Buyle and Rodgers brought dynamite to the place from which the expedition started, it was a matter of logic that they brought it for a purpose. As a final conclusion, in view of their intent on the expedition, the object of the presence of the dynamite was violence. Is it conceivable that Buyle and Rodgers would be embarking on a felonious expedition whose only object was a destruction of property, and had with them nine men who were strangers in varying degrees without first having sounded the depths of their emotions along these lines to have determined the question of whether they were being accompanied by kindred spirits? Unless Buyle and Rodgers are morons of the lowest depths of intelligence, it is inconceivable that they would have brought along with them on an expedition of this character, nine men who, if their judgments were wrong, would have been witnesses for the prosecution in a dynamiting episode There is no occasion for our stretching human credulity beyond the breaking point. No human being, normal or subnormal, would ever have presented the prosecution with nine eye witnesses to a felony. The answer presents itself. Every one of these men must have known of the presence of the dynamite and had complete intention to lend both their presence and activity to its ultimate use Let it be further remembered that Stanfield was the leader of the party. He and Rodgers organized it. Johnson was the roommate and intimate associate and friend of Stanfield. As to the guilty knowledge of Stanfield and Johnson, there can be no question. Incidentally in passing, let it be said that Stanfield has a record of convictions in cases of violence that shocks all sense of decency Also Ciambrelli and Buyle have a record of conviction in cases of felony. Even the imagination of the majority must have found difficulty in comparing these three with the white pristine purity of the driven snow. In passing, it might be said that Fitzgerald is a man who impresses. His appearance is one of intelligence and his face would indicate a sense of recognition of the decencies and proprieties of life Yet, let it be remembered that he deliberately lied to the committee when he was examined at San Quentin when he narrated the more minute details of an attack by Swartz upon Johnson at the time of the arrest at Patterson (S.F. 408). Yet, when confronted with a record of his testimony at Modesto which was entirely to the contrary, he admitted that he was lying to the committee (S F. 413, 419). Be it also remembered that the testimony was that Fitzgerald, Sousa and Burroughs were seated in the back seat of the Nash car; that Fitzgerald sat on the right (S.F. 405). That is admittedly the situation. Testimony by others, but denied by Fitzgerald, was that he held in his lap the six sticks of dynamite Admittedly, and conceded by the majority, these six sticks were thrown from the car by someone. Admittedly and conceded by the majority, they were found on the righthand side of the road. Somebody threw that dynamite out of the car Can a person analyze the situation and apply any degree of logic and reach any other conclusion than that Fitzgerald furnished the impetus by which the eruption from the car of the dynamite originated? If the admitted facts and circumstances were not sufficient to establish Fitzgerald's knowing participation, any reasonable doubt is removed by the testimony of the defendants' chief counsel, Mr. Aaron Sapiro before the Stanislaus grand jury when that body investigated the charge of "frame-up" At that time Mr Sapiro informed the grand jury that it was Fitzgerald who was holding the paper package containing the dynamite and

that it was he, Fitzgerald, who threw it out of the automobile just before the car was halted by the Stanislaus County officers (Tr. Stanislaus Grand Jury Hearing January 28, 1937, pp. 119-124). In fairness to Fitzgerald, he looked like a man who would not willingly have participated in such an affair and it is our conclusion that he was an unwilling victim of circumstances, the circumstances, however, being produced by his fellow union men. As to Sousa, Burroughs and Silva, no conclusion can be reached except that they were willing tools in the hands of Stanfield, Johnson, Rodgers and Buyle and obviously, in the leniency of their sentences, this fact must have been recognized

The minority concludes from the reasons above given that we agree with the majority in the following: (1) that Altonse Buyle and John Rodgers were guilty and received the just punishment for their actions; (2) that Glenn M. DeVore did nothing that is not in accordance with the highest ethics of his profession and in fullest cognizance with every demand of the proprieties; (3) Leslie A. Cleary, district attorney of Stanislaus County, performed his functions as a public official without violating in the slightest degree any requirement of law or conscience; (4) that there was no frame-up of any kind or character, and, while not understanding what the majority means by a "tacit conspiracy to frame," our conclusions are that there was no frame-up or "tacit conspiracy to frame" by either Standard Oil or the tanker committee, by Scrudder, Marchant, or any other person, in any manner, shape or form; (5) that the effect of Scrudder's testimony on the conviction of the defendants is a matter of pure speculation. As above pointed out, the testimony of other witnesses, the admitted physical facts and circumstances, as well as the inconsistent statements and testimony of the defendants themselves, may well have been the basis for the jury's finding of guilt, rather than anything testified to by Scrudder. But with reference to Scrudder, we concur with the Stanislaus grand jury and with the Attorney General's Office, who investigated the charge of perjury (S.F. 20) that Scrudder did not commit perjury at the trial or at any time that he was under oath.

It is therefore our judgment, in view of the foregoing considerations and the scope and purpose of this investigation, that there is no occasion for recommending any action to be taken by the Assembly.

Assuming that this legislative body might properly under certain circumstances, act with reference to a pardon, no such case is presented here. Admittedly the defendants were tried and convicted by a fair and impartial judge and jury, and there is nothing disclosed by this investigation that shows that such conviction was the result of perjury, subornation of perjury or "frame-up" of any kind, or that those convicted did not have a fair trial.

The other recommendations in the majority report involve matters without and beyond the scope of the investigation called for by the Assembly resolution. That resolution by its express terms directed and confined the investigation "to determine whether perjury and subornation of perjury were committed in connection with the conviction of said 'Modesto Defendants'." The committee was not called upon, nor was it authorized to investigate the matter of "labor controversies" or the whole field of law enforcement. And while the investigation did at times go far afield from the real subject of inquiry, no adequate investigation was had of the other matters to justify or warrant findings or recommendations for legislation concerning the same.

In the main, the other matters, concerning which legislation is recommended by the majority, have to do with the rendering of assistance to district attorneys and law enforcement officers by private sources. In the case under investigation such assistance was given the district attorney, but was given at his request, and after he had sought but failed to secure such assistance by the Attorney General. The special prosecutor, while compensated by private sources, was not selected by them, but was personally selected and chosen by the district attorney.

Admittedly district attorneys and public prosecutors should not be required to secure or rely on assistance from private sources in order to discharge their official duties. And the people, by constitutional amendment (Article V, section 21), and the Legislature, by enactment of law (Political Code, section 476-479), have since provided adequate means to avoid such situations by enlarging the duties, responsibilities, facilities and funds of the Attorney General, so that now the Attorney General is charged not only with the supervision of district attorneys and sheriffs, but is required to render all needed assistance, and if necessary, actually prosecute criminal proceedings.

Respectfully submitted.

SETH MILLINGTON
KENT H. REDWINE.

Request to Print Extra Copies of Minority Report.

Mr. Redwine requested that 500 extra copies of the Minority Report of the So-Called Modesto Defendants Case be printed as a separate document.

Request referred to Committee on Rules

Resolutions.

The following resolutions were offered.

By Messrs. Johnson, and Burns, Michael J..

House Resolution No. 139.

Relative to the adjournment of the Assembly out of respect to the memory of the late Honorable James Norris Gillett.

WHEREAS, The Supreme Power has seen fit to remove from his earthly activities the Honorable James Norris Gillett in the seventy-seventh year of his life; and

WHEREAS, During his long, valuable and honorable career in the service of the people of this State as city attorney for Eureka, State Senator, Congressman, and Governor of this State, and his active service of and interest in the affairs of this State continuing up to the time of his decease, he has endeared himself to the hearts of the members by his sterling character and qualities, and

WHEREAS, While Governor of this State he maintained an enviable record for economical operation of the State, in that he kept its expenditures down to approximately $69,000,000; and

WHEREAS, The members of the Assembly have learned with profound regret and the deepest sorrow of the passing of this esteemed public servant, Honorable James Norris Gillett; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day, it do so out of respect to the memory of the late Honorable James Norris Gillett; and be it further

Resolved, That the Chief Clerk be and he is hereby instructed to have prepared a suitable memorial resolution properly engrossed and mailed to the family of the deceased.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 139, at this time, without reference to committee or calendar.

House Resolution No. 139 read, and unanimously adopted.

By Mr. Reaves:

House Resolution No. 140.

WHEREAS, It is the law and custom that all bills introduced into the Legislature, shall first be sent to committee that the public may have opportunity to oppose or propose its passage; and

WHEREAS, Citizens travel long distances to be heard upon the different measures, pending before the committees; and

WHEREAS, After traveling hundreds of miles to appear before a committee, citizens are often informed that a quorum is not present, they will try again next week; and

WHEREAS, The press has criticized the legislators for their dereliction of duty without discrimination; now, therefore, be it

Resolved, That the Sergeant-at-Arms be and is hereby instructed to compile lists of absentee members of committees in such a manner that a compiled list may be made after adjournment; and be it further

Resolved, That members be furnished these lists so that he may show whether or not he was derelict in his duties.

House Resolution No. 140 read, and referred to the Committee on Rules.

By Mr. Meehan:

House Resolution No. 138.

WHEREAS, By Article XXIV of the California Constitution a permanent State civil service system is required, and numerous amendments to and revisions of the Civil Service Statutes are proposed at each session of the Legislature; and

WHEREAS, It is necessary and desirable that the Assembly and its members have complete, accurate and detailed information concerning the State civil service to the end that the Assembly and its members may act advisedly in the consideration of needed changes in Civil Service Laws; now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Assembly Committee on Civil Service, consisting of five members of the Assembly, be appointed by the Speaker of the Assembly to gather information and to conduct investigations concerning the State civil service, including the operation and effect and the administration and enforcement of the civil service provisions of the Constitution and of the statutes, rules and regulations relating to civil service, the need for modification of any of said constitutional provisions, statutes, rules or regulations, and all matters incidental thereto; and be it further

Resolved, That the committee may appoint secretarial, legal, clerical, research, technical, and such other assistants as it may deem necessary; and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, reports, information, and evidence concerning any matter under consideration by the committee as the committee shall request, and be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of books, agreements, documents, reports, account, minutes, records, correspondence and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII, Chapter II, Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution and said committee is hereby given leave to sit during the session of the Legislature and during the interval between sessions thereof, at any place or places in the State as the committee shall from time to time decide; and be it further

Resolved, That the committee herein created, shall report to the Assembly from time to time such results of its investigations and studies as it may deem necessary for the action and advice of the Legislature and shall make its final report at the commencement of the fifty-third session of the Legislature; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $1,500, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund upon written orders of the chairman of the committee, which warrants the State Treasurer is hereby directed to pay.

House Resolution No. 138 read, and referred to the Committee on Civil Service.

By Mr Levey.

House Resolution No. 141.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of James G. Smyth, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office.

Request for Unanimous Consent.

Mr. Levey asked for, and was granted, unanimous consent to take up House Resolution No 141, at this time, without reference to committee or calendar

House Resolution No. 141 read, and adopted by the following vote:

AYES—Beene Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—55.

NOES—None.

Senate Messages.

The following messages from the Senate were taken up and read

SENATE CHAMBER, SACRAMENTO, April 20, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 203—An act to amend section 651.6 of the Fish and Game Code, relating to salmon;

Senate Bill No. 438—An act to amend sections 2 and 4 of an act entitled "An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation of the provisions hereof," approved April 13, 1933, relating to permits and to species illegally entered or kept;

Senate Bill No. 439—An act to amend sections 782, 784.3 and 830 of the Agricultural Code, relating to fruits, nuts and vegetables;

Senate Bill No. 452—An act to amend sections 733, 1151, 11658, and 12924 of the Insurance Code, to repeal sections 12903, 12904, and 12923 thereof, and to add

sections 704.5, 706.5, 903.5, 12903, 12904, 12919, 12923, 12928.5, 12956, and 12957 thereto, all relating to insurance;

Senate Bill No. 509—An act to amend section 3612 of the Political Code, relating to exemptions under section 1¼ of Article XIII of the Constitution;

Senate Bill No. 525—An act to amend section 1197b of the Political Code relating to initiative measures;

Senate Bill No. 526—An act to amend section 1197a of the Political Code, relating to initiative measures;

Senate Bill No. 664—An act to establish an unpaid Commission on Intergovernmental Cooperation;

Senate Bill No. 800—An act to amend section 525 of the Fish and Game Code, relating to water flow through a dam;

Senate Bill No. 806—An act to provide for the consolidation of Coachella Valley County Water District and Coachella Valley Storm Water District and to provide for the carrying on of the functions of the consolidated district.

Senate Bill No. 863—An act providing for the control, management, and jurisdiction over certain lands owned by the State of California and situated in the county of Humboldt;

Senate Bill No. 912—An act to add a new section to be numbered 32c to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures;

Senate Bill No. 1070—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to municipal utility districts;

Senate Bill No. 1084—An act to amend section 1 of an act entitled "An act relating to tare allowances on fruit, grain, and wool sold in bags," approved May 27, 1935, relating to sales of farm products

Senate Bill No. 1116—An act to add sections 51.7 and 55 to, and to amend and renumber sections 51a and 51b as added by Chapter 427 of the Statutes of 1933, of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds, and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory, including the disincorporation of such districts and the winding up of the affairs of disincorporated districts;

Senate Bill No. 1130—An act to amend section 2924 and section 2924b of the Civil Code, relating to the recording of notice of default and to the giving of notice of default and of sale under deeds of trust and mortgages with power of sale.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1¼ of Article XIII, relating to exemptions of property on account of military service.

Senate Concurrent Resolution No. 29—Relative to the amendment of Rule No. 10 of the Joint Rules of the Senate and Assembly.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 203 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 438 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 439 read first time, and referred to Committee on Agriculture.

Senate Bill No 452 read first time, and referred to Committee on Insurance.

Senate Bill No. 509 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 525 read first time, and referred to Committee on Elections.

Senate Bill No. 526 read first time, and referred to Committee on Elections.

Senate Bill No 664 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 800 read first time, and referred to Committee on Fish and Game.

Senate Bill No 806 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No 863 read first time, and referred to Committee on State Grounds and Parks.

Senate Bill No. 912 read first time, and referred to Committee on Judiciary General.

Senate Bill No 1070 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No 1084 read first time, and referred to Committee on Agriculture.

Senate Bill No 1116 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 1130 read first time, and referred to Committee on Judiciary Codes.

Senate Constitutional Amendment No 9 referred to Committee on Constitutional Amendments.

Senate Concurrent Resolution No. 29 referred to Committee on Rules.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined
Assembly Joint Resolution No. 5.
Assembly Bill No. 2587.
And reports the same correctly enrolled, and presented to the Governor on this twentieth day of April, 1937, at eleven o'clock and thirty minutes a m.

CUNNINGHAM, Chairman.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Senate Bill No. 205.
Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER SACRAMENTO, April 19, 1937.

MR. SPEAKER Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 479.	**Assembly Bill No. 1618.**
Assembly Bill No. 1023.	**Assembly Bill No. 1619.**
Assembly Bill No. 1024.	**Assembly Bill No. 2473.**
Assembly Bill No. 1080.	**Assembly Bill No. 2821.**
Assembly Bill No. 1346.	

Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1044.
Assembly Bill No. 2117.
Assembly Bill No. 2842.
Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1121.
Assembly Bill No. 1821.
Respectfully reports the same back with the recommendation: Do pass as amended

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937

MR SPEAKER Your Committee on Judiciary General, to which was referred
Assembly Bill No. 1928.
Respectfully reports the same back without recommendation, as amended

ROSENTHAL, Chairman

The above reported bill ordered on second reading calendar

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred
Assembly Bill No. 2216.
Respectfully reports the same back without recommendation, as amended.

YORTY, Chairman.

The above reported bill ordered on second reading calendar

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1937

MR. SPEAKER: Your Committee on Elections, to which was referred:
Assembly Bill No. 81.
Assembly Bill No. 129.
Respectfully reports the same back with the recommendation. Do pass.

GILBERT, Chairman

The above reported bills ordered on second reading calendar

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937

MR SPEAKER Your Committee on Engrossment and Enrollment has examined
Assembly Concurrent Resolution No. 43.
Assembly Bill No. 1486.
Assembly Bill No. 1933.
Assembly Bill No. 2224.
Assembly Bill No. 2243.
Assembly Bill No. 2283.
Assembly Bill No. 2790.
And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937

MR SPEAKER Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1402.
Assembly Bill No. 1491.
Assembly Bill No. 2336.
And reports the same correctly re-engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 629.
Assembly Bill No. 1444.
Assembly Bill No. 1833.
Assembly Bill No. 1371.
Assembly Bill No. 1620.
Assembly Bill No. 2157.
Assembly Joint Resolution No. 6.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 20, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 1440.

And respectively requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on unfinished business calendar.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2224 re-referred to Committee on Judiciary Codes.
Assembly Bill No. 2243 re-referred to Committee on Insurance.
Assembly Bill No. 1491 re-referred to Committee on Insurance.
Assembly Bill No. 1933 re-referred to Committee on Public Morals.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 2216—An act to provide for a State Treasury and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 2216.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "for", strike out the words "a State treasury", and insert in lieu thereof the following "the collection of bonds and coupons by the State Treasurer".

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following:

"The State Treasurer is hereby authorized to pay all necessary expense of collecting bonds and bond coupons.

SEC. 2. On the effective date of this act and on the first day of July each year thereafter the sum of $2,000, or so much thereof as may be necessary, is hereby annually appropriated to the State Treasurer, out of any moneys in the State Treasury not otherwise appropriated, to be expended by the State Treasurer for the purpose of paying the expenses of collecting bonds and bond coupons.

The unused portion of each annual appropriation herein made shall lapse at the end of the fiscal year for which the appropriation is made."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 262—An act to amend section 3 of the "Retail Sales Tax Act of 1933," relating to the levy of sales taxes

Motion to Amend Assembly Bill No. 262.

Mr. Williamson moved to amend Assembly Bill No. 262 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "the levey of sales taxes", and insert in lieu thereof the following: "taxation"

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "two and one-half", and insert in lieu thereof the following: "three".

Amendment No. 3.

On page 1, line 7, of the printed bill, after "State", insert the following: "to and including December 31, 1937; and at the rate of two and one-half per cent of the gross receipts of any such retailer from the sale of all tangible personal property sold at retail in this State on and after January 1, 1938".

Amendments adopted.

Assembly Bill No. 262 ordered to reprint, and re-engrossment.

Assembly Bill No. 696—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Motion to Amend Assembly Bill No. 696.

Mr Gilbert moved to amend Assembly Bill No. 696 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out line 6, and insert in lieu thereof the following: "the Governor. Unless there is a definite reason, in the opinion of the Governor, why the chief should not be a deaf person, the chief shall be a deaf person. The chief shall be known as the"

Amendment No. 2.

On page 1, line 13 of the printed bill, strike out "shall maintain headquarters at Sacramento and"

Amendment No. 3.

On page 1, line 14, of the printed bill, strike out "other parts", and insert in lieu thereof the following: "any part".

Amendment No. 4.

On page 1, line 17, of the printed bill, strike out "adults", and insert in lieu thereof the following: "persons".

Amendments adopted.

Assembly Bill No 696 ordered to reprint, and re-engrossment.

Assembly Bill No. 697—An act to amend section 56 of the Labor Code and to add to Division I thereof Chapter 6, consisting of sections 150, 151 and 152, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Motion to Amend Assembly Bill No. 697.

Mr Gilbert moved to amend Assembly Bill No 697 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out line 17, and insert in lieu thereof the following

"Unless there is a definite reason in the opinion of the Governor, why the chief should not be a deaf person the chief shall be a deaf person The chief shall be known as the commissioner"

Amendment No. 2.

On page 1, lines 22 and 23 of the printed bill strike out "shall maintain headquarters at Sacramento and"

Amendment No. 3.

On page 1, line 24, of the printed bill, strike out "other parts", and insert in lieu thereof the following "any part".

Amendment No. 4.

On page 2, line 3, of the printed bill, strike out "adults", and insert in lieu thereof the following: "persons".

Amendments adopted

Assembly Bill No. 697 ordered to reprint, and re-engrossment

Assembly Bill No. 2219—An act to amend sections 2, 3, 5, 6, 8, and 30 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919 relating to elections in cities of the fifth and sixth class

Motion to Amend Assembly Bill No. 2219.

Mr. Scudder moved to amend Assembly Bill No 2219 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "6, 8, and 30", and insert in lieu thereof the following "and 6".

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out lines 37 to 49, inclusive, and strike out all of pages 5 and 6

Amendments adopted.

Assembly Bill No. 2219 ordered to reprint, and re-engrossment

Assembly Bill No. 1314—An act to amend section 1218 of the Code of Civil Procedure, relating to punishment of contempt

Motion to Amend Assembly Bill No. 1314.

Mr. Richie moved to amend Assembly Bill No 1314 as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, after "judge", insert the following "or justice".

Amendment No. 2.

On page 1, line 10, of the printed bill, strike out 'days.", and insert in lieu thereof the following: "days, provided, further, that in justices' courts the justice may punish by fine or imprisonment or both, such fine not to exceed, in any case, $100, and such imprisonment one day; the conviction, specifying particularly the fines, and the judgment thereon, must be entered in the docket."

Amendments adopted.

Assembly Bill No. 1314 ordered to reprint, and re-engrossment.

Assembly Bill No. 1243—An act to provide for the levy and collection of a tax upon the income of corporations and to provide for the disposition of revenues therefrom.

Motion to Amend Assembly Bill No. 1243.

Mr. Williamson moved to amend Assembly Bill No 1243 as follows:

Amendment No. 1.

On page 19, line 22, of the printed bill, as amended, strike out the period and the words "For expenditure by the".

Amendment No. 2.

On page 19 of the printed bill, as amended, strike out lines 23 to 25, and in line 26, strike out "deposited in said fund The balance of the", and insert in lieu thereof the following: "which fund is hereby created. The".

Amendments adopted.

Assembly Bill No. 1243 ordered to reprint, and re-engrossment.

Assembly Bill No. 2422—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4, and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Motion to Amend Assembly Bill No. 2422.

Mr. Desmond moved to amend Assembly Bill No. 2422 as follows:

Amendment No. 1.

On page 1, line 21, of the printed bill, as amended March 31, 1937, strike out the following: "grocery".

Amendment No. 2.

On page 2, line 3, of the printed bill, as amended March 31, 1937, strike out the following: "by official order".

Amendment No. 3.

On page 3, line 8, of the printed bill, as amended March 31, 1937, after the comma, insert the following: "and shall declare such prices effective in the same manner as that prescribed in this chapter for declaring producer prices effective.".

Amendment No. 4.

On page 3, line 36, of the printed bill, as amended March 31, 1937, after the word "store", insert the following. ", restaurant, confectionery or other place for consumption on the premises,".

Amendment No. 5.

On page 3, line 37, of the printed bill, as amended March 31, 1937, after the word "store", insert the following: ", restaurant, confectionery or other place for consumption on the premises,".

Amendment No. 6.

On page 3, line 42, of the printed bill, as amended March 31, 1937, after the word "store", insert the following. ", restaurant, confectionery or other place for consumption on the premises,".

Amendment No. 7.

On page 3, line 43, of the printed bill, as amended March 31, 1937, after the word "store", insert the following. ", restaurant, confectionery or other place for consumption on the premises,".

Amendment No. 8.

On page 4 of the printed bill, as amended March 31, 1937, strike out all of lines 49 to 52, inclusive.

Amendment No. 9.

On page 4, line 2, of the printed bill, as amended March 31, 1937, after the period, insert the following "The director may, for the purpose of enabling him to enforce the provisions of this section, require every distributor in any marketing area to file with him schedules and any amendments thereto setting forth the prices at which each such distributor is selling or offering to sell dairy products in such marketing area."

Amendment No. 10.

On page 2 of the printed bill, as amended March 31, 1937, strike out all of lines 37 and 38 and insert in lieu thereof the following "The cost of fluid milk or fluid cream, or both, in such marketing area to distributors and retail stores, which in all cases shall be, respectively, the prices paid by distributors to producers and the minimum wholesale prices, as established pursuant to this chapter."

Amendment No. 11.

On page 1, line 1 of the title of the printed bill, as amended March 31, 1937, strike out the words "Article 2a", and insert in lieu thereof the following: "Article 2a and Article 4".

Amendment No. 12.

On page 4, line 37, of the printed bill, as amended March 31, 1937, after the word "director.", insert the following:

"SEC. 2. Article 4 of Chapter 10 of Division IV is hereby added to the Agricultural Code to read as follows.

Article 4. Construction and Interpretation.

738 The Legislature hereby declares that by making any additions to, or amendments of, Chapter 10 of Division IV of this code in the fifty-second regular session of the California Legislature, it intends to formulate a comprehensive scheme for the regulation of the marketing and distribution of fluid milk and fluid cream. If, however, any provision of, or amendment or addition to, said Chapter 10 of Division IV of this code, either as originally enacted or as amended or added to at said session, should be held to be unconstitutional, the unconstitutionality of such provision shall not affect any other provision of said chapter.

If any article, section, subsection, sentence, clause or phrase of any provision of Chapter 10 of Division IV of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining provisions of said chapter. The Legislature hereby declares that it would have enacted each article, section, subsection, sentence, clause or phrase of said chapter irrespective of the fact that one or more other articles, sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Assembly Bill No 2422 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills.

Senate Bill No. 524—An act to amend sections 2, 4, 10, 11, 15, 28, 29, 30, 32, 42, 46, 52, 55, 56, 61, 62 and 63 of the State Housing Act, relating to houses designed for human habitation.

Motion to Amend Senate Bill No. 524.

Mr. Johnson moved to amend Senate Bill No. 524 as follows:

Amendment No. 1.

On page 21, line 22, of the printed bill, as amended, after the word "provided", add the following: "windows".

Amendment adopted.

Senate Bill No. 524 ordered to reprint, and third reading calendar.

Notices of Motion to Reconsider Continued.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 276 was passed was continued until the next legislative day.

On motion of Mr. Tenney, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 72 was refused passage was continued until the next legislative day.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was refused passage was continued until the next legislative day.

Adjournment.

At six o'clock p.m., on motion of Mr. Robertson, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late Honorable James Norris Gillett, former Governor, State Senator and Congressman of California, until eleven o'clock a.m., Wednesday, April 21, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FIFTH LEGISLATIVE DAY
ONE HUNDRED EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 21, 1937.

At eleven o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Henry P. Meehan, Speaker pro tempore of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called.

Call of the Assembly.

Mr. Robertson moved a call of the Assembly.

Motion carried.

Time, eleven o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Breed, Burns, Michael J., Call, Cottrell, Daley, Flint, Gannon, Garibaldi, Hawkins, Kepple, Leonard, Levey, Martin, Mayo, Meehan, Miller, George P., Millington, Morgan, Peek, Pelletier, Peyser, Richie, Robertson, Sawallisch, Sheehan, Walker, and Watson—29.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Further Proceedings Under Call of the Assembly Dispensed With.

At eleven o'clock and ten minutes a m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Robertson.

The roll of absentees was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—76.

Quorum present.

Prayer.

Prayer was offered by Rev William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Boyle, the further reading of the Journal of Tuesday, April 20, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:
Mr. Corwin, on motion of Mr. Stream.
Mr. Cassidy, on motion of Mr. Donihue.
Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ray C. Wakefield.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Joe Mitchell, Principal, Esther Guy, Teacher, and the following seventh and eighth grade students of William Union Grammar School: Marilyn Boyd, Anna May Chatfield, Gail Commons, Lewis Doop, Kenneth Egbert, Alice Ora Fowler, Ada May Hunt, Frank Kemp, Earl Landrus, Frances Marcus, Frances Leerer, Louolive Marcus, May Mary Thomas, Zane Marshall, Charles Mennins, Raymond Foutch, Ellaweise Holt, Warren Rathbun, Alice Lee Griffin, Allan Abel, Patricia Allen, Kathryn Apperson, Harold Bauchamp, Eldon Capps, Bethine Clothier, Robert Forrest, Russell Forrest, Joe Doop, Georgia Hall, Marvin Hamilton, Hugh Hardcastle, Keith Jensen, Glynn Keegan, Patsy Keith, Dorothy Kintana, Frank Kintana, Joene Lewis, Ruby Lock, Betty Jane McMullen, Betty Jane Casey, Janette Hildreth, Louise Never, Gerald Rice, Ellie Strickland, and Bettie Lee Hudson; Robert J. Meade, Principal, and the following students of the Winters Grammar School, Winters, Yolo County: Dorothy Hopkins, Betty Jean Forden, Martha Pezzatti, Claire Peterson, Maralen Franke, Reva Bruhn, Alfred Roseberry, George Matsushita, Zeddy Mermad, LeRoy Harrington, Mariano Lopez, Robert Lewis, John Collado, Joe Solido, Orville Baker, Delia O'Leary, Marie Corbobal, Tomiko Seta, Edythmae Ruggles, Barbara Jean Rice, Betty Miller, Virginia Birmingham, Edna Welty, Herbert Corell, Billy Ish, Charles E. Grof, Manuel Martin, Betty Anne Barkman, Mary Martin, Tony Martin, Dolores Garcia, Dorothy Anderson, Bettymae Nilmann, Mary Lee Herron, and Ermyl Baker.

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Maurene and Dorothy Lewis.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. R. D. Whitlow and Mrs. N. Maynard.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Al La Coste, Olive M. Hanniff and Tom Roberts of Oakland.

On request of Mr Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Arthur H. Breed, Jr.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to H. W. Melveny of Los Angeles.

On request of Messrs. Latham, and Martin, and Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Max Farrand, Director of the Huntington Library and Art Gallery, Mr. E. H. Conley, attorney for the Huntington Library, and Mrs. Madeline K. Conley.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Citizenship Class of the Turlock Union High School, as follows: Mrs. Patrine Bolswick, Mr. Olos Bolswick, Mrs. Marie Berg, Mr. E. A. Carlson, Mrs. E. A. Carlson, Mrs. Rebecca Calderon, Mr. E. F. Lofquist, Mrs E. F. Lofquist, Mrs. Olgo Martin, Mrs. Ida Olson, Mrs. Paroose Torosian, all of Turlock; and Mrs. James Yates, Chairman of American Legion Auxiliary, Turlock; and Mrs. Daisy Brockway, Teacher of Citizenship, Turlock Union High School, Turlock.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to T. J. Woolsey of Los Angeles.

On request of Mr. Mayo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chas. W. Tryon, C. W. Wood and Judge Ben Carlow of Angels Camp.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Rex Crabtree, Mrs R. J. Sykes, Mrs F. R. Blume, Mrs. C. M. Nemmo and Mrs. Bert Snyder.

Assistant Chief Clerk Greenburg Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read

On Ways and Means.

ASSEMBLY CHAMBER SACRAMENTO, April 20, 1937

MR. SPEAKER Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 500.
Respectfully reports the same back with the recommendation: Do pass as amended
ROBERTSON, Chairman

The above reported bill ordered on second reading calendar

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 2149.
And reports the same correctly re-engrossed
CUNNINGHAM, Chairman

The above reported bill ordered on third reading calendar

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Civil Service, to which was referred:
House Resolution No. 138.
Respectfully reports the same back with the recommendation: Be adopted.
CROWLEY, Chairman.

The above reported resolution ordered on third reading calendar.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Sheehan:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Sheehan:

An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Williamson—63.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2852: By Mr. Sheehan—An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Second Reading of Assembly Bills.

Assembly Bill No. 2554—An act relating to the use of lands dedicated for park purposes.

Committee Amendments to Assembly Bill No. 2554.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "persons", add the following: "with the permission of the governing board of the county, city and county, or city to which such lands have been granted,".

Amendment No. 2.

On page 1, line 6, of the printed bill, after "architecture", add the following: "or a type of architecture approved by the governing board giving such permission."

Amendment No. 3.

On page 1, line 9, of the printed bill, strike out the word "and", and in lieu thereof insert the following: "or".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 455—An act to amend section 92 of the Agricultural Code, relating to county and district agricultural fairs.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 1871—An act to amend section 4282 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-third class.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2846—An act to amend section 4266 of the Political Code, relating to the compensation of county officers and jurors in counties of the thirty-seventh class.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1123—An act to amend section 3 331 of the School Code, relating to high school students residing in this State and attending high school in an adjoining State.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 2651—An act to add section 5 409a to the School Code, relating to use of Division of State Employment Agencies by teachers.

Committee Amendment to Assembly Bill No. 2651.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "Employment Agencies.

The governing board of every school district or other board, agency, officer or person to whom has been delegated the authority to employ teachers in any such district, shall notify by written notice the Division of State Employment Agencies of any vacancy in any teaching position in such district, on the same day as, or before so notifying any private employment agency of such vacancy. Such written notice shall specify the salary, qualifications required and any other information required by the Division of State Employment Agencies"

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1618—An act to amend section 361a of the Civil Code, relating to the merger and consolidation of corporations.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1619—An act to amend section 362a of the Civil Code, relating to the amendment of articles of incorporation

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 479—An act to amend sections 1281a, 1305, and 1310 of the Penal Code and to add a new section to that code to be numbered 1280c, all relating to the powers and duties of a court, judge or magistrate regarding bail.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1023—An act to add a new section to be numbered 605e½ of the Civil Code, relating to the liability of members of unincorporated nonprofit associations.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1024—An act to add section 171b to the Civil Code, relating to the separate property of the wife

Bill read second time, and ordered to engrossment

Assembly Bill No. 1346—An act to amend section 690.23 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1080—An act to amend sections 2334 and 2335 of the Civil Code, relating to agency.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2821—An act to amend sections 4160 and 4161 of the Political Code and to add a new section thereto to be numbered 4174a, relating to the liability and duties of sheriffs.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2473—An act to amend section 1425 of the Penal Code, relating to jurisdiction of justices' courts.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1044—An act to amend section 1 of "An act providing for the disposition of exhibits filed with the court in criminal cases," approved May 24, 1921, relating to exhibits in criminal cases.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2117—An act to amend section 2 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the duties of the State Fire Marshal.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2842—An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Santa Clara.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1121—An act to amend section 7370 of the Political Code, relating to the salary of the judges of Kern County.

Committee Amendments to Assembly Bill No. 1121.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 737o", and insert in lieu thereof the following: "sections 737o and 4240".

Amendment No. 2.

On page 1 of the printed bill, strike out line 2 of the title, and insert in lieu thereof the following: "the compensation of public officers."

Amendment No. 3.

On page 1, line 4, of the printed bill, strike out "six thousand one", and insert in lieu thereof the following: "seven thousand".

Amendment No. 4.

On page 1 of the printed bill, after line 4, insert the following:

"SEC. 2. Section 4240 of the Political Code is hereby amended to read as follows:

4240. In counties of the eleventh class the following county officers shall receive as compensation for the services required of them by law or by virtue of their offices the following salaries, fees and expenses, to wit:

1. The auditor, four thousand dollars per annum, together with his necessary expenses incurred while traveling in the performance of his official duties.

2. The district attorney, four thousand eight hundred dollars per annum.

The district attorney, assistant district attorney, and the deputy district attorneys shall devote their entire time during office hours to the work of the county and State, and are prohibited from engaging in private work within such office hours.

No employee of the district attorney's office shall accept compensation by reason of services rendered in any action or proceedings wherein fees or per diem would constitute a charge against the county.

The district attorney, in addition to the compensation herein provided for, shall be allowed his necessary expenses incurred in the discharge of his official duties.

All fees and commissions or compensations received by the district attorney in his official capacity, from any sources, shall be paid into the county treasurer, other than the official salary herein provided.

3. Supervisors, four thousand dollars per annum each, and actual and necessary expenses incurred in the performance of the duties of their office.

4. Jurors—In the superior court, jurors' fees and witnesses' fees shall be as follows:

For attending as a grand juror, for each day's actual attendance, per day, three dollars, and fifteen cents per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

For attending as a trial juror, for each day's actual attendance, per day, three dollars, and ten cents per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and mileage, and the treasurer shall pay the same.

For attending as a trial juror in criminal cases in justice courts, three dollars per day, for each day of actual service as a juror, and the justice of said court shall make an order directing the auditor to draw his warrant in favor of such juror for said per diem and the treasurer shall pay the same

Witnesses—For attending as a witness in criminal cases in the superior court and before the grand jury, for each day's actual attendance, the sum of two dollars, and ten cents per mile for each mile actually traveled in going only, and the judge of said court shall make an order directing the auditor to draw his warrant in favor of such witness for said per diem and mileage and the treasurer shall pay the same; provided, however, that in criminal cases such per diem and mileage shall only be allowed on a showing to the court by the witness the same was necessary for the expenses of the witness in attending; and the court shall determine the necessity for the same, and may disallow any fees to a witness unnecessarily subpenaed

5. Each employee regularly employed in the service of the county who shall have been employed for a period of six months, but less than one year, shall be entitled to a vacation of one calendar week; each employee regularly employed in the service of the county for a period of one year or more shall be allowed a vacation of two calendar weeks; said vacations to be without loss of pay; the vacation period to be designated by the heads of the various departments of said county."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1821—An act to amend section 4 of the "Act Concerning Cosmetology," relating to the State Board of Cosmetology.

Committee Amendments to Assembly Bill No. 1821.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3, 4 and 5; and in line 6, strike out "the", and insert in lieu thereof the following:

"SEC. 4 There is a State Board of Cosmetology which consists of five members The".

Amendment No. 2.

On page 1, lines 11 and 12, of the printed bill, strike out "first three".

Amendment No. 3.

On page 2, line 4, of the printed bill, strike out "Except as herein provided, the", and insert in lieu thereof the following: "The".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 7 to 15, inclusive, and insert in lieu thereof the following: "of the members of the board expire as follows: One member, January 15, 1938; one member, January 15, 1939, one member, January 15, 1940; and two members, January 15, 1941; in the same order in which they have heretofore expired. Vacancies".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1928—An act to add a new section, to be numbered 33½, to the Retail Sales Tax Act of 1933, relating to judicial review.

Committee Amendments to Assembly Bill No. 1928.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to repeal section 33 and".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, strike out "33½", and insert in lieu thereof the following: "33".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 33 of the act cited in the title hereof is hereby repealed.

SEC. 2. A new section to be numbered 33 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 33. Any person against whom any additional assessment, arbitrary assessment, or jeopardy assessment of tax, interest, or penalty is made under this act, within thirty days after the final assessment or determination thereof by the board may bring an action in the superior court. Said action shall be for a review of the order, decision, or other official act of the board assessing or determining said tax, interest, or penalty. Said court shall review all records and testimony on file with the board which pertain to said assessment and all evidence taken before said board and take such additional evidence as it may require or as may be submitted by the board or the person filing such petition, and shall then render judgment affirming, reversing, or modifying the action of the board, and such judgment when finally determined shall constitute the final determination of tax. In the event any such judgment reverses or modifies the action of the board, no interest or penalty on any tax found due shall be assessed against the taxpayer and the taxpayer shall be entitled to a deduction of the amount of tax found due for his legal costs incurred in the prosecution of said action."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 129—An act to amend section 1315 of the Political Code, relating to electors of the President and Vice President of the United States.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 81—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 516—An act to amend section 4041.18 of the Political Code, relating to construction of public buildings.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1120—An act to amend sections 4260, 4272 and 4285 of the Political Code, relating to compensation for public services to counties.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1106—An act to amend section 737n of the Political Code, relating to counties of the twenty-eighth class.

Committee Amendments to Senate Bill No. 1106.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 737n", and insert in lieu thereof the following: "sections 737n, 737e, 737ccc and 737v".

Amendment No. 2.

On page 1 of the printed bill, strike out line 2 of the title, and insert in lieu thereof the following: "to salaries of judges of the superior court."

Amendment No. 3.

On page 1, line 2, of the printed bill, after "amended", insert the following: "to read".

Amendment No. 4.

On page 1 of the printed bill, after line 4, insert the following:

"SEC. 2. Section 737e of the Political Code is hereby amended to read as follows:

737e. The annual salary of the judge of the superior court in and for the county of Calaveras is six thousand dollars.

SEC. 3. Section 737ccc of the Political Code, is hereby amended to read as follows:

737ccc. The annual salary of the judge of the superior court in and for the county of Tuolumne is six thousand dollars.

SEC. 4. Section 737v of the Political Code is hereby amended to read as follows:

737v. The annual salary of the judge of the superior court in and for the county of Mariposa is six thousand dollars."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 205—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Committee Amendments to Senate Bill No. 205.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, after "Controller", insert the following: "or to the State Personnel Board".

Amendment No. 2.

On page 1, line 23, of the printed bill, after "affidavit", insert the following: "and shall also note any amounts advanced to the judgment debtor by, or which the judgment debtor owes the State of California by reason of advances for expenses or for any other purpose".

Amendment No. 3.

On page 2, line 1, of the printed bill, after "claim", insert the following: ", after deducting from such claim an amount sufficient to reimburse the State department, board, officer or commission for any amounts advanced to said judgment debtor or by him owed to the State of California"

Amendment No. 4.

On page 2 of the printed bill, after line 33, insert the following:

"(d) In the event the moneys owing to a judgment debtor by any governmental agency mentioned in this section are owing by reason of an award made in a condemnation proceeding brought by the governmental agency, such governmental agency may pay the amount of the award to the clerk of the court in which such condemnation proceeding was tried, and shall file therewith the abstract or transcript of judgment and the affidavit filed with it by the judgment creditor. Such payment into court shall constitute payment of the condemnation award within the meaning of section 1251 of this code. Upon such payment into court and the filing with the county clerk of such abstract or transcript of judgment and affidavit, the county clerk shall notify by mail, through their attorneys, if any, all parties interested in said award of the time and place at which the court which tried the condemnation proceeding will determine the conflicting claims to said award. At said time and place the court shall make such determination and order the distribution of the money held by the county clerk in accordance therewith.

(e) The judgment creditor may state in the affidavit any fact or facts tending to establish the identity of the judgment debtor. No public officer or employee shall be liable for failure to perform any duty imposed by this section unless sufficient information is furnished by the abstract or transcript together with the affidavit to enable him in the exercise of reasonable diligence to ascertain such identity therefrom and from the papers and records on file in the office in which he works. The word "office" as used herein does not include any branch or subordinate office located in a different city."

Amendment No. 5.

On page 2, line 34, of the printed bill, strike out the "(d)", and insert in lieu thereof the following "(f)".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Notices of Motion to Reconsider Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 276 was passed was continued until the next legislative day.

On motion of Mr Burns, Hugh M., the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2814 was refused passage was continued until the next legislative day.

On motion of Mr. Tenney, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 72 was refused passage was continued until the next legislative day.

On motion of Mr. Call, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1171 was passed was continued until the next legislative day.

On motion of Mr. Call, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1173 was passed was continued until the next legislative day.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2170 was refused passage was continued until the next legislative day.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2375 was passed was continued until the next legislative day.

On motion of Mr. Tenney, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 234 was passed was continued until the next legislative day.

On motion of Mr. Donnelly, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1879 was passed was continued until the next legislative day.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was refused passage was continued until the next legislative day.

Recess.

At eleven o'clock and twenty-five minutes a.m., on motion of Miss Miller, the Assembly was declared at recess to hear from Dr. Max Farrand, Director of the Huntington Library and Art Gallery

Reassembled.

At eleven o'clock and thirty minutes, a.m., the Assembly reconvened. Speaker pro tempore Meehan in the chair.

Third Reading of Senate Bills.

Senate Bill No. 744—An act to amend section 2 of the State Contract Act, relating to the State Department of Finance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Red-

wine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Williamson—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 854—An act to repeal certain sections of the Political Code herein specified, relating to cities and towns.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Donihue, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Johnson, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Williamson—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 524—An act to amend sections 2, 4, 10, 11, 15, 28, 29, 30, 32, 42, 46, 52, 55, 56, 61, 62 and 63 of the State Housing Act, relating to houses designed for human habitation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael, J, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Williamson—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 58—An act to amend section 4 of an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, relating to employees of the Division of Narcotic Enforcement.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J, Clark, Cottrell, Cronin, Crowley, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, and Welsh—50.

NOES—Daley, Dannenbrink, and Richie—3.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 274—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Bill read third time, and passed by the following vote :

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Daley, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Welsh—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: **Assembly Bill No. 1743.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

Re-reference of Assembly Bill No. 1743.

By order of the Speaker, Assembly Bill No. 1743 was re-referred to the Committee on Public Morals

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred: **Assembly Bill No. 1743.**

Respectfully reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

TURNER, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker pro tempore Meehan in the chair.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 895—An act to amend section 61 of the Bank Act, relating to investments in registered warrants of this State.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Cronin, Cunningham, Dannenbrink, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Sheehan, Stream, Thorp, Walker, Watson, and Williamson—43

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 323—An act to add section 661.8 to the Political Code, relating to the payment of claims against the State and indorsing of warrants issued therefor.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Peek, Pelletier,

Peyser, Reaves, Redwine, Sawallisch, Sheehan, Stream, Thorp, Walker, Watson, and Williamson—50.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 897—An act to add section 663b to the Political Code, relating to the collection of taxes and empowering the State Board of Control to discharge certain State departments, boards, commissions, officers or employees from accountability for the collection of taxes, the amount of which does not justify the cost of their collection.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Walker, Watson, and Williamson—54

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 670—An act to amend section 677 of the Political Code, relating to the State Department of Finance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Walker, Watson, and Williamson—52

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 669—An act to add section 663c to the Political Code, relating to the fixing of maximum maintenance allowances of certain State officers and employees by the State Board of Control.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Walker, Watson, Williamson and Yorty—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 187—An act to add Chapter IIIa, comprising sections 1334 to 1334.6, inclusive, to Title X of Part II of the Penal Code, relating to the attendance of witnesses without the State in criminal proceedings.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Walker, Watson, Williamson, and Yorty—56

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 517—An act to amend section 374 of the Streets and Highways Code, relating to State Highway Route 74.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Walker, Watson, Williamson, and Yorty—51.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 214—An act granting to the city of Pittsburg and its successors certain salt, marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon, and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands for wharf out privileges hereby granted.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Walker, Watson, Williamson, and Yorty—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 146—An act to amend sections 1250 and 1251 of the Fish and Game Code, relating to deer.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, and Yorty—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 181—An act to amend section 1177 of the Fish and Game Code, relating to game birds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, and Yorty—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No 929—An act to add section 37 to the Fish and Game Code, relating to disposition of game.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser,

Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Williamson, and Yorty—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 215—An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, and Yorty—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 362—An act to amend section 692 of the Political Code, relating to the approval of contracts by the Director of Finance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, and Williamson—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. Nelson S. Dilworth in the Chair.

At two o'clock and forty minutes p.m., Hon. Nelson S. Dilworth, member of the Assembly from the Seventy-Sixth District, in the chair.

Special Order Set for Assembly Bill No. 500.

On motion of Mr. Robertson, the consideration of Assembly Bill No. 500 was made a special order of business for Monday, April 26, 1937, at two o'clock p.m.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 216—An act to add Chapter Va, comprising sections 852 to 852.4, inclusive, to Title III of Part II of the Penal Code, relating to the pursuit and arrest of persons accused of crime.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Pelletier, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Walker, Watson, Weber, and Williamson—48.

NOES—Clark, Crowley, Dawson, Desmond, Hawkins, Hornblower, Maloney, O'Donnell, Peek, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, and Yorty—17.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 216.

Mr. Sawallisch gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No 216 was this day passed.

Senate Bill No. 104—An act to add a new section to the School Code to be numbered 5.751, relating to the salaries of persons employed by school districts in positions requiring certification qualifications.

Motion to Amend Senate Bill No. 104.

Mr Clark moved to amend Senate Bill No 104 as follows:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, after the word "for", insert the following: "not less than".

Amendment adopted.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Senate Bill No. 104, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 104, as Amended.

Senate Bill No. 104—An act to add a new section to the School Code to be numbered 5.751, relating to the salaries of persons employed by school districts in positions requiring certification qualifications.

Senate Bill No. 104, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—67.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 338—An act to amend section 1228 of the Penal Code, relating to capital punishment.

Motion to Pass Senate Bill No. 338 on File.

Mr Flint moved to pass Senate Bill No 338 on file

The roll was called, and the motion lost by the following vote:

AYES—Burns, Michael J., Flint, Glick, Heisinger, Morgan, Patterson, Pelletier, Rosenthal, Tenney, and Yorty—10

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Peek, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, and Weber—56.

Senate Bill No. 338 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson Peek Pelletier, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, and Weber—56.

NOES—Burns, Hugh M., Cunningham, Desmond, Dilworth, Hornblower, Meehan, Morgan, Peyser, and Williamson—9.

Title read and approved Bill ordered transmitted to the Senate.

Explanation of Vote.

The undersigned members refused to vote on Senate Bill No 338 on the ground that said members are not interested in the refinements of legalized murder, and stand for the abolishment of capital punishment.

JACK B. TENNEY.
PAUL A. RICHIE.
CECIL R. KING.
GENE FLINT.
FRED REAVES.
BEN ROSENTHAL.
ELLIS E. PATTERSON.

Hon. Fred P. Muldoon in the Chair.

At three o'clock and fifteen minutes p m., Hon. Fred P. Muldoon, member of the Assembly from the Fortieth District, in the chair.

Senate Bill No. 632—An act to amend section 1603 of the Penal Code, relating to the confinement of prisoners.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—71.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Leave of Absence.

Mr. Hunt was granted leave of absence for the balance of this legislative day, on motion of Mr. Gilbert.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 431—An act to repeal sections 2.123, 3.610, 3.611 and 3.612 of the School Code and to add thereto two new sections to be numbered 4.192 and 4.193, all relating to the furnishing of facilities and supplies by the county superintendent of schools for the education of children residing in the county.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, and Yorty—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 8—Relative to the control of white pine blister rust by the United States Government.

Senate Joint Resolution No. 8 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves,

Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

The Speaker Pro Tempore in the Chair.

At three o'clock and thirty minutes p.m., Hon. Henry P. Meehan, Speaker pro tempore of the Assembly, in the chair.

Senate Bill No. 679—An act to add section 352a to the Political Code, relating to salaries or wages of State officers and employees.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. C. Don Field in the Chair.

At three o'clock and thirty-three minutes p.m., Hon. C. Don Field, member of the Assembly from the Forty-Third District, in the chair.

Senate Bill No. 450—An act to amend section 304 of the Streets and Highways Code, relating to State Highway Route 4.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Johnson, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 259—An act relating to out-of-State parolee supervision and authorizing and directing the Governor to enter into compacts therefor.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, and Williamson—60.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 432—An act to amend sections 2.2010 and 2.2011 of the School Code, relating to unified school districts.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch,

Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, and Yorty—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 34—An act to add section 3a to the Improvement Bond Act of 1915, relating to the rate of interest of bonds issued under the act.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Latham, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, and Yorty—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 36—An act to add section 60a to the Improvement Act of 1911, relating to the rate of interest of bonds issued under the act.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Williamson, and Yorty—60.

NOES—None.

Hon. Arthur H. Breed, Jr., in the Chair.

At three o'clock and fifty minutes p.m., Hon. Arthur H. Breed, Jr., member of the Assembly from the Sixteenth District, in the chair.

Senate Bill No. 217—An act to amend section 799 of the Fish and Game Code, relating to abalones.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Weber, Williamson, and Yorty—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Recess.

At three o'clock and forty-five minutes p.m., the Assembly was declared at recess to hear from Hon Frank C. Jordan, Secretary of State.

Reassembled.

At three o'clock and fifty minutes p m , the Assembly reconvened. Speaker pro tempore Meehan in the chair.

Senate Bill No. 379—An act to authorize boards of trustees of school districts to pay certain claims.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Maloney, Martin,

Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, and Yorty—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 139—An act to add a new section to the California Irrigation District Act to be numbered section 48 1, relating to time in which action may be commenced.

Motion to Amend Senate Bill No. 139.

Mr Donnelly moved to amend Senate Bill No. 139 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "a new section", and insert in lieu thereof the following: "sections 48.1 and 48.2".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "to be numbered section 48.1".

Amendment No. 3.

On page 1 of the printed bill, as amended, following line 26, insert the following.

"SEC. 2. Section 48.2 is hereby added to the California Irrigation District Act to read as follows:

Sec. 48.2. The provisions of sections 47.1 and 48.1 do not apply in the following cases:

(a) Where the assessments or taxes for which the land was sold or the certificate issued were paid before the sale.

(b) Where the land was redeemed after the sale.

(c) Where the land was not subject to assessment or taxation at the time it was assessed.

(d) Where no taxes or assessments were due on the land at the time of sale.

(e) Where fraud is established.

(f) Where the deed is void on its face.

(g) Where the owner of the land is, at the time of the sale, a minor or insane person, in which case the statute of limitations begins to run when such disability is removed.

(h) In any other case where there is a total lack of jurisdiction to make the sale or the deed."

Amendments adopted.

Request for Unanimous Consent.

Mr. Donnelly asked for, and was granted, unanimous consent to take up Senate Bill No. 139, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 139, as Amended.

Senate Bill No. 139—An act to add sections 48.1 and 48.2 to the California Irrigation District Act, relating to time in which action may be commenced.

Senate Bill No. 139, as amended, read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Williamson, and Yorty—61.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 140—An act to add a new section to the California Irrigation District Act to be numbered section 47 1, relating to time in which actions may be commenced.

Bill read third time, and passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, and Yorty—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Recess.

At four o'clock and ten minutes p.m., the Assembly was declared at recess to hear from Mayor Al La Coste of Emeryville.

Reassembled.

At four o'clock and fifteen minutes p.m., the Assembly reconvened. Speaker pro tempore Meehan in the chair.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 148—An act to add section 48b to the California Irrigation District Act, relating to the discharge, compromise, and purchase of overlapping tax or assessment liens and titles on district-owned property.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Williamson, and Yorty—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 149—An act to amend section 11 of the California District Securities Commission Act, relating to the levy of annual assessments by irrigation districts, providing that said section shall remain in effect until November 1, 1939, declaring this act an emergency measure enacted under the police power, providing that this act shall not apply to refunding bonds of irrigation districts issued pursuant to a plan or readjustment confirmed in any proceedings under the Federal Bankruptcy Act, and authorizing the levy of assessments in accordance with the terms of such bonds.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—60

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. Thomas A Maloney in the Chair.

At four o'clock and fifteen minutes p.m., Hon. Thomas A. Maloney, member of the Assembly from the Twentieth District, in the chair.

Senate Bill No. 193—An act relating to the redemption of property sold to irrigation districts for delinquent assessments

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber Williamson, and Yorty—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 448—An act to add section 512 to the Vehicle Code, relating to speed limits in the vicinity of State institutions.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Williamson, and Yorty—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 753—An act to amend section 32a of the California Irrigation District Act, relating to the issuance of funding and refunding bonds and the approval of plans and modifications of plans for refunding of indebtedness of irrigation districts, and declaring the urgency thereof.

Urgency clause read, and adopted by the following vote:

AYES—Breed, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—59.

NOES—None.

Senate Bill No. 753 read third time, and passed by the following vote:

AYES—Breed, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, and Williamson—60

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1099—An act to amend section 42 of the California Irrigation District Act, relating to publication of the delinquent list.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, and Weber—61

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Hon. Harold F. Sawallisch in the Chair.

At four o'clock and thirty-five minutes p.m., Hon. Harold F. Sawallisch, member of the Assembly from the Tenth District, in the chair.

Senate Bill No. 218—An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties, and also for investigating, gathering statistics and maintaining records as to matters affecting the economic welfare of their several counties and their inhabitants.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kuchel, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, and Williamson—53

NOES—Field, Heisinger, Kepple, Latham, Lore, O'Donnell, Peek, Reaves, Richie, Tenney, and Yorty—11.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 459—An act to amend sections 11690, 11691 and 11702 of the Insurance Code and to add sections 11556.5 and 11705.5 thereto, all relating to the workmen's compensation insurance.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, and Williamson—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 35—An act to add section 3a to "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to the rate of interest on bonds.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, and Williamson—60

NOES—Heisinger—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 901—An act to amend section 1195 of the Insurance Code, relating to investments by domestic incorporated insurers.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan,

Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 116—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended, by amending sections 1, 2, 3 and 5 thereof, relating to deposits of State moneys.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, and Yorty—57.

NOES—None.

Senate Bill No. 116 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, and Yorty—55

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 614—An act to add section 461 to the Political Code, relating to the insurance of funds and securities in the custody of the State Treasurer.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—58

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 550—An act to amend sections 4 and 11 of, and to add section 6 1 to, the State Contract Act, relating to State contracts, and to the notice required therefor, the qualifications of bidders thereon, and the rights and remedies of bidders thereon in case of mistake.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, and Williamson—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 808—An act to provide for reporting and transmitting fines and forfeitures from judges and magistrates to the State Treasurer.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael, J., Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, and Williamson—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 968—An act making bonds issued by California Toll Bridge Authority legal investments for certain purposes.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Williamson, and Yorty—59.

NOES—None.

Senate Bill No. 968 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns Michael J., Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred the request of Mr. Yorty for the printing of 500 extra copies of the majority report of the Modesto Interim Committee and the similar request of Mr. Redwine for 500 extra copies of the minority report of the same committee, both reports to be printed as separate documents;

Respectfully reports the same back with the recommendation: That said requests be granted.

PEEK, Chairman.

Motion to Adopt Report of Committee on Rules.

Mr. Yorty moved the adoption of the report of the Committee on Rules.

Substitute Motion.

Mr. Williamson moved, as a substitute motion, that the report of the Committee on Rules be amended as follows: That both reports be printed as a single document.

The roll was called, and the substitute motion carried by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Sawallisch, Voigt, Walker, Watson, Weber, and Williamson—43.

NOES—Clark, Gilbert, Hawkins, Patterson, Reaves, Richie, Rosenthal, Tenney, and Yorty—9.

The roll was called, and the report of the Committee on Rules, as amended, adopted by the following vote

AYES—Boyle, Breed, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, and Yorty—58.

NOES—Baynham, and Kepple—2.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 946—An act to amend the title to Article IV, Chapter XIV, Division III of the Probate Code and to amend sections 541 5, 645, 646, 752, 770, 772, 780, 830, 860, 1480, 1482, 1531, 1532, and 1533 of the Probate Code, to repeal section 930 5 of the Probate Code, and to add sections 578a, 1518 and 1519 to the Probate Code, all relating to the estates of deceased persons, incompetent persons and minors.

Motion to Amend Assembly Bill No. 946.

Mr Cunningham moved to amend Assembly Bill No 946 as follows.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the word "sections", insert the following: "201.5,".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "541 5', and insert in lieu thereof the following: "201.5'.

Amendment No. 3.

On page 1 of the printed bill, between lines 2 and 3, insert the following

"201.5. Upon the death of either husband or wife one-half of all the decedent's real property situated in this State, and of all the decedent's personal property, wherever situated, heretofore or hereafter acquired after mariage by either husband or wife, or both, while domiciled elsewhere, which would have been community property if acquired while domiciled in this State, goes to the surviving spouse; the other one-half of such property is subject to the testamentary disposition of such decedent and in the absence thereof goes to the surviving spouse, subject to the debts of the decedent and to administration and disposal under the provisions of Division III of this code."

SEC. 2. Section 541 5 of the Probate Code is hereby amended to read as follows.".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out the number "2", and insert in lieu thereof the following: "3".

Amendment No. 5.

On page 1, line 10, of the printed bill, strike out "3", and insert in lieu thereof the following: "4".

Amendment No. 6.

On page 1, line 13, of the printed bill, after "executor", insert the following: "or administrator".

Amendment No 7.

On page 1, line 20, of the printed bill, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 8.

On page 2, line 23, of the printed bill, strike out "5", and insert in lieu thereof the following: "6".

Amendment No. 9.

On page 2, line 33, of the printed bill, strike out "6", and insert in lieu thereof the following: "7".

Amendment No. 10.

On page 2, line 40, of the printed bill, strike out "7", and insert in lieu thereof the following: "8".

Amendment No. 11.

On page 3, line 6, of the printed bill, strike out "8", and insert in lieu thereof the following: "9".

Amendment No. 12.

On page 3, line 20, of the printed bill, strike out "9", and insert in lieu thereof the following: "10".

Amendment No. 13.

On page 3, line 39, of the printed bill, strike out "10", and insert in lieu thereof the following: "11"

Amendment No. 14.

On page 4, line 28, of the printed bill, strike out "11", and insert in lieu thereof the following: "12".

Amendment No. 15.

On page 4, line 34, of the printed bill, strike out "12", and insert in lieu thereof the following: "13".

Amendment No. 16.

On page 4, line 49, of the printed bill, strike out "13", and insert in lieu thereof the following: "14".

Amendment No. 17.

On page 5, line 8, of the printed bill, strike out "probably", and insert in lieu thereof the following: "probable".

Amendment No. 18.

On page 5, line 16, of the printed bill, strike out "14", and insert in lieu thereof the following: "15".

Amendment No. 19.

On page 5, line 24, of the printed bill, strike out "approve", and insert in lieu thereof the following: "approved".

Amendment No. 20.

On page 5, line 28, of the printed bill, strike out "15", and insert in lieu thereof the following: "16".

Amendment No. 21.

On page 5, line 45, of the printed bill, strike out "16", and insert in lieu thereof the following: "17".

Amendment No. 22.

On page 6, line 4, of the printed bill, strike out "17", and insert in lieu thereof the following: "18".

Amendment No. 23.

On page 6, line 13, of the printed bill, strike out "building", and insert in lieu thereof the following: "buildings".

Amendment No. 24.

On page 6, line 38, of the printed bill, strike out "18", and insert in lieu thereof the following: "19".

Amendment No. 25.

On page 7, line 5, of the printed bill, strike out "19", and insert in lieu thereof the following: "20".

Amendments adopted.

Assembly Bill No. 946 ordered to reprint, and re-engrossment.

Assembly Bill No. 2282—An act to amend section 4295 of the Political Code, relating to official service without fee.

Motion to Amend Assembly Bill No. 2282.

Mr. Cronin moved to amend Assembly Bill No 2282 as follows.

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "amend section 4295 of the Political Code, relating to official service without fee.", and insert in lieu thereof the following: "add section 1029.5 to the Code of Civil Procedure, relating to costs in civil actions."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and on page 2, strike out lines 1 to 35, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section to be numbered 1029.5 is hereby added to the Code of Civil Procedure to read as follows:

1029.5. When any judgment which includes the right to recover any costs is".

Amendment No. 3.

On page 2 of the printed bill, strike out lines 46 to 49, inclusive.

Amendments adopted.

Assembly Bill No. 2282 ordered to reprint, and re-engrossment.

Assembly Bill No. 2283—An act to amend section 4300-1 of the Political Code, relating to fees in municipal courts.

Motion to Amend Assembly Bill No. 2283.

Mr. Cronin moved to amend Assembly Bill No. 2283 as follows:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended in the Assembly on April 16, 1937, after the word "fact", insert a comma and the following: "and all proceedings subsequent thereto, including all affidavits, swearing witnesses and jury, entry of judgment, issuance of execution thereon, and supplementary proceedings thereto."

Amendment adopted.

Assembly Bill No. 2283 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1102—An act to amend sections 3, 4, 5 and 6 of "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts.

Motion to Amend Senate Bill No. 1102.

Mr. Crowley moved to amend Senate Bill No. 1102 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "5 and 6", and insert in lieu thereof the following: "and 5 of, to renumber and amend section 6 to be section 17".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, following the word "districts", add a comma and the following: "declaring the urgency hereof and providing that this act shall take effect immediately".

Amendment No. 3.

On page 2, line 13, of the printed bill, after the word "hereby", add the following: "renumbered to be section 17 and".

Amendment No. 4.

On page 2, line 15, of the printed bill, strike out "6", and insert in lieu thereof the following: "17".

Amendment No. 5.

On page 2, line 18, of the printed bill, after the word "for", insert the following: "the payment of all interest and principal of bonds which will be due on or before the tenth day of July of the succeeding year and for".

Amendment No. 6.

On page 2 of the printed bill, following line 47, add the following:

"SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately.

The facts constituting the necessity are as follows:

In Lake County and in other portions of the State many persons are eager to form recreation districts under the act amended by this bill but under the act as at present are unable to undertake any work thereunder because of lack of authority to construct recreation facilities other than swimming pools. If this act is passed and takes immediate effect then work will start upon the various structures authorized by this act immediately thus relieving in part the unemployment which despite improved economic conditions still exists.

If this act does not take effect until 90 days after the adjournment of the session it will not be possible to construct the recreational facilities in time for the summer season of 1937 and the work may be delayed for over a year to the great detriment both to the people in the proposed recreation districts themselves and to the economic well being of the State of California as a whole."

Amendments adopted.

Senate Bill No. 1102 ordered to reprint, and third reading calendar.

Senate Bill No. 445—An act to repeal an act entitled "An act providing for the setting aside of moneys raised for building purposes by school districts for three fiscal years and the expenditures of such

moneys thereafter," approved April 22, 1929, and to add to Chapter 1 of Part III of Division IV of the School Code a new article to be known as Article IIa, relating to accumulation and expenditure of funds by school districts for capital outlay purposes.

Motion to Amend Senate Bill No. 445.

Mr. Morgan moved to amend Senate Bill No. 445 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out line 39, and insert in lieu thereof the following: "therein.

Funds heretofore accumulated by a".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out all of lines 46 and 47, and insert in lieu thereof the following: "hereby created. The governing board of such district may continue the".

Amendments adopted.

Senate Bill No. 445 ordered to reprint, and third reading calendar.

Senate Bill No. 7—An act to amend section 4 of the Old Age Security Act of the State of California, relating to aid to the aged.

Motion to Amend Senate Bill No. 7.

Mr. Hornblower moved to amend Senate Bill No. 7 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1, 2 and 3 of the title, and in line 4, strike out "tions Code", and insert in lieu thereof the following: "An act to repeal sections 2224, 2225, 2226, 2227 and 2228 of the Welfare and Institutions Code and to amend section 4 of the Old Age Security Act of the State of California or to add section 2233 to the Welfare and Institutions Code".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 11 and 12, insert the following: "Any lien for aid to the aged heretofore acquired is hereby released."

Amendment No. 3.

On page 1, line 12, of the printed bill, as amended, strike out "and 2225", and insert in lieu thereof the following: ", 2225, 2226, 2227 and 2228".

Amendment No. 4.

On page 1 of the printed bill, as amended, after line 13, insert the following:

"SEC. 3. Section 2233 is hereby added to the Welfare and Institutions Code, to read as follows:

2233. Any lien for aid to the aged heretofore acquired is hereby released.

SEC. 4. Section 1 of this act shall take effect only if a Welfare and Institutions Code is not enacted by the fifty-second session of the Legislature.

SEC. 5. Section 3 of this act shall take effect only if a Welfare and Institutions Code is enacted by the fifty-second session of the Legislature."

Amendments adopted.

Senate Bill No. 7 ordered to reprint, and third reading calendar.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Martin:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county officers and employees, namely, county foresters and fire wardens as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax.

Referred to Committee on Introduction of Bills.

By Mr Redwine:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 347 to the Civil Code and to amend section 362 of the Civil Code, all relating to corporations.

Referred to Committee on Introduction of Bills.

By Mrs. Daley:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bills, the titles of which read as follows:

An act to amend section 7 of the "Personal Income Tax Act of 1933," relating to gross income.

An act to amend section 61 of the Labor Code, relating to the Department of Industrial Relations.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Redwine:

An act to add section 347 to the Civil Code and to amend section 362 of the Civil Code, all relating to corporations.

By Mr. Martin:

An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county officers and employees, namely, county foresters and fire wardens as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax

By Mrs. Daley:

An act to amend section 7 of the "Personal Income Tax Act of 1933," relating to gross income.

By Mrs. Daley:

An act to amend section 61 of the Labor Code, relating to the Department of Industrial Relations.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty——64.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2853: By Mr. Redwine—An act to add section 347 to the Civil Code and to amend section 362 of the Civil Code, all relating to corporations.

Bill read first time, and referred to Committee on Corporations.

Assembly Bill No. 2854: By Mr. Martin—An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county officers and employees, namely, county foresters and fire wardens as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax.

Bill read first time, and referred to Committee on County Government.

Assembly Bill No. 2855: By Mrs. Daley—An act to amend section 7 of the "Personal Income Tax Act of 1933," relating to gross income.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2856: By Mrs Daley—An act to amend section 61 of the Labor Code, relating to the Department of Industrial Relations.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Joint Resolution No. 41: By Mr. Patterson—Relative to memorializing the President and Senate of the United States to appoint Dr. Max Radin to the bench of the Ninth Circuit Court of Appeal

Introduced, and referred to Committee on Federal Relations.

Assembly Concurrent Resolution No. 44: By Mr Yorty—Relative to certain Mediation Boards.

Request for Unanimous Consent.

Mr. Yorty asked for unanimous consent to take up Assembly Concurrent Resolution No. 44, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Mr. Field withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr Yorty moved that the Rules be temporarily suspended for the consideration of Assembly Concurrent Resolution No 44.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Burns, Michael J, Clark, Crowley, Donahue, Donnelly, Garland, Gilbert, Hawkins, Heisinger, King, Lore, Miller, George P, Patterson, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Voigt, and Yorty—20.

NOES—Baynham, Boyle, Breed, Call, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Field, Fulcher, Gannon, Hornblower, Johnson, Kepple, Kuchel, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, and Williamson—37

Assembly Concurrent Resolution No 44 referred to the Committee on Labor and Capital

Notice of Motion to Withdraw Assembly Bill No. 311 from Committee

Mr Richie gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 311 from the Committee on Crime Problems, and have it placed upon the calendar.

Resolution.

The following resolution was offered:

By Mr. Richie:

House Resolution No. 142.

WHEREAS, On February 9, 1917 in the superior court of the State of California in and for the City and County of San Francisco, Thomas J. Mooney was convicted of the crime of murder in connection with the bombing of the Preparedness Day Parade in the city of San Francisco on July 22, 1916, resulting in the death of several persons, and

WHEREAS, Thomas J Mooney was thereupon sentenced to death, which sentence was later commuted by the Governor of the State of California to life imprisonment; and

WHEREAS, The said Thomas J. Mooney has, since said conviction, been incarcerated in the State Prison at San Quentin, where he is still confined as a life prisoner; and

WHEREAS, It has since been shown that the conviction of said Thomas J. Mooney was based upon false and perjured testimony, and it is now fully evident that said Thomas J Mooney is innocent of the crime for which he was convicted, and should be granted immediately a full and complete pardon and set at liberty; and

WHEREAS, The Assembly of the State of California did, on the tenth day of

March, 1937, pass an Assembly concurrent resolution purporting to be a legislative pardon, but which resolution was not concurred in by the Senate; and

WHEREAS, The Assembly, on March 31, 1937, did then pass an Assembly concurrent resolution, recommending and asking the Governor to pardon the said Thomas J. Mooney; and

WHEREAS, The Senate again did not concur, with the result that the will of the Assembly and its recommendation in this matter have not been transmitted to the Governor; and

WHEREAS, It is highly significant that in both instances the Senators who voted for the aforementioned resolutions, although being five and eight, respectively, nevertheless represent in each case more than half the population of California, particularly in the last instance: and

WHEREAS, It seems just and fitting that the overwhelming opinion of the Assembly, with a reference to the opinion of those Senators who represent much more than half the people of California, should formally be brought to the attention of the Governor, now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor of this State is hereby requested to grant to said Thomas J. Mooney a full and complete pardon; and, be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Governor of this State

Request for Unanimous Consent.

Mr. Richie asked for, and was granted, unanimous consent to take up House Resolution No. 142, at this time, without reference to committee or calendar.

House Resolution No. 142 read, and adopted by the following vote:

AYES—Boyle, Burns, Michael J., Clark, Cronin, Dawson, Donihue, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, King, Levey, Lore, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Voigt, Weber, and Yorty—32

NOES—Baynham, Breed, Cottrell, Daley, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Gannon, Johnson, Kepple, Kuchel, Leonard, Lyon, Martin, Mayo, Millington, Peyser, Redwine, Scudder, Stream, Thorp, Walker, and Watson—25.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 133.

Respectfully reports the same back with the recommendation: Be adopted as amended.

PEEK, Chairman.

Amendments to House Resolution No. 133.

Amendment No. 1.

Between lines 2 and 3 of the resolution as it appears on page 23 of the Assembly Daily Journal for Tuesday, April 13, 1937, insert the following:

"WHEREAS, Information as to the economic condition of such aliens will be of great assistance to the Department of State of the United States in the negotiating of reciprocal trade agreements and in assisting it in obtaining more advantageous terms,".

Amendment No. 2.

At the end of the resolution as it appears on page 24 of the Assembly Daily Journal for Tuesday April 13, 1937, strike out the period, and insert in lieu thereof the following: "; and be it further

Resolved, That the Clerk of the Assembly be instructed to convey such information to the Secretary of State of the United States"

Amendments read, and adopted by the following vote:

AYES—Boyle, Burns, Michael J., Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Heisinger, Johnson, Kepple, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, O'Donnell, Redwine, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, Walker, and Weber—39.

NOES—Breed, Clark, Hawkins, Hornblower, Miller, George P., Patterson, Pelletier, Peyser, Reaves, Rosenthal, Tenney, Williamson, and Yorty—13.

Motion to Print House Resolution No. 133, as amended, in Journal.

On motion of Mr. Garland, House Resolution No. 133, as amended, was ordered printed in the Journal, and placed upon the unfinished business calendar.

House Resolution No. 133, as Amended.

WHEREAS, The United States Census of the Year 1930 revealed that there were then residing in the State of California 373,376 aliens; and

WHEREAS, Information as to the economic condition of such aliens will be of great assistance to the Department of State of the United States in the negotiating of reciprocal trade agreements and in assisting it in obtaining more advantageous terms;

WHEREAS, It is important to the taxpayers in and the electors of the State of California, and is essential to the members of the Legislature in their consideration of the State budget, that information and data be furnished the legislators from various public officials in order that all bills relating to welfare and work relief, that have heretofore been or may be introduced at this session, may be properly and informatively considered; now, therefore, be it

Resolved by the Assembly of the State of California, That the Clerk of the Assembly be instructed to obtain, as soon as possible within ten days after the passage of this resolution, information as follows:

(a) That he request the Department of Institutions to inform the Assembly, in so far as it is able to do so, as to the number of aliens receiving aid in State institutions and the cost of such aid, in the following way:

Nationality, Men, Women, Children, Total Number, Total Cost of these Aliens. Total aid to institutions, Percentage of said to aliens in institutions Grand Total.

(b) That he request the Department of Penology to inform the Assembly, in so far as it is able to do so, as to the number of aliens dealt with in the administration of its various divisions, the ratio between said number and the number of citizens dealt with and the cost of dealing with such aliens.

(c) That he request the Department of Public Health to inform the Assembly, in so far as it is able to do so, as to the number of aliens dealt with in the administration of its various divisions, the ratio between said number and the number of citizens dealt with, and the cost of dealing with such aliens.

(d) That he request the Department of Socal Welfare to inform the Assembly, in so far as it is able to do so, as to the number of aliens dealt with in the administration of its various divisions, the ratio between said number and the number of citizens dealt with, the cost of dealing with such aliens and the effect of the Natonal Social Security Act on its cost of operation.

(e) That he request the Department of Industrial Relations to inform the Assembly, in so far as it is able to do so, as to the number of aliens dealt with in the administration of its various divisions, the ratio between said number and the number of citizens dealt with, and the cost of dealing with such aliens, and the effect of the National Social Security Act on its cost of operation; and be it further

Resolved, That the Clerk of the Assembly be instructed to request from the chairman of the board of supervisors of each county and city and county in the State, information in so far as they are able to furnish the same, as to

(a) The number of aliens of each nationality of men, women, and children receiving aid in public institutions and outside public institutions in those counties;

(b) The total cost of such aid to each nationality;

(c) What effect the National Social Security Act has had on the budgets of those counties; and

(d) Desirable legislation with respect to problems concerning aliens;

and be it further

Resolved, That the Clerk of the Assembly be instructed to request each department above named to propose desirable legislation with respect to problems concerning aliens; and be it further

Resolved, That the Clerk of the Assembly be instructed to convey such information to the Secretary of State of the United States."

Withdrawal and Re-reference of Bills.

On motion of Mrs. Daley, Assembly Bill No. 684 was withdrawn from the Committee on Public Health and Quarantine, and re-referred to the Committee on Education

On motion of Mr King, Assembly Bill No. 1642 was withdrawn from the Committee on Oil Industries, and re-referred to the Committee on County Government.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 22.

Respectfully reports the same back without recommendation, as amended.

HUNT, Chairman.

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No. 662.
Senate Bill No. 440.
Senate Bill No. 908.

Respectfully reports the same back with the recommendation: Do pass as amended.

O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 626.

Respectfully reports the same back without recommendation, as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 441.
Senate Bill No. 442.

Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 620.
Assembly Bill No. 1057.
Assembly Bill No. 1063.
Assembly Bill No. 1138.
Assembly Bill No. 1140.
Assembly Bill No. 1211.

And reports the same correctly enrolled, and presented to the Governor on this twenty-first day of April, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1089.
Assembly Bill No. 1305.
Assembly Bill No. 1674.
Assembly Bill No. 1832.
Assembly Bill No. 2122.
Assembly Bill No. 2410.
Assembly Bill No. 2834.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR SPEAKER: Your Committeee on Engrossment and Enrollment has examined

Assembly Bill No. 81.
Assembly Bill No. 129.
Assembly Bill No. 408.
Assembly Bill No. 479.
Assembly Bill No. 1023.
Assembly Bill No. 1024.
Assembly Bill No. 1044.
Assembly Bill No. 1049.
Assembly Bill No. 1080.
Assembly Bill No. 1368.
Assembly Bill No. 1515.
Assembly Bill No. 1618.
Assembly Bill No. 1871.
Assembly Bill No. 1932.
Assembly Bill No. 2117.
Assembly Bill No. 2229.
Assembly Bill No. 2517.
Assembly Bill No. 2723.
Assembly Bill No. 2821.
Assembly Bill No. 2842.
Assembly Bill No. 2846.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 310. **Senate Bill No. 931.**
Senate Bill No. 839. **Senate Bill No. 1126.**
Senate Bill No. 928.

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 61. **Senate Bill No. 1098.**
Assembly Bill No. 381.

Respectfully reports the same back with the recommendation: Do pass as amended

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937

MR. SPEAKER: Your Committee on Building and Construction, to which was referred:

Assembly Bill No. 1490.

Respectfully reports the same back with the recommendation: Do pass as amended.

TENNEY, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 252.
Senate Bill No. 1107.

Respectfully reports the same back with the recommendation: Do pass as amended.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 422.
Assembly Bill No. 986.

Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 2724.

Respectfully reports the same back with the recommendation: Do pass.

MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 728. **Assembly Bill No. 1378.**
Assembly Bill No. 942. **Assembly Bill No. 2833.**

Respectfully reports the same back with the recommendation: Do pass.

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1228.

Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 1748.

Respectfully reports the same back with the recommendation: Do pass as amended.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

House Resolution No. 131.

Respectfully reports the same back without recommendation, as amended.

LORE, Chairman.

Motion to Amend, and Print House Resolution No. 131 in Journal.

On motion of Mr. Lore the amendments submitted by the committee were adopted, and House Resolution No. 131, as amended, ordered printed in the Journal.

House Resolution No. 131, as Amended.

WHEREAS, Harold Pomeroy, State Relief Administrator, has issued a verbal order prohibiting employees of the S R A from pursuing legislative activities in the California Legislature on their own time and in their capacity as private citizens; and

WHEREAS, Said order specifically forbids any meetings with legislators for the purpose of discussing any and all legislation; and

WHEREAS, Said order further prohibits the sending of communications or petitions to legislators concerning pending legislation; and

WHEREAS, Said order arbitrarily limits the exercise of fundamental political rights and liberties; and

WHEREAS, Said order is un-American and undemocratic in that it abridges the fundamental liberties of free speech, free press and free assemblage and the right of petition; and

WHEREAS, Our democratic form of government can only survive so long as the citizens engage in free discussion on public questions; and

WHEREAS, Said Harold Pomeroy has threatened to dismiss any S R A employee who disobeys said order; and

WHEREAS, The said Harold E. Pomeroy in the issue of said order has acted contrary to the Constitutions and laws of the United States and of this State; and

WHEREAS, In connection with the question of what constitutes an improper activity on the part of an employee of the State Relief Commission, the Attorney General of this State has ruled as follows:

"* * * In reply, the term 'Improper Activity' is not susceptible of a definition which could be applied in determining in each particular instance whether an activity of a political character were proper or improper. The propriety of political activity must in a large degree depend upon the circumstances of the particular instances.

"It is generally admitted to be not only the privilege but the duty of an American citizen to be politically active, and it has not been supposed that employment in State or municipal service, either civil service or otherwise, would prevent or prohibit an employee from the exercise of political right, including a reasonable and well ordered activity in behalf of those political principles which he favored, or in the support of those candidates whose success he believed would best contribute to the general welfare. Whether an employee in a particular instance exceeds the limits indicated must be determined as above indicated by a consideration of the facts and circumstances bearing upon the particular activity.

"The propriety of political activity in a given instance does not depend upon the question whether such activity of the employee accords with the views

of the principal, or even with the views of the political party represented by all or a majority of the office encumbents * * * *; and,

WHEREAS, It is inconsistent that said Harold E. Pomeroy has himself lobbied on State time both on the floor of this Assembly and elsewhere; now, therefore, be it

Resolved, That said Harold E. Pomeroy is hereby requested to reverse any and all orders and directions made by him relative to the exercise of the rights of any citizen, whether employed by the State or not, and that he refrain from dismissing any employee for petitioning the State Legislature in person or otherwise; and be it further

Resolved, That the Governor be and he hereby is requested to relieve said Harold E. Pomeroy of his duties as State Relief Administrator, if the practices condemned by this resolution are continued."

House Resolution No. 131, re-referred to Committee on Social Service and Welfare.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to request received, returns herewith the following bills:

Assembly Bill No. 1824.
Assembly Bill No. 744.
Assembly Bill No. 2197.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on third reading calendar.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2229 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 408 re-referred to Committee on Labor and Capital.

Assembly Bill No. 1368 re-referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1305 re-referred to Committee on Public Morals

Assembly Bill No. 2517 re-referred to Committee on Public Morals

Assembly Bill No. 1932 re-referred to Committee on Public Morals.

Assembly Bill No. 1515 re-referred to Committee on Unemployment

Adjournment.

At six o'clock p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Thursday, April 22, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SIXTH LEGISLATIVE DAY
ONE HUNDRED NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 22, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called.

Call of the Assembly.

Mr. Hunt moved a call of the Assembly.

Motion carried.

Time, eleven o'clock and ten minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names.

Baynham, Beene, Boyle, Call, Crowley, Cunningham, Dawson, Dilworth, Domhue, Flint, Gannon, Glick, Hawkins, Hunt, Kepple, King, Latham, Leonard, Maloney, Martin, Millington, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Scudder, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—38.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Further Proceedings Under Call of the Assembly Dispensed With.

At eleven o'clock and twenty minutes a.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr Hunt.

The roll of absentees was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

Quorum present

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Dilworth, the further reading of the Journal of Wednesday, April 21, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:
Mr. Waters, on motion of Mr. Cunningham.
Mr Corwin, on motion of Mr. Stream

Guests Extended Privilege of Assembly Floor.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George Blair, Jr., of North Hollywood.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Emily Kohl of St. Paul, Minnesota, and Mr. Peter Jordan of Richmond.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Florence C. Lundquist, principal, Vera M. Leishner, seventh grade teacher, and the following students of Houston School, Acampo: Louise Keeling, Satomi Nakagawa, Grace Okubo, Esther Ouye, Elva Pokert, Gladys Schmierer, Jack Berglund, Shoji Kuwahara, Masaru Okuhara, Masuwa Okuhara, Leo Schmide, Harold Woest, Grace Funamura, Margaret Mirko, Doria Mullins, May Okamoto, Bessie Ouye, Lily May Pope, Anna Laura Schnell, Umeya Tahara, Bennie Baker, Melvin Baumbach, Henry Keller, John Mirko, Henry Nagao, Billy Nakagawa, George Okubo, Lawrence Schmierer, Dorothy Funamura, Lillian Grattone, Yuriko Hirmato, Lyllis Lundquist, Mary Merko, Bernice Steele, Herbert Buck, Lloyd Hittle, Youebo Kuwahara, Dickie Lucas, Gene Mason, John Quashnick, Jamie Taylor, Alvin Quail, and Dorothy Mason.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Anna May Laird and Mr Lynn M. Barrett and a group of students from the High Junior Class in Economic Problems at the University High School in Oakland, including Elizabeth Carlson, John McGoey, Ross Cutter, Murray Dickie, Bob Frick, Jane Ginn, Walter Lamb, Janet Leigh, Earle Mahan, Bob Meier, Sturges Mower, Wallace Olsen, Janet Reid, Earl Thorp, and Jean Underhill; also Mrs. Herman L. Reid, Mrs. R. H. Mower and Mr. H. L. Hymson of the Parent-Teachers Association.

On request of Mr. Cottrell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sister Miriam Joseph, Sister Julia Stanislaus, Sister Agnes Cecelia, Sister Winifred Marie, Sister Marie Eucharista, and the following students of Notre Dame High School, San Jose: Anna Rose Balistreri, Eleanor Berge, Elizabeth Bievar, Katherine Brady, Mercedes Brawhear, Betty Byrne, Lucy Carbone, Betty Cary, Dorothy Cary, Rita Cerruti, Marie Circarello, Eleanor Cirigliano, Maxine Clanton, Marie Corica, Bernice Crowley, Lavona Davidson, Mildred De Mattei, Helen De Smet, Clara Flocking, Mimi Fowler, Edna Fritter, Mary Louise Hannon, Berle Hansen, Carol Hansen, Maxine Hubbard, Katherine Kelly, Mary Labas, Lucille Locicero, Betty Mascovich, Beth McCormick, Dorothy

Nelli, Viola Owen, Mildred Perry, Mildred Roberts, Jeanne Roll, Lillian Roose, Blanche Schmitz, Genevieve Serpa, Georgia Smoot, Gabrielle Van Perre, Elsie Sabatte, Mary Ann Aurrecoechea, Marjorie Baker, Fanny Baldassar, Marguerite Bayless, Ruth Berryessa, Catherine Bouret, Yolande Cangiamila, Helen Centodocati, Marcelle Chabre, Frances Christopherson, Jeanne Columbo, Teresa Di Salvo, Suzanne Downing, Thelma Dutre, Mary Ellen Egense, Elaine Fox, Charlotte Gilham, Eileen Holmes, Bernice Johnson, Betty King, Dorothy Lannin, Florence MacDonald, Roberta Nelson, Helen Peters, Margaret Richter, Katherine Ryan, Jane Sandahl, Helen Schirle, June Shottenhamer, Anna Martha Speicale, Sunny Vrana, and Mary Frances Hill.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Adelia A. Jones, principal, Miss Claire Mall, primary teacher; and the following students of the Fairacres Grammar School: Raymond Silva, Joe Pimentel, Edward Pereira, Grace Maciel, Carol Storer, Lloyd Furtado, Bernice Carlson, Bertram Prouty, and Mary Pimentel.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. L. J. Richardson and Miss Marie Richardson of Berkeley, Mrs. George E. Miller and Miss Ruth A. Miller of Oakland.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Edgar C Levey, wife of Assemblyman Levey.

On request of Mr Levey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert B Fry, former Assemblyman and Mrs Fry

On request of Mr Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Bert B. Snyder of Santa Cruz

On request of Mr. Pelletier the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Florence Crichton of Glendale.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James Salem, State Grand Chancellor of Order of the Knights of Pythias.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to H. M. Lee of Glendale.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Bertram B Snyder, former member of the Assembly and the Senate.

On request of Mr Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Lydia M Raffetto of Martinez, California, and Robert Freitas of Oakland.

On request of Mr. Muldoon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert W. Lefever, Chairman Board of Supervisors, Ventura County

On request of Mr. Lore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Caroline Pettit of La Crescenta.

Assistant Chief Clerk Greenburg Reading.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 21, 1937.

To the Honorable Members of the Assembly,
Sacramento, California

I am returning herewith, without my approval, **Assembly Bill No. 1435**, the same being:

"An act to amend section 445 of the Political Code, relating to the salaries of the Inheritance Tax Attorney and five assistant inheritance tax attorneys."

This bill proposes to eliminate from the present law the salaries of the Inheritance Tax Attorney and five assistants. Under existing law the Inheritance Tax Attorney and two assistants receive annually $4,200 each, and the other three assistants receive $3,000 each. These payments are for part time service. Assembly Bill No. 1435 would place the authority for determining these salaries with the State Controller "according to law".

No particular reason has been assigned for the proposed change, and I am convinced that there is little need for the repeal of the provisions above mentioned, and am of the opinion the law should remain as it exists at the present time.

I am, therefore, returning Assembly Bill No. 1435 without my approval.

Respectfully submitted

FRANK F. MERRIAM, Governor of California

Consideration of Governor's Veto to Assembly Bill No. 1435.

Assembly Bill No. 1435—An act to amend section 445 of the Political Code, relating to the salaries of the Inheritance Tax Attorney and five assistant inheritance tax attorneys.

The question being put: Shall Assembly Bill No. 1435 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt, and Richie—2

NOES—Baynham, Beene, Boyle, Breed, Call, Clark, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—56.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

Assembly Constitutional Amendment No. 59: By Mr. Hunt—Proposed amendment to Article XI, section 8, of the Constitution, relative to the adoption of charters of cities and cities and counties.

Introduced, and referred to Committee on Constitutional Amendments

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 17.
Assembly Bill No. 578.
Assembly Bill No. 1007.
Assembly Bill No. 1524.
Assembly Bill No. 1525.
Assembly Bill No. 1526.
Assembly Bill No. 2216.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 696.	**Assembly Bill No. 2219.**
Assembly Bill No. 697.	**Assembly Bill No. 2385.**
Assembly Bill No. 1243.	**Assembly Bill No. 2422.**
Assembly Bill No. 1314.	**Assembly Bill No. 2622.**
Assembly Bill No. 1826.	**Assembly Bill No. 2824.**
Assembly Bill No. 2012.	

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 21, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 876—An act to amend section 137 of the Agricultural Code, relating to liens for county charges in the abatement of pests:

Senate Bill No. 930—An act to add section 461 to the Fish and Game Code, relating to prizes for game:

Senate Bill No. 1109—An act to amend section 2 of the act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to petitions for incorporation.

Senate Concurrent Resolution No. 31—Relative to the 1938 Convention of the American Legion.

Senate Joint Resolution No. 20—Relative to memorializing Congress to pass the McCarran Bill (S. 741) or its companion bill, the Connery Bill (H. R. 3682)

J. A. BEEK, Secretary of Senate.
By F ALFRED BLATZ, Assistant Secretary

Senate Bill No 876 read first time, and referred to Committee on Agriculture.

Senate Bill No. 930 read first time, and referred to Committee on Fish and Game

Senate Bill No. 1109 read first time, and referred to Committee on Municipal Corporations

Senate Concurrent Resolution No. 31 read, and referred to Committee on Soldiers and Sailors Affairs

Senate Joint Resolution No 20 referred to Committee on Federal Relations

SENATE CHAMBER, SACRAMENTO, April 21, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 425.	**Assembly Bill No. 1688.**
Assembly Bill No. 1599.	**Assembly Bill No. 2341.**

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By F ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, April 21, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No. 69.	**Assembly Bill No. 2420.**
Assembly Bill No. 424.	**Assembly Bill No. 2791.**
Assembly Bill No. 809.	**Assembly Bill No. 2813.**
Assembly Bill No. 1445.	**Assembly Bill No. 1306.**
Assembly Bill No. 1568.	**Assembly Joint Resolution No. 9.**
Assembly Bill No. 1607.	**Assembly Joint Resolution No. 29.**
Assembly Bill No. 1676.	**Assembly Concurrent Resolution No. 15.**
Assembly Bill No. 1798.	

J. A BEEK, Secretary of Senate
By F ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No. 22—Proposed amendment to Article XIII of the Constitution, by adding sections 1.1 and 1.2 thereof, relative to limitation of tax rates.

Committee Amendments to Assembly Constitutional Amendment No. 22.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed measure, as amended, strike out "two", and insert in lieu thereof the following: "a".

Amendment No. 2.

On page 1, line 4 of the title of the printed measure, as amended, strike out "sections", and insert in lieu thereof the following: "section".

Amendment No. 3.

On page 1, line 4 of the title of the printed measure, as amended, strike out "and", and in line 5, strike out "1.2".

Amendment No. 4.

On page 1, line 7, of the printed measure, as amended, strike out "two", and insert in lieu thereof the following: "a".

Amendment No. 5.

On page 1, line 7, of the printed measure, as amended, strike out "sections" and insert in lieu thereof the following: "section".

Amendment No. 6.

On page 1, line 8, of the printed measure, as amended, strike out "and 1.2".

Amendment No. 7.

On page 1, line 10, of the printed measure, as amended, strike out "four per cent of fifty", and insert in lieu thereof the following: "three".

Amendment No. 8.

On page 1, line 19, of the printed measure, as amended, strike out "a county, city and county," and in line 20, strike out "or city", and insert in lieu thereof the following: "any municipal corporation".

Amendment No. 9.

On page 1 of the printed measure, as amended, strike out lines 21 to 27, inclusive

Amendments adopted.

Assembly Constitutional Amendment No. 22 read, ordered to reprint and engrossment.

Assembly Bill No. 662—An act to amend section 80 of the Agricultural Code, relating to agricultural districts.

Committee Amendments to Assembly Bill No. 662.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, strike out "Lake", and insert in lieu thereof the following: "Mendocino".

Amendment No. 2.

On page 2, line 46, of the printed bill, strike out "Mendocino", and insert in lieu thereof the following: "Lake".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 61—An act to amend sections 67 and 68 of the Fish and Game Code, relating to fish and game districts.

Committee Amendments to Assembly Bill No. 61.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out "and Ventura", and insert in lieu thereof the following: "Ventura and Kern".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 14, and insert in lieu thereof the following: "erside and Orange."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 381—An act to add section 421.5 to the Fish and Game Code, relating to ocean fishing.

Committee Amendment to Assembly Bill No. 381.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 5 and 6, and insert in lieu thereof the following: "fish from the waters of the Pacific Ocean from the shore or from pleasure piers in said ocean, excluding all bays and lagoons."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 500—An act making an appropriation for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 500.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 4, line 4, of the printed bill, after the word "dollars", insert a comma and the following: "payable from the motor vehicle fuel fund".

Amendment No. 2.

On page 4, lines 5 and 6, of the printed bill, strike out the word "Administrative", and insert in lieu thereof the word "Administration".

Amendment No. 3.

On page 5 of the printed bill, strike out all of lines 26 to 28, inclusive.

Amendment No. 4.

On page 6 of the printed bill, strike out all of lines 4 to 6, inclusive.

Amendment No. 5.

On page 6 of the printed bill, strike out all of lines 14 to 16, inclusive.

Amendment No. 6.

On page 6 of the printed bill, strike out all of lines 24 to 26, inclusive.

Amendment No. 7.

On page 6 of the printed bill, strike out all of lines 34 to 36, inclusive.

Amendment No. 8.

On page 6 of the printed bill, strike out all of lines 44 to 46, inclusive.

Amendment No. 9.

On page 7 of the printed bill, strike out all of lines 3 to 5, inclusive.

Amendment No. 10.

On page 7 of the printed bill, strike out all of lines 13 to 15, inclusive.

Amendment No. 11.

On page 7 of the printed bill, strike out all of lines 23 to 26, inclusive.

Amendment No. 12.

On page 7, line 51, of the printed bill, strike out the following: "fourteen thousand dollars_____14,000.00", and insert in lieu thereof the following: "thirty thousand six hundred twenty-five dollars_____30,625.00"

Amendment No. 13.

On page 8 of the printed bill, strike out all of lines 1 to 3, inclusive.

Amendment No. 14.

On page 8 of the printed bill, strike out all of lines 26 to 30, inclusive.

Amendment No. 15.

On page 9, line 26, of the printed bill, following the comma, insert the following: "Department of Institutions,"

Amendment No. 16.

On page 9 of the printed bill, strike out all of lines 33 to 36, inclusive

Amendment No. 17.

On page 9 of the printed bill, strike out all of lines 40 to 43, inclusive

Amendment No. 18.

On page 9 of the printed bill, strike out all of lines 47 to 49, inclusive

Amendment No. 19.

On page 10 of the printed bill, strike out all of lines 5 to 7, inclusive

Amendment No. 20.

On page 10 of the printed bill, strike out all of lines 12 to 14, inclusive

Amendment No. 21.

On page 10 of the printed bill, strike out all of lines 19 to 21, inclusive.

Amendment No. 22.

On page 10 of the printed bill, strike out all of lines 26 to 28 inclusive

Amendment No. 23.

On page 10 of the printed bill, strike out all of lines 33 to 36 inclusive.

Amendment No. 24.

On page 10 of the printed bill, strike out all of lines 40 to 43, inclusive.

Amendment No. 25.

On page 10 of the printed bill, strike out all of lines 47 to 49 inclusive

Amendment No. 26.

On page 11 of the printed bill strike out all of lines 1 to 3, inclusive.

Amendment No. 27.

On page 11 of the printed bill, strike out all of lines 7 to 9, inclusive

Amendment No. 28.

On page 11 of the printed bill, strike out all of lines 17 to 19, inclusive

Amendment No. 29.

On page 12 of the printed bill, strike out all of lines 25 to 29, inclusive

Amendment No. 30.

On page 12 of the printed bill, strike out all of lines 34 to 37, inclusive.

Amendment No. 31.

On page 12 of the printed bill, strike out all of lines 46 to 48, inclusive

Amendment No. 32.

On page 13, lines 14 and 15, of the printed bill, strike out the following: "For teletype service, Department of Motor Vehicles", and insert in lieu thereof the following "For additional support of Division of Criminal Identification and Investigation"

Amendment No. 33.

On page 14, line 15, of the printed bill after the word "dollars", insert a comma and the following: "payable from petroleum and gas fund".

Amendment No. 34.

On page 15 of the printed bill, strike out all of lines 7 to 9, inclusive

Amendment No. 35.

On page 15 of the printed bill, strike out all of lines 14 to 16, inclusive.

Amendment No. 36.

On page 15 of the printed bill, strike out all of lines 21 to 23, inclusive

Amendment No. 37.

On page 16, line 21, after the word "dollars", insert a comma and the following "payable from Board of Cosmetology contingent fund".

Amendment No. 38.

On page 19, line 50, of the printed bill, after the word "bonds", insert the following, "required by law for officers and employees whose salaries are paid from the general fund".

Amendment No. 39.

On page 20, line 2, of the printed bill, strike out the following: "five hundred thousand".

Amendment No. 40.

On page 20, line 13, of the printed bill, strike out "$1,500,000 00", and insert in lieu thereof the following: "$1,000,000 00".

Amendment No. 41.

On page 22, line 23, of the printed bill, strike out the following: "Notwithstanding any power," and strike out all of lines 24 to 33, inclusive, of said page

Amendment No. 42.

On page 22 of the printed bill, between lines 40 and 41, insert the following:

"SEC. 7½. The State Board of Control may upon the recommendation of the Director of Institutions and the Director of Finance authorize the transfer of unneeded funds from an appropriation for support of an institution within the Department of Institutions to a similar appropriation of another institution within the Department of Institutions

The State Board of Control may upon the recommendation of the Director of Education and the Director of Finance authorize the transfer of unneeded funds from an appropriation for support of a State college or school within the Department of Education to a similar appropriation of another State college or school within the Department of Education."

Amendment No. 43.

On page 19, line 31, of the printed bill, after the word "therewith", insert the following: "provided however that of the amount appropriated in this item the following amounts, and in addition thereto such sums as may be made available therefore by the Federal Government, shall be expended for a program of unemployment work relief consisting of construction and improvements at the following State institutions, schools, colleges and other State agencies

Department of Agriculture, $2,700 00; Chico State College, $11,500 00, Fresno State College, $11,500.00; Humboldt State College $11,500 00, San Diego State College, $11,500.00; San Francisco State College, $12,800 00, San Jose State College, $12,000.00, Santa Barbara State College $497,500 00; California School for Blind $4,750 00; Department of Finance, $75,000 00, Agnews State Hospital, $182,-000 00; Camarillo State Hospital, $2,765,000 00; Mendocino State Hospital, $30,-400 00, Napa State Hospital, $1,016,700 00 Norwalk State Hospital, $18,500 00 Patton State Hospital, $18,000 00; Stockton State Hospital, $98,500 00 Pacific Colony-State Narcotic Hospital, $990,500 00, Sonoma State Home, $1,053,260 00, Preston School of Industry, $7,750 00; Ventura School for Girls, $7,650 00, Whittier State School, $3,750 00; Industrial Home for Adult Blind, $8,000 00; Adjutant General and California National Guard, $25,000 00, Veterans' Home of California, $324,-000.00; Woman's Relief Corps Home, $11,000 00; Folsom State Prison, $42,300 00, San Quentin State Prison, $45,000.00, and California Institution for Women, $7,500 00; provided, further, that if no money is made available for this purpose by the Federal Government then the amounts above shown for construction and improvements at State institutions, schools, colleges and other State agencies shall be expended in accordance with the law"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1490—An act to amend section 1 of an act entitled "An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control," approved July 20, 1935, relating to structural pest control.

Committee Amendments to Assembly Bill No. 1490.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "2," insert the following: "12,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "section 12.5", and insert in lieu thereof the following, "sections 12.5 and 21".

Amendment No. 3.

On page 1, line 11, of the printed bill, as amended, strike out "and any pests other than agricultural", and insert in lieu thereof the following: "or any other".

Amendment No. 4.

On page 1 line 23, of the printed bill, as amended, strike out "person", and insert in lieu thereof the following: "individual"

Amendment No. 5.

On page 2 of the printed bill, as amended, between lines 11 and 12, insert the following:

" "Manufacturer" means an individual engaged in the processing of materials used in the practice of structural pest control, but who does not himself engage in such practice."

Amendment No. 6.

On page 2, line 23, of the printed bill, as amended, strike out "actually occupied by themselves", and insert in lieu thereof the following: "which they own".

Amendment No. 7.

On page 2, line 28, of the printed bill, as amended, strike out the period after "capacity", and insert in lieu thereof the following: ", including the eradication or the processing against infestation of pests structurally injurious to buildings or structures.

SEC. 3. Section 12 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 12. It is unlawful for any person to engage in or to offer to engage or to hold one's self out as engaging in the practice of structural pest control or to solicit structural pest control business or to advertise that he practices structural pest control, without having obtained a license from the board.

It is unlawful for any individual to advertise or represent in any manner that any structural pest control work, in whole or in part, has been done upon any building or other structure, unless the work has been performed by a licensee."

Amendment No. 8.

On page 2, line 29, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "4".

Amendment No. 9.

On page 2, lines 37 and 38, of the printed bill, as amended, strike out "by the structural pest control operator in charge of the establishment"

Amendment No. 10.

On page 2, line 44, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 11.

On page 3, line 6, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6".

Amendment No. 12.

On page 4, line 11, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "7".

Amendment No. 13.

On page 5 of the printed bill, after line 17, insert the following

"SEC. 8. Section 21 is hereby added to the act cited in the title hereof to read as follows:

Sec. 21. No manufacturer, his agents or employees, nor any individual who is a consultant of or connected with any manufacturer shall be charged with the enforcement or execution of any of the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 986—An act to amend section 4.360 of the School Code, relating to the preparation and submission of school district budgets.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2724—An act relating to the preservation, care and display of foods.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1378—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first sec-

tion 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 942—An act to amend section 3897d of the Political Code, relating to lands sold to the State for delinquent taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 728—An act to add a new section to be numbered 1685 to the Streets and Highways Code, relating to the allocation and expenditure of motor vehicle fuel license tax moneys by boards of supervisors of counties having a registration therein of more than 750,000 motor vehicles.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 2833—An act to amend sections 3630, 3651, 3655, and 3720 of the Political Code, relating to the assessment of property and collection of taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1228—An act to amend sections 510, 511, 512, 513, 515 and 593 of the Agricultural Code, relating to ice cream and similar frozen products.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1748—An act to amend section 490 of, and to add section 490.5 to, the Agricultural Code, relating to graded market milk.

Committee Amendments to Assembly Bill No. 1748.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "490", and the balance of the line, and insert in lieu thereof the following: "471 of".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "graded market", and insert in lieu thereof the following: "definitions of".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "490", and insert in lieu thereof the following: "471".

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 3 to 31, inclusive, and insert in lieu thereof the following:

"471. (a) Milk is the lacteal secretion obtained from the udders of cows or goats.

(b) Milk shall be produced from nonreacting tuberculin tested cows as determined by a test applied by an approved veterinarian under the supervision of the department, or shall be pasteurized and shall otherwise conform to the rules and regulations adopted by the department. Milk shall be obtained by the complete milking of healthy cows, properly fed and kept, and shall not be obtained for human consumption within fifteen days prior to or five days after parturition. Milk must contain and may be standardized at a uniform milk fat content of not less than 3 per cent, and must contain not less than 8.5 per cent of solids not fat.

(c) Milk for manufacturing purposes may be classified and graded in accordance with standards established in the rules and regulations adopted by the director, and may be repasteurized once.

(d) All of the provisions of this division applying to cows, dairies and milk shall, except as provided in rules and regulations promulgated by the director, apply to goats, goat dairies and goat's milk.

(e) Sheep's milk is the lacteal secretion obtained from the udders of ewes. It must be obtained by the complete milking of healthy ewes, and shall not be obtained during the period when it contains colostrum.

(f) Milk, goat's milk, or sheep's milk which does not conform to the requirements respectively for milk, goat's milk or sheep's milk, or which has been produced or handled in an insanitary dairy or factory of dairy products, or other insanitary place, or handled in an insanitary manner is unfit for human consumption."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 908—An act to amend sections 1299 18, 1300, 1300.3 and 1300.4 of the Agricultural Code, relating to processors of farm products.

Committee Amendments to Senate Bill No. 908.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, immediately preceding "1300.3", insert the following. "1300.1,".

Amendment No. 2.

On page 2, line 10, of the printed bill, as amended, strike out the comma and insert in lieu thereof a period.

Amendment No. 3.

On page 2 of the printed bill, as amended, immediately following line 10, insert the following:

SEC. 2½. Section 1300.1 of the Agricultural Code is hereby amended to read as follows:

1300.1. No person shall act as a processor or agent without having obtained a license as provided in this chapter. Every person, acting as a processor, or intending to so act, shall file an application with the director for a license to so act, and such application shall be accompanied by a license fee of twenty-five dollars.

Such applicant shall further satisfy the director of his or its character, responsibility and good faith in seeking to carry on the business stated in the application.

Every person acting as an agent, or intending to so act, shall file an application with the director for a license to so act, and such application shall be accompanied by a license fee of one dollar.

Such application shall in each case state.

(a) The full name of the applicant

(b) If the applicant be a firm, exchange, association or corporation the full name of each member of the firm, or the names of the officers of the exchange, association or corporation;

(c) The principal business address of the applicant in the State of California; and

(d) The name or names of the person or persons authorized to receive and accept service of summons for the applicant.

Upon the filing of such application and the payment of such fee the director shall issue to such applicant a license entitling the applicant to conduct the business of processor or act as agent within the State of California for a year from the date thereof, or until the same shall have been revoked in the manner and upon the grounds hereinafter specified; provided, however, that the director may refuse to issue a license to any applicant who has, prior to the filing of the application herein provided for, been engaged in the business of processor, produce broker, dealer, or commission merchant, and who, during the conduct of such business has failed to comply with a valid and final order made and entered against such applicant by the director."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 440—An act to amend sections 1064, 1071, and 1074 of the Agricultural Code, pertaining to economic poisons.

Committee Amendments to Senate Bill No. 440.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 17, of the printed bill, as amended, strike out ", or its compounds," and insert in lieu thereof the following: "salts".

Amendment No. 2.

On page 2, line 19, of the printed bill, as amended, after "employees", insert the following: "or".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 626—An act to add a new chapter to be numbered Chapter 9 to Division V of the Agricultural Code, relating to grades and standards for nursery stock.

Committee Amendments to Senate Bill No. 626.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 24, of the printed bill, as amended, immediately following the period, insert the following: "In the case of ornamental nursery stock the botanical name shall be required."

Amendment No. 2.

On page 4, line 45, of the printed bill, as amended, immediately preceding the period, insert the following: "and for indoor decorative plants"

Amendment No. 3.

On page 6, line 33, of the printed bill, as amended, strike out "3. Cull", and insert in lieu thereof the following: "3 cull"

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 441—An act to amend sections 1022, 1032, and 1037 of the Agricultural Code, relating to fertilizing materials

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 442—An act to amend section 1075 of the Agricultural Code, pertaining to economic poisons.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 310—An act to amend section 482 of the Fish and Game Code, relating to pollution of waters.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 839—An act to amend sections 1273 and 1274 of the Fish and Game Code, relating to deer.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 928—An act to add section 1280.5 to the Fish and Game Code, relating to deer tag license.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 931—An act to amend section 1270, and to repeal sections 1271, 1271.5 and 1272 of the Fish and Game Code, relating to deer.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1126—An act to add section 903 to the Fish and Game Code, relating to nets.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1098—An act to add sections 1184 and 1417 to the Fish and Game Code, relating to the taking of birds.

Committee Amendments to Senate Bill No. 1098.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, strike out "or a felony".

Amendment No. 2.

On page 1, line 11 of the printed bill, as amended, strike out "or punishable by", and strike out line 12, and in line 13, strike out "two years,"

Amendments adopted

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 252—An act to provide for the acquisition of land and the construction and equipment of buildings, offices and facilities for officers, boards, commissions and State agencies supported from resources other than the general fund

Committee Amendments to Senate Bill No. 252.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, after "fund", insert a comma and the following: "declaring the urgency thereof and providing that it shall take effect immediately"

Amendment No. 2.

On page 2, line 2, of the printed bill, after the word "jurisdiction", strike out the period, and insert in lieu thereof the following ", provided, however, that the balance in any fund of any board in division number one shall not be reduced to an amount less than twenty-five thousand dollars as of July 1, 1937."

Amendment No. 3.

On page 2 of the printed bill, as amended, after line 28, insert the following:

"SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately.

The facts constituting the necessity are as follows: Owing to the aftermath of the financial depression, the diminution of taxes and the consequent lack of money and funds wherewith to defray the expenses of State governmental functions and duties it is imperative for the immediate preservation of the public peace, health and safety that the State conserve its moneys and funds, and in particular that its costs and expenses for maintaining, housing and furnishing office space for its boards, commissions, officers, funds, agents and employees be reduced to the most economical figure to the end that it may be able to maintain and discharge its governmental functions and duties. That by acquiring land and constructing and equipping buildings, offices and facilities at the present time by means of the transfer under the existing provisions of law hereinbefore mentioned, and using the land, buildings and equipment as authorized in this act, the State will be enabled to obtain land, buildings and equipment at a figure compatible and commensurable with the exigencies of the present financial crisis and financial ability of the State to pay therefor. Unless the land is now acquired, buildings constructed and equipped, so that use may be made of them the State will be unable to discharge its duties properly, nor will it be able properly to house, care for and protect its property, and as a result its said governmental functions and duties will be seriously impaired."

Amendment No. 4.

On page 2 of the printed bill, insert the following

"SEC. 7. The authority vested in the director by section 2 of this act shall be effective and operative until July 1, 1939."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 1107—An act empowering any State institution to advance to the Napa State Farm out of its support appropriation money to cover the cost of meat to be delivered to it, after processing for use.

Committee Amendment to Senate Bill No. 1107.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, strike out the word "cattle", and insert in lieu thereof the following "live stock"

Amendment adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 422—An act to amend section 664a of the Political Code, relating to the payment of State officers and employees.

Bill read second time, and ordered on third reading calendar.

Consideration of Senate Amendment to Assembly Bill No. 1440.

Assembly Bill No. 1440—An act to amend sections 2 and 3 of an act entitled "An act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1440?

Amendment No. 1.

On page 2, line 39, of the printed bill, after the period following the word "misdemeanor", insert the words:

"Any officer of a county or municipality who fails, neglects or refuses to make and file such report within twenty (20) days after receipt of a notice in writing from the Controller that such officer has failed to file such report within the 90 day period required by law for the filing thereof, shall forfeit to the State one thousand dollars ($1,000) to be recovered in an action at law which, upon the request of the Controller, it shall be the duty of the Attorney General to prosecute in the name of the people of the State of California."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1440 by the following vote:

AYES—Baynham, Boyle, Breed, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levy, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1440 ordered to enrollment.

Consideration of Governor's Veto to Assembly Bill No. 401.

Assembly Bill No. 401—An act to amend section 261 of the Code of Civil Procedure, relating to superior court commissioners.

The question being put: Shall Assembly Bill No. 401 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Boyle, Dannenbrink, Flint, Garland, Gilbert, Hornblower, Hunt, King, McMurray, Meehan, Miller, George P., Patterson, Peek, Richie, Rosenthal, Sheehan, Tenney, Voigt, Yorty, and Mr. Speaker—20.

NOES—Baynham, Breed, Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—44.

Notices of Motion to Reconsider Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 276 was passed was continued until the next legislative day.

On motion of Mr. Burns, Hugh M., the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2814 was refused passage was continued until the next legislative day.

Reconsideration of Assembly Bill No. 1171.

In compliance with a notice given on a previous day, Mr. Call moved that the vote whereby Assembly Bill No. 1171 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1171 refused reconsideration by the following vote:

AYES—Call, Dilworth, Field, Garibaldi, Heisinger, Hornblower, Kepple, Kuchel, Latham, Maloney, Mayo, O'Donnell, Stream, Tenney, and Thorp—15

NOES—Baynham, Boyle, Breed, Clark, Cunningham, Dannenbrink, Dawson, Donihue, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Hunt, Johnson, King, Leonard, Levey, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sheehan, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—45.

Assembly Bill No. 1171 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1173.

In compliance with a notice given on a previous day, Mr. Call moved that the vote whereby Assembly Bill No. 1173 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1173 refused reconsideration by the following vote:

AYES—Call, Dilworth, Donnelly, Fulcher, Garibaldi, Heisinger, Hornblower, Kepple, Kuchel, Latham, Lyon, Maloney, Mayo, O'Donnell, Sheehan, Stream, Tenney, and Thorp—18.

NOES—Baynham, Boyle, Breed, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Hunt, Johnson, King, Leonard, Levey, Lore, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—44.

Assembly Bill No. 1173 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 2170.

In compliance with a notice given on a previous day, Mr. Reaves moved that the vote whereby Assembly Bill No. 2170 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 2170 reconsidered by the following vote:

AYES—Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Yorty, and Mr. Speaker—56.

NOES—Baynham, Breed, Garibaldi, Kepple, Kuchel, Latham, and Redwine—7.

Assembly Bill No. 2170 ordered on third reading calendar.

Motion to Expunge Record on Sustaining the Governor's Veto to Assembly Bill No. 401.

Mr. Cunningham moved to expunge the record and rescind the action whereby the Assembly on April 14, 1937, sustained the Governor's veto to Assembly Bill No. 401.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Baynham, Beene, Boyle, Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelle-

tier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 401 ordered on unfinished business calendar.

Reconsideration of Assembly Bill No. 1879.

In compliance with a notice given on a previous day, Mr. Donnelly moved that the vote whereby Assembly Bill No. 1879 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1879 reconsidered by the following vote:

AYES—Baynham, Boyle, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Levey, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, and Mr. Speaker—54.

NOES—Call, Cottrell, Cunningham, Dilworth, Johnson, Lore, and Yorty—7.

Third Reading of Assembly Bill No. 1879.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division 1 of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive.

Motion to Amend Assembly Bill No. 1879.

Mr. Donnelly moved to amend Assembly Bill No. 1879 as follows:

Amendment No. 1.

On page 3, line 17, of the printed bill, as amended, strike out "six", and insert in lieu thereof the following: "three".

Amendment No. 2.

On page 3, line 18, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "five".

Amendments read, and refused adoption by the following vote:

AYES—Baynham, Call, Desmond, Donnelly, Field, Fulcher, Garland, Gilbert, Heisinger, Kuchel, Latham, Lyon, Mayo, Muldoon, O'Donnell, Redwine, Richie, Thorp, Turner, and Watson—20.

NOES—Beene, Boyle, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Flint, Gannon, Garibaldi, Glick, Hawkins, Hunt, Johnson, Kepple, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Walker, Welsh, Williamson, Yorty, and Mr. Speaker—45.

Motion to Amend Assembly Bill No. 1879.

Mr. Heisinger moved to amend Assembly Bill No. 1879 as follows:

Amendment No. 1.

On page 3, line 2, of the printed bill, strike out the word "ten", and insert in lieu the word "eight".

Amendment read, and refused adoption by the following vote:

AYES—Baynham, Desmond, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Heisinger, Kuchel, Latham, Laughlin, Lyon, Miller, George P., Muldoon, O'Donnell, Redwine, Scudder, Stream, Thorp, Turner, and Watson—23.

NOES—Beene, Boyle, Breed, Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Flint, Gannon, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Walker, Weber, Williamson, Yorty, and Mr. Speaker—44.

Motion to Amend Assembly Bill No. 1879.

Mr. Desmond moved to amend Assembly Bill No. 1879 as follows:

Amendment No. 1.

On page 3, line 44, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", which institutions receive State aid for the care or support of their inmates."

Amendment read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker.—71.

NOES—None.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Assembly Bill No. 1879, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1879, as Amended.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division 1 of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive.

Assembly Bill No. 1879, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—Field—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Motion to Withdraw Assembly Constitutional Amendment No. 20 from Committee.

In compliance with a notice given on a previous day, Mr. Gilbert moved to withdraw Assembly Constitutional Amendment No. 20 from the Committee on Constitutional Amendments.

The roll was called, and Assembly Constitutional Amendment No. 20 withdrawn from committee by the following vote:

AYES—Boyle, Burns, Hugh M. Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Kuchel, Latham, Laughlin, Lore, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—47.

NOES—Baynham, Beene, Breed, Call, Cronin, Dawson, Desmond, Dilworth, Garibaldi, Hornblower, Johnson, Kepple, Leonard, Levey, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Scudder, Sheehan, Walker, and Williamson—26

Assembly Constitutional Amendment No. 20 ordered to engrossment.

Motion For Night Session of Assembly.

On motion of Mr. Maloney, the Assembly voted to meet in regular session on Friday evening, April 23, 1937.

Recess.

At twelve o'clock and thirty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.
Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937

MR SPEAKER: Your Committee on Corporations, to which was referred:
Assembly Bill No. 2621.
Senate Bill No. 496.
Respectfully reports the same back with the recommendation: Do pass
McMURRAY, Chairman.

The above reported bills ordered on second reading calendar.

On Building and Construction.

ASSEMBLY CHAMBER SACRAMENTO, April 22, 1937

MR. SPEAKER: Your Committee on Building and Construction, to which was referred:
Assembly Bill No. 293.
Respectfully reports the same back with the recommendation: Do pass as amended
TENNEY, Chairman

The above reported bill ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER SACRAMENTO, April 21, 1937

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Senate Bill No. 471.
Respectfully reports the same back with the recommendation: Do pass as amended.
DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Assembly Bill No. 860.
Assembly Bill No. 2414.
Respectfully reports the same back without recommendation, as amended.
DONNELLY, Chairman

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 119.
Respectfully reports the same back without recommendation, as amended
HORNBLOWER, Chairman

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1735.
Respectfully reports the same back with the recommendation: Do pass.
ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 1474.
Assembly Bill No. 1822.
Respectfully reports the same back with the recommendation: Do pass as amended.
ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Senate Bill No. 423.
Respectfully reports the same back without recommendation, as amended.
ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred
Senate Joint Resolution No. 16.
Respectfully reports the same back with the recommendation: Be adopted.
HEISINGER, Chairman.

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:
Assembly Bill No. 187.
Respectfully reports the same back with the recommendation: Do pass as amended
HAWKINS, Chairman.

The above reported bill ordered on second reading calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2286—An act to add a new section to be numbered 1033½ to the Code of Civil Procedure, relating to costs in judgments by default.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Cronin moved a call of the Assembly.

Motion carried.

Time, two o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Flint, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Mayo, McMurray, Miller, Eleanor; Muldoon, Pelletier, Peyser, Richie, Rosenthal, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, and Mr. Speaker—41.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Joint Resolution No. 23—Relative to memorializing the President and Congress to enact legislation providing for relief to overburdened and distressed special assessment districts.

Assembly Joint Resolution No. 23 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Gannon, Garland, Glick, Hawkins, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2831—An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the several counties and districts as defined herein, of the State of California, consisting of retirement compensation and death benefits.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garland, Glick, Hawkins, Hunt, Johnson, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Martin, Mayo, Miller, Eleanor; Millington, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2028—An act to amend an act entitled "An act to authorize and control the deposit in banks of moneys belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, by amending sections 1, 2, 3, and 5 thereof, relating to the deposit of public moneys.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 2028 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M, Burns Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At two o'clock and twenty minutes p m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Cronin.

The roll of absentees was called, and Assembly Bill No. 2286 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66

NOES—Desmond—1.

Title read and approved. Bill ordered transmitted to the Senate.

Committee from the Senate.

Senators Metzger, Keating, and Biggar appeared before the bar of the Assembly, and informed the Assembly that the Senate accepted with pleasure the invitation to join with the Assembly on Friday afternoon to hear from Mohammed Amine Youssef Bey, Royal Egyptian Minister to the United States in Washington, D. C.

Motion to Withdraw Assembly Bill No. 311 from Committee.

In compliance with a notice given on a previous day, Mr. Richie moved to withdraw Assembly Bill No. 311 from the Committee on Crime Problems and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Call, Garland, Glick, Reaves and Pelletier demanded the previous question.

The question being put, Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Bill No. 311.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Richie moved a call of the Assembly.

Motion carried by the following vote:

AYES—Boyle, Burns, Michael J., Clark, Cronin, Desmond, Donahue, Flint, Glick, Hawkins, Hunt, King, Laughlin, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sheehan, Tenney, Voigt, Welsh, Yorty, and Mr. Speaker—36

NOES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cottrell, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Millington, Muldoon, O'Donnell, Redwine, Scudder, Stream, Turner, Walker, and Watson—33.

Time, three o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—72.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Concurrent Resolution No. 43—Relative to approving 14 certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at certain special elections held therein on the sixth day of April, 1937.

Assembly Concurrent Resolution No. 43 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hunt, Johnson, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

House Resolution No. 133—Requesting certain lists of aliens.

House Resolution No. 133 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cronin, Crowley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Muldoon, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Welsh, and Mr. Speaker—47.

NOES—Breed, Clark, Flint, Gilbert, Hawkins, Hunt, Levey, McMurray, Morgan, Patterson, Peek, Peyser, Richie, Rosenthal, Tenney, Watson, and Yorty—17.

Notice of Motion to Reconsider House Resolution No. 133.

Mr. Rosenthal gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution No. 133 was this day adopted.

Third Reading of Senate Bill—(Out of Order).

Senate Bill No. 308—An act to amend section 80 of the Agricultural Code, relating to agricultural districts.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Yorty, and Mr. Speaker—58.

NOES—None.

Senate Bill No. 308 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At four o'clock and twenty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Richie.

The roll of absentees was called, and the motion to withdraw Assembly Bill No. 311 from committee was lost by the following vote:

AYES—Burns, Michael J., Clark, Dannenbrink, Donahue, Flint, Gilbert, Glick, Hawkins, Hunt, King, Laughlin, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Welsh, Yorty, and Mr. Speaker—29

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, and Watson—45.

Explanation of Vote.

I voted "No" on the motion to bring Assembly Bill No. 311 out of the committee and place it upon the calendar for passage. I know that the Criminal Syndicalism Act is not as it should be, and might be amended to the advantage of our people, but the author of this bill insists on outright repeal and will not accept any amendments. Therefore I am voting "No."

S. L. HEISINGER.

Resolutions.

The following resolutions were offered:

By Mr. Crowley:

House Resolution No. 143.

WHEREAS, On the twenty-second day of April, MDCCCLXXXV, a child was born sans teeth, sans hair, sans the mighty strength of the garlic of his district; and

WHEREAS, This little child has grown into lusty manhood and fights valiantly with the strength of his beloved garlic, the battles of the salad bowl in the chambers of commerce and the Legislature of this State; and

WHEREAS, So long as he shall be the representative of his district, all will be well and happy in the fields of culinary arts and sciences; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable Jacob M. Leonard, the San Benito Sage, be congratulated upon his fifty-second birthday anniversary

Resolution No. 143 read, and unanimously adopted.

By Mr. Call.

House Resolution No. 144.

WHEREAS, The regulation of fish and game is the subject of numerous bills at each session of the Legislature; and

WHEREAS, It is necessary and desirable that a comprehensive study be made of the effect and operation of existing laws relating to all phases of the taking of fish in the inland waters of the State and of the taking of game birds and mammals within the State; and

WHEREAS, It is essential that the members of this Assembly be properly and authoritatively informed upon these subjects; now, therefore, be it

Resolved by the Assembly of the State of California, That a Committee of Three members of the Assembly be appointed by the Speaker to investigate and study all phases of fish and game conservation and preservation and the laws applicable thereto in so far as fishing in inland waters and the taking of game within the State is involved, and be it further

Resolved, That said committee may meet at any place within the State during the current session and at any time during the interim and prior to the fifty-third regular session, and that said committee shall have the power to subpena witnesses and compel the production of evidence, and that said committee and each member thereof is authorized to administer oaths, and that all of the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code shall apply to said committee, and to any subcommittee thereof; and be it further

Resolved, That said committee make a full and complete investigation of all phases of hunting and fishing, except commercial ocean fishing, and of all of the laws relating thereto, and to report back to the Assembly at the fifty-third regular session the result of its study and investigation together with its recommendations as to necessary or desirable changes in the law, and be it further

Resolved, That there is hereby appropriated the sum of $1000, or so much thereof as may be necessary, from the contingent fund of the Assembly to be expended by or

on behalf of said committee for its necessary expenses incurred in the performance of its duties and functions prescribed by this resolution. The Controller is hereby instructed to draw his warrant, and the Treasurer is hereby instructed to pay the same, upon the order of the chairman of said committee.

House Resolution No 144 referred to the Committee on Fish and Game.

Reconsideration of House Resolution No. 133.

In compliance with a notice previously given this day, Mr. Garland moved that the vote whereby House Resolution No 133 was adopted be reconsidered.

The roll was called, and House Resolution No. 133 refused reconsideration by the following vote:

AYES—Clark, Donnelly, Gilbert, Hunt, Lore, McMurray, Patterson, Peek, Reaves, Rosenthal, Tenney, Watson, and Yorty—13.

NOES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Welsh, and Mr. Speaker—52.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1436—An act to amend section 422 of the Fish and Game Code, relating to the distribution of licenses.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Call, Clark, Cronin, Crowley, Cunningham Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Fulcher Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney Thorp, Turner, Voigt, Walker, Watson Welsh, Williamson, and Mr. Speaker—60

NOES—Burns, Michael J—1.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Expunge Record on Assembly Bills Nos. 2733 and 2732.

Mr. King moved that the record be expunged and the action rescinded whereby the Assembly, on April 9, 1937, passed Assembly Bill No. 2733, and on March 23, 1937, passed Assembly Bill No 2732 and that the bills be recalled from the Senate.

The roll was called, and the record expunged and the action rescinded by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Senate Messages.

The following messages from the Senate were taken up and read

SENATE CHAMBER SACRAMENTO, April 22, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 33—Relative to granting leave of absence to the Honorable John B. McColl, member of the Senate of the fifty-second session of the Legislature of the State of California.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr Hornblower asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 33, at this time, without reference to committee or calendar

Consideration of Senate Concurrent Resolution No. 33.

Senate Concurrent Resolution No. 33—Relative to granting leave of absence to the Honorable John B McColl, member of the Senate of the fifty-second session of the Legislature of the State of California.

Senate Concurrent Resolution No. 33 read, and adopted by the following vote

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following.

Senate Concurrent Resolution No. 34—Relative to approving a certain amendment to the charter of the city of Modesto, county of Stanislaus, State of California, voted for and ratified by the electors of the said city of Modesto, at a general municipal election held therein on the thirteenth day of April, 1937;

Senate Concurrent Resolution No. 35—Relative to approving four amendments to the charter of the city of San Mateo, a municipal corporation in the county of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the sixth day of April, 1937

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Request for Unanimous Consent.

Mr. Donnelly asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 34, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 34.

Senate Concurrent Resolution No. 34—Relative to approving a certain amendment to the charter of the city of Modesto, County of Stanislaus, State of California, voted for and ratified by the electors of the said city of Modesto at a general municipal election held therein on the thirteenth day of April, 1937.

Senate Concurrent Resolution No. 34 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Call asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 35, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 35.

Senate Concurrent Resolution No. 35—Relative to approving four amendments to the charter of the city of San Mateo, a municipal corporation in the county of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the sixth day of April, 1937.

Senate Concurrent Resolution No. 35 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred:

Senate Concurrent Resolution No. 31.

Respectfully reports the same back with the recommendation: Be adopted.

GANNON, Chairman.

Request for Unanimous Consent.

Mr. Gannon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 31, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 31.

Senate Concurrent Resolution No. 31—Relative to the 1938 Convention of the American Legion.

Senate Concurrent Resolution No. 31 read, and adopted by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—61.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Re-reference of Assembly Bills.

On motion of Mr. Burns, Hugh M., Assembly Bill No. 1089 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

On motion of Mr. Burns, Hugh M., Assembly Bill No 2012 was withdrawn from the calendar, and re-referred to the Committee on Live Stock and Dairies.

On motion of Mr. Burns, Hugh M., Assembly Bill No. 2790 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1524 re-referred to Committee on Unemployment.

Assembly Bill No. 1525 re-referred to Committee on Unemployment.

Assembly Bill No. 1526 re-referred to Committee on Unemployment.

Assembly Bill No. 1007 re-referred to Committee on Insurance.

Assembly Bill No. 17 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2216 re-referred to Committee on State Grounds and Parks.

Assembly Bill No. 2554 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1928 re-referred to Committee on Judiciary General.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1276.
Assembly Bill No. 1391.
Assembly Bill No. 1574.
Assembly Bill No. 1705.
Assembly Bill No. 1706.
Assembly Bill No. 1861.
Assembly Bill No. 1915.
Assembly Bill No. 1925.
Assembly Bill No. 2356.
Assembly Bill No. 8.
Assembly Joint Resolution No. 6.

And reports the same correctly enrolled, and presented to the Governor on this twenty-second day of April, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1121.
Assembly Bill No. 1928.
Assembly Bill No. 2554.

And reports the same correctly engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO April 22, 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 262.
Assembly Bill No. 2282.

And reports the same correctly re-engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1932.
Assembly Bill No. 1933.

Respectfully reports the same back with the recommendation: Be re-referred to Committee on Hospitals and Asylums.

TURNER, Chairman.

The above reported bills re-referred to Committee on Hospitals and Asylums.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 1029.

Respectfully reports the same back with the recommendation: Do pass as amended.

RICHIE, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 659.

Respectfully reports the same back without recommendation, as amended.

RICHIE, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 1162.
Assembly Bill No. 1164.
Assembly Bill No. 1934.

Respectfully reports the same back with the recommendation: Do pass.

RICHIE, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred

Assembly Bill No. 117.
Assembly Bill No. 2307.
Senate Bill No. 68.
Senate Bill No. 366.
Senate Bill No. 367.
Senate Bill No. 368.
Senate Bill No. 371.
Senate Bill No. 593.

Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 93.
Assembly Bill No. 684.
Assembly Bill No. 1175.

Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 22 1937

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 817.
Assembly Bill No. 1883.
Assembly Bill No. 1935.
Assembly Bill No. 2058.
Assembly Bill No. 2447.
Senate Bill No. 913.

Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:

Senate Bill No. 188.
Senate Bill No. 537.
Senate Bill No. 538.

Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 2224.
Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman

The above reported bill ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:
Assembly Bill No. 2350.
Respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman

The above reported bill ordered on second reading calendar

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937

MR. SPEAKER: Your Committee on Education, to which was referred:
Senate Bill No. 566.
Assembly Bill No. 982.
Respectfully reports the same back with the recommendation Do pass as amended

CLARK, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937

MR. SPEAKER: Your Committee on Education, to which was referred:
Senate Bill No. 560.
Assembly Bill No. 2645.
Respectfully reports the same back without recommendation, as amended

CLARK, Chairman

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937

MR. SPEAKER: Your Committee on Ways and Means, to which was referred.
Assembly Bill No. 1.
Assembly Bill No. 4.
Assembly Bill No. 1779.
Respectfully reports the same back with the recommendation Do pass as amended

ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937

MR SPEAKER: Your Committee on Public Morals, to which was referred
Assembly Bill No. 1305.
Respectfully reports the same back with the recommendation: Do pass as amended

TURNER, Chairman.

The above reported bill ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred
Senate Bill No. 21.
Respectfully reports the same back with the recommendation: Do pass as amended

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER Your Committee on Governmental efficiency and Economy, to which was referred:
Assembly Bill No. 353.
Assembly Bill No. 1581.
Assembly Bill No. 2521.
Assembly Bill No. 2704.
Assembly Bill No. 2705.
Respectfully reports the same back without recommendation, as amended.

DONIHUE, Chairman

The above reported bills ordered on second reading calendar

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred: **Assembly Bill No. 2176.**

Respectfully reports the same back without recommendation, as amended.

FLINT, Chairman.

The above reported bill ordered on second reading calendar.

Adjournment.

At five o'clock p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Friday, April 23, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SEVENTH LEGISLATIVE DAY
ONE HUNDRED TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 23, 1937

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Voigt, the further reading of the Journal of Thursday, April 22, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham

Mr. Kuchel, on motion of Mr. Kepple.

Mr. Cassidy, on motion of Mr. Donihue.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Leonard B. Stallcup, organizer and director of California Girls' Troop Noted Hollywood Equestriennes; William Krauth, Harriet Wilson, leader of C G Orchestra; Evelyn Hirsh, Josephine Harvey, Leone Turnbow, Catherine Ames, and Virginia Gregg; Louis Butterman, Jack Smith, Harry Powell, and Glen Moore, the Four Squires; Maurine O'Connor, Hollywood Radio Baby Star of 1937, and Mary Martin.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. L. J. Johnston,

principal, and the following students of the Arbuckle Grammar School: Joan Meckfessel, Marilynn Myers, Kathryn Struckmeyer, Virginia Jackson, Mary Wallis, Henrietta Hassler, Colleen Moore, Gordon Patton, Joe Frentzen, Douglas Olin, Kenneth Rominger, Russel Tracey, Dorothy Blanchard, Audrey Athearn, Betty Stockford, Lloyd Ricketts, Geraldine Myers, Betty Bailey, Lorraine Bierman, Jim Byers, Nadine Locke, Joan Sackreiter, Doris Bailey, Melvia McDonald, Harold Dawley, Stuart Smith, Robert Athearn, and Jack Marshall; and Mrs. L. J. Johnston, Mrs. Ernest Sachrieter, and Mrs. Charles Struckmeyer.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to F. Eugene Foster, District Superintendent of Schools; Alwyn R. Amerman, teacher, and the following seventh and eighth grade students of the Isleton Union Grammar School: Frances Nofuentes, Charles Agers, Florence Loudermilk, Serouhe Hachadourian, Willie Gonsalves, Jean Hastings, Violet Cobaugh, Guido Campi, Clara Ohanesian, Johnnie Ohanesian, Richard Devine, Jack Vieire, Howard Shamp, Gina Acciari, Matilda Gonsalves, Lorraine Hardy, Frances Brown, Gilbert Perry, Edna Borba, Lucy Schlager, Rosie Carvalho, Winnie Haines, Prapion Hachadourian, Shirley Shields, Earl Schillings, Lester Silva, Mary Louise Borba, Joe McNett, Irene Correia, Elsie Micheli, Martha Porter, and Eugene Gonsalves.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Jack D. Howe of Upland.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Herbert N. J. Bowden, Jr.

On request of Messrs. Kepple and Walker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Pauline Olson, teacher, and the following sixth grade students of Crocker School: Marybel Kepple and Virginia Walker, Assembly Pages; Alan Henderson, class president; Robert Suber, vice president; Dorothy Spencer, secretary; Jacqueline Cubberley, treasurer; Vivian Goodnight, Anna Peters, Virginia Babcock, Helen Chessen, Anna Edenhofer, Virginia Johnson, Chizuko Ishida, Aida Scott, Virginia Plaskett, Frances Howland, Marjorie Stevens, Mei Kitamura, Hisako Narahara, May Bogich, Patsy Lou Smith, Betty Wilson, Gale Bunnell, John Patterson, Gale Starr, Leonard Barton, Trine Mesa, Sammy Rubick, William Rushton, Wesley Faist, and Mervin Fahn.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Erma B Reese, principal; Mrs Neal McClintock, Mr. Russel Burnett, and the following students of Woods School, Woodbridge: Dorothy Garner, Alta McClintock, Violet Delu, Gladys Linde, Betty Webb, June Loyd, Doris Williams, Shizuko Otani, Theda Cook, Erna Rieger, Lydia Solaun, Henrietta Strickland, Josephine Maranise, Anna Farley, Masaye Nomura, Clyde Pearson, James Romer, Paul Mayer, Aldo Manna, Charles McDonald, Eric Larsen, Sam Fujinake, George Rishida, Mike Mikalis, Randol Comer, Dick Declusm, Raymond Wagenman, Riysohi Nitta, Howard Utterback, Shigio Sakoda, Martin Grassi, Thelma Archer, Viola Batch, Frieda Bender, Donna Dickman, Betty Declusin, Giorgina Giorgi, Mary Masui Dorothy Payne Rosella Ruggiero, Henrietta Savio,

Lillian Sugita. Harue Terada, June Utterback, Grace Strother, Hilton Beach, Jack Delzell, Keiji Fujinaka, Jack Mefford, Harry Oshima, James Rouse, Elmer Shinn, Edward Smith, Willis Welsh, and Bob Byers.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Robert M. McCurdy and daughter Caryl Jean.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. L. R. Conklin.

On request of Mr. Burns, Michael J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William J. McMillan of Eureka.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. C Frank Lee of Glendale.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Eph Williams of Riverside, and Mr Russell Black of Hemet.

Assistant Chief Clerk Greenburg Reading.

Communication.

The following communication was received, read, and ordered printed in the Journal:

By Mr Speaker:

OFFICE OF THE MAYOR, SAN FRANCISCO, April 21, 1937

To the Honorable Members of the Assembly,
California Legislature, Sacramento, California.

GENTLEMEN: Permit me to express to you, on behalf of the citizens of San Francisco, our sincere appreciation of the sentiments contained in a resolution approved by you, congratulating us on the building of our great metropolis of today, from the ashes of the 1906 disaster

The assurance of your continued goodwill, and your well wishes for our future are indicative of the spirit of friendship and cooperation which exists among the counties of the State of California, and which has been a contributing factor to the enviable development of our State.

With kindest greetings to you all, I am

Sincerely,

ANGELO J. ROSSI, Mayor

Reports of Standing Committees.

The following reports of standing committees were received and read

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 20.

Assembly Bill No. 942. **Assembly Bill No. 2581.**
Assembly Bill No. 986. **Assembly Bill No. 2724.**
Assembly Bill No. 1821. **Assembly Bill No. 2833.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2651.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 253—An act to add sections 111, 112, 113, 157, and 158 to the Business and Professions Code, relating to the Department of Professional and Vocational Standards and the boards and commissions comprising the department or subject to its jurisdiction;

Senate Bill No. 963—An act to amend section 1 of the Fair Trade Act, relating to fair trade practices;

Senate Bill No. 884—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees;

Senate Bill No. 938—An act to add sections 118 and 794.5 to the Fish and Game Code, relating to abalones and providing for a new district to regulate the taking thereof;

Senate Bill No. 1129—An act to add section 635 to the School Code, relating to automatic gas shut-offs in school buildings;

Senate Bill No. 1110—An act to repeal an act entitled "An act to limit the registration, enrollment, and attendance of the California Polytechnic School to male students," approved May 14, 1929, relating to the registration, enrollment, and attendance of students at the California Polytechnic School;

Senate Bill No. 650—An act to amend Part III, Title II, Chapter VIII of the Political Code, so as to add a new section thereto to be numbered section 1195c thereof, relating to printed arguments for and against proposed constitutional amendments, initiative petitions and referendum petitions;

Senate Bill No. 410—An act to add a new section to the Agricultural Code, to be numbered 3915, relating to estray animals;

Senate Bill No. 667—An act to amend section 585 of the Vehicle Code, and to add thereto section 585.5, relating to stolen and altered vehicles and motors.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 253 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 963 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 884 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 938 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1129 read first time, and referred to Committee on Insurance.

Senate Bill No. 1110 read first time, and referred to Committee on Education.

Senate Bill No. 650 read first time, and referred to Committee on Elections.

Senate Bill No. 410 read first time, and referred to Committee on Agriculture.

Senate Bill No. 667 read first time, and referred to Committee on Motor Vehicles.

SENATE CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 184.
Assembly Bill No. 185.
Assembly Bill No. 200.
Assembly Bill No. 203.
Assembly Bill No. 216.
Assembly Bill No. 347.
Assembly Bill No. 352.
Assembly Bill No. 469.
Assembly Bill No. 694.
Assembly Bill No. 737.
Assembly Bill No. 857.
Assembly Bill No. 864.
Assembly Bill No. 865.
Assembly Bill No. 989.
Assembly Bill No. 991.
Assembly Bill No. 1069.
Assembly Bill No. 1217.
Assembly Bill No. 1301.
Assembly Bill No. 1406.
Assembly Bill No. 1410.

Assembly Bill No. 1442.
Assembly Bill No. 1467.
Assembly Bill No. 1469.
Assembly Bill No. 1530.
Assembly Bill No. 1895.
Assembly Bill No. 2658.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

Second Reading of Assembly Bills.

Assembly Bill No. 2621—An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 293—An act to amend section 3½ of the Contractor's License Law, relating to exemptions therefrom.

Committee Amendments to Assembly Bill No. 293.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 50, of the printed bill, after the word "or", insert the following: "offers to undertake or purports to have the capacity to undertake or".

Amendment No. 2.

On page 11, line 19, of the printed bill, strike out the word "of", after the word "funds", and insert in lieu thereof the word "or".

Amendment No. 3.

On page 3, line 33, of the printed bill, strike out the word "fifty", and insert in lieu thereof the words "one hundred".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2414—An act to amend sections 736.3 and 737.3 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Committee Amendments to Assembly Bill No. 2414.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, in the title of the printed bill, after "736.3", strike out the following: "and 737.3".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 3 to 29, inclusive, and all of lines 1 to 20, inclusive, on page 2, and insert in lieu thereof the following:

"Any stabilization and marketing plan shall contain the following provisions:

(a) Provisions for prohibiting distributors from engaging in the unfair practices hereinafter set forth:

(1) The payment, allowance or acceptance of secret rebates, secret refunds, or unearned discounts by any person whether in the form of money or otherwise

(2) The giving of any milk, cream, dairy products, services or articles of any kind, except to bona fide charities, for the purpose of securing the fluid milk or fluid cream business of any customer.

(3) The extension to certain customers of special prices or services not made available to all customers who purchase fluid milk or fluid cream of like quantity under like terms and conditions.

(4) The false or misleading advertising of fluid milk or fluid cream as defined in section 654a of the Penal Code.

(5) The purchase of any fluid milk in excess of 100 gallons monthly from any producer or association of producers unless a written contract has been entered into with such producer or association of producers stating the amount of fluid milk to be purchased for any period; the quantity of such milk to be paid for as Class 1, and Class 2, and the price to be paid for each of the several classes. The contract shall

also state the date and method of payment, the charges for transportation if hauled by the distributor, and may contain such other provisions as are not in conflict with this chapter. A signed copy of such contract shall be filed by the distributor with the director within five days from the date of its execution.

(b) Provisions whereby the director designates and prescribes or provides methods for designating or prescribing minimum prices to be paid by distributors to producers, for fluid milk in one or more of the various classes; provided, however, that the prices so designated or prescribed shall be based upon the economic relationship of the price of fluid milk for the marketing area involved to the price of manufacturing milk, taking into consideration the additional costs incurred in producing and marketing fluid milk over and above costs incurred in producing and marketing manufacturing milk; and provided further the director finds that such prices will tend to effectuate the purposes and policy of this chapter and will insure consumers a sufficient quantity of pure and wholesome milk.

Any stabilization and marketing plan may contain the following provisions:

(c) Provisions whereby distributors shall report to each producer from whom fluid milk is secured, the volume of fluid milk received from such producer in pounds of milk, the milk fat test of such milk and the amount of fluid milk in milk fat pounds paid for in the several classes and the prices paid for the various classes for each month.

(d) Provisions whereby the director designates and prescribes or provides methods for designating or prescribing minimum prices to be paid by distributors to producers for fluid cream, provides that the prices so designated or prescribed shall be based upon the economic relationship of the price of fluid cream for the marketing area involved to the price of manufacturing areas, taking into consideration the additional costs incurred in producing and marketing fluid cream and provided further, that the director finds that such prices will tend to effectuate the purposes and policy of this chapter and will insure consumers a sufficient quantity of pure and wholesome cream.

(e) Provisions whereby the director designates or prescribes methods to provide uniform prices to be paid to all producers supplying fluid milk to distributors for pasteurization purposes in the marketing area involved by pooling the returns of all such fluid milk; provided that no equalization pool shall be established unless producers who supply distributors with not less than 65 per cent of the total volume of fluid milk used for pasteurization purposes and who represent not less than 65 per cent of the total number of such producers petition the director in writing to establish such equalization pool as a part of the plan. The director may designate the local control board for the marketing area as his agency to operate the equalization pool and may permit such local board to employ a pool manager and such other necessary personnel and to incur such expenses incidental to the operation of the pool as the director finds are necessary. The director is hereby empowered to require distributors to make reports to the pool manager at such intervals and in such detail as he finds is necessary for the operation of the pool which reports shall be kept confidential as to any individual distributor but shall be available to the director or his agents and the pool manager, and such employees of the pool as are necessary to the operation of the equalization pool.

No provision of any pooling program shall prevent any distributor from paying premiums for quality provided all producers supplying fluid milk of like quality to such distributor are paid similar premiums, nor shall any provision prohibit the paying of different prices to producers based on differentials in transportation adjustments or deductions made by a cooperative association of producers to its members, including the blending of proceeds received from the sale of fluid milk by such cooperative in other markets. Distributors who purchase fluid milk from producers for pasteurization purposes shall deduct from payments due such producers at such time and in such manner such sums as the director determines are sufficient to insure uniform prices to all producers subject to the provisions of the equalization pool, irrespective of the usage of such fluid milk by the distributors. Distributors shall make, in addition to the deductions herein prescribed, such additional deductions per pound milk fat as the director finds necessary to pay all expenses incidental to the operation of the equalization pool, including the establishment of a reserve account to insure prompt payments to producers. The deductions herein prescribed are in addition to any other deductions prescribed by this chapter."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 860—An act to amend sections 484 and 485 of the Agricultural Code, relating to certified milk.

Committee Amendments to Assembly Bill No. 860.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 5 and 6, and insert in lieu thereof the following: "and distribution of certified milk adopted by the American Association of Medical Milk Commissions and the provisions of this division and must".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 9, and insert in lieu thereof the following "the Medical Society of the State of California Such commission shall make fair and uniform rules pertaining to certified milk, and shall certify milk for any applicant who complies with such rules and the standards prescribed in this code."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 119—An act to amend section 5 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the collection of taxes.

Committee Amendments to Assembly Bill No. 119.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 5 of", and insert in lieu thereof the following: "sections 4, 5, 8 and 11 of, and to add sections 4a and 4b to,".

Amendment No. 2.

On page 1, lines 6 and 7 of the title of the printed bill, strike out "collection of taxes,", and insert in lieu thereof the following "payment and collection of taxes, and the suspension of licenses, to take effect immediately"

Amendment No. 3.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 4 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 4. A license tax is hereby imposed upon operators at the rate of 3 per cent of the gross receipts of such operators from operations on and after the first day of the month after the effective date of this act. Such tax shall be paid at the time and in the manner hereinafter provided.

SEC. 2 Section 4a is hereby added to the act cited in the title hereof, to read as follows:

Sec. 4a. The tax imposed hereunder shall be due and payable monthly on or before the tenth day of the month following each calendar month, the first of such calendar months being the month of June, 1937. Each operator shall on or before the tenth day of July, 1937, and on or before the tenth day of each month thereafter prepare a return for the preceding calendar month in such form as the board may prescribe, showing the gross receipts of the operator, the amount of tax due for the month covered by the return and such other information as the board may deem necessary for the proper administration of this act. The operator shall deliver the return together with a remittance payable to the Controller for the amount of tax due to the office of the board Returns shall be signed by the operator or his duly authorized agent, but need not be verified by oath.

The board for good cause may extend for not to exceed ten days the time for making any return and payment required hereunder.

If any operator shall fail, neglect or refuse to file the report or pay the tax within the time prescribed herein, the State Board of Equalization shall estimate the gross receipts from operation of such operator, shall assess the license tax thereon, and shall add to the license tax a penalty of 25 per cent thereof for such failure, neglect or refusal to report or make payment.

SEC. 3. Section 4b is hereby added to the act cited in the title hereof, to read as follows:

Sec. 4b. The tax due under the provisions of this act with respect to the operations of operators during the month of May, 1937, shall be reported and paid as follows, anything in this act to the contrary notwithstanding:

Each operator shall file a report covering operations for the month of May, 1937, pursuant to the provisions of section 4 of this act, as such provisions existed

on January 1, 1937. The State Board of Equalization, hereinafter called the board, shall in accordance with the provisions of such section assess the license tax due under said act and shall on or before July 1, 1937, give written notice to each operator of the amount of tax assessed against such operator The amount of tax assessed with respect to operations for the month of May, 1937, shall be due and payable on or before July 20, 1937. The board shall not prepare and deliver to the Controller an assessment roll showing the amount of license tax assessed against each operator with respect to operations for the month of May, 1937.

All taxes assessed against operators prior to July 1, 1937, pursuant to the provisions of this act, as those provisions existed on January 1, 1937, and remaining unpaid on July 1, 1937, shall be collected by the Controller under the provisions of said act as amended hereby.

SEC 4 Section 5 of said act is".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 3 to 14 inclusive

Amendment No. 5.

On page 1, line 15, of the printed bill, insert before "All license taxes", the following: "Sec 5.".

Amendment No. 6.

On page 2, lines 7 and 8, of the printed bill, strike out "shall notify the State Board of Equalization forthwith and".

Amendment No. 7.

On page 3 of the printed bill, after line 38, insert the following:

"SEC. 5. Section 8 of said act is hereby amended to read as follows:

Sec 8. The State Controller shall have the power to request the Attorney General to bring suit for the recovery of any unpaid license tax and costs. It shall be the duty of the Attorney General to bring such suit on the written request of said State Controller and in the name of said people of the State of California in a court of competent jurisdiction in the county of Sacramento; payment of an amount to said State Controller for and on account of such license tax and the acceptance thereof shall not bar an action by the State to recover an additional amount for the same month which may actually be due

In any suit brought to enforce the rights of the State hereunder a certificate issued by the board showing unpaid license taxes assessed against any operator shall be prima facie evidence of the assessment of the license tax, the delinquency thereof, the amount of the license tax, interest, penalties and costs due and unpaid to the State, that the operator is indebted to the people of the State of California in the amount of such license tax, interest and penalties therein appearing unpaid and that all the forms of law in relation to the assessment and levy of such license tax have been fully complied with by all persons required to perform administrative duties under this act.

SEC. 6. Section 11 of said act is hereby amended to read as follows:

Sec. 11. If any operator of any motor vehicle shall fail, neglect or refuse to file any report required to be filed by this act within ten days after the report is required to be filed, or if any operator shall fail, neglect or refuse to pay any license tax imposed hereunder within ten days after the license tax is delinquent, the State Board of Equalization shall immediately suspend the license issued to such operator and notify the Department of Motor Vehicles of such suspension It shall thereupon be the duty of said department to forthwith suspend the registration of the motor vehicles of any such operator and to cause to be removed therefrom any or all number plates or emblems issued by said department for display upon such vehicles. Thereafter it shall be unlawful to operate such vehicles upon the public highways of this State until the license of the operator has been reinstated by said board and the registration thereof restored by said department.

Such reinstatement shall not be made until such board is satisfied that the amount of license tax actually due from the operator has been paid and has collected a fee of five dollars for reinstatement. Restoration of registration of such vehicles shall be conditional upon such reinstatement of the license hereunder and the payment to said department of a fee of five dollars for such restoration

If the registration of any vehicle has been suspended as provided in this section the Department of Motor Vehicles shall not thereafter reregister such vehicle or transfer the registration or ownership thereof upon the records of the department until such time as the license for the operation thereof required under this act has been reinstated.

Transfer by the Department of Motor Vehicles of the registered ownership of any vehicle licensed hereunder may be effected only after a certificate of license tax clearance has been issued therefor by the State Board of Equalization and a new license is issued in the name of the proposed transferee

Upon the issuance of any number plates for display on any vehicle licensed hereunder, the Department of Motor Vehicles shall immediately notify the State Board of Equalization thereof.

If the operator of any motor vehicle is merely the registered owner thereof, and the legal owner of record repossesses such motor vehicle and pays the full amount of the license tax assessed hereunder, together with all interest thereon and penalties, such legal owner shall not be required to pay the fees herein required for reinstatement of license and restoration of registration, nor shall any of the other provisions of this section be applicable.

SEC. 7 This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1735—An act to amend an act entitled "An act authorizing the judges of the superior court in all counties, and cities and counties, having a population of 200,000 inhabitants and over, to appoint a secretary," approved March 26, 1895, as amended, by adding thereto a new section to be designated section 3, providing for the compensation for the secretary in counties, or cities and counties, having a population of 900,000 inhabitants or over.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1822—An act to amend sections 2, 3, 6, 7, 8, 9, 11, 12, 12a, 13, 14, 19, and 24 of the "Act Concerning Cosmetology," relating to the practice of cosmetology and any branch thereof

Committee Amendments to Assembly Bill No. 1822.

The following amendments were submitted by the committee

Amendment No. 1.

On page 6, lines 4 and 5, of the printed bill, strike out "without examination (unless the board, in its discretion sees fit to require examination)", and insert in lieu thereof the following ", upon examination".

Amendment No. 2.

On page 6, line 16, of the printed bill, after 'State", insert the following . ", and that no temporary license shall be issued to any out-of-state applicants for examination".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1474—An act to add section 335a to the Penal Code, relating to the seizure and destruction of machines or devices prohibited by the lottery and gambling laws.

Committee Amendment to Assembly Bill No. 1474.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, strike out "and shall be, by such officer, summarily destroyed", and insert in lieu thereof the following: 'and such machine or device shall be held by such officer for fifteen days thereafter and if no action is commenced to recover possession of such machine or device, within such time, the same may be summarily destroyed by such officer, or if such machine or device shall be held by the court, in any such action, to be in violation of such laws, or any of them, the same shall be summarily destroyed by such officer immediately after the decision of the court has become final.

The superior court shall have jurisdiction of any such actions or proceedings commenced to recover the possession of such machine or device or any money seized in connection therewith.

Any and all money seized in or in connection with such machine or device shall, immediately after such machine or device has been so destroyed, be paid into the treasury of the city or county, as the case may be, where seized"

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 187—An act to amend sections 7 and 9 of an act entitled "An act to establish a system of unemployment reserves for

this State, and making an appropriation therefor," approved June 25, 1935, relating to employers and employees subject to the act.

Committee Amendments to Assembly Bill No. 187.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, between lines 10 and 11, insert the following:

"(a) Agricultural laborers who are casually employed less than one hundred and eighty consecutive days by one employer;

(b) Domestic service in a private home where the employee is employed less than six hours per day and for less than a continuous period of one hundred and eighty days;".

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out "(a)", and insert in lieu thereof the following: "(c)".

Amendment No. 3.

On page 1, line 15, of the printed bill, strike out "(b)", and insert in lieu thereof the following: "(d)"

Amendment No. 4.

On page 1, line 19, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(e)".

Amendment No. 5.

On page 1, line 22, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(f)".

Amendment No. 6.

On page 2, line 9, of the printed bill, strike out "(e)", and insert in lieu thereof the following: "(g)".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1029—An act to amend section 995 of the Penal Code relating to indictments and information

Committee Amendment to Assembly Bill No. 1029.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 9 and 10.

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 659—An act to amend section 647 of the Penal Code, relating to vagrancy.

Committee Amendments to Assembly Bill No. 659.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out ", in writing, at the prevail-", and strike out lines 7 to 15, inclusive, and insert in lieu thereof the following: "; or.

2. Every beggar who solicits alms as a business; or,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 17 to 21, inclusive, and insert in lieu thereof the following: "without any lawful business; or,".

Amendment No. 3.

On page 2 of the printed bill, strike out line 4, and in line 5, strike out "person who knowingly associates with", and insert in lieu thereof the following:

"55. Every idle, or lewd, or dissolute person, or associate of".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following: "without any visible or lawful business; or,".

Amendment No. 5.

On page 2, line 16, of the printed bill, strike out "a house", and insert in lieu thereof the following: "houses".

Amendment No. 6.

On page 2, line 20, of the printed bill, strike out "who does not work when", and strike out lines 21 to 23, inclusive, and insert in lieu thereof the following: "; or,".

Amendment No. 7.

On page 2 of the printed bill, strike out lines 39 to 41, inclusive, and insert in lieu thereof the following: "Regardless of the number of counts which are charged against one person for vagrancy, bail shall not be fixed for such person's release in a sum in excess of $250."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1162—An act to amend section 1191 of the Penal Code, relating to time for pronouncement of judgment.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1164—An act to amend sections 1203.1 and 1203.3 of the Penal Code, relating to power of the court to fix conditions of probation.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1934—An act to add section 61 1 to the Alcoholic Beverage Control Act, relating to minors.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 117—An act to amend section 1054 of the Code of Civil Procedure, relating to extension of time for acts to be done.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2307—An act to amend section 437c of the Code of Civil Procedure, relating to summary judgments.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 93—An act to amend section 3.110 of the School Code, relating to the establishment of kindergartens.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 684—An act to amend section 5.190 of the School Code, relating to health and development certificates.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1175—An act to amend sections 2.876 and 2.877 of the School Code, relating to school districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 817—An act relating to the installation of concession stands in the public buildings of this State, and providing for their operation by licensed blind persons, and making an appropriation therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1935—An act making an appropriation for the encouragement of agriculture and the breeding of better poultry stock, and providing for the payment of premiums at the National Egg Laying Contest at Modesto.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2058—An act to amend section 1144 of and to add sections 1143a, 1145a, and 1145b to the Agricultural Code relating to egg products and providing for the keeping and giving of information in reference thereto, regulating the delivery thereof from public warehouses, regulating the containers in which egg products are packed, providing for the seizure of egg products and food products manufactured using egg products and providing an appropriation for the enforcement of Article IV of Chapter 8 of Division V of the Agricultural Code

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 2447—An act making an appropriation for the purpose of providing for a National Egg Laying Contest.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1—An act to amend sections 2, 2½, 3, 4, 14, 17 and 18, to add sections 4½, 5, and 25, and to repeal section 8 of the Old Age Security Act of the State of California, relating to aid to the aged

Committee Amendments to Assembly Bill No. 1.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "14," insert the following: "15,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, after "sections", insert the following: "3.5,".

Amendment No. 3.

On page 3, line 22, of the printed bill, as amended, after the period, insert the following: "The value of the use and occupancy of premises owned and occupied by applicants shall not be deemed income."

Amendment No. 4.

On page 3, line 26, of the printed bill, as amended, after the semicolon, insert the following: "or rent from the premises owned and occupied by applicants;".

Amendment No. 5.

On page 3, line 31, of the printed bill, as amended, after "gifts", strike out "of".

Amendment No. 6.

On page 3, of the printed bill, as amended, between lines 33 and 34, insert the following:

"SEC. 3.5. Section 3 5 is hereby added to said act to read as follows.

Sec. 3 5. If, when, and during such times as the United States Government increases its contributions in assistance of the aged in this State the aid provided for in section 3 of this act shall be increased by the amount equal to such increase by the United States Government, but in no event shall the total aid granted under this act exceed forty dollars per month."

Amendment No. 7.

On page 4 of the printed bill, as amended, strike out lines 23 to 29, inclusive, and insert in lieu thereof the following:

"Aid granted under the provisions of this act shall not constitute a lien upon any property of the recipient and all liens and mortgages heretofore created under the provisions of this act are hereby released and the board of supervisors of each county and city and county is hereby directed and authorized to execute and record appropriate instruments of release."

Amendment No. 8.

On page 5, line 29, of the printed bill, as amended, strike out "is", and insert in lieu thereof the following: "shall be".

Amendment No. 9.

On page 6 of the printed bill, as amended, between lines 26 and 27, insert the following:

"SEC. 6.5. Section 15 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 15. (A) When and during such time as grants in aid are provided or made available by the United States Government under the provisions of Title I of the Federal Social Security Act for aid to the needy aged in this State, the State Treasurer shall pay to each county and city and county from the sums granted by the United States Government to the State of California for aid to the needy aged, (1) an amount which shall be used exclusively as aid to the needy aged under this act, not counting so much of such expenditure with respect to any individual for any month as exceeds the maximum provided in said Title I, and (2) an additional amount equal to such county's share of the amount contributed under Title I of the Federal Social Security Act as a subvention against administrative costs for aid to such needy aged persons, computed upon the proportion designated in said Title I, which amount shall be used for paying the costs of administering the plan for aid to needy aged persons and for no other purpose.

(B) From the sums appropriated therefor by the State of California in section 21 of this act, the State Treasurer shall pay to each county and city and county an additional amount which shall be used exclusively for aid to needy aged equal to

one-half of the amount paid by each county and city and county after deducting one-half of the amount paid to said county or city and county under subdivision (A) (1) of this section, except that the State shall pay the county and city and county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence, after deducting one-half of the amount paid under subdivision (A) (1) of this section.

(C) The method of computing and paying such amounts for each quarter shall be as follows:

(1) The State Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount to be paid for such quarter to each county and city and county under the provisions of subdivisions (A) and (B) of this section, such estimate to be based on a report filed by each county and city and county containing (a) its estimate of the total sum to be expended in such quarter in accordance with the provisions of this act, and stating the amount appropriated or made available by the county or city and county for such expenditures in such quarter, and if such amount is less than that portion of the total sum of such estimated expenditures which is required under this act to be paid by each such county or city and county, the source or sources from which the difference is expected to be derived, (b) records showing the number of aged individuals receiving aid under the authority of this act in the county, and (c) such other information and investigation as the State Department of Social Welfare may find necessary.

(2) The State Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county and city and county, reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county and city and county under this act for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the State Department of Social Welfare for such prior quarter.

(3) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by the State Department of Social Welfare, and the State Controller, the State Treasurer shall pay to the treasurer of each county and city and county the amount so certified.

(D) (1) Reports of aid to aged paid out under this act shall be presented by the respective counties and cities and counties at times and in the form prescribed by the State Department of Social Welfare. (2) Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to said county or city and county as a credit to apply against advances made under the terms of subsection (C) of this section. (3) The clerk of the board of supervisors of each county and city and county shall report monthly to the said State department in such manner and form as the latter may prescribe, the number of applications granted, and the grants of aid changed, revoked or suspended under this act by the board of supervisors during the preceding calendar month, together with copies of all applications received and a statement of the action of the board thereon.

Amendment No. 10.

On page 7 of the printed bill, as amended, between lines 26 and 27, insert the following: "The State Department of Social Welfare shall make such reports in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports."

Amendment No. 11.

On page 7, line 38, of the printed bill, as amended, after "10", insert the following: "b".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 4—An act to amend sections 2, 3, 4, 5, 6, 10 and 11 and to repeal section 7 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to needy blind

Committee Amendments to Assembly Bill No. 4.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 1 of the title, and insert in lieu thereof the following: "an act to amend sections 2, 3, 4, 5, 6, 8, 9, 10 and 11, of, and to add section 1.5 to, and to".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 and 2, and insert in lieu thereof the following:

SECTION 1 Section 1.5 is hereby added to the act cited in the title hereof to read as follows:

SEC 1.5 It shall be the duty of each county and city and county to aid needy blind persons as provided in this act.

SEC 1½ Section 2 of the act cited in the title hereof is hereby amended to read as follows:".

Amendment No. 3.

On page 2, line 19, of the printed bill, as amended, strike out "may", and insert in lieu thereof the following: "shall".

Amendment No. 4.

On page 2, line 38, of the printed bill, as amended, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 5.

On page 2, line 43, of the printed bill, as amended, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 6.

On page 3, line 2, of the printed bill, as amended, after "owns", insert the following: "personal and/or".

Amendment No. 7.

On page 3 of the printed bill, as amended, strike out lines 11 to 17, inclusive, and in line 18, strike out "ing $1000;".

Amendment No. 8.

On page 4 of the printed bill, as amended, between lines 8 and 9, insert the following: "The county board of supervisors of counties containing a population of 200,000 or over may each create a special bureau which shall be devoted exclusively to the administration of this act Not less than 50% of the employed personnel of each such bureau shall consist of trained blind persons."

Amendment No. 9.

On page 5, line 3, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "; (e) The value of the use and occupancy of premises owned and occupied by the applicant; (f) The net income from real and personal property owned by the applicant."

Amendment No. 10.

On page 5 of the printed bill, as amended, strike out lines 17, 18 and 19; and in line 20, strike out "Welfare Board for a fair hearing", and insert in lieu thereof the following: "If any applicant or recipient is dissatisfied with the action of the board of supervisors with respect to his application or receipt of aid, he shall upon filing a petition with the State Department of Social Welfare have the right of appeal and shall be accorded an opportunity for a fair hearing."

Amendment No. 11.

On page 6 of the printed bill, as amended, between lines 15 and 16, insert the following: "The State Department of Social Welfare shall make such reports in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports.

SEC. 5.6. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 9. (A) When and during such time as grants in aid are provided or made available by the United States Government under the provisions of Title X of the Federal Social Security Act for aid to the needy blind in this State, the State Treasurer shall pay to each county and city and county, from the sums granted by the United States Government to the State of California, an amount which shall be used exclusively as aid to the needy blind under this act, not counting so much of such expenditure with respect to any individual for any month as exceeds the maximum provided in said Title X.

(B) From the sums appropriated therefor by the State of California in section 1 of this act, the State Treasurer shall pay to each county and city and county an

additional amount which shall be used exclusively for aid to the blind equal to one-half of the amount paid by each county and city and county after deducting one-half of the amount paid to said county or city and county under subdivision (A) of this section, except that the State shall pay the county and city and county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence, after deducting one-half of the amount paid under subdivision (A) of this section.

(C) The method of computing and paying such amounts for each quarter shall be as follows:

(1) The State Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount to be paid for such quarter to each county and city and county under the provisions of subdivisions (A) and (B), of this section, such estimate to be based on a report filed by each county and city and county containing (a) its estimate of the total sum to be expended in such quarter in accordance with the provisions of this act, and stating the amount appropriated or made available by the county or city and county for such expenditures in such quarter, and if such amount is less than that portion of the total sum of such estimated expenditures which is required under this act to be paid by each such county or city and county, the source or sources from which the difference is expected to be derived, (b) records showing the number of blind individuals receiving aid under the authority of this act in the county or city and county, and (c) such other information and investigation as the State Department of Social Welfare may find necessary.

(2) The State Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county and city and county, reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county and city and county under this act for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the State Department of Social Welfare for such prior quarter.

(3) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by the State Department of Social Welfare, and the State Controller, the State Treasurer shall pay to the treasurer of each county and city and county the amount so certified.

(D) Reports of aid to blind paid out under this act shall be presented by the respective counties and cities and counties at times and in the form prescribed by the State Department of Social Welfare. Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to said county or city and county as a credit to apply against advances made under the terms of subdivision (C) of this section."

Amendment No. 12.

On page 6, line 21, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and shall be binding upon the boards of supervisors of the various counties and cities and counties."

Amendment No. 13.

On page 6 of the printed bill, as amended, strike out lines 49 to 51, inclusive, and insert in lieu thereof the following: "county.

If at any time the State Department of Social Welfare has reason to believe that aid to the needy blind has been obtained improperly, it shall cause special inquiry to be made and may suspend payment for any installment pending the inquiry. It shall notify the board of supervisors of such suspension. If it appears, upon the inquiry, that the aid has been obtained improperly, it shall be canceled by the State Department of Social Welfare and if it appears that aid was obtained properly, the suspended payment shall be payable.

Any person dissatisfied with the action of the State Department of Social Welfare in suspending or canceling aid, may appeal to the State Social Welfare Board and upon such appeal shall be granted an opportunity for a fair hearing."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2224—An act substituting new Articles III and IV for the existing Articles III and IV, Chapter I of Title III, Part I, of the Code of Civil Procedure of the State of California.

Committee Amendments to Assembly Bill No. 2224.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "206 and 210", and insert in lieu thereof the following: "and 206".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 4 of the title, and in line 5, strike out "and 206g to".

Amendment No. 3.

On page 2, line 18, of the printed bill, as amended, strike out "204", and insert in lieu thereof the following: "204b".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 29 to 52, inclusive, and strike out all of pages 3, 4, 5 and 6, and insert in lieu thereof the following:

"206. The lists of jurors shall contain the number of persons designated by the court in its order. It shall be compulsory for the jury commissioner, secretary of the superior court, board of supervisors or whoever is in charge of the selection of prospective trial jurors to select them in the manner prescribed by this section.

Using the numbers 1 to 10, inclusive, ten cards shall be numbered with one of the numbers on each card and all of the cards shall be placed in a small box or wheel provided for the purpose The box or wheel shall be closed and thoroughly shaken and then one of the cards shall be drawn therefrom by chance. Each number drawn shall not be used again until all the numbers on the cards have been drawn in the manner herein provided. The number thus drawn shall be known as the key number.

The prospective trial jurors shall then be selected from each precinct in the county the last digit of the number of which corresponds with the key number. The name of the registered elector, whose number on the list of the precinct used, corresponds with the key number and every fifth name thereafter shall be selected for the jury panel.

If the list of names so selected is insufficient another key number shall be drawn in the manner herein provided and the same procedure followed until a sufficient number of persons is secured."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2350—An act to amend sections 3024, 3027, 3040, 3090, 3091, 3098, 3102, 3103 and 3149, and to repeal section 3093 of the Business and Professions Code, relating to the practice of optometry.

Committee Amendments to Assembly Bill No. 2350.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the folowing: "An act to amend sections 3040, 3102 and 3128 of the".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 21, inclusive.

Amendment No. 3.

On page 1, line 22, of the printed bill, strike out "Sec 3.", and insert in lieu thereof the following: "Section 1"

Amendment No. 4.

On page 2 of the printed bill, strike out lines 4 to 38, inclusive, and insert in lieu thereof the following. "optometry"

Amendment No. 5.

On page 2, line 39, of the printed bill, strike out "Sec. 7.", and insert in lieu thereof the following "Sec. 2."

Amendment No. 6.

On page 2 of the printed bill, strike out lines 45 to 52, inclusive, and on page 3, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SEC. 3 Section 3128 of the Business and Professions Code is hereby amended to read as follows:

3128. It is unlawful to advertise by displaying a sign or otherwise or hold himself out to be an optometrist without having at the time of doing so a valid unrevoked certificate of registration from the board."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 982—An act to amend sections 5.502, 5.654 and 5.681 of the School Code, all relating to the classification and dismissal

of persons employed by school districts in positions requiring certification qualifications.

Committee Amendments to Assembly Bill No. 982.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 5.502, 5 654 and 5.681", and insert in lieu thereof the following: "section 5 502".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 25 and 26, and strike out pages 2 3, 4 and 5, of the printed bill

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2645—An act to add section 5.400a to the School Code, relating to inquiry into political and economic affiliations or beliefs of applicants for teaching positions.

Committee Amendment to Assembly Bill No. 2645.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "or", insert the word "religious".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1305—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

Committee Amendment to Assembly Bill No. 1305.

The following amendment was submitted by the committee

Amendment No. 1.

On page 4, line 3, of the printed bill, after the word "week", insert the following: "Each licensee shall be required to make a charge of 5 per centum of the amount wagered or bet and to collect said 5 per centum from the bettor at the time any wager or bet is accepted by said licensee."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1581—An act to add a new section to the Political Code to be numbered 696, relating to a Fact Finding Bureau in the Department of Finance.

Committee Amendments to Assembly Bill No. 1581.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out the following: "a Fact Finding Bureau in".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 3 to 5, inclusive, and insert in lieu thereof the following: "696. The Department of Finance".

Amendment No. 3.

On page 1, lines 17 and 18, of the printed bill, as amended, strike out the following: ", through the Fact Finding Bureau,".

Amendment No. 4.

On page 1, lines 25 and 26, of the printed bill, as amended, strike out the following: "from the Fact Finding Bureau".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1883—An act making an appropriation to be expended by and under the direction of the Department of Finance in cooperation with the city of Long Beach for the purpose of rectifying, improving and protecting Alamitos Bay in the county of Los Angeles.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2704—An act to amend section 367b of the Political Code, relating to the compensation of members of the Social Welfare Board.

Committee Amendment to Assembly Bill No. 2704.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out "and shall", and insert in lieu thereof the following: "but in no event shall the compensation so received by any member exceed five hundred dollars per annum. They shall also".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2705—An act to amend section 105 of the Welfare and Institutions Code, relating to compensation of members of the Social Welfare Board.

Committee Amendment to Assembly Bill No. 2705.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "and shall be", and insert in lieu thereof the following: "but in no event shall the compensation so received by any member exceed five hundred dollars per annum. They shall also be".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 353—An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the District Courts of Appeal and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges.

Committee Amendments to Assembly Bill No. 353.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "in counties", and strike out lines 4, 5 and 6, and insert in lieu thereof a period.

Amendment No. 2.

On page 1, line 2, of the printed bill, strike out "in a", and strike out lines 3 and 4; and in line 5, strike out "to the judge or judges of such superior court".

Amendment No. 3.

On page 1, line 25, of the printed bill, strike out "governed by said section 26 of Article VI", and on page 2, line 1, strike out "of the Constitution".

Amendment No. 4.

On page 2, line 6, of the printed bill, strike out "said section 26 of Article VI", and insert in lieu thereof the following: "section 26 of Article VI of the Constitution".

Amendment No. 5.

On page 3 of the printed bill, following line 4, add the following:

"SEC. 7. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional. If the application of this act to any particular class of judges is for any reason held to be unconstitutional, such decision shall not affect the validity of the application of this act to other justices or

judges. The Legislature hereby declares that it would have passed this act irrespective of the fact that its application to any particular class of justices or judges be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2521—An act to reorganize the executive government of the State of California by establishing new departments and creating new officers and abolishing certain boards, commissions and officers, and repealing all acts and parts of acts in conflict herewith

Committee Amendments to Assembly Bill No. 2521.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of the title and insert in lieu thereof the following:

"An act to add sections 275, 275.5, and 374.5 to the Vehicle Code, relating to the operation of State-owned motor vehicles."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of line 1 after the period, and all of lines 2 to 15 inclusive, and all of pages 2, 3 and 4, and insert in lieu thereof the following: "A new section, to be numbered section 275, is hereby added to the Vehicle Code to read as follows:

275. No person shall operate a State-owned vehicle of a type subject to registration hereunder without a State operator's certificate, nor permit a person without a State operator's certificate to operate such a vehicle which is under his direct supervision, except as hereinafter provided.

Within 30 days after the effective date of this act the administrative officer of each State department, board, commission, school, or other State agency, shall furnish to the Department of Motor Vehicles a list of State officers and employees authorized to operate State-owned motor vehicles. Within 60 days after the effective date of this act the Department of Motor Vehicles shall provide a State operator's certificate to such officers and employees.

All State operators' certificates issued to State officers and employees after 60 days from the effective date of this act shall be subject to the tests and examinations herein set forth. The Department of Motor Vehicles shall provide for the special testing and examination of operators of State-owned equipment of a type subject to registration hereunder and shall issue a State operator's certificate to those who, it is satisfied from tests and examinations given and from the operating record of the applicant, are competent to operate safely State-owned motor vehicles.

The department shall, where conditions permit, provide examinations within 30 days from date of application. The persons in charge of any State-owned equipment of a type subject to registration hereunder shall have authority to issue a temporary permit for not to exceed 30 days for any persons assigned to the operation of such equipment, and the Department of Motor Vehicles shall have authority to extend such permit for not to exceed 30 days.

All records concerning accidents to State-owned equipment of a type subject to registration hereunder shall be open to the Department of Motor Vehicles.

The Department of Motor Vehicles shall have authority to retest or reexamine any operator of State-owned equipment and, upon finding from such reexamination, or from the operating record of such driver, that he can not be relied upon to operate safely a motor vehicle, the department shall cancel the State operator's certificate.

The State operator's certificate of any State officer or employee who is convicted of driving a State-owned vehicle while intoxicated, or who is convicted of the reckless driving of a State-owned vehicle or who is involved in an automobile accident resulting in injury to persons or damage to property due to his negligence or incompetence in the operation of a State-owned vehicle, shall be subject to cancellation after ten days' notice by the Department of Motor Vehicles to the head of the department, board, commission, bureau, or other State agency by which such person is employed, that the certificate is to be canceled during which time a hearing may be requested before the Department of Motor Vehicles to determine whether such State operator's certificate should not be canceled.

After the cancellation of a State operator's certificate, any new certificate issued shall be subject to the provisions of this section.

SEC. 2. A new section, to be numbered 275.5, is hereby added to the Vehicle Code to read as follows:

275.5. No State-owned vehicle shall be used except on official business of the State of California.

SEC. 3. A new section, to be numbered 374.5, is hereby added to the Vehicle Code to read as follows:

374.5. Every State-owned motor vehicle shall bear on each side of the body thereof an impression of the State seal, above which shall be impressed the name of the State agency to which the vehicle belongs and below which shall be impressed the words in letters of not less than three inches in height, "For official use only", provided, however, that such designation of State ownership shall not be required on State-owned motor vehicles operated with "under cover license plates."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2176—An act defining farm labor contractors, providing for the licensing thereof and for the issuance of permits to such farm labor contractors by the Division of Labor Statistics and Law Enforcement, before such farm labor contractors can contract with any crop owner to cultivate, plant, tend, irrigate, harvest, pack or process crops belonging to or in which such crop owner has any interest and providing that the violation of such act shall be a misdemeanor.

Committee Amendments to Assembly Bill No. 2176.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. As used in this act, "farm labor contractor" means any person, firm or association, other than a nonprofit agricultural cooperative association, who contracts with a crop owner or grower or with the agent of such owner or grower, to cultivate, plant, tend, irrigate, or harvest any crop or crops belonging to, or in which such crop owner or grower has any interest, by labor other than that of the contractor, at specified rates of pay for specified services, whether such pay is a fixed sum, or is measured by time, or is determined by a percentage of the crop or crops. The term "farm labor contractor" shall not include, however, any person or group of persons who contract individually or as a group to cultivate, plant, tend, irrigate, or harvest any crop on a unit or piece basis and who, when contracting as a group, share equally in the proceeds of such venture"

Amendment No. 2.

On page 1, line 9, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "1".

Amendment No. 3.

On page 1, line 10, of the printed bill, strike out the words "and a permit, both".

Amendment No. 4.

On page 1, line 19, of the printed bill, after the word "applicant", insert a comma and the following "and a bond in the amount of the estimated maximum total wages, which will become due during one pay roll period as defined by law, or securities or cash in the same amount as that required for a bond."

Amendment No. 5.

On page 2, line 7, of the printed bill, after the word "dollar", insert the following: "and a renewal bond, new bond or deposit as required for issuance of a license".

Amendment No. 6.

On page 2 of the printed bill, strike out all of lines 13 to 25, inclusive.

Amendment No. 7.

On page 2, line 26, of the printed bill, strike out the figures "10", and insert in lieu thereof the figure "8".

Amendment No. 8.

On page 2, line 28, of the printed bill, strike out the figures "11", and insert in lieu thereof the figure "9".

Amendment No. 9.

On page 2, line 30, of the printed bill, beginning in said line, strike out the words "pack or process".

Amendment No. 10.

On page 2, line 39, of the printed bill, strike out the figures "12", and insert in lieu thereof the figures "10".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1779—An act making an appropriation for the support of the Sales Tax Division of the Board of Equalization during the eighty-eighth fiscal year and to take effect immediately

Committee Amendments to Assembly Bill No. 1779.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2, of the printed bill, after "appropriated", insert the following: "to the credit and in augmentation of the appropriation".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert in lieu thereof the following: "of the Board of Equalization specified in Item 33 of section 1 of Chapter 341 of the California Statutes of 1935, to be expended in accordance with law, said sum to be transferred by the Controller to the appropriation for the support of said Sales Tax Division as follows. From the appropriation contained in Item 34, in section 1 of Chapter 341 of the California Statutes of 1935, the sum of $150,000; and from the appropriation contained in Item 1, section 37 of Chapter 330 of the California Statutes of 1935, the sum of $50,000."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 496—An act to amend section 2 of the Corporate Securities Act, to exempt from the provisions of said act certificates of deposit for securities approved by the California Districts Securities Commission for certification as legal investments for savings banks and trust companies.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 471—An act to add a new section to the Agricultural Code to be numbered 308.5, relating to inspectors employed by the Director of Agriculture of the State of California.

Committee Amendments to Senate Bill No. 471.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "California", insert the following: "in States bordering on the State of California.".

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out "of", and insert in lieu thereof the word "or".

Amendments adopted

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 423—An act to amend sections 3, 5, 6, 7, 9, and 11 of, and to add sections 16 and 17 to, an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Committee Amendments to Senate Bill No. 423.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out the words "If the", and strike out all of lines 16, 17, 18, 19, 20, 21 and 22

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 1, 2, 3, 4, 5 and 6

Amendment No. 3.

On page 5, line 41, of the printed bill, after the word "Any", insert the word "wilful".

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 68—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 371—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business

Bill read second time, and ordered on third reading calendar

Senate Bill No. 366—An act to add to the Probate Code a new section to be numbered section 1203a, providing for the service upon or mailing to the consular officer of the country, other than the United States, its Territories or possessions, in which an heir, legatee or devisee of an intestate or testator, resides, of notice of the hearing of any petition for letters of administration and for probate of will of an intestate or testator, providing for the filing by consular officers with the county clerk of requests for such notices, and providing that the county clerk of each county and city and county shall keep a separate register wherein shall be retained the names and addresses of consular officers who make such requests

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 367—An act to amend section 328 of the Probate Code, relating to notices prior to the hearing of application for letters

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 368—An act to amend section 441 of the Probate Code, relating to notices prior to the hearing of application for letters

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 593—An act to add section 1872 to the Code of Civil Procedure, relating to expert testimony

Bill read second time, and ordered on third reading calendar

Senate Bill No. 188—An act to amend section 5 of Chapter 191, Statutes of 1923, entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, relating to county fire protection districts

Bill read second time, and ordered on third reading calendar

Senate Bill No. 537—An act to amend an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such district to defray the expenses thereof," approved May 23, 1923, as amended, by adding a new section, to be numbered 10c, relating to maintenance of fire fighting equipment by cities within county fire protection districts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 538—An act to amend an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray

the expenses thereof." approved May 23, 1923, as amended, by amending section 7, relating to annual levy of taxes upon property in county fire protection districts

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 560—An act to repeal an act entitled "An act relating to the attendance of pupils attending school in a district other than the district in which they reside," approved April 6, 1929; to repeal section 3.174, 3.301, 3.302, 3.303, 3.304, 3.305, 3.306, 3.307, 3.308, 3.309, 3.415 and 3.416 of the School Code, and to add three new sections to the School Code to be numbered 2.21, 2.22 and 3 301, all relating to the attendance of pupils residing in one district upon the schools of another district

Committee Amendments to Senate Bill No. 560.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 2, line 1, of the printed bill, as amended, beginning in said line 1, strike out the following: "and setting forth the terms thereof", and insert in lieu thereof the following: "on such terms as may be agreed upon by the county superintendent of schools and the governing board of the district of proposed attendance".

Amendment No. 2.

On page 2, line 10, of the printed bill, as amended, after the word "pupils", insert a comma and the following: "excepting pupils attending the seventh and eighth grades of a junior high school,".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 21—An act to add section 377f to the Penal Code, relating to racing.

Committee Amendment to Senate Bill No. 21.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 3 and 4, of the printed bill, as amended, strike out "influences, or has any understanding or connivance", and insert in lieu thereof the following: "induces, or conspires".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 566—An act to repeal sections 2.2134, 2.2135 and 4.375 of the School Code, and to add thereto two new sections to be numbered 4 368 and 4.375, all relating to maximum school district tax rates and school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately.

Committee Amendment to Senate Bill No. 566.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 2, line 30, of the printed bill, as amended, after the word "dollar", insert the words "and ten cents".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 913—An act to add a new section to be numbered 32d to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of

goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read second time, and ordered on third reading calendar.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 2341—An act to amend section 583b of the Penal Code of the State of California, prohibiting the wearing by a person not entitled to do so of the badge, lapel button, rosette, or other recognized and established insignia of any secret society, order or organization, fraternal or religious order or denomination, or of any sect, church or religious denomination.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2341?

Amendment No. 1.

In section 1 of new section 538b, line 8, beginning at the comma, add the following: "with intent to deceive,"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2341 by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Watson, Wilhamson, and Mr. Speaker—50

NOES—None

Assembly Bill No. 2341 ordered to enrollment.

Assembly Bill No. 425—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by amending section 12 thereof, relating to flood control bonds.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 425?

Amendment No. 1.

On page 1 of the printed bill, strike out lines 18 to 21, inclusive, and insert in lieu thereof the following language:

"This act is special and is intended to control over all other acts which authorize or otherwise provide for the investment of funds of the classes herein enumerated or which authorize the use of bonds as security for the performance of an act; and any act now existing or hereafter adopted which provides for the investment of funds of any of the classes herein mentioned in the bonds of more than one class, kind or type of public corporation (cities, counties and school districts shall be deemed different kinds and types of public corporations, and only districts organized under the same law for the same purposes shall be deemed to be of the same class or kind of public corporations) is to be deemed general for the purpose of construing this act in connection therewith"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 425 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly,

Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Peek, Pelletier, Redwine, Rosenthal, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 425 ordered to enrollment.

Third Reading of Assembly Bills.

Assembly Bill No. 1334—An act to amend sections 3, 4, and 11 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs, and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulterating, mislabeling, misbranding, false advertising, and sale of foods and the powers of the State Board of Public Health in relation thereto.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Redwine, Richie, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—51.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 262—An act to amend section 3 of the "Retail Sales Tax Act of 1933," relating to the levy of sales taxes.

Motion to Amend Assembly Bill No. 262.

Mr Morgan moved to amend Assembly Bill No. 262 as follows:

Amendment No. 1.

On page 1, lines 10 and 11, of the printed bill, strike out "on and after January 1, 1938", and insert in lieu thereof "such time as the State Treasurer and State Comptroller shall show by their annual reports that the State has sufficient funds to pay all outstanding warrants against the general fund".

Amendment read, and refused adoption by the following vote:

AYES—Cunningham, Dannenbrink, Dilworth, Gannon, Heisinger, Kepple, Latham, Martin, Miller, Eleanor; Morgan, Scudder, and Stream—12.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Crowley, Daley, Dawson, Desmond, Donihue, Donnelly, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Laughlin, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—49.

Assembly Bill No. 262 read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Hornblower moved a call of the Assembly.

Motion carried.

Time, twelve o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Kopple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Communications.

The following communications were received, and on motion of Mr. Dannenbrink, ordered printed in the Journal.

THE AMERICAN FASCISTS

CHATTANOOGA APR 19 5:30 PM 1937 TENN.

[redacted] SAVES TIME

Speaker of the Assembly
State Capitol
Sacramento, Calif.

CRUSADER WHITE SHIRTS
NATIONAL HEADQUARTERS
CHATTANOOGA, TENNESSEE

CRUSADER WHITE SHIRTS

NATIONAL HEADQUARTERS
CHATTANOOGA, TENNESSEE

April 15, 1937

Dr. Walter A. Maier
Lutheran Hour Headquarters
3558 South Jefferson Avenue
St. Louis, Missouri

Dear Dr. Maier:

I wish to thank you for your frank letter to me recently. I have also noted your correspondence with Mrs. de Lafayette-Washburn of Chicago. It has been rather difficult for me to understand your attitude and I am not quite sure that I do now, your broadcasts seem so straightforward, righteous and fearless.

It seems to me that the world is suffering today from a double moral standard, one standard for sins of commission another for sins of omission. There are innumerable tragic examples of this. For instance, it is rather difficult to question the financial integrity and honesty of our bankers. They merely omit to tell us when they propose to deflate credit so that our possessions fall into their hands like ripe apples from a tree. How can we successfully accuse our public officials of deliberately betraying their trust and willfully destroying our constitution? They merely omit to enforce the clause which states that "Congress shall have the power to coin money and regulate the value thereof", so that the whole structure of government is undermined and in danger of collapse. Our publishers, educators, moral and religious leaders, are careful not to be caught telling lies. They merely omit to tell the truth about an economic system so foul that it stinks to the high heavens and a moral leadership so low and cowardly that it crawls on its belly in fear before a hollow barbarian superstition, the Image of the Golden Calf. Tell me, Dr. Maier, do you think Christ has two moral standards, one for sins of commission another for sins of omission?

Ignoring our problems seems to be a poor way of solving them. Everyone of intelligence realizes that this country is facing REVOLUTION. We shall shortly be <u>compelled</u> to decide whether to turn to the Left to Communism, or to the Right to fascism or go straight ahead under Democracy to Economic Liberty. Have we the <u>courage</u> to face this question openly with <u>reason</u> or must we be <u>driven</u> like beasts with VIOLENCE?

Yours in the fellowship of freedom,

Geo. W. Christians, Commander-in-Chief
Crusader White Shirts

April 19, 1937

Hon. Henry A. Dannenbrink
Member of Assembly, Eighteenth District
State Capitol
Sacramento, California

Dear Mr. Dannendrink:

I have been informed by one of our undercover western agents that you have displayed rather unusual interest in a recent intra-organizational letter of mine to Capt. Bethel of Oakland that seems to have inadvertantly fallen into your hands. Now, Mr. Danbridink, don't you know that curiosity is sometimes a very dangerous thing to have too much of?

Naturally with the time of VIOLENT REVOLUTION approaching so close, we are now giving a great deal of thought to the liquidation of the traitors who have lead our beloved nation into this desperate situation. Strangely it seems there is quite a difference of opinion in regard to this. In the East they seem to prefer to line them up against a wall and shoot them, starting with the Bankers. Here in the South we like the Publishers best and prefer some slow lasting torture like burning at the stake or some modified form of lynching. The West seems to be raring for straight old fashioned hanging, taking the Politicians just as they come without bothering to look for or spare a possible honest one.

Now, Mr. Drinkandbedamned, permit me to hope that your turn may come last instead of first so that your curiosity will not be too abruptly terminated. I enclose some other material for you to look over before the dead line.

Yours in the fellowship of freedom,

Geo. W. Christians, Commander-in-Chief
Crusader White Shirts

Resolutions.

The following resolutions were offered:

By Miss Miller:

House Resolution No. 145.

WHEREAS, On this day of the twenty-third of April in the year 1564 there was born at Stratford-On-Avon the immortal bard, William Shakespeare; and

WHEREAS, Due to the life and work of William Shakespeare we have been enriched in our quest for a finer appreciation of the values coming from individual expression; and

WHEREAS, As a result of William Shakespeare having lived the literature, learning and culture, not only of England and of the English speaking people, but of all the civilized world, has been immeasurably benefited; and

WHEREAS, The Governor of the State of California, in honor of the birthday of William Shakespeare, has declared this day to be "Poetry and Drama Day" in the State of California; now, therefore, be it

Resolved, That the Assembly of the State of California expresses its appreciation and gratitude to our mother country, England, for her marvelous contribution to our literature and life in the production of a man,-a poet and dramatist like William Shakespeare; and be it further

Resolved, That a copy of this resolution, suitably engrossed, be sent to George VI, by the Grace of God, of Great Britain and the British Dominions Beyond the Seas, King, Defender of the Faith, Emperor of India.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up House Resolution No. 145, at this time, without reference to committee or calendar.

Resolution No. 145 read, and unanimously adopted.

By Mr. Yorty:

House Resolution No. 146.

WHEREAS, The Legislature of the State of California has heretofore passed a resolution asking that a Mediation Board be appointed for the settlement of labor disputes at Stockton, California; and

WHEREAS, The Governor was unable to have both sides to such dispute agree to a Mediation Board; and

WHEREAS, It has come to the attention of the Assembly from the press, from the reports of organized labor, and from citizens of the State, that a situation of virtual warfare exists between those operating canneries and the workers at Stockton; and

WHEREAS, It is reported that a number of people, including many innocent bystanders, have been injured and are now in hospitals; and

WHEREAS, It is reported that certain forces are prepared to resort to armed warfare which will result in bloodshed and riot; and

WHEREAS, It is necessary that immediate action be taken for the purpose of ascertaining the facts concerning the present situation so that the Legislature may take appropriate action; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members of the Assembly, which committee shall be known as The Special Assembly Committee on Labor Relations, be appointed by the Speaker to investigate the situation at Stockton and report back immediately to the Assembly; and be it further

Resolved, That said committee may meet at Stockton or any other place within the State that it deems necessary during the current session, and that said committee shall have the power to subpena witnesses and compel the production of evidence, and that said committee, and each member thereof, is authorized to administer oaths, and that all of the provisions of Article VIII of Chapter II, Title 1, Part III, of the Political Code shall apply to said committee; and be it further

Resolved, That there is hereby appropriated the sum of $500, or so much thereof as may be necessary, from the contingent fund of the Assembly, to be expended by or on behalf of said committee for its necessary expenses incurred in the performance of its duties and functions prescribed by this resolution. The Controller is hereby instructed to draw his warrant, and the Treasurer is hereby instructed to pay the same, upon the order of the chairman of said committee.

House Resolution No. 146 read, and referred to the Committee on Rules.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 933—An act to add a new section to the Labor Code, to be numbered 3862, relating to employer's writ of execution as lien claimant.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—59

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1465—An act to amend sections 2.876, 2.877, 2.878, 2.885, 2.890, 2.891 and to repeal section 2.886 of the School Code, relating to school district elections.

Motion to Amend Assembly Bill No. 1465.

Mr. Latham moved to amend Assembly Bill No. 1465 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "2.876½, 2.877,"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "and", and insert in lieu thereof a comma

Amendment No. 3.

Between lines 2 and 3 of the title of the printed bill, as amended, add the following "to repeal an act entitled "An act relating to the opening and closing of polls at school elections," approved May 14, 1929, and to add sections 2.876½, and 2.877 to the School Code,"

Amendment No. 4.

On page 1, line 8, of the printed bill, as amended, strike out "of the School Code is hereby amended", and insert in lieu thereof the following: "is hereby added to the School Code".

Amendment No. 5.

On page 2 of the printed bill, as amended, between lines 18 and 19, insert the following:

"The governing board of the school district charged with the conduct of carrying on said election, may precinct or subdivide the municipality or territory within which such election is to be held, into special or consolidated election precincts for the holding of such election. In establishing such precincts, the said governing board shall number such precincts so established, consecutively, and each precinct so established shall, for the purpose of such election, be known by the number so designated."

Amendment No. 6.

On page 3 of the printed bill, as amended, following line 30, insert the following

"SEC. 9. An act entitled "An act relating to the opening and closing of polls at school elections," approved May 14, 1929, is hereby repealed."

Amendments adopted.

Request for Unanimous Consent.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Bill No. 1465, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 1465, as Amended.

Assembly Bill No. 1465—An act to amend sections 2.876, 2.877, 2.878, 2.885, 2.890, 2.891 and to repeal section 2.886 of the School Code, relating to school district elections

Assembly Bill No. 1465, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller,

Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At two o'clock and twenty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr Williamson.

The roll of absentees was called, and Assembly Bill No. 262 passed by the following vote:

AYES—Breed, Burns, Michael J., Clark, Cronin, Cunningham, Dawson, Desmond, Donihue, Fulcher, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—41.

NOES—Andreas, Baynham, Beene, Burns, Hugh M., Call, Crowley, Daley, Dannenbrink, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Latham, Leonard, Lyon, Martin, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Redwine, Scudder, Stream, Thorp, Walker, and Watson—31.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 262.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 262 was this day passed.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 93.	**Assembly Bill No. 1883.**
Assembly Bill No. 117.	**Assembly Bill No. 1934.**
Assembly Bill No. 684.	**Assembly Bill No. 1935.**
Assembly Bill No. 817.	**Assembly Bill No. 2307.**
Assembly Bill No. 1162.	**Assembly Bill No. 2447.**
Assembly Bill No. 1164.	**Assembly Bill No. 2621.**
Assembly Bill No. 1735.	**Assembly Bill No. 1175.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 197.	**Assembly Bill No. 1532.**
Assembly Bill No. 600.	**Assembly Bill No. 1620.**
Assembly Bill No. 629.	**Assembly Bill No. 1833.**
Assembly Bill No. 1371.	**Assembly Bill No. 2157.**
Assembly Bill No. 1444.	

And reports the same correctly enrolled, and presented to the Governor on this twenty-third day of April, 1937, at ten o'clock a.m.

CUNNINGHAM, Chairman.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended,

Assembly Bill No. 747.	**Assembly Bill No. 2162.**
Assembly Bill No. 2233.	**Assembly Bill No. 528.**
Assembly Bill No. 1230.	**Assembly Joint Resolution No. 38.**

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secertary of Senate.

By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Recess.

At two o'clock p.m., pursuant to a motion carried on a previous day, the Speaker declared the Assembly at recess to hear from M. Amine Youssef, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Egypt.

Reassembled.

At two o'clock and fifty minutes p.m , the Assembly reconvened. Speaker Jones in the chair.

Leave of Absence.

Mr Patterson was granted leave of absence for the balance of this legislative day, on motion of Mr. Clark.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2815—An act to amend section 603 of the Vehicle Code, relating to vehicles and animals on certain property.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Hunt, Kepple, King, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor · Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—56

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2316—An act relating to taxation, to add section 5.3 to the Retail Sales Tax Act of 1933 and section 4.3 to the Use Tax Act of 1935, providing for exemptions.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Turner, Voigt, Watson, Weber, Welsh, Williamson, and Mr. Speaker—47.

NOES—Call, Daley, Dilworth, Field, Garibaldi, Johnson, Levey, Morgan, O'Donnell, Redwine, Stream, and Walker—12

Title read and approved Bill ordered transmitted to the Senate.

Motion to Withdraw Assembly Bill No. 1427 from Committee.

Mr. Hunt moved to withdraw Assembly Bill No. 1427 from the Committee on Governmental Efficiency and Economy, and have it placed upon the calendar.

The roll was called, and the motion to withdraw Assembly Bill No. 1427 from committee lost by the following vote:

AYES—Burns, Michael J., Clark, Donihue, Gilbert, Hawkins, Hunt, Lore, Meehan, Miller, George P., Peek, Pelletier, Reaves, Richie, Rosenthal, Sheehan, Turner, Voigt, Welsh, Yorty, and Mr. Speaker—20.

NOES—Andreas, Baynham, Breed, Burns, Hugh M. Call, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Sawallisch, Scudder, Stream, Thorp, Walker, Watson, Weber, and Williamson—46

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 146.

Respectfully reports the same back with the recommendation: Be adopted.

PEEK, Chairman.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to take up House Resolution No. 146, at this time, without reference to calendar

House Resolution No. 146—Appointing Special Assembly Committee on Labor Relations.

House Resolution No. 146 read.

Demand for Previous Question.

Messrs Welsh, Peek, Hunt, Glick and Clark demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 146.

The roll was called, and House Resolution No. 146 adopted by the following vote:

AYES—Burns, Hugh M., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Fulcher, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Laughlin, Leonard, Levey, Lore, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Sheehan, Turner, Voigt, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—43.

NOES—Breed, Call, Daley, Desmond, Dilworth, Field, Gannon, Garibaldi, Garland, Johnson, Latham, Lyon, Maloney, Meehan, Morgan, Muldoon, Peyser, Scudder, Stream, and Walker—20.

Resolution.

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 147.

WHEREAS, The Honorable William Gibbs McAdoo on the seventh day of April, 1937, made a speech in the Senate of the United States on the subject of "sit down" and other strikes; and

WHEREAS, In said speech said Honorable William Gibbs McAdoo expressed succinctly the attitude as to these and related problems that all thinking men should take; now, therefore, be it

Resolved by the Assembly of the State of California, That said Honorable William Gibbs McAdoo is hereby commended for his attitude and congratulated on his speech, and be it further

Resolved, That a copy of said speech be printed in the Journal of the Assembly

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 147, at this time, without reference to committee or calendar.

House Resolution No. 147 read, and adopted by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—57.

NOES—Hawkins, Pelletier, and Richie—3.

Explanation of Vote.

By Mr. Richie:

MR. SPEAKER: I vote "No" on the resolution to print in the Journal the remarks of U. S. Senator McAdoo on the subject of so-called sit-down strikes, not because of any displeasure at having the Senator's remarks recorded in the Journal, but

because the resolution carried an indorsement of the views expressed. The Senator's remarks were not read in full to the Assembly and I had not read them. I could not know in advance whether I agree or disagree with what I had not read nor heard read.

Speech of Hon. William Gibbs McAdoo, of California, in the Senate of the United States, April 7, 1937.

MR MCADOO: Mr. President, I should like briefly to submit to the Senate some observations on this concurrent resolution.

While I construe the pending resolution as merely declaratory, nevertheless it may prove helpful in requickening in the American consciousness the pregnant fact that "obedience to law is liberty", and that without it the constitutional guaranty of the sacred right of "life, liberty, and property" is but an empty phrase. Without life, liberty is worthless; without liberty, life is unendurable; but even life and liberty can not be realized in full measure unless every citizen is permitted to enjoy the fruits of his labor or efforts; unless he is made secure in the possession of his lawfully acquired property.

It is for these reasons that the Constitution of the United States, in the fifth amendment, provides:

> No person shall be * * * deprived of life, liberty, or property without due process of law.

And in the fourteenth amendment that—

> No State shall * * * deprive any person of life, liberty, or property without due process of law.

And again in the fifth amendment:

> Nor shall private property be taken for public use without just compensation.

The fundamental law of the land, the Constitution itself, prohibits the Government of the United States and the government of every State from taking the property—to say nothing of life and liberty—of the citizen "without due process of law." It is because the sit-down strike violates the fundamental law of the land by taking property without due process of law that I can not indorse it without disregarding my oath of office and my conscientious conviction that the mistaken policy and illegality of the sit-down strike, if carried to its logical conclusion, will inevitably lead to anarchy and the demoralization of organized society.

The Government of the United States itself does not have the power, which the sit-down strike asserts, to take possession of private property without due process of law. The State of Michigan possesses no such power. When private property is taken by government, Federal or State, for public use, just compensation must be provided.

Suppose the Federal Government or any State Government arbitrarily seized a factory, an office building, a warehouse, or a ranch, and drove out the owners. Such action would be reprehended by every citizen in the land. Government must set an example to the citizen, must live within the law, and proceed in strict conformity with law in every action it may take. It can not be claimed that sit-down strikers possess a power which transcends that of the sovereign Government of the United States and of the States composing the Union.

Aside from these considerations I can not, as a consistent friend of labor over a period of many years, indorse a course which, if persisted in, will do grave injury to the just cause of labor. Correction of the obvious evils in our economic and social order can not, in my judgment, be achieved by lawless methods on the part of capital or labor. With the long struggle of labor for reasonable hours and better working conditions and a more equitable share in the fruits of its industry, I am now, as I have always been, in full sympathy. As a member of this body I have voted for every measure which I thought would contribute to the achievement of these ends. As a member of the Cabinet of that great statesman and friend of the workingman, Woodrow Wilson, during the World War, I was brought into intimate contact with the problems of labor, industry, and agriculture because of the grave responsibilities imposed upon me by my official duties. I hope my colleagues on the floor will acquit me of even the semblance of egotism if I refer to some phases of my administration as Director General of the Railroads of the United States.

By Executive order some 250,000,000 miles of railroad were taken over by the Government on the 27th day of December, 1917, as a war measure, and supreme authority over them was conferred upon me as Director General. I found myself in command of more than 2,000,000 railway employees. Transportation was disorganized; the spirit of the employees was at low ebb because of inadequate wages, unsatisfactory and, to some extent, inhuman working conditions. Strikes were impending in various parts of the country, not because of a lack of patriotism but because of the harsh conditions under which employees were compelled to toil. The draft law deprived the railroads of the service of much skilled labor, and the scale of

wages in competitive war industries was so much higher than the scales prevailing on the railroads that men were going to shipyards and war industries, where they could work with equal patriotism and receive wages far in excess of those the railroads were paying. On many of the lines organized labor was unrecognized.

After a thorough investigation of the conditions I issued General Order No. 27 on May 25, 1918. The basic eight-hour day was recognized in every line of railroad work. Discrimination against employees because they were or were not members of a labor union was prohibited. The fundamental injustice of paying women in the employ of the railroads less for their services than was paid to men for exactly the same class of work was removed, and the pay of women was equalized with that of men for the same services rendered.

For many years the Negro employees of the railroads, such as firemen, trainmen, and switchmen, were paid less for identically the same work than was paid to white men in like capacities. That discrimination was struck down, and equal pay for the same services performed was accorded to Negroes and to white men alike.

Increases in the pay of employees to put them on a comparable basis with those who worked in war industries, in shipyards, and in other industries throughout the country, were granted. These resulted in a gross increase in the wages of railroad employees during the year 1918 of more than $700,000,000. The amount of the gross addition to income is not particularly important, but it has a bearing upon the magnitude of the problem then presented of equalizing the pay of railroad workers with the pay of those engaged in competitive industries.

These and other corrective acts brought peace and contentment to the great army of railroad men and women who, in that critical time, were charged with providing transportation for troops, supplies, and equipment indispensable to victory on the fields of France.

I recite these things to point the moral that justice to labor in industry will produce contentment, improve efficiency, and bring peace and just rewards to both capital and labor.

Mr. President, we are going through one of those epochal changes in the life of Nations when fundamental and sometimes radical readjustments, economic and social, are involved. The processes of change and reform require patience, intelligence, and the highest order of statesmanship. It is my hope that out of the disturbances that now agitate the industrial world a new formula to govern the relations between labor and capital may emerge. It must emerge if peace in the industrial world is to be secured. It can not emerge, however, unless our great captains of industry abandon ideas made archaic by a machine age, and recognize frankly that their resistance to laws enacted by Congress to promote industrial justice must be abandoned and a policy of cooperation with government and labor substituted if the great boon of industrial peace and stability is to be secured. I agree with my distinguished colleague, the Senator from New York [Mr. WAGNER], that if the provisions of the National Labor Relations Act for collective bargaining had been accepted by industrial captains instead of being resisted by court proceedings which, although within their technical right to institute, seem to me to have been unenlightened policy, this situation would probably not have arisen. But we are face to face with it now. What are we going to do about it?

A mere denunciation of the sit-down strike will not solve the problem. Compulsory arbitration will get us nowhere. The validity of the Wagner Labor Relations Act, if sustained by the Supreme Court, will prove a valuable contribution, but not in itself a solution.

A new formula, of which I have spoken, to govern the relations between labor and capital must be found. This can be found only if capital and labor will cooperate to that end, aided by government and guided by government. I should like to see action by the Senate which would initiate conferences between the leaders of labor and industry for discussion and counsel on this superlatively important matter. Under the friendly auspices of government, in an atmosphere permeated by patriotism and with a determination to gain the great objective, I am confident that the outcome will set civilization upon a new path toward the ultimate goal of human rights, industrial peace, and contentment.

But, Mr. President, these ends can not be secured through force or violence. We need the calm of peace for deliberate judgment.

Over the main entrance to the courthouse in Worcester, Mass., is this fine phrase, "Obedience to law is liberty." It is, to my mind, a perfect definition of liberty—liberty regulated by law; the only kind of liberty which assures to every man, however humble, security for his life and property; the only kind of liberty under which civilization has been able to advance; the only kind of liberty under which the people of this great Republic have been able to acquire a commanding position among the powers of the earth. Liberty without lawlessness is the greatest goal of free men. Liberty cursed with lawlessness produces a cancerous growth on the body of society which can lead only to irreparable disaster.

Appointment of Special Committee.

Pursuant to the provisions of House Resolution No. 146, the Speaker appointed as a Special Committee to Investigate the Labor Dispute in Stockton, the following: Messrs. Jones, chairman; Cottrell, Johnson, Yorty and Voigt.

The Speaker Pro Tempore in the Chair.

At four o'clock and twenty minutes p.m., Hon. Henry P. Meehan, Speaker pro tempore of the Assembly, in the chair.

Leaves of Absence.

Messrs. Jones, Weber, Voigt, Yorty, Johnson and Cottrell were granted leave of absence for the balance of this legislative day, on motion of Mr. Breed.

Re-reference of Assembly Bill No. 1250.

On motion of Mr. Hawkins, Assembly Bill No. 1250 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 23, 1937.

To the Honorable Members of the Assembly,
Sacramento, California

GREETINGS: I am returning herewith without my approval, **Assembly Bill No. 1726**, the same being

"An act to amend section 1151 of the Political Code, relating to election officers in cities".

This bill proposes among other things to require the members of election boards to be appointed from a register of applicants for such positions on file with the county clerk, or from a list secured by advertising for election officers. If this amendment becomes effective, only those who appear on such list will be eligible to serve as election officers. I am of the opinion that every elector should be eligible to serve on an election board as provided at the present time.

I am, therefore, returning Assembly Bill No. 1726 without my approval.

Respectfully submitted,

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1726 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 23, 1937

To the Honorable Members of the Assembly,
Sacramento, California.

I am returning herewith, without my approval, **Assembly Bill No. 2223**, being

"An act to amend section 737ww of the Political Code, relating to the salary of judges of the county of Sonoma."

The action thus taken is prompted by the same considerations as set forth in a message refusing approval of Assembly Bill No. 1105.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2223 ordered on unfinished business calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1433—An act to amend section 15 of the Bank Act, relating to the escheat of bank deposits unclaimed for more than 20 years, and requiring the deposit thereof and the increase and proceeds thereof, with the State Treasurer and providing a penalty for failure to make such deposits.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Kepple, King, Leonard, Levey,

Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sheehan, Thorp, Turner, Walker, Watson, and Williamson—48.

NOES—Stream—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2219—An act to amend sections 2, 3, 5, 6, 8 and 30 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, relating to elections in cities of the fifth and sixth class.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Call, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Kepple, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Williamson—48.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1085—An act to amend section 7 of the Direct Primary Law, relating to filing fees of candidates at primary elections.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Call, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Kepple, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sheehan, Stream, Thorp, Turner, Walker, and Williamson—45.

NOES—Watson—1

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1904—An act to amend section 6 2a of the School Code, relating to insurance on school property.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Williamson—50.

NOES—Dilworth, Field, Garland, Mayo, and Redwine—5.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2014—An act to add a new section to the School Code, to be numbered 5.507, relating to employees in positions requiring certification qualifications.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Kepple, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Sheehan, Stream, Thorp, Walker, Watson, and Williamson—47.

NOES—Garland, Morgan, and O'Donnell—3

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 503—An act to amend sections 4242.1 and 4242.2 of the Political Code, relating to the compensation of county officers in counties of the thirteenth class.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hornblower, Hunt, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington,

Morgan, Muldoon, O'Donnell, Peek, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Williamson—50.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 2829—An act to add section 8a to the California Water District Act, relating to assessments for the redemption of bonds.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Kepple, King, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Williamson—53.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2828—An act to amend section 58 of the Warehouse Receipts Act, relating to definition of terms.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Williamson—53.

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Consideration of Senate Amendment to Assembly Bill No. 1688.

Assembly Bill No. 1688—An act to add a new section to the Code of Civil Procedure, to be numbered 1166a, relating to unlawful detainer

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1688?

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, strike out "not".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1688 by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Watson, and Williamson—53.

NOES—None

Assembly Bill No. 1688 ordered to enrollment.

Re-reference of Assembly Bill No. 129.

On motion of Mr. McMurray, Assembly Bill No. 129 was withdrawn from the calendar, and re-referred to the Committee on Elections.

Motion to Print Report in Journal.

On motion of Mr. Fulcher, the following report was ordered printed in the Journal:

REPORT OF COMMITTEE RELATING TO EXCHANGE OF LAND BETWEEN FEDERAL GOVERNMENT AND McCLOUD RIVER LAND COMPANY.

GENTLEMEN: On June 7, 1935, the Assembly passed a resolution requesting the Speaker to appoint an investigating committee to investigate the proposed exchange

of land belonging to the United States Government situated in the vicinity of the McCloud River in Shasta and Siskiyou counties for land which the McCloud River Land Company had agreed to acquire in Shasta, Modoc, Trinity and Siskiyou counties.

On August 24, 1935, the Speaker appointed the undersigned as members of said committee, and thereafter the committee conducted an investigation into the facts relating to said proposed exchange.

On August 31, 1935, the chairman of this committee directed a communication to Mr. S. B. Show, Regional Forester of the United States Forest Service, at San Francisco, requesting a statement from him relative to said proposed exchange, and received a letter from Mr. L. A Barrett, Acting Regional Forester, under date of September 4, 1935, in which he states in part.

> "This exchange has been pending for some ten or 12 years. The formal application has not as yet been filed, but it is expected to be filed within the near future In order that you may be informed of the conditions under which such exchanges are made, I am sending you herewith a copy of Circular No. 863 giving the law and regulations relative to exchanges under the General Land Exchange Act of March 20, 1922 You will note that an exchange of this character must receive the approval of the Secretary of Agriculture and then all the title proceedings must be handled through the United States Land Office in the district in which the land is located. The regulations require the publication of the offer of exchange and posting of a copy in the United States Land Office. This is done in order that there may be full publicity relative to the exchange and that protests may be filed the same as where an application is made for patent to a mining claim or to a homestead.
>
> As the proposition now stands, the McCloud River Land Company has asked for some 19,481 acres of land mainly adjacent to the McCloud River and in the vicinity of their present holdings and the holdings of the McCloud Country Club, etc. In exchange for this they will offer to convey to the United States a total of 28,281 acres of land located approximately as follows. About 17,240 acres mainly adjacent to Squaw Valley Creek; two tracts of this, however, are along McCloud River and are now accessible by road There is offered another 40 acres which is needed by the Forest Service for a fire lookout station; 160 acres northeast of McCloud which is crossed by the present mud flow control project; 40 acres in the North Warner Mountains surrounding Cave Lake; 434 acres in the South Warners surrounding Blue Lake, and 10,367 acres of land in the Salmon-Trinity Alps wilderness area, which controls some of the fishing streams in that locality. You will note that the offer, when made, will be about three acres for two, so that the public would gain considerable acreage of land if the exchange is consummated."

In a summary of a report on said proposed exchange, dated October 3, 1935, by Mr L. A. Barrett, Acting Regional Forester, he states:

> "This exchange, if consummated, will:
>
> 1. Consolidate land holdings along the McCloud and Squaw Valley Creek drainages.
>
> 2. Consolidate in public ownership the lands in the Salmon-Trinity Alps primitive area.
>
> 3. Place in public ownership two of the finest recreation tracts in northeastern California—Blue Lake and Cave Lake."

From the foregoing it is obvious that the United States Forest Service, or at least Mr. Barrett as spokesman for the Forest Service, have committed the Federal Government to the proposed exchange

Your committee made as thorough an investigation of the facts involving said proposed exchange as their time and means would permit, and we have arrived at the conclusion that the public interest will not be promoted by consummating said exchange for the following reasons:

(1) The act under which the proposed exchange is authorized provides:

> "That, when the public interests will be benefited thereby, the Secretary of the Interior be, and hereby is, authorized in his discretion to accept on behalf of the United States title to any lands within exterior boundaries of the National forests which, in the opinion of the Secretary of Agriculture, are chiefly valuable for National forest purposes, and in exchange therefor may patent not to exceed an equal value of such National forest land, in the same State, *surveyed and nonmineral in character*."

The committee is of the opinion that the investigation made by the United States Forest Service of the government land which it proposes to convey to the McCloud River Land Company is insufficient to determine whether or not said land is nonmineral in character, and the committee is of the opinion, from information derived as a result of its investigation, that a considerable portion of the land which the Forest Service proposes to convey to said land company is mineral in character and the mineral rights therein should be reserved to the Federal Gov-

ernment so that the same may be explored and exploited in the manner now authorized by Federal statutes.

It is obvious that the United States Forest Service is opposed to the development of the mineral resources of the lands belonging to the Federal Government within the National forests, and they have repeatedly refused to recognize the right of citizens to develop said mineral resources in the manner now authorized by the Federal statutes.

(2) The committee were informed that one of the conditions of the proposed exchange is that the McCloud River Land Company shall reserve all mineral rights in the land which it proposes to convey to the Federal Government; this is obviously in accordance with the program of the United States Forest Service to stifle the exploration and exploitation of the mineral resources of lands belonging to the United States Government within the National forests, and such provision is manifestly unfair to the citizens of this State who desire to explore and exploit the mineral resources of the public domain, in accordance with the statutes and laws of the United States.

(3) The members of the committee are also of the opinion that the proposed exchange is detrimental to the public interest for the further and additional reason that it will permit a large and wealthy corporation to acquire large and valuable areas of the public domain which is now valuable for its mineral resources and for recreational purposes, and thus deprive posterity of the opportunity of developing these resources or making use of said land for recreational purposes for all time to come.

(4) The members of the committee believe that no advantage will be gained to the public by the proposed exchange for the further reason that the land which the McCloud River Land Company proposes to convey to the Government consists largely of land granted to the Central Pacific Railway Company under the Federal land grants authorized by Congress, and said land is now available to the public for recreational purposes, and the mineral resources thereof can be explored and exploited by virtue of the policy of the railway company to lease or sell its lands to private individuals for this purpose.

If these lands are now conveyed to the government with the mineral rights reserved to the McCloud River Land Company, as proposed by the Forest Service, all opportunity for future development of the mineral resources thereof will be forever lost.

(5) The committee is of the opinion that if a public necessity exists for the acquisition of the lands by the Federal Government which the McCloud River Land Company proposes to convey, both the Federal and State Governments have the power and the means to acquire said land at a reasonable cost in money without conveying to the McCloud River Land Company, or any other private entity or individual, the valuable government lands which the Forest Service proposes to convey to the McCloud River Land Company, pursuant to the proposed exchange

(6) That the committee is of the opinion that in view of the magnitude of the proposed exchange and the possibility of the public interest being jeopardized thereby, the Congress of the United States should be called upon to investigate the same and determine whether or not public interest will be promoted by said exchange before the same is consummated.

For the above and foregoing reasons we respectfully submit the proposed exchange should not be consummated, and that appropriate action should be taken by the California Legislature to prevent the consummation of said exchange.

Respectfully submitted.

CLINTON J. FULCHER
KENT H. REDWINE
JAMES B. UTT

Recess.

At five o'clock p.m., on motion of Mr. Hunt, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker pro tempore Meehan in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2834—An act to amend sections 11, 12, 20, 21 and 22 of the "General Cemetery Act" and adding section 21a thereto, relating to cemeteries and powers of cemetery corporations.

Bill read third time.

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr. Kepple moved a call of the Assembly.

Motion carried.

Time, eight o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Breed, Burns, Hugh M., Crowley, Dannenbrink, Dawson, Donihue Donnelly, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Kepple, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, and Williamson—38.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2338—An act validating the formation and existence of harbor districts of every kind and class, and validating all proceedings for the issuance of bonds of such districts and all bonds heretofore issued or sold or to be issued or sold by such districts, and authorizing the levy and collection of taxes sufficient to pay the principal and interest thereof.

Bill read third time, and passed by the following vote

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Kepple, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson and Williamson—46

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 550—An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger Hunt, Kepple, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, and Williamson—46.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1499—An act to amend section 73 of the Vehicle Code, and to add thereto section 73.3, relating to definitions.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Gari-

baldi, Gilbert, Hawkins, Heisinger, Hunt, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, and Williamson—46.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1825—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class.

Motion to Amend Assembly Bill No. 1825.

Mr. O'Donnell moved to amend Assembly Bill No. 1825 as follows:

Amendment No. 1.

On page 2, line 18, of the printed bill, strike out "and in lieu of fees heretofore paid him", and strike out all of lines 19 to 29, inclusive, and insert in lieu thereof a period.

Amendment adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1825, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1825, as Amended.

Assembly Bill No. 1825—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class.

Assembly Bill No. 1825, as amended, read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M. Burns, Michael J., Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hunt, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, and Williamson—46

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Hon. Edgar C. Levey in the Chair.

At eight o'clock and fifteen minutes p.m., Hon. Edgar C. Levey, member of the Assembly from the Twenty-Eighth District, in the chair.

Assembly Bill No. 928—An act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, and Williamson—48

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bills No. 2052 and 2053, at this time, without reference to calendar.

Assembly Bill No. 2052—An act to amend section 4300b of the Political Code.

Motion to Amend Assembly Bill No. 2052.

Mr Redwine moved to amend Assembly Bill No 2052 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "Code", and insert in lieu thereof the following. "Code, relating to fees.".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "Sheriff's fees."

Amendments adopted.

Request for Unanimous Consent.

Mr Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No 2052, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2052, as Amended.

Assembly Bill No. 2052—An act to amend section 4300b of the Political Code, relating to fees.

Assembly Bill No. 2052, as amended, read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, and Williamson—52.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2053—An act to amend section 4300d of the Political Code.

Motion to Amend Assembly Bill No. 2053.

Mr Redwine moved to amend Assembly Bill No 2053 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "Code.", and insert in lieu thereof the following: "Code, relating to fees."

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "Constables' and marshals' fees."

Amendment No. 3.

On page 1, line 22, of the printed bill, after "writ," insert the following: "notice,".

Amendment No. 4.

On page 2 of the printed bill, between lines 8 and 9, insert the following "counties of the third class, the constable or marshal shall receive, for each mile actually traveled within his township, in the service of any writ, order or paper, except a warrant of arrest, in going only, per mile, fifteen cents; and further provided, that in".

Amendments adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No 2053, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2053, as Amended.

Assembly Bill No. 2053—An act to amend section 4300d of the Political Code, relating to fees

Assembly Bill No 2053, as amended, read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly,

Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, and Williamson—50.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Resolution.

The following resolution was offered:

By Mr. Martin:

House Resolution No. 148.

WHEREAS, This twenty-third day of April, 1937, marks the eighty-fifth birthday anniversary of Edwin Markham, the Grand Old Man of the modern literary world; and

WHEREAS, Mr. Markham, in his immortal poem, "The Man With The Hoe," has given a literary Magna Charta for the poor and the oppressed, and has stirred millions all over the world through his sympathetic appeal for all those typified by "The Man With The Hoe"; and

WHEREAS, In his poem "Abraham Lincoln" and other inspiring literary productions, Mr. Markham has stamped himself upon the world's impression as a literary genius and a beloved character; and

WHEREAS, Mr. Markham spent many years of his life in California and produced here some of his greatest works, and in recognition thereof, now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly bear testimony to his greatness of soul and to his inspirations to mankind; and be it further

Resolved, That a copy of this resolution, suitably engrossed, be transmitted to the venerable poet.

Request for Unanimous Consent.

Mr. Martin asked for, and was granted, unanimous consent to take up House Resolution No. 148, at this time, without reference to committee or calendar.

House Resolution No. 148 read, and unanimously adopted

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 204—An act to amend section 692 of, and to add a new section to be numbered 692a to, the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust or mortgage.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Muldoon, O'Donnell, Peek, Peyser, Reaves, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—48.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 396—An act to add section 3308 to the Civil Code, relating to the measure of damages on the termination of a lease.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, and Williamson—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 536—An act to amend sections 11 and 166 of the Penal Code, relating to contempt of court.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Glick, Hawkins, Heisinger, Hornblower, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, and Williamson—47.

NOES—Dilworth, and Hunt—2.

Further Proceedings Under Call of the Assembly Dispensed With.

At nine o'clock p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Lyon

The roll of absentees was called, and Assembly Bill No 2834 passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark Cronin, Crowley Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Latham Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, and Williamson—58

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1021—An act to add sections 56.4 and 56.6 to the Alcoholic Beverage Control Act, relating to bartenders

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Miller, George P., Muldoon, O'Donnell, Peek, Peyser, Reaves, Redwine, Robertson Scudder, Sheehan, Walker, Watson, and Williamson—48.

NOES—Daley, Glick, Lore, Pelletier, Richie, Rosenthal, Stream, and Tenney—8.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2280—An act to add a new section to be numbered 1464 to the Penal Code, relating to destruction of records in municipal court, justices' courts and police courts

Bill read third time, and passed by the following vote.

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—54.

NOES—Dannenbrink—1.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1761—An act to amend section 3817a of the Political Code, relating to extending the period of redemption.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—55.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 2284—An act to amend section 189 of the Code of Civil Procedure, relating to destruction of records in municipal courts and justices' courts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—51

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2285—An act to amend section 586 of the Code of Civil Procedure, relating to judgment by default.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Walker, Watson, and Williamson—52

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2282—An act to amend section 4295 of the Political Code, relating to official service without fee.

Motion to Amend Assembly Bill No. 2282.

Mr Cronin moved to amend Assembly Bill No. 2282 as follows:

Amendment No. 1.

On page 2, line 44, of the printed bill, after "the judgment", insert the following: "; provided, however, the special judgments obtained pursuant to the Retail Sales Tax Act of 1933, as amended, the Use Tax Act of 1935, as amended, the Personal Income Tax Act of 1935, as amended, and the Alcoholic Beverage Control Act, as amended, shall carry costs of one dollar which shall be entered in such judgments".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 2282, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2282, as Amended.

Assembly Bill No. 2282—An act to amend section 4295 of the Political Code, relating to official service without fee.

Assembly Bill No. 2282, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—54.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Third Reading of Senate Bills.

Senate Bill No. 419—An act to amend section 698 of the Fish and Game Code, relating to black bass.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—53.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Assembly Bill No. 2292.

On motion of Mrs. Daley, Assembly Bill No. 2292 was withdrawn from the calendar, and re-referred to the Committee on Financial Institutions.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1243—An act to provide for the levy and collection of a tax upon the income of corporations and to provide for the disposition of revenues therefrom.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—57.

NOES—Call—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1486—An act to amend section 536 of the Civil Code of the State of California, relative to the use of streets by public utilities and liabilities therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Heisinger, Hornblower, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—52.

NOES—Gilbert, and Hunt—2.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. Earl D. Desmond in the Chair.

At nine o'clock and forty minutes p.m., Hon. Earl D. Desmond, member of the Assembly from the Ninth District, in the chair

Assembly Bill No. 1830—An act to amend section 12490 of the Insurance Code, relating to mortgage insurers, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—57.

NOES—None.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Turner, Walker, Watson, and Williamson—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1831—An act to amend sections 12422, 12489 and 12629 of the Insurance Code, all relating to mortgage insurers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1832—An act to amend sections 12421, 12428, 12484, 12486, 12488 and 12501 of the Insurance Code, all relating to mortgage insurers.

Motion to Amend Assembly Bill No. 1832.

Mr Lyon moved to amend Assembly Bill No. 1832 as follows.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "12428.".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 1 to 12, inclusive.

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1832, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 1832, as Amended.

Assembly Bill No. 1832—An act to amend sections 12421, 12428, 12484, 12486, 12488 and 12501 of the Insurance Code, all relating to mortgage insurers.

Assembly Bill No 1832, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2836—An act to add section 1280.5 to the Insurance Code, relating to reciprocal or interinsurance exchanges

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Lore, Lyon, Maloney, Martin, McMurray,

Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—53.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2581—An act to amend sections 1 and 3 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by the electors November 4, 1924, relating to amateur boxing, sparring and wrestling matches and exhibitions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Leonard, Lore, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Reaves, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, and Watson—45.

NOES—Cronin, Field, Garibaldi, Latham, McMurray, Pelletier, Redwine, and Williamson—8.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2723—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same." approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 777—An act to amend section 3a of an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to the formation of such districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, and Williamson—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1014—An act to amend section 4 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, as amended, to delete the provision declaring artificially colored canned tomatoes or tomato products adulterated, this act to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—56.

NOES—None.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. Ray Williamson in the Chair.

At ten o'clock and fifteen minutes p.m., Hon. Ray Williamson, member of the Assembly from the Twenty-Sixth District, in the chair.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Joint Resolution No. 42: By Mrs. Daley—Relative to memorializing the President and the Senate of the United States to appoint Mr. Phil Dodson a member of the Federal Alcohol Administration.

Introduced, and referred to Committee on Federal Relations.

Assembly Concurrent Resolution No. 45: By Mr. Fulcher—Relative to the appointment of a Joint Legislative Committee to attend the dedicatory ceremonies in connection with the opening of the "Feather River Highway."

Request for Unanimous Consent.

Mr. Fulcher asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 45, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 45.

Assembly Concurrent Resolution No. 45—Relative to the appointment of a Joint Legislative Committee to attend the dedicatory ceremonies in connection with the opening of the "Feather River Highway."

Assembly Concurrent Resolution No. 45 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—57.

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2197—An act to amend sections 2, 3, 7, 11, 12 and 22 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately," approved June 25, 1935; to repeal section 32 of said act; to renumber sections 33 and 34 of said act; relating to the taxation of the storage, use or other consumption of tangible personal property.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—57.

NOES—None.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2091—An act to amend section 3491 of the Political Code, relating to reclamation districts and declaring the urgency thereof.

Motion to Amend Assembly Bill No. 2091.

Mr. O'Donnell moved to amend Assembly Bill No. 2091 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "of", insert the following: ', and to add section 3491.2 to ,".

Amendment No. 2.

On page 2, line 2, of the printed bill, strike out "verified", and strike out lines 3 to 6, inclusive, and in line 7, strike out "the county", and insert in lieu thereof the following: "application of any landowner in the district".

Amendment No. 3.

On page 3 of the printed bill, after line 28, add the following:

"SEC. 3. Section 3491.2 is hereby added to the Political Code to read as follows:

3491.2. No person is eligible for the office of trustee who does not own in fee simple at least forty acres of land within the district."

Amendments adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No. 2091, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2091, as Amended.

Assembly Bill No. 2091—An act to amend section 3491 of the Political Code, relating to reclamation districts and declaring the urgency thereof.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—58.

NOES—None.

Assembly Bill No. 2091 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—57.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 778—An act to amend section 5 of the act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, relating to compensation and expenses of officers of such districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1425—An act to amend section 4295 of the Political Code.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 578—An act to add section 16½ to, and to amend sections 9, 12, 19, 20, 30, 65 and 67 of, the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to compensation and insurance of workmen.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Scudder Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2385—An act to repeal Articles 1, 3, and 5 and to amend Article 4 of Chapter 8, Division V of the Agricultural Code and to add a new article to be numbered 1 to Chapter 8, Division V of the Agricultural Code, all relating to eggs and egg products.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—56

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1871—An act to amend section 4282 of the Political Code, relating to the compensation of county and township officers in counties of the fifty-third class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2846—An act to amend section 4266 of the Political Code, relating to the compensation of county officers and jurors in counties of the thirty-seventh class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller,

Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peyser, Reaves, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—51.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1123—An act to amend section 3.331 of the School Code, relating to high school students residing in this State and attending high school in an adjoining State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—51.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 479—An act to amend sections 1281a, 1305, and 1310 of the Penal Code and to add a new section to that code to be numbered 1280c, all relating to the powers and duties of a court, judge or magistrate regarding bail.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1023—An act to add a new section to be numbered 605e½ of the Civil Code, relating to the liability of members of unincorporated nonprofit associations.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—49.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1024—An act to add section 171b to the Civil Code, relating to the separate property of the wife.

Bill read third time, and passed by the following vote

AYES—Andreas, Breed, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Walker, Watson, and Williamson—52.

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 455—An act to amend section 92 of the Agricultural Code, relating to county and district agricultural fairs

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Cassidy, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt,

Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—51.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1346—An act to amend section 690.23 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Breed, Burns, Michael J., Cassidy, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1080—An act to amend sections 2334 and 2335 of the Civil Code, relating to agency.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—52.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

The Speaker Pro Tempore in the Chair.

At eleven o'clock and fifteen minutes p.m., Hon Henry P. Meehan, Speaker pro tempore of the Assembly, in the Chair.

Assembly Bill No. 1569—An act to permit the State, counties, cities and counties, and cities to do work and expend funds to protect the beaches from erosion or the effects of erosion and to permit cooperation with other governmental agencies.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—49.

NOES—Andreas—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2821—An act to amend sections 4160 and 4161 of the Political Code and to add a new section thereto to be numbered 4174a, relating to the liability and duties of sheriffs.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, and Williamson—50.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Withdrawal and Re-reference of Assembly Bill No. 1427.

Mr Hunt moved to withdraw Assembly Bill No. 1427 from the Committee on Governmental Efficiency and Economy, and have it re-referred to the Committee on Labor and Capital.

The roll was called, and Assembly Bill No 1427 withdrawn and re-referred by the following vote.

AYES—Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Dannenbrink, Desmond, Donahue, Donnelly, Gannon, Gilbert, Hawkins, Hunt, King, Lore, Miller, Eleanor; Muldoon, Peek, Reaves, Richie, Rosenthal, Tenney, and Turner—22.

NOES—Andreas, Baynham, Breed, Cronin, Cunningham, Daley, Dawson, Dilworth, Field, Heisinger, Kepple, Latham, Maloney, Martin, Morgan, Redwine, Robertson, Sheehan, Stream, Walker, and Watson—21.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 50—An act to amend section 451 of the Agricultural Code, relating to dairies and dairy products.

Motion to Amend Assembly Bill No. 50.

Mr. Heisinger moved to amend Assembly Bill No. 50 as follows:

Amendment No. 1.

On page 1, line 14, of the printed bill, as amended, strike out the comma, and insert in lieu thereof a period, and strike out the remainder of the sentence, and all of line 15.

Amendment No. 2.

On page 2, line 2, of the printed bill, as amended, strike out the words "and assist".

Amendment No. 3.

On page 2, line 23, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", the conduct of which examinations are hereby authorized. In case the employees of any approved milk inspection service are subject to qualification by a county or city civil service board or commission the minimum qualifications of such employees shall be those required by the director for a certificate of qualification from him for like employment in milk inspection work."

Amendment No. 4.

On page 2, line 29, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "or established and conducted by the director."

Amendment No. 5.

On page 2, line 43, of the printed bill, as amended, after the word "may", insert the following: ", after the effective date of this act,".

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out all of lines 47 and 48, and insert in lieu thereof the following: "A city or county or group of either or both may, for the purpose of maintaining an approved milk inspection service, levy and collect an inspection fee from the producers and the distributors of market milk who are under the inspection and supervision of such approved milk inspection service not to exceed one mill per gallon of market milk produced for sale within its jurisdiction and not to exceed one mill per gallon of market milk distributed or sold within its jurisdiction, provided that no producer and no distributor shall be required to pay said inspection fees to more than one city or county on the same market milk and provided that in no case shall the total of said inspection fees be more than sufficient to maintain the cost of the approved milk inspection service for which such inspection fees are levied."

Amendment No. 7.

On page 2, line 49, of the printed bill, as amended, after the word "may", insert the following: ", subject to the approval of the director,".

Amendment No. 8.

On page 3 of the printed bill, as amended, immediately following line 2, insert the following: "Upon approval in writing of such milk inspection service by the director, any such approved milk inspection service shall grade market milk as produced or sold under its jurisdiction and require the use of the respective grade designations as prescribed in this division."

Amendment No. 9.

On page 3, line 7, of the printed bill, as amended, strike out the word "and", and insert in lieu thereof the word "or"

Amendment No. 10.

On page 3, line 20, of the printed bill, as amended, strike out the word "and", and insert in lieu thereof the word "or".

Amendment No. 11.

On page 3 of the printed bill, as amended, immediately following line 30, insert the following: "Such permit shall expire at the end of the calendar year in which it is issued."

Amendments adopted.

Assembly Bill No. 50 ordered to reprint, and re-engrossment.

Re-reference of Bills.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows.

Assembly Bill No. 2651 re-referred to Committee on Education.

Assembly Bill No 1826 re-referred to Committee on Ways and Means.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 265—An act to amend section 24 of the Direct Primary Law, relating to party conventions.

Motion to Amend Senate Bill No. 265.

Mr. Lyon moved to amend Senate Bill No. 265 as follows:

Amendment No. 1.

On page 8, line 43, of the printed bill, as amended, strike out "five", and insert in lieu thereof the following: "seven".

Amendment adopted.

Senate Bill No. 265 ordered to reprint, and third reading calendar.

Resolution.

The following resolution was offered.

By Messrs Williamson, and Rosenthal:

House Resolution No. 149.

WHEREAS, The Assembly by proper resolution has this day honored two great poets; and

WHEREAS, Here in the Assembly in the humble capacity of Secretary to the Chief Clerk we have a young lady of outstanding ability and great renown, whose works in the field of prose, poetry and song are recognized throughout this great State and Nation; and

WHEREAS, The theme song of the Santa Barbara Fiesta last August, was her poem "Trail End" which was first published in a National magazine and subsequently set to music by Mr. Joseph McManus, a Santa Barbara composer; and

WHEREAS, A number of the greatest singers in the world today, appreciating the charm of this lyric, have requested her permission to use this beautiful song on the stage and radio; now therefore be it

Resolved, That the Assembly this day honors Miss Cristel Hastings, its efficient and charming Secretary to the Chief Clerk, and in this manner pays its homage to her in recognition of her great contributions in the field of literature; and be it further

Resolved, That the Assembly hereby encourages Miss Hastings in her chosen field and directs that her poem "Ship Models" be printed in this day's Journal

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up House Resolution No. 149, at this time, without reference to committee or calendar.

House Resolution No. 149 read, and unanimously adopted.

Ship Models.

You stand in shadowed nooks with all sails set,
Dreaming of phantom seas and flying spray,
Waiting for winds that whistled eerie tunes
To proud ancestors of a bygone day.

You wait in quiet corners wistfully,
With sails high flung to trades that never blow,
Thirsting for flying spindrift and a gale
And troughs of rocking green and blue below.

Your lines are taut with hidden eagerness
To sail the seven seas and plow the blue,
To listen to the chanting of the trades
And see dim ports that once, in dreams, you knew.

But never may you fly before the wind
Hull down with your proud kin of other years,
While roofs of home must be your starless skies
And shelves above a hearth remain your piers.

Cristel Hastings in Delineator, October, 1935.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 2626.
Assembly Bill No. 2849.

Respectfully reports the same back with the recommendation Do pass.

GILBERT, Chairman.

The above reported bills ordered on second reading calendar.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Assembly Bill No. 1368.
Senate Bill No. 343.

Respectfully reports the same back with the recommendation: Do pass.

REAVES, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Assembly Bill No. 1369.

Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

REAVES, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1283.
Senate Bill No. 454.
Senate Bill No. 455.
Senate Bill No. 457.
Senate Bill No. 458.
Senate Bill No. 464.
Senate Bill No. 467.
Senate Bill No. 468.
Senate Bill No. 470.
Senate Bill No. 1037.

Respectfully reports the same back with the recommendation Do pass.

SAWALLISCH, Chairman.

The above reported bills ordered on second reading calendar.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER. Your Committee on Financial Institutions, to which was referred:
Assembly Bill No. 113.
Respectfully reports the same back with the recommendation: Do pass.

LYON, Chairman.

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:
Assembly Bill No. 1515.
Assembly Bill No. 1524.
Assembly Bill No. 1525.
Respectfully reports the same back with the recommendation: Do pass.

HAWKINS, Chairman.

The above reported bills ordered on second reading calendar.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1937.

MR. SPEAKER: Your Committee on Civil Service, to which was referred:
Assembly Bill No. 290.
Respectfully reports the same back with the recommendation: Do pass as amended.

CROWLEY, Chairman.

The above reported bill ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
Assembly Bill No. 1059.
Respectfully reports the same back with the recommendation: Do pass as amended.

MEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Senate Bill No. 971.
Respectfully reports the same back with the recommendation: Do pass as amended.

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:
Assembly Bill No. 2392.
Respectfully reports the same back with the recommendation: Do pass as amended.

BAYNHAM, Chairman.

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:
Assembly Bill No. 1452.
Respectfully reports the same back without recommendation, as amended.

HAWKINS, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:
Assembly Bill No. 88.
Assembly Bill No. 89.
Respectfully reports the same back without recommendation, as amended.

LORE, Chairman.

The above reported bills ordered on second reading calendar

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 1184.
Respectfully reports the same back without recommendation, as amended.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

On Insurance.

ASSEMBLY JOURNAL, SACRAMENTO, April 23, 1937.

MR SPEAKER: Your Committee on Insurance, to which was referred:
Assembly Bill No. 1491.
Respectfully reports the same back with the recommendation: Do pass as amended.

SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 47.
Assembly Bill No. 715.
Assembly Bill No. 931.
Assembly Bill No. 1035.
Assembly Bill No. 1740.
Respectfully reports the same back with the recommendation: Do pass as amended

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined.
Assembly Constitutional Amendment No. 22.
Assembly Bill No. 61.
Assembly Bill No. 440.
Assembly Bill No. 946.
Assembly Bill No. 1490.
Assembly Bill No. 2283.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 381.
Assembly Bill No. 662.
Assembly Bill No. 1748.
Assembly Bill No. 2244.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

Adjournment.

At eleven o'clock and thirty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, April 26, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED THIRTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 26, 1937.

At eleven o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Maloney, the further reading of the Journal of Friday, April 23, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Meehan, on motion of Mr. Miller.

Mr. Waters, on motion of Mr. Cunningham.

Mr. Patterson, on motion of Mr. Clark.

Guests Extended Privilege of Assembly Floor.

On request of Miss Miller and Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harold P. Huls, City Attorney of Pasadena, and W. E. Alworth, City Planning Engineer.

On request of Mr. Welsh, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Zara Shapiro and Mrs. J. K. Solmonson of San Francisco.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Al Jacobs and Miss L. Marion.

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles W. Dempster, member of the Assembly for the 1933 session, and J. H. Creighton, member of the Assembly for the 1905 session.

Presentation of Petitions.

The following petition was received and filed:

By Mr. Speaker:

LOS ANGELES, CALIFORNIA, April 22, 1937.

Clerk of the Assembly, Capitol Building, Sacramento, California.

DEAR SIR: The members of the United Independent Van and Warehousemen's Association of America at their regular meeting held in Los Angeles on the twenty-first day of April, 1937, having been brought to their attention certain bills which would be detrimental to the trucking industry, particularly Senate Bill No. 973, which would take away the rights of the Railway Commission setting minimum rates, etc., and thus placing the industry back in the demoralizing position it was in before the present laws were placed in effect;

Therefore, be it resolved, That this association requests your Honorable Body to oppose this bill and other bills of similar nature which would be unfavorable to the trucking industry as we believe the present Motor Carriers' Act should be given full support for the reason that they have already gone a long way toward stabilizing the industry, and by regulating the rates as well as the conduct of all for-hire trucking operators, the result will be beneficial to the shippers as well as to the operators.

Yours very truly,

UNITED INDEPENDENT VAN & WAREHOUSEMEN'S ASSOCIATION.
GEO. W. HOVER, Executive Secretary

Assistant Chief Clerk Greenburg Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 119.
Assembly Bill No. 187.
Assembly Bill No. 353.
Assembly Bill No. 500.
Assembly Bill No. 659.
Assembly Bill No. 860.
Assembly Bill No. 982.
Assembly Bill No. 1029.
Assembly Bill No. 1779.
Assembly Bill No. 1822.
Assembly Bill No. 2350.
Assembly Bill No. 2414.
Assembly Bill No. 2645.
Assembly Bill No. 2704.
Assembly Bill No. 2705.

And reports the same correctly engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1.
Assembly Bill No. 4.
Assembly Bill No. 50.
Assembly Bill No. 293.
Assembly Bill No. 1305.
Assembly Bill No. 1474.
Assembly Bill No. 1581.
Assembly Bill No. 2224.
Assembly Bill No. 2521.

And reports the same correctly re-engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Public Charities and Corrections.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred

Assembly Bill No. 2708.

Respectfully reports the same back with the recommendation: Do pass as amended

PELLETIER, Chairman

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 1886.
Respectfully reports the same back without recommendation, as amended.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 412—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class;

Senate Bill No. 953—An act to amend sections 1, 2, 3, 4, and 11 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to add sections 5, 6, 7, 8, 9, 10, 12, 15, and 21 to said act; to renumber and amend sections 5, 6, 7, 8, 9, 12, 13, 14, 16, and 17 of said act; to repeal sections 10 and 15 of said act; relating to the taxing of operators engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately;

Senate Bill No. 986—An act to amend sections 22, 23, 24 and 50 of "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creating of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation, providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, relating to protection of the natural resources of water, petroleum and gas from damage, waste and destruction, and providing for bonds required of drillers of oil and gas wells.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 412 read first time, and referred to Committee on County Government.

Senate Bill No. 953 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 986 read first time, and referred to Committee on Oil Industries.

SENATE CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following bills

Senate Bill No. 146.
Senate Bill No. 187.
Senate Bill No. 214.
Senate Bill No. 215.
Senate Bill No. 448.
Senate Bill No. 524.
Senate Bill No. 895.
Senate Bill No. 897.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended,
Assembly Bill No. 1218.
Assembly Bill No. 1223.
Assembly Bill No. 1913.
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished calendar.

SENATE CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 260.
Assembly Bill No. 541.
Assembly Bill No. 632.
Assembly Bill No. 856.
Assembly Bill No. 858.
Assembly Bill No. 859.
Assembly Bill No. 861.
Assembly Bill No. 866.
Assembly Bill No. 909.
Assembly Bill No. 1194.
Assembly Bill No. 1205.
Assembly Bill No. 1220.
Assembly Bill No. 1342.
Assembly Bill No. 1434.
Assembly Bill No. 1836.
Assembly Bill No. 1837.
Assembly Bill No. 1838.
Assembly Bill No. 1839.
Assembly Bill No. 1912.
Assembly Bill No. 2598.
Assembly Bill No. 2817.
Assembly Concurrent Resolution No. 43.
Assembly Joint Resolution No. 39.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 23, 1937.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to your request, and to a motion adopted in the Senate in connection therewith, Assembly bills as listed hereunder are returned herewith:

Assembly Bill No. 2732.
Assembly Bill No. 2733.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on third reading calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 113—An act to add section 1a to an act entitled "An act to carry into effect the provisions of section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking; and providing penalties for the violation hereof." approved July 15, 1935, relating to the regulation of pawnbrokers.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1515—An act to add sections 3, 101 5 and 101 6 to, amend sections 61, 65, 66, 67, 68, 69, 70, 71, 96 and 100 of, and to repeal section 50 of Article 5 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 1524—An act to amend section 60 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to part-time workers.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 1525—An act to amend sections 90 and 91 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2849—An act to amend sections 4 and 23 of an act entitled "An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and

county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act," approved May 3, 1923, as amended, relating to voting machines.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2626—An act to amend section 2 of an act entitled "An act to regulate the method, of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election," approved May 2, 1927, relating to the method of nominating, voting for and electing candidates for judicial offices at primary and general elections.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1368—An act to provide for the special treatment of insane and feeble-minded prisoners, for the construction of special housing and medical facilities, and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1283—An act to amend section 100 of, and to add section 122 to, the Insurance Code, and to add Chapter 14 to Part 2 of Division 2 of said code, providing for the regulation of insurance against the need for medical and hospital services, defining such services, providing standard provisions for such insurance, maintenance of reserves for the protection of insureds under such insurance, providing for the licensing of persons entering into such contracts and rendering such services and providing penalties for the violation thereof.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 290—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by amending sections 2, 3, 4 and 16 and by adding thereto certain new sections to be designated sections 2a, 2b, 2c, 2d, 2e, and 2f respectively, relating to and providing for a civil service system for said district.

Committee Amendment to Assembly Bill No. 290.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 6 of the printed bill, strike out lines 11 to 21, inclusive, and insert in lieu thereof the following:

"SEC. 2f. This amendatory act shall become effective July 1, 1939, and all employees of the Los Angeles County Flood Control District who shall have had at the time specified six months' service with said district shall be deemed to have permanent civil service status under this act."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1059—An act to amend sections 100.5, 117, 130, 185, 188, 202, 673, 680, 720, 722, 730, 761, 825, 1622 and 1624 of the Streets and Highways Code, and to add new sections, to be numbered 103.5, 140.5 and 823.5, to said code, all relating to public highways and to the acquisition of rights of way for the administration, control, construction, and regulation thereof.

Committee Amendments to Assembly Bill No. 1059.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 5, line 49, of the printed bill, as amended, strike out "thus", and insert in lieu thereof the following: "wilfully".

Amendment No. 2.

On page 6, line 46, of the printed bill, as amended, after "highways", insert the following: "by the State".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2392—An act providing for the granting of franchises for transmitting electricity or gas and providing conditions for the granting of such franchises by the legislative or other governing body of such cities and for the acceptance of such franchises by the grantee thereof.

Committee Amendments to Assembly Bill No. 2392.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "granting", insert the following: "by legislative bodies of municipalities".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the word "mitting", insert the following: "and distributing".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, after the word "gas", insert a comma, and strike out the remainder of said title, and insert in lieu thereof the following: "providing for the duration and terms of such franchises and conditions for granting same and providing for the forfeiture thereof for noncompliance therewith."

Amendment No. 4.

On page 1 of the printed bill, strike out lines 1 to 25, both inclusive; on page 2, strike out lines 1 to 52, both inclusive; on page 3, strike out lines 1 to 51, both inclusive; on page 4, strike out lines 1 to 51, both inclusive; on page 5, strike out lines 1 to 34, both inclusive; and insert in lieu thereof the following:

"SECTION 1. The legislative body of any municipality is hereby empowered to grant a franchise to any person, firm or corporation, whether operating under an existing franchise or not, to use, or to construct and use, poles, wires, conduits and appurtenances for transmitting and distributing electricity for all purposes, or to use, or to lay and use, pipes and appurtenances for transmitting and distributing gas for any and all purposes, under, along, across or upon the public streets, ways, alleys and places, as the same now or may hereafter exist within said municipality, upon such terms and conditions as are in this act provided, and may in such franchise impose such other and additional terms and conditions not in conflict herewith whether governmental or contractural in character as in the judgment of such legislative body are to the public interest.

SEC. 2 An applicant for any franchise above mentioned shall file with the legislative body of the municipality in which such franchise shall be desired an application which shall state (a) the name of the applicant, (b) the purpose and term, whether definite or indeterminate, for which the franchise shall be desired, (c) that the applicant if granted the franchise will pay to such municipality during the life of such franchise two per cent (2%) of the gross annual receipts of applicant arising from the use, operation or possession of said franchise; provided, however, that such payment shall in no event be less than one per cent (1%) of the gross annual receipts of applicant derived from the sale within the limits of such municipality of the utility service for which said franchise shall be awarded; provided, further, if the application shall be for a franchise complementary to a franchise derived under section 19 of Article XI of the Constitution of California (as said section existed prior to its amendment on October 10, 1911) then in lieu of either of the aforesaid percentages applicant will pay a sum annually which, if the application be for an electric franchise, shall be equivalent to two per cent (2%) of the gross annual receipts of applicant arising for the use, operation or possession of said franchise, provided, however, that such payment shall in no event be less than a sum which shall be equivalent to one-half per cent (½%) of the gross annual receipts derived by applicant from the sale of electricity within the limits of such municipality under both said electric franchises; or, if the applica-

tion be for a gas franchise, shall be equivalent to two per cent (2%) of the gross annual receipts of applicant arising from the use, operation or possession of said franchise, provided, however, that such payment shall in no event be less than a sum which shall be equivalent to one per cent (1%) of the gross annual receipts derived by applicant from the sale of gas within the limits of such municipality under both said gas franchises.

SEC. 3. Upon receipt of said application the legislative body of the municipality may pass its resolution declaring its intention to grant the franchise applied for, stating the character of the same, setting forth a notice of the day, hour and place when and where any and all persons having any objection to the granting thereof may appear before the legislative body and be heard thereon, and directing the clerk of such legislative body to publish said notice at least once within fifteen (15) days after the passage of said resolution in a newspaper of general circulation within such municipality. The time fixed for such hearing shall be not less than twenty (20) nor more than sixty (60) days after the date of the passage of said resolution. Said notice shall state that the grantee of said franchise and its successors and assigns, will, during the life of said franchise, pay to the municipality the percentage specified in said application, and that the same will be paid annually from the date of the granting of said franchise, and in the event such payment shall not be made, said franchise will be forfeited. Said notice shall also designate the term, whether definite or indeterminate, for which the franchise is proposed to be granted.

SEC. 4. At any time not later than the hour set for the hearing of objections, any person interested may make written protest stating objections against the granting of such franchise. Such protest must be signed by the protestant and be delivered to the clerk of the legislative body. At the time set for hearing objections the legislative body shall proceed to hear and pass upon all protests so made and its decision shall be final and conclusive subject to the right of referendum of the people. The legislative body may adjourn said hearing from time to time.

If no protest in writing shall have been delivered to the clerk up to the hour set for hearing, or such protests as shall have been filed shall have been heard and determined by the legislative body to be insufficient, or shall have been overruled or denied, the legislative body may grant such franchise. Such franchise shall be granted by ordinance adopted in the manner prescribed by law for the enactment of ordinances by such body.

SEC 5. Every franchise granted pursuant to this act shall, except when a definite term therefor shall be specified in the ordinance granting same, be indeterminate, that is to say, every such franchise shall endure in full force and effect until the same shall, with the consent of the Railroad Commission of the State of California, be voluntarily surrendered or abandoned by its possessor, or until the State of California or some municipal or public corporation thereunto duly authorized by law shall purchase by voluntary agreement or shall condemn and take, under the power of eminent domain, all property actually used and useful in the exercise of such franchise and situate within the territorial limits of the State, municipal or public corporation purchasing or condemning such property, or until such franchise shall be forfeited for noncompliance with its terms by the possessor thereof.

SEC. 6. Every gas franchise granted pursuant hereto shall confer upon the grantee thereof the right to use, or to lay and use, gas pipes and appurtenances for the purpose of transmitting and distributing gas, and every electric franchise so granted shall confer upon the grantee thereof the right to use, or to construct and use, poles, wires or conduits and appurtenances for the purpose of transmitting and distributing electricity for any and all purposes, under, along, across or upon the public streets, ways, alleys and places as the same now or may hereafter exist within said municipality.

SEC. 7. Any franchise granted hereunder with respect to any given utility service shall be in lieu of all other franchises, rights or privileges owned by the grantee, or by any successor of the grantee to any rights under such franchise, for transmitting and distributing such utility service within the limits of the municipality granting the same as such limits shall exist at the time of the granting of said franchise or as same may thereafter exist, except any franchise derived under section 19 of Article XI of the Constitution of this State as said section existed prior to the amendment thereof adopted October 10, 1911, and the acceptance of any such franchise granted hereunder shall operate as an abandonment of all such franchises, rights and privileges within the limits of such municipality as such limits shall at any time exist, in lieu of which such franchise shall be granted hereunder.

Any franchise granted hereunder shall not become effective until written acceptance thereof shall have been filed by the grantee thereof with the clerk of the granting municipality. When so filed such acceptance shall constitute a continuing agreement of such grantee that if and when the granting municipality shall thereafter annex, or consolidate with, additional territory, any and all franchises, rights and privileges owned by the grantee therein, except a franchise derived under said

constitutional provision, shall likewise be deemed to be abandoned within the limits of such territory.

SEC. 8. No franchise granted pursuant hereto shall in any way or to any extent impair or affect the right of the municipality granting same to acquire the property of the grantee thereof either by purchase or through the exercise of the right of eminent domain, and nothing therein contained shall be construed to contract away or to modify or to abridge either for a term or in perpetuity the municipality's right of eminent domain in respect to any public utility. Nor shall any such franchise ever be given any value before any court or other public authority in any proceeding of any character in excess of the cost to the grantee of the necessary publication and any other sum paid by it to the municipality therefor at the time of the acquisition thereof.

SEC. 9. The grantee of any franchise granted pursuant hereto shall be required to file a bond running to the municipality with at least two good and sufficient sureties to be approved by the legislative body thereof, in a penal sum to be prescribed by such legislative body, and to be set forth in the resolution of intention to grant such franchise, conditioned that such grantee shall well and truly observe, fulfill and perform each and every term and condition of such franchise, and that in case of any breach of condition of such bond, the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principal and sureties upon said bond. Said bond shall be filed with the legislative body within five (5) days after the date of the granting of such franchise; and in case said bond shall not be so filed, or shall not receive the approval of the legislative body, such franchise shall be forfeited and any money paid to the municipality in connection therewith shall likewise be forfeited.

SEC. 10. The grantee of any franchise granted pursuant hereto shall (a) construct, install and maintain all pipes, conduits, poles, wires and appurtenances in accordance and in conformity with all of the ordinances, rules and regulations theretofore or thereafter adopted by said legislative body in the exercise of its police powers and not in conflict with the paramount authority of the State, (b) pay to the municipality on demand the cost of all repairs to public property made necessary by any of the operations of the grantee under such franchise, (c) indemnify and hold harmless the municipality and its officers from any and all liability for damages proximately resulting from any operations under such franchise, (d) remove or relocate without expense to the municipality any facilities installed, used and maintained under the franchise if and when made necessary by any lawful change of grade, alignment or width of any public street, way, alley, or place, including the construction of any subway or viaduct, by such municipality, and (e) file with the legislative body of such municipality within thirty (30) days after any sale, transfer, assignment or lease of the franchise or any part thereof or any of the rights or privileges granted thereby, written evidence of same certified to by the grantee or its duly authorized officers.

SEC 11. If the grantee of any franchise shall fail, neglect or refuse to comply with any of the provisions or conditions prescribed in this act, and shall not within ten (10) days after written demand for compliance begin the work of compliance, or after such beginning, shall not prosecute the same with due diligence to completion, then the municipality, by its legislative body, may declare the franchise forfeited.

Any municipality may sue in its own name for the forfeiture of any franchise granted pursuant to this act, in the event of noncompliance by the grantee, its successors or assigns, with any of the conditions thereof.

SEC. 12 The grantee of any franchise granted pursuant hereto shall file with the clerk of such municipality, within three (3) months after the expiration of the calendar year, or fractional calendar year, following the date of the granting of such franchise and within three (3) months after the expiration of each and every calendar year thereafter, a duly verified statement showing in detail the total gross receipts of such grantee, its successors or assigns, during the preceding calendar year, or such fractional calendar year, from the sale of the utility service for which such franchise was granted It shall be the duty of such grantee to pay to such municipality within fifteen (15) days after the time for filing such statement, in lawful money of the United States, the specified percentage of its gross receipts for the calendar year, or such fractional calendar year, covered by such statement Any neglect, omission or refusal by said grantee to file such verified statement, or to pay said percentage at the times or in the manner hereinbefore provided, shall be grounds for the declaration of a forfeiture of the franchise and of all rights thereunder.

SEC. 13 The grantee of any franchise granted pursuant hereto shall pay to such municipality a sum of money sufficient to reimburse it for all publication expenses incurred by it in connection with the granting of such franchise; such payment to be made within thirty (30) days after such municipality shall furnish such grantee with a written statement of such expenses.

SEC. 14. This act shall not repeal an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other govern-

ing bodies, and repealing conflicting acts," approved March 22, 1905, as amended, commonly known as the Broughton Act, but is intended to and does provide an alternative procedure available to municipalities for the granting of franchises. When any proceeding shall be initiated under this act for the granting of a franchise, the provisions hereof and of such amendments hereof as may be hereafter adopted, shall exclusively govern the granting of such franchise, and no provision of said Broughton Act, or any other act in conflict herewith, shall apply to such proceeding. This act shall be called the "Franchise Act of 1937".

SEC. 15. This act is not intended to apply to those municipalities having a freeholders' charter adopted and ratified under the provisions of the constitution and having in such charter, provisions for the issuance of franchises by such municipalities, nor are any of the provisions of this act relating to the payment of a percentage of gross receipts to be construed as a declaration of legislative judgment as to the compensation proper to be paid said chartered municipalities for the right to exercise franchise priveleges therein.

Nothing herein contained shall restrict the right of any such chartered municipality to avail itself of the provisions of this act wherever such municipality may lawfully do so"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1452—An act to amend sections 93 and 94 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to acceptance of the provisions of the Wagner-Peyser Act, designating the Division of State Employment Agencies in the Department of Employment as the agency of this State for the purposes of said Wagner-Peyser Act and defining the powers and duties of said division.

Committee Amendments to Assembly Bill No. 1452.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 93 and 94", *and insert in lieu thereof the following:* "section 93".

Amendment No. 2.

On page 1, lines 8 and 9 of the title of the printed bill, strike out "and defining the powers and duties of said division", and insert in lieu thereof the following: ", defining the powers and duties of said division, and providing for the creation of an Advisory Council to assist the chief of the division in matters of policy concerning the division"

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 93 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 93. On July 1, 1936, the Division of State Employment Agencies of the *Department of Industrial Relations shall become and remain the Division of State* Employment Agencies in the Department of Employment. All persons employed in such division and the records and property thereof shall, upon such change, become the employees, records and property of the Division of State Employment Agencies in the Department of Employment. All persons employed in any capacity in such division shall be appointed by the chief of the division in conformity with the provisions of the civil service laws.

There is hereby created a State Advisory Council to be composed of men and women representing in equal number employers, employees and the public. The council shall assist the chief of the division in the formulation of policies and shall investigate problems relating to employment from an impartial and neutral point of view, and in reaching conclusions thereon shall be uninfluenced by factors of political expediency. Members shall be appointed by the Governor subject to the approval of the Director of the United States Employment Service, in conformity with section 11-A of the Wagner-Peyser Act.

The State of California hereby accepts the provisions of the Wagner-Peyser Act, approved June 6, 1933, passed by the Congress of the United States, and entitled "An act to provide for the establishment of a National employment system and for cooperation with the States in the promotion of such system, and for other purposes," in conformity with section 4 thereof and will observe and comply with the requirements of said act of Congress.

The Division of State Employment Agencies in the Department of Employment shall be the agency of this State for the purposes of said act, and for the purposes of said act may be known as the California State Employment Service, affiliated with the United States Employment Service

Said division by and through its chief shall have full power to cooperate with all the authorities of the United States having powers and duties under said act of Congress, and to do and perform all things necessary to secure to this State the benefits of that act of Congress in the promotion and maintenance of a system of public employment offices.

All moneys made available by or received by this State under that act of Congress, and all other moneys received by this State from any source for the credit of the Division of State Employment Agencies shall be paid into a special "employment service account" in the unemployment administration fund, and all such moneys are hereby appropriated without regard to fiscal year, and shall be expended in accordance with law by the Division of State Employment Agencies as provided by this act and by that act of Congress."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 89—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

Committee Amendments to Assembly Bill No. 89.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 2289 of the Political Code", and insert in lieu thereof the following: "repeal an act entitled "An act in relation to the care of orphans and abandoned children," approved March 7, 1874".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out ", half orphans".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. The act cited in the title hereof is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 88—An act to amend section 1507 of the Welfare and Institutions Code, relating to aid to needy children

Committee Amendments to Assembly Bill No. 88.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "1507", and insert in lieu thereof the following: "1600".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "aid to needy", and insert in lieu thereof the following, "orphaned and abandoned".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1600 of the Welfare and Institutions Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1184—An act to provide for the permanent relief and rehabilitation of the indigent and unemployed families of the State of California by the removal of such families to new rural communities to be located upon large tracts of good agricultural land, and providing for loans by the State Department of Social Welfare to a nonprofit, cooperative agricultural association created to carry out such purpose, and to make an appropriation therefor.

Committee Amendments to Assembly Bill No. 1184.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", this act to take effect immediately."

Amendment No. 2.

On page 3, line 22, of the printed bill, as amended, after the period, insert the following: "Only such land as has been approved by the State Department of Agriculture or the College of Agriculture of the University of California as to its fitness for the particular purpose for which it is to be used shall be purchased by the association. Land to be purchased for agricultural purposes shall be approved as to soil condition and adequacy of water supply."

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 47 to 49, inclusive, and insert in lieu thereof the following: "unemployment relief purposes the sum of two million five".

Amendment No. 4.

On page 4 of the printed bill, as amended, after line 24, insert the following:

"SEC. 14. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately.

The facts constituting such necessity are as follows: If this act is given immediate effect, Federal aid may be secured in assisting the financing of the removal of these families to agricultural areas and will effect a great saving to the counties in the State of California which are now under the heavy burden of having to maintain these families on their direct relief rolls. Furthermore, if this act is immediately effective, the public peace, health and safety, of the various communities which are now seriously affected by the present living standards of these people, will be improved by the removal of these people to agricultural areas whereby it will be possible to raise their standards of living by placing them in more sanitary and healthful surroundings."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1491—An act to add Chapter 11B to Part 2 of Division 2 of the Insurance Code, authorizing the creation organization and government, and providing for the regulation of public associations to be known as medical service associations, defining medical service contracts, providing standard provisions for such contracts, providing for the deposit of security by medical service associations, providing for certificates of authority for associations entering into medical service contracts, and rendering through members medical services and providing for the powers and liabilities of medical service associations.

Committee Amendments to Assembly Bill No. 1491.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 11, line 8, of the printed bill, as amended, after "services", insert the following: "and, as provided herein, dental services".

Amendment No. 2.

On page 11, line 10, of the printed bill, as amended, after "groups of physicians", insert the following "or physicians and dentists or groups of both".

Amendment No. 3.

On page 11, line 18, of the printed bill, as amended, after "medical", insert the following: "or dental".

Amendment No. 4.

On page 11, line 26, of the printed bill, as amended, after "physicians", insert the following: "or physicians and dentists or groups of both".

Amendment No. 5.

On page 11, line 27, of the printed bill, as amended, after "services", insert the following: "or medical and dental services".

Amendment No. 6.

On page 11 of the printed bill, as amended, after line 44, insert the following:
"SEC. 7a. "Dentist" means a person who holds an unrevoked license to practice dentistry issued by the Board of Dental Examiners of California."

Amendment No. 7.

On page 11, line 46, of the printed bill, as amended after "physicians" insert the following: "or, as provided herein, physicians and dentists".

Amendment No. 8.

On page 12, line 27 of the printed bill as amended strike out "two", and insert in lieu thereof the following: "one"

Amendment No. 9.

On page 12, line 28, of the printed bill, as amended, strike out "physicians who", and insert in lieu thereof the following: "a physician who shall"

Amendment No. 10.

On page 12 line 29, of the printed bill, as amended after "medicine", insert the following: ", one of whom shall be a dentist,".

Amendment No. 11.

On page 13, line 34, of the printed bill, as amended, after "physicians", insert the following: "or physicians and dentists".

Amendment No. 12.

On page 14, line 13, of the printed bill, as amended, after "physicians", insert the following: "or physicians and dentists"

Amendment No. 13.

On page 14, line 30, of the printed bill, as amended, after "surgeons", insert the following: "or dentists".

Amendment No. 14.

On page 16 of the printed bill, as amended after line 21, insert the following:
"(1) If the contract includes the furnishing of dental services, a dentist is included among those asking for the certificate of authority. If a dentist is not one of the group filing the application, the contract shall specifically provide that all services incidental to the treatment of diseases and injuries of the jaws and their dependent tissues are specifically excluded from the contract, and that the applicant will not render any such service."

Amendment No. 15.

On page 18 line 15, of the printed bill, as amended, after "physician," insert the following: "except as provided herein for a dentist,"

Amendment No. 16.

On page 15 line 16, of the printed bill, as amended, strike out "$5,000" and insert in lieu thereof the following: "$3,000".

Amendment No. 17.

On page 15, line 17, of the printed bill, as amended, strike out "7,500", and insert in lieu thereof the following: "5,000".

Amendment No. 18.

On page 15 of the printed bill, as amended, between lines 31 and 32, insert the following:
"In lieu of the maintenance of this additional reserve fund, there may be filed with the commission a bond by an admitted surety insurer for the amount of the fund in such form as the commission shall prescribe."

Amendment No. 19.

On page 11, line 43, of the printed bill, as amended, after the word "him", strike out down to and including the period after the word "State", in line 44, and insert in lieu thereof "under the provisions of the State Medical Practice Act".

Amendment No. 20.

On page 14 of the printed bill, as amended, strike out lines 40 to 45, inclusive, and insert in lieu thereof the following: "authority to any applicant or applicants unless he or they have been practicing the profession for which he or they are licensed in the geographical area to be served by the applicant or applicants for at least three years immediately preceding the application."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 47—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Committee Amendments to Assembly Bill No. 47.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "shall", and insert in lieu thereof the following: "must".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 1 to 24, inclusive.

Amendment No. 3.

On page 2 of the printed bill, strike out lines 36 to 38, inclusive, and insert in lieu thereof the following: "of the decree establishing the fact of death may be recorded in the office of the recorder of each".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1035—An act to amend section 518 of the Penal Code, relating to extortion.

Committee Amendments to Assembly Bill No. 1035.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 518", and insert in lieu thereof the following. "sections 518 and 519".

Amendment No. 2.

On page 1 of the printed bill, after line 6, insert the following:

"SEC. 2 Section 519 of the Penal Code is hereby amended to read as follows.

519. Fear, such as will constitute extortion, may be induced by a threat, either:

1. To do an unlawful injury to the person or property of another; or,

2 To accuse the individual threatened, or any relative of his, or member of his family, of any crime, or,

3. To expose, or impute to him or them any deformity or disgrace; or,

4. To expose any secret affecting him or them."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1740—An act to amend section 718 of the Code of Civil Procedure, relating to witnesses.

Committee Amendment to Assembly Bill No. 1740.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, after "witnesses", insert the following: ", excepting the judgment debtor and his witnesses,".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 715—An act to add four new sections, to be numbered 1000a, 1000b, 1000c and 1000d to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions.

Committee Amendments to Assembly Bill No. 715.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "four", and insert in lieu thereof the word "two".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, strike out the comma after the figures "1000a", and also strike out the figures "1000b"; and in line 2, strike out the following: "1000c and 1000d"; and insert in lieu thereof the following: "and 1000b".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 18 to 27, and all of lines 1 to 18, on page 2.

Amendment No. 4.

On page 2, line 19, of the printed bill, strike out "1000d", and insert in lieu thereof the following: "1000b".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 931—An act to amend section 396b of the Code of Civil Procedure, relating to transfer of civil actions.

Committee Amendment to Assembly Bill No. 931.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 21, of the printed bill, after the word "discretion," strike out the following: "deny the motion or".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1886—An act relating to employees in the State civil service.

Committee Amendments to Assembly Bill No. 1886.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "relating to employees in the State civil service", and insert in lieu thereof the following: "to provide for salary adjustments for certain employees in the State civil service, making an appropriation therefor and providing that this act shall take effect immediately."

Amendment No. 2.

On page 1, lines 3 and 4, of the printed bill, strike out "who during such periods have not received a salary adjustment within the salary range for said class,".

Amendment No. 3.

On page 1, line 6, of the printed bill, strike out "such range", and insert in lieu thereof the following: "the salary ranges for such classes".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out "without salary adjustments".

Amendment No. 5.

On page 2, line 6, of the printed bill, strike out "effective date hereof", and insert in lieu thereof the following: "July 1, 1937".

Amendment No. 6.

On page 2, line 7, of the printed bill, strike out "Thereafter this act shall have", and strike out all of line 8; and in line 9, strike out "effected thereby", and insert in lieu thereof the following: "No employees affected by this act".

Amendment No. 7.

On page 2, line 11, of he printed bill, strike out "effecting", and insert in lieu thereof the following: "affecting".

Amendment No. 8.

On page 2 of the printed bill, strike out lines 12 to 17, inclusive, and insert in lieu thereof the following:

"SEC. 6. The State Personnel Board, Director of Finance, Controller and all appointing powers shall do all things lawful and necessary to make the salary adjustments herein provided effective, including the filing and approval of forms and issuing of warrants.

SEC 7. Out of any moneys in the State Treasury not otherwise appropriated the sum of $2,094,600 is hereby appropriated, or so much thereof as may be necessary, to make certain of the salary adjustments herein provided. The said sum of $2,094,600 is appropriated out of and from certain moneys and funds as follows:

Out of the general fund the sum of $1,751,600; out of the Athletic Commission fund the sum of $1,000; out of the retail sales tax fund the sum of $230,000; out of the alcoholic beverage control fund the sum of $100,000; out of the personal income tax fund the sum of $12,000.

The moneys hereby appropriated shall be expended to make the salary adjustments herein provided, for positions, the salaries for which are payable from the funds indicated.

The Director of Finance and the Governor are hereby directed to make available in the manner provided in and pursuant to section 661 of the Political Code the necessary moneys to make the salary adjustments herein provided, for positions, the salaries for which are payable from special funds in the State Treasury other than the special funds hereinabove indicated.

The moneys herein appropriated and directed to be made available are in augmentation of other appropriations made for the support of the State agencies employing the persons receiving salary adjustments under the provisions of this act and shall be expended to defray the cost of such adjustments during the eighty-ninth and ninetieth fiscal years.

SEC. 8. This act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall under the provisions of section 1, Article IV of the Constitution take effect immediately."

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 343—An act to amend the title and sections 1 and 17 of "An act to establish an institution for the confinement, care and reformation of women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor" (Statutes 1935, Chapter 497), relating to the California Institution for Women.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 454—An act to amend section 826 of, and to add section 821.5 to, the Insurance Code, relating to corporate securities and their issuers.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 455—An act to amend sections 10692, 10693, 10696, 10697, 10698, 10699, 10700, 10701, 10710, 10721, 10723, 10724, 10728 and 10740 of the Insurance Code, and to add sections 10669.5, 10696.5, 10696.6, 10722.5, 10722.6, 10722.7, 10725.5, and 10726.5 thereto, all relating to life insurance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 457—An act to amend sections 760, 761, 765, 1640, 1643, 1647, 1649, 1656, 1661, 1662, 1663, 1675, 1676, 1677 and 1706 of the Insurance Code, to repeal sections 762, 1665, 1667, 1669, 1710, 1711, 1712 and Article 3 of Chapter 5, Part 2, Division 1 comprising section 1730, of said code, to add sections 763.5, 783.5, 1648.5, 1677.1, 1677.5, and 1705.5 to said code, and to add Articles 3 and 4, comprising sections 1730 to 1750, inclusive, to Chapter 5, Part 2, Division 1 of said code, all relating to insurance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 458—An act to amend sections 1390, 1391, 1392, and 1399 of the Insurance Code, relating to insurance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 464—An act to amend sections 1761, 1763, and 1766 of the Insurance Code, to repeal sections 1762, 1764, 1772, and 1773 thereof, and to add sections 1760.5 and 1775.5 thereto, all relating to insurance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 467—An act to amend sections 1011, 1016, 1017, 1033, 1037, and 1047 of, and to add section 1056.5 to, the Insurance Code, all relating to proceedings in cases of insolvency or delinquency of insurers.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 468—An act to amend section 105 of the Insurance Code, relating to insurance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 470—An act to amend section 945, 970, 973, 1644, 11016, 12356, 12357, and 12358 of the Insurance Code, and to add sections 939 and 1325.5 thereto, all relating to insurance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1037—An act to repeal and add Chapter 5, comprising sections 11910 to 12023, inclusive, of Part 3 of Division 2 of Insurance Code, relating to mutual workmen's compensation insurers.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 971—An act to amend the title and sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, and 14, and to renumber 14a to be section 14½, of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the distribution and sale of motor fuels and oil.

Committee Amendments to Senate Bill No. 971.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 18, of the printed bill, after the numeral "130-", strike out the numeral "36", and insert the numeral "30".

Amendment No. 2.

On page 3, line 21, of the printed bill, after the word "product", strike out the semicolon, and insert a period, on page 3, line 21, after the period, insert the following as a new paragraph:

"Crankcase drainings, lube-distillate or any petroleum product shall not be sold, offered for sale, delivered, offered for delivery or stored as a motor oil or lubricating oil for use in an internal combustion engine unless such product is: (1) Free from water and suspended matter when tested by means of centrifuge, in accordance with the American Society for Testing Materials, Standard Designation D96-35, as published in "American Society for Testing Materials Standards," 1936. (2) The neutralization number shall not be higher than 0.5 when tested in accordance with the American Society for Testing Materials, American Tentative Standard Designation D188-27T, as published in "American Society for Testing Materials Standards," 1936."

Amendment No. 3.

On page 3, line 26, of the printed bill, after the comma following the word "purposes", strike out the word "and", and insert the word "or".

Amendment No. 4.

On page 3, line 29, of the printed bill, after the word "reclaimed", strike out the word "used".

Amendment No. 5.

On page 3, line 30, of the printed bill, after the quotation, strike out the word "used".

Amendment No. 6.

On page 3, line 35, of the printed bill, after the word "reclaimed", strike out the word "used".

Amendment No. 7.

On page 3, line 36, of the printed bill, after the quotation after the word "or", strike out the word "used".

Amendment No. 8.

On page 3, line 38, of the printed bill, strike out the fraction "⅛", and insert the fraction "1/16".

Amendment No. 9.

On page 3, line 38, of the printed bill, strike out the fraction "⅜", and insert the fraction "½".

Amendment No. 10.

On page 4, line 21, of the printed bill, before the word "lubricating", strike out the word "used".

Amendment No. 11.

On page 4, line 21, of the printed bill, after the word "reclaimed", strike out the word "used".

Amendment No. 12.

On page 4, line 23, of the printed bill, after the word "than", strike out the fraction "⅛", and insert the fraction "1/16".

Amendment No. 13.

On page 13, line 5, of the printed bill, strike out the period, and insert in lieu thereof the following: "and amended to read as follows

Sec. 14½. Every person, firm, association, or corporation engaged in the business of selling at retail gasoline, distillate, or other petroleum products, for use as fuel for internal combustion engines, within thirty days from and after the effective date of this act, and every person, firm, association, or corporation, after this act becomes effective before engaging in such business, shall obtain from the Division of Weights and Measures, of the State Department of Agriculture, a license effective for one (1) year, authorizing said person, firm, association, or corporation to engage in such business, for which license the licensee shall pay, annually, a license fee, the total amount of said fee to be determined by the number of motor vehicle fuel pumps installed and used, or to be installed and used, or from time to time installed and used by such licensee in such business figured at the rate of one dollar ($1) for each such pump. Before granting any license authorizing any person, firm, association or corporation to engage in such retail business, the Division of Weights and Measures, of the State Department of Agriculture, shall require such person, firm, association or corporation to file an application with said division in such form as shall be prescribed by said division, which application shall be accompanied by the license fee due from such person, firm, association or corporation, the amount thereof to be determined in the manner hereinabove set forth. Application for a license for the fiscal year ending June 30, 1934, shall be made within thirty days from and after the date upon which this act takes effect, and shall be accompanied by the license fee due from any such applicant, as above provided. Thereafter all applications shall be filed with said Division of Weights and Measures on or before the first day of July of each year, and payment made for an annual license in the usual manner. Every licensee shall at all times conspicuously display any license so granted hereunder on the premises in which such licensee is doing business.

All license fees so collected under the provisions of this section shall be credited to the Department of Agriculture fund created by Chapter 70 of the Statutes of 1929, to be expended in accordance with the law in carrying out the provisions of this act."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Williamson:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 86, 88 and 89 of the Agricultural Code, relating to agricultural districts and including provision for leasing of property of such districts

Referred to Committee on Introduction of Bills.

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act providing for, and prescribing the duties and compensation of, the position of bailiff for the appellate department of the superior court

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1937.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them:

By Mr. Williamson:

An act to amend sections 68, 88 and 89 of the Agricultural Code, relating to agricultural districts and including provision for leasing of property of such districts

By Mr. Rosenthal:

An act providing for, and prescribing the duties and compensation of, the position of bailiff for the appellate department of the superior court.

CALL, Chairman.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Rosenthal moved a call of the Assembly.

Motion carried.

Time, eleven o'clock and fifteen minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Gilbert, Hawkins, Heisinger, Hunt, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—50.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 747—An act to amend the title and sections 1 and 18a of the Street Opening Act of 1903, relating to the laying out, opening, extending, widening, straightening, establishment, or change of grade in whole or in part of public highways, roads, streets, parking places, squares, lanes, alleys, courts and places within municipalities or within unincorporated territory and one or more municipalities to reassessment procedure and relief from special assessments.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 747?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "section", and insert in lieu thereof the following: "sections 1 and".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the word "relating", insert the following: "to the laying out, opening, extending, widening, straightening, establishment, or change of grade in whole or in part of public highways, roads, streets, parking places, squares, lanes, alleys, courts and places within municipalities or within unincorporated territory and one or more municipalities.",

Amendment No. 3.

On page 1 of the printed bill, before line 1, insert the following:

"SECTION 1. The title to the act cited in the title hereof is hereby amended to read as follows:

An act to provide for the laying out, opening, extending, widening, straightening, establishment, or change of grade in whole or in part of public highways, roads, streets, parking places, squares, lanes, alleys, courts and places within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement.

SEC. 2 Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 1. Whenever the public interest or convenience may require, the city council of any municipality shall have full power and authority to order the laying out, opening, extending, widening, straightening, establishment or change of grade, in whole or in part, of any one or more of any public streets, parking places, squares, lanes, alleys, courts or places within such municipality, and to acquire by condemnation any and all property necessary or convenient for that purpose or any interest therein including an easement or easements for the construction and maitenance of any one or more of any public streets or walks, parking places, passages or ways upon the surface of the earth or in any designated level or levels or slope or slopes above or below such surface together with a sufficient clearance height thereabove which height shall be conclusively determined and designated by the city council of such municipality and the leaving to the owner or owners the right to maintain or construct and maintain any building or buildings or other structure or structures above or below, or above and below such street or streets, walk or walks, parking place or parking places, passage or passages, way or ways, and the clearance height therefor so acquired by such municipality."

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out the following: "Section 1", and insert in lieu thereof the following: "Sec. 2".

Amendment No. 5.

On page 2, line 23, of the printed bill, after the period, strike out the remainder of said line; strike out all of lines 24, 25 and 26, and insert in lieu thereof the following: "The notice shall contain a reference to the original assessment and diagram and reference shall also be made to the reassessment and diagram of the street superintendent for full particulars as to the extent of the district affected by these proceedings and for all other particulars."

Amendment No. 6.

On page 2, line 30, of the printed bill, after the period, strike out the remainder of said line; strike out all of lines 31, 32 and 33, and insert in lieu thereof the following: "When the city council is satisfied with the correctness of the reassessment it shall confirm the same. The street super-".

Amendment No. 7.

On page 2, line 44, of the printed bill, strike out the words "street superintendent", and insert in lieu thereof the following: "city treasurer or such other officer as the city council may designate".

Amendment No. 8.

On page 3, line 5, of the printed bill, strike out the word "ordering", and insert in lieu thereof the following: "the confirmation of".

Amendment No. 9.

On page 3, line 9, of the printed bill, strike out the words "or the person"; strike out all of line 10, and insert in lieu thereof the following: "or where a purchaser under a contract of purchase or a lessee under a lease pursuant to the terms of which contract of purchase or lease, is required to and has made such payment or payments upon the original assessment or bonds, then such purchaser or lessee shall".

Amendment No. 10.

On page 3, line 15, of the printed bill, strike out the word "the", before the word "payment", and insert in lieu thereof the word "such".

Amendment No. 11.

On page 3, line 31, of the printed bill, after the word "ordinance", insert the following, "or resolution".

Amendment No. 12.

On page 3, line 36, of the printed bill, strike out the words "one year", and insert in lieu thereof the words "two years"

Amendment No. 13.

On page 3 of the printed bill, strike out all of lines 37, 38 and 39, and insert in lieu thereof the following: "notice. Reference shall be made to said reassessment and diagram for all particulars. Such notice shall be published once a week for two (2) weeks. In".

Amendment No. 14.

On page 4 of the printed bill, following line 9, insert the following paragraph: "The making of any reassessment pursuant to the provisions of this section in any proceeding shall not constitute a bar or limit the right to make further reassessments as the city council may determine."

Amendment No. 15.

On page 1 of the printed bill, as amended, in the first line of the title, after the word "amend", insert the following: "the title and".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 747 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Pelletier, Peyser, Reaves, Rosenthal, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Weber, Yorty, and Mr. Speaker—50

NOES—None.

Assembly Bill No. 747 ordered to enrollment.

Assembly Bill No. 2233—An act to amend sections 1 and 2 of "An act authorizing the Surveyor General of the State of California to lease certain lands in the county of San Diego," relating to a lease of tidelands in the county of San Diego

The question being put: Shall the Assembly concur in the following Senate Amendment to Assembly Bill No. 2233?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, after the comma and the quotation marks following the word "San Diego", insert the following: "approved May 31, 1927,".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 2233 by the following vote

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Miller, Eleanor, Millington, Morgan, Pelletier, Reaves, Rosenthal, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Weber, Yorty, and Mr. Speaker—48

NOES—None.

Assembly Bill No. 2233 ordered to enrollment.

Assembly Bill No. 2162—An act to add section 589.5 to the Agricultural Code, relating to labeling of dairy products

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2162?

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, following the quotation mark, strike out the words "These products produced", and capitalize the first letter in the word "from".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 2162 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Pelletier, Reaves, Rosenthal, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Weber, Yorty, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 2162 ordered to enrollment

Assembly Bill No. 528—An act to add section 862b to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to fire protection in cities of the sixth class

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 528?

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "municipality", insert the following: "or county or county fire protection district".

Amendment No. 2.

On page 1, line 6, of the printed bill, after the word "municipality", insert the following: "or county or county fire protection district".

Amendment No. 3.

On page 1, line 7, of the printed bill, after the word "municipality", insert a comma and the following: "or county or county fire protection district".

Amendment No. 4.

On page 1, line 10, of the printed bill, strike out the words "legislative body", and insert in lieu thereof "governing board".

Amendment No. 5.

On page 1, line 12, of the printed bill, strike out the words "any municipal", and insert in lieu thereof the following: "the".

Amendment No. 6.

On page 1, line 13, of the printed bill, after the word "department", insert the following: "of any public agency or municipality".

Amendment No. 7.

On page 1, line 14, of the printed bill, after the word "such", insert the following: "public agency or".

Amendment No. 8.

On page 1, line 15, of the printed bill, strike out the word "municipal".

Amendment No. 9.

On page 1, line 16, of the printed bill, strike out the words "such municipality", and insert in lieu thereof the words "its territorial limits".

Amendment No. 10.

On page 1, line 6, of the printed bill, as amended, following "furnishing of", insert the following: "supplementary".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 528 by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Peek, Pelletier, Peyser, Reaves, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr Speaker—52.

NOES—None.

Assembly Bill No 528 ordered to enrollment.

Assembly Joint Resolution No. 38—Relative to memorializing and petitioning the President and the Congress of the United States to include the Santa Maria River Flood Control and the Santa Ana River Flood Control Projects in the National Program of Work Relief.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 38?

Amendment No. 1.

On page 2, line 17, of the printed measure, as amended, after "Control", insert a comma and the following: "the Mojave River Flood Control".

Amendment No. 2.

On page 1, line 21, of the printed measure, insert a comma after the word "control", and insert the words "the Mojave River Flood Control"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Joint Resolution No. 38 by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—58.

NOES—None.

Assembly Joint Resolution No. 38 ordered to enrollment.

Assembly Bill No. 1599—An act authorizing the Division of State Lands to grant, convey and sell by deed, or any other proper legal conveyance, all the right, title and interest of the State of California in and to certain tide, overflowed and submerged lands described herein.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1599?

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, after the period, add the following: "Any such conveyance shall also be subject to the express reservation and condition that said lands or any portion thereof may, if required in the future, be used for any authorized public use without compensation to the purchaser, his successors or assigns, or any person claiming under him, except that in the event that improvements have been placed upon the property later so taken for public use, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1599 by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1599 ordered to enrollment.

Assembly Bill No. 1913—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section, to be numbered 13¼, relating to the conveyance and transfer to such district of drainage systems and works of drainage improvement districts and for the assumption of liability for the payment of bonds of drainage districts issued for the construction of the drainage systems and works so conveyed and transferred.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1913?

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, strike out the following "Improvement Dis-", and on page 1, line 13, strike out the following: "trict Act of", and insert in lieu thereof the following 'District Improvement Act of".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1913 by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1933 ordered to enrollment.

Notices of Motion to Reconsider Continued.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 276 was passed was continued until the next legislative day.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2375 was passed was continued until the next legislative day.

Reconsideration of Assembly Bill No. 234.

In compliance with a notice given on a previous day, Mr. Tenney moved that the vote whereby Assembly Bill No. 234 was passed be reconsidered.

The roll was called, and Assembly Bill No 234 refused reconsideration by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Clark, Cronin, Daley, Dawson, Donnelly, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Leonard, Lore, Maloney, McMurray, Miller, George P., Muldoon, Peek, Reaves, Robertson, Sawallisch, Sheehan, Tenney, Turner, Watson, and Mr. Speaker—30.

NOES—Andreas, Beene, Breed, Call, Cottrell, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Field, Gannon, Garibaldi, Johnson, Kepple, Latham, Levey, Martin, Miller, Eleanor; Millington, Pelletier, Peyser, Rosenthal, Scudder, Stream, Thorp, Walker, Welsh, and Yorty—29.

Assembly Bill No. 234 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 206.

In compliance with a notice given on a previous day, Mr. Peek moved that the vote whereby Assembly Bill No 206 was refused passage be reconsidered.

Demand for Previous Question.

Messrs. Johnson, Morgan, Andreas, Cunningham and Reaves demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Peek to reconsider the vote whereby Assembly Bill No. 206 was refused passage.

The roll was called, and Assembly Bill No. 206 refused reconsideration by the following vote:

AYES—Baynham, Boyle, Clark, Crowley, Daley, Dannenbrink, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Lore, Martin, Miller, Eleanor; Morgan, O'Donnell, Peek, Pelletier, Reaves, Rosenthal, Tenney, Thorp, Turner, Walker, Watson, Welsh, and Yorty—36.

NOES—Andreas, Beene, Breed, Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Dawson, Desmond, Dilworth, Donnelly, Field, Latham, Leonard, Levey, Lyon, Maloney, Mayo, Miller, George P., Millington, Muldoon, Peyser, Sawallisch, Scudder, Sheehan, Stream, Weber, and Mr Speaker—29.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 206.

Mr. Hornblower moved that the record whereby Assembly Bill No. 206 was refused reconsideration be expunged, and the action rescinded.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Call, Clark, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Martin, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder,

Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—52.

NOES—Breed, Cunningham, Dawson, Donnelly, Heisinger, Lyon, Maloney, Mayo, Millington, and Sheehan—10.

Assembly Bill No. 206 ordered on unfinished business calendar.

Further Proceedings Under Call of the Assembly Dispensed With.

At twelve o'clock and five minutes p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Cronin.

The roll of absentees was called, and the report of the Committee on Introduction of Bills adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—62.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2857: By Mr Williamson—An act to amend sections 86, 88 and 89 of the Agricultural Code, relating to agricultural districts and including provision for leasing of property of such districts.

Bill read first time, and referred to Committee on Agriculture.

Assembly Bill No. 2858: By Mr. Rosenthal—An act providing for, and prescribing the duties and compensation of, the position of bailiff for the appellate department of the superior court.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Concurrent Resolution No. 46: By Mr. Field—Relative to approving two certain amendments to the charter of the city of Glendale, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a special election held therein on the thirteenth day of April, 1937.

Introduced.

Request for Unanimous Consent.

Mr Field asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 46, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 46.

Assembly Concurrent Resolution No. 46—Relative to approving two certain amendments to the charter of the city of Glendale, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a special election held therein on the thirteenth day of April, 1937.

Assembly Concurrent Resolution No 46 read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal

Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate

Notice of Motion to Withdraw Senate Bill No. 579 from Committee.

Mr. Clark gave notice, in compliance with Rule 58, that he would move to withdraw Senate Bill No 579 from the Committee on Oil Industries, and have it placed upon the calendar.

Recess.

At twelve o'clock and ten minutes p m , on motion of Mr King, the Assembly was declared at recess until one o'clock and thirty minutes p.m.

Reassembled.

At one o'clock and thirty minutes p m , the Assembly reconvened. Speaker Jones in the chair.

Third Reading of Assembly Bills.

Assembly Bill No. 481—An act to amend the Inheritance Tax Act of 1935 to insert between sections numbered 18 and 19 a section to be numbered 18a, relating to the determination of the priority of the tax lien

Bill read third time, and passed by the following vote·

AYES—Andreas, Baynham, Beene, Breed, Call, Clark, Cottrell, Crowley, Cunningham Dannenbrink, Dawson, Desmond, Dilworth Donnelly Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon Maloney, Martin, Mayo, McMurray, Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 946—An act to amend the title to Article IV, Chapter 14, Division 3 of the Probate Code and to amend sections 541 5, 645, 646, 752, 770, 772, 780, 830, 860, 1480 1482, 1531, 1532 and 1533 of the Probate Code, to repeal section 930 5 of the Probate Code, and to add sections 578a, 1518 and 1519 to the Probate Code, all relating to the estates of deceased persons, incompetent persons and minors

Bill read third time, and passed by the following vote·

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—58

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1685—An act to amend sections 4, 8, 9, 12, 25, 33, 38a, 39, 42, 49, 67, 78, 83, 85a, 86 and 108 of, and to add sections 3a, 33a, 75a and 83b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of employees of the University of California.

Motion to Amend Assembly Bill No. 1685.

Mr Dannenbrink moved to amend Assembly Bill No 1685 as follows

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof the following "and making an appropriation therefor."

Amendment No. 2.

On page 7 of the printed bill, as amended, strike out line 29, and in line 30, strike out "———", and insert in lieu thereof the following: "three and seventy-five one-hundredths".

Amendment No. 3.

On page 7 of the printed bill, as amended, strike out line 37, and in line 38, strike out "———", and insert in lieu thereof the following: "three and seventy-five one-hundredths".

Amendment No. 4.

On page 8 of the printed bill, as amended, following line 10, insert the following:

"SEC 21 Out of any moneys in the State treasury not otherwise appropriated the sum of $5,000 is hereby appropriated for the support of the board of administration The board may withdraw without at the time furnishing vouchers and itemized statements, a sum not to exceed $500 to be used as a revolving fund At the close of the biennium or at any other time upon the demand of the Department of Finance, such sum must be returned to the State Treasury"

Amendments adopted.

Assembly Bill No. 1685 ordered to reprint, and re-engrossment.

Assembly Bill No. 1235—An act to amend section 7 of, and to add section 7.5 to, the Alcoholic Beverage Control Act, relating to transfer of licenses.

Motion to Amend Assembly Bill No. 1235.

Mr Desmond moved to amend Assembly Bill No 1235 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "transfer of".

Amendment No. 2.

On page 1 of the printed bill, between lines 9 and 10, insert the following:

"In the case of on-sale licenses, the term "premises" is limited to a definite portion of a building, or a designated area if not within a building A separate on-sale license shall be obtained for each separate room or other portion of a building, and for each separate designated area if not within a building, where alcoholic beverages are regularly sold for consumption within such room or area. A separate on-sale license shall not be required for any service bar, pantry or other portion of any building, maintained by an on-sale licensee for the preparation of alcoholic beverages for serving and where such beverages are not consumed."

Amendment No. 3.

On page 2, line 4, of the printed bill, after "child", insert a comma, and the following: "provided such successor would have been eligible as an original licensee".

Amendments adopted.

Assembly Bill No. 1235 ordered to reprint, and re-engrossment.

Assembly Bill No. 986—An act to amend section 4.360 of the School Code, relating to the preparation and submission of school district budgets.

Motion to Amend Assembly Bill No. 986.

Mr Turner moved to amend Assembly Bill No. 986 as follows:

Amendment No. 1.

On page 1 of the printed bill, following line 16, insert the following

"The county superintendent of schools shall enter in the budget, before submitting the budget to the county board of supervisors, the cash balances on hand for the school district according to the records of the county auditor (exclusive of receipts from bond sales and gifts or donations by reason of such bond sales), and appropriations from the State school fund, the State high school fund, the State junior college fund, the State vocational education fund and the State general fund according to the demand upon the State Controller made by the Superintendent of

Public Instruction. He shall also enter other known income and estimates of income not definitely known.

Said budget shall be submitted on the form prescribed by the Superintendent of Public Instruction."

Amendment adopted.

Assembly Bill No. 986 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills—(Out of Order).

Senate Bill No. 862—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class.

Motion to Amend Senate Bill No. 862.

Mr. Mayo moved to amend Senate Bill No. 862 as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out "three thousand four", and insert in lieu thereof the following: "one thousand six".

Amendment adopted.

Senate Bill No. 862 ordered to reprint, and third reading calendar.

Special Order.

The hour of two o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 500.

Assembly Bill No. 500—An act making an appropriation for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Motion for Committee of the Whole.

On motion of Mr. Field, the Assembly resolved itself into a Committee of the Whole for the consideration of Assembly Bill No. 500.

IN COMMITTEE OF THE WHOLE.

Speaker Jones in the chair.

Assembly Bill No. 500 considered.

On motion of Mr. Lyon, the committee did arise, and reported back to the Assembly.

IN ASSEMBLY.

Speaker Jones in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

GENTLEMEN: Your Committee of the Whole has considered Assembly Bill No. 500, and respectfully reports the same back.

JONES, Chairman.

Further Consideration of Assembly Bill No. 500.

Assembly Bill No. 500—An act making an appropriation for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Motion to Expunge Record and Rescind Action on Amendments to Assembly Bill No. 500.

Mr. Lyon moved that the record whereby the amendments to Assembly Bill No. 500 were adopted on April 22d, be expunged, and the action rescinded.

The roll was called, and the motion to expunge lost by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Scudder, Stream, Thorp, Walker, and Williamson—30.

NOES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—43.

Motion to Amend Assembly Bill No. 500.

Mr. Welsh moved to amend Assembly Bill No. 500 as follows:

Amendment No. 1.

On page 20, line 3, of the printed bill, as amended, strike out "$497,500", and insert in lieu thereof the following: "$12,500".

Amendment read, and refused adoption by the following vote.

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donihue, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, O'Donnell, Peyser, Richie, Scudder, Sheehan, Stream, Voigt, Walker, Weber, and Williamson—36.

NOES—Andreas, Baynham, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Miller, George P., Millington, Muldoon, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Watson, Welsh, Yorty, and Mr. Speaker—38.

Motion to Amend Assembly Bill No. 500.

Mr. Cottrell moved to amend Assembly Bill No. 500 as follows:

Amendment No. 1.

On page 5 of the printed bill, as amended, between lines 28 and 29, insert the following:

"Item 42—For construction and improvements, Department of Agriculture, two thousand seven hundred dollars---- 2,700.00".

Amendment No. 2.

On page 6 of the printed bill, as amended, between lines 6 and 7, insert the following:

"Item 48—For construction and improvements, Chico State College, eleven thousand five hundred dollars---------- 11,500.00".

Amendment No. 3.

On page 6 of the printed bill, as amended, between lines 16 and 17, insert the following:

"Item 50—For construction and improvements, Fresno State College, eleven thousand five hundred dollars-------- 11,500.00".

Amendment No. 4.

On page 6 of the printed bill, as amended, between lines 26 and 27, insert the following:

"Item 52—For construction and improvements, Humboldt State College, eleven thousand five hundred dollars-------- 11,500.00".

Amendment No. 5.

On page 6 of the printed bill, as amended, between lines 37 and 38, insert the following:

"Item 54—For construction and improvements, San Diego State College, eleven thousand five hundred dollars-------- 11,500.00".

Amendment No. 6.

On page 6 of the printed bill, as amended, between lines 47 and 48, insert the following:

"Item 56—For construction and improvements, San Francisco State College, twelve thousand eight hundred dollars.. 12,800.00".

Amendment No. 7.

On page 7 of the printed bill, as amended, between lines 4 and 5, insert the following

"Item 58—For construction and improvements, San Jose State College, twelve thousand dollars 12,000.00".

Amendment No. 8.

On page 7 of the printed bill, as amended, between lines 24 and 25, insert the following

"Item 63—For construction and improvements, California School for Blind at Berkeley, four thousand seven hundred fifty dollars 4,750.00".

Amendment No. 9.

On page 8 of the printed bill, as amended, between lines 25 and 26, insert the following:

"Item 74—For repairs, improvements, and equipment of State Capitol and State office buildings, Department of Finance, thirty-five thousand dollars 35,000.00".

Amendment No. 10.

On page 9 of the printed bill, as amended, between lines 33 and 34, insert the following:

"Item 84—For construction and improvements, Agnews State Hospital, one hundred eighty-two thousand nine hundred ninety dollars 182,990 00".

Amendment No. 11.

On page 9 of the printed bill, as amended, between lines 40 and 41, insert the following:

"Item 86—For construction and improvements, Camarillo State Hospital, two million seven hundred sixty-five thousand dollars 2,765,000.00".

Amendment No. 12.

On page 9 of the printed bill, as amended, between lines 47 and 48, insert the following:

"Item 88—For construction and improvements, Mendocino State Hospital, thirty thousand four hundred dollars 30,400 00".

Amendment No. 13.

On page 10 of the printed bill, as amended, between lines 4 and 5, insert the following:

"Item 90—For construction and improvements Napa State Hospital, one million sixteen thousand seven hundred dollars 1,016,700 00".

Amendment No. 14.

On page 10 of the printed bill, as amended, between lines 11 and 12, insert the following:

"Item 92—For construction and improvements, Norwalk State Hospital, eighteen thousand five hundred dollars 18,500.00".

Amendment No. 15.

On page 10 of the printed bill, as amended, between lines 18 and 19, insert the following:

"Item 94—For construction and improvements, Patton State Hospital, eighteen thousand dollars 18,000 00"

Amendment No. 16.

On page 10 of the printed bill, as amended, between lines 25 and 26, insert the following:

"Item 96—For construction and improvements, Stockton State Hospital, ninety-eight thousand five hundred dollars.. 98,500.00".

Amendment No. 17.

On page 10 of the printed bill, as amended, between lines 32 and 33, insert the following:

"Item 98—For construction and improvements, Pacific Colony and State Narcotic Hospital, nine hundred ninety thousand five hundred dollars 990,500 00".

Amendment No. 18.

On page 10 of the printed bill, as amended, between lines 39 and 40, insert the following:

"Item 100—For construction and improvements, Sonoma State Home, one million fifty-three thousand two hundred sixty dollars ..... 1,053,260.00".

Amendment No. 19.

On page 10 of the printed bill, as amended, between lines 46 and 47, insert the following:

"Item 102—For construction and improvements, Preston School of Industry, seven thousand seven hundred fifty dollars 7,750.00".

Amendment No. 20.

On page 11 of the printed bill, as amended, before line 1, insert the following:

"Item 104—For construction and improvements, Ventura School for Girls, seven thousand six hundred fifty dollars $7,650.00".

Amendment No. 21.

On page 11 of the printed bill, as amended, between lines 6 and 7, insert the following:

"Item 106—For construction and improvements, Whittier State School, three thousand seven hundred fifty dollars.... 3,750 00".

Amendment No. 22.

On page 11 of the printed bill, as amended, between lines 16 and 17, insert the following:

"Item 109—For construction and improvements, Industrial Home for the Adult Blind, eight thousand dollars..... 8,000 00".

Amendment No. 23.

On page 12 of the printed bill, as amended, between lines 24 and 25, insert the following:

"Item 120—For construction and equipment of armories, arsenals, stables, rifle ranges, and camp sites, Adjutant General and the California National Guard, twenty-five thousand dollars ..... 25,000 00".

Amendment No. 24.

On page 12 of the printed bill, as amended, between lines 33 and 34, insert the following:

"Item 122—For construction and improvements, Veterans' Home of California, three hundred twenty-four thousand dollars 324,000.00".

Amendment No. 25.

On page 12 of the printed bill, as amended, between lines 45 and 46, insert the following:

"Item 125—For construction and improvements, Woman's Relief Corps Home, eleven thousand dollars..... 11,000.00".

Amendment No. 26.

On page 13 of the printed bill, as amended, strike out lines 14 to 17, and insert the following:

"Item 128—For teletype service, Department of Motor Vehicles, seventy".

Amendment No. 27.

On page 15 of the printed bill, as amended, between lines 12 and 13, insert the following:

"Item 145—For construction and equipment, Folsom State Prison, forty-two thousand three hundred dollars..... 42,300.00".

Amendment No. 28.

On page 15 of the printed bill, as amended, between lines 19 and 20, insert the following:

"Item 147—For construction and improvements, San Quentin Prison, forty-five thousand one hundred dollars..... 45,100.00".

Amendment No. 29.

On page 15 of the printed bill, as amended, between lines 26 and 27, insert the following:

"Item 149—For construction and improvements, California Institution for Women, seven thousand five hundred dollars.. 7,500.00".

Amendment No. 30.

On page 19, line 36, of the printed bill, as amended, strike out "; provided, however, that", and strike out lines 37 to 52, inclusive; and on page 20, strike out lines 1 to 35, inclusive, and on page 20, line 36, strike out "expended in accordance with the law".

Amendment No. 31.

On page 21, line 6, of the printed bill, as amended, before "dollars", insert the following: "five hundred thousand".

Amendment No. 32.

On page 23, line 30, of the printed bill, as amended, after "owing.", insert the following: "Notwithstanding any power, duty or responsibility heretofore delegated to any State officer, department, board, commission, court or other appointing power to fix, set, prescribe, or otherwise determine any salary, wage or other compensation for services or employment, every salary, wage or other compensation fixed, set, prescribed or otherwise determined by any State officer, department, board, commission, court or other appointing power, for services or employment, which is payable from the appropriations herein contained, must have the approval of the State Department of Finance before it shall become effective and payable."

Amendment No. 33.

On page 23 of the printed bill, as amended, strike out lines 48 to 51, inclusive, and on page 24 strike out lines 1 to 8, inclusive.

Amendments read, and refused adoption by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Dawson, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, and Williamson—30.

NOES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Miller, George P., Muldoon, O'Donnell, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—42.

Statement of Vote.

On this day, Monday, April 26, 1937, I voted to amend Assembly Bill No. 500 for the sole purpose of restoring in the Budget Bill, approximately $8,000,000, that in my opinion should be allocated to direct relief instead of major construction work.

The budget as originally introduced provided for the sum of $48,000,000, to be used for direct relief, but the Ways and Means Committee cut the appropriation approximately $8,000,000.

I am of the firm belief that the unemployment problem is still with us, and will be for some time to come, and it is my desire with my vote to try and provide food and shelter for those who may need it.

JOSEPH F. SHEEHAN.

Motion to Amend Assembly Bill No. 500.

Mr. Cottrell moved to amend Assembly Bill No. 500 as follows:

Amendment No. 1.

On page 21 of the printed bill, as amended, strike out line 18, and insert in lieu thereof the following: "_____ 1,500,000.00".

Amendment read, and refused adoption by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Daley, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Stream, Thorp, Walker, Weber, and Williamson—30.

NOES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Miller, George P., Muldoon, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—42.

Motion to Amend Assembly Bill No. 500.

Mr. Miller moved to amend Assembly Bill No. 500 as follows:

Amendment No. 1.

On page 4, line 51, of the printed bill, as amended, after the word "dollars", insert the following: ", of which the amount of $34,160 shall be expended for support of the Safety Section of the Railroad Commission of the State of California".

Amendment read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Bill No. 500, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 500, as Amended.

Assembly Bill No. 500—An act making an appropriation for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Motion to Amend Assembly Bill No. 500.

Mr. Johnson moved to amend Assembly Bill No. 500 as follows:

Amendment No. 1.

On page 9, line 6, of the printed bill, after the word "dollars", place a semicolon, and then add the following: "provided, that out of the moneys hereby appropriated the sum of twenty thousand dollars ($20,000) shall be used and spent for the salaries of agents in the Division of Industrial Welfare and for no other purposes, whether in said division of the Department of Industrial Relations or for any other purpose of the State."

Amendment read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—73.

NOES—None.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Bill No. 500, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 500, as Amended.

Assembly Bill No. 500—An act making an appropriation for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Motion to Amend Assembly Bill No. 500.

Mr Mayo moved to amend Assembly Bill No. 500 as follows:

Amendment No. 1.

On page 4, lines 50 and 51, of the printed bill, as amended, strike out "eight hundred fifty-seven thousand six hundred one dollars ($857,601.00)", and insert in lieu thereof the following "one million seven thousand six hundred and one dollars ($1,007,601.00)".

Amendment read, and refused adoption by the following vote:

AYES—Beene Breed, Burns, Michael J, Call, Corwin, Cottrell, Cronin, Cunningham, Field, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Stream, Thorp, Walker, and Williamson—30.

NOES—Andreas, Baynham, Boyle, Burns, Hugh M, Cassidy, Clark, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hunt, King, Laughlin, Lore, McMurray, Miller, George P., Millington, Muldoon, O'Donnell, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—45

Motion to Amend Assembly Bill No. 500.

Mr. Mayo moved to amend Assembly Bill No. 500 as follows:

Amendment No. 1.

On page 9, lines 4, 5 and 6, of the printed bill, as amended, strike out "one million two hundred ninety-seven thousand one hundred eighty-five dollars ($1,297,185.00)" and insert in lieu thereof the following: "one million six hundred twenty-five thousand one hundred eighty-five dollars ($1,625,185.00) of which three hundred twenty-eight thousand dollars shall be used for additional safety inspectors"

Amendment read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns Michael J, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—64.

NOES—Boyle, Burns, Hugh M, Garibaldi, King, Laughlin, Lore, Muldoon, O'Donnell, Robertson, Welsh, and Mr Speaker—11.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Bill No. 500, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 500, as Amended.

Assembly Bill No. 500—An act making an appropriation for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Motion to Amend Assembly Bill No. 500.

Mrs Daley moved to amend Assembly Bill No 500 as follows:

Amendment No. 1.

On page 5, line 3, of the printed bill, as amended, strike out "five", and strike out line 4, and insert in lieu thereof the following: "three hundred thousand dollars,".

Amendment No. 2.

On page 5, line 6, of the printed bill, as amended, strike out "$540,000 00", and insert in lieu thereof the following: "$300,000 00"

Amendments read, and refused adoption by the following vote:

AYES—Daley, Flint, Glick, Pelletier, and Welsh—5.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—62.

Motion to Amend Assembly Bill No. 500.

Mrs Daley moved to amend Assembly Bill No. 500 as follows:

Amendment No. 1.

On page 14 of the printed bill, as amended, strike out lines 40 to 43, inclusive.

Amendments read, and refused adoption by the following vote:

AYES—Burns, Hugh M., Daley, Dannenbrink, Flint, Glick, King, Latham, Pelletier, Richie, Tenney, and Turner—11

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

Motion to Amend Assembly Bill No. 500.

Mrs Daley moved to amend Assembly Bill No. 500 as follows:

Amendment No. 1.

On page 19, lines 12 and 13, of the printed bill, as amended, strike out "one million".

Amendment No. 2.

On page 19, line 14, of the printed bill, as amended, strike out "$1,211,000.00", and insert in lieu thereof the following: "$211,000 00".

Amendments read, and refused adoption by the following vote:

AYES—Daley Glick, and Pelletier—3

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

Motion to Amend Assembly Bill No. 500.

Mr. Field moved to amend Assembly Bill No. 500 as follows:

Amendment No. 1.

On page 20, line 3, of the printed bill, as amended, strike out "$497,500.00", and insert in lieu thereof the following: "$12,495 50".

Amendment read, and refused adoption by the following vote:

AYES—Beene, Breed, Burns, Michael J, Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Field, Johnson, Kepple, Latham Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor, Morgan, O'Donnell, Peyser, Scudder, Stream Voigt Walker, and Williamson—31

NOES—Andreas, Baynham, Boyle, Burns, Hugh M, Cassidy, Clark, Daley, Dawson, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Kuchel, Laughlin, Lore, McMurray, Miller, George P, Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Watson, Weber, Welsh, Yorty, and Mr Speaker—43

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M, Burns, Michael J, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon,

Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76

NOES—Dilworth, and Latham—2.

Assembly Bill No. 500, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

NOES—Dilworth, and Latham—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Concurrent Resolution No. 47: By Miss Miller—Relative to approving a certain amendment to the charter of the city of Pasadena, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the first day of April, 1937.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 47, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 47.

Assembly Concurrent Resolution No. 47—Relative to approving a certain amendment to the charter of the city of Pasadena, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the first day of April, 1937.

Assembly Concurrent Resolution No. 47 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 26 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Joint Resolution No. 9.
Assembly Joint Resolution No. 29.
Assembly Concurrent Resolution No. 15.
Assembly Bill No. 69.
Assembly Bill No. 424.
Assembly Bill No. 809.
Assembly Bill No. 1306.
Assembly Bill No. 1440.
Assembly Bill No. 1445.
Assembly Bill No. 1568.
Assembly Bill No. 1607.
Assembly Bill No. 1676.
Assembly Bill No. 1798.
Assembly Bill No. 2420.
Assembly Bill No. 2791.
Assembly Bill No. 2813.
Assembly Bill No. 184.
Assembly Bill. No. 185.
Assembly Bill No. 200.
Assembly Bill No. 203.
Assembly Bill No. 216.
Assembly Bill No. 347.
Assembly Bill No. 352.

And reports the same correctly enrolled, and presented to the Governor on this twenty-sixth day of April, 1937, at three o'clock p m.

CUNNINGHAM, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 113.
Assembly Bill No. 2626.
Assembly Bill No. 2849.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2827.

Respectfully reports the same back with the recommendation Do pass as amended

O'DONNELL, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred

Assembly Bill No. 2848.

Respectfully reports the same back without recommendation, as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

Message from the Governor.

The following message from the Governor was received and read

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, April 26 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

I am returning herewith, without my approval, Assembly Bill No. 448, being

"An act to amend section 1124 of the Probate Code of the State of California, and to add a new section thereto to be known as section 1125 1, relating to testamentary trustees."

In the amendment of section 24, it appears to me, certain safeguards provided for the protection of heirs in the appointment of trustees are removed

Believing that the provision now in the law is desirable from the standpoint above mentioned, I am returning the bill to you as above indicated, without my approval

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 448 ordered on unfinished business calendar

Notices of Motion to Reconsider Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr. Burns, Hugh M, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2814 was refused passage was continued until the next legislative day.

On motion of Mr Tenney, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 72 was refused passage was continued until the next legislative day.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was passed was continued until the next legislative day.

On motion of Mr. Lyon, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 262 was passed was continued until the next legislative day

On motion of Mr. Sawallisch, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No. 216 was passed was continued until the next legislative day.

Adjournment.

At six o'clock and thirty minutes p.m, on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m, Tuesday, April 27, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-NINTH LEGISLATIVE DAY
ONE HUNDRED FOURTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 27, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Love, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Glick, the further reading of the Journal of Monday, April 26, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Meehan, on motion of Mr. Miller.

Mr. Millington, on motion of Mr. Gannon.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Peter J. Kramer, principal, and the following students of Franklin Union Grammar School: Leona Adam, Wilma Luttig, Lois Schmidt, Christena Schlenz, Edna Wagner, Margaret Miller, William Tonini, Erio Mishima, Lowell Sprock, Helen Kandt, Geneva Schmidt, Judith Podbeck, Alvin Rau, John Wagner, Frances Hein, Gerhardt Schuler, Eric Loretz, Arthur Flemmer, Edward Jacobs, Hermann Penner, Manuel Vargas, Jimmy Foster, George Hamatani, Hiroshi Kurosaki, Richard

Klinger, Yasuma Mishima, Tommy Livingstone, Rosie Kolb, Clara Van Vliet, Lendon Wells, and Frieda Hofer.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Margaret Prewett Garfield of San Francisco, honorary past president, Daughters of the Confederacy.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. R. P. Fohey and Mrs. R. W. Johnson of Detroit, Mrs. E. A. Boyd and Mrs. Ray Ingels of Sacramento.

Assistant Clerk Berry Reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following bills:

Senate Bill No. 34.
Senate Bill No. 35.
Senate Bill No. 36.
Senate Bill No. 139.
Senate Bill No. 308.
Senate Bill No. 744.
Senate Bill No. 808.
Senate Bill No. 929.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 26, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 309—An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution and providing for reports in regard to personnel by other officers and employees of the State;

Senate Bill No. 296—An act to amend section 67 of the Code of Civil Procedure of the State of California, relating to the number of superior court judges and providing for the appointment of four additional superior court judges in and for the City and County of San Francisco, and providing for their compensation;

Senate Bill No. 331—An act to amend section 252 and to add section 252.5 to the Fish and Game Code, relating to refuges;

Senate Bill No. 754—An act to amend section 25 of the California Irrigation District Act, relating to the method of declaring the result of the election of officers in an irrigation district, and to the method of filling vacancies which may occur in any of said offices;

Senate Bill No. 719—An act to add section 1324 to the Fish and Game Code relating to muskrats;

Senate Bill No. 639—An act to amend sections 2322x28 and 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class;

Senate Bill No. 172—An act to validate the existence of water conservation districts;

Senate Bill No. 328—An act to provide for the refunding, repayment, and adjustment from public funds, for street and highway purposes, of assessments and bonds which have become a lien upon real property and which were levied to pay the cost of street or highway improvements which are or may become of more than local benefit;

Senate Bill No. 1133—An act to legalize bonds heretofore issued, sold or exchanged or to be issued, sold or exchanged by municipalities for the purpose of acquiring other general obligation bonds of such municipalities or by or for districts therein or for street work or other public improvements, in instances where authority for such issuance has been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 309 read first time, and referred to Committee on Civil Service.

Senate Bill No. 296 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 331 read first time, and referred to Committee on Fish and Game.

Senate Bill No 754 read first time, and referred to Committee on Irrigation.

Senate Bill No. 719 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 639 read first time, and referred to Committee on County Government.

Senate Bill No. 172 read first time, and referred to Committee on Conservation.

Senate Bill No. 328 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1133 read first time, and referred to Committee on Municipal Corporations

SENATE CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Joint Resolution No. 37.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 36—Relative to approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twentieth day of April, 1937.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Dannenbrink asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 36, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 36.

Senate Concurrent Resolution No. 36—Relative to approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twentieth day of April, 1937.

Senate Concurrent Resolution No 36 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, Miller, George P., Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Tenney, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—49.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Call:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 303, 304 and 312 of the Civil Code, relating to directors of corporations

Referred to Committee on Introduction of Bills.

Reports of Standing Committees.

The following report of standing committee was received and read.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Call:

An act to amend sections 303, 304 and 312 of the Civil Code, relating to directors of corporations.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Morgan, O'Donnell, Peck, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—60

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2859: By Mr. Call—An act to amend sections 303, 304 and 312 of the Civil Code, relating to directors of corporations.

Bill read first time, and referred to Committee on Judiciary Codes

Second Reading of Assembly Bills.

Assembly Bill No. 2827—An act declaring a State policy relating to soil conservation through the prevention or control of soil erosion, creating a State Soil Conservation Advisory Committee and defining its duties and authority, providing procedure for the organization, management and dissolution of soil conservation districts and defining their powers, providing for cooperation between the State Soil Conservation Advisory Committee, the United States, the State, counties, soil conservation districts, other public districts, and individuals and corporations, and making an appropriation for paying the expenses of the State Soil Conservation Advisory Committee.

Committee Amendment to Assembly Bill No. 2827.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 13 of the printed bill, strike out lines 17 to 23, inclusive, and insert in lieu thereof the following: "funds shall not exceed two cents on each one hundred dollars of the assessed valuation of the lands within the district, according to the last equalized county assessment roll, provided that the total amount that may be raised by such assessment shall not exceed in the aggregate for the entire district, half as many dollars as there are acres in the district."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2848—An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation.

Committee Amendments to Assembly Bill No. 2848.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304", and insert in lieu thereof the following: "306, 307 and 312"

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "301", and insert in lieu thereof the following: "306".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 25, inclusive, and on page 2 strike out lines 1 to 21, inclusive.

Amendment No. 4.

On page 2, line 22, of the printed bill, after "306.", insert the following: "In counties where inspection is not mandatory State inspection may be conducted by the department whenever requested. Whenever such inspection is requested by the governing body of any county or city and such inspection is inaugurated the provisions of this article shall apply throughout such county or city, as the case may be."

Amendment No. 5.

On page 3, line 1, of the printed bill, strike out "4", and insert in lieu thereof the following "2".

Amendment No. 6.

On page 3, line 32, of the printed bill, after "section", insert the following "of a county in which the inspection provisions of this article are mandatory".

Amendment No. 7.

On page 3 of the printed bill, strike out lines 49 to 52, inclusive, and on page 4, strike out lines 1 to 20, inclusive.

Amendment No. 8.

On page 4, line 21, of the printed bill, strike out "6", and insert in lieu thereof the following: "3".

Amendment No. 9.

On page 4, line 24, of the printed bill, after "consumption", insert the following "in any county of the State, in which section 305 is effective".

Amendment No. 10.

On page 4, line 26, of the printed bill, after "director", insert the following: "or the local health authority".

Amendment No. 11.

On page 4, line 30, of the printed bill, after "director", insert the following: "or local health authority.".

Amendment No. 12.

On page 4, line 31, of the printed bill, after "department", insert the following: "or municipal inspection department".

Amendment No. 13.

On page 4, line 35, of the printed bill, after "director", insert the following: "or local health authority".

Amendment No. 14.

On page 4, line 39, of the printed bill, after "director", insert the following: "or local health authority".

Amendment No. 15.

On page 4, line 44, of the printed bill, after the quotation mark following the period, insert the following: "Such establishment shall pay for such inspection service a fee in the amount designated by the municipal inspection department, if any, having jurisdiction but if such inspection service is rendered by the State the establishment shall pay no fee therefor."

Amendment No. 16.

On page 5 of the printed bill, strike out lines 7 to 23, inclusive.

Amendment No. 17.

On page 5, line 24, of the printed bill, strike out "9", and insert in lieu thereof the following: "4".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2708—An act making an appropriation for the establishment, maintenance and support of an industrial workshop and sales room for the adult blind in San Diego.

Committee Amendment to Assembly Bill No. 2708.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, following line 8, insert the following:

"The Director of Institutions is hereby authorized to acquire by purchase or gift the property of any corporation, association, or club organized for the benefit of or assistance to the blind, if in his judgment such acquisition constitutes the most effective means of establishing or assisting in the establishment of such industrial workshop and salesroom for the adult blind in the city of San Diego."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Consideration of Governor's Veto to Assembly Bills.

Assembly Bill No. 1679—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds in civil actions or proceedings.

The question being put: Shall Assembly Bill No. 1679 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Cassidy, Clark, Dannenbrink, Dawson, Donihue, Gannon, Garibaldi, Garland, King, Lore, Patterson, Peek, Pelletier, Richie, Rosenthal, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—26.

NOES—Baynham, Breed, Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Dilworth, Donnelly, Field, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, Morgan, Muldoon, O'Donnell, Peyser, Scudder, Sheehan, Stream, Walker, and Weber—31.

Assembly Bill No. 1682—An act to amend section 566 of the Code of Civil Procedure, relating to restrictions on appointment of receiver.

The question being put: Shall Assembly Bill No. 1682 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Cassidy, Clark, Dannenbrink, Dawson, Donihue, Fulcher, Gannon, Garibaldi, Garland, Hawkins, King, Lore, Patterson, Pelletier, Richie, Rosenthal, Tenney, Turner, Voigt, Watson, Welsh, Yorty and Mr. Speaker—26.

NOES—Beene, Burns, Michael J., Cottrell, Cronin, Cunningham, Dilworth, Donnelly, Field, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, Morgan, Peyser, Reaves, Redwine, Scudder, Sheehan, Stream, Thorp, Walker and Weber—30.

Assembly Bill No. 448—An act to amend section 11.4 of an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors.' approved March 16, 1907," approved May 24, 1933, relating to land surveyors.

The question being put: Shall Assembly Bill No. 448 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Boyle, Dannenbrink, Hunt, King, Patterson, Pelletier, Rosenthal, Tenney, Welsh, Yorty, and Mr. Speaker—12.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, and Williamson—54

Motion to Withdraw Senate Bill No. 579 from Committee.

In compliance with a notice given on a previous day, Mr. Clark moved to withdraw Senate Bill No. 579 from the Committee on Oil Industries, and have it placed upon the second reading calendar.

The roll was called, and Senate Bill No 579 withdrawn by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sheehan, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—Beene, Field, Glick, Muldoon, Sawallisch, Turner, and Welsh—7.

Second Reading of Senate Bill No. 579.

Senate Bill No. 579—An act relating to certain State lands and the production and disposition of oil, gas and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in conflict therewith, and making appropriations for carrying out its purposes.

Bill read second time, and ordered on third reading calendar.

Special Order Set for Senate Bill No. 579.

On motion of Mr. Clark, the consideration of Senate Bill No 579 was made a special order of business for Wednesday, April 28, 1937, at two o'clock p.m.

Motion to Continue Special Orders.

On motion of Mr. Clark, the consideration of Assembly Bills Nos. 2090, 267, and 1455, heretofore set for special orders at two o'clock p.m., this day, were continued as a special order of business until Wednesday, April 28, 1937, at two o'clock p.m.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1230—An act to amend section 508 of the Agricultural Code, relating to cheese standards

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1230?

Amendment No. 1.

On page 1, line 13, of the printed bill, strike out the words "in forms", and the comma.

Amendment No. 2.

On page 2, line 8, of the printed bill, strike out the words "fifty-two", and insert in lieu thereof the words "fifty-six"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1230 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

NOES—None

Assembly Bill No 1230 ordered to enrollment

Assembly Bill No. 1223—An act to amend sections 81, 504, 511, 525, 550, 576, 590 and 602 of, and to add sections 512 and 596.5 to the

Vehicle Code, relating to vehicles, the operation and equipment thereof, and certain crimes in relation thereto.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1223?

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, after "vehicle", insert the following: "or the contents thereof".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 1223 by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1223 ordered to enrollment.

Assembly Bill No. 1218—An act to amend sections 372, 702, 703, 704 and 705 of the Vehicle Code, relating to fees and weights of vehicles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1218?

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out the figures "$50.00", and insert in lieu thereof the figures "$28.25".

Amendment No. 2.

On page 1, line 17, of the printed bill, strike out the figures "$70.00", and insert in lieu thereof the figures "$50.00".

Amendment No. 3.

On page 1, line 18, of the printed bill, strike out the figures "$90.00", and insert in lieu thereof the figures "$80.00"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1218 by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—59.

NOES—None.

Assembly Bill No. 1218 ordered to enrollment.

Reconsideration of Assembly Bill No. 276.

In compliance with a notice given on a previous day, Mr. Cassidy moved that the vote whereby Assembly Bill No. 276 was passed be reconsidered.

The roll was called, and Assembly Bill No. 276 refused reconsideration by the following vote:

AYES—Burns, Michael J., Cassidy, Cronin, Crowley, Cunningham, Donihue, Field, Flint, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Latham, Lyon, Maloney, McMurray, Patterson, Pelletier, Reaves, Sheehan, and Weber—23.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Clark, Corwin, Cottrell, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Hunt, Johnson, Kepple, King, Levey, Lore, Martin, Mayo, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peek, Peyser, Redwine, Richie, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—44.

Assembly Bill No. 276 ordered transmitted to the Senate

Notices of Motion to Reconsider Continued.

On motion of Mr. Burns, Hugh M., the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2814 was refused passage was continued until the next legislative day.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 2375 was passed was continued until the next legislative day.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was refused passage was continued until the next legislative day.

On motion of Mr. Sawallisch, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No. 216 was passed was continued until the next legislative day.

On motion of Mr. Tenney, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 72 was refused passage was continued until the next legislative day.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

Notice of Motion to Reconsider Assembly Bill No. 262 Waived.

Mr. Lyon waived his notice of motion to reconsider the vote whereby Assembly Bill No. 262 was passed.

Assembly Bill No. 262 ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 2283—An act to amend section 4300-1 of the Political Code, relating to fees in municipal courts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pevser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 692—An act to amend section 7 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties and compensation of a State Mineralogist, who shall perform

the duties of the office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, as amended, relating to the office of the State Mineralogist.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Gannon moved a call of the Assembly.

Motion carried by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Cassidy, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Lyon, Martin, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—50

NOES—Burns, Michael J., Cronin, Dawson, Leonard, Levey, Lore, Maloney, Peyser, Sheehan, and Williamson—10.

Time, three o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Senate Bills.

Senate Bill No. 1094—An act to amend section 3714 of the Political Code, relating to annual financial estimates of counties.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine Richie, Rosenthal, Scudder, Sheehan, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Senate Bill No. 1094 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal,

Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Welsh, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 445—An act to repeal an act entitled "An act providing for the setting aside of moneys raised for building purposes by school districts for three fiscal years and the expenditures of such moneys thereafter," approved April 22, 1929, and to add to Chapter I of Part III of Division IV of the School Code a new article to be known as Article IIa, relating to accumulation and expenditure of funds by school districts for capital outlay purposes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At three o'clock and fifty-five minutes p m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Desmond.

The roll of absentees was called, and Assembly Bill No. 692 refused passage by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Corwin, Crowley, Daley, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Kepple, Kuchel, Lore, Martin, Miller, Eleanor; Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Tenney, Thorp, Turner, Voigt, Walker, and Yorty—35.

NOES—Boyle, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Field, Glick, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Mayo, McMurray, Miller, George P., Muldoon, O'Donnell, Peyser, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Watson, Weber, Welsh, Williamson, and Mr. Speaker—41.

Notice of Motion to Reconsider Assembly Bill No. 692.

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 692 was this day refused passage.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Johnson:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the support of the University of California

Referred to Committee on Introduction of Bills.

By Mr. Boyle:

ASSEMBLY CHAMBER, SACRAMENTO April 27, 1937.

MR SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act providing for the acquisition of lands for, and the construction, maintenance and operation of buildings at the Pacific Exposition and Mercado to be held in the county of Los Angeles, State of California, providing for the exhibiting of

products, resources of and other matters pertaining to the State of California at said Pacific Exposition and Mercado, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

By Mr. Dannenbrink:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add Article IIA to Chapter I, Part IV, Division II, of the School Code, relating to the State Board of Education.

Referred to Committee on Introduction of Bills

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Johnson:

An act making an appropriation for the support of the University of California.

By Mr. Boyle:

An act providing for the acquisition of lands for, and the construction, maintenance and operation of buildings at the Pacific Exposition and Mercado to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition and Mercado, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

By Mr. Dannenbrink

An act to add Article IIA to Chapter I, Part IV, Division II, of the School Code, relating to the State Board of Education.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2860: By Mr. Johnson—An act making an appropriation for the support of the University of California.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2861: By Mr. Boyle—An act providing for the acquisition of lands for, and the construction, maintenance and operation of buildings at the Pacific Exposition and Mercado to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition and Mercado, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2862: By Mr. Dannenbrink—An act to add Article IIa to Chapter I, Part IV, Division II, of the School Code, relating to the State Board of Education

Bill read first time, and referred to Committee on Education.

Motion to Print Explanation of Vote on Assembly Bill No. 500 in Journal.

Mr Lyon moved that an explanation of vote by the Republican members on Assembly Bill No 500, on April 26, 1937, be printed in the Journal

Motion to Amend Motion to Print Explanation of Vote in Journal.

Mr. McMurray moved to amend the motion as follows: That an explanation of vote by the Democratic members on Assembly Bill No 500 be printed together with a statement of vote by the Republican members

Amendment to motion adopted

The question being on the motion by Mr Lyon, as amended

Motion to Adjourn.

Mr. Flint moved that the Assembly adjourn until the hour of eleven o'clock a.m., Wednesday, April 28, 1937.

The roll was called, and the motion to adjourn lost by the following vote:

AYES—Crowley, Donohue, Flint, Gilbert, Patterson, Pelletier, and Reaves—7.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—50.

Demand for Previous Question.

Messrs. Welsh, Flint, Lore, Johnson and Pelletier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Lyon, as amended.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donohue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Vogt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68

NOES—None.

Pursuant to the amended motion, the Speaker ordered the explanations of vote printed in the corrected Journal of April 28, 1937.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2732—An act to amend the title and sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, as amended, relating to cleaning and dyeing.

Motion to Amend Assembly Bill No. 2732.

Mr. King moved to amend Assembly Bill No. 2732 as follows:

Amendment No. 1.

On page 2, line 36, of the printed bill, as amended, after "cleaning", and before "dyeing", insert the following: "and".

Amendment No. 2.

On page 2, line 43, of the printed bill, as amended, after "public", strike out the comma, and strike out "but whereon", and insert in lieu thereof a period.

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 44 and 45.

Amendment No. 4.

On page 2, line 51, of the printed bill, as amended, after "finishing", strike out the balance of said line, and insert a period in lieu of the comma.

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out lines 1 and 2.

Amendments adopted.

Assembly Bill No. 2732 ordered to reprint, and re-engrossment.

Assembly Bill No. 2501—An act to add sections 6.5, 8.5, 9.5 and 9.7 to, and amend sections 7, 8, 9, 37 and 38 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Motion to Amend Assembly Bill No. 2501.

Mr. Cottrell moved to amend Assembly Bill No. 2501 as follows:

Amendment No. 1.

Strike out line 2 of the title of the printed bill, as amended, and insert in lieu thereof the following: "sections 7, 9, 37, and 38 of, and to repeal section 8 of,".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out line 8, and insert in lieu thereof the following: "hereby repealed."

Amendments adopted.

Assembly Bill No. 2501 ordered to reprint, and re-engrossment.

Assembly Bill No. 1521—An act to amend section 44 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Motion to Amend Assembly Bill No. 1521.

Mr. Maloney moved to amend Assembly Bill No. 1521 as follows:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, after "employees", in strike out type, strike out "workers", and insert in lieu thereof the following: "a worker".

Amendment No. 2.

On page 1, line 10, of the printed bill, as amended, after "of the", strike out "general", and after "required of", strike out "employers", and insert in lieu thereof the following: "his employer".

Amendments adopted.

Assembly Bill No. 1521 ordered to reprint, and re-engrossment.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2244 re-referred to Committee on Insurance.

Assembly Bill No. 1824 re-referred to Committee on Agriculture.

Assembly Bill No. 1852 re-referred to Committee on Education.

Assembly Bill No. 2414 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 860 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 119 re-referred to Committee on Motor Vehicles

Assembly Bill No. 659 re-referred to Committee on Crime Problems.

Assembly Bill No. 2224 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 2350 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2645 re-referred to Committee on Education

Assembly Bill No. 1581 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2704 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2705 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 353 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 2521 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1452 re-referred to Committee on Unemployment

Assembly Bill No. 88 re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 1886 re-referred to Committee on Ways and Means

Assembly Constitutional Amendment No 22 re-referred to Committee on Constitutional Amendments.

Withdrawal and Re-reference of Assembly Bill No. 427.

On motion of Mr. Burns, Hugh M., Assembly Bill No. 427 was withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means

Notices of Motion to Withdraw Bills from Committee.

Mr Cottrell gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 1473 from the Committee on Judiciary General, and have it placed upon the calendar.

Mr. Tenney gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No 1028 from the Committee on Judiciary Codes, and have it placed upon the calendar

Mr. Tenney gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 639 from the Committee on Crime Problems, and have it placed upon the calendar.

Mr. Yorty gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 84 from the Committee on Public Morals, and have it placed upon the calendar.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 47.
Assembly Bill No. 88.
Assembly Bill No. 715.
Assembly Bill No. 931.
Assembly Bill No. 1035.
Assembly Bill No. 1452.
Assembly Bill No. 1740.
Assembly Bill No. 1886.
Assembly Bill No. 89.
Assembly Bill No. 290.
Assembly Bill No. 2176.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 425.	**Assembly Bill No. 864.**
Assembly Bill No. 469.	**Assembly Bill No. 865.**
Assembly Bill No. 694.	**Assembly Bill No. 989.**
Assembly Bill No. 737.	**Assembly Bill No. 1069.**
Assembly Bill No. 857.	**Assembly Bill No. 1217.**

And reports the same correctly enrolled, and presented to the Governor on this twenty-seventh day of April, 1937, at ten o'clock a.m.

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 986.
Assembly Bill No. 1184.
Assembly Bill No. 1235.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 1265.
Assembly Bill No. 1266.

Respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bills ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 2048.

Respectfully reports the same back with the recommendation: Do pass as amended.

RICHIE, Chairman.

The above reported bill ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred

Assembly Bill No. 1570.

Respectfully reports the same back without recommendation, as amended.

ANDREAS, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred.

Assembly Bill No. 2847.

Respectfully reports the same back with the recommendation: Do pass as amended.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred

Senate Bill No. 963.
Assembly Bill No. 2250.

Respectfully reports the same back without recommendation, as amended

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred.

Assembly Bill No. 2452.	**Senate Bill No. 667.**
Senate Bill No. 160.	**Senate Bill No. 766.**

Respectfully reports the same back with the recommendation: Do pass as amended

HORNBLOWER, Chairman

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR SPEAKER: Your Committee on County Government, to which was referred:
Assembly Bill No. 1642.
Senate Bill No. 168.
Respectfully reports the same back with the recommendation: Do pass as amended.
LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER Your Committee on County Government, to which was referred:
Assembly Bill No. 621.
Respectfully reports the same back without recommendation, as amended.
LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred.
Senate Bill No. 195.
Senate Bill No. 286.
Senate Bill No. 572.
Senate Bill No. 965.
Senate Bill No. 1036.
Senate Bill No. 1071.
Senate Bill No. 1072.
Senate Bill No. 1113.
Senate Bill No. 1125.
Assembly Bill No. 2854.
Respectfully reports the same back with the recommendation: Do pass
LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred.
Senate Bill No. 491.
Senate Bill No. 912.
Senate Bill No. 992.
Senate Bill No. 1119.
Respectfully reports the same back with the recommendation Do pass.
ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:
Assembly Bill No. 272.
Respectfully reports the same back with the recommendation: Do pass.
ANDREAS, Chairman

The above reported bill ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR SPEAKER: Your Committee on Crime Problems, to which was referred:
Assembly Bill No. 665.
Respectfully reports the same back with the recommendation: Do pass.
RICHIE, Chairman.

The above reported bill ordered on second reading calendar

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred
Senate Bill No. 237.
Respectfully reports the same back with the recommendation: Do pass
CRONIN, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred

Assembly Bill No. 513.
Assembly Bill No. 1563.
Assembly Bill No. 1576.
Assembly Bill No. 1577.
Assembly Bill No. 1606.
Assembly Bill No. 1608.
Assembly Bill No. 1609.
Assembly Bill No. 1780.
Assembly Bill No. 1826.
Assembly Bill No. 2753.

Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Vice Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred

Assembly Bill No. 123.
Assembly Bill No. 614.
Assembly Bill No. 1250.
Assembly Bill No. 1575.
Assembly Bill No. 1605.
Assembly Bill No. 2502.
Assembly Bill No. 2805.

Respectfully reports the same back with the recommendation: Do pass as amended

O'DONNELL, Vice Chairman

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred

Assembly Bill No. 840.
Senate Bill No. 1070.

Respectfully reports the same back with the recommendation: Do pass as amended.

KING, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 641.
Assembly Bill No. 1588.

Respectfully reports the same back without recommendation, as amended.

KING, Chairman,

The above reported bills ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Senate Bill No. 135.
Senate Bill No. 1028.
Senate Bill No. 1114.
Assembly Bill No. 1764.
Assembly Bill No. 2554.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1146.
Assembly Bill No. 1629.

Respectfully reports the same back with the recommendation: Do pass as amended

CLARK, Chairman

The above reported bills ordered on second reading calendar

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 1481.

Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 1704.
Assembly Bill No. 2062.
Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

Adjournment.

At four o'clock and thirty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock and thirty minutes p.m., Wednesday, April 28, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTIETH LEGISLATIVE DAY
ONE HUNDRED FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 28, 1937

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair
Chief Clerk James G. Smyth at the desk

Roll Call.

The roll was called.

Call of the Assembly.

Mr. Latham moved a call of the Assembly.

Motion carried.

Time, eleven o'clock and fifteen minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Beene, Burns, Hugh M., Cottrell, Crowley, Cunningham, Dilworth, Field, Flint, Gilbert, Hunt, Kepple, Latham, Leonard, Levey, Maloney, Martin, Miller, George P., Morgan, Muldoon, Peyser, Redwine, Richie, Robertson, Tenney, Watson, Weber, Yorty, and Mr. Speaker—29

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Further Proceedings Under Call of the Assembly Dispensed With.

At eleven o'clock and thirty-five minutes a.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Latham.

The roll of absentees was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawtelle, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Morgan, the further reading of the Journal of Tuesday, April 27, 1937, was dispensed with

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:
Mr Millington, on motion of Mr. Gannon.
Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mary Hallawell, and Miss Evodne Moore of San Leandro.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Pearl F. Friedman of Hollywood, Mrs. Barnet Bermon and Mrs. Shella R. Harris of Glendale, Mrs. J. Halevi of Pasadena and Mrs. Grace Nebel of Sacramento.

On request of Messrs Cassidy, and Donihue, the privilege of the floor of the Assembly Chamber for this day was extended to Raymond Riese, Egbert M Polley, instructors of San Leandro High School and 96 students.

On request of Miss Miller and Mr Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. O. Nay, Chairman of the Board of Directors. C. W Koiner, City Manager, and Harold P. Huls, City Attorney, of Pasadena.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John T. Rudder, Jr., and James W Harvey, attorneys at law of San Francisco.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Rex Lauck, Richmond, California, and Dr. Charles J. Parshall and Thomas D. Johnson, Jr, of Brentwood.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Roy Rosenberg, Managing Editor of the Inglewood Daily News, and Sam L. Hill, Immediate Past President, Inglewood Chamber of Commerce.

146—45260

Explanation of Vote on Assembly Bill No. 500.

Pursuant to Mr. Lyon's motion of April 27, 1937, the following explanations of vote were ordered printed in the Journal

Statement of Vote by Republican Members.

The undersigned members of the Assembly offer the following as explanatory of the votes cast by them on April 26, 1937, on the passage of Assembly Bill No. 500, called the "Budget Bill":

The Assembly Committee on Ways and Means, by vote of the Democratic majority members, made certain amendments to the bill which were objected to by the signers hereof as inimical to the interests of the citizens of California. Items amounting to $6,201,000, originally incorporated in the budget for major and minor construction in various State mental and corrective institutions and hospitals, were deleted from the bill and set up under the relief provisions of the measure.

There being no likelihood of Federal assignment of funds for unemployment aid to cover the purchase of equipment needed for these institutions, the inclusion of these amounts under relief provisions is abortive.

We also protest the item of $497,500 appropriated for the Santa Barbara State College at the instigation of the Chairman of the Committee on Ways and Means as discriminatory and unfair when compared to the paltry allowances granted other State colleges

We have voted for the Budget Bill as amended by the committee only because a negative vote would mean a substantial reduction in general fund appropriations by the amount of $65,139,220, all of which would seriously cripple the functions of our State Government.

While this amended budget purports to reduce the amount of the submitted budget, as a matter of fact it increases the budget, as the Democratic members propose to carry certain capital investments contemplated in the original budget in separate bills. The total of the final State expenditures will, therefore, be in excess of the budget by over $4,000,000.

WM. B HORNBLOWER
CHARLES W. LYON.
JEFFERSON PEYSER
C. DON FIELD.
KENT H. REDWINE
ELEANOR MILLER.
THOMAS H. KUCHEL
JIM THORP.
C. C. COTTRELL.
HUBERT B. SCUDDER
EDGAR C. LEVEY.
THOMAS J. CUNNINGHAM
GEOFFREY F. MORGAN.
FRANK G. MARTIN.
CLARENCE R WALKER
GERALD C. KEPPLE
CHARLES W. STREAM.
ADRON A. BEENE.
ARTHUR H. BREED, JR
GARDINER JOHNSON.
THOMAS A. MALONEY.
KENNETT B. DAWSON
CHARLES M. WEBER.
MELVYN T. CRONIN.
RAY WILLIAMSON.
JESSE M. MAYO.
MICHAEL J. BURNS
NELSON S DILWORTH.
JACOB M LEONARD

Statement of Vote by Democratic Members.

In view of the misstatements inserted in the Journal by the Republican members in explanation of their vote on Assembly Bill No. 500—the Budget Bill—the undersigned Democratic members hereby submit the following explanation of their vote in connection with the said bill:

The Federal Government has followed the consistent policy of subsidizing States on work relief projects. The Governor and Republican majority have consistently refused to take advantage of this policy of the Federal Government. They propose to make the California taxpayers bear the whole burden of construction and improvement work on State institutions. The Democratic majority did not change the proposed appropriations—they only placed them in the Unemployment Relief Budget in order that the State of California might gain from $1,000,000 to $4,000,000 in Federal subsidies.

With reference to the Santa Barbara State College, the Federal Government is likewise matching this appropriation and the citizens of Santa Barbara are donating approximately $2,000,000 in buildings to the institution and the Democratic members are only being consistent in their steadfast policy of supporting public education when they voted for this appropriation.

The Republican members have desperately endeavored to contend that the Democratic majority are spendthrifts and have increased the budget. The fact of the matter is, by the simple process of addition of the appropriation items the sum total difference between the budget proposed by the Governor and the budget enacted by the Democratic majority saves the taxpayers of California $4,000,000, provides adequately for all the proper functions of government and enables the State to obtain funds from the Federal Government that would not otherwise be forthcoming.

The Republican members of the Committee on Ways and Means and on the floor have been almost without exception in favor of increasing beyond all reason State expenditures, both in the budget and in separate appropriation bills. Their action is dictated by nothing more than petty political strategy, their intention being to label the Democratic majority as spendthrifts. Now that their strategy has failed they are desperately seeking to justify their actions.

For the reasons above set forth, we voted for Assembly Bill No. 500.

BEN ROSENTHAL.
CLYDE A. WATSON.
PAUL PEEK.
JOHN G. CLARK.
AUGUSTUS F. HAWKINS.
JOHN B. PELLETIER
F. L. BAYNHAM.
FRED P. MULDOON
FRED P. GLICK.
GENE FLINT.
RALPH LOUIS WELSH
SAMUEL W. YORTY.
WILBUR F. GILBERT.
FRED REAVES
ALFRED W. ROBERTSON
JACK B. TENNEY
PAUL A. RICHIE
JEANETTE E. DALEY
GORDON H. GARLAND.
RODNEY L. TURNER.
CLINTON J. FULCHER
LEON M. DONIHUE
HENRY P. MEEHAN
JAMES J. BOYLE
WM. MOSELEY JONES
CECIL R. KING.
FRANK D. LAUGHLIN
ELMER E. LORE.
JOHN H. O'DONNELL
S. L. HEISINGER
P. J. McMURRAY.
ELLIS E. PATTERSON
HUGH P. DONNELLY
CHESTER F. GANNON
JAMES D. GARIBALDI
GEO. P. MILLER.
ERNEST O. VOIGT
JOSEPH F. SHEEHAN
HUGH M. BURNS.
EARL D. DESMOND
CHARLES A. HUNT
JAMES M. CASSIDY

Senate Messages.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 254—An act to amend sections 377h, 377i, and 377j of the Political Code, relating to the Department of Professional and Vocational Standards and the boards and commissions comprising the department or subject to its jurisdiction;

Senate Bill No. 690—An act to create a Commission to Promote Traffic Safety upon the streets and highways of this State.

Senate Bill No. 1122—An act to amend section 78 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State employees' retirement system

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 254 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 690 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No 1122 read first time, and referred to Committee on Civil Service.

SENATE CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Assembly Bill No. 1407.
Assembly Bill No. 1408.
Assembly Bill No. 1411.
Assembly Bill No. 279.
Assembly Bill No. 436.
Assembly Bill No. 467.
Assembly Bill No. 584.
Assembly Bill No. 797.
Assembly Bill No. 963.
Assembly Bill No. 970.
Assembly Bill No. 1700.
Assembly Bill No. 1938.
Assembly Bill No. 2198.
Assembly Bill No. 2456.
Assembly Bill No. 2457.
Assembly Bill No. 2474.
Assembly Bill No. 2799.
Assembly Bill No. 2810.
Assembly Bill No. 1277.
Assembly Bill No. 1699.
Assembly Concurrent Resolution No. 46.
Assembly Concurrent Resolution No. 47.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to your request, and to a motion adopted in the Senate in connection therewith, Assembly Bill No. 2732 was returned to your body on date of April 23, 1937; that on this date the Senate rescinded action by which certain amendments were adopted thereto:

Assembly Bill No. 2732.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 28, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 104.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Second Reading of Assembly Bills.

Assembly Bill No. 1265—An act to revise an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers,

duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith,'' approved May 5, 1927, as amended, relating to the practice of veterinary medicine and surgery, and repealing acts and parts of acts specified herein.

Committee Amendments to Assembly Bill No. 1265.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, strike out lines 32 and 33, and insert in lieu thereof the following: "branches, or who diagnoses, prescribes or administers a drug, medicine,".

Amendment No. 2.

On page 3, line 34, of the printed bill, after "application", strike out the comma and "operation".

Amendment No. 3.

On page 3, line 36, of the printed bill, after "animals", insert a comma and the following: "or who performs a surgical operation upon an animal".

Amendment No. 4.

On page 3, lines 44 and 45, of the printed bill, strike out "treating any animal belonging to himself or herself.", and insert in lieu thereof the following: "practicing veterinary medicine upon his own animals or from being assisted in such practice by his employees or by some other person gratuitously, who does not represent, directly or indirectly, that he is engaged in the practice of veterinary medicine."

Amendment No. 5.

On page 4, line 40, of the printed bill, strike out "sell or".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1266—An act to revise Chapter 11 of Division II of the Business and Professions Code, relating to practice of veterinary medicine and surgery.

Committee Amendments to Assembly Bill No. 1266.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 4, of the printed bill, after "term", insert the following: ", within thirty days after they occur".

Amendment No. 2.

On page 3 of the printed bill, strike out lines 13 and 14, and insert in lieu thereof the following:

"(b) Diagnoses, prescribes or administers a drug, medicine, appliance".

Amendment No. 3.

On page 3, line 15, of the printed bill, after "application", strike out the comma and "operation".

Amendment No. 4.

On page 3 of the printed bill, between lines 17 and 18, insert the following:

"(c) Performs a surgical operation upon an animal."

Amendment No. 5.

On page 3, line 18, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendment No. 6.

On page 3 of the printed bill, strike out line 26, and insert in lieu thereof the following: "practicing veterinary medicine upon his own animals or from being assisted in such practice by his employees or by some other person gratuitously, who does not represent, directly or indirectly, that he is engaged in the practice of veterinary medicine."

Amendment No. 7.

On page 6, line 8, of the printed bill, strike out "sell or".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2048—An act to add section 538ee to the Penal Code, relating to secondhand goods.

Committee Amendments to Assembly Bill No. 2048.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 4, and insert in lieu thereof the following: "corporation engaged in the business of buying for resale any secondhand goods, wares, or merchandise to buy or accept for trade purposes any".

Amendment No. 2.

On page 1 of the printed bill, between lines 16 and 17, insert the following:

"This section shall not apply to any person, firm, or corporation which is not engaged in the business of buying for resale any secondhand goods, wares, or merchandise, but which may, as an incident to a regular course of business, purchase and resell grain bags, milk cans, milk bottles, egg cases, egg crates or cement bags,".

Amendment No. 3.

On page 1, line 7, of the printed bill, after "vehicle", insert the following: "registered to him".

Amendment No. 4.

On page 1, line 13, of the printed bill, after "office", insert the following: "of the local police department, or, if none, to the office".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1570—An act to amend section 4041.6 of the Political Code, relating to the appropriation and expenditure of funds by boards of supervisors.

Committee Amendments to Assembly Bill No. 1570.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 26, of the printed bill, after the period, and a part of the same paragraph, insert the following: "Such studies and surveys may include area within the incorporated limits of any city or outside the territorial limits of the county making the studies and surveys provided that such studies and surveys are for the purpose of protecting beaches within the county making the studies and surveys."

Amendment No. 2.

On page 1 of the printed bill, between lines 26 and 27, insert the following:

"(g) The making of studies and surveys of any area within the county, including areas within any incorporated city, for the purpose of preparing plans for drainage of areas subject to inundation or overflow; the preparation of all necessary maps, plats, plans and specifications for such drainage work; providing for all necessary supervision and inspection incidental to the performance of such drainage work where such drainage work is performed by other agencies; such supervision, inspection, studies, surveys and preparation of maps, plats, plans and specifications to be approved by the county surveyor of the respective counties."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2847—An act to define cemetery brokers and cemetery salesmen; to provide for the regulation, supervision, examination and licensing thereof by the State Real Estate Division and Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof, and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 2847.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, between the enacting clause and line 1, insert the following:

"Article 1. General Provisions."

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out "2.1", and insert in lieu thereof the following: "3".

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "2.2", and insert in lieu thereof the following: "4".

Amendment No. 4.

On page 1, line 10, of the printed bill, strike out "2.3", and insert in lieu thereof the following: "5".

Amendment No. 5.

On page 1, line 12, of the printed bill, strike out "2.4", and insert in lieu thereof the following: "6".

Amendment No. 6.

On page 1, line 14, of the printed bill, strike out "2.5", and insert in lieu thereof the following: "7".

Amendment No. 7.

On page 1, line 16, of the printed bill, strike out "2.6", and insert in lieu thereof the following: "8".

Amendment No. 8.

On page 1, line 21, of the printed bill, strike out "2.7", and insert in lieu thereof the following: "9".

Amendment No. 9.

On page 2, line 3, of the printed bill, strike out "2.8", and insert in lieu thereof the following: "10".

Amendment No. 10.

On page 2, line 6, of the printed bill, strike out "2.9", and insert in lieu thereof the following: "11".

Amendment No. 11.

On page 2, line 9, of the printed bill, strike out "2.10", and insert in lieu thereof the following: "12".

Amendment No. 12.

On page 2, line 13, of the printed bill, strike out "2.11", and insert in lieu thereof the following: "13".

Amendment No. 13.

On page 2, line 17, of the printed bill, strike out "2.12", and insert in lieu thereof the following: "14".

Amendment No. 14.

On page 2, line 19, of the printed bill, strike out "2.13", and insert in lieu thereof the following: "15".

Amendment No. 15.

On page 2, line 21, of the printed bill, strike out "2.14", and insert in lieu thereof the following: "16".

Amendment No. 16.

On page 2 of the printed bill, between lines 23 and 24, insert the following:

"SEC. 17. Article and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of this act.

Article 2. Scope of the Act."

Amendment No. 17.

On page 2, line 24, of the printed bill, strike out "3", and insert in lieu thereof the following: "25".

Amendment No. 18.

On page 2, line 28, of the printed bill, strike out "4", and insert in lieu thereof the following: "26".

Amendment No. 19.

On page 2, line 46, of the printed bill, strike out "5", and insert in lieu thereof the following: "27".

Amendment No. 20.

On page 3 of the printed bill, between lines 3 and 4, insert the following:

"Article 3. Administration Generally."

Amendment No. 21.

On page 3, line 4, of the printed bill, strike out "6", and insert in lieu thereof the following: "35".

Amendment No. 22.

On page 3, line 6, of the printed bill, strike out "Sec. 7."

Amendment No. 23.

On page 3, line 16 of the printed bill, strike out "8", and insert in lieu thereof the following: "36".

Amendment No. 24.

On page 3, line 21, of the printed bill, strike out "9", and insert in lieu thereof the following: "37".

Amendment No. 25.

On page 3, line 24, of the printed bill, strike out "10", and insert in lieu thereof the following: "38".

Amendment No. 26.

On page 3, line 30, of the printed bill, strike out "11", and insert in lieu thereof the following: "39".

Amendment No. 27.

On page 3, line 32, of the printed bill, strike out "12" and insert in lieu thereof the following: "40".

Amendment No. 28.

On page 3 of the printed bill, between lines 35 and 36, insert the following:
"Article 4. Licenses."

Amendment No. 29.

On page 3, line 36, of the printed bill, strike out "13", and insert in lieu thereof the following: "50".

Amendment No. 30.

On page 3, line 37, of the printed bill, strike out "2.6 and 2.7", and insert in lieu thereof the following: "8 and 9".

Amendment No. 31.

On page 3, line 39, of the printed bill, strike out "13.1", and insert in lieu thereof the following: "51".

Amendment No. 32.

On page 3, line 44, of the printed bill, strike out "13.2", and insert in lieu thereof the following: "52".

Amendment No. 33.

On page 3, line 49, of the printed bill, strike out "13.3", and insert in lieu thereof the following: "53".

Amendment No. 34.

On page 4 of the printed bill, between lines 2 and 3, insert the following:
"Article 5. Broker's License."

Amendment No. 35.

On page 4, line 3, of the printed bill, strike out "14", and insert in lieu thereof the following: "60".

Amendment No. 36.

On page 4 of the printed bill, strike out line 9, and insert in lieu thereof the following: "the applicant.
SEC. 61. If the applicant has resided or engaged in".

Amendment No. 37.

On page 4, line 17, of the printed bill, before "Where", insert the following: "SEC. 62."

Amendment No. 38.

On page 4 of the printed bill, strike out line 20, and insert in lieu thereof the following: "tained by him.
SEC. 63. The commissioner may determine whether or".

Amendment No. 39.

On page 4 of the printed bill, between lines 25 and 26, insert the following:
"Article 6. Salesman's License."

Amendment No. 40.

On page 4, line 26, of the printed bill, strike out "15", and insert in lieu thereof the following: "75".

Amendment No. 41.

On page 4 of the printed bill, between lines 34 and 35, insert the following:
"Article 7. Issuance of License."

Amendment No. 42.

On page 4, line 35, of the printed bill, strike out "16", and insert in lieu thereof the following: "90".

Amendment No. 43.

On page 4, line 42, of the printed bill, strike out "17", and insert in lieu thereof the following "91".

Amendment No. 44.

On page 5, line 8, of the printed bill, strike out "17 1", and insert in lieu thereof the following: "92".

Amendment No. 45.

On page 5, line 15, of the printed bill, after "year", insert the following: "and who had previously qualified by passing a written examination".

Amendment No. 46.

On page 5, line 16, of the printed bill, strike out "17 2", and insert in lieu thereof the following: "93".

Amendment No. 47.

On page 5 of the printed bill, between lines 22 and 23, insert the following
"Article 8. Fees."

Amendment No. 48.

On page 5, line 23, of the printed bill, strike out "18", and insert in lieu thereof the following: "105".

Amendment No. 49.

On page 5 of the printed bill, strike out line 34, and insert in lieu thereof the following: "which such renewal license is issued.
SEC 106 If the licensee be a".

Amendment No. 50.

On page 5 of the printed bill, strike out line 42, and insert in lieu thereof the following: "addition to the fee paid by the corporation.
SEC. 107. If the licensee".

Amendment No. 51.

On page 5, line 51, of the printed bill, strike out "18.1", and insert in lieu thereof the following: "108".

Amendment No. 52.

On page 6 of the printed bill, strike out lines 12 and 13, and insert in lieu thereof the following: 'license is issued For a renewal salesman's license the annual".

Amendment No. 53.

On page 6, line 15, of the printed bill strike out "18 3", and insert in lieu thereof the following: '109".

Amendment No. 54.

On page 6, line 17, of the printed bill, strike out "18 4", and insert in lieu thereof the following: "110"

Amendment No. 55.

On page 6, line 19, of the printed bill, strike out "18 5", and insert in lieu thereof the following: "111".

Amendment No. 56.

On page 6, line 21, of the printed bill, strike out "18 6", and insert in lieu thereof the following: "112".

Amendment No. 57.

On page 6, line 22, of the printed bill, strike out "18 7", and insert in lieu thereof the following: "113"

Amendment No. 58.

On page 6 line 24, of the printed bill, strike out "18 8", and insert in lieu thereof the following "114".

Amendment No. 59.

On page 6, line 27, of the printed bill, strike out "All", and insert in lieu thereof the following "Except a temporary salesman license, for which other provision is made, all"

Amendment No. 60.

On page 6 of the printed bill, between lines 29 and 30, insert the following
"Article 9. Persons Practicing"

Amendment No. 61.

On page 6, line 30, of the printed bill, strike out "19" and insert in lieu thereof the following "125".

Amendment No. 62.

On page 6, line 31, of the printed bill, strike out "passage", and insert in lieu thereof the following: "effective date".

Amendment No. 63.

On page 6 of the printed bill, strike out line 37, and insert in lieu thereof the following: "required fee.
Sec. 126. Any person holding a real estate broker's".

Amendment No. 64.

On page 6 of the printed bill, between lines 47 and 48, insert the following:
"Article 10. License Regulations."

Amendment No. 65.

On page 6, line 48, of the printed bill, strike out "20", and insert in lieu thereof the following: "135".

Amendment No. 66.

On page 6 of the printed bill, strike out line 51, and insert in lieu thereof the following: "except from the location stipulated in the license
Sec. 136 The sales-".

Amendment No. 67.

On page 7 of the printed bill, strike out line 7, and insert in lieu thereof the following: "fee of one dollar.
Sec. 137. Notice in writing shall be given the com-".

Amendment No. 68.

On page 7, line 14, of the printed bill, strike out "21", and insert in lieu thereof the following: "138".

Amendment No. 69.

On page 7, line 17, of the printed bill, strike out "22", and insert in lieu thereof the following: "139".

Amendment No. 70.

On page 7, between lines 21 and 22, of the printed bill, insert the following:
"Article 11 Disciplinary Proceedings."

Amendment No. 71.

On page 7, line 22, of the printed bill, strike out "23", and insert in lieu thereof the following: "145".

Amendment No. 72.

On page 7, line 46, of the printed bill, strike out "24", and insert in lieu thereof the following: "146".

Amendment No. 73.

On page 8, line 13, of the printed bill, strike out "25", and insert in lieu thereof the following: "147".

Amendment No. 74.

On page 8, line 26, of the printed bill, strike out "26", and insert in lieu thereof the following: "148".

Amendment No. 75.

On page 8, line 36, of the printed bill, strike out "27", and insert in lieu thereof the following: "149".

Amendment No. 76.

On page 8 of the printed bill, strike out lines 46 to 49, inclusive, and insert in lieu thereof the following: "Sec. 28. Any party".

Amendment No. 77.

On page 9 of the printed bill, strike out line 4, and insert in lieu thereof the following: "thirty days, make and certify such transcript.
Sec. 151. In suspend-".

Amendment No. 78.

On page 9 of the printed bill, strike out line 9, and insert in lieu thereof the following: "ten days after its date.
Sec. 152. Under the provisions of this article".

Amendment No. 79.

On page 9, line 15, of the printed bill, strike out "29", and insert in lieu thereof the following: "153".

Amendment No. 80.

On page 9, line 16, of the printed bill, strike out "23 and 24", and insert in lieu thereof the following: "145 and 146".

Amendment No. 81.

On page 9 of the printed bill, between lines 18 and 19, insert the following:
"Article 12. Offenses."

Amendment No. 82.

On page 9, line 19, of the printed bill, strike out "30", and insert in lieu thereof the following: "165".

Amendment No. 83.

On page 9, line 24, of the printed bill, strike out "31", and insert in lieu thereof the following: "166".

Amendment No. 84.

On page 9, line 30, of the printed bill, strike out "32", and insert in lieu thereof the following: "167".

Amendment No. 85.

On page 9, line 31, of the printed bill, strike out "2.6 and 2.7", and insert in lieu thereof the following: "8 and 9".

Amendment No. 86.

On page 9, line 34, of the printed bill, strike out "33", and insert in lieu thereof the following: "168".

Amendment No. 87.

On page 9, line 37, of the printed bill, strike out "2.6 and 2.7", and insert in lieu thereof the following: "8 and 9".

Amendment No. 88.

On page 9, line 42, of the printed bill, strike out "34", and insert in lieu thereof the following: "169".

Amendment No. 89.

On page 9, line 44, of the printed bill, strike out "2.6 and 2.7", and insert in lieu thereof the following: "8 and 9".

Amendment No. 90.

On page 9, line 47, of the printed bill, strike out "35", and insert in lieu thereof the following "170".

Amendment No. 91.

On page 9, line 48, of the printed bill, strike out "20, 21, 22, 29, 31, 32, 33 and 34," and insert in lieu thereof the following: "135, 136, 137, 138, 139, 153, 166, 167, 168 and 169,".

Amendment No. 92.

On page 10, line 1, of the printed bill, strike out "36", and insert in lieu thereof the following: "171".

Amendment No. 93.

On page 10, line 5, of the printed bill, strike out "2.6 and 2.7", and insert in lieu thereof the following: "8 and 9".

Amendment No. 94.

On page 10, line 8, of the printed bill, strike out "37", and insert in lieu thereof the following: "172".

Amendment No. 95.

On page 10 of the printed bill, between lines 23 and 24, insert the following: "Article 13. Constitutionality."

Amendment No. 96.

On page 10, line 24, of the printed bill, strike out "38", and insert in lieu thereof the following: "180".

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2250—An act to regulate sales and special sales of goods, wares and merchandise, and the advertising of such sales, and to provide penalties for the violation thereof.

Committee Amendments to Assembly Bill No. 2250.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, insert before "'adjustment'", the words "'damaged goods sale'".

Amendment No. 2.

On page 2, lines 6 and 7, of the printed bill, strike out all of lines 6 and 7, and insert in lieu thereof "'Sheriff'—The sheriff of any county or city and county in the State of California."

Amendment No. 3.

On page 2, line 8, of the printed bill, strike out "county clerk", and insert in lieu thereof the word "sheriff".

Amendment No. 4.

On page 2, line 13, of the printed bill, strike out "county clerk", and insert in lieu thereof "sheriff".

Amendment No. 5.

On page 2, line 14, of the printed bill, strike out "county clerk", and insert in lieu thereof the word "sheriff".

Amendment No. 6.

On page 2, line 16, of the printed bill, strike out, "in section 236 of this article".

Amendment No. 7.

On page 2, line 18, of the printed bill, strike out "in the discretion of the county clerk", and insert in lieu thereof the words "by the sheriff".

Amendment No. 8.

On page 2, line 19, of the printed bill, strike out "the".

Amendment No. 9.

On page 2, lines 19 and 20, of the printed bill, strike out "county clerk", and insert in lieu thereof "sheriff".

Amendment No. 10.

On page 2, line 32, of the printed bill, strike out "county clerk", and insert in lieu thereof "sheriff".

Amendment No. 11.

On page 2, line 34, of the printed bill, strike out "county clerk", and insert in lieu thereof "sheriff".

Amendment No. 12.

On page 2, line 35, of the printed bill, strike out "county clerk", and insert in lieu thereof "sheriff".

Amendment No. 13.

On page 2 of the printed bill, strike out all of lines 37, 38 and 39, inclusive, and insert in lieu thereof "he shall issue a license permitting the conduct of such sale Such".

Amendment No. 14.

On page 2, line 43, of the printed bill, strike out "county clerk", and insert in lieu thereof "sheriff".

Amendment No. 15.

On page 2, line 46, of the printed bill, strike out the words "county clerk", and substitute in lieu thereof the word "sheriff".

Amendment No. 16.

On page 2, line 48, of the printed bill, strike out the words "county clerk", and insert in lieu thereof the word "sheriff".

Amendment No. 17.

On page 2, line 51, of the printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment No. 18.

On page 3, line 2, of the printed bill, insert after the word "within", the following: "a".

Amendment No. 19.

On page 3, line 4, of the printed bill, strike out the words "county clerk", and insert in lieu thereof the word "sheriff".

Amendment No. 20.

On page 3 of the printed bill, after line 7, insert the following: "Such license shall be valid only for the advertising, representation and sale of the particular goods, wares or merchandise described in the application therefor, and at the particular time, and particular place stated therein, and by the particular applicant and any renewal, replenishment or substitution of such goods, wares or merchandise, or change of such time or place for such sale, or change of person conducting the sale, shall be unlawful, and shall render such license void. No person in contemplation of conducting any such sale or special sale, or during the continuance of such a sale, shall order any goods, wares or merchandise for the purpose of selling them at such sale, and any unusual purchase, or additions to the stock of such goods, wares or merchandise, within sixty days before the filing of such application for a license to conduct such a sale, shall be presumptive evidence that such purchases or additions were made in contemplation of such sale and for the purpose of selling them at such sale."

Amendment No. 21.

On page 3 of the printed bill, strike out all of lines 8 to 14, inclusive, and insert in lieu thereof the following: "The sheriff shall have the power to suspend or revoke at any time any license granted in accordance with this act whenever any such sale or special sale is being conducted in violation of any of the provisions of this act or in such manner as to deceive or defraud the public."

Amendment No. 22.

On page 3, line 16, of the printed bill, strike out the words "advertise and".

Amendment No. 23.

On page 3, line 18, of the printed bill, strike out "county clerk", and insert in lieu thereof the word "sheriff".

Amendment No. 24.

On page 3, lines 20 and 21, of the printed bill, strike out "to the county clerk of licenses".

Amendment No. 25.

On page 3, lines 24 and 25, of the printed bill, strike out "county clerk", and insert in lieu thereof "sheriff".

Amendment No. 26.

On page 3, line 28, of the printed bill, strike out "county clerk", and insert in lieu thereof "sheriff".

Amendment No. 27.

On page 3, line 31, of the printed bill, strike out "all advertisements or advertising and the".

Amendment No. 28.

On page 3 of the printed bill, strike out all of lines 32 to 42, inclusive.

Amendment No. 29.

On page 3, line 43, of the printed bill, strike out "county clerk", and insert in lieu thereof the word "sheriff".

Amendment No. 30.

On page 3, line 45, of the printed bill, strike out the words "county clerk", and insert in lieu thereof the word "sheriff".

Amendment No. 31.

On page 4, line 9, of the printed bill, after the word "act", insert the following: "or making any false statement in any application, renewal application or stock list filed with the sheriff".

Amendment No. 32.

On page 4 of the printed bill, following line 14, add the following:

"SEC. 9 The provisions of this act shall not be construed as a limitation upon the power of any city, county or city and county to adopt other and further regulations concerning sales and special sales not in conflict herewith."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2452—An act to amend sections 165 and 382 of the Vehicle Code, relating to duplicate plates and documents of registration.

Committee Amendments to Assembly Bill No. 2452.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 165 and 382", and insert in lieu thereof the following: "section 165".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 1 to 11, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1642—An act to amend the Political Code by adding thereto a new section, to be numbered 4041n, relating to the leasing of public parks acquired by special assessment, for the production of oil and gas and for the application of royalty payments to the retirement of bonds issued to acquire such parks and for the other disposition of such royalty.

Committee Amendment to Assembly Bill No. 1642.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, after the word "issued", insert the following: ", pursuant to the provisions of the Acquisition and Improvement Act of 1925.".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 621—An act to amend section 5 of an act entitled "An act to provide for the formation, management consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray expenses thereof," approved May 23, 1923, relating to county fire protection districts.

Committee Amendments to Assembly Bill No. 621.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "of", insert the following: ", and to add section 5b to,".

Amendment No. 2.

On page 1, line 8 of the title of the printed bill, after the word "districts", insert a comma and the following: "and providing for the securing of water by such districts".

Amendment No. 3.

On page 2 of the printed bill, after line 11, insert the following:

"SEC. 2. Section 5b is hereby added to said act, to read as follows:

Sec. 5b. Notwithstanding any law to the contrary, it is hereby made the duty of any county water district, irrigation district, county water works district, public utility water company, mutual water company, or private person, firm or corporation, selling or offering for sale water for domestic or irrigation purposes to permit any county fire protection district organized under the provisions of this act to install on the water mains of said company any and all fire hydrants and appurtenances necessary and convenient for the useful operation of said hydrants which the governing board of said fire protection district may deem necessary, at the sole cost and expense of said fire protection district, the location of said hydrants on said mains to be designated by said governing board. The districts and companies herein enumerated shall furnish to any fire protection district organized under the provisions of this act any and all water necessary to protect life and property from fire and for fire department drills at cost to said district or company furnishing such water, the furnishing of said water being hereby declared to be a public purpose. The cost of repairing, removing and maintaining any and all fire hydrants and appurtenances thereof shall be paid from the funds of said fire protection district and it shall be a legal charge against the funds of said district to pay any of the enumerated water companies or districts for any and all expense incurred by said companies in connecting said hydrants and appurtenant structures to the water mains of said companies or districts. No fire protection district organized under the provisions of this act shall use or authorize the use of any water from said fire hydrants except for the preservation of life or property from fire or for fire drills, and if any of the companies or districts herein enumerated shall permit the use of water through the facilities installed by any county fire protection district, said enumerated district or company shall be liable to said fire protection district for any and all damage which may result from the use of the facilities of said district."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2854—An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county officers and employees, namely, county foresters and fire wardens as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax.

Motion to Amend Assembly Bill No. 2854.

Mr. Martin moved to amend Assembly Bill No. 2854 as follows:

Amendment No. 1.

On page 5, line 8, of the printed bill, strike out the word "no", and insert in lieu thereof the word "any".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 272—An act to appropriate $800,000 for flood control, including conservation and the relief of unemployment, in San Bernardino County and the Santa Ana River Basin.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 665—An act to amend sections 2 and 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the organization of said bureau and defining its powers and duties.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1606—An act to abolish the licensed surveyors fund and to transfer the money remaining to the civil engineers fund.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1608—An act making an appropriation to meet a deficiency in the appropriation for printing constitutional amendments, Secretary of State's office, for the eighty-seventh and eighty-eighth fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1609—An act to add section 37.5 to the Alcoholic Beverage Control Act, relating to moneys heretofore appropriated for administration and enforcement.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1780—An act making appropriation of money to be used by the Attorney General in the payment of expenses in the proceedings brought by the Attorney General in the Court of Claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, Chapter 643.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2753—An act relating to the development and improvement of plants, disease resistant and superior in quality, authorizing the State Director of Agriculture to enter into and perform agreements with qualified persons in respect thereto, and making the appropriation therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 513—An act making an appropriation for river bank protection.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1563—An act making an appropriation to pay the expenses of Electors of President and Vice President of the United States of America.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1576—An act relating to disposition of funds in the hands of the fiscal agent of the State

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1577—An act authorizing the State Treasurer to pay certain coupons of bonds issued by the State of California.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1826—An act making an appropriation for the eradication of bovine tuberculosis.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 614—An act to authorize the purchase of certain real property for Fresno State College and making an appropriation therefor.

Committee Amendment to Assembly Bill No. 614.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 20 to 24, and insert in lieu thereof the following: "forty-eight thousand seven hundred eighty dollars ($48,780), or so much thereof as may be necessary, to carry out the provisions of this act."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 123—An act to make an appropriation for the construction of a dam in Napa County.

Committee Amendments to Assembly Bill No. 123.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "the", insert the following "purchase or".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, before "in", insert the following: "and water distribution system".

Amendment No. 3.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following: "one million two hundred fifty thousand dollars, to be expended for the purchase or construction of a".

Amendment No. 4.

On page 1, line 4, of the printed bill, after "dam", insert the following: "and water distribution system for the Veterans' Home of California and other State institutions".

Amendment No. 5.

On page 1, line 5, of the printed bill, strike out "by the Department of Finance", and insert in lieu thereof the following: "as provided by law".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1575—An act making an appropriation to meet a deficiency in the appropriation for support of the Veterans' Home of California for the eighty-seventh and eighty-eighth fiscal years and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1575.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "appropriation to meet a deficiency in the".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out "eighty-seventh and eighty-eighth", and insert in lieu thereof the following: "eighty-ninth and ninetieth".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "$112,000", and insert in lieu thereof the following: "one hundred and ninety-five thousand dollars ($195,000)".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following: "appropriated and in addition to any other appropriation or appropriations for the support of the Veterans' Home of California for the eighty-ninth and ninetieth fiscal years, to be expended in accordance with law for the support of the Veterans' Home of California."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2805—An act relating to the erection of the first unit of the Southern California Prison and making an appropriation therefor.

Committee Amendment to Assembly Bill No. 2805.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out "by the Department of Finance".

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2502—An act making an appropriation for the support of a Division of State Employment Agencies in the State Department of Employment.

Committee Amendments to Assembly Bill No. 2502.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, after "Employment", insert a comma and the following: "to take effect immediately".

Amendment No. 2.

On page 1, line 2, of the printed bill, strike out "six hundred thousand", and insert in lieu thereof the following "four hundred twenty thousand six hundred eighty".

Amendment No. 3.

On page 1, line 3, of the printed bill, after "appropriated", insert the following: "to the credit and in augmentation of any appropriation"

Amendment No. 4.

On page 1 of the printed bill, strike out lines 5 to 8, inclusive and insert in lieu thereof the following: "Employment during the eighty-ninth and ninetieth fiscal years. Not more than one-half of the amount appropriated under this act shall be expended during the eighty-ninth fiscal year

SEC 2 This act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1605—An act to amend the title and section 1 of an act entitled "An act appropriating money to create a revolving fund for the State Purchasing Department and repealing an act entitled 'An act appropriating money to create a revolving fund for the State Purchasing Department,' approved May 15, 1917," approved May 22, 1919, relating to the revolving fund for State purchases.

Committee Amendment to Assembly Bill No. 1605.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out the word "two", and insert in lieu thereof the word "three".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1250—An act to establish a Department of Unemployed Cooperative Reciprocal Economy.

Committee Amendments to Assembly Bill No. 1250.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 5, lines 16 and 17, of the printed bill, as amended, strike out "out of any money in the State Treasury, not otherwise appropriated, for", and insert in lieu thereof the following: ", to be expended by the Department of Self-help Cooperatives in accordance with and in".

Amendment No. 2.

On page 5 line 17, of the printed bill, as amended, after the period, insert the following: "Said sum is hereby appropriated out of and made payable from the moneys appropriated, for relief of hardship and destitution due to and caused by unemployment, by the provisions of Item 185 of the act adopted at the fifty-second session of the Legislature and entitled, "An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately." "

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 840—An act to add section 8a to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, as amended, relating to the furnishing of water to such districts.

Committee Amendments to Assembly Bill No. 840.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, strike out "without", and insert in lieu thereof the following: "at".

Amendment No. 2.

On page 1, line 20, of the printed bill, strike out "or charge to said district," and insert in lieu thereof the following: "to such district, or company furnishing such water,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 641—An act providing for and requiring that a record be made of the ownership of street improvement bonds, fixing the time within which such recording should be made, and providing for the effect of failure to so record.

Committee Amendments to Assembly Bill No. 641.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "and requiring that", and strike out the words "be made".

Amendment No. 2.

On pages 1 and 2 of the printed bill, strike out all of the present wording, and insert in lieu thereof the following:

"SECTION 1. The owner of or any person claiming any interest in any street improvement bond, whether heretofore or hereafter issued, which street improvement bond constitutes or represents any assessment lien upon any lot, piece or parcel of land described in such bond, may notify in writing the treasurer, or the successor in office of the treasurer who executed such bond, of his name and address and nature of the interest claimed by him. Such notice need not be in any particular form, but shall be sufficient if the date, number and series of the street improve-

ment bond and a brief or general description of the improvement for which it was issued are given, together with a statement of the nature of the interest owned or claimed. Such notice must be verified by the owner or claimant or by some person acting in his behalf.

SEC. 2. It shall be the duty of the treasurer, upon the receipt of any written notice furnished him as provided in section 1 hereof, to immediately record the fact and date of such notice in a substantial book to be kept in his office for that purpose, in which shall be entered the date, number and series of each bond as to which any such notice is given, the name and address of the owner or claimant, the nature of the interest claimed, and the time when such notice was received by him. He shall thereupon note, by appropriate entry in the original bond register for such bond the fact that the record of the ownership or interest in such bond has been made by him, and refer to the book and page wherein the original record of such ownership or interest has been made. From the time of such entry it shall operate as constructive notice to all persons. In the event of the receipt by the treasurer of any notice as provided in this act relating to a bond as to which a record has theretofore been made, as herein provided, it shall not be necessary for the treasurer to make any further note upon the original bond register for such bond, but he shall enter upon the separate record book required by this act to be kept in his office for such purpose, those things required to be entered therein as in case of an original entry, and he shall note upon such original entry the fact that such subsequent record has been made and refer to the book and page of the entry of such subsequent record.

SEC. 3. After the expiration of six months following the date this act becomes effective, only those persons whose names appear upon the record kept by the treasurer, as herein provided, need be made parties to any action involving, in any way, any lot, piece or parcel of land subject to the lien of any street improvement bond, whether heretofore or hereafter issued, which such street improvement bond constitutes or represents any assessment lien upon any lot, piece or parcel of land described in such bond, and involved in any way in such action. The judgment in such action, however, and all proceedings therein had shall be as conclusive against all other owners or claimants of any interest in any such street improvement bond as if they, and each of them, had been made parties to such action."

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1588—An act for the relief of special assessment districts and for the adjustment, refunding, repayment, reassessment or cancellation of the assessments or bonded indebtedness of such districts and for the purpose of empowering legislative bodies of such districts to reassess, readjust, repay, refund or cancel all or any portion of such bonds or assessments and to permit proceedings to be conducted for such purposes under this and one or more other acts having a similar purpose.

Committee Amendments to Assembly Bill No. 1588.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title and insert in lieu thereof the following:

"An act to amend sections 1, 2, 4, 6, 9, 10, 14, 17, 31 and 33 of, and to add section 34 to, the Assessment Bond Refunding Act of 1933, relating to the refunding of indebtedness of special improvement districts, the levy and enforcement of reassessments therefor, and the issuance of refunding bonds, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 20, inclusive, and on page 2 strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1 of the act designated in the title hereof is hereby amended to read as follows:

Section 1. All bonded indebtedness consisting of outstanding unpaid bonds and outstanding unpaid interest coupons of bonds issued by or for any special improvement district, the bonds of which are payable from taxes or special assessments levied wholly or partly in accordance with the assessed value of lands, may be funded or refunded under and pursuant to the provisions of this act. At least two of the interest coupons on the refunding bonds must be at a rate of interest less than the interest rate on the bonds to be refunded, and the rate of interest on the refunding bonds shall not exceed the rate of interest on the bonds to be refunded. The legislative body of the city or county or city and county which conducts the refunding

proceedings may negotiate and contract with the holders of bonds for such refunding and to aid in such refunding may appropriate moneys from any available fund of the city or county or city and county. Any county in which the district lies, whether the district be entirely or partly within a city or cities, or entirely or partially within unincorporated territory of the county, is hereby authorized to appropriate moneys from any available fund to assist in such refunding. Any city in which the district or any portion thereof lies is also authorized to appropriate moneys from any available fund to assist in such refunding. To assist in refunding the indebtedness of any district the county in which the district lies and any city in which any portion of a district lies are hereby authorized to contribute moneys to be received from the collection of delinquent county or city taxes, as the case may be, upon property within the district. In refunding such indebtedness under this act, the total amount of the reassessments to be levied under this act plus contributions, if any, of public money to aid in such refunding, except contributions for the payment of interest maturing or accruing subsequent to the date the resolution of intention in the refunding proceeding is adopted and moneys used for the payment of incidental expenses of the refunding proceeding, shall be less than the total amount of the outstanding unpaid bonds and the outstanding due and unpaid interest coupons which are to be refunded.

The legislative body making any contribution of public funds to aid or assist in the refunding must determine that the public interest, convenience or necessity requires such contribution.

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. Whenever the legislative body of any city or county or city and county of this State determines by resolution that the public interest, convenience or necessity require the refunding of the indebtedness of any special improvement district which it is given jurisdiction to refund under the provisions of this act, said legislative body shall by resolution declare its intention to refund such indebtedness and shall determine the total maximum principal amount for which a reassessment shall be levied in the refunding proceedings, and shall determine the term of any refunding bonds to be issued to represent unpaid reassessments as herein provided and the rate or rates of interest of such bonds. The rate of interest during the entire term of such bonds need not be the same but different rates may be stated for one or more interest payments of such bonds. If such different rates of interest are proposed, each rate and the time during which such rate shall be paid shall be designated in such resolution. The amount of any proposed contribution of public funds to be made to assist in such refunding, except contributions for the payment of interest maturing or accruing subsequent to the date the resolution of intention is adopted and prior to the date the reassessment is recorded and money used for the payment of incidental expenses of the refunding proceeding, shall be stated in such resolution, but this shall not prevent said legislative body making additional contributions thereto at any time. In said resolution said legislative body shall state the total amount of the outstanding indebtedness to be refunded (which shall be deemed to be the principal amount of outstanding unpaid bonds and the amount of due and unpaid interest coupons), the amount of the principal of bonds included therein, and the amount of due and unpaid interest coupons included therein, all as of the date said resolution is adopted. No error or mistake in the computation of the amount of unpaid principal or unpaid interest shall affect the validity of the refunding proceedings, and no error or mistake in any statement of the amount of such principal or interest in any notice, resolution or order in the course of the proceedings shall invalidate in any way the reassessment or the refunding bonds or the refunding proceedings; provided that the total sum of the reassessment levied in the refunding proceeding, plus any contribution or contributions of public funds made to aid in such refunding, except contributions for the payment of interest maturing or accruing subsequent to the date the resolution of intention is adopted and prior to the date the reassessment is recorded and moneys used for the payment of incidental expenses of the refunding proceedings, shall not exceed the sum of the principal amount of the bonds to be refunded and the amount of the due and unpaid interest coupons to be refunded. If interest maturing or accruing subsequent to the date the resolution of intention is adopted and prior to the date the reassessment is recorded is to be paid, the resolution shall so state. Said resolution shall contain a statement that for any reassessment not paid within thirty days from the date of recordation thereof a bond will issue in the manner and form provided in this act (designating the act by title or other suitable reference).

Said resolution shall also contain a date, hour, and place for the hearing of objections to said refunding, and the date fixed for said hearing shall not be less than twenty days nor more than sixty days subsequent to the date of adoption of said resolution. Said resolution shall also contain a statement that the refunding shall not be authorized unless the written consent of the owners of a majority in area of the land in the district subject to assessment to pay the principal and interest of the outstanding bonds is filed with the clerk of the legislative body, and that any owner of land in said district may file his written consent to such refunding at any time prior to the adoption of the resolution ordering the refunding.

SEC. 3. Section 4 of said act is hereby amended to read as follows:

Sec. 4. (1) Jurisdiction, power, and authority to conduct proceedings for the refunding of indebtedness under this act and the levy of a reassessment therefor is conferred upon the legislative bodies of cities or counties, or cities and counties, as set forth herein. The legislative body, which ordered the bonds of any district which are to be refunded issued, shall have complete jurisdiction, power, and authority to conduct proceedings to refund the indebtedness of said district under this act and to levy a reassessment therefor

(2) If the district, the indebtedness of which is to be refunded, lies entirely within a municipality, the legislative body of said municipality shall have complete jurisdiction, power, and authority to conduct proceedings to refund such indebtedness under this act and to levy a reassessment therefor, and if the district, the indebtedness of which is to be refunded, lies entirely within unincorporated territory of a county, the legislative body of such county shall have complete jurisdiction, power, and authority to conduct proceedings to refund such indebtedness under this act and to levy a reassessment therefor It is the intent of this section that, in all cases of incorporation of municipalities, or annexation of territory to municipalities, or consolidation of municipalities, or exclusion of territory from municipalities, or the dissolution of municipalities, the jurisdiction, power, and authority which, under paragraph numbered (1) of this section, would have been vested in the legislative body which conducted the proceedings for the issuance of the bonds to be refunded, shall be vested in and may be exercised by the legislative body which, by reason of such incorporation, annexation, consolidation, exclusion, or dissolution, has jurisdiction at the time such refunding is begun over the territory of the assessment district; provided, however, that, in the event all of the territory of the district lies entirely within a municipality but the tax or assessment for the payment of principal and interest of the bonds which are to be refunded is levied by the legislative body of the county, the consent of the legislative body of such county to the refunding of the indebtedness of said district under this act and the levy of a reassessment therefor shall be obtained as hereinafter provided.

(3) In case an assessment district lies entirely within two or more municipalities, the legislative body of any municipality in which any part of the district lies may conduct the proceedings to refund the indebtedness of said district and to levy a reassessment therefor, and, in case the assessment district lies partly within unincorporated territory of a county and partly within one or more municipalities, the legislative body of the county, or of any municipality in which any portion of the district lies, may conduct proceedings to refund the indebtedness of said district and to levy a reassessment therefor; provided, however, that in any case in which the assessment district lies entirely within two or more municipalities, or partly within unincorporated territory of a county and partly within one or more municipalities, or in any case in which the legislative body proposing to conduct the refunding proceeding is not the legislative body which levies the tax or assessment for the payment of principal and interest of the bonds to be refunded, the legislative body which proposed to conduct the refunding proceeding shall obtain the consent of the legislative body of each municipality in which any part of the district lies, of the legislative body of the county in case a part of the district lies in unincorporated territory of the county, and of the legislative body which levies the said tax or assessment for the payment of principal and interest of the bonds to be refunded, to the refunding of the indebtedness of such district under this act and the levying of a reassessment therefor. Such consent shall be obtained prior to the adoption of the resolution of intention in the refunding proceeding and shall be expressed by resolution, a certified copy of which shall be filed with the clerk of the legislative body which proposes to conduct the refunding proceedings on or before the date the resolution of intention in the refunding proceedings is adopted. When such consent has been given, the legislative body to which the consent has been granted shall have complete jurisdiction, power, and authority to refund the bonds of such district under this act and to levy a reassessment therefor under the provisions hereof.

SEC. 4. Section 6 of said act is hereby amended to read as follows:

Sec. 6. The total amount for which said reassessment shall be levied shall not exceed the total principal amount of such reassessment as stated in the resolution of intention, but may be for a smaller amount Said reassessment shall be made upon all such lots, pieces or parcels of land within the assessment district as are subject to tax or assessment to pay the principal and interest of the outstanding bonds to be refunded. The total amount to be reassessed shall be apportioned upon said lots, pieces and parcels of land in the manner hereinafter set forth, to wit: to the total principal amount of the reassessment proposed to be levied shall be added the total sum of all of the amounts (including such interest and penalties as go into such fund) paid into the interest and sinking fund of such district on or prior to the date the resolution of intention in the refunding proceedings was adopted, upon taxes or assessments levied upon any lot, piece or parcel of land subject to reassessment in the refunding proceeding to raise funds to pay the principal or interest or both of bonds of said district the bonds of which are to be refunded The total amount of the two sums shall be apportioned as an assessment upon all such lots,

pieces or parcels of land within the assessment district as are subject to tax or assessment to pay the principal and interest of the bonds to be refunded. The person making the reassessment shall proceed to estimate upon the lots, pieces or parcels of land within the assessment district and, subject to reassessment under the terms of this act, the benefits arising from the acquisition or improvement, or acquisition and improvement, for which the bonds to be refunded were issued and to be received by each such lot, piece or parcel of land, and shall thereupon assess upon and against the said lands the total amount of the two sums hereinbefore in this section mentioned and in so doing shall assess the said total amount upon the several lots, pieces or parcels of land in said assessment district subject to reassessment in the manner following, to wit:

Upon each lot, piece or parcel of land, respectively, in proportion to the estimated benefits received by each such lot, piece or parcel of land from the acquisition or improvement, or the acquisition and improvement, for which the bonds to be refunded were issued.

When said total amount has been assessed upon each of the lots, pieces or parcels of land to be reassessed there shall be deducted from the amount so assessed upon any lot, piece or parcel of land any sum (including interest and penalties, if any) paid into the interest and sinking fund of the district on or prior to the date of adoption of the resolution of intention in the refunding proceeding upon a tax or assessment levied upon any such lot, piece or parcel of land to pay the principal and interest on bonds of said district. In case any such lot, piece or parcel of land was a portion of a larger parcel of land for which a payment was made, the portion of such payment to be deducted from the amount assessed against such smaller lot, piece or parcel of land shall be that proportion of such payment which the amount assessed against said smaller lot, piece or parcel of land bears to the total amount assessed against all of the parcels which comprised said larger parcel of land. After all of the amounts of taxes and assessments, including any penalties and interest paid into the interest and sinking fund, have been deducted from the amount assessed to each such lot, piece or parcel of land, the amounts remaining assessed against each such lot, piece or parcel of land shall be deemed reassessments and shall comprise the total reassessment to be levied and shall in total amount be the sum stated in said resolution of intention or a smaller sum. If in any case the amount paid as ad valorem taxes or assessments upon any parcel of land should exceed the amount assessed as benefits against said parcel, no refund shall be made to any property owner.

SEC. 5. Section 9 of said act is hereby amended to read as follows:

Sec. 9. When said reassessment has been filed with the clerk the legislative body shall direct said clerk to give notice of the filing of said reassessment and of the time and place when and where all persons interested in any such reassessment will be heard by said legislative body. Said notice shall be in substantially the following form:

(Fill in blanks, omit inapplicable language)

Notice of hearing on proposed reassessment for refunding of indebtedness of _____ District No. _____ of (city or county) of _____ (insert names of, or otherwise designate, all districts included).

Notice is hereby given that a reassessment for the refunding of the indebtedness of the above entitled district (or districts) has been filed with the clerk of the _____ (name of legislative body) of _____ (city or county) of _____ and may be examined by any person interested. The acquisitions or improvements, or acquisitions and improvements (use whichever of the foregoing words applies), to pay the costs and expenses of which said indebtedness was incurred were made pursuant to _____ (ordinance or resolution) of intention No. _____ (if numbered) adopted _____ 19___ (if more than one ordinance or resolution give numbers, if any, and date of adoption of each and designate the city or county, the legislative body of which adopted same) and reference is hereby made to such _____ (ordinance or resolution) of intention on file in the office of _____ (if more than one, designate where each ordinance or resolution is on file) for a description of the _____ (acquisitions or improvements or acquisitions and improvements).

The district (if only one) total area comprising the districts (if more than one) of lands benefited by said acquisitions or improvements or acquisitions and improvements (using the appropriate words), is described in general terms as follows: (Here insert a description in general terms of the district (if only one) total area comprising the districts (if more than one) as shown upon the plat or diagram attached to the reassessment, excepting therefrom any lands not to be reassessed.)

Reference is hereby made to the diagram contained in said reassessment for the boundaries and extent of the said assessment district (if only one) total area comprising the districts (if more than one), and said diagram shall govern for all details as to the extent thereof. Said diagram shows each lot, piece or parcel of land reassessed and said reassessment shows the amount proposed to be reassessed upon each lot, piece or parcel of land.

Notice is further given that it is proposed to levy said reassessment for the refunding of the bonds of said district (or districts). The total amount of the proposed reassessment is the sum of $_____.

The total amount of the outstanding indebtedness to be refunded (as of the date the resolution of intention was adopted) is $_____; the amount of the principal of unpaid bonds included therein is $_____; and the amount of due and unpaid interest coupons included therein is $_____. (If the proceeding includes more than one district state also the indebtedness of each district and the respective amounts of principal of unpaid bonds and of due and unpaid interest coupons included therein.)

(If interest maturing or accruing subsequent to the date the resolution of intention was adopted and prior to the date the reassessment is recorded is to be paid, use substantially the following statement:)

The interest maturing or accruing on the outstanding bonds subsequent to the _____ day of _____, and prior to the date the reassessment is recorded in this refunding proceeding, is to be paid from public funds contributed by the _____ of _____.

(If public funds have been contributed, use substantially the following statement, setting forth amount contributed as stated in the resolution of intention.)

The sum of _____ dollars ($_____) has been contributed by the _____ of _____ to assist in such refunding.

Notice is further given that on the _____ day of _____, 19____, at the hour of _____ o'clock, _____ m., at the chambers of the _____ (designating the legislative body) of the ____ (city or county) in the city of _____ is the time and place the said _____ (designating legislative body) will hold the hearing on said reassessment. Protest or objections to said reassessment or to any proceedings taken in the refunding of said bonds and the levying of a reassessment therefor or to any part of such proceedings or to any specific reassessment upon any ground whatsoever must be filed in writing with the clerk of _____ (designating legislative body) at or before the time of said hearing. Upon the recording of said reassessment, the respective amounts reassessed shall be immediately due and payable. The reassessment proceedings are under and serial bonds shall be issued in the manner and form provided in (here set out the title of this act and its date of approval or refer to the act by other appropriate reference) to represent each reassessment remaining unpaid after the expiration of thirty days from the date of recording said reassessment. Said bonds shall bear interest at the rate (or rates) of ____ per cent from the date of recording of such reassessment and shall be payable in _____ installments extending over a period of _____ years from the second day of January next succeeding the fifteenth day of the next November following their date.

Clerk of the (designate legislative body)

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of (designate name of city or county)

SEC. 6. Section 10 of said act is hereby amended to read as follows:

SEC. 10. If the legislative body of a city is conducting the proceedings for such refunding, said notice shall be published by at least two insertions in a newspaper of general circulation printed and published in such city, and if there is no newspaper of general circulation published in such city, then in a newspaper published in the county in which said city lies. If the legislative body of a county is conducting such proceedings for refunding, said notice shall be published by at least two insertions in a newspaper of general circulation published in said county. Copies of such notice shall also be posted upon all open streets within the district of lands proposed to be reassessed. Such notices shall be not more than three hundred feet in distance apart and not less than three of such notices shall be posted. The heading upon such posted notices shall be in letters at least one-half inch in height. The posting and publication of such notices must be completed at least fifteen days prior to the date of hearing stated in such notice. The affidavits of publication and posting shall be filed in the office of the clerk of said legislative body. The failure to post any or all of the said notices shall in no event affect the validity of the proceedings.

SEC. 7. Section 14 of said act is hereby amended to read as follows:

SEC. 14. After the full expiration of thirty days from the date of recording said reassessment, the superintendent of streets, if the reassessment was recorded with him, shall make and certify to the city treasurer a complete list (except for reassessments upon public property) of all reassessments therein unpaid and the amounts thereof unpaid. If the reassessment was recorded with the county surveyor, said county surveyor shall make and certify to the county treasurer a complete list (except for reassessment upon public property) of all reassessments therein unpaid and the amounts thereof unpaid. The principal of each of said unpaid reassessments on said list shall thereafter become due and payable to the treasurer with whom said list is filed in equal annual payments on the fifteenth day of each November succeeding the recordation of the reassessment until fully paid. The

number of said annual payments shall correspond to the number of serial payments provided to be made on the principal of the bonds issued to represent said unpaid reassessments. The interest on said unpaid reassessments shall be payable on each fifteenth day of May and November succeeding the recordation of such reassessments, the last interest payment coming due forty-five days before the last annual payment of the principal of the bonds issued to represent said unpaid reassessments. Said bonds and the interest thereon shall be paid at the office of the said treasurer, who shall keep a fund designated by the name of said bonds into which he shall place all sums paid him for the principal of said bonds and the interest thereon, together with all penalties thereon, and from which he shall disburse such sums upon the presentation of the interest and principal coupons, and under no circumstances shall said bonds or the interest thereon be paid out of any other fund. Said treasurer shall keep a register in his office which shall show the series number, date, amount, rate of interest, payee and indorsees of each bond and the number and amount of each coupon of principal or interest paid by him, and shall cancel and file each coupon so paid. An even annual proportion of the principal sum of each bond shall be payable by coupon on the second day of January every year after the fifteenth day of the next November following their date until the whole of said principal is paid.

SEC. 8. Section 17 of said act is hereby amended to read as follows:

Sec. 17. The treasurer shall, upon the filing of said list of unpaid assessments, make out, sign and issue a separate bond representing upon each lot, piece or parcel of land upon the list the amount of the reassessment against the same as thereon shown If said lot, piece or parcel of land is described upon said assessment and diagram by its number or block, or both, and is also designated by its number or block, or both, upon the official map of said municipality or upon any map on file in the office of the county recorder of the county in which said municipality is situated, or for which the legislative body conducting the reassessment proceedings is the board of supervisors, then it shall be in said bond a sufficient description of said lot, piece or parcel of land to designate it by said number or block, or both, as it appears on said official or recorded map. Each of said bonds shall bear interest at the rate or rates stated in the resolution of intention from the date of the recording of the reassessment until the said bond is fully paid, and coupons for the various payments of interest on each of said bonds to the date of the maturity of such bonds shall be attached to each such bond Said bonds shall be substantially in the following form:

(In multiple district refunding, in the bond form given names of, or otherwise designate, each district.)

_____District No._____ of the_____(city or county) of_____

refunding bond.

Series_____.

No._____ $_____

Under and by virtue of an act of the Legislature of the State of California entitled (here quote title or otherwise designate this act), I, out of the fund for the above designated _____ District No _____ of the _____ (city or county) of _____ refunding bond, series _____, will pay to _____, or order, the sum of _____ dollars ($_____), with interest at the rate of _____ per cent per annum, all as is hereinafter specified, and at the office of the treasurer of the _____ of _____, State of California.

This bond is issued to represent a reassessment for the refunding of the indebtedness of the _____ District No._____ of the _____ (city or county) of _____ Said reassessment is recorded in the office of the _____ (county surveyor or superintendent of streets). Its amount is the amount assessed in said reassessment against the lot or parcel or land numbered therein, and in the diagram attached thereto, as number_____, and which now remains unpaid, but until paid, with accrued interest, is a lien upon the property affected thereby, as the same is described herein and in said recorded reassessment with its diagram, to wit, the lot or parcel of land in said _____ (city or county) of _____, State of California, described as follows:

This bond is payable exclusively from said fund and neither the _____ (city or county) nor any officer thereof is to be holden for payment otherwise of its principal or interest The term of this bond is _____ years from the second day of January next succeeding the fifteenth day of the next November following its date, and at the expiration of said time the whole sum then unpaid shall be due and payable; but on the second day of January of each year following the fifteenth day of the next November, after its date, an even annual proportion of its whole amount is due and payable, upon presentation of the coupon therefor, until the whole is paid, with all accrued interest thereon at the rate of _____ per centum per annum

The interest is payable semiannually, to wit, on the second days of January and July in each year hereafter, upon presentation of the coupons therefor hereto attached the first of which is for the interest from date to the next second day of _____ and thereafter the interest coupons are for semiannual interest

It is hereby certified, and declared that all proceedings, acts and things required by law precedent to or in the issuance of this bond have been regularly had, done and performed and this bond is by law made conclusive evidence thereof.

This bond may be redeemed by the owner or any person interested in any lot or parcel of land described herein, in the manner provided in said act, at any time before maturity, and before commencement of proceedings for sale or foreclosure, upon payment to the _____ (city or county) treasurer, for the holder of this bond, of the amount then unpaid on the principal sum thereof, with interest thereon calculated up to the due date of the next maturing interest coupon, and all penalties accrued and unpaid, together with interest for six month at the rate named in said bond.

Should default be made in the annual payment upon the principal, or in any payment of interest from the owner of said lot or parcel of land, or anyone in his behalf, the holder of this bond is entitled to declare the whole unpaid amount to be due and payable, and to have said lot or parcel of land advertised and sold forthwith, in the manner provided by law, or the lien of the reassessment foreclosed In case of such default, there shall be immediately added to such defaulted amount five per cent of the amount thereof, and on the first day of each month following such default there shall be added a further penalty of one per cent of such defaulted amount The _____ (city or county) shall be entitled to one-half the penalty first imposed, namely, two and one-half per cent, and the other two and one-half per cent and all subsequent penalties shall be paid to the holder of the bond along with and as a part of such defaulted payment.

Dated at said _____ (city or county) of _____ this _____ day of _____, in the year one thousand nine hundred and _____.

Treasurer of the _____ (city or county) of _____, State of California

Said bonds shall be payable to the party to whom they issue, or order. Said bonds shall be dated as of the date of the recording of said reassessment and shall extend over a period not to exceed twenty-eight years from the second day of January next succeeding the fifteenth day of the next November following their date, and an even annual proportion of the principal sum of each bond shall be payable, by coupon, on the second day of January every year after the fifteenth day of the next November following their date, until the whole is paid, and the interest shall be payable semiannually, by coupon, on the second days of January and July, respectively, of each year after their date, at the rate or rates stated in the resolution of intention. Upon any of such bonds dated after the fourteenth day of May of any year and on or before the fourteenth day of the following November, the first interest coupon shall become due and payable on the second day of the next succeeding January, and upon such bonds dated after the fourteenth day of November of any year and on or before the fourteenth day of the following May, the first interest coupon on said bonds shall become due on the second day of the next succeeding July.

The said refunding bonds or any thereof shall be conclusive evidence of the regularity and validity of all of the proceedings for the issuance of such refunding bonds and the levying of the reassessment therefor and of the legality and validity of the lien of said reassessment.

SEC. 9. Section 31 of said act is hereby amended to read as follows:

Sec. 31. When all or any part of the lands in any district, the indebtedness of which could be refunded under the provisions of this act, lie in any other district or districts, the indebtedness of which could be refunded under the provisions of this act, all or any number of such districts which wholly or partially overlap may be included in one refunding proceeding and the total indebtedness of all of the districts so included in one proceeding may be refunded in such proceeding and one issue of refunding bonds issued and one reassessment levied therefor. It is the intent of this section to permit, but not to require, the refunding in one proceeding of the indebtedness of all districts which wholly or partially overlap, and to authorize the refunding in one proceeding of the indebtedness of any number of districts where some part of the area of each of the districts lies wholly or partially within the boundaries of one or more of the other districts included in the same refunding proceedings, and such refunding in one proceeding of the indebtedness of two or more districts may be called "multiple district refunding"

A multiple district refunding proceeding may be conducted by the legislative body of the county if any portion of any of the districts to be included in the proceeding lies in unincorporated territory of the county, or by the legislative body of any municipality in which any portion of any of the districts proposed to be included in the proceeding lies, upon obtaining consent of other legislative bodies as herein required.

If the legislative body of a city is conducting the multiple district refunding proceeding, the refunding may include a district or districts lying entirely outside the boundaries of such city upon obtaining consent as herein provided and, if the legislative body of a county is conducting the proceeding, the refunding may include

a district or districts lying entirely within the boundaries of one or more incorporated cities upon obtaining consent as herein provided. The provisions of this section are to be liberally construed, to the end that jurisdiction to refund in one proceeding the indebtedness of any and every combination of districts now existing shall be full and complete.

In the event that all or any part of any district included in any multiple district refunding proceeding lies outside of the boundaries of the city, the legislative body of which proposes to conduct the proceeding, the consent of each municipal corporation in which any part of the district lies, the consent of the county, if any part of the district lies in unincorporated territory of the county, and the consent of the legislative body which levies the taxes or assessments for the payment of principal and interest of the outstanding bonds of such district, shall be obtained to the refunding of the indebtedness of such district in the multiple district refunding proceeding, and to the levy of a reassessment therefor. In the event the legislative body of a county proposes to conduct the multiple district refunding proceeding and all or any part of any of the districts to be included in such proceeding lies within any incorporated city or cities, the consent of each municipal corporation in which any part of said districts lies, and the consent of the legislative body which levies the taxes or assessments for the payment of principal and interest of the outstanding bonds of such district, shall be obtained to the refunding of the indebtedness of such district in the multiple district refunding proceeding and to the levy of a reassessment therefor. Such consent shall be obtained prior to the adoption of the resolution of intention in the multiple district refunding proceeding and shall be expressed by resolution, a certified copy of which shall be filed with the clerk of the legislative body which proposes to conduct the multiple district refunding proceedings on or before the date the resolution of intention in such proceedings is adopted. When such consent has been given by the legislative bodies of each of the cities, the consent of which is required, and by the legislative body of the county, if the consent of such body is required, the legislative body to which the consent has been granted shall have complete jurisdiction, power, and authority to refund the indebtedness of the districts included within such multiple district refunding proceedings, and to levy a reassessment therefor under the provisions of this act.

The districts included in any multiple district refunding proceeding need not be formed under the same act, but, if formed under any act under which taxes or assessments are levied wholly or partly in accordance with the assessed value of lands, the indebtedness thereof may be refunded in one refunding proceeding hereunder. Such multiple district refunding proceeding shall be had and the reassessment levied under the provisions of this act as modified in this section, and under the same general procedure provided for refunding the indebtedness of a single district, so far as applicable, and the legislative body conducting the proceeding is authorized and empowered to adapt or modify any and all resolutions, orders, notices, summons, records, bonds, and all other proceedings provided for under this act so as to fully provide for such multiple district refunding hereunder.

If the legislative body which proposes to conduct the multiple district refunding proceeding determines by resolution that the public interest, convenience or necessity requires the refunding of the indebtedness of all of the districts to be included therein in one refunding proceeding, it may proceed to conduct such refunding proceeding under the terms of this act. The consent of the city or cities or of the county, hereinbefore required under the provisions of this section, shall be obtained prior to the adoption of the resolution of intention in the multiple district refunding proceedings.

The total amount of the proposed reassessment shall be fixed by the legislative body conducting the multiple district refunding proceeding in the resolution of intention.

The resolution of intention and the notice of hearing on the proposed reassessment shall describe the exterior boundaries of the area comprising the districts included in the multiple district refunding proceeding by stating the exterior boundaries thereof, or by giving a description thereof according to any official recorded map or maps, or by referring to a plat or map approved by the legislative body conducting the proceeding which shall be on file in the office of the clerk of the legislative body of the city or county conducting the proceeding at the time the resolution of intention is adopted, which said plat or map shall indicate by a boundary line the extent of the total territory comprising all of the said districts, and said plat or map shall govern for all details as to the extent thereof. The total area comprising the said districts need not be described in any notice, resolution, or order other than the resolution of intention and the notice of hearing on the proposed reassessment.

The resolution of intention and all posted or published notices shall name or otherwise designate the districts included in the multiple district refunding proceeding, but need not describe the boundaries thereof, and the resolution of intention shall state separately the amount of the outstanding indebtedness of each such district, and that it is proposed to refund the indebtedness of all of the districts named or otherwise designated therein in one refunding proceeding and to levy one

reassessment therefor and to issue one issue of refunding bonds therefor, and shall state that the refunding shall not be authorized unless the consent of the owners of a majority in area of the lands included within each of the districts, who shall likewise be the owners of a majority in area of the lands included within the exterior boundaries of the total area which comprises the districts, is filed with the clerk of the legislative body conducting the proceeding, and that any owner of land in any of the districts may file his written consent to such refunding at any time prior to the adoption of the resolution ordering the refunding. If, at the hearing provided in section 3 hereof, the legislative body determines that the written consent of the owners of a majority in area of the lands in each of the districts, who are likewise the owners of a majority in area of the lands included within the exterior boundaries of the total area comprising the districts, has been filed, it shall be authorized to proceed with such multiple district refunding and to make a reassessment and issue refunding bonds therefor as in this act provided. The reassessment shall be spread over all of the lands in the total area comprising the districts and subject to tax or assessment for the payment of principal and interest of any of the bonds of the districts to be refunded in the proceeding. To the total sum of the reassessment shall be added the total sum of all taxes upon land and all assessments, including interest and penalties, paid into the interest and sinking fund of any of the districts for the payment of principal or interest or both of any bonds of the said districts, the indebtedness of which is to be refunded The total amount of the two sums thus ascertained shall be assessed upon and against all of the lands within the total area comprised by the districts and upon each lot, piece or parcel thereof in proportion to the estimated benefits received by each such lot, piece or parcel of land from the acquisitions or improvements or acquisitions and improvements to pay for which the indebtedness proposed to be refunded was incurred. From the assessment thus made upon each lot, piece or parcel of land shall be deducted the amount of such taxes upon land and such assessments (including interest and penalties, if any) paid into the interest and sinking fund of any of said districts on or prior to the date of adoption of the resolution of intention in the multiple district refunding proceeding upon a tax or assessment levied upon any such lot, piece or parcel of land to pay principal or interest or both of bonds of any of the districts included in the multiple district refunding proceeding. The amounts remaining after such deductions have been made shall be and constitute the reassessments and shall comprise the total reassessment to be levied and the total amount of such reassessments shall be the total sum of the reassessment stated in the resolution of intention or a smaller sum.

In the event that the holders of one or more of the outstanding bonds of any of the districts included in the multiple district refunding proceeding do not enter any contract with the legislative body to refund the same, nevertheless, if the holders of seventy-five per cent or more of the total amount of the outstanding bonds of all of said districts do contract with the legislative body which conducts the refunding proceedings for the refunding of the bonds owned or held by them, said legislative body shall have authority to refund all of the indebtedness of the districts included in such multiple district refunding proceeding under the provisions of this act, but, in such event, prior to recording the reassessment levied under this act, sufficient moneys to adequately provide for the retirement or payment of the bonds of the nonconsenting holders must be provided and set aside in the proper fund or funds for that purpose. The word "bonds" as used in this paragraph shall be deemed to include due and unpaid interest coupons.

This act is remedial in nature and shall be liberally construed. No proceeding taken, reassessment levied, or refunding bond issued hereunder shall be held invalid for failure to comply with the provisions of this act; provided that the acts done and proceedings taken are not invalid under the provisions of the State and Federal Constitutions. To effectively and speedily accomplish the refunding of the indebtedness of these districts the legislative body conducting any refunding proceeding hereunder and all other officials taking any part therein, or upon whom is imposed any duty under this act, are hereby authorized and empowered to take any and all steps and proceedings and perform any and all acts, within the limitations of the State and Federal Constitutions, necessary or convenient for the refunding of the indebtedness of any district or districts under this act, and the levy and enforcement of reassessments therefor. The remedies provided for the enforcement of any reassessment levied under the provisions of this act are not exclusive and additional remedies may be provided at any time The curative clauses of this act are cumulative and each of them is to be given full force and effect.

SEC. 10. Section 33 of said act is hereby amended to read as follows

Sec. 33 The word "improvement" where used in the phrase "special improvement district" in this act shall mean any public improvement of any nature whatsoever, including any acquisition of lands, rights of way or easements for public use, any acquisition or construction of buildings, structures or public works of any kind or nature, or a combination of any or all of the foregoing, and the word shall be given its broadest and most liberal construction as including all acquisitions of land and all acquisition and construction of public works authorized under any law

of the State of California, including particularly the Acquisition and Improvement Act of 1925, the Road District Improvement Act of 1907 and the Municipal Improvement District Acts of 1915 and 1927.

This act shall be known as and whenever mentioned, cited, referred to or amended may be designated as the "Assessment Bond Refunding Act of 1933" and by such designation shall be sufficiently identified in any proceeding hereunder or in any court action or proceeding, and whenever under the procedure set forth in this act the title of the act is to be stated in any resolution, notice or order, it shall be sufficient to designate the act as provided in this paragraph.

The legislative body which conducts the refunding proceedings is authorized to pay any incidental expenses of such proceedings from any available funds of the city or county, or city and county, but no such incidental expenses of such proceedings shall be assessed upon lands in the district. Payment of the incidental expenses shall not be deemed a contribution within the meaning of section 2 of this act.

Whenever any resolution, order, notice, or determination is required to be published or posted and the duty of the posting, or procuring the publication or posting, of the same is not specifically enjoined upon any officer of the city or county, as the case may be, it shall be the duty of the clerk of the legislative body to post, or to procure the publication or posting thereof, as the case may be. No proceeding or step herein shall be invalidated or affected by any error or mistake or departure therefrom as to the officer or person posting, or procuring the publication or posting of, any resolution, notice, order, or determination hereunder when the same is actually published or posted for the time herein required

This act shall in no wise affect any other act or acts now existing or which may hereafter be passed covering the same subject matter, or apply to any proceedings thereunder, but is intended to and does provide an alternative system for the refunding of bonds, and, when in the discretion of any legislative body proceedings are commenced under this act the provisions of this act only shall apply thereto.

This act and all of its provisions shall be liberally construed to the end that the purposes hereof may be made effective. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional.

SEC. 11. A new section is hereby added to said act, to be numbered section 34 and to read as follows:

Sec. 34. Any lot, piece or parcel of land which has been deeded to the State for delinquent taxes, or for delinquent taxes and assessments, (which may be called herein for brevity, tax deeded lands) shall be subject to reassessment in any refunding proceeding hereunder, and in any such proceeding the Controller of the State of California is authorized and empowered to sign any consent or consents to the refunding and reassessment for the State of California and the board of supervisors of the county in which the property lies is authorized and empowered to consent to the refunding and reassessment by resolution.

Anything to the contrary in this act notwithstanding, if any reassessment levied upon any lot, piece or parcel of said tax deeded land is not paid within the thirty day period provided for cash payments of reassessments, the list of unpaid reassessments filed with the Treasurer shall include the reassessment upon any such lot, piece or parcel of tax deeded land and a refunding bond shall be issued to represent such unpaid reassessment. In the event of default in the payment of any installment of interest or principal of any bond issued to represent any reassessment upon tax deeded land, the land may be sold or a foreclosure suit brought under this act as in the case of other land. In any such suit to foreclose, or in any suit to quiet title brought by the purchaser at the Treasurer's sale, or by his successor in interest, the State of California may be made a party defendant and in that event it shall be sufficient service of process to serve the same upon the Attorney General of the State of California.

When a reassessment has been levied upon any parcel of tax deeded land, upon the recordation of the reassessment, notice that the bonds of the district have been refunded and that the unpaid taxes and special assessment taxes levied to pay principal and interest of the bonds refunded are canceled shall be sent by the clerk of the legislative body which conducted the refunding proceeding to the auditor of the county in which the land lies, and he shall compute the amount of the unpaid taxes or special assessment taxes, penalties and interest so canceled and shall notify the State Controller thereof, and such amount shall be deducted from the sum for which the property was sold to the State, in computing the amount necessary for a redemption of the property or in any sale of the property by the State.

The refunding of the indebtedness of overburdened ad valorem special improvement districts so as to eliminate pyramiding of assessments and taxes, thus making the property available for development and restoring it to the tax rolls, is declared to be an important policy of this State and all necessary authority, power and jurisdiction to impose a valid reassessment upon lands deeded to the State for delinquent taxes or for delinquent taxes and assessments and to enforce the lien of such reassessment is hereby granted, and any and all acts and proceedings of every kind and

nature necessary for the levy of a valid reassessment and for the enforcement of the lien of such reassessment are hereby authorized.

SEC. 12 This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately The following is a statement of the facts constituting such necessity:

The indebtedness of special improvement districts payable from ad valorem assessments or from general taxes is, in many instances, greater than the property within the district can bear. Pyramiding of the taxes and assessments has resulted in districts becoming almost entirely delinquent and in preventing the upbuilding and development of the lands in such districts In many of such districts general taxes and the special assessments have been delinquent for several years In many of such districts large blocks of land have been sold to the State for delinquency in the payment of taxes and assessments and deeds to the State have been issued thereon Property in these districts which comprise substantial areas is almost entirely unproductive of revenue for school, city and county purposes In some districts this lack of revenue has hampered and prevented the city from providing adequate police and fire protection, sanitation and other health facilities By refunding the obligations of such districts under this act, delinquent general taxes will be paid speedily, the properties will be restored to the tax roll and tax revenues will be provided to meet the urgent needs of the cities, school districts and counties Unless this relief is immediately given, many thousands of property owners will lose their property, millions of dollars in taxes will be uncollectible, and funds necessary to provide for the safety and health of the inhabitants of many districts will not be supplied The immediate refinancing of the indebtedness of these districts as provided in this act will save property owners from loss of their property, restore property to the tax rolls, provide funds needed for public safety, sanitation and health purposes, and permit building and development now stopped by fear of pyramiding"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1764—An act to amend sections 16, 71, 72, 73, 74 and 75 of the Improvement Act of 1911," approved April 7, 1911, as amended.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2554—An act relating to the use of lands dedicated for park purposes.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1146—An act to repeal section 2.123 of the School Code and to add a new section thereto to be numbered 4 192, both relating to the furnishing of facilities and services by county superintendents of schools for the education of pupils

Committee Amendments to Assembly Bill No. 1146.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "Section", and insert in lieu thereof the word "Sections"

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after the number "2 123", insert a comma and the following: "3 610, 3 611 and 3 612"

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, strike out the word "both", and insert in lieu thereof the word "all".

Amendment No. 4.

On page 1, line 3 of the title of the printed bill, after the word "facilities", insert a comma and the word "supplies".

Amendment No. 5.

On page 1, line 4 of the title of the printed bill, after the word "pupils", insert the following: "residing in the county".

Amendment No. 6.

On page 1, line 1, of the printed bill, strike out the word "Section" and insert in lieu thereof the word "Sections".

Amendment No. 7.

On page 1, line 1, of the printed bill, after the number "2.123", insert a comma and the following: "3.610, 3.611 and 3.612".

Amendment No. 8.

On page 1, line 11, of the printed bill, after the word "more", insert the word "emergency".

Amendment No. 9.

On page 1 of the printed bill, strike out all of lines 16 to 19, and insert in lieu thereof the following: "for the purpose of maintaining such emergency schools may rent, purchase and maintain sites and buildings, erect buildings, employ teachers and other necessary employees, provide for the transportation of pupils, furnish all necessary supplies and equipment and do all other things necessary to permit the maintenance of such schools. The cost of all facilities and services authorized by this section shall be paid by the county superintendent of schools from the county unapportioned elementary school fund.

All emergency schools maintained under the provisions of this section shall be maintained in accordance with standards prescribed by the Superintendent of Public Instruction."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1629—An act to add a new section to the School Code to be numbered 3.362 and to amend sections 3.291, 3.400 and 3.411 of said code, all relating to junior colleges maintained by junior college districts.

Committee Amendments to Assembly Bill No. 1629.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 7, of the printed bill, as amended, strike out the following: "On recommendation by", and insert in lieu thereof the following: "With the approval of".

Amendment No. 2.

On page 3, line 8, of the printed bill, as amended, strike out the following: "approval by".

Amendment No. 3.

On page 3, line 48, of the printed bill, as amended, strike out the semicolon and the following: "and pro-", and strike out all of lines 49 to 52, inclusive, and on page 4, strike out all of lines 1 to 5, inclusive, and insert in lieu thereof a period.

Amendment No. 4.

On page 5, line 5, of the printed bill, as amended, after the word "district", insert the following: "which is coterminous with an elementary school district and".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No 1481—An act to amend section 975 of the Code of Civil Procedure, respecting appeals from justice's or police courts on questions of law.

Committee Amendment to Assembly Bill No. 1481.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "975", insert the following: "Any party dissatisfied with any special order made after judgment in a civil action, in a police or justice court, may appeal therefrom in the manner provided in the preceding section."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1704—An act to amend section 42 of the Probate Code, relating to bequests and devises.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2062—An act to add section 2225 to the Civil Code, relating to trusts.

Bill read second time, and ordered on third reading calendar.

Second Reading of Senate Bills.

Senate Bill No. 963—An act to amend section 1 of the Fair Trades Act, relating to fair trade practices.

Committee Amendments to Senate Bill No. 963.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title and insert in lieu thereof the following:

"An act to amend section 1 of the Fair Trade Act- and to add section 6 thereto, relating to fair trade practices- and providing for the separability of said section 6."

Amendment No. 2.

On page 1, line 26, of the printed bill, as amended, after the word and figure "SECTION 1", strike out the balance of the line, and all of lines 27 and 28, and insert the following. "Section 1 of the act cited in the title hereof is hereby amended to read as follows:"

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"Section 1. No contract relating to the sale or resale of a commodity which bears, or the label or container of which bears, the trade mark, brand, or name of the producer or owner of such commodity and which is in fair and open competition with commodities of the same general class produced by others shall be deemed in violation of any law of the State of California by reason of any of the following provisions which may be contained in such contract:

1. That the buyer will not resell such commodity except at the price stipulated by the vendor.

2. That the vendee or producer require any dealer to whom he may sell such commodity to agree that he will not, in turn, resell except at the price stipulated by such vendor or by such vendee.

Such provisions in any contract shall be deemed to contain or imply conditions that such commodity may be resold without reference to such agreement in the following cases:

1. In closing out the owners' stock for the bona fide purpose of discontinuing dealing in any such commodity.

2. When the goods are damaged or deteriorated in quality, and notice is given to the public thereof.

3. By any officer acting under the orders of any court.

SEC. 2. A new section is hereby added to the act cited in the title hereof to be numbered section 6 and to read as follows:

SEC. 6. All the provisions of this act shall extend to any commodity sold through vending equipment, if such vending equipment bears the trade mark, brand or name of the producer or owner of such commodity and if such commodity is in fair and open competition with commodities of the same general class produced by others.

SEC. 3. It is hereby declared to be the intent of the Legislature in adding section 6 to the Fair Trade Act that, if said section 6 should be held to be unconstitutional, the remainder of the act shall be unaffected thereby and shall continue in full force and effect."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 160—An act to add section 1a to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from the tax.

Committee Amendment to Senate Bill No. 160.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert in lieu thereof the following:

"SEC. 1a. A resident farmer of California, who occasionally transports property for other farmers, or who transports his own farm products, or who transports laborers to and from farm work as an incident in his farming operations, shall not".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 667—An act to amend section 585 of the Vehicle Code, and to add thereto section 585.5, relating to stolen and altered vehicles and motors.

Committee Amendment to Senate Bill No. 667.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "and to add", and strike out lines 2 and 3, and insert in lieu thereof the following: "relating to stolen and illegally stopped vehicles."

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 766—An act to amend sections 545, 637, 656, 675.5, and 676 of the Vehicle Code, relating to motor vehicles.

Committee Amendment to Senate Bill No. 766.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 3, line 24, of the printed bill, as amended, after the period, add the following: "This section shall not apply to snow removal equipment equipped with adequate manually operated windshield wipers."

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 168—An act to add sections 1.5 and 5.5 to an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, relating to county fire protection districts.

Committee Amendments to Senate Bill No. 168.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "5.5", and insert in lieu thereof the following: "5.1".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "5.5", and insert in lieu thereof the following: "5.1".

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out "5.5", and insert in lieu thereof the following: "5.1".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 1036—An act to add section 4255b to the Political Code, relating to compensation of officers of counties of the twenty-sixth class.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 572—An act to add a new section to be numbered 4041.29 to the Political Code, relating to powers of boards of supervisors.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 286—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages and areas contiguous thereto.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1125—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 195—An act to amend section 4259 of the Political Code, relating to salaries of officers of the counties of the thirtieth class.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1113—An act to amend section 4253 of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1071—An act validating the election and classification of members of the sanitary board of sanitary districts reorganized pursuant to section 31 of the act of the Legislature entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for the violations thereof," approved May 17, 1923, as amended, and providing that this act shall take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1072—An act amending sections 9 and 31 of the act of the Legislature of the State of California entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof,"

approved May 17, 1923, as amended, relating to elections of sanitary boards in sanitary districts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 965—An act to amend section 4250 of the Political Code, relating to the compensation of officers and employees in counties of the twenty-first class.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 912—An act to add a new section to be numbered 32c to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 491—An act to amend sections 3197, 3198, and to add a new section to be numbered 3197a, to the Political Code, relating to trademarks.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 992—An act to amend section 1 of an act entitled "An act to provide for the creation of a Commission on Uniform

State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses," approved May 14, 1927, relating to a Commission on Uniform State Laws.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1119—An act to amend section 737q of the Political Code, relating to the salary of the judge of the superior court in and for the county of Lake.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 237—An act to amend sections 10b, 10c, 10d, 10e, and 10g of the State Narcotic Act, relating to fines and forfeitures

Bill read second time, and ordered on third reading calendar

Senate Bill No. 135—An act to amend sections 11, 13, 15, 15c and 21 of, and to add section 11a to an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to the tenure and powers of the general manager, the redemption of and signatures to bonds, civil service, and the establishment of a retirement system, all relating to municipal utility districts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1028—An act to add section 2b to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to boundaries of municipal corporation

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1114—An act to add section 26 to an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain a police department to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purpose, and to create a board of police commissioners," approved April 26, 1927, relating to the dissolution of police districts

Bill read second time, and ordered on third reading calendar

Senate Bill No. 1070—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to municipal utility districts.

Committee Amendment to Senate Bill No. 1070.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "amend", insert the following: "sections 1 and 6b of".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Notices of Motion to Reconsider Assembly Bills Continued.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 206 was refused passage was continued until the next legislative day.

On motion of Mr. Tenney, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 72 was refused passage was continued until the next legislative day.

Reconsideration of Assembly Bill No. 2814.

In compliance with a notice given on a previous day, Mr. Burns, Hugh M., moved that the vote whereby Assembly Bill No. 2814 was refused passage be reconsidered.

Demand for Previous Question.

Messrs. Morgan, Cottrell, Crowley, Dannenbrink and Beene demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 2814.

The roll was called, and Assembly Bill No. 2814 reconsidered by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Cunningham, Daley, Dawson, Dilworth, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Levey, Martin, Miller, Eleanor Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Robertson, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—47.

NOES—Crowley, Dannenbrink, Donihue, Fulcher, Heisinger, Leonard, Mayo, McMurray, Meehan, Muldoon, Richie, Sawallisch, and Williamson—13.

Third Reading of Assembly Bill No. 2814.

Assembly Bill No. 2814—An act to add section 4020.5 to the Political Code, relating to coroners.

Motion to Amend Assembly Bill No. 2814.

Mr. Burns, Hugh M., moved to amend Assembly Bill No. 2814 as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, after "ordinance", insert the following ", passed by a four-fifths vote,".

Amendment adopted.

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to take up Assembly Bill No. 2814, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2814, as Amended.

Assembly Bill No. 2814—An act to add section 4020.5 to the Political Code, relating to coroners.

Demand for Previous Question.

Messrs. Beene, Cottrell, Lore, Breed and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2814.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr Thorp moved a call of the Assembly.

Motion carried.

Time, twelve o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 728—An act to add a new section to be numbered 1685 to the Streets and Highways Code, relating to the allocation and expenditure of motor vehicle fuel license tax moneys by boards of supervisors of counties having a registration therein of more than 750,000 motor vehicles.

Motion to Amend Assembly Bill No. 728.

Mr. Welsh moved to amend Assembly Bill No. 728 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after the word "apportion", insert the following: "eighty per cent of".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 18 and 19, insert the following paragraph:

"The remainder of such motor vehicle fuel fund money received by any such county, not allocated and apportioned by provisions of the preceding paragraph hereof, may be appropriated by such board of supervisors to refund, repay, purchase and adjust special assessments and special assessment bonds in accordance with the provisions of sections 1626, 1626.5, 1627 and 1628 of this code; provided, however, the provisions of this section shall not be construed to authorize the appropriation of such funds for such purposes in addition to the limitation contained in section 1627 of this code."

Amendments adopted.

Assembly Bill No. 728 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills—(Out of Order).

Senate Joint Resolution No. 16—Relative to memorializing the President and the Congress of the United States to enact legislation proposed by S 4793 and H R 13021 providing for the granting of aid by the Federal Government to the several States for the support of public education.

Motion to Amend Senate Joint Resolution No. 16.

Mr. Hawkins moved to amend Senate Joint Resolution No. 16 as follows:

Amendment No. 1.

On page 1, line 11, of the printed measure, as amended, strike out "provides", and insert in lieu thereof the following: "would provide, if proper safeguards are inserted to prevent racial discrimination,".

Amendment No. 2.

On page 1, line 17, of the printed measure, as amended, after the word "measures", add the following: "with proper safeguards".

Amendments adopted.

Request for Unanimous Consent.

Mr Hawkins asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 16, at this time, without reference to reprint or calendar.

Consideration of Senate Joint Resolution No. 16, as Amended.

Senate Joint Resolution No. 16—Relative to memorializing the President and the Congress of the United States to enact legislation proposed by S 4793 and H R. 13021 providing for the granting of aid by the Federal Government to the several States for the support of public education.

Senate Joint Resolution No 16 read, and adopted by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Danuenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, King, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mavo McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—57.

NOES—None

Title read and approved Bill ordered to reprint, and transmitted to the Senate

Re-reference of Senate Bill No. 278.

On motion of Mr Dilworth, Senate Bill No 278 was withdrawn from the calendar, and re-referred to the Committee on Agriculture.

Notice of Motion to Reconsider Senate Bill No. 216 Waived.

Mr. Sawallisch waived his notice of motion to reconsider the vote whereby Senate Bill No. 216 was passed

Senate Bill No 216 ordered transmitted to the Senate.

Motion to Print Communication in Journal.

On motion of Mr. Williamson, the following communication was ordered printed in the Journal.

ST IVES' LAW CLUB, UNIVERSITY OF SAN FRANCISCO,
SAN FRANCISCO, CALIF., April 22, 1937.

Mr. Ray D Williamson, Assemblyman, Twenty-sixth District, Capitol, Sacramento.

DEAR MR WILLIAMSON: The members of the St. Ives' Law Club wish to convey to you their deep thanks for the many courtesies extended to us on our recent visit to the capital Needless to say they were largely instrumental in making the trip the acme of the pleasurable and the instructive.

We wish to let you, Mr Cronin, Mr Smyth, and the members of the San Francisco Delegation know how much we appreciated the privilege of the floor of the Assembly. It was, we feel, one of the best items of the day's program.

Furthermore, we are especially delighted to find a member of the alumni taking so great an interest in an Ignatian organization.

Sincerely

Robert Benson; George Murphy; Harry Chilford, Edward Heavey; Thomas F Casey, Jr.; Frank Rovere, Harry Sloan, John H Riordan, Jr., Thomas J. O'Toole; Henry Wikstrom; Robert M. Horner; Robert Lanctot; Charles Scully, Edw W. Dreier, Jr., Robert Oakley, Edward Moran, Edward Ewing, William S Landthorn; Wm S. Hogan, Jr., H. C Ewing, Noel J. Dyer, A Russell Berti.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 440—An act to repeal sections 5.741, 5 742, 5.743, 5.744, and 5.745 of the School Code and to add thereto three new sec-

tions to be numbered 5.741, 5.742, and 5.743, all relating to the payment of salaries of persons employed by school districts in positions requiring certification qualifications.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1518—An act to add section 56.5 to, and to amend sections 13 and 56 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2495—An act to amend section 46 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2498—An act to amend sections 12 and 54 of, and to repeal sections 14 and 53 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—63.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2845—An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P. Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—62.

NOES—None

Assembly Bill No. 2845 read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 1753.

Respectfully reports the same back without recommendation, as amended.

SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

Second Reading of Assembly Bill No. 1753.

Assembly Bill No. 1753—An act to repeal section 10880 of the Insurance Code, and to add a new section to be known as section 10880, relating to the conversion of mutual companies to legal reserve companies.

Committee Amendments to Assembly Bill No. 1753.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "repeal section 10880 of the Insurance Code and to add a new section to be known as section 10880", and insert in lieu thereof the following: "add Article 11.5 to Chapter 9, Part 2, Division 3 of the Insurance Code".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out "companies", and insert in lieu thereof the following: "insurers".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and insert in lieu thereof the following:

"SECTION 1. Article 11.5, comprising sections 10883.11 to 10883.27, inclusive, is hereby added to Chapter 9, Part 2, Division 2 of the Insurance Code, to read as follows.

Article 11 5. Transformation to Stock Company.

10883.11. Any domestic insurer now in existence, which shall now or hereafter be subject to the provisions of this chapter, possessed of admitted assets in excess of all liabilities, and having completed its statutory deposit, may transform to a legal reserve stock company on the stipulated premium plan with a paid-in capital stock of not less than $25,000. Until the paid-in capital stock of such insurer is $250.000, no new policies shall be issued by such insurer which would result in its paid-in capital falling below $5 for each $1,000 of life insurance in force.

10883.12. For the purpose of transforming to a stock company, as herein provided, a quorum of the policyholders shall be not less than 15 per cent of all its policyholders.

10883 13. Such insurer shall not transform to a stock company without the affirmative vote of a majority of such quorum of its policyholders voting at a special meeting called for such purpose. At such meeting, the policyholders shall vote in person or by special proxy given for the purpose of voting on such transformation.

10883.14. The application for the permit to issue such stock shall be made pursuant to Article 8, Chapter 1, part 2, Division 1 of this code and shall set forth the purpose of and the need for the sale of such stock.

10883.15. The capital stock issued at the time of transformation shall be first offered to each policyholder of the insurer in the ratio that the total number of shares authorized for such issue bears to the total number of policyholders at the date of transformation. Any such stock not subscribed by any policyholder within 30 days from the date of offering may be offered to the public.

10883.16. All capital stock shall be sold for cash or securities legal for investment of all assets of insurers, subject to approval by the commissioner, at not less than 150 per cent of its par value. The total expense of the sale of such stock shall not exceed 10 per cent of the selling price. The stock certificates shall provide that at any time after the expiration of 20 years after the date of transformation, the commissioner may require the insurer to submit to its policyholders a plan of mutualization. The commissioner shall formulate such plan and submit it to the insurer In the event such plan of mutualization is not acceptable to such insurer, a satisfactory plan shall be arrived at by arbitration, as follows:

10883.17. The commissioner shall appoint one arbitrator, the insurer shall appoint one arbitrator, and the two so appointed may appoint a third. Any plan adopted by any two of said arbitrators shall be final and binding upon the insurer and said commissioner upon the approval of the plan by a majority of not less than 15 per cent of the policyholders voting at a meeting called for that purpose. In the event of rejection of such plan by the policyholders, the commissioner shall not again require the submission of a plan of mutualization until the expiration of at least five years thereafter.

10883.18. Stock in such insurer shall not acquire any right of ownership or participation in unassigned reserves or surpluses belonging to such insurer at the time of transformation.

10883.19. All life insurance written by such transformed insurer shall be upon a reserve basis not less than as required at the date of transformation in Article 9, Chapter 9, Part 2, Division 2 of this code but the transformation of such insurer shall not affect the rights or obligations of the insurer or its policyholders on any contract theretofore made.

10883 21. The contracts of such insurer may provide for not more than one year preliminary term insurance by incorporating therein a clause plainly showing that the first year's insurance under such contracts is term insurance, purchased by the whole or a part of the premiums to be received during the first contract year. The reserve according to the standard prescribed by said Article 9 shall be without the modifications therein permitted, but, after such preliminary term, may be modified by being reduced for the first and second policy years by the following percentages: first year, 50 per cent; second year, 50 per cent.

10883 22. If, by reason of excessive mortality, the life insurance reserves of such insurer shall become impaired, the commissioner shall require the officers of such insurer to notify all life insurance policyholders, by mail addressed to the last known address of each policyholder, on or before the first day of the next succeeding month to pay, within 30 days of the mailing of such notice, an extra premium, sufficient to correct such impairment of reserves. If any policyholder fails to pay such extra premium within the time named, such premium shall be charged as an indebtedness, to bear interest at 6 per cent per annum, not exceeding the tabular reserves on the policy, and such policy shall terminate whenever the total indebtedness thereon equals such tabular reserves.

10883.24. If, by reason of excessive claims, the assets of any health and accident department of the insurer shall be insufficient for the payment of claims due and the maintenance of required reserves, the commissioner shall require the officers of such insurer to notify all health and accident policyholders, by mail addressed to the last known address of each policyholder, on or before the first day of the next succeeding month to pay, within 30 days of the mailing of such notice, an extra premium, sufficient to pay all unpaid claims and to maintain the required reserves. If any policyholder fails to pay such premium within the time named, his policy shall automatically terminate at the expiration of the time named.

10883.25. A person shall not incur any personal liability for the losses or liabilities of any insurer transacting business under the provisions of this article by reason of being a policyholder in such insurer.

10883.26. Except as otherwise provided in this article, such transformed insurer shall be subject to and governed by all provisions and privileges of Chapter 9, Part 2, Division 2 of this code, excluding Article 10 of said Chapter 9, Part 2, Division 2 of this code.

10883.27. The transforming insurer shall amend its articles of incorporation and by-laws to meet the requirements of this section, and shall be a continuation of the original insurer. Its officers elected before or during the transformation serve through their respective terms, as provided in the articles and by-laws under which they were elected. Their successors shall be elected and serve as its articles and by-laws provide after transformation. Such transformation shall not affect existing suits, rights or contracts."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Further Proceedings Under Call of the Assembly Dispensed With.

At twelve o'clock and fifty-eight minutes p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Thorp.

The roll was called, and Assembly Bill No. 2814 refused passage by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Call, Clark, Cronin, Cunningham, Dawson, Desmond, Dilworth, Field, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Kepple, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Peek, Pelletier, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, Weber, Welsh, and Yorty—39.

NOES—Beene, Boyle, Burns, Michael J., Cottrell, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Fulcher, Gilbert, Glick, Heisinger, Johnson, King, Kuchel, Leonard, Mayo, McMurray, Meehan, Muldoon, Patterson, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Watson, Williamson, and Mr. Speaker—33.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 346—An act to amend section 542 of the Code of Civil Procedure, relating to attachments.

Bill read third time, and refused passage by the following vote:

AYES—Call, Cronin, Hornblower, Maloney, Muldoon, Patterson, Peyser, Sawallisch, and Sheehan—9.

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Tenney, Turner, Voigt, Watson, Weber, Welsh, Williamson, and Mr. Speaker—55.

Assembly Bill No. 407—An act to amend section 542a of the Code of Civil Procedure, relating to attachment liens.

Bill read third time, and refused passage by the following vote:

AYES—Call, Cronin, Hornblower, Maloney, Muldoon, Patterson, Peyser, Sawallisch, and Sheehan—9.

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Tenney, Turner, Voigt, Watson, Weber, Welsh, Williamson, and Mr. Speaker—55.

Recess.

At one o'clock p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.
Speaker Jones in the chair.

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 2547.
Assembly Bill No. 78.
Assembly Bill No. 451.
Assembly Bill No. 602.
Assembly Bill No. 795.
Assembly Bill No. 862.
Assembly Bill No. 906.
Assembly Bill No. 962.
Assembly Bill No. 1200.
Assembly Bill No. 1432.
Assembly Bill No. 2398.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred **House Resolution No. 70.**

Respectfully reports the same back with the recommendation: Be adopted as amended

MEEHAN, Chairman

The above reported resolution ordered on third reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 59.

Respectfully reports the same back with the recommendation: Be adopted

HUNT, Chairman.

The above reported bill ordered to engrossment

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 30.

Respectfully reports the same back with the recommendation: Be adopted as amended.

HUNT, Chairman

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1623.
Assembly Bill No. 2521.
Senate Bill No. 613.

Respectfully reports the same back with the recommendation: Do pass as amended

DONIHUE, Chairman

The above reported bills ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2229.
Assembly Bill No. 2424.
Assembly Bill No. 2425.

Respectfully reports the same back without recommendation, as amended.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 67.
Assembly Bill No. 2704.
Assembly Bill No. 2705.

Respectfully reports the same back with the recommendation: Do pass

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred

Assembly Bill No. 1111.

Respectfully reports the same back with the recommendation: Do pass.

MILLER, GEORGE P., Chairman

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Joint Resolution No. 39.
Assembly Bill No. 260.
Assembly Bill No. 541.
Assembly Bill No. 632.
Assembly Bill No. 859.
Assembly Bill No. 861.
Assembly Bill No. 866.
Assembly Bill No. 909.
Assembly Bill No. 1205.
Assembly Bill No. 1220.
Assembly Bill No. 1301.
Assembly Bill No. 1406.
Assembly Bill No. 1410.
Assembly Bill No. 1442.
Assembly Bill No. 1467.
Assembly Bill No. 1469.
Assembly Bill No. 1530.
Assembly Bill No. 1688.
Assembly Bill No. 1838.
Assembly Bill No. 1895.
Assembly Bill No. 2658.

And reports the same correctly enrolled, and presented to the Governor on this twenty-eighth day of April, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Constitutional Amendment No. 59.
Assembly Bill No. 272.
Assembly Bill No. 513.
Assembly Bill No. 665.
Assembly Bill No. 1563.
Assembly Bill No. 1576.
Assembly Bill No. 1577.
Assembly Bill No. 1608.
Assembly Bill No. 1609.
Assembly Bill No. 1704.
Assembly Bill No. 1780.
Assembly Bill No. 2708.
Assembly Bill No. 2753.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1059.
Assembly Bill No. 1685.
Assembly Bill No. 2732.

And reports the same correctly re-engrosed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Message from the Governor.

The following message from the Governor was received and read.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, April 27, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

I am returning herewith, without my approval, **Assembly Bill No. 892**, the same being

"An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof",

relating to the validating of county water district bonds.

This bill, in addition to validating proceedings for the issuance and sale of bonds of county water districts organized under Deering Act, 1924, contains a provision in section 2 of the bill which would allow the directors of the district to apply the proceeds from the sale of bonds to any of the general purposes for which the district was organized. This provision is contrary and in conflict with section 15 of the original act, which provides that the directors before such bond indebtedness is created must pass a resolution stating the purposes for which the proposed debt is to be incurred.

I am of the opinion that the original provisions relating to the question of the purposes for which the money obtained from the sale of bonds may be used, should not be changed as proposed in this bill.

I am, therefore, returning Assembly Bill No. 892 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 892 ordered on unfinished business calendar.

Special Order.

The special orders heretofore set for the hour of two o'clock p.m. were taken up at this time.

Hon. Cecil R. King in the Chair.

At five o'clock p.m., Hon. Cecil R. King, member of the Assembly from the Sixty-Seventh District, in the chair.

Motion for Committee of the Whole.

On motion of Mr. Clark, the Assembly resolved itself into a Committee of the Whole for the consideration of Assembly Bills Nos. 2090, 267, and 1455, and Senate Bill No. 579.

IN COMMITTEE OF THE WHOLE.

Speaker Jones in the chair.

Assembly Bills Nos. 2090, 267, and 1455, and Senate Bill No. 579 considered.

On motion of Mr. Welsh, the committee did arise, and reported back to the Assembly.

IN ASSEMBLY.

Speaker Jones in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

GENTLEMEN: Your Committee of the Whole has considered Assembly Bills Nos. 2090, 267, and 1455, and Senate Bill No. 579;
And respectfully reports the same back.

JONES, Chairman.

Further Consideration of Special Orders.

Consideration of Assembly Bill No. 2090.

Assembly Bill No. 2090—An act relating to certain State lands and the production and disposition of oil, gas, and other hydrocarbon sub-

stances therefrom, repealing all acts or parts of act inconsistent or in conflict therewith, and making appropriations for carrying out its purposes

Motion to Amend Assembly Bill No. 2090.

Mr Kuchel moved to amend Assembly Bill No. 2090 as follows:

Amendment No. 1.

On page 11 of the printed bill, as amended, between lines 18 and 19, insert the following

"(c) The lands described in section 1 of this act are located to a large extent within or near the boundaries of the city of Huntington Beach Operations under this act will require additional expense to the city of Huntington Beach in the administration and enforcement of its ordinances relating to police and fire protection. Use by the State or its lessees of the streets of said city of Huntington Beach will be incidental to the development of said lands in the production, removal, storage and marketing of oil, gas and other hydrocarbon substances produced from said State lands, as provided for in this act, and easements and rights of way over, across, through and on lands owned by, under the control of or in which said city has an interest may be required therefor As full consideration to said city of Huntington Beach for all such uses of the property of said city and for all easements, franchises, rights of way over, across, through and on lands owned by, under the control of or in which said city has an interest, required in connection with the operations of the State or any of its lessees under this act, the Director of Finance is authorized and directed to contract and and agree that there shall be paid to said city of Huntington Beach not to exceed two-thousandths of the proceeds of production of oil, gas and other hydrocarbon substances produced from said lands and received by the State as royalties under leases made pursuant to the provisions of this act; provided, that all moneys paid to the city of Huntington Beach under this provision shall be exclusively used by said city for police and fire protection and for acquiring, constructing, repairing or maintaining public parks, playgrounds, piers and streets, such use being hereby declared to be for the public interest, welfare and convenience of the State"

Amendment adopted.

Request for Unanimous Consent.

Mr O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No 2090, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2090, as Amended.

Assembly Bill No. 2090—An act relating to certain State lands and the production and disposition of oil, gas and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in conflict therewith, and making appropriations for carrying out its purposes.

Motion to Amend Assembly Bill No. 2090.

Mr. O'Donnell moved to amend Assembly Bill No. 2090 as follows:

Amendment No. 1.

On page 9, line 25, of the printed bill, as amended, strike out "to be", and strike out line 26, and insert in lieu thereof the following: "as an".

Amendment adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No 2090, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No 2090, as Amended.

Assembly Bill No. 2090—An act relating to certain State lands and the production and disposition of oil, gas and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in

conflict therewith, and making appropriations for carrying out its purposes.

Motion to Amend Assembly Bill No. 2090.

Mr. Welsh moved to amend Assembly Bill No. 2090 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended in the Assembly April 13, 1937, after the comma following "26a", insert "26aa".

Amendment No. 2.

On page 1, line 21 of the title of the printed bill, as amended in the Assembly April 13, 1937 after the comma following the word "therefrom", add the following "creating a State Oil and Gas Commission."

Amendment No. 3.

On page 2, line 34, of the printed bill as amended in the Assembly April 13, 1937, after the period, insert a new paragraph to read as follows

"SEC. 3. Section 26aa is hereby added to said act to read as follows:

Sec. 26aa. There is hereby created a State Oil and Gas Commission, to consist of the Director of Finance, Director of Natural Resources and the State Controller."

Amendment No. 4.

On page 2, line 35, of the printed bill as amended in the Assembly April 13, 1937, strike out "3", and insert in lieu thereof the numeral "4"

Amendment No. 5.

On page 2, line 37, of the printed bill, as amended in the Assembly April 13, 1937, strike out the words "The Director of Finance" and insert in lieu thereof the following "The State Oil and Gas Commission

Amendment No. 6.

On page 2, line 42, of the printed bill, as amended in the Assembly April 13, 1937, strike out "4", and insert in lieu thereof the numeral "5".

Amendment No. 7.

On page 2, line 47, of the printed bill, as amended in the Assembly April 13, 1937, after the period following the word "association", insert a new paragraph to read as follows

Whenever the word "commission" is used in this act it shall mean the "State Oil and Gas Commission."

Amendment No. 8.

On page 2, line 48 of the printed bill as amended in the Assembly April 13, 1937 strike out "5", and insert in lieu thereof the numeral "6".

Amendment No. 9.

On page 2, line 50, of the printed bill, as amended in the Assembly April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the following "State Oil and Gas Commission"

Amendment No. 10.

On page 3, line 15, of the printed bill, as amended in the Assembly April 13, 1937, strike out "6", and insert in lieu thereof the numeral "7".

Amendment No. 11.

On page 8, line 11, of the printed bill, as amended in the Assembly April 13, 1937, strike out "7", and insert in lieu thereof the numeral "8"

Amendment No. 12.

On page 8, line 27, of the printed bill, as amended in the Assembly April 13, 1937, strike out "8", and insert in lieu thereof the numeral "9".

Amendment No. 13.

On page 8, line 29, of the printed bill, as amended in the Assembly April 13, 1937, strike out "Director of Finance" and insert in lieu thereof the word "commission"

Amendment No. 14.

On page 8, line 38, of the printed bill, as amended in the Assembly April 13, 1937, strike out "Director of", and insert in lieu thereof the word "commission".

Amendment No. 15.

On page 8, line 39, of the printed bill, as amended in the Assembly April 13, 1937, strike out the word "Finance".

Amendment No. 16.

On page 8 line 41, of the printed bill, as amended in the Assembly April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission".

Amendment No. 17.

On page 9, line 20 of the printed bill, as amended in the Assembly April 13, 1937, strike out "9", and insert in lieu thereof the numeral "10".

Amendment No. 18.

On page 9, line 31, of the printed bill, as amended in the Assembly April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission".

Amendment No. 19.

On page 9, line 34, of the printed bill, as amended in the Assembly April 13, 1937, strike out "Director of Finance he", and insert in lieu thereof the words "commission it"

Amendment No. 20.

On page 9, line 38, of the printed bill, as amended in the Assembly April 13, 1937, strike out "director", and insert in lieu thereof the word "commission".

Amendment No. 21.

On page 9, line 41, of the printed bill, as amended in the Assembly April 13, 1937, strike out "he", and insert in lieu thereof the words "the commission".

Amendment No. 22.

On page 9, line 44, of the printed bill, as amended in the Assembly April 13, 1937, strike out "10", and insert in lieu thereof "11".

Amendment No. 23.

On page 9 of the printed bill, as amended April 13, 1937, strike out line 48, and insert in lieu thereof the following "Commission, as hereinbefore provided, the Commission".

Amendment No. 24.

On page 9, line 49, of the printed bill, as amended April 13, 1937, strike out the word 'Finance".

Amendment No. 25.

On page 10, line 5, of the printed bill, as amended April 13, 1937, strike out "11", and insert in lieu thereof the numeral "12"

Amendment No. 26.

On page 10, line 7, of the printed bill, as amended in the Assembly April 13, 1937, strike out "Director", and insert in lieu thereof the word "commission".

Amendment No. 27.

On page 10, line 8, of the printed bill, as amended in the Assembly April 13, 1937, strike out the words "of Finance"

Amendment No. 28.

On page 10, line 8, of the printed bill, as amended in the Assembly April 13 1937, strike out "him", and insert in lieu thereof the word "them".

Amendment No. 29.

On page 10, line 10, of the printed bill, as amended in the Assembly April 13, 1937, strike out "12", and insert in lieu thereof the numeral "13".

Amendment No. 30.

On page 10, line 13, of the printed bill, as amended April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission".

Amendment No. 31.

On page 10, line 17, of the printed bill, as amended April 13, 1937, strike out "13", and insert in lieu thereof the numeral "14".

Amendment No. 32.

On page 10, line 24, of the printed bill, as amended April 13, 1937, strike out "14", and insert in lieu thereof the numeral "15".

Amendment No. 33.

On page 10, line 34, of the printed bill, as amended in the Assembly April 13, 1937, strike out "15", and insert in lieu thereof the numeral "16".

Amendment No. 34.

On page 10, line 43, of the printed bill, as amended in the Assembly April 13, 1937, strike out "16", and insert in lieu thereof the numeral "17".

Amendment No. 35.

On page 11, line 13, of the printed bill, as amended in the Assembly April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission".

Amendment No. 36.

On page 11, line 16, of the printed bill, as amended April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission".

Amendment No. 37.

On page 11, line 19, of the printed bill, as amended April 13, 1937, strike out "17", and insert in lieu thereof the numeral "18".

Amendment No. 38.

On page 11, line 27, of the printed bill, as amended April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the words "State Oil and Gas Commission"

Amendment No. 39.

On page 11, line 30, of the printed bill, as amended April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission".

Amendment No. 40.

On page 11, line 45, of the printed bill, as amended April 13, 1937, strike out "18", and insert in lieu thereof the numeral "19".

Amendment No. 41.

On page 11, line 48, of the printed bill, as amended April 13, 1937, strike out "Director of Finance" and insert in lieu thereof the word "commission".

Amendment No. 42.

On page 12, line 12, of the printed bill, as amended April 13, 1937, strike out "19", and insert in lieu thereof the numeral "20".

Amendment No. 43.

On page 12, line 19, of the printed bill, as amended April 13, 1937, strike out "20", and insert in lieu thereof the numeral "21".

Amendment No. 44.

On page 12, line 24, of the printed bill, as amended April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission."

Amendment No. 45.

On page 12, line 30, of the printed bill, as amended April 13, 1937, strike out "21", and insert in lieu thereof the numeral "22".

Amendment No. 46.

On page 12, lines 35 and 36, of the printed bill, as amended April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission".

Amendment No. 47.

On page 12, line 44, of the printed bill, as amended April 13, 1937, strike out "22", and insert in lieu thereof the numeral "23".

Amendment No. 48.

On page 12, line 48, of the printed bill, as amended April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission".

Amendment No. 49.

On page 12, line 52, of the printed bill, as amended April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission".

Amendment No. 50.

On page 13, lines 1 and 2, of the printed bill, as amended April 13, 1937, strike out "Director of Finance", and insert in lieu thereof the word "commission".

Amendment No. 51.

On page 13, line 8, of the printed bill, as amended April 13, 1937, strike out "23", and insert in lieu thereof the numerals "24".

Amendment No. 52.

On page 13, line 18, of the printed bill, as amended April 13, 1937, strike out "24", and insert in lieu thereof the numeral "25".

Amendment No. 53.

On page 13, line 22, of the printed bill, as amended April 13, 1937, strike out "25", and insert in lieu thereof the numeral "26".

Amendments read, and refused adoption by the following vote:

AYES—Dannenbrink, Field, Hornblower, Lyon, and Welsh—5

NOES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donohue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Latham, Leonard, Lore, Maloney Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Redwine Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—60

Demand for Previous Question.

Messrs. Yorty, Crowley, Garland, Johnson and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2090

Urgency clause read, and refused adoption by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Garibaldi, Garland, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Peyser, Redwine, Scudder, Stream, Thorp, Turner, Voigt, Walker, Williamson, and Mr. Speaker—44

NOES—Boyle, Call, Clark, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Laughlin, Lore, Lyon, Maloney, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Watson, Welsh, and Yorty—29.

Motion to Expunge Record and Rescind Action.

Mr. O'Donnell moved to expunge the record, and rescind the action whereby the Assembly refused adoption to the urgency clause to Assembly Bill No. 2090.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Williamson—56

NOES—Call, Clark, Hawkins, Patterson, Peek, Pelletier, Reaves, Tenney, and Yorty—9.

Motion to Amend Assembly Bill No. 2090.

Mr. O'Donnell moved to amend Assembly Bill No. 2090 as follows:

Amendment No. 1.

On page 13 of the printed bill, strike out section 25, lines 22 to 51, inclusive

Amendment No. 2.

On page 1, line 27 of the title of the printed bill, strike out "Declaring the urgency thereof", and strike out lines 28 and 29 of the title.

Amendments adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No. 2090, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2090, as Amended.

Assembly Bill No. 2090—An act relating to certain State lands and the production and disposition of oil, gas, and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in conflict therewith, and making appropriations for carrying out its purposes.

Assembly Bill No. 2090, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donnelly, Fulcher, Garibaldi, Garland, Johnson, Kepple, King, Kuchel, Latham, Leonard, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Williamson, and Mr. Speaker—41

NOES—Andreas, Boyle, Call, Clark, Daley, Dilworth, Donahue, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Laughlin, Levey, Lore, Lyon, Martin, Miller, George P., Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Tenney, Walker, Watson, Welsh, and Yorty—35.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2090.

Mr Welsh gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2090 was this day passed.

Explanation of Vote.

I declined to vote on Assembly Bill No 2090 and Assembly Bill No 267 because, of the four oil bills under consideration, these two were not my choice.

FRANK G MARTIN.

Consideration of Assembly Bill No. 267.

Assembly Bill No. 267—An act to amend section 675 of the Political Code, relating to the Department of Finance

Motion to Amend Assembly Bill No. 267.

Mr Kuchel moved to amend Assembly Bill No. 267 as follows:

Amendment No. 1.

On page 5 of the printed bill, as amended, after line 51, insert the following

"SEC 2 In so far as any lands leased under the provisions of subdivision 10 of section 675 of the Political Code are located within the boundaries of any incorporated city, and where it is necessary that the drill sites, rights of way and easements in connection therewith, shall be located in part on lands and real property **within the boundaries of such city; and inasmuch as the drilling,** production and kindred activities contemplated by such lease or leases necessarily will increase the required municipal police and fire protection of the area, and the cost thereof, and municipal expenses in general; and where easements and rights of way over, across, through and on lands owned by, under the control of, or in which such city has an interest are required in order that said activities may proceed, and rights in the nature of franchises from such city being necessarily required for the proper operations under said section, it is hereby provided that it shall be a condition of all bids submitted under subdivision 10 of said section 675 of the Political Code, and it shall **be set forth as a condition in all leases, licenses or contracts entered into thereunder that there shall be paid monthly to such city by such lessees, licensees and con**tractors as full consideration for such easements, rights of way and franchise rights within such city which are necessary or convenient for the performance of any **such leases, licenses or contracts, sums equal to two-thousandths the reasonable market value of all oil, gas and other hydrocarbons produced** and saved from all wells drilled under subdivision 10 of section 675 of the Political Code, located within the boundaries of any such incorporated city, for each ten per cent or fraction thereof to be paid to the State, pursuant to said lease, license or contract The sums of money so paid shall be used exclusively for police and fire protection and for acquiring, constructing, repairing or maintaining public parks playgrounds piers **and streets, such use being and is hereby declared to be for the public interest,** welfare and convenience of the State"

Amendment adopted

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 267, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 267, as Amended.

Assembly Bill No. 267—An act to amend section 675 of the Political Code, relating to the Department of Finance.

Assembly Bill No. 267, as amended, read third time, and refused passage by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cottrell, Gannon, Garibaldi, Heisinger, Hornblower, Hunt, Kuchel, Latham, Maloney, McMurray, Miller, George P., Sawallisch, Scudder, Sheehan, Thorp, and Mr Speaker—21

NOES—Baynham, Breed, Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint

Fulcher, Gilbert, Glick, Hawkins, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Lyon, Mayo, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—52

Consideration of Assembly Bill No. 1455.

Assembly Bill No. 1455—An act authorizing the Director of Finance, upon behalf of the State, to prospect for, drill for, develop, extract, take and remove or dispose of, and to grant leases and easements for taking or extraction of, oil, gas or other hydrocarbons, or other minerals, of whatsoever kind, within and from certain lands belonging to the State; to acquire by purchase, eminent domain or otherwise, real property or interests therein necessary for the purposes of this act; providing for the disposition of all funds received pursuant to the provisions hereof; repealing all acts or parts of acts inconsistent or in conflict with this act, and making an appropriation for the purpose of carrying out the provisions of this act.

Motion to Amend Assembly Bill No. 1455.

Mr. Kuchel moved to amend Assembly Bill No. 1455 as follows

Amendment No. 1.

On page 2, line 10, of the printed bill, as amended, after "3", insert the following, "a".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 24 and 25, insert the following:

"(b) The lands described in this act are located to a large extent within or near the boundaries of the city of Huntington Beach. Operations under this act will require additional expense to the city of Huntington Beach in the administration and enforcement of its ordinances relating to police and fire protection. Use by the State or its lessees of the streets of said city of Huntington Beach will be incidental to the development of said lands in the production, removal, storage and marketing of oil, gas and other hydrocarbon substances produced from said State lands, as provided for in this act, and easements and rights of way over, across, through and on lands owned by, under the control of or in which said city has an interest may be required therefor. As full consideration to said city of Huntington Beach for all such uses of the property of said city and for all easements, franchises, rights of way over, across, through and on lands owned by, under the control of or in which said city has an interest, required in connection with the operations of the State or any of its lessees under this act, the Director of Finance is authorized and directed to contract and agree that there shall be paid to said city of Huntington Beach not to exceed two-thousandths of the proceeds of production of oil, gas and other hydrocarbon substances produced from said lands and received by the State as royalties under leases made pursuant to the provisions of this act; provided, that all moneys paid to the city of Huntington Beach under this provision shall be exclusively used by said city for police and fire protection and for acquiring, constructing, repairing or maintaining public parks, playgrounds, piers and streets, such use being hereby declared to be for the public interest, welfare and convenience of the State."

Amendments adopted.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Bill No. 1455, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1455, as Amended.

Assembly Bill No. 1455—An act authorizing the Director of Finance, upon behalf of the State, to prospect for, drill for, develop, extract, take and remove or dispose of, and to grant leases and easements for taking or extraction of, oil, gas or other hydrocarbons, or other minerals, of whatsoever kind, within and from certain lands belonging to the State, to acquire by purchase, eminent domain or otherwise, real

property or interests therein necessary for the purposes of this act; providing for the disposition of all funds received pursuant to the provisions hereof; repealing all acts or parts of acts inconsistent or in conflict with this act, and making an appropriation for the purpose of carrying out the provisions of this act.

Assembly Bill No. 1455, as amended, read third time, and refused passage by the following vote

AYES—Beene, Burns, Hugh M., Call, Desmond, Field, Garibaldi, Garland, Glick, Hornblower, Hunt, Kuchel, Lyon, Maloney, Mayo, Miller, George P., Muldoon, Robertson, Sawallisch, Scudder, Thorp, and Welsh—21.

NOES—Andreas, Baynham, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—54.

Notice of Motion to Reconsider Assembly Bill No. 1455.

Mr. Welsh gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1455 was this day refused passage.

Consideration of Senate Bill No. 579.

Senate Bill No. 579—An act relating to certain State lands and the production and disposition of oil, gas and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in conflict therewith, and making appropriations for carrying out its purposes.

Motion to Amend Senate Bill No. 579.

Mr. Kuchel moved to amend Senate Bill No. 579 as follows.

Amendment No. 1.

On page 11 of the printed bill, as amended, following line 32, insert the following:

"SEC. 25a. The lands described in sections 1 and 6 of this act are located to a large extent within or near the boundaries of the city of Huntington Beach. Operations under this act will require additional expense to the city of Huntington Beach in the administration and enforcement of its ordinances relating to police and fire protection. Use by the State or its lessees of the streets of said city of Huntington Beach will be incidental to the development of said lands in the production, removal, storage and marketing of oil, gas and other hydrocarbon substances produced from said State lands, as provided for in this act, and easements and rights of way over, across, through and on lands owned by, under the control of or in which said city has an interest may be required therefor. As full consideration to said city of Huntington Beach for all such uses of the property of said city and for all easements, franchises, rights of way over, across, through and on lands owned by, under the control of or in which said city has an interest, required in connection with the operations of the State or any of its lessees under this act, the Director of Finance is authorized and directed to contract and agree that there shall be paid to said city of Huntington Beach not to exceed two-thousandths of the proceeds of production of oil, gas and other hydrocarbon substances produced from said lands and received by the State as royalties under leases made pursuant to the provisions of this act; provided, that all moneys paid to the city of Huntington Beach under this provision shall be exclusively used by said city for police and fire protection and for acquiring, constructing, repairing or maintaining public parks, playgrounds, piers and streets such use being hereby declared to be for the public interest, welfare and convenience of the State."

Amendment adopted.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Senate Bill No. 579, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 579, as Amended.

Senate Bill No. 579—An act relating to certain State lands and the production and disposition of oil, gas and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in conflict therewith, and making appropriations for carrying out its purposes.

Motion to Amend Senate Bill No. 579.

Mr. Heisinger moved to amend Senate Bill No. 579 as follows:

Amendment No. 1.

On page 5 of the printed bill, as amended, strike out lines 27 to 36, inclusive, and insert in lieu thereof the following: "such lease."

Amendment No. 2.

On page 7 of the printed bill, as amended, strike out lines 14 to 22, inclusive.

Amendment No. 3.

On page 9, line 30, of the printed bill, as amended, strike out "$100,000", and insert in lieu thereof the following: "$50,000".

Amendment No. 4.

On page 9 of the printed bill, as amended, strike out lines 44 to 51, inclusive, and on page 10, strike out lines 1 to 13, inclusive.

Amendments read, and refused adoption by the following vote:

AYES—Boyle, Burns, Hugh M., Call, Dannenbrink, Field, Flint, Garland, Heisinger, Latham, Lyon, Redwine, Sawallisch, Scudder, and Thorp—14.

NOES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

Motion to Amend Senate Bill No. 579.

Mr. Clark moved to amend Senate Bill No. 579 as follows:

Amendment No. 1.

On page 7, line 20, of the printed bill, as amended, after the word "restriction" and the period, strike out the rest of said line 20, and strike out all of lines 21 and 22.

Amendment No. 2.

On page 8, line 12 of the printed bill, as amended, following the figure "330", strike out the word "square", and insert the word "square", after the word "feet".

Amendment No. 3.

On page 9, line 6, of the printed bill, as amended, strike out the word "favorable", and insert in lieu thereof the word "faithful".

Amendment No. 4.

On page 10, line 14, of the printed bill, as amended, strike out the comma

Amendment No. 5.

On page 10, line 46, of the printed bill, as amended, strike out the word "shall" and insert in lieu thereof the word "may".

Amendment No. 6.

On page 10, line 47, of the printed bill, as amended, strike out the words "and directed", and insert in lieu thereof the following: "to again call for bids for leases thereof in the manner provided for in this act, or the Director of Finance may".

Amendment No. 7.

On page 10, line 48, of the printed bill, as amended, strike out the word "to"

Amendment No. 8.

On page 10, line 49, of the printed bill, as amended, strike out the words "on each of said parcels", and insert in lieu thereof the word "thereon"

Amendment No. 9.

On page 11, line 1, of the printed bill, as amended, following the word "therewith", at the end of the line insert the following: "it done by the State,"

Amendment No. 10.

On page 7, line 32, of the printed bill, as amended, after the word "thereof", at the end of the line, insert the following: "during a period of 30 consecutive producing days".

Amendments adopted.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Senate Bill No. 579, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 579, as Amended.

Senate Bill No. 579—An act relating to certain State lands and the production and disposition of oil, gas and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in conflict therewith, and making appropriations for carrying out its purposes.

Motion to Amend Senate Bill No. 579.

Mr. Welsh moved to amend Senate Bill No. 579 as follows:

Amendment No. 1.

On page 10 of the printed bill, as amended, strike out lines 44 to 51, inclusive, and on page 11, strike out lines 1 to 18, inclusive; and in line 19, strike out "returns to the State therefor.", and insert in lieu thereof the following: "Sec. 24."

Amendment read, and refused adoption by the following vote:

AYES—Boyle, Breed, Call, Cunningham, Dannenbrink, Field, Garibaldi, Glick, Hornblower, Hunt, Latham, Lyon, Maloney, Mayo, McMurray, Muldoon, O'Donnell, Redwine, Robertson, Sawallisch, Scudder, Thorp, Turner, and Welsh—24.

NOES—Baynham, Beene, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Martin, Meehan, Miller, Eleanor, Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—52.

Motion to Amend Senate Bill No. 579.

Mr. Clark moved to amend Senate Bill No. 579 as follows:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, after "therewith", insert a comma and the following: "declaring the urgency thereof, and providing that this act shall take effect immediately".

Amendment No. 2.

On page 11 of the printed bill, as amended, between lines 32 and 33, insert the following:

"SEC. 28. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1, Article IV of the Constitution of the State of California, and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

That portion of tide and submerged lands of the State described in sections 1 and 6 of this act contains oil and gas and other hydrocarbon substances of great value. Many oil wells are now drilled, operating and producing oil and gas upon privately owned lands that are constantly draining said oil, gas and other hydrocarbons from said State lands for the sole benefit of the operators of said wells and the owners of said privately owned land. Other wells drilled on privately owned lands are extended into said State lands and are producing oil and gas therefrom. This condition results in the daily depletion of this valuable resource of the State, making it imperative, if the interests of the State therein are to be preserved and the revenues available to the State therefrom are to be saved, that immediate action be taken to drill for, extract, produce and remove the oil and gas so known to exist in said lands and to dispose of the same for the benefit of the State as in this act provided. Unless said emergency is thus met, the State will suffer great and irreparable loss and be deprived of revenues needed to preserve the public peace, public health and public safety. The development of said State lands in the manner herein provided is also necessary for the immediate preservation of public health and public safety in the use of the ocean beaches upon and in the vicinity of said tide and submerged lands."

Amendments read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr Speaker—64.

NOES—Boyle, Call, Crowley, Dannenbrink, Garibaldi, McMurray, Meehan, Scudder, Welsh, and Williamson—10

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Senate Bill No 579, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 579, as Amended.

Senate Bill No. 579—An act relating to certain State lands and the production and distribution of oil, gas and other hydrocarbon substances therefrom, repealing all acts or parts of acts inconsistent or in conflict therewith, and making appropriations for carrying out its purposes.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—62

NOES—Beene, Boyle, Call, Field, Garibaldi, Lyon, Muldoon, Redwine, Robertson, Scudder, Turner, and Welsh—12.

Senate Bill No. 579 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62

NOES—Boyle, Breed, Call, Field, Latham, Lyon, Muldoon O'Donnell, Robertson, Sawallisch, Scudder, Turner, and Welsh—13.

Title read and approved Bill ordered to reprint and transmitted to the Senate.

Notices of Motion to Reconsider Continued.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2375 was passed was continued until the next legislative day.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was refused passage was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 692 was refused passage was continued until the next legislative day.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Garland:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to the DIVISION of Fish and Game, Department of Natural Resources

Referred to Committee on Introduction of Bills.

By Mr. Reaves:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937

MR. SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for a survey of the need for additional vacational, educational and recreational opportunities for the youth of this State and of the need for financial and other assistance for youth during partial or total unemployment, setting forth the powers and duties of the California Youth Survey Commission in regard thereto, and making an appropriation.

Referred to Committee on Introduction of Bills

By Mr. Sawallisch:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to pay the claim of Charles Applegarth

Referred to Committee on Introduction of Bills.

By Mr. Turner:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937

MR. SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1 of an act entitled "An act to protect persons and property against danger from fire and explosion in petroleum oil or gas wells by providing for the location of wells in relation to the outer boundary lines of the property, public streets, roads and highways and other wells," approved June 4, 1931, relating to oil and gas wells.

Referred to Committee on Introduction of Bills.

By Mr. Glick:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

MR. SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy or assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal Bankruptcy Courts therein and to provide for the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not consenting to the refunding proceedings and for the acquisition of any security of such obligations consisting of real property situated in the State of California or any rights therein.

Referred to Committee on Introduction of Bills.

By Mr. Breed:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend "An act providing for the incorporation, government, and management of regional park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds beaches, parkways, scenic drives, boulevards and other facilities for public recreation, providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act, and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers; and providing that this act shall take effect immediately," approved August 7, 1933, by amending section 11 relating to the borrowing of money and the levy and collection of taxes to repay the same, and section 21 relating to the levy and collection of taxes, and to declare the urgency hereof.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Garland:

An act making an appropriation to the Division of Fish and Game, Department of Natural Resources.

By Mr. Reaves:

An act to provide for a survey of the need for additional vocational, educational and recreational opportunities for the youth of this State and of the need for financial and other assistance for youth during partial or total unemployment, setting forth the powers and duties of the California Youth Survey Commission in regard thereto, and making an appropriation.

By Mr. Sawallisch:

An act making an appropriation to pay the claim of Charles Applegarth.

By Mr. Turner:

An act to amend section 1 of an act entitled "An act to protect persons and property against danger from fire and explosion in petroleum oil or gas wells by providing for the location of wells in relation to the outer boundary lines of the property, public streets, roads and highways and other wells," approved June 4, 1931, relating to oil and gas wells.

By Mr. Glick:

An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds, and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for the contributions of the public funds to assist in such refunding, and to provide for the use of Federal Bankruptcy Courts therein, and to provide for the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not consenting to the refunding proceedings and for the acquisition of any security of such obligations consisting of real property situated in the State of California or any rights therein.

By Mr. Breed:

An act to amend "An act providing for the incorporation, government, and management of regional park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers; and providing that this act shall take effect immediately," approved August 7, 1933, by amending section 11 relating to the borrowing of money and the levy and collection of taxes to repay the same, and section 21 relating to the levy and collection of taxes, and to declare the urgency hereof.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—66

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2863: By Mr. Garland—An act making an appropriation to the Division of Fish and Game, Department of Natural Resources.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 2864: By Mr. Reaves—An act to provide for a survey of the need for additional vocational, educational and recreational opportunities for the youth of this State and of the need for financial and other assistance for youth during partial or total unemployment, setting forth the powers and duties of the California Youth Survey Commission in regard thereto, and making an appropriation

Bill read first time, and referred to Committee on Education.

Assembly Bill No. 2866: By Mr. Turner—An act to amend section 1 of an act entitled "An act to protect persons and property against danger from fire and explosion in petroleum oil or gas wells by providing for the location of wells in relation to the outer boundary lines of the property, public streets, roads and highways and other wells," approved June 4, 1931, relating to oil and gas wells.

Bill read first time, and referred to Committee on Oil Industries

Assembly Bill No. 2868: By Mr. Breed—An act to amend "An act providing for the incorporation, government, and management of regional park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts, authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act, and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers; and providing that this act shall take effect immediately," approved August 7, 1933, by amending section 11 relating to the borrowing of money and the levy and collection of taxes to repay the same, and section 21 relating to the levy and collection of taxes, and to declare the urgency hereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2865: By Mr. Sawallisch—An act making an appropriation to pay the claim of Charles Applegarth.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 2867: By Mr. Glick—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal Bankruptcy Courts therein, and to provide for the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not consenting to the refunding proceedings and for the acquisition of any security of such obliga-

tions consisting of real property situated in the State of Calfornia or any rights therein.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Concurrent Resolution No. 48: By Mr. Burns, Hugh M.—Relative to approving a certain amendment to the charter of the city of Fresno, in the county of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the twelfth day of April, 1937.

Request for Unanimous Consent.

Mr. Burns, Hugh M., asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 48, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 48.

Assembly Concurrent Resolution No. 48—Relative to approving a certain amendment to the charter of the city of Fresno, in the county of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the twelfth day of April, 1937.

Resolution read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, King, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—57

NOES—None

Title read and approved. Bill ordered to print, and transmitted to the Senate

Resolution.

The following resolution was offered:

By Miss Miller, and Mrs Daley:

House Resolution No. 150.

Resolved, That a committee be appointed by the Speaker to prepare for an appropriate observance of Mother's Day by this Assembly, on Friday, May 7, 1937.

Request for Unanimous Consent.

Miss Miller and Mrs Daley asked for, and were granted, unanimous consent to take up House Resolution No. 150, at this time, without reference to committee or calendar.

House Resolution No 150 read and unanimously adopted

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 860.

Respectfully reports the same back with the recommendation: Do pass

DONNELLY, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 2414.

Respectfully reports the same back without recommendation, as amended.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 787.
Assembly Bill No. 1897.

Respectfully reports the same back with the recommendation: Do pass as amended.

DONNELLY, Chairman.

The above reported bills ordered on second reading calendar.

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER. Your Committee on Hospitals and Asylums, to which was referred:

Assembly Bill No. 238.

Respectfully reports the same back with the recommendation: Do pass as amended.

CASSIDY, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred:

Assembly Bill No. 1300.
Assembly Bill No. 849.
Assembly Bill No. 850.

Respectfully reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means

CASSIDY, Chairman.

The above reported bills re-referred to Committee on Ways and Means.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2176 re-referred to Committee on Labor and Capital.

Assembly Bill No. 89 re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 1184 re-referred to Committee on Ways and Means.

Senate Bill No. 560 re-referred to Committee on Education.

Senate Bill No. 423 re-referred to Committee on Judiciary General.

Senate Bill No. 205 re-referred to Committee on Judiciary Codes.

Senate Bill No. 626 re-referred to Committee on Agriculture.

Adjournment.

At six o'clock and thirty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Thursday, April 29, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIRST LEGISLATIVE DAY
ONE HUNDRED SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 29, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Love, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Pevsel, Reaves, Redwine, Ruhne, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Laughlin, the further reading of the Journal of Wednesday, April 28, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Millington, on motion of Mr. Gannon.

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lena B. Everett, teacher, and the following students of the High Social Studies Class of Stanford Junior High, Sacramento: Douglas Bonham, Joe Brown, Lucy De Frisco, Carroll Emery, Robert Fabricius, Marie Gates, Bobby Goode, Waltrand Gundel, Emerson Harriman, Marjorie Hawk, Meryl Hawkins, Ruth Holmes, Joe La Brasca, Lilian Parenti, Carmen Perry, Agnes Pollacci, Robert Pratt, Josephine Prest, Betty Ressler, Charles Sanders, Adrian Thom, Richard Upthegrove, Thomas Whitfield, and Patricia Winters.

On request of Mr. Fulcher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Helen Swift

On request of Mr. Burns, Michael J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Pat Murphy, Klamath, Del Norte County.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to H. A. Jetmore, former member of the Kansas Legislature.

On request of Messrs. Cottrell and Beene, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the H. 9. M. class of Woodrow Wilson Junior High, accompanied by Miss Alma V. Linton, Human Relations class teacher; Mr Orrin Matheny, and Miss Anne R. Menzel, home room teachers; Ann J Aiello, Jennie Norducci, Floris Garner, Bob Beatty, Anna Bacchino, Charles McCoy, Alice Savio, George Kawanami, Lorraine Miller, Paul Stieling, Ethlyn Fuller, Duane Bittick, Cathryn Cancilla, Henry Grifaul, Kathryn Irish, Calvin Resecker, Alice Spang, Charles Aldereti, Jean Gaylor, Frank Sutherland, Dolores Piazza, Paul Micklica, Cora Rose, Dean Thompson, Marie Centodocate, Bill Withmire, Lois Cappa, Jean of Watsonville, Shirley Redentsky, and Verinoca Spingola

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. E. E Kelly of Monague, Mrs. W. F. Williams of Santa Cruz, and Miss Frances Arnold of San Francisco.

Assistant Chief Clerk Greenburg Reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 28, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 21—Relative to memorializing Congress not to abandon the present plan of mineral development.

J. A BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 21, at this time, without reference to committee or calendar.

Consideration of Senate Joint Resolution No. 21.

Senate Joint Resolution No. 21—Relative to memorializing Congress not to abandon the present plan of mineral development.

Senate Joint Resolution No. 21 read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, April 28, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1412.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

The above reported bill ordered on unfinished business calendar.

Withdrawal and Re-reference of Bills.

On motion of Mr. Williamson, Assembly Bill No. 2216 was withdrawn from the Committee on State Grounds and Parks and re-referred to the Committee on Ways and Means.

On motion of Mr. Dannenbrink, Assembly Bill No. 1373 was withdrawn from the Committee on Public Charities and Corrections and re-referred to the Committee on Ways and Means.

Re-reference of Assembly Bill No. 2708.

On motion of Mrs. Daley, Assembly Bill No. 2708 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Motion to Withdraw and Re-refer Assembly Constitutional Amendments Nos. 54 and 57.

Mr Donihue moved to withdraw Assembly Constitutional Amendments Nos. 54 and 57 from the Committee on Constitutional Amendments, and have them re-referred to the Committee on Governmental Efficiency and Economy

The roll was called, and the motion to withdraw and re-refer lost by the following vote:

AYES—Cassidy, Clark, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Garland, Hawkins, Heisinger, Johnson, Latham, Lore, Meehan, Miller, George P., Patterson, Peek, Pelletier, Richie, Stream, Tenney, Thorp, and Turner—23

NOES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cottrell, Cunningham, Dawson, Field, Fulcher, Gannon, Glick, Hornblower, Hunt, King, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—38.

Consideration of Governor's Veto to Assembly Bill No. 892.

Assembly Bill No. 892—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

The question being put: Shall Assembly Bill No. 892 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Flint, Hunt, Patterson, and Pelletier—4.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 2794—An act relating to alcoholic beverages, prohibiting licensees under the Alcoholic Beverage Control Act from transporting or importing into this State, purchasing, receiving, possessing, or selling alcoholic beverages manufactured in any State, the laws, rules, or regulations of which discriminate against alcoholic beverages manufactured in this State or against persons selling or dealing therein, defining discriminatory laws, providing for the enforcement of the provisions hereof, and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2794?

Amendment No. 1.

On page 4, line 31, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the words "Board of Equalization".

Amendment No. 2.

On page 4, line 36, of the printed bill, strike out the word "he".

Amendment No. 3.

On page 4, lines 37 and 38, of the printed bill, strike out the words "with the State Board of Equalization".

Amendment No. 4.

On page 4, line 45, of the printed bill, strike out the words "Attorney General", and insert the word "Board."

Amendment No. 5.

On page 4, line 48, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 6.

On page 4, line 50, of the printed bill, strike out the word "he", and insert in lieu thereof the words "the Board".

Amendment No. 7.

On page 4, line 51, of the printed bill, strike out the words "he shall file his", and insert in lieu thereof the words "it shall file a".

Amendment No. 8.

On page 5, line 1, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof "chairman and attested by the secretary".

Amendment No. 9.

On page 5, lines 6 and 7, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 10.

On page 5, line 8, of the printed bill, strike out the word "he", and insert in lieu thereof the word "it".

Amendment No. 11.

On page 5, line 16, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 12.

On page 5, line 42, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 13.

On page 5, line 45, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 14.

On page 5, line 49, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 15.

On page 5, line 50, of the printed bill, strike out the word "he", and insert in lieu thereof the word "it".

Amendment No. 16.

On page 6, line 2, of the printed bill, strike out the word "his", and insert in lieu thereof the word "the".

Amendment No. 17.

On page 6, line 6, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 18.

On page 6, line 9, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 19.

On page 6, line 11, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 20.

On page 6, line 12, of the printed bill, strike out the word "he", and insert in lieu thereof the word "it".

Amendment No. 21.

On page 6, lines 14 and 15, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 22.

On page 6, line 18, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 23.

On page 6, line 18, of the printed bill, strike out the word "he", and insert in lieu thereof the word "it".

Amendment No. 24.

On page 6, line 20, of the printed bill, strike out the word "his", and insert in lieu thereof the word "its".

Amendment No. 25.

On page 6, line 22, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 26.

On page 6, line 23, of the printed bill, strike out the word "he", and insert in lieu thereof the word "it".

Amendment No. 27.

On page 6, line 25, of the printed bill, strike out the word "his", and insert in lieu thereof the word "its".

Amendment No. 28.

On page 6, line 26, of the printed bill, strike out the word "him", and insert in lieu thereof the word "it".

Amendment No. 29.

On page 6, line 27, of the printed bill, strike out the words "Attorney General", and insert in lieu thereof the word "Board".

Amendment No. 30.

On page 7, line 17, of the printed bill, add the following:

"SEC. 20. The Attorney General shall render such legal assistance as may be required to aid the board in the performance of its duties under this act."

Amendment No. 31.

On page 7, line 16, of the printed bill, strike out the figure "8", and insert the figure "9".

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 2794 by the following vote.

AYES—None.

NOES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64

Assembly Bill No. 2794 ordered on unfinished business calendar.

Assembly Bill No. 78—An act to amend section 479 of the Agricultural Code, relating to market milk.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 78?

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after the word "cows", insert the words "or goats".

Amendment No. 2.

On page 1, line 26, of the printed bill, as amended, after the word "ducing", insert the words "and marketing".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 78 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Muldoon, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—58

NOES—None.

Assembly Bill No. 78 ordered to enrollment.

Assembly Bill No. 451—An act to amend section 3719 of the Political Code, relating to the temporary borrowing of money by counties, cities, regional park districts and school districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 451?

Amendment No. 1.

On page 1, line 2, of the title of the printed bill, insert a comma followed by the words "regional park districts".

Amendment No. 2.

On page 1, line 4, of the printed bill, after "city", insert a comma followed by the words "any regional park district".

Amendment No. 3.

On page 1, line 8, of the printed bill, after "county", insert a comma followed by the words "or the board of supervisors of the county having the largest area within the regional park district, as the case may be,".

Amendment No. 4.

On page 1, line 11, of the printed bill, after "county," insert the following words "or such regional park district on the request of four-fifths of the members of its board of directors, approved by the auditor and treasurer of the county having the largest area within the district,".

Amendment No. 5.

On page 1, line 14, of the printed bill, after "city", insert a comma followed by the words "regional park district".

Amendment No. 6.

On page 1, line 17, of the printed bill, after "city", insert a comma followed by the words "regional park district".

Amendment No. 7.

On page 1, line 21, of the printed bill, after "borrowing", insert a comma followed by the words "where such borrowing is on behalf of a county, city or regional park district, and in an amount not to exceed 50 per cent of the estimated income and revenue provided for such current fiscal year, or of that portion thereof remaining uncollected at the time of such borrowing, where such borrowing is on behalf of a school district."

Amendment No. 8.

On page 2, line 1, of the printed bill, after "county", insert a comma followed by the words "for such regional park district"

Amendment No. 9.

On page 2, line 1, of the printed bill, after "city", insert the following words, "for such current fiscal year,".

Amendment No. 10.

On page 2, line 1, of the printed bill, after "or", insert a comma followed by the words "In the case of a school district, setting forth the necessity for such borrowing and stating the amount of income and revenue provided".

Amendment No. 11.

On page 2, line 7, of the printed bill, after "county," insert the following words, "or within the county having the largest area within such regional park district,".

Amendment No. 12.

On page 2, line 11, of the printed bill, after "city", insert a comma followed by the words "regional park district".

Amendment No. 13.

On page 2, line 15, of the printed bill, after "county", insert a comma followed by the words "regional park district".

Amendment No. 14.

On page 2, line 17, of the printed bill, after "county," insert the following words: "or of the county having the largest area within such regional park district, as the case may be,".

Amendment No. 15.

On page 2, line 19, of the printed bill, after "borrowed", insert the following words: "by any county, city or regional park district".

Amendment No. 16.

On page 2, line 23, of the printed bill, after "received", insert the following words: "by such county, city or regional park district".

Amendment No. 17.

On page 2, line 24, of the printed bill, after "taxes", insert the following sentence: "The repayment of any sum so borrowed by any school district pursuant to the authority of this section shall constitute a first lien and charge against the taxes, revenue and other income collected during the fiscal year in which said money was borrowed and shall be repaid from the first moneys received by such school district from said taxes, revenue and income."

Amendment No. 18.

On page 2, line 35, of the printed bill, after "income and", insert a comma followed by the words "in the case of a county, a city or a regional park district,"

Amendment No. 19.

On page 2, line 37, of the printed bill, after "made", insert a comma followed by the words "and, in the case of a school district, shall be made solely upon the credit of income and revenue provided for the fiscal year in which said loans are made."

Amendment No. 20.

On page 2, line 38, of the printed bill, after "city," insert the following words "the board of directors of each regional park district".

Amendment No. 21.

On page 2, line 40, of the printed bill, after "city", insert a comma followed by the words "regional park district"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 451 by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 451 ordered to enrollment.

Assembly Bill No. 602—An act to amend the Political Code by adding thereto a new section to be numbered 4049.5, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 602?

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "4049b", and insert in lieu thereof the following:

"4049.5."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 602 by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Mul-

doon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 602 ordered to enrollment.

Assembly Bill No. 795—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 48a, 49a and 57 and by repealing section 133.1 thereof and by adding a new section thereto to be numbered section 99 1, relating to the definition and regulation of the business of banking.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 795?

Amendment No. 1.

On page 2 of the printed bill, as amended March 18, 1937, following line 30, strike out the balance of the page, and down to and including the word "Any" in line 7 on page 3, and insert in lieu thereof the following: "the lien of any tax, assessment or bond levied or issued by this State or by any county, city and county, city, town, municipality, school district, reclamation district, irrigation district, or other public or municipal corporation, or any other political or governmental subdivision of this State, not including bonds given pursuant to any law authorizing the same by any person or corporation in lieu of payment of any tax or assessment levied against any particular real property, and the lien of any assessment levied to pay such bonds, and the lien created by any contract to secure the payment for water furnished thereunder for the irrigation of such real estate or any part thereof, and any lease under which rents, issues, profits or royalties are reserved to the owner, shall not be deemed to be a prior encumbrance or lien on such real property unless an installment call or payment of or under such tax, assessment bond or contract shall be due and delinquent; and any".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 795 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 795 ordered to enrollment.

Assembly Bill No. 862—An act to amend sections 488, 490 and 587 and to repeal section 489, Agricultural Code, relating to milk.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 862?

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after the word "cows", insert the words "and goats".

Amendment No. 2.

On page 1, line 21, of the printed bill, as amended, after the word "cows", insert the words "or goats".

Amendment No. 3.

On page 2, line 13, of the printed bill, as amended, after the word "Cows", insert the words "or goats".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 862 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller,

George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 862 ordered to enrollment.

Assembly Bill No. 906—An act to amend section 23 of the District Investigation Act of 1933 so as to exclude sanitary districts, county sanitation districts, fire protection, local health, garbage disposal and county fire protection districts from the operation of said act.

The question being put: Shall the Assembly concur in the following Senate Amendments to Assembly Bill No. 906?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 16.

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, before "and", insert the following: ", local health, garbage disposal".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out line 13.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 906 by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 906 ordered to enrollment.

Assembly Bill No. 962—An act to amend section 1193 of the Penal Code, relating to pronouncement of judgment.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 962?

Amendment No. 1.

On page 1, line 23, of the printed bill, strike out "thirty", and insert in lieu thereof the following: "sixty".

Amendment No. 2.

On page 1, line 23, of the printed bill, strike out "forty-five", and insert in lieu thereof the following: "ninety".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 962 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 962.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 962.

Assembly Bill No. 1200—An act to amend sections 112, 116, 121 and 123 of the Vehicle Code, and to repeal sections 114, 115 and 118 thereof, relating to the California Highway Patrol.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1200?

Amendment No. 1.

On page 2, line 21, of the printed bill, after the word "emergencies", insert the following: "not to exceed six months".

Amendment No. 2.

On page 2, lines 15 and 16, of the printed bill, as amended, strike out "not to exceed six months".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1200 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—61.

NOES—Reaves—1.

Assembly Bill No. 1200 ordered to enrollment.

Assembly Bill No. 1432—An act to amend sections 7, 8, 18 and 20 of the "Inheritance Tax Act of 1935," relating to inheritance taxation.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1432?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended in the Assembly on March 19, 1937, following the figure "8", strike out ", 18 and 20", and insert in lieu thereof "and 18."

Amendment No. 2.

On page 6 of the printed bill, as amended in the Assembly on March 19, 1937, strike out lines 26 to 52, inclusive, and all of page 7.

Amendment No. 3.

On page 1, line 1 of the title of the printed bill, as amended, strike out "and 18", and insert in lieu thereof ", 18 and 20".

Amendment No. 4.

On page 6 of the printed bill, as amended, between lines 25 and 26, add the following:

"SEC. 4. Section 20 of said act is hereby amended to read as follows:

Sec. 20. The treasurer of each county shall be allowed to retain, on all taxes paid and accounted for by him each year under this act, in addition to his salary or fees now allowed by law, three per centum of the first one hundred thousand dollars so paid and accounted for by him, one and one-half per centum on the next fifty thousand dollars so paid and accounted for by him, and one per centum on all additional sums so paid and accounted for by him; provided, that no county treasurer of a county of the first class, or a county of the second class, or a county of the third class shall be entitled to retain to his own use more than the sum of five hundred dollars out of the inheritance taxes paid on account of any transfer or transfers made by or resulting from the death of any one decedent; provided, that the county treasurer of a county of all other classes shall not be entitled to retain to his own use more than the sum of two hundred dollars out of the inheritance taxes paid on account of any transfer or transfers made by or resulting from the death of any one decedent; provided, that no portion of the moneys paid on account of inheritance taxes in any one case in excess of the sum entitling the treasurer of a county of the first class, or a county of the second class and a county of the third class to retain five hundred dollars and entitling the treasurer of a county of all other classes to retain two hundred dollars for his own use shall be considered in computing his commissions in succeeding cases; and provided, further, that in counties of the first class the treasurer shall be entitled to retain as commissions not exceeding sixteen thousand dollars out of the total inheritance taxes accounted for by him in any one year; that in counties of the second class the treasurer shall be entitled to retain as commissions not exceeding fourteen thousand dollars out of the total inheritance taxes accounted for by him in any one year; that in counties of the third class the treasurer shall be entitled to retain as commissions not exceeding ten thousand dollars out of the total inheritance taxes accounted for by him in any one year; and that in counties of all other classes the treasurer shall be entitled to retain as commissions not exceeding five thousand dollars out of the total inheritance taxes accounted for by him in any one year."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1432 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Robertson, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65

NOES—None.

Assembly Bill No. 1432 ordered to enrollment.

Reconsideration of Assembly Bill No. 206.

In compliance with a notice given on a previous day, Mr. Peek moved that the vote whereby Assembly Bill No. 206 was refused passage be reconsidered.

Demand for Previous Question.

Messrs. Cottrell, Morgan, Turner, Gannon and Cunningham demanded the previous question.

The question being put, Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 206.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Clark moved a call of the Assembly.

Motion carried.

Time, two o'clock and forty-five minutes p. m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—73

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No. 30—Proposed amendment to Article IV, sections 2, 4, 4a, 4b and 4c, of the Constitution, relative to the Supreme Court and the District Courts of Appeal.

Committee Amendments to Assembly Constitutional Amendment No. 30.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 28, of the printed bill, as amended in the Assembly on April 7, 1937, after the word "consisting", strike out the remainder of that line, and strike out all of lines 29, 30, 31, 32 and 33, and insert in lieu thereof the following: "of not less than five justices, and such additional justices as the Legislature shall from time to time determine. Until so determined otherwise the District Court of Appeal for the First Appellate District shall consist of eight justices, the District

Court of Appeal for the Second Appellate District shall consist of twelve justices, and the District Courts of Appeal for the Third and Fourth Appellate Districts shall each consist of five justices.

Amendment No. 2.

On page 2, line 35, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "and divisions thereof", and insert in lieu thereof the following: "consisting of not less than five justices".

Amendment No. 3.

On page 2, line 36, of the printed bill, as amended in the Assembly on April 7, 1937, insert the word "may", at the beginning of said line.

Amendment No. 4.

On page 2 of the printed bill, as amended in the Assembly on April 7, 1937, strike out all of lines 42 and 43.

Amendment No. 5.

On page 2, line 50, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "amendment 21".

Amendment No. 6.

On page 2, line 50, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "three", and on page 2, line 51, strike out "of the five", and in line 52, strike out "and divisions thereof".

Amendment No. 7.

On page 3, line 1, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "The presiding justice of each district and division", and on page 3, strike out all of lines 2, 3, 4, 5, 6, 7, 8 and 9, and insert in lieu thereof the following: "In the Third and Fourth Appellate Districts, the presiding justice who is an incumbent on the effective date of this amendment shall become the presiding justice of the same Appellate District created by this amendment. In the First and Second Appellate Districts the senior presiding justice who is an incumbent on the effective date of this amendment shall become the presiding justice of the same Appellate District created by this amendment. On and after the effective date of this amendment the Governor, subject to the provisions of section 26, of Article VI, shall appoint new justices to each District Court of Appeal as required by this amendment in the same manner as herein provided for the filling of vacancies."

Amendment No. 8.

On page 3, line 12, of the printed bill, as amended in the Assembly on April 7, 1937, strike out the comma following the word "work".

Amendment No. 9.

On page 3, line 13, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "and the", and in line 14, strike out "divisions thereof".

Amendment No. 10.

On page 3, line 16, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "or division thereof", and in line 17, strike out "or division thereof".

Amendment No. 11.

On page 3, line 18, of the printed bill, as amended in the Assembly on April 7, 1937, strike out ", and to create by such transfer, if need be, a", and strike out all of line 19, and insert in lieu thereof a period.

Amendment No. 12.

On page 3, line 20, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "division of the".

Amendment No. 13.

On page 3, line 23, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "five", and insert in lieu thereof the following: "the required number of".

Amendment No. 14.

On page 3, line 25, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "division", and insert in lieu thereof the following: "District Courts of Appeal".

Amendment No. 15.

On page 3, line 28, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "one of them", and insert in lieu thereof the following: "the remaining justice or justices".

Amendment No. 16.

On page 3, line 29, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "divi-", and in line 30, strike out "sion", and insert in lieu thereof the following: "District Court of Appeal"

Amendment No. 17.

On page 3, line 30, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "five".

Amendment No. 18.

On page 3, line 38, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "the" where it appears before the word "district", and insert in lieu thereof the following: "a": and in line 39, strike out "courts", and insert in lieu thereof the following: "court".

Amendment No. 19.

On page 3, line 51, of the printed bill, as amended in the Assembly on April 7, 1937, strike out the comma at the end of said line; and on page 4, line 1, strike out "and of each division of said courts.".

Amendment No. 20.

On page 4 of the printed bill, as amended in the Assembly on April 7, 1937, strike out all of lines 9, 10 and 11, and insert in lieu thereof the following: "may designate a justice of another District Court of Appeal to serve as justice of said District Court of Appeal during such absence or inability to act.

In any Appellate District consisting of not more than five justices, where one or more of the justices of said court is absent or unable to act, and it is impossible or difficult to assign a justice of another Appellate District to such court, the Judicial Council may appoint a justice of a superior court to act as a justice pro tem of said Appellate Court to pass upon petitions for rehearing pending before said court."

Amendment No. 21.

On page 4, between lines 22 and 23, of the printed bill, as amended in the Assembly on April 7, 1937, insert the following: "In any Appellate District where there are more than five justices, the presiding justice shall assign the work among the members of the court, and where a petition for rehearing has been filed, shall assign two other justices in addition to the three justices who heard and decided the case to pass upon the said petition for rehearing, and in case one or more of the said justices who heard and passed upon the case shall be absent or unable to act, shall assign an additional justice or justices as the case may be to pass upon the said petition.

All parties to an appeal in either the Supreme Court or the District Courts of Appeal shall be afforded an opportunity for oral presentation of their cause, and the Judicial Council shall provide for the same by rule. The right of oral presentation shall not be denied or abridged unless the right to oral argument shall be waived in writing or by stipulation made in open court, and the Supreme Court and the District Courts of Appeal shall so arrange their calendars and the conduct of their business as to afford the right of oral presentation herein provided for."

Amendment No. 22.

On page 6 of the printed bill, as amended in the Assembly on April 7, 1937, strike out lines 23 to 34, inclusive, and insert in lieu thereof the following: "The judgment of the District Courts of Appeal shall become final therein upon the expiration of fifteen (15) days in criminal cases, or thirty (30) days in all other cases, after the same shall have been pronounced. Any District Court of Appeal may by order duly made extend the period of time within which its judgment would otherwise become final and within which it may pass upon a petition for rehearing for a period not to exceed ten (10) days. The order granting a hearing in the Supreme Court may be made by the Supreme Court within fifteen (15) days in criminal cases or within thirty (30) days in all other cases, after the judgment of the District Court of Appeal shall have become final therein subject to the exercise by the Supreme Court of the power, hereby granted to it, to extend, by order duly made, the period within which the order granting a hearing in any case may be made to and for an additional period, not to exceed thirty (30) days."

Amendment No. 23.

On page 6, line 38, of the printed bill, as amended in the Assembly on April 7, 1937, strike out ", or from one division thereof to another,".

Amendment No. 24.

On page 6, line 41, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "or division thereof".

Amendment No. 25.

On page 6, line 50, of the printed bill, as amended in the Assembly on April 7, 1937, strike out "or division", and in line 51, strike out "thereof".

Amendment No. 26.

On page 7, line 1, of the printed bill, as amended in the Assembly on April 7, strike out "or", and in line 2, strike out "division thereof"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1623—An act to amend section 3897 of the Political Code, relating to the sale of tax-deeded lands.

Committee Amendments to Assembly Bill No. 1623.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "3897 of", and insert in lieu thereof the following: "3898 of, to add section 3897.3 to, and to repeal sections 3897a and 3897b of,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and strike out all of pages 2, 3, 4 and 5, and insert in lieu thereof the following:

"SECTION 1. Sections 3897a and 3897b of the Political Code are hereby repealed

SEC. 2 Section 3897.3 is hereby added to the Political Code to read as follows

3897.3. Whenever any property has been deeded for delinquent taxes or assessments to the State, which delinquent taxes or assessments include taxes or assessments levied by a city the taxes of which are collected by county officers, the lien of such city on such property is a deed for delinquent taxes within the meaning of section 3897d.

SEC. 3 Section 3898 of the Political Code is hereby amended to read as follows

3898. On receiving the purchase price at sales under the provisions of section 3897 of the Political Code, the tax collector must execute a deed to the purchaser at such sale, which deed shall be in substance, and may be in form as follows:

"This indenture made the _____ day of _____, 19___, between _____ tax collector of the county of _____, State of California, first party, and _____, of the county of _____ State of California second party

WITNESSETH:

That whereas the real property hereinafter described was duly sold and conveyed to the State of California for the nonpayment of taxes which had been legally levied and which were a lien upon said property under and in accordance with law, and

Whereas in conformity with law, the State of California, acting by and through _____, tax collector as aforesaid, did sell said property, hereinafter described, at a private sale to the said second party, for _____ dollars, (or in case of a sale at public auction) did offer said property hereinafter described, for sale at public auction to the highest bidder at which sale second party became the purchaser of the whole thereof for the sum of _____ dollars,

Now, therefore, the said first party in consideration of the premises and in pursuance of the statute in such cases made and provided, does hereby grant to the second party, his heirs and assigns, that certain real property hereinafter referred to and situate in the county of _____, State of California, more particularly described as follows, to wit

In witness whereof, said first party has hereunto set his hand the day and year first above written.

_____
Tax Collector of the County of
_____, State of California."

No other matters need be recited in the said deed than those provided for in the above form. No charge shall be made by the tax collector for the making of any such deed, and the acknowledgment of all such deeds when executed by the tax collector shall be taken by the county clerk free of charge

3. Within ten days after each sale, as provided in section 3897 of the Political Code, the tax collector shall report to the assessor and recorder of the county in which the lands sold are situated, giving the name or names of all persons to whom deeds have been issued under the provisions of this section, and said section 3897 together with the dates of such deeds, the amount for which the property was sold the description of the property conveyed, together with the numbers and dates of the certificates of sale and of the tax deeds by which title to such property so granted was conveyed to the State

4. The recorder shall note on the margin of each certificate of sale and of each tax deed involved in the sale, and transfer of such property, the name of the purchaser, the date of the deed to the purchaser, and the consideration named therein The assessor shall use such report in his determination of the ownership of such property for assessment purposes.

5. Upon the completion of the sale, the tax collector shall report to the State Controller the date of sale, the description of the property, the name of the purchaser, and the amount of money received for the property sold.

6. (a) Whenever in any action at law it has been, or shall be determined by a court that the sale and conveyance provided for in this section and section 3897 of the Political Code, or in section 3771 of the Political Code, heretofore or hereafter made, are void for any reason, and that the purchaser from the State may not be finally awarded the property so purchased, no decree of the court shall be

given declaring a forfeiture of the property until the former owner or other party in interest shall have repaid to the purchaser the full amount of taxes, penalties, and costs, paid out and expended by him, to be determined by the court, in pursuit of the State's title to the property so sold. The said purchaser may, within one year after such decree becomes final, also present a claim against the county in the manner provided by law for a refund of the amount paid into the county treasury as the purchase price of such property in excess of the amount for which he may have been reimbursed for taxes, penalties and costs, as herein provided, and such excess shall be refunded in accordance with section 3804 of this code.

(b) Whenever it shall be determined to the satisfaction of the board of supervisors of the county in which the land is situated that any land belonging to the United States Government or to this State, a municipality or other political subdivision of this State has been erroneously sold and conveyed under the provisions of this section or section 3897, or section 3771 of this code, and the said land should not have been so sold, the purchaser at said sale may present a claim against the county in the manner provided by law for a refund of the amount so paid into the county treasury by reason of such sale and such claim shall be paid by the county treasurer as provided in section 3804 of the Political Code of the State of California."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2521—An act to reorganize the Executive Government of the State of California by establishing new departments and creating new officers and abolishing certain boards, commissions and officers, and repealing all acts and parts of acts in conflict herewith.

Committee Amendment to Assembly Bill No. 2521.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 5, line 9, of the printed bill, after the word "than", strike out "three", and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2424—An act to establish an independent office of Auditor

Committee Amendments to Assembly Bill No. 2424.

The following amendments were submitted by the committee

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 41 to 44, and insert in lieu thereof the following: "ment or agency. He shall make such special audits and".

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 18 and 19, insert the following:

"(c) This act in amending Article VI of Chapter III of Title I of Part III of the Political Code is intended to and does amend and supersede said Article 6 in entirety and all sections thereof, that is to say sections 433 to 445, both inclusive, of said Political Code as the same heretofore existed."

Amendment No. 3.

On page 7 of the printed bill, as amended, strike out lines 22 and 23, and insert in lieu thereof the following:

"SEC. 8. This act shall take effect July 1, 1939, if prior thereto a constitutional amendment is adopted ratifying "The Fiscal Code" as".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2425—An act to add a new article to Chapter III of Title I of Part III of the Political Code, to be numbered Article IIa, embracing sections 360 to 360d, both inclusive, relating to a Department of Revenue.

Committee Amendments to Assembly Bill No. 2425.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out lines 25 to 28, both inclusive, and insert in lieu thereof the following:

"1. The State Board of Equalization and the Controller under the Use Tax Act of 1935.

2. The State Board of Equalization and the Controller under the Retail Sales Tax Act of 1933."

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out line 37, and insert in lieu thereof the following: "under the Personal".

Amendment No. 3.

On page 4 of the printed bill, as amended, strike out lines 39 and 40, and insert in lieu thereof the following:

"7. The Franchise Tax Commissioner and the State Con-".

Amendment No. 4.

On page 4 of the printed bill, as amended, strike out lines 46 and 47, and insert in lieu thereof the following:

"9. The State Controller under Chapter 612, Statutes of 1911 as".

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out line 1, and insert in lieu thereof the following:

"11. The State Controller under".

Amendment No. 6.

On page 5 of the printed bill, as amended, strike out lines 4 and 5, and insert in lieu thereof the following.

"13. The Controller, the Controller of State and the State Board of Equalization under sections 3668,".

Amendment No. 7.

On page 5, line 26, of the printed bill, as amended, strike out "enforce", and insert in lieu thereof "administer".

Amendment No. 8.

On page 7, line 11, of the printed bill, as amended, after the word "upon", add the following: "The State Board of Equalization under the Personal Income Tax Act of 1935 and under sections 22, 25, 27, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act and upon".

Amendment No. 9.

On page 7 of the printed bill, as amended, strike out lines 17 and 18, and insert in lieu thereof the following:

"SEC. 3. This act shall take effect July 1, 1939 if prior thereto a constitutional amendment is adopted ratifying its provisions".

Amendment No. 10.

On page 6 of the printed bill, as amended, between lines 32 and 33, add the following: "Subject to civil service and salary classification provisions of law, said board may appoint and fix the salaries of such deputies and assistants as it may deem necessary".

Amendment No. 11.

On page 7 of the printed bill, as amended, between lines 16 and 17, add the following:

"(c) Whenever any correction is made in the assessment or levy of any tax or license fee by said board or a final court judgment, said board shall forthwith notify the State department or agency which assessed or levied the same and thereupon said department or agency shall forthwith make such correction accordingly.

(d) Whenever any refund of any tax or license fee is made by said board or a final court judgment, said board shall forthwith notify the State department or agency concerned and the Department of Finance and thereupon the Director of Finance shall draw his warrant in favor of the claimant for the amount refunded against the fund into which the same was paid."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2229—An act to provide a Code of Procedures to be followed in the administration and control of the financial operations and transactions of the State.

Committee Amendments to Assembly Bill No. 2229.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "revenue" add a comma.

Amendment No. 2.

On page 6 of the printed bill, as amended, strike out lines 6 and 7, and insert in lieu thereof the following: "budget period, and the estimated cash receipts of each fiscal year, as compared with the total recommended amounts".

Amendment No. 3.

On page 7 of the printed bill, as amended, strike out lines 17 to 19, inclusive, and insert in lieu thereof the following: "and (f) of section 3 of this article, and in a detailed statement according to the prescribed classification of expenditures of funds and budget classes, of".

Amendment No. 4.

On page 11, line 1, of the printed bill, as amended, after the word "unit", strike out the comma.

Amendment No. 5.

On page 13, line 49, of the printed bill, as amended, strike out the word "are".

Amendment No. 6.

On page 30 of the printed bill, as amended, strike out lines 7 and 8, and insert in lieu thereof the following: "tered and the date on which said".

Amendment No. 7.

On page 30 of the printed bill, as amended, strike out lines 31 to 43, both inclusive.

Amendment No. 8.

On page 31, line 16, of the printed bill, as amended, after the word and comma "university,", add the following: "the amount set apart shall be repaid into the fund or funds into".

Amendment No. 9.

On page 32 of the printed bill, as amended, between lines 10 and 11, add the following:

"Article 8. Purchasing and Property Control.

SECTION 1. Purchasing Under Control of Department of Finance. All purchases of supplies, materials, equipment, and contractual services including insurance and printing, other than contractual services for construction of highways and other public works, for the needs of all departments, shall be made by or under the control of the Department of Finance in accordance with this act and the regulations of the department prescribed under the provisions of this act.

SEC. 2. Director of Finance to Determine Method of Supplying Needs. Subject to the provisions of this act, the Director of Finance shall have authority to decide whether, and the".

Amendment No. 10.

On page 33, line 15, of the printed bill, as amended, strike out "6", and insert in lieu thereof the figure "5".

Amendment No. 11.

On page 33, line 33, of the printed bill, as amended, strike out "7", and insert in lieu thereof the figure "6".

Amendment No. 12.

On page 34, line 14, of the printed bill, as amended, strike out "8", and insert in lieu thereof the figure "7".

Amendment No. 13.

On page 34, line 20, of the printed bill, as amended, strike out "9", and insert in lieu thereof the figure "8".

Amendment No. 14.

On page 34, line 37, of the printed bill, as amended, strike out "10", and insert in lieu thereof the figure "9".

Amendment No. 15.

On page 34, line 49, of the printed bill, as amended, strike out "11", and insert in lieu thereof the figure "10".

Amendment No. 16.

On page 35, line 25, of the printed bill, as amended, strike out "12", and insert in lieu thereof the figures "11".

Amendment No. 17.

On page 35, line 34, of the printed bill, as amended, strike out "13", and insert in lieu thereof the figures "12"

Amendment No. 18.

On page 35, line 50, of the printed bill, as amended, strike out "14", and insert in lieu thereof the figures "13".

Amendment No. 19.

On page 36, line 27, of the printed bill, as amended, strike out "15", and insert in lieu thereof the figures "14".

Amendment No. 20.

On page 36, line 44, of the printed bill, as amended, strike out "16", and insert in lieu thereof the figures "15".

Amendment No. 21.

On page 37, line 10, of the printed bill, as amended, strike out "17", and insert in lieu thereof the figures "16".

Amendment No. 22.

On page 37, line 19, of the printed bill, as amended, strike out "18", and insert in lieu thereof the figures "17".

Amendment No. 23.

On page 37, line 42, of the printed bill, as amended, strike out "19", and insert in lieu thereof the figures "18".

Amendment No. 24.

On page 38, line 3, of the printed bill, as amended, strike out "20", and insert in lieu thereof the figures "19".

Amendment No. 25.

On page 37, line 20, of the printed bill, as amended, strike out "shall", and insert in lieu thereof the word "may".

Amendment No. 26.

On page 39, line 2, of the printed bill, as amended, strike out "approved", and insert in lieu thereof the word "provided".

Amendment No. 27.

On page 43 of the printed bill, as amended, strike out line 45, and insert in lieu thereof the following: "Director of Finance subject to the approval of the State Per-".

Amendment No. 28.

On page 45, line 20, of the printed bill, as amended, strike out "on", and insert in lieu thereof the word "of".

Amendment No. 29.

On page 45, line 28, of the printed bill, as amended, strike out "treasurer", and insert in lieu thereof the word "controller".

Amendment No. 30.

On page 45, line 44, of the printed bill, as amended, after the word "respecting", add the word "the".

Amendment No. 31.

On page 45, line 51, of the printed bill, as amended, strike out "jurisdictions" and insert in lieu thereof the word "jurisdiction".

Amendment No. 32.

On page 46 of the printed bill, as amended, strike out lines 3 to 7, both inclusive, and insert in lieu thereof the following: "code shall govern the receiving, handling, disbursement, use, supervision and protection of all moneys and properties, whether appropriated or donated and the purchase, acquisition, use, supervision and control of all supplies, materials and equipment and all budgeting, accounting and reporting in respect thereto of the State hospitals, Industrial Home of the Adult Blind, Women's Relief Corps Home,".

Amendment No. 33.

On page 46, line 13, of the printed bill, as amended, strike out the following "head or".

Amendment No. 34.

On page 46, line 41, of the printed bill, as amended, strike out the figures and comma "441,".

Amendment No. 35.

On page 46, line 42, of the printed bill, as amended, strike out the colon, and insert in lieu thereof a comma.

Amendment No. 36.

On page 46, line 48, of the printed bill, as amended, strike out the first figure "4", and insert in lieu thereof the figure "3".

Amendment No. 37.

On page 46, line 49, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figure "4".

Amendment No. 38.

On page 46, line 48, of the printed bill, as amended, strike out ", and", and insert in lieu thereof a period.

Amendment No. 39.

On page 48, line 44, of the printed bill, as amended, after "code,", strike out the word "and".

Amendment No. 40.

On page 48, line 45, of the printed bill, as amended, after "1584." add the following: "and".

Amendment No. 41.

On page 48, line 45, of the printed bill, as amended, after "Code;" strike out the following: "and".

Amendment No. 42.

On page 48, line 51, of the printed bill, as amended, after "1927;" add the following: "and".

Amendment No. 43.

On page 49, line 8, of the printed bill, as amended, strike out "of", and insert in lieu thereof "or".

Amendment No. 44.

On page 2, line 14, of the printed bill, as amended, strike out the portion of the word "mental", and insert in lieu thereof the portion of the word "ment"

Amendment No. 45.

On page 2, line 15, of the printed bill, as amended, strike out "estimates", and insert in lieu thereof the word "estimate".

Amendment No. 46.

On page 9, line 5, of the printed bill, as amended, strike out "courts", and insert in lieu thereof the following: "court".

Amendment No. 47.

On page 9, line 8, of the printed bill, as amended, strike out "departmental", and insert in lieu thereof the following: "department"

Amendment No. 48.

On page 11, line 33, of the printed bill, as amended, strike out "departmental", and insert in lieu thereof the following: "department".

Amendment No. 49.

On page 17, line 13, of the printed bill, as amended, strike out "the".

Amendment No. 50.

On page 17, line 26, of the printed bill, as amended, after the word "by", add the following "the".

Amendment No. 51.

On page 20, line 21, of the printed bill, as amended, strike out "thereto", and insert in lieu thereof the following: "to".

Amendment No. 52.

On page 23, line 31, of the printed bill, as amended strike out "statement", and insert in lieu thereof the following: "statements".

Amendment No. 53.

On page 26, line 30, of the printed bill, as amended, strike out "into", and insert in lieu thereof the word "in".

Amendment No. 54.

On page 30 of the printed bill, as amended, strike out lines 1 and 2.

Amendment No. 55.

On page 46, line 41, of the printed bill, as amended, strike out "Section", and insert in lieu thereof the following: "Sections".

Amendment No. 56.

On page 46, line 50, of the printed bill, as amended, strike out "Section 5", and insert in lieu thereof the following: "Sections 5 and 9".

Amendment No. 57.

On page 47 of the printed bill, as amended, strike out line 41, and insert in lieu thereof the following: "36. The Vet-"

Amendment No. 58.

On page 47 of the printed bill, as amended, strike out line 43, and insert in lieu thereof the following: "Act of 1921, the Vet-".

Amendment No. 59.

On page 47, line 47, of the printed bill, as amended, strike out "27", and insert in lieu thereof the following: "26".

Amendment No. 60.

On page 48, line 7, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "121".

Amendment No. 61.

On page 48, line 42, of the printed bill, as amended, strike out the following "675b, 677a, 678,".

Amendment No. 62.

On page 25 of the printed bill, as amended, strike out lines 7 and 8, and insert in lieu thereof the following: "outlay. The State Treasurer, upon warrant drawn"

Amendment No. 63.

On page 28 of the printed bill, as amended, strike out lines 8 and 9, and insert in lieu thereof the following: "SEC 8. Investment of State funds. All investments of State funds and of"

Amendment No. 64.

On page 30, line 48, of the printed bill, as amended, strike out "14", and insert in lieu thereof the figures "15".

Amendment No. 65.

On page 49 of the printed bill, as amended, strike out lines 34 and 35 and insert in lieu thereof the following:

"SEC. 16 This code shall take effect July 1, 1939, if prior thereto a constitutional amendment is adopted ratifying its provisions"

Amendment No. 66.

On page 3, line 25, of the printed bill, as amended, after the word "contractor", insert the following: ", employee,".

Amendment No. 67.

On page 4, line 29, of the printed bill, as amended, after the word "the", insert the following: "ensuing".

Amendment No. 68.

On page 6 of the printed bill, as amended, strike out lines 42 and 43, and insert in lieu thereof the following: "each of the two fiscal years. The total amount of appropriations rec-".

Amendment No. 69.

On page 7, line 38, of the printed bill, as amended, after the word "unit", insert the following: "for the last completed fiscal year".

Amendment No. 70.

On page 8 of the printed bill, as amended, between lines 48 and 49, insert the following:

"SEC 13. Certification of Appropriation and Revenue Acts to Director of Finance. When the acts making appropriations and providing for the raising of revenues and for such other means of financing as may have been adapted, shall have been enacted, copies of such acts as passed shall be certified to the Director of Finance by the Secretary of State"

Amendment No. 71.

On page 11 of the printed bill, as amended, strike out lines 8, 9, and 10, and insert in lieu thereof the following: "tal fund, the difference shall, upon order of the Director of Finance, be transferred to the fund from which the appropriation was made."

Amendment No. 72.

On page 12, line 8, of the printed bill, as amended, strike out "approve", and insert in lieu thereof the word "make".

Amendment No. 73.

On page 15 of the printed bill, as amended, strike out lines 48 and 49, and insert in lieu thereof the following: "submitted to the Director of Finance and his approval has been indicated thereon."

Amendment No. 74.

On page 15, line 50, of the printed bill, as amended, strike out the word "pro vided."

Amendment No. 75.

On page 16 of the printed bill, as amended, strike out lines 18 and 19, and insert in lieu thereof the following: "shall be valid until the approval of the director as hereinbefore provided shall have been indicated thereon."

Amendment No. 76.

On page 18, line 3, of the printed bill, as amended, after the word "approved", insert the following: " except claims payable out of the bond and assessment funds of the Sacramento and San Joaquin Drainage District,".

Amendment No. 77.

On page 19 of the printed bill, as amended, strike out lines 5, 6, and 7, and insert in lieu thereof the following: 'Finance and the Treasurer may, in their discretion, use signature machines for the purpose of attaching their signatures to warrants for the disbursement of money in behalf of the State. Each such officer may".

Amendment No. 78.

On page 19 of the printed bill, as amended, strike out line 10, and insert in lieu thereof the following: "therefor against the appropriation for the support of his budget unit."

Amendment No. 79.

On page 20, line 19, of the printed bill, as amended, strike out "Fees", and insert in lieu thereof the following: "Except as otherwise authorized by the Department of Finance, fees".

Amendment No. 80.

On page 21 of the printed bill, as amended, at the end of line 2, after the word "collected", insert the following: "or cancelled,".

Amendment No. 81.

On page 22, line 48, of the printed bill, as amended, strike out the period after "Treasurer", and insert in lieu thereof the following: "and the records of the Controller."

Amendment No. 82.

On page 23, line 30, of the printed bill, as amended, strike out "commitments", and insert in lieu thereof the word "commitment"

Amendment No. 83.

On page 27, line 33, of the printed bill, as amended, after the word "them," insert the following: "all moneys deposited with applications for licenses to cover fees contingent upon the granting of the licenses,".

Amendment No. 84.

On page 28 of the printed bill, as amended, strike out line 34, and insert in lieu thereof the following: "Each State depository bank, over the official signature of a responsible officer thereof, shall"

Amendment No. 85.

On page 28, line 38, of the printed bill, as amended, strike out the words "over his official signature".

Amendment No. 86.

On page 29 of the printed bill, as amended, between lines 4 and 5, insert the following:

"SEC. 10a. Return of Canceled Warrants. Each State depository bank shall daily, or at such intervals as may be specified by the Department of Finance, return all canceled warrants and other vouchers charged against State deposits to the Department of Finance."

Amendment No. 87.

On page 33 of the printed bill, as amended, strike out line 19, and insert in lieu thereof the following: "ment, on a standard".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2704—An act to amend section 367b of the Political Code, relating to the compensation of members of the Social Welfare Board.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2705—An act to amend section 105 of the Welfare and Institutions Code, relating to compensation of members of the Social Welfare Board.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1111—An act to empower the City and County of San Francisco to appropriate and pay over to Number One-a District Agricultural Association for its general use such sums of money as said city and county may from time to time determine.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 860—An act to amend sections 484 and 485 of the Agricultural Code, relating to certified milk.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2414—An act to amend sections 736.3 and 737.3 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Committee Amendments to Assembly Bill No. 2414.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections", and insert in lieu thereof the following: "section".

Amendment No. 2.

On page 2, line 21, of the printed bill, as amended, before "Any", insert the following: "736.3."

Amendment No. 3.

On page 2, line 44, of the printed bill, as amended, after "classes", insert the following: ", but in any marketing plan where an equalization pool is in operation such contract need not specify the price nor the quantity of the several classes".

Amendment No. 4.

On page 3, line 26, of the printed bill, as amended, strike out "provides", and insert in lieu thereof the following: "provided".

Amendment No. 5.

On page 3, line 40, of the printed bill, as amended, after "unless", insert the following: "the director, after hearing, determines that"

Amendment No. 6.

On page 3, line 44, of the printed bill, as amended, after "ducers", insert the following: "desire the establishment of such pool, but no hearing shall be necessary if said 65 per cent, by volume and production, of such producers".

Amendment No. 7.

On page 3, line 45, of the printed bill, as amended, after "plan", insert the following: "If the director finds that an equalization pool is necessary to carry out the provisions of this chapter he shall make provision therefor."

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 787—An act to amend sections 301 to 318, inclusive, of the Agricultural Code, relating to meat inspection.

Committee Amendments to Assembly Bill No. 787.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 301 to 318 inclusive" and insert in lieu thereof the following "section 318".

Amendment No. 2.

On page 1, line 1 of the printed bill, strike out "301", and insert in lieu thereof the following: "318"

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "301.", and insert in lieu thereof the following.

"318. It is unlawful to sell any meat or products thereof, sausage casings, or other casings that contain dye or artificial coloring

For the purpose of this article any meat, products thereof, sausage casings, or other casings that contain any dye or artificial coloring shall be deemed adulterated, and the director shall render the same unfit for human consumption with a suitable denaturing agent. The provisions of this section shall not prohibit the use of decorative designs on the outside surface of artificial casings, which designs are approved by the director."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1897—An act to add section 215 to the Agricultural Code, relating to the inspection of hogs.

Committee Amendments to Assembly Bill No. 1897.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 4, line 29, of the printed bill, as amended, after "into", insert the following: "the State Treasury to the credit of".

Amendment No. 2.

On page 2, line 3, of the printed bill, as amended, after "Division of", insert the following: "Animal".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 238—An act to amend section 1032 of the Military and Veterans Code, relating to the Veterans Home of California.

Committee Amendment to Assembly Bill 238.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended strike out lines 8 and 9, and insert in lieu thereof the following:

"SEC. 2. The sum of twelve thousand nine hundred and sixty dollars ($12,960) or so much thereof as may be neces-"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 613—An act to amend section 96 of the "Bank Act," relating to deposits of money received by State Treasurer from trust companies.

Committee Amendment to Senate Bill No. 613.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 3, paragraph (e), line 8, of the printed bill, strike out the period following the word "bank", and insert the following: ", or consolidated Federal home loan bank bonds or debentures issued by the Federal Home Loan Bank Board in accordance with the provisions of the Federal Home Loan Bank Act."

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 67—An act to amend section 752 of the Political Code, relating to fees collected by the Clerk of the Supreme Court.

Bill read second time, and ordered on third reading calendar.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Joint Resolution No. 38.
Assembly Concurrent Resolution No. 43.
Assembly Bill No. 528.
Assembly Bill No. 747.
Assembly Bill No. 856.
Assembly Bill No. 858.
Assembly Bill No. 991.
Assembly Bill No. 1194.
Assembly Bill No. 1342.
Assembly Bill No. 1434.
Assembly Bill No. 1599.
Assembly Bill No. 1836.
Assembly Bill No. 1837.
Assembly Bill No. 1839.
Assembly Bill No. 1912.
Assembly Bill No. 1913.
Assembly Bill No. 2162.
Assembly Bill No. 2233.
Assembly Bill No. 2341.
Assembly Bill No. 2817.

And reports the same correctly enrolled, and presented to the Governor on this twenty-ninth day of April, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman

Notice of Motion to Reconsider Assembly Bill No. 2090 Waived.

Mr. Welsh waived his notice of motion to reconsider the vote whereby Assembly Bill No 2090 was passed.

Assembly Bill No 2090 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1455.

In compliance with a notice given on a previous day, Mr. Welsh moved that the vote whereby Assembly Bill No. 1455 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 1455 reconsidered by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, and Mr Speaker—60.

NOES—Dilworth, Lore, Reaves, Watson, and Yorty—5.

Assembly Bill No. 1455 ordered on third reading calendar.

Third Reading of Assembly Bills.

Assembly Bill No. 1314—An act to amend section 1218 of the Code of Civil Procedure, relating to punishment of contempt.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Call, Cassidy, Crowley, Cunningham, Daley, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kepple, King, Kuchel, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Watson, Weber, Welsh, Yorty, and Mr. Speaker—50.

NOES—Baynham, Beene, Breed, Cottrell, Dannenbrink, Dilworth, Johnson, Latham, Mayo, Muldoon, Redwine, Scudder, Turner, and Walker—14.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. Augustus F. Hawkins in the Chair.

At three o'clock and ten minutes p m., Hon. Augustus F. Hawkins, member of the Assembly from the Sixty-Second District, in the chair.

Assembly Bill No. 722—An act to add sections 21, 22, 23, 24, and 25 to, to amend sections 13, 14, 14a, and 14b of, and to repeal sections 15 and 16 of, The Planning Act, relating to State, regional, county and city planning.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, and Yorty—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At three o'clock and fifteen minutes p m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Clark.

The roll of absentees was called, and Assembly Bill No. 206 refused reconsideration by the following vote:

AYES—Cassidy, Clark, Crowley, Daley, Dannenbrink, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Laughlin, Lore,

Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Tenney, Turner, Welsh, and Yorty—33.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garland, Hornblower, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Muldoon, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, and Mr. Speaker—40.

Reconsideration of Assembly Bill No. 72.

In compliance with a notice given on a previous day, Mr. Tenney moved that the vote whereby Assembly Bill No. 72 was refused passage be reconsidered.

Call of the Assembly.

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

Motion carried.

Time, three o'clock and fifteen minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

The Speaker in the Chair.

At three o'clock and twenty minutes p m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1389—An act to amend section 1217 of the Code of Civil Procedure, relating to the trial for contempt.

Bill read third time, and refused passage by the following vote:

AYES—Boyle, Cassidy, Clark, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Hunt, King, Lore, Maloney, McMurray, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Welsh, Yorty, and Mr. Speaker—32

NOES—Beene, Breed, Call, Cottrell, Cronin, Cunningham, Desmond, Dilworth, Field, Fulcher, Heisinger, Johnson, Kepple, Kuchel, Latham, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Morgan, Muldoon, Peyser, Redwine, Scudder, Stream, Thorp, Walker, Watson, and Weber—30.

Assembly Bill No. 2568—An act to add section 1920a to the Code of Civil Procedure, relating to evidence.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—58

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 441—An act to amend the title of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds," approved May 11, 1923, Statutes 1923, page 308, as amended, and to add section 6, relating to the reassessment, refunding, repayment or adjustment of assessments or bonds and the contribution of public funds therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 442—An act to amend the title of an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties, and upon the property and rights of way owned by counties, and for establishing and changing the grades of any such highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, Statutes 1921, page 1658, as amended, and to add section 12, relating to the reassessment, refunding, repayment or adjustment of assessments or bonds and the contribution of public funds therefor

Motion to Amend Assembly Bill No. 442.

Mr King moved to amend Assembly Bill No. 442 as follows·

Amendment No. 1.

On page 1, line 11 of the title of the printed bill, as amended, strike out the following: "Improvement Act of 1911", and insert in lieu thereof "County Improvement Act of 1921"

Amendment adopted.

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up Assembly Bill No. 442, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 442, as Amended.

Assembly Bill No. 442—An act to amend the title of an act entitled "An act to provide for work in and upon highways, streets, avenues, lanes, courts, places and sidewalks in the unincorporated territory of counties, and upon property and rights of way owned by counties, and for establishing and changing the grades of any such highways, streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for

the issuance and payment of highway improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved June 3, 1921, Statutes 1921, page 1658, as amended, and to add section 12, relating to the reassessment, refunding, repayment or adjustment of assessments or bonds and the contribution of public funds therefor.

Assembly Bill No. 442, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—58

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2008—An act to amend section 422 of the Probate Code, relating to order of priority of right to letters of administration.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Donahue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Levey, Lore, Maloney, Martin, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, and Mr. Speaker—56.

NOES—Dilworth—1

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1430—An act to add section 60½ to the Alcoholic Beverage Control Act, relating to hours of sale, purchase and disposition of alcoholic beverages.

Bill read third time, and refused passage by the following vote:

AYES—Fulcher, and Hunt—2.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65

Further Proceedings Under Call of the Assembly Dispensed With.

At four o'clock and fifteen minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Tenney. The roll of absentees was called, and Assembly Bill No. 72 reconsidered by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Call, Clark, Cunningham, Daley, Dannenbrink, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Levey, Lore, Martin, Mayo, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Welsh, Yorty, and Mr. Speaker—52.

NOES—Baynham, Burns, Michael J., Cassidy, Cottrell, Cronin, Dawson, Desmond, Dilworth, Latham, Leonard, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor, Miller, George P., Muldoon, O'Donnell, Sheehan, Watson, Weber, and Williamson—22

Third Reading of Assembly Bill No. 72.

Assembly Bill No. 72—An act to amend section 132 of the Civil Code, relating to divorce.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Yorty moved a call of the Assembly.

Motion carried.

Time, four o'clock and twenty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—68

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 728.
Assembly Bill No. 1491.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 123.
Assembly Bill No. 614.
Assembly Bill No. 621.
Assembly Bill No. 641.
Assembly Bill No. 840.
Assembly Bill No. 959.
Assembly Bill No. 1111.
Assembly Bill No. 1146.
Assembly Bill No. 1481.
Assembly Bill No. 1570.
Assembly Bill No. 1575.
Assembly Bill No. 1588.
Assembly Bill No. 1605.
Assembly Bill No. 1642.
Assembly Bill No. 1753.
Assembly Bill No. 2048.
Assembly Bill No. 2250.
Assembly Bill No. 2392.
Assembly Bill No. 2452.
Assembly Bill No. 2502.
Assembly Bill No. 2805.
Assembly Bill No. 2827.
Assembly Bill No. 2848.

And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar

Re-reference of Assembly Bills.

On motion of Mr. Welsh, Assembly Bill No. 1455 was withdrawn from the calendar, and re-referred to the Committee on Oil Industries

On motion of Mr. Cronin, Assembly Bill No. 1491 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Motion to Withdraw Assembly Bill No. 1028 from Committee.

In compliance with a notice given on a previous day, Mr. Tenney moved to withdraw Assembly Bill No. 1028 from the Committee on Judiciary Codes, and have it placed upon the calendar.

The roll was called, and the motion to withdraw lost by the following vote:

AYES—Boyle, Burns, Michael J., Cassidy, Clark, Donihue, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Latham, Laughlin, Lore, Maloney, McMurray, Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Welsh, Yorty, and Mr. Speaker—31.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Field, Flint, Fulcher, Garibaldi, Heisinger, Kepple, Kuchel, Levey, Martin, Mayo, Miller, Eleanor; Muldoon, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, and Williamson—34

Notice of Motion to Reconsider Motion to Withdraw Assembly Bill No. 1028.

Mr. Richie gave notice that on the next legislative day he would move to reconsider the vote whereby the motion to withdraw Assembly Bill No. 1028 was this day lost.

Further Proceedings Under Call of the Assembly Dispensed With.

At four o'clock and forty-five minutes p m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Yorty.

The roll of absentees was called, and Assembly Bill No. 72 passed by the following vote:

AYES—Breed, Burns, Hugh M., Call, Clark, Cunningham, Daley, Dannenbrink, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Laughlin, Levey, Lore, Mayo, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Welsh, Yorty, and Mr. Speaker—41

NOES—Baynham, Boyle, Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Dawson, Desmond, Dilworth, Donihue, Field, Heisinger, Johnson, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Sheehan, Stream, Walker, Watson, Weber, and Williamson—33.

Notice of Motion to Reconsider Assembly Bill No. 72.

Mr Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 72 was this day passed.

Hon. Thomas A. Maloney in the Chair.

At five o'clock and twenty minutes p m., Hon. Thomas A. Maloney, member of the Assembly from the Twenty-Eighth District, in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1472—An act to regulate the practice of naturopathy; to create and appoint a self-sustaining Board of Naturopathic Examiners; to prescribe their tenure of office, powers, duties, compensation, etc.; to require and regulate the issuance of licenses to practice; to establish and collect fees for the examination of applicants and for the issuance and renewal of licenses; to define naturopathy; to define and qualify naturopathic colleges; to provide for the taking of examinations by qualified applicants; to segregate naturopaths from the State Medical Act; to provide for the assessment and collection of penalties for the violation of this act; and to provide for the handling, custody, and disbursement of all funds collected under this act.

Motion to Amend Assembly Bill No. 1472.

Mr. Pelletier moved to amend Assembly Bill No. 1472 as follows:

Amendment No. 1.

On page 2, line 19, of the printed bill, as amended, before "board", insert the following: "first".

Amendment No. 2.

On page 2, line 22, of the printed bill, as amended, strike out the semicolon after "States", and insert in lieu thereof the following: "and".

Amendment No. 3.

On page 2, line 23, of the printed bill, as amended, after "1936-37", insert the following, "issued by that State or territory".

Amendment No. 4.

On page 2, line 25, of the printed bill, as amended, after "appointment", insert the following: "and must be a member of the Naturopathic Physicians Association".

Amendment No. 5.

On page 4 of the printed bill, as amended, strike out lines 4 and 5, and in line 6, strike out "relating to civil service, but the", and insert in lieu thereof the following: "SEC. 9 Employees. The".

Amendment No. 6.

On page 4 of the printed bill, as amended, between lines 18 and 19, insert the following

"SEC. 10.5. Appropriations. Nothing in this act shall be construed to constitute an appropriation, and all appropriations to use the money collected under this act shall be made by other provisions of law."

Amendment No. 7.

On page 5, line 46, of the printed bill, as amended, strike out "either", and insert in lieu thereof the following: "complies with any one of the following three alternatives".

Amendment No. 8.

On page 6, line 4, of the printed bill as amended, strike out "(a1)", and insert in lieu thereof the following "(b)"

Amendment No. 9.

On page 6 line 9 of the printed bill, as amended, after "effective," insert the following: "or".

Amendment No. 10.

On page 6, line 10, of the printed bill as amended, strike out "(a2)" and insert in lieu thereof the following: "(c)"

Amendment No. 11.

On page 6 of the printed bill, as amended, strike out lines 17 and 18, and insert in lieu thereof the following.

"Any person qualifying under either subpart (b) or subpart (c) of subdivision (2) of this section shall be required to take an examination."

Amendment No. 12

On page 6, line 21, of the printed bill, as amended strike out "section 13 hereof", and insert in lieu thereof the following "under the provisions of subpart (b) or subdivision (2) of section 14"

Amendment No. 13.

On page 6, line 26, of the printed bill as amended strike out "section 14 (a1)", and insert in lieu thereof the following "subpart (b) of subdivision (2) of section 14".

Amendment No. 14.

On page 7, line 9 of the printed bill as amended, strike out "is", and insert in lieu thereof the following "in".

Amendment No. 15.

On page 8 of the printed bill as amended, strike out line 27, and insert in lieu thereof the following "section 13 of subpart (b) of subdivision (2) of section 14"

Amendment No. 16.

On page 11 of the printed bill, as amended, after line 52, insert the following

"Section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of the section."

Amendments adopted.

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Bill No. 1472, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1472, as Amended.

Assembly Bill No. 1472—An act to regulate the practice of naturopathy; to create and appoint a self-sustaining Board of Naturopathic Examiners; to prescribe their tenure of office, powers, duties, compensation, etc.; to require and regulate the issuance of licenses to practice; to establish and collect fees for the examination of applicants and for the issuance and renewal of licenses; to define naturopathy; to define and qualify naturopathic colleges; to provide for the taking of examinations by qualified applicants; to segregate naturopaths from the State Medical Act, to provide for the assessment and collection of penalties for the violation of this act; and to provide for the handling, custody, and disbursement of all funds collected under this act.

Assembly Bill No. 1472, as amended, read third time.

Demand for Previous Question.

Messrs. Welsh, Flint, Dawson, Morgan and Hawkins demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1472.

The roll was called, and Assembly Bill No. 1472 refused passage by the following vote:

AYES—Clark, Daley, Desmond, Donihue, Gannon, Gilbert, Levey, Martin, Meehan, Pelletier, Reaves, Richie, Watson, Welsh, Yorty, and Mr. Speaker—16.

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Mayo, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, and Weber—49.

Notice of Motion to Reconsider Assembly Bill No. 1472.

Mr. Reaves gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1472 was this day refused passage.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Garibaldi:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the support of the Third District Court of Appeal.

Referred to Committee on Introduction of Bills.

By Mr. McMurray:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 4056e to the Political Code, relating to the issuance of

bonds by counties for the purpose of providing for county exhibits at domestic or foreign expositions.

Referred to Committee on Introduction of Bills.

By Mr. Desmond:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the purchase of certain lands by the State.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Garibaldi:

An act making an appropriation for the support of the Third District Court of Appeal.

By Mr. Desmond:

An act making an appropriation for the purchase of certain lands by the State.

By Mr McMurray:

An act to add section 4056e to the Political Code, relating to the issuance of bonds by counties for the purpose of providing for county exhibits at domestic or foreign expositions.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M Burns, Michael J, Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2869: By Mr. Garibaldi—An act making an appropriation for the support of the Third District Court of Appeal.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2870: By Mr. Desmond—An act making an appropriation for the purchase of certain lands by the State

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2871: By Mr. McMurray—An act to add section 4056e to the Political Code, relating to the issuance of bonds by counties for the purpose of providing for county exhibits at domestic or foreign expositions

Bill read first time, and referred to Committee on Expositions and Fairs.

Recess.

At five o'clock and forty-five minutes p m., on motion of Mr. Peek, the Assembly was declared at recess until eight o'clock p m.

Reassembled.

At eight o'clock p m., the Assembly reconvened.

Speaker Jones in the chair.

Third Reading of Senate Bills.

Senate Bill No. 90—An act to amend section 1340.6 of the Fish and Game Code, relating to bears.

Motion to Amend Senate Bill No. 90.

Mr. Burns, Michael J., moved to amend Senate Bill No. 90 as follows:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the words "November 1", and insert in lieu thereof the following: "October 15".

Amendment adopted.

Request for Unanimous Consent.

Mr. Burns, Michael J., asked for, and was granted, unanimous consent to take up Senate Bill No. 90, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 90, as Amended.

Senate Bill No. 90—An act to amend section 1340.6 of the Fish and Game Code, relating to bears.

Senate Bill No. 90, as amended, read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Burns, Michael J., moved a call of the Assembly.

Motion carried.

Time, eight o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Burns, Michael J., Crowley, Cunningham, Dawson, Gilbert, Kepple, Kuchel, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Scudder, Sheehan, Turner, and Mr. Speaker—19

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Withdrawal and Re-reference of Senate Bill No. 806.

On motion of Mr. Dilworth, Senate Bill No. 806 was withdrawn from the Committee on Drainage, Swamp and Overflowed Lands, and re-referred to the Committee on Conservation.

Further Proceedings Under Call of the Assembly Dispensed With.

At eight o'clock and thirty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Burns, Michael J.

The roll of absentees was called, and Senate Bill No. 90 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Bill.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Senate Bill No. 963 re-referred to Committee on Judiciary.

Senate Message.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No. 500.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Libraries.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on Libraries, to which was referred

Assembly Bill No. 1393.
Assembly Bill No. 1648.
Assembly Bill No. 2599.

Respectfully reports the same back with the recommendation: Do pass.

JOHNSON, Chairman.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2790.
Assembly Bill No. 1089.
Assembly Bill No. 1896.
Assembly Bill No. 1431.
Assembly Bill No. 2860.
Assembly Bill No. 2861.
Assembly Bill No. 1184.

Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred

Assembly Bill No. 379.
Assembly Bill No. 380.

Respectfully reports the same back with the recommendation: Do pass.

MALONEY, Chairman.

The above reported bills ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred

Senate Bill No. 166.

Respectfully reports the same back with the recommendation: Do pass.

FLINT, Chairman.

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred.

Assembly Concurrent Resolution No. 41.

Respectfully reports the same back with the recommendation: Be adopted.

HAWKINS, Chairman.

The above reported bill ordered to engrossment.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Senate Bill No. 863.
Senate Bill No. 960.

Respectfully reports the same back with the recommendation: Do pass.

YORTY, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred

Senate Bill No. 664.
Assembly Bill No. 175.

Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred

Assembly Bill No. 1092.

Respectfully reports the same back without recommendation, and be re-referred to Committee on Labor and Capital.

ROSENTHAL, Chairman

The above reported bill re-referred to Committee on Labor and Capital.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 271.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred

Senate Bill No. 205.
Senate Bill No. 573.
Senate Bill No. 576.
Senate Bill No. 1130.
Assembly Bill No. 685.

Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO April 29, 1937

MR. SPEAKER: Your Committee on Education, to which was referred

Senate Bill No. 570.
Senate Bill No. 663.
Assembly Bill No. 984.
Assembly Bill No. 987.
Assembly Bill No. 1048.
Assembly Bill No. 1625.
Assembly Bill No. 2830.
Assembly Bill No. 2851.

Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman

The above reported bills ordered on second reading calendar

ASSEMBLY CHAMBER SACRAMENTO, April 29, 1937.

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 208.
Assembly Bill No. 2044.

Respectfully reports the same back without recommendation, as amended

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1937

MR. SPEAKER Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 2844.

Respectfully reports the same back without recommendation, as amended

KING, Chairman.

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937

MR SPEAKER Your Committee on Education, to which was referred
Senate Bill No. 571. **Assembly Bill No. 985.**
Respectfully reports the same back with the recommendation: Do pass as amended
CLARK, Chairman

The above reported bills ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937

MR SPEAKER Your Committee on Unemployment, to which was referred
Assembly Bill No. 1516.
Assembly Bill No. 1520.
Assembly Bill No. 2499.
Respectfully reports the same back without recommendation, as amended
HAWKINS, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937

MR. SPEAKER: Your Committee on Unemployment, to which was referred
Assembly Bill No. 2565. **Assembly Bill No. 2646.**
Respectfully reports the same back with the recommendation: Do pass as amended
HAWKINS, Chairman

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred
Assembly Bill No. 2405.
Respectfully reports the same back with the recommendation Do pass as amended
LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937

MR. SPEAKER Your Committee on Labor and Capital, to which was referred:
Assembly Bill No. 55.
Respectfully reports the same back without recommendation, as amended
FLINT, Chairman.

The above reported bill ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937

MR. SPEAKER Your Committee on Commerce and Navigation, to which was referred:
Assembly Bill No. 1345.
Respectfully reports the same back with the recommendation Do pass as amended
MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 119.
Respectfully reports the same back with the recommendation. Do pass as amended
HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR SPEAKER: Your Committee on Ways and Means, to which was referred.
Assembly Bill No. 2084. **Assembly Bill No. 2804.**
Assembly Bill No. 2671. **Assembly Bill No. 1612.**
Respectfully reports the same back without recommendation, as amended.
ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 2070.
Assembly Bill No. 1886.
Assembly Bill No. 252.
Respectfully reports the same back with the recommendation: Do pass as amended.
ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER. Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 1018.
Respectfully reports the same back with the recommendation: Do pass as amended
DESMOND, Chairman

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 2751.
Respectfully reports the same back without recommendation, as amended.
PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred.
Assembly Bill No. 2843.
Respectfully reports the same back with the recommendation: Do pass as amended.
YORTY, Chairman

The above reported bill ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER. Your Committee on Public Health and Quarantine, to which was referred:
Assembly Bill No. 1251.
Respectfully reports the same back with the recommendation: Do pass as amended.
MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937

MR. SPEAKER: Your Committee on Irrigation, to which was referred
Senate Bill No. 754.
Respectfully reports the same back with the recommendation: Do pass as amended.
GARLAND, Chairman

The above reported bill ordered on second reading calendar.

Adjournment.

At nine o'clock and forty minutes p.m., on motion of Mr. Welsh, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Friday, April 30, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SECOND LEGISLATIVE DAY
ONE HUNDRED SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 30, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Heisinger, the further reading of the Journal of Thursday, April 29, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Millington, on motion of Mr Gannon.

Mr Waters, on motion of Mr. Cunningham.

Mr Muldoon, on motion of Mr. Baynham.

Mr. Corwin, on motion of Mr. Stream.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Janet Davis, Class Adviser; Leonard McKaig, Social Science Instructor; and the following students of the Senior Class, Ripon Union High School. Elizabeth Ahles, Roy Anderson, Irene Azevedo, Joe Bettencourt, Elaine Brink, Edith Carey, Lester Den Ouden, Leslie Eastburg, Ruth Edminster, Richard Eskes, Dorothy Evinger, Ralph Gardner, Elva German, Paul Gotshall, Phyllis Gritton, Bill Haller, Marion Hat, Jack Hitch, Ireta Hutchinson, Mildred Kincaid, Andrew Keuning, Bill

Lampkin, Ray Leal, Nancy Lewis, Annie Lima, Leo McBrian, Victoria Morino, Lucille Neves, Leona Nicolaysen, Anita Parsons, Victor Saabye, Dorothea Schmidt, Harry Slikker, Emma Spence, Glenn Spuller, Caswell Stockard, Mike Stuart, Ray Turnquist, Henrietta Vander Kamp, Betty Van Donk, Elvin Wilburn, Charles Williams, Chester Williams, Roland Dalman, and Hubert Dickey.

On request of Mr Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to D. P. Boothe, President Modesto Chamber of Commerce, Horace W. Dryden, Secretary-Treasurer California Poultry Improvement Association, and R. L. Kimmel, Secretary-Manager Modesto Chamber of Commerce.

On request of Mr Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs G. S. Middleworth.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leo Fried, President B. of R. C.

On request of Mr Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jacob M Leonard and Mrs Maurice T. Dooling of Hollister.

On request of Mr. Cottrell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Warren W. Smith, Richard Smith and Mrs. J. E. Stimmel of San Jose.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 37—Relative to adjournment sine die of the fifty-second session of the Legislature of the State of California.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Concurrent Resolution No. 37 referred to Committee on Rules.

SENATE CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 5—An act to amend sections 1, 10, 12 21, 23, 24 and 25 of the "Direct Primary Law," relating to nonpartisan offices;

Senate Bill No. 298—An act to amend sections 4277 and 4278 of the Political Code, relating to the compensation of county and township officers and jurors;

Senate Bill No. 692—An act to amend sections 821, 822, and 827 of, the Agricultural Code, relating to fruits and vegetables;

Senate Bill No. 927—An act to amend section 1a of an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments," approved May 20, 1927, relating to expenses of judges and justices of the peace sitting under assignment from the Judicial Council;

Senate Bill No. 1118—An act to regulate labor unions, by providing methods of conducting elections for the purpose of selecting officers, calling strikes, terminating strikes, and making working agreements, and providing penalties for violation hereof;

Senate Bill No. 1124—An act to amend sections 737u and 4252 of the Political Code, relating to compensation of public officers;

Senate Bill No. 1132—An act to amend sections 1 and 13 of the Orange County Water District Act, relating to the Orange County Water District.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 5 read first time, and referred to Committee on Elections.

Senate Bill No. 298 read first time, and referred to Committee on County Government.

Senate Bill No. 692 read first time, and referred to Committee on Agriculture.

Senate Bill No. 927 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 1118 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 1124 read first time, and referred to Committee on County Government.

Senate Bill No. 1132 read first time, and referred to Committee on Irrigation.

SENATE CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following:

Senate Joint Resolution No. 16.
Senate Bill No. 579.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 29, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to:

Assembly Bill No. 2794.

And appointed Senators Swing, Tickle and Parkman as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Appointment of Assembly Committee on Free Conference Concerning Assembly Bill No. 2794.

The Speaker announced the appointment of Messrs. Peyser, Sheehan and Lyon as a Committee on Free Conference concerning Assembly Bill No. 2794.

Introduction and Reference of Bill.

The following bill was introduced, and referred as indicated:

Assembly Concurrent Resolution No. 49: By Mr. Cottrell—Relative to directing the Unemployment Reserve Commission to investigate and report upon seasonal employment and its effect upon the operation of the Unemployment Reserves Act.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 49, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 49.

Assembly Concurrent Resolution No. 49—Relative to directing the Unemployment Reserve Commission to investigate and report upon seasonal employment and its effect upon the operation of the Unemployment Reserves Act.

Assembly Concurrent Resolution No. 49 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Latham, Laughlin, Leonard, Levey, Lyon, Lore, Maloney, Martin, Mayo, McMurray,

Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate

Resolution.

The following resolutions were offered:

By Mr. Morgan:

House Resolution No. 151.

WHEREAS, The beloved American actor William Gillette has this day taken his final curtain call; and

WHEREAS, The said William Gillette has been for more than half a century an outstanding figure on the American stage; and

WHEREAS, His masterly delineations of comedy and drama reached their apex in his creation of the character of Sherlock Holmes; and

WHEREAS, His long career in public and private life exemplified the best traditions of the actor, the dramatist, the scholar, and the gentleman; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of this Assembly hereby express their sense of loss and bereavement in the passing of this commanding figure from the American stage, and their grateful appreciation for his splendid record of artistic achievement in the theater which he loved so much and served so well.

Request for Unanimous Consent.

Mr. Morgan asked for, and was granted, unanimous consent to take up House Resolution No. 151, at this time, without reference to committee or calendar.

House Resolution No. 151 read, and unanimously adopted.

Appointment of Special Committee.

In compliance with House Resolution No. 150, the Speaker appointed Miss Miller and Mrs Daley as a Special Committee to prepare a program for the observance of Mother's Day.

Resolution.

By Messrs. McMurray, Dawson, and Williamson:

House Resolution No. 152.

WHEREAS, Various measures have been introduced at the fifty-second session of the Legislature of California to create the so-called divisional highway in the City and County of San Francisco a State highway; and

WHEREAS, Said divisional highway project is considered by the people of the City and County of San Francisco to be of great importance to the people of the State generally and a matter of general State concern since it is necessary that a highway be constructed to serve as a connecting link and a through highway for the benefit of through traffic between the Golden Gate Bridge on the north and the State highways entering the City and County of San Francisco from the south; and

WHEREAS, Proper consideration by the Legislature of this question has not been possible due to lack of definite information as to the cost of the highway as proposed and as to the best possible location and alignment for said highway; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works be and it is hereby directed to make a preliminary study and investigation of said proposed highway as the same is described in Assembly Bill No. 585, introduced at the fifty-second session of the Legislature, without incurring the expense of detailed surveys or estimates of cost, and to report to the Assembly at the fifty-third session of the Legislature:

1 The department's estimate of the cost of the improvement of said highway on modern standards of width and alignment, including the cost of the acquisition of the necessary rights of way therefor,

2 The department's recommendations as to revisions in routing or alternate routings and such estimate of cost on such revised or alternate routing or routings;

3 The probable extent of the use of said highway by through traffic and by local traffic.

Request for Unanimous Consent.

Messrs. McMurray, Dawson, and Williamson, asked for, and were granted, unanimous consent to take up House Resolution No. 152, at this time, without reference to committee or calendar.

House Resolution No. 152 read and adopted.

Withdrawal and Re-reference of Assembly Bill No. 2548.

On motion of Mr. Scudder, Assembly Bill No. 2548 was withdrawn from the Committee on Roads and Highways, and re-referred to the Committee on Ways and Means.

Re-reference of Assembly Bills.

On motion of Mr. Boyle, Assembly Bill No. 272 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

On motion of Mr. Garibaldi, Assembly Bill No. 1873 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Third Reading of Senate Bills—(Out of Order).

Senate Bill No. 55—An act in relation to and regulating the commencement and continuatoin of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Beene, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, Williamson, and Mr. Speaker—57.

NOES—None.

Senate Bill No. 55 read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1071—An act validating the election and classification of members of the sanitary board of sanitary districts reorganized pursuant to section 31 of the act of the Legislature entitled: "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, as amended, and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller Eleanor, O'Donnell, Patterson, Peek Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr Speaker—56

NOES—None

Senate Bill No. 1071 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Sheehan, Stream Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—52.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Senate Bill No. 1072—An act amending sections 9 and 31 of the act of the Legislature of the State of California entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, as amended, relating to elections of sanitary boards in sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P, Patterson, Peyser, Reaves, Redwine, Robertson, Sawallisch, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 1123—An act to add section 4d to an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to irrigation districts, and declaring the existing law, declaring the urgency hereof and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Latham, Laughlin, Leonard, Levey, Lore, Maloney Martin Mayo, McMur-

ray, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—59

NOES—None.

Senate Bill No. 1123 read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—60

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 1051—An act to add section 366f to the Political Code, relating to the conditions of employment at the Preston School of Industry.

Bill read third time, and passed by the following vote

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 1052—An act to add section 1278 to the Welfare and Institutions Code, relating to conditions of employment at Preston School of Industry.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 554—An act authorizing the Director of Natural Resources to receive and hold land for forestry purposes, to enter into agreements with the Federal Government or other agencies for acquiring by lease, purchase or otherwise such lands as are desirable for State forests, to manage such land and to dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes, to make an appropriation therefor, and to repeal an act entitled "An act authorizing the Director of Natural Resources to receive and hold land for future development for forestry purposes, to manage such land and dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes," approved July 15, 1935, to declare the urgency thereof, and to provide that this act shall take immediate effect.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson

King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58

NOES—None.

Senate Bill No. 554 read third time, and passed by the following vote:

AYES—Bayham, Burns, Hugh M., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Second Reading of Assembly Bills.

Assembly Bill No. 1393—An act to amend section 6.531 of the School Code, relating to the operation of school district libraries as branch county libraries.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1648—An act to provide for and to regulate the certification of librarians

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2599—An act to add a new section to "An act to create a State Medical Library under the direction of The Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance, and support of the same, and making an appropriation therefor," relating to fixed and traveling exhibits.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2790—An act relating to the care and control of venereal diseases, granting other and further powers in relation thereto to the State Board of Public Health and its subordinate agencies, authorizing the acceptance of Federal social security funds and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1089—An act to provide for the control, prevention, and cure of venereal diseases; providing for the establishment of a State Bureau of Venereal Diseases under the direction of the State Board of Health and defining its powers and duties; and providing for the granting of State financial aid for the control, prevention, and care of venereal diseases, and making an appropriation therefor

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1896—An act to add a new section to the Political Code, to be known as section 443, relating to the transfer of moneys from special funds and other State accounts; the creation and reimbursement of the general cash revolving fund and the issuance of warrants against such fund; the issuance, indorsement and sale of registered warrants payable out of the general fund; providing for the obtaining of legal opinions relative to the legality of State warrants and making an appropriation therefor; confirming the validity of warrants heretofore registered pursuant to section 441 of the Political Code and now outstanding, including warrants issued, registered and sold under the plan relating to such warrants provided for by

resolution of the State Board of Control adopted November 24, 1936; and providing that this act shall take effect immediately.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 1431—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved June 8, 1936; entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2860—An act making an appropriation for the support of the University of California.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2861—An act providing for the acquisition of lands for, and the construction, maintenance and operation of buildings at the Pacific Exposition and Mercado to be held in the county of Los Angeles, State of California, providing for the exhibition of products, resources of and other matters pertaining to the State of California at said Pacific Exposition and Mercado, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1184—An act to provide for the permanent relief and rehabilitation of the indigent and unemployed families of the State of California by the removal of such families to new rural communities to be located upon large tracts of good agricultural land, and providing for loans by the State Department of Social Welfare to a nonprofit, cooperative agricultural association created to carry out such purpose, and to make an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 379—An act to amend and renumber section 2610 of the Political Code, as added thereto by Chapter 992 of the Statutes of 1933, relating to the powers of the Board of State Harbor Commissioners for the bay of San Diego.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 380—An act to amend section 3559 of the Harbors and Navigation Code, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego

Bill read second time, and ordered to engrossment

Assembly Bill No. 175—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 271—An act to amend section 4225a of the Political Code, relating to cities of first and one-half class

Bill read second time, and ordered to engrossment.

Assembly Bill No. 685—An act to amend section 942 of the Code of Civil Procedure, relating to undertakings on appeal.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 984—An act to repeal section 4.788 of the School Code and to add a new chapter to Part II of Division IV of said code to be known as Chapter IIa, relating to county elementary school supervision funds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 987—An act to repeal Chapters II, III and IV and Articles II and III of Chapter V, all of Part II of Division V of the School Code; to repeal sections 5 341, 5.342, 5.343, 5.360, 5.361, 5.362, 5 363 and 5.540 of the said code; to amend sections 5.263, 5.313, 5.314 and 5.315 of said code; and to add to Part II of Division V of said code a new chapter to be known as Chapter II, all relating to certificates and credentials for employment in the public school system.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1048—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1625—An act to amend section 1.2 of the School Code, relating to pupils in the public schools.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2830—An act to amend sections 2.1370 and 2.1371 of the School Code, relating to the State Board of Education.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2851—An act to renumber Article 11a of Chapter I, Part IV, Division II of the School Code, to be Article IIa, and to renumber and amend sections 2.1365 and 2.1366 of the School Code, to be sections 2.1405 and 2.1406 respectively, relating to the State Council of Education Planing and Coordination.

Bill read second time, and ordered to engrossment

Assembly Bill No. 208—An act to add a new section to the School Code to be numbered 2 95, relating to the powers and duties of superintendents of school districts.

Committee Amendments to Assembly Bill No. 208.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of lines 1 to 12, inclusive.

Amendment No. 2.

On page 2, line 13, of the printed bill, as amended, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2044—An act to amend section 2 112 of the School Code, relating to the enlargement of school districts.

Committee Amendment to Assembly Bill No. 2044.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 3 to 9, inclusive, and insert in lieu thereof the following:

"2 112. Territory not included in the remainder of the district or districts from which a city or town, other than a city or town of the sixth class, was organized

may be annexed to such city or town for school purposes in the manner herein provided at any time after the organization of such city or town.

Whenever a petition describing the territory proposed to be annexed and signed by a majority of the heads of families residing in such territory is presented to the county superintendent of schools of the county in which such city or town is located asking that such territory be annexed to such city or town for school purposes, the county superintendent of schools shall examine the same, and if he finds the petition is signed as required by this article, he shall immediately file it with the board of supervisors, together with his recommendation thereon. The board of supervisors shall fix a time for the hearing of the petition by the board, which shall be not less than 30 nor more than 60 days from the date such petition is received by the board, and shall notify the clerk or secretary of the governing board of each school district affected by the proposed annexation of the time and place when and where the petition will be heard. At the time and place fixed the board of supervisors shall hear all persons interested and within 30 days thereafter shall make an order either making the annexation or denying the petition.

The word "territory" as used herein means an elementary school district or a portion of an elementary school district."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2844—An act to authorize municipal corporations to abandon parks and sell and convey the land embraced therein.

Committee Amendment to Assembly Bill No. 2844.

The following amendment was submitted by the committee.

Amendment No. 1.

Add a new section to the printed bill, to be numbered section 9, and reading as follows:

"SEC. 9. No abandonment of a park pursuant to this act nor any sale of land pursuant to such act shall in anywise affect or impair any private easement or other right in or to or over said lands acquired or owned by any private person or corporation."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 985—An act to repeal Article X of Chapter I of Part I of Division II of the School Code and to add to Chapter I of Part I of Division II of the School Code a new article to be known as Article VIIIa, all relating to the formation, annexation, uniting and changing of boundaries of school districts.

Committee Amendments to Assembly Bill No. 985.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 11 to 24, inclusive, and on page 2, strike out all of lines 1 to 9, inclusive, and insert in lieu thereof the following:

"2.85 Except as provided in this section, any action undertaken under the provisions of this code to form a new school district of any type or class, to annex or unite any territory or school district to or with another school district, to unionize or merge two or more school districts, or to change the boundaries of any school district, shall be completed prior to the first day of February of the school year in which such action was begun, and shall be effective on the first day of July next succeeding.

The order of the board of supervisors attaching the territory of any lapsed elementary school district to one or more adjoining districts shall be effective as of the date of such order for all purposes, and the assessed valuation of the territory so attached shall be considered as part of the assessed valuation of the district or districts to which such territory is attached, for the purpose of the levy of school district taxes.

"In all other cases of action taken to form a new school district, or which results in any change in the status or boundaries of any school district, such action shall be effective on the first Monday in March next succeeding the final date of such action, for the purpose of determining the assessed valuation of any district or districts affected by such action and such action shall be effective on the final date thereof for the following purposes:

1. The appointment or election of members of the governing boards of the school districts affected.

2. The preparation and submission of school district budgets.
3. The election or appointment of employees for the ensuing school year.
4. The calling and conducting of elections for and the issuance of school district bonds.
5. The exercise by governing boards of school districts of other powers and duties vested in them by this code."

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 17 to 19, inclusive, and insert in lieu thereof the following: "remaining in such school district."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1516—An act to add section 6.5 to, and amend sections 7 and 8 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1516.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, after "(e)", strike out all of lines 42 and 43, and insert in lieu thereof the following: "In the event that the Congress of the United States shall permit the States to require any instrumentalities of the United States to make payments into an unemployment fund under a State Unemployment Compensation Act, and to comply with State regulations thereunder, then, to the extent permitted by Congress, and from and after the date as of which such permission becomes effective, all of the provisions of this act shall be applicable to such instrumentalities and to services performed for such instrumentalities in the same manner, to the same extent, and on the same terms as to all other employers, employing units, individuals and services."

Amendment No. 2.

On page 2, line 36, of the printed bill, as amended, after "performed", strike out "as an officer or member of the crew", and strike out line 37, and insert in lieu thereof the following: "in maritime employment as to which this State is prohibited by the Constitution or laws of the United States of America from requiring contributions of employers or their workers with respect to wages as provided in this act;".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1520—An act to amend section 41 of, and to repeal section 59 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendment to Assembly Bill No. 1520.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "Sec. 41.", strike out all of line 3, and strike out lines 4 to 22, inclusive, and insert in lieu thereof the following: "The commission shall maintain a separate account for each employer, and shall credit his account with all the contributions paid on his own behalf. But nothing in this act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid to an unemployed individual shall be charged against the account of his employer during the base period; *provided that, if such individual performed services in employment for more than* one employer during the base period, benefits paid to such individual shall be charged against the respective accounts of such employers in the proportion that the total wages earned by such individual in employment for each such employer bears to the total wages earned by such individual in employment for all such employers during the base period. The maximum amount of benefits payable under this act and chargeable against such employers' accounts shall not be in

excess of three hundred ($300) dollars for any one individual in any one benefit year."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2499—An act to amend sections 57 and 58 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 2499.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 14 to 22, inclusive, and on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"(b) The term "base period," means the first eight out of the last nine completed calendar quarters immediately preceding the first day of an individual's benefit year, except that as to any individual whose first benefit year shall commence in the first calendar quarter of the year 1938, the base period of such individual for such benefit year shall mean the first seven out of the last eight completed calendar quarters immediately preceding the first day of such individual's benefit year."

Amendment No. 2.

On page 2, line 8, of the printed bill, after "Sec. 58.", strike out all of lines 8 to 32, inclusive, and on page 3, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"(a) The weekly benefit amount for total unemployment and the maximum total amount of benefits payable to any individual during any one benefit year shall be determined by the total wages earned by the individual in employment for employers during the base period (not counting in such total any of such wages against which benefits have been previously charged hereunder), and the number of calendar quarters in which such wages were earned, in accordance with the schedule applicable to such individual hereinafter set forth in this subsection. With respect to any individual, the weekly benefit amount for total unemployment and the maximum total amount of benefits payable during any one benefit year shall be determined to be the weekly benefit amount and the maximum total amount of benefits respectively set opposite the amounts of total wages appearing in the schedule applicable to such individual, which include an amount equal to the total wages actually earned by such individual in employment for employers during the base period, against which benefits have not been previously charged hereunder."

SCHEDULE I.

Applicable to Individuals Who Have Earned Wages in Employment for Employers in Two Calendar Quarters During the Base Period.

Amounts of Total Wages		*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$0 00	to $155 99	$0.00	$0 00
156.00	to 168.99	7.00	23.00
169 00	to 181 99	7.00	25.00
182 00	to 194.99	7 00	26.00
195 00	to 207.99	7.00	27.00
208.00	to 220 99	7 00	29.00
221.00	to 233 99	7.00	30.00
234.00	to 246 99	7.00	31.00
247.00	to 259.99	7.00	33.00
260 00	to 272.99	7 00	34.00
273 00	to 285 99	7.00	35.00
286.00	to 298.99	7.00	37.00
299.00	to 311.99	7 00	38 00
312.00	to 324 99	7 00	40 00
325 00	to 337 99	7.00	41 00
338.00	to 350 99	7 00	42 00
351 00	to 363 99	7.00	44.00
364 00	to 389 99	7.00	45.00
390.00	to 415.99	7.50	48.00
416 00	to 441 99	8 00	52.00
442 00	to 467 99	8 50	55.00
468 00	to 493 99	9 00	59.00
494 00	to 519 99	9 50	62.00
520 00	to 545 99	10.00	65.00

SCHEDULE I (Continued).

Amounts of Total Wages	*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$546.00 to $571.99	$10.50	$69.00
572.00 to 597.99	11.00	72.00
598.00 to 623.99	11.50	76.00
624.00 to 649.99	12.00	79.00
650.00 to 675.99	12.50	83.00
676.00 to 701.99	13.00	86.00
702.00 to 727.99	13.50	89.00
728.00 to 753.99	14.00	93.00
754.00 to 779.99	14.50	96.00
780.00 or more	15.00	100.00

SCHEDULE II

Applicable to Individuals Who Have Earned Wages in Employment for Employers in Three Calendar Quarters During the Base Period.

Amounts of Total Wages	*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$0.00 to $155.99	$0.00	$0.00
156.00 to 174.99	7.00	26.00
175.00 to 194.99	7.00	28.00
195.00 to 213.99	7.00	30.00
214.00 to 233.99	7.00	33.00
234.00 to 252.99	7.00	35.00
253.00 to 272.99	7.00	37.00
273.00 to 291.99	7.00	39.00
292.00 to 311.99	7.00	41.00
312.00 to 330.99	7.00	43.00
331.00 to 350.99	7.00	45.00
351.00 to 369.99	7.00	47.00
370.00 to 389.99	7.00	49.00
390.00 to 408.99	7.00	51.00
409.00 to 428.99	7.00	53.00
429.00 to 447.99	7.00	55.00
448.00 to 467.99	7.00	57.00
468.00 to 486.99	7.00	59.00
487.00 to 506.99	7.00	61.00
507.00 to 525.99	7.00	64.00
526.00 to 545.99	7.00	66.00
546.00 to 584.99	7.00	68.00
585.00 to 623.99	7.50	73.00
624.00 to 662.99	8.00	78.00
663.00 to 701.99	8.50	83.00
702.00 to 740.99	9.00	88.00
741.00 to 779.99	9.50	93.00
780.00 to 818.99	10.00	98.00
819.00 to 857.99	10.50	103.00
858.00 to 896.99	11.00	109.00
897.00 to 935.99	11.50	114.00
936.00 to 974.99	12.00	119.00
975.00 to 1,013.99	12.50	124.00
1,014.00 to 1,052.99	13.00	129.00
1,053.00 to 1,091.99	13.50	134.00
1,092.00 to 1,130.99	14.00	139.00
1,131.00 to 1,169.99	14.50	145.00
1,170.00 or more	15.00	150.00

SCHEDULE III

Applicable to Individuals Who Have Earned Wages in Employment for Employers in Four Calendar Quarters During the Base Period.

Amounts of Total Wages	*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$0.00 to $155.99	$0.00	$0.00
156.00 to 181.99	7.00	30.00
182.00 to 207.99	7.00	33.00
208.00 to 233.99	7.00	35.00
234.00 to 259.99	7.00	38.00
260.00 to 285.99	7.00	41.00
286.00 to 311.99	7.00	44.00
312.00 to 337.99	7.00	47.00
338.00 to 363.99	7.00	49.00
364.00 to 389.99	7.00	52.00
390.00 to 415.99	7.00	55.00

SCHEDULE III (Continued).

Amounts of Total Wages	*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$416.00 to $441.99	$7.00	$58.00
442.00 to 467.99	7.00	60.00
468.00 to 493.99	7 00	63.00
494.00 to 519.99	7.00	66.00
520.00 to 545.99	7.00	69.00
546 00 to 571 99	7 00	72.00
572 00 to 597 99	7 00	74.00
598.00 to 623.99	7 00	77 00
624.00 to 649.99	7.00	80.00
650 00 to 675 99	7.00	83.00
676 00 to 701 99	7.00	85.00
702 00 to 727.99	7.00	88 00
728.00 to 779.99	7 00	90.00
780.00 to 831 99	7 50	97.00
832.00 to 883.99	8 00	104.00
884 00 to 935.99	8.50	110.00
936 00 to 987 99	9.00	117.00
988.00 to 1,039.99	9.50	124.00
1,040.00 to 1,091 99	10 00	131.00
1,092 00 to 1,143 99	10 50	138 00
1,144.00 to 1,195 99	11.00	145.00
1,196.00 to 1,247.99	11 50	152 00
1,248.00 to 1,299 99	12 00	159 00
1,300.00 to 1,351.99	12.50	165.00
1,352.00 to 1,403 99	13 00	172.00
1,404.00 to 1,455.99	13 50	179 00
1,456 00 to 1,507 99	14.00	186 00
1,508.00 to 1,559 99	14.50	193 00
1,560 00 or more	15.00	200 00

SCHEDULE IV.

Applicable to Individuals Who Have Earned Wages in Employment for Employers in Five Calendar Quarters During the Base Period.

Amouts of Total Wages	*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$0.00 to $194 99	$0.00	$0 00
195.00 to 226.99	7.00	34 00
227 00 to 259 99	7.00	37.00
260.00 to 291 99	7 00	40.00
292 00 to 324.99	7.00	43.00
325.00 to 356.99	7 00	46.00
357.00 to 389.99	7.00	49.00
390.00 to 421 99	7.00	52.00
422.00 to 454 99	7.00	56.00
455.00 to 486.99	7 00	59.00
487.00 to 519 99	7.00	62.00
520.00 to 551.99	7.00	65 00
552 00 to 584.99	7.00	68.00
585.00 to 616.99	7.00	72 00
617.00 to 649 99	7.00	75.00
650.00 to 681.99	7.00	78.00
682 00 to 714.99	7.00	81.00
715.00 to 746.99	7.00	84.00
747 00 to 779.99	7.00	88.00
780.00 to 811.99	7.00	91.00
812.00 to 844 99	7.00	94.00
845.00 to 876.99	7.00	97 00
877 00 to 909 99	7.00	100 00
910.00 to 974.99	7.00	103.00
975.00 to 1,039.99	7.50	110.00
1,040.00 to 1,104.99	8.00	118.00
1,105 00 to 1,169 99	8 50	125.00
1,170.00 to 1,234.99	9.00	133.00
1,235.00 to 1,299.99	9.50	141 00
1,200.00 to 1,364 99	10.00	148.00
1,365.00 to 1,429.99	10.50	148.00
1,430.00 to 1,494.99	11.00	164.00
1,495 00 to 1,559.99	11.50	171.00
1,560 00 to 1,624.99	12 00	179.00
1.625.00 to 1,689.99	1250	187 00

SCHEDULE IV (Continued).

Amounts of Total Wages	*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$1,690.00 to $1,754.99	$13.00	$194.00
1,755.00 to 1,819.99	13.50	202.00
1,820.00 to 1,884.99	14.00	209 00
1,885.00 to 1,949.99	14.50	217.00
1,950.00 or more	15.00	225.00

SCHEDULE V.

Applicable to Individuals Who Have Earned Wages in Employment for Employers in Six Calendar Quarters During the Base Period.

Amounts of Total Wages	*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$0.00 to $233.99	$0.00	$0.00
234 00 to 272.99	7.00	37.00
273.00 to 311.99	7.00	41.00
312.00 to 350.99	7 00	44.00
351.00 to 389 99	7.00	48.00
390.00 to 428.99	7.00	51.00
429.00 to 467 99	7 00	55 00
468 00 to 506.99	7.00	58.00
507.00 to 545.99	7.00	62 00
546.00 to 584 99	7 00	66.00
585.00 to 623.99	7 00	69.00
624.00 to 662.99	7.00	73.00
663 00 to 701.99	7.00	76.00
702 00 to 740.99	7.00	80.00
741.00 to 779 99	7 00	84.00
780 00 to 818.99	7 00	87.00
819.00 to 857.99	7.00	91.00
858 00 to 896 99	7.00	94 00
897.00 to 935.99	7 00	98.00
936.00 to 974.99	7.00	102 00
975 00 to 1,013.99	7 00	105 00
1,014 00 to 1,052 99	7 00	109.00
1,053.00 to 1,091.99	7 00	112 00
1,092 00 to 1,169.99	7.00	115.00
1,170 00 to 1,247.99	7 50	124.00
1,248.00 to 1,325 99	8 00	132 00
1,326.00 to 1,403.99	8.50	140 00
1,404 00 to 1,481.99	9 00	149 00
1,482.00 to 1,559.99	9 50	157 00
1,560 00 to 1,637 99	10.00	165.00
1,638 00 to 1,715 99	10 50	174.00
1,716.00 to 1,793 99	11.00	182 00
1,794 00 to 1,871.99	11 50	191.00
1,872 00 to 1,949.99	12 00	199.00
1,950.00 to 2,027.99	12.50	208 00
2,028 00 to 2,105 99	13 00	216 00
2,106 00 to 2,183 99	13 50	224.00
2,184.00 to 2,261.99	14.00	233.00
2,262 00 to 2,339.99	14 50	241 00
2,340.00 or more	15 00	250.00

SCHEDULE VI.

Applicable to Individuals Who Have Earned Wages in Employment for Employers in Seven Calendar Quarters During the Base Period.

Amounts of Total Wages	*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$0 00 to $272.99	$0 00	$0 00
273 00 to 317 99	7 00	41 00
318.00 to 363 99	7 00	45 00
364 00 to 408 99	7 00	49 00
409 00 to 454 99	7 00	53 00
455.00 to 499 99	7.00	57 00
500.00 to 545 99	7 00	61 00
546 00 to 590 99	7 00	65 00
591 00 to 636 99	7 00	69 00
637 00 to 681 99	7 00	73 00
682 00 to 727.99	7 00	77 00
728 00 to 772 99	7 00	81 00
773 00 to 818 99	7 00	85 00
819 00 to 863 99	7 00	89 00

SCHEDULE VI (Continued).

Amounts of Total Wages	*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$864.00 to $909.99	$7.00	$98.00
910 00 to 954 99	7.00	97 00
955 00 to 1,000 99	7.00	101.00
1,001.00 to 1,045 99	7.00	105 00
1,046 00 to 1,091.99	7 00	109 00
1,092 00 to 1,136.99	7 00	113 00
1,137.00 to 1,182 99	7 00	117.00
1,183 00 to 1,227 99	7.00	121.00
1,228 00 to 1,273.99	7.00	125.00
1,274.00 to 1,364 99	7.00	127.00
1,365 00 to 1,455 99	7 50	136.00
1,456.00 to 1,546 99	8.00	146.00
1,547 00 to 1,637 99	8 50	155.00
1,638 00 to 1,728 99	9 00	164 00
1,729 00 to 1,819.99	9.50	173.00
1,820 00 to 1,910 99	10.00	183.00
1,911 00 to 2,001 99	10 50	192.00
2,002.00 to 2,092.99	11.00	201.00
2,093.00 to 2,183 99	11 50	210.00
2,184 00 to 2,274 99	12 00	219.00
2 275 00 to 2,365 99	12.50	229.00
2 366 00 to 2,456 99	13 00	238 00
2,457 00 to 2,547 99	13 50	247 00
2,548.00 to 2,638 99	14 00	256 00
2 639 00 to 2,729.99	14 50	266 00
2,730 00 or more	15 00	275 00

SCHEDULE VII.

Applicable to Individuals Who Have Earned Wages in Employment for Employers in Eight or More Calendar Quarters During the Base Period

Amounts of Total Wages	*Weekly Benefit Amount*	*Maximum Total Amount of Benefits*
$0 00 to $311.99	$0.00	80 00
312 00 to 363.99	7.00	45.00
364.00 to 415 99	7 00	49.00
416 00 to 467 99	7.00	53 00
468.00 to 519 99	7 00	57 00
520 00 to 571 99	7 00	62 00
572 00 to 623.99	7 00	66.00
624 00 to 675.99	7 00	70.00
676 00 to 727 99	7.00	75 00
728 00 to 779 99	7 00	79 00
780.00 to 831.99	7 00	84 00
832 00 to 883 99	7 00	88 00
884 00 to 935 99	7 00	92 00
936 00 to 987.99	7 00	97 00
988 00 to 1 039 99	7 00	101 00
1,040 00 to 1,091 99	7 00	105.00
1,092 00 to 1,143 99	7 00	110 00
1,144 00 to 1 195 99	7 00	114 00
1 196 00 to 1,247 99	7.00	118 00
1,248 00 to 1,299 99	7 00	123 00
1,300 00 to 1,351 99	7 00	127 00
1,352.00 to 1,403.99	7.00	131 00
1,404 00 to 1,455 99	7 00	136 00
1,456 00 to 1,559 99	7 00	140 00
1,560.00 to 1,663 99	7 50	150 00
1,664 00 to 1,767 99	8 00	160.00
1,768 00 to 1,871 99	8 50	170 00
1,872 00 to 1,975 99	9.00	180 00
1,976.00 to 2,079 99	9 50	190.00
2,080.00 to 2,183 99	10 00	200 00
2,184 00 to 2,287 99	10 50	210 00
2,288 00 to 2,391.99	11 00	220 00
2,392 00 to 2 495 99	11 50	230 00
2,496.00 to 2,599 99	12 00	240 00
2 600 00 to 2 703 99	12 50	250 00
2 704.00 to 2 807 99	13 00	260 00
2,808.00 to 2,911 99	13 50	270 00
2 912 00 to 3,015 99	14 00	280 00
3,016 00 to 3 119 99	14 50	290 00
3,120 00 or more	15 00	300 00

(b) Each eligible and qualified individual who is totally unemployed in any week shall be paid with respect to such week the weekly benefit amount so determined.

(c) Each eligible and qualified individual who is partially unemployed in any week shall be paid with respect to such week a partial benefit. Such partial benefit shall be an amount equal to the difference between his weekly benefit amount for total unemployment and the wages paid to him with respect to such week. If such partial benefit for any week is less than one dollar it shall not be payable unless and until the accumulated total of such partial benefits with respect to weeks occurring within the thirteen preceding weeks equals one dollar or more.

(d) Every partially unemployed person making a claim for partial benefits shall certify that he has not received wages or compensation for any work, whether subject to this act or not, otherwise than as specified in his claim. If partial benefits in excess of the amount to which any claimant is entitled are paid as a result of the claimant's failure to accurately state in his claim the correct amount of wages so received, the amount of such excess shall be deducted from any benefits to which the claimant may subsequently become entitled. If such excess can not be so deducted from the claimant's subsequent benefits no employer's account shall be charged therewith. Any wilful misstatement of the correct amount of the wages so received shall disqualify the individual making such inaccurate statement from receiving any partial benefits for 52 consecutive weeks from the date of such statement, provided that the commission may cancel such disqualification in whole or in part if it determines that the circumstances make the application of such disqualification inequitable. In all cases of such diqualification the claimant shall be given notice and an opportunity for a fair hearing with respect to such disqualification, as provided for in this act.

(e) The maximum total amount of benefits for either partial or total unemployment paid to any individual during any one benefit year shall not exceed the maximum total amount of benefits determined as provided in subsection (a) hereof or $300, whichever is the lesser.

(f) The commission shall credit each individual receiving benefits hereunder with the wages earned by him in employment for employers during each quarter of his base period. Benefits paid to such individual shall be charged in the same chronological order as such wages were earned, against the wages earned in employment for employers during his base period which have not been previously charged hereunder, in the proportion that the total of such wages bears to the maximum total amount of benefits payable to him during the benefit year."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2565—An act to add section 8a to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution caused by labor disputes.

Committee Amendments to Assembly Bill No. 2565.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, between lines 4 and 5, insert the following: "or any other officer or body to whom the functions of that commission are transferred".

Amendment No. 2.

On page 1, line 15, of the printed bill, after "commission", insert the following "or any other officer or body to whom the functions of the Relief Commission are transferred".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2646—An act to add section 4 to an act entitled "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, relating to free employment bureaus for teachers.

Committee Amendments to Assembly Bill No. 2646.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 to 5 of the title of the printed bill, strike out "section 4 to an act entitled "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and

making an appropriation therefor," approved May 17, 1915.", and insert in lieu thereof the following: "sections 1683, 1684, and 1685 to the Labor Code".

Amendment No. 2.

On page 1, lines 1 and 2, of the printed bill, strike out "4 is hereby added to the act cited in the title hereof", and insert in lieu thereof the following: "1683 is hereby added to the Labor Code".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "Sec. 4", and insert in lieu thereof the following: "1683".

Amendment No. 4.

On page 1, lines 4 to 6, of the printed bill, strike out ", and all schools in the State except colleges and universities shall notify the free employment bureaus of vacancies existing in their staffs.", and insert in lieu thereof the following: "established by the Division of State Employment Agencies.

SEC. 2. Section 1684 is hereby added to the Labor Code to read as follows:

1684. The governing board of every school district, or other board, agency, officer or person to whom has been delegated the authority to employ teachers in any such district shall notify by written notice the Division of State Employment Agencies of any vacancy in any teaching position in such district, on the same day as or before so notifying any private agency. Such written notice shall specify the salary, and qualifications required and any other information required by the Division of State Employment Agencies.

SEC. 3."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2405—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class.

Committee Amendments to Assembly Bill No. 2405.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the comma, insert the following: "the following county".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 6 to 27, inclusive, and strike out pages 2 to 9, inclusive, and insert in lieu thereof the following

"1. The county auditor, $2,700 per annum.

2. The district attorney, $3,780 per annum.

3. Each supervisor shall be paid a salary of $2,400 per annum for all personal services performed by him as supervisor, member of the board of equalization and road commissioner, and in addition thereto each supervisor shall receive his actual and necessary traveling expenses incurred in performing any of the duties of his office, the claim for which shall be allowed and paid out of the county general fund in the same manner as other claims are allowed and paid; provided, however, that the said traveling expenses exclusive of meals and hotel accommodations shall not exceed the sum of 5 cents per mile.

4. For attending as a grand juror in the superior court for each day's attendance per day $4; for attending as a trial juror in the superior court, for each day's attendance per day $2; for attending as a trial juror in the justice's court for each juror sworn to try the cause, per day $2; for each mile actually traveled in attending court or meetings of the grand jury as a juror, 5 cents per mile each way."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 55—An act to add Chapter 2A to Part 3 of Division II of the Labor Code, relating to the enforcement of anti-picketing laws, ordinances or regulations.

Committee Amendments to Assembly Bill No. 55.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, strike out "enforcement of antipicketing laws, ordinances, or regulations", and insert in lieu thereof the following: "dissemination of information concerning labor disputes and membership in organizations, and prescribing penalties".

Amendment No. 2.

On page 1, lines 1 and 2, of the printed bill, strike out "and 991", and insert in lieu thereof the following: "991, 992, 993, 994, 995, 996, and 997"

Amendment No. 3.

On page 1 of the printed bill, strike out lines 4 to 8, inclusive, and insert in lieu thereof the following:

"Sec. 990. It is declared to be the policy of the State to encourage the organization of labor in order that it may bargain collectively, and that it may communicate its grievances to the public. It is common knowledge that peaceful and unobstructed picketing is often the only means available to labor in accomplishing these purposes. The problems incidental to labor disputes are of interest to the entire State and are of common interest to all of its inhabitants, and are not mere local or municipal affairs.

Sec. 991. Unless the particular provision or the context otherwise requires, the definitions set forth in this chapter shall govern the construction of this chapter.

Sec. 992. The present tense includes the past and future tenses; and the future, the present. The masculine gender includes the feminine and neuter. The singular number includes the plural; and the plural, the singular.

Sec. 993. "Person" means any person, association, organization, partnership, corporation, county, city, city and county, district, or political subdivision of the State.

Sec. 994. "Labor dispute" includes any controversy concerning terms or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, or concerning employment relations, or any controversy arising out of the respective interests of employer and employee, regardless of whether the disputants stand in the relation of employer and employee.

Sec. 995. Any person may freely solicit other persons to become members in any lawful organization, whether by means of speech, placards, or other advertisements, and such right may be exercised in or upon any public highway, street, or place.

Sec. 996. Any person may freely express his views of the facts."

Amendment No. 4.

On page 1 of the printed bill, strike out all of line 13; and in line 14, strike out "chapter", and insert in lieu thereof the following:

"Sec. 997. Any person who intentionally interferes with any person who is doing any act specified in section 995 or 996."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1345—An act granting certain salt marsh, tide, overflowed and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

Committee Amendments to Assembly Bill No. 1345.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 13, of the printed bill, after the word "Broadway", insert a semicolon, and strike out the word "and".

Amendment No. 2.

On page 1, line 15, of the printed bill, after the word "Street", strike out the comma, and insert the following: "; and also between the projection southerly of the eastern line of Harrison Street and the projection southerly of the western line of Alice Street,".

Amendment No. 3.

On page 2 of the printed bill, after line 33, insert the following:

"(f) the above grant is made subject to the express reservation and condition that the State at any time in the future may use the lands particularly described herein or any portion thereof, or any lands conveyed by this act and as to which similar reservations and conditions have been made, for highway purposes without compensation to the city, its successors or assigns or any person, firm or public or private corporation claiming under it except that in the event improvements have been placed upon the property taken by the State for said purposes compensation shall be made to the city or person entitled thereto for the value of the interest in the improvements taken or the damages to such interest."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 119—An act to amend section 5 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the collection of taxes.

Committee Amendments to Assembly Bill No. 119.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 4, of the printed bill, strike out the word "tenth", and insert in lieu thereof the following: "twentieth".

Amendment No. 2.

On page 2 of the printed bill, strike out all of line 7, and insert in lieu thereof the following: "the twentieth of July, 1937, and on or before the twentieth day".

Amendment No. 3.

On page 3 of the printed bill, strike out all of lines 19 to 24, inclusive, and insert in lieu thereof the following: "give notice of the amount of".

Amendment No. 4.

On page 4 of the printed bill, strike out all of lines 22 to 27, inclusive, and insert in lieu thereof the following: "At any such sale, the Controller or his duly authorized agent shall sell the property in accordance with law and said notice and the Controller shall deliver to".

Amendment No. 5.

On page 2, line 19, of the printed bill, strike out "ten", and insert in lieu thereof "thirty".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2671—An act to amend sections 1, 2 and 4 of, and to add two new sections to be numbered 5 and 6 to "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, and making an appropriation therefor.

Committee Amendment to Assembly Bill No. 2671.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out all of lines 16 to 38, inclusive, and insert in lieu thereof the following:

"Sec. 5. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of $44,800, of which the sum of $4800, or so much thereof as may be necessary, shall be expended by the commission for the maintenance of its office and the carrying on of its work. The remaining $40,000 is hereby allocated to the emergency fund of the Governor, in augmentation of all other appropriations made to said fund, to be expended in the event that the Federal Government fails to maintain the field service now maintained by it for the furtherance of farm debt adjustment work. In such event said sum of $40,000 shall be expended through the commission in the furtherance of the work thereof and in the establishment of a field service substantially the same as that now maintained by the Federal Government.

SEC. 5. A new section to be numbered 6 is hereby added to said act to read as follows:

Sec. 6. The commission shall, within 30 days prior to each regular session of the Legislature, submit to the Governor a full and true report of its transactions during the preceding biennium, including a complete statement of receipts and expenditures during that period."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2084—An act to amend section 7 of an act entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain

powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas.

Committee Amendments to Assembly Bill No. 2084.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, after the comma, insert the following: "one-half of".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 20 and 21; and on page 2, strike out lines 1 and 2, and insert in lieu thereof the following: "the State park system. Out of said fund the commission may purchase forest and brush covered".

Amendment No. 3.

On page 2, line 5, of the printed bill, as amended, strike out "primary".

Amendment No. 4.

On page 2 of the printed bill, as amended, after line 8, insert the following: "Before any lands are purchased under the provisions of this section such lands shall first be appraised by three persons appointed by the Governor for that purpose, and the price to be paid for said lands shall not exceed the sum certified in writing by said appraisers as the fair market value thereof. Three copies of any such appraisal shall be filed by the appraisers with the Director of Finance who shall deliver one copy thereof to the State Park Commission and one copy to the Director of Natural Resources. The expenses incurred in making such appraisal shall be paid from the State park contingent fund.

All moneys deposited in said park contingent fund from gifts or bequests or from municipal or county appropriations or donations shall be expended in accordance with the terms of the gift, bequest or municipal or county appropriation or donation from which such moneys are derived."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2804—An act authorizing the Department of Natural Resources, acting through the State Park Commission, to enter into lease contracts, with option to purchase, for the use as State parks of ocean beaches and other lands, and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 2804.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 2 of the printed bill, after the comma, insert the following: "as hereinafter provided,".

Amendment No. 2.

On page 2, line 8, of the printed bill, after "years", insert a comma and the following: "nor shall such period be less than two years".

Amendment No. 3.

On page 2 of the printed bill, strike out lines 9 to 12, inclusive, and insert in lieu thereof the following:

"SEC. 3 Any such lease contract shall contain an option permitting the State to purchase the lands under lease. Such lease contract shall include provisions:

(a) That all payments made by the State as rental thereunder shall be applied on the purchase price of the lands.

(b) That at the end of each two-year period, if the State so elects, the lessor will convey to the State, without additional consideration, a designated area of the lands under lease, as shall be described therein, which area shall be such proportion of the total area as the amount of rental paid by the State for such period bears to the total amount of rental to be paid under the lease.

(c) That the State may terminate such rental contract at its option at the end of any such two-year period.

(d) That the total rental to be paid under any such lease contract shall not be in excess of the appraised value of the lands, as provided in section 4 of this act.

The commission for a"

Amendment No. 4.

On page 2 of the printed bill, between lines 17 and 18, insert the following:

"SEC. 4. Before entering into any such lease contract, the lands proposed to be leased shall be appraised by three appraisers to be appointed by the Governor, who shall determine the fair market value of the lands. The total amount of rental to be paid under any lease contract under this act for the entire period thereof shall not be in excess of the fair market value of the lands leased, as determined by such appraisers. The appraisers shall file with the Director of Finance three verified copies of their appraisal of any lands proposed to be leased. The director shall thereupon deliver one copy of such appraisal to the State Park Commission and one copy to the Director of Natural Resources. The expenses of such appraisers shall be paid out of the moneys appropriated for the purposes of this act."

Amendment No. 5.

On page 2, line 18, of the printed bill, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 6.

On page 2, line 22, of the printed bill, strike out "5", and insert in lieu thereof the following: "6".

Amendment No. 7.

On page 2, line 24, of the printed bill strike out "one hundred thousand dollars", and strike out line 25, and insert in lieu thereof the following: "three hundred thousand dollars"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1612—An act to amend sections 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, and 3091 of the Labor Code, relating to master and apprentice.

Committee Amendments to Assembly Bill No. 1612.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "3070,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "3077, 3078,".

Amendment No. 3.

On page 1, line 4 of the title of the printed bill, as amended, after the comma which follows the word "To", insert the following: "and to repeal sections 3070, 3077 and 3078 of,".

Amendment No. 4.

On page 1, line 1, of the printed bill, as amended, strike out "Section 3070", and insert in lieu thereof the following: "Sections 3070, 3077 and 3078".

Amendment No. 5.

On page 1, line 2, of the printed bill, as amended, strike out "is hereby amended to read as follows:", and insert in lieu thereof the following: "are hereby repealed"

Amendment No. 6.

On page 1 of the printed bill, as amended, strike out lines 3 to 21, inclusive

Amendment No. 7.

On page 2, line 17, of the printed bill, as amended, after the period, insert the following: "Thereafter each member shall serve for a term of three years"

Amendment No. 8.

On page 2 of the printed bill, as amended, between lines 28 and 29, insert the following: "At the first meeting the Apprenticeship Council shall elect a chairman who shall hold the chairmanship at the pleasure of the Apprenticeship Council. The Apprenticeship Council shall meet regularly at a designated date, quarterly, and special meetings may be held at the call of the chairman"

Amendment No. 9.

On page 2, line 30, of the printed bill, as amended, after "establish" insert the following: "labor".

Amendment No. 10.

On page 2, line 33, of the printed bill, as amended, strike out ", and"; and strike out line 34, and insert in lieu thereof the following: ", shall foster, promote, and develop the welfare of the apprentice and industry, improve the working conditions of apprentices, and advance their opportunities for profitable employment."

Amendment No. 11.

On page 2, lines 45 and 46, of the printed bill, as amended, strike out ", technical, and professional", and insert in lieu thereof the following: "and technical".

Amendment No. 12.

On page 3 of the printed bill, as amended, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following: "the provisions of this chapter; to act as Secretary of the Apprenticeship Council; to cooperate in the formation of joint apprenticeship committees and advise with them on problems affecting labor standards, to supervise and recommend apprenticeship agreements as to these standards and to issue certificates of completion of apprenticeship when approved by the Apprenticeship Council, and such other duties as the Apprenticeship Council may require."

Amendment No. 13.

On page 3, line 16, of the printed bill, as amended, after "The", insert the following: "preparation of trade analyses and outlines of instruction, and the".

Amendment No. 14.

On page 3, line 21, of the printed bill, as amended, after the period, insert the following: "All training provisions shall conform to the requirements of the Federal and State Vocational Education Acts and the California Plan for Vocational Education."

Amendment No. 15.

On page 3, line 25, of the printed bill, as amended, strike out "appointed", and insert in lieu thereof the following: "selected by the employer and employee organizations".

Amendment No. 16.

On page 3, line 26, of the printed bill, as amended, strike out "by the Apprenticeship Council,".

Amendment No. 17.

On page 3, line 28, of the printed bill, as amended, after the period, insert the following: "Such local joint apprenticeship committees shall be composed of an equal number of employer and employee representatives, and one representative selected by the local board of education and subject to the approval of the Apprenticeship Council."

Amendment No. 18.

On page 3 of the printed bill, as amended, strike out lines 29 to 42, inclusive.

Amendment No. 19.

On page 3, line 47, of the printed bill, as amended after "appointed", insert the following: "by the Apprenticeship Council".

Amendment No. 20.

On page 4, line 7, of the printed bill, as amended, after "with", insert the following: "labor".

Amendment No. 21.

On page 4, line 10, of the printed bill, as amended, strike out "appointed", and insert in lieu thereof the following: "approved".

Amendment No. 22.

On page 4, line 16, of the printed bill, as amended, after "disputes", insert the following: "as they affect labor standards".

Amendment No. 23.

On page 4, line 20, of the printed bill, as amended, strike out "appointment", and insert in lieu thereof the following: "approval"

Amendment No. 24.

On page 4, line 24, of the printed bill, as amended, strike out "appointed", and insert in lieu thereof the following: "approved".

Amendment No. 25.

On page 4, line 29, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "four".

Amendment No. 26.

On page 4, line 32, of the printed bill, as amended, strike out "the Apprenticeship Council shall appoint", and insert in lieu thereof the following: "there may be organized".

Amendment No. 27.

On page 4, line 36, of the printed bill, as amended, after "organizations", insert the following: "and the State official who has been designated by the State Board of Education as being in charge of trade and industrial education".

Amendment No. 28.

On page 5, line 20, of the printed bill, as amended, strike out "4000", and insert in lieu thereof the following: "2000".

Amendment No. 29.

On page 6, line 12, of the printed bill, as amended, strike out "supervisor", and insert in lieu thereof the following: "administrator".

Amendment No. 30.

On page 6 of the printed bill, as amended, strike out lines 25 to 27, inclusive, and insert in lieu thereof the following: "a minor, by the minor's parent or guardian. Where a minor".

Amendment No. 31.

On page 7, line 18, of the printed bill, as amended, strike out the comma, and strike out line 19, and insert in lieu thereof a period

Amendment No. 32.

On page 7, line 23, of the printed bill, as amended, strike out "director", and insert in lieu thereof the following: "Apprenticeship Council".

Amendment No. 33.

On page 7, line 24, of the printed bill, as amended, strike out "director", and insert in lieu thereof the following: "Apprenticeship Council".

Amendment No. 34.

On page 7, line 25, of the printed bill, as amended, strike out "director", and insert in lieu thereof the following: "Apprenticeship Council".

Amendment No. 35.

On page 7, line 27, of the printed bill, as amended, strike out "director", and insert in lieu thereof the following: "Apprenticeship Council".

Amendment No. 36.

On page 7, line 31, of the printed bill, as amended, strike out "director", and insert in lieu thereof the following: "Apprenticeship Council".

Amendment No. 37.

On page 7, line 33, of the printed bill, as amended, strike out "director", and insert in lieu thereof the following: "Apprenticeship Council"

Amendment No. 38.

On page 7, line 38, of the printed bill, as amended, strike out "director", and insert in lieu thereof the following: "Apprenticeship Council".

Amendment No. 39.

On page 7, line 40, of the printed bill, as amended, strike out "director", and insert in lieu thereof the following: "Apprenticeship Council".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2070—An act to add sections 9 and 10 to an act entitled "An act creating a Commission to Codify, Consolidate, Revise or Compile the Statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, making an appropriation for said commission and adding a short title to said act.

Committee Amendments to Assembly Bill No. 2070.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "twenty", and insert in lieu thereof the following: "fifteen".

Amendment No. 2.

On page 1, line 7, after the period, insert the following:

"Said sum of $15,000 is appropriated out of and payable from certain moneys and funds, as follows: Out of the personal income tax fund, $5,000; out of the alcohol beverage control fund (but not out of that portion thereof which is payable to counties, cities and counties and cities), $5,000; the remainder, out of moneys in the general fund not otherwise appropriated."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1886—An act relating to employees in the State civil service.

Committee Amendments to Assembly Bill No. 1886.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, strike out "five", and insert in lieu thereof "six".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of line 12, and in line 13, strike out "salary range, (4)", and insert in lieu thereof "(3)".

Amendment No. 3.

On page 1, line 13, of the printed bill, as amended, strike out "four", and insert in lieu thereof "three".

Amendment No. 4.

On page 2, line 2, of the printed bill, as amended, strike out "holding positions in classes", and also strike out all of lines 3 and 4, and insert in lieu thereof "receiving as compensation $200 per month or less, and adjustments herein provided shall only be effective to the extent that they shall not increase the compensation of any employee in excess of $200 per month. The salary adjustment to which any employee shall be entitled to under the provisions of this act shall be reduced by the amount of any adjustment such employee shall have received subsequent to January 1, 1937, except an adjustment to the minimum of the salary range for the class of his position."

Amendment No. 5.

On page 2, line 33, of the printed bill, as amended, strike out "two million ninety-four", and in line 34, strike out "thousand six hundred dollars" and insert in lieu thereof "one million six hundred fifty-five thousand dollars".

Amendment No. 6.

On page 2, line 36, of the printed bill, as amended, strike out "two"; and in line 37, strike out "million ninety-four thousand six hundred dollars", and insert in lieu thereof "one million six hundred fifty-five thousand dollars".

Amendment No. 7.

On page 2, line 39, of the printed bill, as amended, strike out "seven hun-"; and in line 40, strike out "dred fifty-one thousand six hundred dollars", and insert in lieu thereof "three hundred twenty-nine thousand dollars".

Amendment No. 8.

On page 2, line 42, of the printed bill, as amended, strike out "two hundred thirty"; and in line 43, strike out "thousand dollars", and insert in lieu thereof "two hundred twenty thousand dollars".

Amendment No. 9.

On page 2, line 44, of the printed bill, as amended, strike out "one hundred thousand dollars", and insert in lieu thereof "ninety-five thousand dollars".

Amendment No. 10.

On page 2, line 45, of the printed bill, as amended, strike out "twelve thousand dollars", and insert in lieu thereof "ten thousand dollars".

Amendment No. 11.

On page 3, line 9, of the printed bill, as amended, immediately following the period, insert "Such sums from the moneys herein appropriated and made available as may be necessary to carry out the provisions of this act shall upon executive order of the Director of Finance be transferred by the State Controller to the support appropriation of the State agency concerned."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 252—An act providing for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939, providing for the construction of a State Building therefor and the gardening and improvement of its surrounding grounds, creating a California Commission for the Golden Gate International Exposition to have charge and control of said State Exhibit and Building, defining its powers and duties and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 252.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after the word "held", strike out the words "at San Francisco", and insert in lieu thereof the following: "in the San Francisco Bay region".

Amendment No. 2.

On page 2, line 15, of the printed bill, as amended, after the word "act", strike out the comma and the dash above the comma.

Amendment No. 3.

On page 2, line 6, of the printed bill, as amended, after the word "exposition", insert the following: "(except such as may be constructed on State property)".

Amendment No. 4.

On page 2, line 26, of the printed bill, as amended, after the word "held", strike out the word "at", and insert in lieu thereof the words "in the".

Amendment No. 5.

On page 2, line 27, of the printed bill, as amended, after the broken word "cisco", at the beginning of the line, and before the comma, insert the words "Bay region".

Amendment No. 6.

On page 2, line 42, of the printed bill, as amended, after the word "resources", insert a comma and the word "industries".

Amendment No. 7.

On page 2 of the printed bill, following line 51, insert the following:

"SEC 3 The commission created by this act shall make such proper contract with the said San Francisco Bay Exposition as will entitle the State of California to share in the returns from the holding of said exposition as aforesaid, but only out of the net surplus, if any, of said San Francisco Bay Exposition, following the close of said exposition and remaining after the payment of all its debts and the discharge of all its obligations, including its obligations to refund to the subscribers to its general subscription agreements the amount of their paid subscriptions, and after setting aside a reasonable amount for the costs and expenses of a winding up and dissolution of said San Francisco Bay Exposition, the share of the State in such returns to equal, if possible, but not to exceed so much of the moneys appropriated by this act as may be expended by the commission under authority of this act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1018—An act to add section 170.5 to the Code of Civil Procedure, relating to peremptory challenges of judges.

Committee Amendment to Assembly Bill No. 1018.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "superior", insert the following: "or municipal".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2751—An act to amend section 482 of the Fish and Game Code, relating to the pollution of water.

Committee Amendment to Assembly Bill No. 2751.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 3 to 16, inclusive, and insert in lieu thereof the following:

"482 (a) It is unlawful to conduct any mining operations in District 5, except when the debris, substances, tailings or other effluent from such operations do not and can not pass into the waters of said district.

(b) It is unlawful to pollute, muddy, contaminate, or foul the waters of District 5. It is unlawful to deposit in, or cause, suffer or procure to be deposited in, permit to pass into, or place where it can pass into said waters, any debris, substance or tailings from hydraulic, placer, milling or other mining operations affecting the clarity of said waters The clarity of said waters shall be deemed affected

when said waters at a point within said district contain fifty parts per million, by weight, of matter in suspension or solution or in suspension and solution.

(c) It is unlawful to carry on or operate any hydraulic mine of any kind on, along, or in any waters flowing into said district, provided, however, nothing herein contained shall prevent the operation of a hydraulic mine where the tailings, substance, or debris, or other effluent therefrom, does not or will not pass into said waters of District 5.

(d) Any structure or contrivance which causes or contributes, in whole or in part, to the condition, the causing of which is hereby prohibited, is a public nuisance, and any person, firm or corporation maintaining or permitting the same shall be guilty of maintaining a public nuisance, and it shall be the duty of the district attorney of the county where the condition occurs or the acts creating the public nuisance occur, to bring action to abate such public nuisance.

(e) Any person, firm, or corporation violating any of the provisions of this section is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2843—An act to create a Commission to Study Existing Public and Private Arboreta and Botanic Gardens and make recommendations for the establishment of a publicly owned arboretum and botanic garden, and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 2843.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "Leland".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "compensation for their services"

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 11 to 15, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1251—An act to amend the title and to add three new sections to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors.

Committee Amendments to Assembly Bill No. 1251.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 14 of the title of the printed bill, strike out "used".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "relating to", and insert in lieu thereof the following: "regulating".

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out the first "used".

Amendment No. 4.

On page 2, line 6, of the printed bill, after "of", insert the following: "Public".

Amendment No. 5.

On page 2, line 24, of the printed bill, after "of", insert the following: "Public"

Amendment No. 6.

On page 3 of the printed bill, strike out lines 14 to 17, inclusive, and insert in lieu thereof the following:

"Sec. 2c. Food containers manufactured from second hand tin plate, and intended for the packing of hermetically sealed canned food products intended to be used for human consumption shall not be so used for packing unless the tin plate from which said containers are manufactured has, prior to the manufacture of said containers, been cleansed and sterilized by being thoroughly immersed in boiling water, and then dried on hot rolls or by the use of heated air. The California State Board of Public Health is hereby given authority to inspect all places where said containers are manufactured for the purpose of enforcing the provisions of this section."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 166—An act to establish a California Agricultural Labor Relations Board for the mediation and arbitration of agricultural labor disputes and ancillary purposes, and to prescribe its powers and duties.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 863—An act providing for the control, management, and jurisdiction over certain lands owned by the State of California and situated in the county of Humboldt.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 960—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 664—An act to establish an unpaid Commission on Intergovernmental Cooperation.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 573—An act to add two new sections to be numbered 2953 and 2954 to the Civil Code, relating to debts secured by mortgages, trust deeds or other hypothecation of real property.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 576—An act to amend section 2924½ of the Civil Code and section 580b of the Code of Civil Procedure, relating to deficiency judgments.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1130—An act to amend section 2924 and section 2924b of the Civil Code, relating to the recording of notice of default and to the giving of notice of default and of sale under deeds of trust and mortgages with power of sale.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 205—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 570—An act to amend sections 2.830 and 2.1145 of the School Code, to repeal section 5.401 of the School Code, to repeal an act entitled "An act relating to the election of teachers in the

public schools," approved May 23, 1929, and to add to the School Code a new section to be numbered 5.401, all relating to the powers and duties of governing boards of school districts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 663—An act to amend the title of Article V of Chapter I of Part III of Division IV of the School Code; to repeal sections 5.782, 5.783 and 5.784 thereof and Articles VI and VIa of Chapter I of Part III of Division IV of the School Code; and to add to said Chapter I of Part III of Division IV of the School Code two new articles to be numbered VI and VIa, all relating to payments from school district funds.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 571—An act to add a new article to Chapter I of Part III of Division V of the School Code to be known as Article IVa, relating to the loss or destruction of warrants on funds of school districts.

Committee Amendments to Senate Bill No. 571.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "V", and insert in lieu thereof the following: "IV".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "to", insert the following: "Chapter I of Part III of Division IV of".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 754—An act to amend section 25 of the California Irrigation District Act, relating to the method of declaring the result of the election of officers in an irrigation district, and to the method of filling vacancies which may occur in any of said offices.

Committee Amendments to Senate Bill No. 754.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 23, of the printed bill, strike out the word "open", and insert in lieu thereof the following: "kept open for".

Amendment No. 2.

On page 2, line 24, of the printed bill, strike out the comma and the words "at which times", and strike out all of line 25.

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Third Reading of Assembly Bills.

Assembly Bill No. 1283—An act to amend section 100 of, and to add section 122 to, the Insurance Code, and to add Chapter 14 to Part 2 of Division 2 of said code, providing for the regulation of insurance against the need for medical and hospital services, defining such services, providing standard provisions for such insurance, maintenance of reserves for the protection of insureds under such insurance, providing for the licensing of persons entering into such contracts and rendering such services and providing penalties for the violation thereof.

Motion to Amend Assembly Bill No. 1283.

Mr. Welsh moved to amend Assembly Bill No. 1283 as follows:

Amendment No. 1.

On page 2, lines 1 and 2, of the printed bill, as amended, strike out "to the other person".

Amendment No. 2.

On page 2, line 3, of the printed bill, as amended, strike out "such person", and insert in lieu thereof the following: "a beneficiary of the contract".

Amendment No. 3.

On page 3, line 35, of the printed bill, as amended, strike out "applicant", and insert in lieu thereof the following: "application".

Amendment No. 4.

On page 4 of the printed bill, as amended, strike out lines 6, 7 and 8, and insert in lieu thereof the following:

"11540 27. Each insurer shall furnish security for the performance of its obligations An insurer shall be required to maintain only the reserve required by this section or the reserves required by Article 3, whichever method of computation will result in the maintenance of a larger reserve. In no event may an insurer be required to maintain both reserves.

The security reserve is a sum equal to the fol-".

Amendment No. 5.

On page 4 of the printed bill, as amended, strike out lines 24 to 31, inclusive.

Amendment No. 6.

On page 4 of the printed bill, as amended, strike out lines 41 to 45, inclusive.

Amendment No. 7.

On page 4, line 47, of the printed bill, as amended, strike out "the commissioner finds", strike out lines 48, 49 and 50, and in line 51, strike out "certificate of authority, and if".

Amendment No. 8.

On page 5, line 1, of the printed bill, as amended, strike out "may", and insert in lieu thereof the following: "shall".

Amendment No. 9.

On page 5 of the printed bill, as amended, between lines 23 and 24, insert the following:

"11540 303. Premium rates are inadequate if the annual report of the insurer indicates:

(a) That the rates are insufficient to provide the reserves required by this chapter, in addition to the expenses of operation of the insurer, and

(b) That the insurer has operated at a loss for the period covered by the annual statement"

Amendment No. 10.

On page 5 of the printed bill, as amended, between lines 41 and 42, insert the following:

"11540 325. If the policy issued by the insurer is for the benefit of a group of persons, it shall so state, and individual policies or certificates need not be issued to the persons for whose benefit the policy is issued."

Amendment No. 11.

On page 5, line 43, of the printed bill, as amended, strike out "all"

Amendment No. 12.

On page 5 of the printed bill, as amended, after line 52, insert the following paragraph:

"The reserves shall be computed as provided by this section only if the computation thereof will result in the maintenance of a larger reserve than is required by section 11540.27"

Amendment No. 13.

On page 6, line 45, of the printed bill, as amended, strike out "their", and insert in lieu thereof the following: "its".

Amendment No. 14.

On page 7, line 22, of the printed bill, as amended, insert the following

"Article 5. Health Service Insurance Standards Board

11540 50 There is hereby created the Health Service Insurance Standards Board which is composed of the Dean of the School of Medicine of the University of California, the President of the State Board of Public Health, and the Chairman of the Industrial Accident Commission

The board shall:

(a) Be the adviser to the commissioner with respect to the standards of medical or other related services to be furnished under this chapter.

(b) Report to the commissioner all matters pertaining to the scientific, technical or professional services rendered under this chapter, and shall advise the commissioner of any violation of any section of any professional practice act of the State of California by any one licensed to practice under these acts"

Amendment No. 15.

On page 7, line 47, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6".

Amendment No. 16.

On page 8, line 10, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "7".

Amendment No. 17.

On page 8, line 19, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "8".

Amendments adopted.

Assembly Bill No 1283 ordered to reprint, and re-engrossment

Assembly Bill No. 1378—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

Motion to Amend Assembly Bill No. 1378.

Mr Cottrell moved to amend Assembly Bill No 1378 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "amend", insert the following "section 9 of"

Amendment No. 2.

On page 1, line 9 of the title of the printed bill, as amended, strike out "by amending", and insert in lieu thereof the following: "to repeal section 11 and to add a new section to be numbered 11 thereto".

Amendment No. 3.

On page 1, line 18 of the title of the printed bill, as amended, strike out "section 9", and strike out lines 19 and 20 of the title, and insert in lieu thereof the following: "relating to taxation, providing for the appropriation of the moneys in the fund created by the act, and providing that this act shall take effect immediately."

Amendment No. 4.

On page 1, line 1, of the printed bill, as amended, strike out "first"

Amendment No. 5.

On page 4 of the printed bill, as amended, between lines 47 and 48, insert the following:

"SEC 2 Section 11 of said act as added by Chapter 6 of the Statutes of 1937 is hereby repealed.

SEC 3. A new section to be numbered 11 is hereby added to said act to read as follows

Sec 11 On and after July 1, 1939, the moneys in the motor vehicle license fee fund are hereby appropriated as follows:

(a) There shall be first appropriated from such fund for the use of the Department of Motor Vehicles such amount as the Department of Finance shall determine, and shall so certify to the State Controller, is necessary for the enforcement of the provisions of this act, the total of which amount shall in no event exceed three per cent of the moneys paid into said fund.

(b) On order of the State Controller there shall be transferred to the general fund and set apart sufficient moneys in the amount of the principal and interest

paid or necessarily to be paid during each fiscal year on bonds of the State issued under

(1) The "State Highways Act," approved by the Governor March 22, 1909, and by a majority of the electors at the general election held November 8, 1910;

(2) The "State Highways Act of 1915," approved by the Governor May 20, 1915, and by a majority of the electors at the general election held November 7, 1916,

(3) Section 2 of Article XVI of the Constitution as approved by a majority of the electors at a special election held July 1, 1919; and

(4) Section 3 of Article XVI of the Constitution, as approved by a majority of the electors at the general election held November 2, 1920

(c) The balance of the moneys in said fund shall, on order of the Controller be disbursed as follows

(1) Twenty per cent thereof to the general fund of the State of California

(2) Forty per cent thereof shall be paid quarterly during each fiscal year to the cities and cities and counties of this State in the proportion that the total population of each such city or city and county bears to the total population of all cities and cities and counties in this State, as certified by the department. For the purpose of this subsection, the population of each city or city and county is that determined by the last Federal census. In the case of a city incorporated subsequent to the last census, or in the case of an unincorporated territory being annexed to a city subsequent to the last census, the department shall ascertain the population of the city or the annexed territory by multiplying the number of registered electors therein by three In the case of the consolidation of one city with another subsequent to the last census the population of the consolidated city for the purpose of this subsection is the aggregate population of the respective cities as determined by the last Federal census The moneys so paid shall be expended by the cities and cities and counties for law enforcement and the regulation and control and fire protection of highway traffic.

(3) Forty per cent thereof shall be paid quarterly during each fiscal year to the counties and cities and counties of the State in the proportion that the population of each such county or city and county bears to the total population of all the counties and cities and counties of the State, as certified by the department For the purpose of this subsection, the population of each county or city and county is that determined by the last Federal census

SEC 4 Inasmuch as this act makes an appropriation for the usual current expenses of the State, it shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately"

Amendments adopted.

Assembly Bill No. 1378 ordered to reprint, and re-engrossment

Assembly Bill No. 743—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees

Motion to Amend Assembly Bill No. 743.

Mr. Fulcher moved to amend Assembly Bill No 743 as follows:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, strike out "July", and insert in lieu thereof the following: "January".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 11 and 12, insert the following paragraph.

"For each license issued or renewed after the first day of January, the fee shall be reduced one-fourth for each three months' period which has elapsed since this date"

Amendment No. 3.

On page 1, line 22, of the printed bill, as amended, strike out "for the term of one", and insert in lieu thereof the following: "until the first day of January of the".

Amendments adopted.

Assembly Bill No. 743 ordered to reprint, and re-engrossment

Assembly Bill No. 744—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors.

Motion to Amend Assembly Bill No. 744.

Mr. Fulcher moved to amend Assembly Bill No 744 as follows.

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, strike out "July", and insert in lieu thereof the following: "January".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 16 and 17, insert the following paragraph:

"For each license issued or renewed after the first day of January, the fee shall be reduced one-fourth for each three months' period which has elapsed since this date."

Amendment No. 3.

On page 2, line 7, of the printed bill, as amended, strike out "for the term of one", and insert in lieu thereof the following: "until the first day of January of the".

Amendments adopted.

Assembly Bill No. 744 ordered to reprint, and re-engrossment.

Assembly Bill No. 2622—An act to define business opportunity brokers and salesmen; to provide for the regulation, supervision and licensing thereof by the State Real Estate Division and the Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof.

Motion to Amend Assembly Bill No. 2622.

Mr Williamson moved to amend Assembly Bill No. 2622 as follows:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "advertise"

Amendment No. 2.

On page 11, line 29, of the printed bill, as amended, strike out "or who advertises", and strike out lines 30 and 31, and in line 32, strike out "vided".

Amendments adopted.

Assembly Bill No 2622 ordered to reprint, and re-engrossment

Third Reading of Senate Bills—(Out of Order).

Senate Bill No. 457—An act to amend sections 760, 761, 765, 1640, 1643, 1647, 1649, 1656, 1661, 1662, 1663, 1675, 1676, 1677 and 1706 of the Insurance Code, to repeal sections 762, 1665, 1667, 1669, 1710, 1711, 1712 and Article 3 of Chapter 5, Part 2, Division 1 comprising section 1730, of said code, to add sections 763.5, 783.5, 1648.5, 1677.1, 1677.5, and 1705.5 to said code, and to add Articles 3 and 4, comprising sections 1730 to 1750, inclusive, to Chapter 5, Part 2, Division 1 of said code, all relating to insurance

Motion to Amend Senate Bill No. 457.

Mr. Scudder moved to amend Senate Bill No 457 as follows:

Amendment No. 1.

On page 3 of the printed bill, as amended, between lines 20 and 21, insert the following:

"(i) Persons directly employed by an insurer at its home or branch office, who do not solicit or negotiate insurance and who receive no commissions, and who may as part of their regular employment sign policies or other evidences of insurance."

Amendment adopted.

Senate Bill No. 457 ordered to reprint, and third reading calendar.

Senate Bill No. 869—An act to amend section 19 of the "Inheritance Tax Act of 1935," relating to inheritance taxation and more particularly to the time of payment to the State Treasurer of inheritance taxes collected by the county treasurers and interest thereon

Motion to Amend Senate Bill No. 869.

Mr. Levey moved to amend Senate Bill No 869 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 5, 6 and 7, and insert in lieu thereof "within 90 days after any such tax is collected.".

Amendment No. 2.

On page 1, line 16, of the printed bill, as amended, strike out the comma after "Treasurer", and insert in lieu thereof "within 90 days".

Amendments adopted.

Senate Bill No. 869 ordered to reprint, and third reading calendar.

Senate Bill No. 404—An act to amend sections 252, 254, 257, 265, 269, 271, 276, and 277 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Motion to Amend Senate Bill No. 404.

Mr. Breed moved to amend Senate Bill No. 404 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, before "276", insert "274,".

Amendment No. 2.

On page 4 of the printed bill, as amended, following line 38, insert the following:

"SEC. 13 Section 274 of the Vehicle Code is hereby amended to read as follows:

274 Licenses to Be Signed and Carried. (a) Every person licensed hereunder shall write his usual signature with pen and ink in the space provided for that purpose on the license issued to him, immediately on receipt thereof, and such license shall not be valid until so signed, provided that if the department issues a form of license which bears the facsimile signature of the applicant as shown upon the application, the license shall be valid even though not so signed.

(b) The licensee shall have such license in his immediate possession at all times when driving a motor vehicle upon a highway and shall display the same upon demand of a justice of the peace, a member of the California Highway Patrol or any peace or traffic officer enforcing the provisions of this code.

(c) Any charge under subdivision (b) of this section shall be dismissed when the person so charged produces in court an operator's or chauffeur's license theretofore duly issued to such person and valid at the time of his arrest."

Amendments adopted.

Senate Bill No. 404 ordered to reprint, and third reading calendar.

Consideration of Governor's Veto to Assembly Bill No. 2380.

Assembly Bill No. 2380—An act to amend section 11.4 of an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933, relating to land surveyors.

The question being put: Shall Assembly Bill No. 2380 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Patterson, Pelletier, and Reaves—3.

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M. Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Peek, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—58.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 2398—An act authorizing the State of California cities, counties, cities and counties and other political subdivisions to sell and otherwise dispose of real property acquired on tax sale and to cancel assessments for delinquent taxes and other levies upon any sale by any other political subdivision and providing for the division of receipts from such sales.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2398?

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following:

"An act to amend the title of, and to add sections 2.2, 2.3, 2.4, 2.5, and 4 to, an act entitled "An act authorizing any city, city and county, county, town, municipality or political subdivision to acquire certain liens on property offered for sale for the nonpayment of certain assessments," approved June 4, 1915, relating to authorizing cities, counties.".

Amendment No. 2.

On page 1 of the title of the printed bill, strike out lines 4, 5, 6 and 7, and insert in lieu thereof the following: "sales."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 20, inclusive, and one page 2, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. The title of the act cited in the title is hereby amended to read as follows:

An act authorizing any city, city and county, county, or other political subdivision to acquire and dispose of certain liens on property offered for sale for the nonpayment of certain assessments.

SEC. 2. Section 2.2 is hereby added to said act to read as follows:

Sec. 2.2. If the legislative body of any political subdivision mentioned in this act, finds and determines, by resolution adopted by a four-fifths vote of the body, that such property can not be sold for a sum of money equal to not less than the amount paid therefor, all accrued penalties and delinquencies, and necessary expenses incurred, such political subdivision may sell the property or lien for less than such sum.

SEC. 3. Section 2.3 is hereby added to said act to read as follows:

Sec. 2.3. The legislative body shall determine the fair value of the property or lien and such value shall be the minimum price receivable on such sale.

SEC. 4. Section 2.4 is hereby added to said act to read as follows:

Sec. 2.4 The legislative body of any such political subdivision may provide by resolution or ordinance the notice and the procedure of sale by which any such lien or property may be sold, and whether such sale shall be for cash or on terms.

SEC. 5. Section 2.5 is hereby added to said act to read as follows:

Sec. 2.5. On the execution of the deed, in the case of a sale for cash, or on the execution of an agreement for sale in the case of a sale on terms, all rights to redeem such property from such delinquency are terminated.

SEC. 6. Section 4 is hereby added to said act to read as follows:

Sec. 4. This act is known and may be cited as the "Delinquent Assessment Acquisition and Sale Act of 1915"."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2398 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2398 ordered to enrollment.

Assembly Bill No. 2547—An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2547?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "fresh".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2547 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2547 ordered to enrollment.

Leave of Absence.

Mr. Andreas was granted leave of absence for the balance of this legislative day, on motion of Mr. Welsh.

Notice of Motion to Reconsider Assembly Bill No. 72 Waived.

Mr. Cronin waived his notice of motion to reconsider the vote whereby Assembly Bill No 72 was passed.

Assembly Bill No 72 ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 962 Waived.

Mr. Hunt waived his notice of motion to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 962.

Assembly Bill No 962 ordered transmitted to the Senate.

Motion to Withdraw Assembly Bill No. 1473 from Committee.

In compliance with a notice given on a previous day, Mr. Cottrell moved to withdraw Assembly Bill No. 1473 from the Committee on Crime Problems, and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Morgan, Flint, Dawson, Call and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Bill No. 1473

The roll was called, and the motion carried by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Daley, Dannenbrink, Dilworth, Donnelly, Field, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, King, Latham, Laughlin, Lore, Martin, Mayo, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Scudder, Stream, Voigt, Walker, Watson, Yorty, and Mr. Speaker—43.

NOES—Cronin, Crowley, Dawson, Fulcher, Hornblower, Leonard, Levey, Lyon, Maloney, McMurray, Meehan, Peyser, Richie, Robertson, Rosenthal, Sheehan, Tenney, Thorp, and Williamson—19.

Assembly Bill No. 1473 ordered on third reading calendar.

Recess.

At one o'clock and ten minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock and thirty minutes p.m.

Reassembled.

At two o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 500.
And reports the same correctly enrolled, and presented to the Governor on this thirtieth day of April, 1937, at eleven o'clock and forty-five minutes a.m

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 1265.
Assembly Bill No. 1266.
Assembly Bill No. 2847.
Assembly Bill No. 787.
Assembly Concurrent Resolution No. 41.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 1250.
Assembly Bill No. 1629.
Assembly Bill No. 1521.
Assembly Bill No. 2501.
Assembly Bill No. 238.
Assembly Bill No. 2414.
Assembly Bill No. 2424.
Assembly Bill No. 2425.
Assembly Bill No. 2521.
And reports the same correctly re-engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar

Motion to Withdraw Assembly Bill No. 659 from Committee.

In compliance with a notice given on a previous day, Mr. Tenney moved to withdraw Assembly Bill No. 659 from the Committee on Crime Problems, and have it placed upon the calendar.

The roll was called, and the motion to withdraw Assembly Bill No. 659 lost by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Gannon, Garibaldi, Garland, Gleck, Heisinger, Hornblower, Johnson, Latham, Laughlin, Lyon, Martin, Mayo, Miller, Eleanor; Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Walker, Watson, Weber, and Williamson—39

NOES—Burns, Michael J., Clark, Donahue, Flint, Gilbert, Hawkins, Hunt, King, Kuchel, Lore, McMurray, Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Tenney, Turner, Yorty, and Mr Speaker—23

Notice of Motion to Reconsider Motion to Withdraw Assembly Bill No. 659.

Mr. Gilbert gave notice that on the next legislative day he would move to reconsider the vote whereby the motion to withdraw Assembly Bill No 659 from committee was this day lost.

Motion to Withdraw House Resolution No. 54 from Committee.

In compliance with a notice given on a previous day, Mr. Yorty moved to withdraw House Resolution No 54 from the Committee on Public Utilities, and have it placed upon the calendar.

Motion to Table Motion.

Mr. Williamson moved that the motion be laid on the table

The roll was called, and the motion to table carried by the following vote:

AYES—Baynham, Breed, Burns Hugh M., Call, Cassidy, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gleck, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan,

Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Walker, Watson, Weber, Williamson, and Mr. Speaker—46

NOES—Burns, Michael J., Clark, Crowley, Gilbert, Hawkins, Heisinger, Lore, Miller, Eleanor; Miller George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Tenney, and Yorty—17.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1674—An act to amend sections 1170, 1172, 1173, 1174, 1175, 1178, 1191, 1192, 1196, 1200, and 1201 of the Insurance Code, and to add section 1180 thereto, all relating to investments by insurers.

Motion to Amend Assembly Bill No. 1674.

Mr. Redwine moved to amend Assembly Bill No. 1674 as follows:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "section 1180", and in lieu thereof insert the following: "sections 1180, 1181, and 1196 5"

Amendment No. 2.

On page 3 of the printed bill, as amended, between lines 24 and 25, insert the following:

"SEC. 7.5. Section 1181 is hereby added to the Insurance Code, to read as follows:

1181. Such insurers may also invest in registered warrants of this State, issued pursuant to law."

Amendment No. 3.

On page 3 of the printed bill, as amended, after line 52, insert the following:

"SEC. 11. Section 1196 5 is hereby added to the Insurance Code to read as follows:

1196 5. Excess funds investments may be made in the stock of a Federal Home Loan Bank. Any domestic incorporated insurer investing in the stock of a Federal Home Loan Bank and thereby becoming a member thereof shall have power (a) to obtain advances from, and (b) to pledge collateral as security for such advances from such Federal Home Loan Bank."

Amendments adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 1674, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1674, as Amended.

Assembly Bill No. 1674—An act to amend sections 1170, 1172, 1173, 1174, 1175, 1178, 1191, 1192, 1196, 1200, and 1201 of the Insurance Code, and to add section 1180 thereto, all relating to investments by insurers.

Assembly Bill No. 1674, as amended, read third time, and passed by the following vote:

AYES—Bayuham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64

NOES—O'Donnell, and Peyser—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2149—An act to recover damages for and to defend trespasses against certain land belonging to the State situate in Orange County and to validate and ratify certain agreements of easements or permits in and to said lands granted in the name of the State of persons paying consideration therefor

Motion to Set Assembly Bill No. 2149 as Special Order.

Mr. Clark moved that the consideration of Assembly Bill No. 2149 be made a special order of business for Monday, May 3, 1937, at two o'clock p.m.

Demand for Previous Question.

Messrs. Morgan, Flint, Cunningham, Johnson and Reaves demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to set Assembly Bill No. 2149 as a special order.

The roll was called, and the motion lost by the following vote:

AYES—Clark, Cronin, Daley, Gilbert, Heisinger, Lore, Miller, George P., Patterson, Peek, Reaves, Tenney, and Yorty—12

NOES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Glick, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, O'Donnell, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—50.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, O'Donnell, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—54.

NOES—Clark, Flint, Garland, Hawkins, Heisinger, Lore, Patterson, Peek, Reaves, Tenney, Voigt, and Yorty—12.

Assembly Bill No. 2149 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, O'Donnell, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—50.

NOES—Clark, Daley, Donnelly, Flint, Gilbert, Heisinger, Lore, Miller, George P., Patterson, Peek, Reaves, Richie, Tenney, Voigt, and Yorty—15.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2149.

Mr. Peek gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2149 was this day passed.

Leaves of Absence.

Mr. Welsh was granted leave of absence for the balance of this legislative day, on motion of Mr. Boyle.

Mr. Kepple was granted leave of absence for the balance of this legislative day, on motion of Mr. Kuchel.

Mr. Beene was granted leave of absence for the balance of this legislative day, on motion of Mr. Cottrell.

Mr. Hunt was granted leave of absence for the balance of this legislative day, on motion of Mr. Gilbert.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 30, 1937

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 481.
Assembly Bill No. 1766.

J. A BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment

SENATE CHAMBER, SACRAMENTO, April 30, 1937

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended,

Assembly Bill No. 1072.
Assembly Bill No. 1129.

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on unfinished business calendar.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Joint Resolution No. 37.
Assembly Concurrent Resolution No. 46.
Assembly Concurrent Resolution No. 47.
Assembly Bill No. 279.
Assembly Bill No. 436.
Assembly Bill No. 467.
Assembly Bill No. 584.
Assembly Bill No. 797.
Assembly Bill No. 963.
Assembly Bill No. 970.
Assembly Bill No. 1218.
Assembly Bill No. 1223.
Assembly Bill No. 1230.
Assembly Bill No. 1277.
Assembly Bill No. 1407.
Assembly Bill No. 1408.
Assembly Bill No. 1411.
Assembly Bill No. 1699.
Assembly Bill No. 1700.
Assembly Bill No. 1938.
Assembly Bill No. 2198.
Assembly Bill No. 2456.
Assembly Bill No. 2457.
Assembly Bill No. 2474.
Assembly Bill No. 2598.
Assembly Bill No. 2799.
Assembly Bill No. 2810.

And reports the same correctly enrolled and presented to the governor on this thirtieth day of April, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 30 1937

MR SPEAKER Your Committee on Insurance, to which was referred:

Assembly Bill No. 478.
Senate Bill No. 489.
Senate Bill No. 1129.

Respectfully reports the same back with the recommendation Do pass

SAWALLISCH, Chairman

The above reported bills ordered on second reading calendar

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 30 1937

MR SPEAKER Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 88.
Assembly Bill No. 89.
Senate Bill No. 1103.

Respectfully reports the same back with the recommendation: Do pass

LORE, Chairman.

The above reported bills ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 1509.
Assembly Bill No. 2318.

Respectfully reports the same back with the recommendation: Do pass as amended

LORE, Chairman.

The above reported bills ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR SPEAKER: Your Committee on Insurance, to which was referred.

Assembly Bill No. 2714.
Assembly Bill No. 2289.

Respectfully reports the same back with the recommendation: Do pass as amended

SAWALLISCH, Chairman.

The above reported bills ordered on second reading calendar

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No. 1267.

Respectfully reports the same back with the recommendation: Do pass as amended

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Senate Bill No. 423.

Respectfully reports the same back with the recommendation: Do pass as amended.

ROSENTHAL, Chairman

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937

MR SPEAKER. Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 2258.

Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937

MR SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred

Assembly Bill No. 2180.
Assembly Bill No. 2181.

Respectfully reports the same back with the recommendation: Do pass.

SHEEHAN, Chairman

The above reported bills ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

House Resolution No. 131, as amended.

Respectfully reports the same back with the recommendation: Be adopted as amended.

LORE, Chairman

The above reported resolution ordered on third reading calendar

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937

MR SPEAKER: Your Committee on Fish and Game, to which was referred:

House Resolution No. 32.

Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman.

The above reported resolution ordered on third reading calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2501—An act to add sections 6.5, 8.5, 9.5 and 9.7 to, and amend sections 7, 8, 9, 37 and 38 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1521—An act to amend section 44 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1519—An act to amend sections 22 and 23 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2496—An act to amend section 55 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek,

Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1515—An act to add sections 3, 101.5 and 101.6 to, amend section 61, 65, 66, 67, 68, 69, 70, 71, 96 and 100 of, and to repeal section 50 of Article 5 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr Speaker—68

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1524—An act to amend section 60 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to part-time workers.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1525—An act to amend sections 90 and 91 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr Speaker—68.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2336—An act to add section 50 to the Fish and Game Code, relating to the licensing of land owners to collect fees or other charges for the privilege of hunting on their land.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger

Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Watson, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 655—An act to add section 4.5 to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to interest and charges.

Bill read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—51.

NOES—Boyle, and Lyon—2.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 655.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 655 was this day passed.

Assembly Bill No. 830—An act to add section 956 to the Civil Code, relating to survival of things in action.

Motion to Amend Assembly Bill No. 830.

Mr. Johnson moved to amend Assembly Bill No. 830 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "Code", and before the comma preceding the word "relating", insert the following: "and to add sections 573 and 574 of the Probate Code".

Amendment adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 830, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 830, as Amended.

Assembly Bill No. 830—An act to add section 956 to the Civil Code and to add sections 573 and 574 of the Probate Code, relating to survival of things in action.

Assembly Bill No. 830, as amended, read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor, Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty and Mr. Speaker—51.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 830.

Mr. Garibaldi gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 830 was this day passed.

Assembly Bill No. 1235—An act to amend section 7 of, and to add section 7.5 to, the Alcoholic Beverage Control Act, relating to transfer of licenses.

Motion to Amend Assembly Bill No. 1235.

Mr. Desmond moved to amend Assembly Bill No. 1235 as follows:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, strike out the period and the words "A separate" and strike out lines 17 to 20, inclusive, and insert in lieu thereof the following: ", provided, an on-sale license shall not be required for any service bar or pantry wherein alcoholic beverages are prepared for service in another portion of the premises."

Amendment adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 1235, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1235, as Amended.

Assembly Bill No. 1235—An act to amend section 7 of, and to add section 7.5 to, the Alcoholic Beverage Control Act, relating to transfer of licenses.

Assembly Bill No. 1235, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr Speaker—51.

NOES—Dannenbrink, and Miller, George P.—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 832—An act to amend section 954 of the Civil Code, relating to things in action.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 266—An act to amend sections 376 and 377 of, and to add section 377.5 to, the Code of Civil Procedure, all relating to actions for wrongful death.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, King, Kuchel, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Patterson, Peck, Pelletier, Reaves, Richie, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—49

NOES—Burns, Michael J., Cassidy, Dilworth, Leonard, Lyon, and Scudder—6.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 266.

Mr. Garibaldi gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 266 was this day passed.

Assembly Bill No. 265—An act to amend section 1970 of the Civil Code, relating to the responsibility of employers for injury to or death of employees.

Motion to Amend Assembly Bill No. 265.

Mr. Johnson moved to amend Assembly Bill No. 265 as follows:

Amendment No. 1.

On page 2, line 18, of the printed bill, as amended on March 31, 1937, strike out "constructed", and insert in lieu thereof the following "construed".

Amendment adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 265, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 265, as Amended.

Assembly Bill No. 265—An act to amend section 1970 of the Civil Code, relating to the responsibility of employers for injury to or death of employees

Assembly Bill No. 265, as amended, read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Love, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56

NOES—None.

Title read and approved

Notice of Motion to Reconsider Assembly Bill No. 265.

Mr. Garibaldi gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 265 was this day passed.

Re-reference of Assembly Bills.

On motion of Mr. Desmond, Assembly Bill No. 295 was withdrawn from the calendar, and re-referred to the Committee on Public Morals.

On motion of Mr. Cottrell, Assembly Bill No. 2473 was withdrawn from the calendar, and re-referred to the Committee on Judiciary Codes.

On motion of Mr. Dawson, Assembly Bill No. 1689 was withdrawn from the calendar, and re-referred to the Committee on Judiciary Codes.

On motion of Mr. Gilbert, Assembly Bill No. 696 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

On motion of Mr. Gilbert, Assembly Bill No. 697 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2842—An act to amend section 737qq of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Santa Clara.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—55

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1121—An act to amend section 7370 of the Political Code, relating to the salary of the judges of Kern County.

Motion to Amend Assembly Bill No. 1121.

Mr. Turner moved to amend Assembly Bill No. 1121 as follows:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "treasurer", and insert in lieu thereof the following: "treasury"

Amendment adopted.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Assembly Bill No 1121, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1121, as Amended.

Assembly Bill No. 1121—An act to amend section 7370 of the Political Code, relating to the salary of the judges of Kern County.

Assembly Bill No. 1121, *as amended, read third time, and passed* by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 658—An act relating to rates of interest.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Hugh M., Call, Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Watson, Weber, Yorty, and Mr. Speaker—45.

NOES—Boyle, Breed, Burns, Michael J., Dilworth, Garland, Kuchel, and Lyon—7.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 658.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 658 was this day passed.

Assembly Bill No. 381—An act to add section 421.5 to the Fish and Game Code, relating to ocean fishing

Bill read third time, and passed by the following vote.

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—49

NOES—Field, Garland, and Kuchel—3.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 381.

Mr. Garland gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 381 was this day passed.

Assembly Bill No. 2833—An act to amend sections 3630, 3651, 3655, and 3720 of the Political Code, relating to the assessment of property and collection of taxes.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—52

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2122—An act to amend sections 639, 640, 1280 and 1281 of the Code of Civil Procedure, relating to the investigation, arbitration, reference and settlement of disputes concerning boundary lines, monuments, courses, bearings, distances and calls

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cunningham, Daley, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Heisinger, King, Laughlin, Leonard, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Patterson, Peek, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—44

NOES—Call, Dannenbrink, Dawson, Desmond, Fulcher, Garland, Johnson, Kuchel, Maloney, O'Donnell, and Williamson—11.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2123—An act to amend section 4218 of the Political Code, and to add a new section to the Political Code, to be known as section 4221a, relating to the investigation, arbitration, reference and settlement of disputes concerning boundary lines, monuments, courses, bearings, distances and calls.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Cassidy, Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Scudder, Sheehan, Tenney, Turner, Watson, Weber, Williamson, Yorty, and Mr. Speaker—51.

NOES—Kuchel—1.

Title read and approved Bill ordered transmitted to the Senate.

Notices of Motion to Reconsider Continued.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2375 was passed was continued until the next legislative day.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was refused passage was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 692 was refused passage was continued until the next legislative day.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1472 was refused passage was continued until the next legislative day.

On motion of Mr. Tenney, the consideration of his notice of motion to reconsider the vote whereby the motion to withdraw Assembly Bill No. 1028 was lost was continued until the next legislative day.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 621 re-referred to Committee on County Government.

Assembly Bill No. 641 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1481 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1570 re-referred to Committee on Conservation.

Assembly Bill No. 2848 re-referred to Committee on Agriculture.

Assembly Bill No. 2250 re-referred to Committee on Judiciary General.

Assembly Bill No. 959 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 1265 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1266 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 2424 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2425 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2414 re-referred to Committee on Live Stock and Dairying.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Miller:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR SPEAKER: I ask permision to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the support of the Railroad Commission of the State of California, to take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Walker:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR. SPEAKER: I ask permision to introduce the accompanying bill, the title of which reads as follows:

An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, prescribing the powers and the duties of said

board and commissioner, making an appropriation and authorizing contributions by certain agencies for the purpose of carrying out the provisions of the act, and creating the Colorado River fund.

Referred to Committee on Introduction of Bills.

By Mr. Desmond:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act making an appropriation for the printing, publication, purchasing, and transportation of textbooks.

Referred to Committee on Introduction of Bills.

By Mr. Lore:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act making an appropriation for the support of the State Controller, to take effect immediately.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Miller:

An act making an appropriation for the support of the Railroad Commission of the State of California, to take effect immediately.

By Mr. Walker:

An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, prescribing the powers and the duties of said board and commissioner, making an appropriation and authorizing contributions by certain agencies for the purpose of carrying out the provisions of the act, and creating the Colorado River fund.

By Mr. Desmond:

An act making an appropriation for the printing, publication, purchasing, and transportation of textbooks.

By Mr. Lore:

An act making an appropriation for the support of the State Controller, to take effect immediately.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin Mayo, McMurray, Meehan, Miller, Eleanor: Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2872: By Mr. Miller—An act making an appropriation for the support of the Railroad Commission of the State of California, to take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2873: By Mr. Walker—An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, prescribing the powers and the duties of said board and commissioner, making an appropriation and authorizing

contributions by certain agencies for the purpose of carrying out the provisions of the act, and creating the Colorado River fund.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 2875: By Mr. Desmond—An act making an appropriation for the printing, publication, purchasing, and transportation of textbooks

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2874: By Mr. Lore—An act making an appropriation for the support of the State Controller, to take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Constitutional Amendment No. 60: By Mr Heisinger—Proposed amendment to Article IV of the Constitution, by amending section 23 and adding sections 7 2 and 15 3, relating to the legislative department of the State Government.

Introduced, and referred to Committee on Constitutional Amendments.

Adjournment.

At six o'clock and thirty minutes p m., on motion of Mr. Williamson, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, May 3, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-THIRD LEGISLATIVE DAY
ONE HUNDRED TWENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 3, 1937.

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Shechan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78

Quorum present.

Prayer.

Prayer was offered by Rev. William F Ehmann, Chaplain of the Assembly

Reading of the Journal Dispensed With.

On motion of Mr. Donnelly, the further reading of the Journal of Friday, April 30, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr Baynham, on motion of Mr Kepple

Guests Extended Privilege of Assembly Floor.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Theodore Nebbe, Myron Schussman and Mr. and Mrs. Paul Marcucci of Santa Rosa.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C L. Welch, Vito Rotunno, Owen Mahn and Elmer H Moody.

On request of Messrs Donnelly, and Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Harry W. Glover.

On request of Messrs Johnson, and Peyser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Daniel V. Ryan, Mrs. Thomas F. Ryan, and Mrs. A. S. Murphy of San Francisco.

On request of Mr Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Thomas McDonough and Mr. and Mrs. Edward Leal.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John Considine of Glendale, the originator of the Fraternal Order of Eagles, Past Worthy President; and Logan Beamer of Glendale, Deputy National President for Southern California.

Presentation of Petitions.

The following petitions were received and filed:

By Mr. Speaker:

From the Douglas Local 214, U. A. W. A., regarding the Stockton strike

From Julio F. Seligmen, requesting pardon for Thomas J. Mooney.

Assistant Clerk Berry Reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following:

Senate Bill No. 445.

J. A. BEEK, Secretary of the Senate
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 30, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 313—An act to repeal "An act providing for the grant of certain lands to the United States of America for the creation of a National park or monument," approved June 11, 1935 (Chapter 328, Statutes of California, 1935);

Senate Bill No. 1030—An act to add section 6603 to the Fish and Game Code, relating to salmon;

Senate Bill No. 1134—An act to amend section 985 of the Political Code, relating to official bonds.

Senate Bill No. 271—An act to add section 3817d2 to the Political Code, relating to taxation and assessment, including tax delinquencies, and tax sales and declaring the urgency thereof, to take effect immediately;

Senate Bill No. 518—An act to add two new sections to the Political Code to be numbered 3480 and 3480f, relating to reclamation districts, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of the Senate
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No 313 read first time, and referred to Committee on State Grounds and Parks.

Senate Bill No. 1030 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1134 read first time, and referred to Committee on Judiciary General.

Senate Bill No 271 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 518 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Second Reading of Assembly Bills.

Assembly Bill No. 88—An act to amend section 1507 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 89—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 478—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relative to and defining employees.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1509—An act to amend section 1.177 of the School Code, relating to employment of minors and permits to work.

Committee Amendments to Assembly Bill No. 1509.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "to any minor over the age of fourteen years,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 10 to 13, inclusive, and in line 14 strike out "one-half of the Child Labor Law." and insert in lieu thereof the following: "type may be required for all minors who are engaged in, employed, allowed, suffered or permitted to work under the provisions of section 1298 of the Labor Code."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2318—An act to amend sections 4, 5, and 6 of an act entitled "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts.

Committee Amendments to Assembly Bill No. 2318.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the comma and "5 and 6", and insert in lieu thereof the following: "and 5, and to renumber and amend section 6 to be section 17 of".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "residing in", and insert in lieu thereof the following: "of".

Amendment No. 3.

On page 1, line 16, of the printed bill, after the comma, insert the following: "may maintain, improve, and keep in a sanitary condition all community parks, community beaches, community recreational grounds, and community buildings, within such districts, including the construction, maintenance, and operation of swimming pools, and any other amusement facilities on any of such lands".

Amendment No. 4.

On page 1 of the printed bill, between lines 21 and 22, as a separate paragraph, add the following:

"The board of directors shall have the right and power to acquire by condemnations all lands, or any use thereof or interest therein, and any other property or rights by it deemed necessary for the construction, maintenance, improvement and operation of the works, or the carrying out of the project of the district. In case of condemnation proceedings the board shall proceed in the name of the district under the provisions of section 14 of Article I, as amended, of the Constitution of the State of California, and Title 7, Part 3 of the Code of Civil Procedure of California, and all pleadings, proceedings and process in said title provided shall be applicable to the condemnation proceeding hereunder."

Amendment No. 5.

On page 1, line 22, of the printed bill, after "hereby", insert the following: "renumbered to be section 17 and".

Amendment No. 6.

On page 1, line 24, of the printed bill, strike out "6", and insert in lieu thereof the following "17".

Amendment No. 7.

On page 2, line 1, of the printed bill, strike out "maintaining the swimming pool or", and in line 2, strike out "swimming pools", and insert in lieu thereof the following: "the payment of all interest and principal of bonds which will be due on or before the tenth of July of the succeeding year and for the operation, improving, maintaining, and keeping sanitary the community property or properties".

Amendment No. 8.

On page 2, line 4, of the printed bill, after "district", add a comma and the following: "including the cost of new construction of improvements or buildings thereon".

Amendment No. 9.

On page 2, line 8, of the printed bill, strike out "registered".

Amendment No. 10.

On page 2, line 12, of the printed bill, after "district", add a comma and the following: "or at the seat of the county government".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2714—An act to require all applicants for construction and improvement permits to prove compliance with the "Workmen's Compensation, Insurance and Safety Act of 1917."

Committee Amendments to Assembly Bill No. 2714.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "improvement", insert: ", demolition".

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out the comma, and insert in lieu thereof: "or structure".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 5 to 9, inclusive, and insert in lieu thereof: "such permit a certificate of consent to self insure issued by the Industrial Accident Commission, or a certificate of insurance issued by an admitted insurer.

The certificate of insurance shall state that there is in existence a valid policy of workmen's compensation insurance fully covering all employees of the applicant engaged in the work covered by the permit.

SEC. 2. If the applicant fails to secure the payment of compensation benefits to his employees in connection with the risks attendant to the work performed under the permit; or, if any permit is hereafter issued without the presentation of a certificate of consent to self insure or of a certificate of insurance; or, if the posting required by this act to be done is not done, then such permit shall be null, void, and of no effect.

SEC. 3. Each such permit shall require that the applicant shall keep posted upon the premises covered by the permit, the name of the workmen's compensation insurer or insurers, covering all employees engaged in the performance of the work. If any employer has been issued a certificate of consent to self insure, the permit shall require that a copy of such certificate shall be so posted.

SEC. 4. Every employer who fails to secure the payment of workmen's compensation benefits to his employees engaged in the performance of any work under the permit, is liable to a penalty of not exceeding $500. The body issuing the permit may recover the penalty by civil action, and the amounts recovered shall be paid into the fund out of which it is supported and these amounts may be used for its benefit in the same manner as other public moneys may be used by it.

SEC. 5. Upon the application of the Industrial Accident Commission or a member thereof, the superior court of the county in which work is being performed under any such permit, may enjoin the further performance of such work if any employer engaged in performing work under the permit has failed to secure the payment of workmen's compensation benefits to his employees.

SEC. 6. An affidavit stating that the employer has failed to post a certificate of consent to self insure, or a certificate of insurance, constitutes sufficient grounds to authorize the issuance of a temporary injunction A bond shall not be required as a prerequisite to the granting of such an injunction.

SEC. 7. If the Industrial Accident Commission finds that any employer engaged in the performance of work under such permit has failed to secure the payment of compensation benefits to his employees engaged therein, it shall enter its order prohibiting the further performance of work under that permit by that employer. A copy of this order shall be posted upon the premises and it shall not be removed by any person other than an authorized representative of the commission. Until the employer described in the order secures the payment of compensation benefits

and complies with this act no work shall be performed by him under such permit

SEC. 8 Every person who performs any work under such permit while he or his employer has failed to secure the payment of compensation benefits, or who destroys or removes any order posted as provided in this act, unless authorized by the Industrial Accident Commission, is guilty of a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2289—An act to add section 900.5 to the Insurance Code, relating to financial statement of insurers.

Committee Amendment to Assembly Bill No. 2289.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "county", and strike out lines 5 and 6, and insert in lieu thereof the following: "office of the division in Los Angeles, Sacramento and San Francisco".

Amendment adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1267—An act to add section 795.5 to the Agricultural Code, relating to orange field boxes.

Committee Amendments to Assembly Bill No. 1267.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 796", and insert in lieu thereof the following: "sections 792 and 796".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, strike out "oranges", and insert in lieu thereof the following "fruits, nuts and vegetables".

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, strike out "796", and insert in lieu thereof the following: "792".

Amendment No. 4.

On page 1 of the printed bill, as amended, between lines 2 and 3, insert the following:

"792. Avocados shall be free from all defects, including but not restricted to those hereinafter mentioned, which singly or in the aggregate cause a waste of 10 per cent or more, by weight, of the entire avocado, including the skin and seed. Not more than 5 per cent, by count, of the avocados in any one container or bulk lot may be below the foregoing requirement.

'Defect' includes damage due to insect injuries cuts, growth cracks, bruises sunburn, freezing injury, decay, disease, over-ripeness, rancidity, or other causes.

All avocados, at the time of picking, and at all times thereafter, shall contain not less than 8 per cent of oil, by weight of the avocado excluding the skin and seed

When packed, avocados in any one container shall not vary in weight by more than 33⅓ per cent of any avocado in the container.

SEC. 2. Section 796 of said code is hereby amended to read as follows:".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2258—An act to amend sections 1061, 1062, 1064, 1065, 1066, 1067 and 1068 of the Fish and Game Code, relating to commercial fishing regulations

Committee Amendment to Assembly Bill No. 2258.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, strike out "But the com-", and strike out all of lines 13 to 17, inclusive, and insert in lieu thereof the following: "Every vessel used for commercial fishing within the jurisdiction of this State shall be operated under a permit issued for such vessel by the commission. No permit shall be issued for a vessel which is not registered in a California port, except that the commission, in its discretion and if it deems it necessary in order to provide an adequate supply of fish for consumption or use in California, may issue

temporary and revokable permits to boats from without the jurisdiction of this State. It is unlawful to operate a vessel for commercial fishing purposes within the territorial waters of this State without a permit for such vessel from the commission."

Amendment adopted.

Bill read second time, ordered to reprint, and engrossment.

Assembly Bill No. 2180—An act to amend section 3804 of the Political Code and to add to said code a new section to be numbered 3804c, relating to the refund of taxes erroneously or illegally collected and to credit by offset of erroneously or illegally collected taxes against current taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2181—An act to amend section 3804 of the Political Code, relating to time of filing claims for refund of taxes erroneously or illegally collected.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 489—An act to add section 1703.5 to the Insurance Code, relating to agents for disability insurance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1129—An act to add section 6.55 to the School Code, relating to automatic gas shut-offs in school buildings.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1103—An act to amend sections 270 and 270a of the Penal Code, relating to failure to provide.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 423—An act to amend sections 3, 5, 6, 7, 9 and 11 of, and to add sections 16 and 17 to, an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Committee Amendments to Senate Bill No. 423.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended April 23d, strike out all of lines 34, 35, 36, 37, 38 and 39.

Amendment No. 2.

On page 3, line 30, of the printed bill, as amended, strike out the word "except", and strike out all of line 31; and in line 32, strike out the words "shall not be required with renewal applications,".

Amendment No. 3.

On page 5, line 28, of the printed bill, as amended, strike out the word "the", all of line 29, and in line 30, the words and figures "the provisions of section 17 hereof".

Amendment No. 4.

On page 5, line 36, of the printed bill, after the word "hereunder", insert the following: "if demanded by the customer".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1412—An act to amend sections 1, 3, 4, 6, and 8 of an act entitled "An act defining public weighmaster; describing his

duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, relating to public weighmasters.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1412?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of line 3 following the period, and all of lines 4 and 5, and insert in lieu thereof the following: "Any person, firm, corporation, copartnership, or individual engaged in the business of public weighing for hire who shall weigh or".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 15, and insert in lieu thereof the following: "for the locality of the place of principal business of such person, firm, corporation, copartnership, or individual and an additional license fee of two dollars and fifty cents for each additional locality where service as a public weighmaster is".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1412 by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Crowley, Daley, Dawson, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 1412 ordered to enrollment.

Assembly Bill No. 1072—An act to amend section 11 of an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to a county peace officers' retirement system.

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1072?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the word "section", and insert in lieu thereof the following: "sections 4,", and after the figure "9", insert the following: "and 11".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, commencing with the figure "9", strike out the remainder of said line, and all of lines 2, 3, 4, 5, 6 and down to and including "1931" in line 7, and insert in lieu thereof the following: "4 of the act cited in the title hereof".

Amendment No. 3.

On page 1 of the printed bill, as amended, between lines 8 and 9, insert the following:

"Sec. 4. For the purpose of providing and maintaining a fund to meet the payments of demands drawn for the payment of pensions and the expenses of said retirement commission, a fund is hereby created to be known as the "Peace officers' retirement fund". There shall be paid into said fund the following moneys, to wit.

(a) Salary. A portion of each month's salary of each peace officer who is included within the provisions of this act in an amount equal to 2 per cent of such peace officer's monthly salary. Any peace officer who shall deposit in said pension fund a sum equivalent to 2 per cent of such officer's monthly salary from date of entering the service to date of the adoption of this act by any board of supervisors of any county, city or county, shall be entitled to all the rights and benefits provided for in this act and have accredited to him for the purposes of this act the service for which he shall have made such deposit.

(b) Credit for prior service. Upon election by any said person to come within the provisions of this act, such person shall automatically be excluded from any

other retirement system as aforementioned, and any sums due or to the credit of such persons under such other system shall be transferred to this system, to the credit of such person, in accordance with the law made and provided for such cases, it being the intention that the retirement system provided by this act shall be exclusive and that the persons, who having elected to come under the provisions of this act, shall not participate in any other system now or hereafter provided by law for county or township officers or employees; provided, however, that where said person elects to come within the provisions of this act and elects to secure credit for prior service as a county peace officer under this act and where the sum to the credit of said person so transferred from some other system to this system exceeds that necessary to entitle said person to credit for said prior service as a peace officer under this system, there shall be refunded to said person such portion of said sum so transferred to the credit of said person, as exceeds the amount necessary to entitle said person to the credit claimed for such prior service.

(c) County donation. An amount to be determined and appropriated each year by the board of supervisors, said amount to be sufficient together with the contribution of peace officers to meet all of the demands, including interest, against said pension fund. The board shall monthly deposit all contributions received in the county treasury to the credit of said fund.

(d) Interest. All contributions and deposits shall bear simple interest at a rate to be fixed by the board of retirement with the approval of the board of supervisors, but said rate shall in no event be greater than 4 per cent per annum.

SEC. 2. Section 9 of said act is hereby amended to read as follows:".

Amendment No. 4.

On page 1, line 9, of the printed bill, as amended, strike out the following: "Definitions".

Amendment No. 5.

On page 2, line 8, of the printed bill, as amended, before the word "firemen", insert the word "forester—".

Amendment No. 6.

On page 2, line 9, of the printed bill, as amended, strike out the word "and".

Amendment No. 7.

On page 2, line 9, of the printed bill, as amended, after the word "observers", insert the following: "and foremen and observers assigned to fire suppression crews and all other personnel not specifically mentioned herein, and not specifically excluded, who are assigned to fire prevention and suppression."

Amendment No. 8.

On page 2 of the printed bill, as amended, after line 17, insert the following:

"SEC. 3. Section 11 of said act is hereby amended to read as follows:

Sec. 11. Any member shall be retired for disability regardless of age or amount of service, if incapacitated for the performance of duty as the result of an injury or disease occurring in and arising out of the course of his employment. Incapacity for performance of duty shall be determined by the board. Any member incapacitated for the performance of duty by reason of a cause not included in the immediately preceding sentence, shall be retired regardless of age but only after ten years of service as a county peace officer as defined under section 9 of this act.

Upon retirement of a member for disability, such member shall receive a retirement allowance, payable in monthly installments, equal to one-half of the amount of salary attached to the position or office which he may have occupied at the date of receiving such injury or disease; provided, that such pension shall in no case be more than $150 nor less than $100 per month.

Whenever any member shall be killed, or die, as a result of any injury received during the performance of his duty, or from sickness caused by the discharge of such duty, or after retirement, or while eligible to retirement on account of years of service, then an annual pension shall be paid in equal monthly installments to his widow, or child or children, in the sum of $75 per month. Said pension shall be paid to the widow during her lifetime or until she remarries, and thereafter a pension shall be paid in equal monthly installments, in the sum of $75 to the legally appointed guardian of the child or children of such deceased member until such child or children shall have attained the age of eighteen years, or to his child or children should there be no widow until such child or children shall have attained the age of eighteen years; provided, however, that no widow of a pensioner shall be entitled to a pension unless she shall have been married to such deceased pensioner at least five years prior to the date of his retirement; and provided further, that no widow of a member eligible for retirement from such department, who dies from causes other than those arising out of or from the performance of his duties, shall be entitled to a pension unless she shall have been married to such deceased member for at least five years prior to the date of his death; and provided further, that if such widow, child or children shall marry, then the pension paid to the person so marrying shall cease.

The provisions of this section shall be retroactive as to the past service of any member who shall be entitled to the benefits contained herein."

Amendment No. 9.

On page 1, line 1 of the title of the printed bill, as amended, strike out the figure "4", and insert in lieu thereof the figure "9".

Amendment No. 10.

On page 1, line 7, of the printed bill, as amended, strike out the figure "4", and insert in lieu thereof the figure "9".

Amendment No. 11.

On page 1 of the printed bill, as amended, strike out all of lines 9 to 17, both inclusive.

Amendment No. 12.

On page 2 of the printed bill, as amended, strike out all of lines 1 to 43, both inclusive.

Amendment No. 13.

On page 3, line 24, of the printed bill, as amended, strike out the figure "3", and insert in lieu thereof the figure "2".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1072 by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Crowley, Daley, Dawson, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Robertson, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 1072 ordered to enrollment

Assembly Bill No. 1129—An act to add sections 6 and 7 to an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the sale of jute bags.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1129?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 4, and in line 5, strike out "under the laws of the State of California,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 9 to 17, inclusive, and insert in lieu thereof the following:

"The application shall state the names and address of the members desiring bags and the number desired by each The application must contain or be accompanied by a certificate of the county farm advisor or the county agricultural commissioner to the effect that the number of bags required for each member is reasonably necessary for such member. Said application".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1129 by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Crowley, Daley, Dawson, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1129 ordered to enrollment

Notices of Motion to Reconsider Continued.

On motion of Mr. Garibaldi, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 830 was passed was continued until the next legislative day.

On motion of Mr. Garibaldi, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 266 was passed was continued until the next legislative day.

On motion of Mr. Garibaldi, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 265 was passed was continued until the next legislative day

On motion of Mr. Tenney, the consideration of his notice of motion to reconsider the vote whereby the motion to withdraw Assembly Bill No. 1028 was lost was continued until the next legislative day.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Constitutional Amendment No. 30.

Assembly Bill No. 119.
Assembly Bill No. 208.
Assembly Bill No. 252.
Assembly Bill No. 743.
Assembly Bill No. 744.
Assembly Bill No. 1378.
Assembly Bill No. 1516.
Assembly Bill No. 1612.
Assembly Bill No. 1886.
Assembly Bill No. 1897.
Assembly Bill No. 2084.
Assembly Bill No. 2229.
Assembly Bill No. 2622.
Assembly Bill No. 2751.

And reports the same correctly re-engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, May 3 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 55.
Assembly Bill No. 985.
Assembly Bill No. 1018.
Assembly Bill No. 1251.
Assembly Bill No. 1345.
Assembly Bill No. 1520.
Assembly Bill No. 1623.
Assembly Bill No. 2044.
Assembly Bill No. 2070.
Assembly Bill No. 2405.
Assembly Bill No. 2499.
Assembly Bill No. 2565.
Assembly Bill No. 2646.
Assembly Bill No. 2671.
Assembly Bill No. 2804.
Assembly Bill No. 2843.
Assembly Bill No. 2844.
Assembly Bill No. 2854.
Assembly Bill No. 175.
Assembly Bill No. 271.
Assembly Bill No. 379.
Assembly Bill No. 380.
Assembly Bill No. 685.
Assembly Bill No. 984.
Assembly Bill No. 1048.
Assembly Bill No. 1393.
Assembly Bill No. 1431.
Assembly Bill No. 1648.
Assembly Bill No. 2599.
Assembly Bill No. 2830.
Assembly Bill No. 2851.
Assembly Bill No. 2860.
Assembly Bill No. 2861.

And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO April 30, 1937

MR SPEAKER. Your Committee on Public Utilities, to which was referred.

Assembly Bill No. 2401.

Respectfully reports the same signed out by the committee.

BAYNHAM, Chairman
ROBERTSON.
DANNENBRINK
MARTIN
GILBERT.
YORTY.

The above reported bill ordered on third reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 581.
Assembly Bill No. 583.
Assembly Bill No. 1813.
Senate Bill No. 876.

Respectfully reports the same back with the recommendation: Do pass

O'DONNELL, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred
Assembly Bill No. 2119.
Respectfully reports the same back with the recommendation: Do pass as amended
O'DONNELL, Chairman

The above reported bill ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred
Assembly Bill No. 1899.
Senate Bill No. 278.
Respectfully reports the same back without recommendation, as amended
O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Senate Bill No. 953.
Respectfully reports the same back without recommendation, as amended
HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred:
Assembly Bill No. 2832.
Senate Bill No. 518.
Respectfully reports the same back signed out by the committee.
MILLINGTON, Chairman.
ROBERTSON.
MALONEY
MORGAN
SCUDDER
COTTRELL
FULCHER
MARTIN.
ANDREAS

The above reported bills ordered on second reading calendar

Third Reading of Assembly Bills.

Assembly Bill No. 1044—An act to amend section 1 of "An act providing for the disposition of exhibits filed with the court in criminal cases," approved May 24, 1921, relating to exhibits in criminal cases

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Clark, Crowley, Daley, Dawson, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—46.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2117—An act to amend section 2 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts and parts of acts inconsistent herewith," approved May 23, 1923, relating to the duties of the State Fire Marshal.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Clark, Crowley, Daley, Dawson, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—47

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Special Order Set for Assembly Bill No. 50.

On motion of Mr. Heisinger, the consideration of Assembly Bill No. 50 was made a special order of business for Thursday, May 6, 1937, at two o'clock p.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 662—An act to amend section 80 of the Agricultural Code, relating to agricultural districts.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Daley, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—51.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

House Resolution No. 138—Appointing Assembly Interim Committee on Civil Service.

Motion to Amend House Resolution No. 138.

Mr. Meehan moved to amend House Resolution No. 138 as follows:

Amendment No. 1.

In line 2 of the last paragraph of the printed resolution, strike out the figures "$1500", and insert in lieu thereof the figures "$1000".

Amendment adopted.

Consideration of House Resolution No. 138, as Amended.

House Resolution No. 138—Appointing Assembly Interim Committee on Civil Service.

House Resolution No. 138, as amended, read, and adopted by the following vote.

AYES—Boyle, Breed, Burns, Hugh M., Clark, Cronin, Crowley, Daley, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Yorty, and Mr Speaker—49.

NOES—None.

House Resolution No. 138, as Amended.

WHEREAS, By Article XXIV of the California Constitution a permanent State civil service system is required, and numerous amendments to and revisions of the civil service statutes are proposed at each session of the Legislature, and

WHEREAS, It is necessary and desirable that the Assembly and its members have complete, accurate and detailed information concerning the State civil service to the end that the Assembly and its members may act advisedly in the consideration of needed changes in civil service laws, now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Assembly Committee on Civil Service, consisting of five members of the Assembly, be appointed by the Speaker of the Assembly to gather information and to conduct investigations concerning the State civil service, including the operation and effect and the administration and enforcement of the civil service provisions of the Constitution and of the statutes, rules and regulations relating to civil service, the need for modification of any of said constitutional provisions, statutes, rules or regulations, and all matters incidental thereto; and be it further

Resolved, That the committee may appoint secretarial, legal, clerical, research, technical, and such other assistants as it may deem necessary, and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, reports, information, and evidence concerning any matter under consideration by the committee as the committee shall request; and be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of books, agreements, documents, reports, account, minutes, records, correspondence and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of

the committee is hereby authorized to administer oaths and all the provisions of Article VIII, Chapter II, Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution and said committee is hereby given leave to sit during the session of the Legislature and during the interval between sessions thereof, at any place or places in the State as the committee shall from time to time decide, and be it further

Resolved, That the committee herein created, shall report to the Assembly from time to time such results of its investigations and studies as it may deem necessary for the action and advice of the Legislature and shall make its final report at the commencement of the fifty-third session of the Legislature; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $1,000 or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund upon written orders of the chairman of the committee, which warrants the State Treasurer is hereby directed to pay.

Assembly Bill No. 2724—An act relating to the preservation, care and display of foods.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Clark, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—49.

NOES—Robertson—1

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1228—An act to amend sections 510, 511, 512, 513, 515 and 593 of the Agricultural Code, relating to ice cream and similar frozen products.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—53.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 942—An act to amend section 3897d of the Political Code, relating to lands sold to the State for delinquent taxes.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—53

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1748—An act to amend section 490 of, and to add section 490 5 to, the Agricultural Code, relating to graded market milk.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—53.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1740—An act to amend section 718 of the Code of Civil Procedure, relating to witnesses.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—48.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1735—An act to amend an act entitled "An act authorizing the judges of the superior court in all counties, and cities and counties, having a population of 200,000 inhabitants and over, to appoint a secretary," approved March 26, 1895, as amended, by adding thereto a new section to be designated section 3, providing for the compensation for the secretary in counties, or cities and counties, having a population of 900,000 inhabitants or over.

Bill read third time, and passed by the following vote.

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—52.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1162—An act to amend sections 1203.1 and 1203.3 of the Penal Code, relating to power of the court to fix conditions of probation.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—55.

NOES—Dilworth—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1164—An act to amend sections 1203.1 and 1203.3 of the Penal Code, relating to power of the court to fix conditions of probation.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1029—An act to amend section 995 of the Penal Code, relating to indictments and information.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin,

McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—53.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1934—An act to add section 61.1 to the Alcoholic Beverage Control Act, relating to minors.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—49.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2307—An act to amend section 437c of the Code of Civil Procedure, relating to summary judgments.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 93—An act to amend section 3.110 of the School Code, relating to the establishment of kindergartens.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—53.

NOES—Latham—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 684—An act to amend section 5.190 of the School Code, relating to health and development certificates.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Michael J., Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sheehan, Tenney, Turner, Walker, Watson, Welsh, Yorty, and Mr Speaker—44.

NOES—Boyle, Cronin, and Lyon—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 982—An act to amend sections 5.502, 5.654 and 5.681 of the School Code, all relating to the classification and dismissal of persons employed by school districts in positions requiring certification qualifications.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson,

Pelletier, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—53.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 395—An act to amend section 537e of the Penal Code, relating to the purchase or sale of manufactured articles from which identification marks have been removed.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2175—An act to regulate the employment of labor on public works.

Motion to Amend Assembly Bill No. 2175.

Mr. Flint moved to amend Assembly Bill No 2175 as follows.

Amendment No. 1.

On page 1 of the printed bill, following line 6, add the following:

"SEC. 2. No contract may be rescinded because of the failure of any contractor to comply with the condition contained therein that at least 30 per cent of the men employed to render skilled, semi-skilled and unskilled labor shall consist of men of the age of 45 years or more, unless such contractor be first given written notice of a breach of such provision specifying such breach, and such contractor fails to comply with such provision within ten days"

Amendment adopted.

Request for Unanimous Consent.

Mr Latham asked for, and was granted, unanimous consent to take up Assembly Bill No. 2175, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2175, as Amended.

Assembly Bill No. 2175—An act to regulate the employment of labor on public works.

Assembly Bill No. 2175, as amended, read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Clark, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—55.

NOES—Breed, and Dannenbrink—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2626—An act to amend section 2 of an act entitled "An act to regulate the method, of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election," approved May 2, 1927, relating to the method of nominating, voting for and electing candidates for judicial offices at primary and general elections.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1368—An act to provide for the special treatment of insane and feeble-minded prisoners, for the construction of special housing and medical facilities, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 290—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by amending sections 2, 3, 4 and 16 and by adding thereto certain new sections to be designated sections 2a, 2b, 2c, 2d, 2e and 2f respectively, relating to and providing for a civil service system for said district.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2392—An act providing for the granting of franchises for transmitting electricity or gas and providing conditions for the granting of such franchises by the legislative or other governing body of such cities and for the acceptance of such franchises by the grantee thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Patterson, Peek, Pelletier, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—53

NOES—None

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1629—An act to add a new section to the School Code to be numbered 3.362 and to amend sections 3.291, 3.400 and 3.411 of said code, all relating to junior colleges maintained by junior college districts

Motion to Amend Assembly Bill No. 1629.

Miss Miller moved to amend Assembly Bill No 1629 as follows:

Amendment No. 1.

On page 4, line 23, of the printed bill, as amended, strike out the word "eight", and insert in lieu thereof the word "eighty".

Amendment adopted

Assembly Bill No. 1629 ordered to reprint, and re-engrossment.

Assembly Bill No. 61—An act to amend sections 67 and 68 of the Fish and Game Code, relating to fish and game districts.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 61 read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Hon. Michael J. Burns in the Chair.

At eleven o'clock and fifty-five minutes a.m., Hon. Michael J. Burns, member of the Assembly from the First District, in the chair.

Assembly Bill No. 1035—An act to amend section 518 of the Penal Code, relating to extortion.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Yorty—55.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 931—An act to amend section 396b of the Code of Civil Procedure, relating to transfer of civil actions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Yorty—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2824—An act to add Chapter VI-A to Part III, Division V, of the School Code, relating to conventions of teachers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Crowley, Cunningham, Dannenbrink, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Laughlin, Leonard, Lore, Maloney, Meehan, Miller Eleanor; Millet, George P., Millington, Patterson, Peek, Pelletier, Reaves, Sawallisch, Tenney, Thorp, Turner, Voigt, Welsh, Yorty, and Mr. Speaker—42.

NOES—Cronin, Daley, Dawson, Kepple, Kuchel, Latham, Levey, Martin, McMurray, Morgan, Muldoon, Peyser, Sheehan, Stream, Walker, and Watson—16

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2824.

Mr. Dawson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2824 was this day passed.

Resolution.

The following resolution was offered:

By Messrs. Maloney, Sheehan, Hornblower, Levey, Cronin, Peyser, McMurray, Dawson, Williamson, Burns, Michael J., Garibaldi, and Jones.

House Resolution No. 153.

WHEREAS, Divine Providence has removed from this earthly sphere of activity, one of San Francisco's most beloved and respected citizens; and

WHEREAS, The loss of this individual is not only a loss to his family, but a distinct loss to the men and women who toil for a living and to the State as a whole; and

WHEREAS, His loss to the American Federation of Labor, to the San Francisco Labor Council, to the Brotherhood Teamsters of the Pacific Coast, in which he served as International Vice President for 24 years, and to the Teamsters Union of San Francisco, No. 85, an organization which he served so long as its president, will be deeply felt by their memberships; and

WHEREAS, During his service to his fellow men as a representative of organized labor, he distinguished himself as an outstanding representative of labor; and

WHEREAS, Not only was he respected by those he represented, but by the employers of these United States with whom he had the privilege of counseling with so as to come to amicable agreements in the interests of justice and peace to all involved; now, therefore, be it

Resolved, That when the Assembly adjourns today, it does so out of respect of Michael J. Casey, President of the Teamsters Union Local 85 of San Francisco; and be it further

Resolved, That a copy of this resolution be sent to the members of the family of the late Michael J. Casey.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 153, at this time, without reference to committee or calendar.

House Resolution No. 153 read, and unanimously adopted.

Recess.

At twelve o'clock and twenty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Re-reference of Assembly Bill No. 238.

On motion of Mr. Miller, Assembly Bill No. 238 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2854—An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county officers and employees, namely, county foresters and fire wardens as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—53.

NOES—Latham—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1576—An act relating to disposition of funds in the hands of the fiscal agent of the State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 715—An act to add four new sections, to be numbered 1000a, 1000b, 1000c and 1000d to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1764—An act to amend sections 16, 71, 72, 73, 74 and 75 of the "Improvement Act of 1911," approved April 7, 1911, as amended.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—57

NOES—None.

Motion to Amend Title to Assembly Bill No. 1764.

Mr Welsh moved to amend the title as follows

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", relating to public improvements and the determination of the validity of certain proceedings taken in regard thereto."

Amendment adopted.

Title, as amended, read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2554—An act relating to the use of lands dedicated for park purposes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—59

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 1704—An act to amend section 42 of the Probate Code, relating to bequests and devises.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Miller, Eleanor, Miller, George P., Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2062—An act to add section 2225 to the Civil Code, relating to trusts

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 41—Relative to urging equal opportunity in public employment for qualified physically handicapped citizens of the State.

Assembly Concurrent Resolution No. 41 read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 506—An act to amend section 9 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the definition of the term "employer."

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 187—An act to amend sections 7 and 9 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to employers and employees subject to the act.

Bill read third time, and refused passage by the following vote:

AYES—Burns, Michael J., Clark, Cottrell, Cunningham, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hunt, Lore, Miller, George P., Patterson, Pelletier, Reaves, Rosenthal, Tenney, Voigt, and Yorty—19.

NOES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Garibaldi, Garland, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Walker, Watson, Welsh, Williamson, and Mr. Speaker—47.

Notice of Motion to Reconsider Assembly Bill No. 187.

Mr. Yorty gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 187 was this day refused passage.

Assembly Bill No. 70—An act to extend the time of payment of installment contracts for the sale of real estate, mortgages, and trust deeds when relief has heretofore been granted by order of court or agreement of the parties, and to declare the urgency hereof.

Urgency clause read, and adopted by the following vote.

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Kuchel, Laughlin, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—57.

NOES—Beene, Breed, Call, Crowley, Daley, Johnson, Latham, Lyon, Morgan, Muldoon, Redwine, and Williamson—12.

Assembly Bill No. 70 read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Clark, Cronin, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, King, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—45.

NOES—Beene, Breed, Corwin, Cottrell, Crowley, Daley, Dilworth, Fulcher, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Morgan, Muldoon, Redwine, Stream, and Williamson—19.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 70.

Mr Kepple gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 70 was this day passed.

Special Order Set for Senate Bill No. 166.

On motion of Mr. Robertson, the consideration of Senate Bill No. 166 was made a special order of business for Thursday, May 4, 1937, at two o'clock p.m.

Special Order Set for Assembly Bill No. 175.

On motion of Mr. Pelletier, the consideration of Assembly Bill No. 175 was made a special order of business for Wednesday, May 5, 1937, at two o'clock p.m.

Withdrawal and Re-reference of Assembly Bills Nos. 152, 253, 342, 549, 804, 1866, 2402 and 2660.

On motion of Mr. Turner, Assembly Bills Nos. 152, 253, 342, 549, 804, 1866, 2402 and 2660 were withdrawn from the Committee on Public Morals, and re-referred to the Committee on Ways and Means.

Reconsideration of Assembly Bill No. 655.

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 655 was passed be reconsidered.

The roll was called, and Assembly Bill No. 655 reconsidered by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Fulcher, Gannon, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Redwine, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, and Williamson—44.

NOES—Burns, Hugh M., Clark, Dilworth, Donihue, Donnelly, Garibaldi, Hawkins, Hunt, King, Lore. Mayo, Miller, George P., Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Tenney, Yorty, and Mr. Speaker—20.

Assembly Bill No. 655 ordered on third reading calendar.

Reconsideration of Assembly Bill No. 658.

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No 658 was passed be reconsidered.

The roll was called, and Assembly Bill No. 658 reconsidered by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Fulcher, Gannon, Garland, Gilbert, Glick, Hornblower, Hunt, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, Redwine, Robertson, Scudder, Sheehan, Stream, Thorp, Walker, Watson, and Williamson—41

NOES—Burns, Hugh M., Clark, Cunningham, Dilworth, Donihue, Donnelly, Garibaldi, Hawkins, Heisinger, Johnson, King, Laughlin, Lore, Mayo, Miller, George P, Patterson, Pelletier, Reaves, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Welsh, Yorty, and Mr. Speaker—26.

Assembly Bill No 658 ordered on third reading calendar.

Leaves of Absence.

Mr. Cassidy was granted leave of absence for the balance of this legislative day, on motion of Mr. Donihue.

Mr. Weber was granted leave of absence for the balance of this legislative day, on motion of Mr. McMurray.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 81—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Pelletier, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—62

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1492—An act to amend section 274 of the Code of Civil Procedure, relating to court reporters' fees per diem and for transcripts.

Motion to Amend Assembly Bill No. 1492.

Mr. Gannon moved to amend Assembly Bill No. 1492 as follows.

Amendment No. 1.

On page 1, line 8, of the printed bill, after the word "proceeding", insert the following: "where a reporter is requested by a party thereto,"

Demand for Previous Question.

Messrs. Turner, Dannenbrink, Welsh, Heisinger, and Sheehan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Boyle, Breed, Corwin, Cunningham, Daley, Desmond, Dilworth, Donihue, Field, Gannon, Garland, Gilbert, Glick, Heisinger, Johnson, Kepple, King, Latham, Laughlin, Lore, Mayo, McMurray, Millington, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Stream, Thorp, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—38

NOES—Beene, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Fulcher, Garibaldi, Hornblower, Hunt, Kuchel, Leonard, Levey, Lyon, Maloney, Meehan, Miller, George P., Muldoon, Peyser, Robertson, Sawallisch, Scudder, Sheehan, and Williamson—26

Request for Unanimous Consent.

Mr Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1492, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1492, as Amended.

Assembly Bill No. 1492—An act to amend section 274 of the Code of Civil Procedure, relating to court reporters' fees per diem and for transcripts.

Re-reference of Assembly Bill No. 1492.

On motion of Mr. Cronin, Assembly Bill No 1492 was withdrawn from the calendar, and re-referred to the Committee on Judiciary Codes

Withdrawal and Re-reference of Assembly Bill No. 2063.

On motion of Mr Yorty, Assembly Bill No 2063 was withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Motor Vehicles

Withdrawal and Re-reference of Assembly Bill No. 1876.

On motion of Mr Miller, Assembly Bill No. 1876 was withdrawn from the Committee on Building and Construction and re-referred to the Committee on Education.

Notice of Motion to Withdraw Assembly Bill No. 2036 from Committee.

Mr. Patterson gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 2036 from the Committee on Judiciary Codes, and have it placed upon the calendar

Resolutions.

The following resolutions were offered:

By Mr Morgan:

House Resolution No. 154.

WHEREAS, The happy home of our genial associate Earl V. Desmond has recently been blessed by the advent of a baby boy; and

WHEREAS, This marks the sixth time that the Desmond family has given hostages to fortune; and

WHEREAS, It is already evident to all who know them that the Desmond offspring combine their father's genius with their mother's charm; and

WHEREAS, The rearing of well-bred and well-mannered children is a gratifying evidence of the highest type of citizenship, now, therefore, be it

Resolved by the Assembly of the State of California, That we hereby congratulate our friend and colleague Earl V. Desmond on the happy occasion of this blessed event; and be it further

Resolved, That we hereby extend to both Mrs. Desmond and her spouse our heartfelt good wishes for the baby's health and happiness; and be it

Resolved, That we further congratulate the new arrival on his good judgment in providing himself with two such charming and accomplished parents

Request for Unanimous Consent.

Mr. Morgan asked for, and was granted, unanimous consent to take up House Resolution No 154, at this time, without reference to committee or calendar

House Resolution No. 154 read, and unanimously adopted.

By Mr. Voigt:

House Resolution No. 155.

WHEREAS, The citizens of this State are staggering under the load of a steadily increasing mass of revenue statutes, and are being constantly harassed, by the large assortment of agencies, boards, and commissions that have been set up for the assessment and collection of the taxes, licenses and fees imposed thereby; and

WHEREAS, In view of the above circumstances, the public is demanding a revision of the entire revenue system, and a reduction of the number of agencies, boards and commissions which are charged with the administration of the Revenue Laws; and

WHEREAS, The present revenue system is the child of experimentation, and results in wasteful, costly and unnecessary duplication and overlapping of administrative effort; and

WHEREAS, The complexity of the present revenue structure renders it inherently inept to accomplish the purposes for which it has been set up, with a resulting loss in muchly needed public revenues; and

WHEREAS, Unless a reasonable, planned and economically sound system of raising revenue is formulated and put into effect in this State, the State Government may soon find itself unable to operate efficiently because of a lack of necessary funds; and

WHEREAS, For the reasons aforementioned, it is highly desirable that a comprehensive study of the present system of securing public revenue be made in order that a more simplified economic and efficient system may be devised and put into operation; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly committee, to be known as the Assembly Committee on Revenue, consisting of five members of the Assembly to be appointed by the Speaker of the Assembly; and be it further

Resolved, That the committee, upon the appointment of its members, shall organize by electing a chairman from its membership, and may appoint a secretary and such other clerical and technical assistance as it may deem necessary; and be it further

Resolved, That said committee shall make a thorough and exhaustive study and investigation of the structure of the entire revenue system of this State and all

matters incidental thereto, including a study and investigation of the practical administration of the various State revenue statutes and the effectiveness thereof as sources of public revenue, with a view toward making recommendations for:

(1) The elimination of duplicated and overlapping administrative effort in the assessment and collection of taxes, licenses and fees;

(2) A scientific, integrated, elastic, centralized and economically sound system of raising and collecting adequate public revenue at whatever turn of the business cycle, and be it further

Resolved, That all officers and employees of this State, or of any county, city, city and county, or political subdivision of the State, shall furnish to the committee such assistance, reports, information and evidence concerning any matter under consideration by the committee, as the committee shall request; and be it further

Resolved, That the committee is hereby authorized and empowered to do all things necessary to make a full and complete investigation as to the matters herein referred to in order to enable the Legislature to act judiciously and advisedly upon such matters, and the said committee is hereby empowered to require the production of books, documents, reports, accounts and papers of every kind, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony. The members of such committee are, and each of them is, hereby authorized to administer oaths, and all of the provisions of Article VIII, of Chapter II, of Title I, of Part III of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee created by this resolution, and said committee shall have the power therein specified. The Sergeant-at-Arms of the Assembly is hereby authorized to serve any and all subpenas and orders or other process that may be issued by said committee when directed to do so by the chairman thereof, and do and perform any other service required of him by the committee. The committee is hereby given leave to sit during the session of the Legislature and during the interval between sessions at such times, place or places in the State as the committee may determine, and the committee may, in its discretion, hold public or executive meetings as it shall deem necessary or desirable; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof in connection with the duties imposed by this resolution and for the purpose of paying the expenses of the necessary assistants of said committee, the sum of $3,000, or so much thereof as may be necessary, is hereby set apart, reserved, and appropriated out of the contingent fund of the Assembly, and the State Controller shall, upon the certification of the chairman of said committee, draw his warrant upon the State Treasurer, who shall pay all funds so drawn from the contingent fund of the Assembly, and be it further

Resolved, That said committee report to the Legislature at its next regular session its findings and recommendations concerning the matters which it is by this resolution authorized to consider

House Resolution No. 155 read, and referred to the Committee on Revenue and Taxation.

By the Committee on Attaches:

House Resolution No. 156.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937.

MR. SPEAKER: Your Committee on Attaches respectfully begs to submit the following resolution:

Resolved. That the following named person be stricken from the list of Assembly attaches, and his name be stricken from the pay roll of the Assembly to take effect on completion of work May 1, 1937:

	Per day
Walter Hovenkamp, Page	$2 50

Resolved, Further. That the following named person be stricken from the list of Assembly attaches, and his name be stricken from the pay roll of the Assembly to take effect on completion of work May 3, 1937

	Per day
Dewey Baker, Page	$2 50

House Resolution No. 156 read, and adopted

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 617—An act to amend section 8 of the Retail Sales Tax Act of 1933 and section 6 of the Use Tax Act of 1935, relating to advertising and requiring posted or advertised sales prices to be exclusive of the retail sales tax or the use tax.

Motion to Amend Assembly Bill No. 617.

Mr Lyon moved to amend Assembly Bill No 617 as follows

Amendment No. 1.

On page 1, line 9, of the printed bill, after the word "as", add the following "offered, charged,".

Amendment No. 2.

On page 1, line 10, of the printed bill, after the word "collected", insert the following: "from the buyer in cash, tokens, or cash and tokens issued pursuant to this act."

Amendment No. 3.

On page 2, line 12, of the printed bill, after the word "as", add the following "offered, charged,".

Amendment No. 4.

On page 2, line 13, of the printed bill, after the word "collected", insert the following "from the buyer in cash, tokens, or cash and tokens issued pursuant to this act."

Amendment No. 5.

On page 2 of the printed bill, following line 23, insert the following:

"SEC. 3 Section 8½ of the Retail Sales Tax Act of 1933 is hereby amended to read as follows:

Sec. 8½. The tax hereby imposed shall be collected by the retailer from the consumer in so far as the same can be done. In order to permit the collection of the tax herein provided the board shall procure, make available and sell tokens of such size and denomination as it may determine, but not less than 1/10th of a cent which tokens shall under rules and regulations prescribed by the board, be sold at their designated face value to purchasers in order that said tokens may be available to pay the tax due in transactions subject to tax under this act; and may cause to be designated on such tokens the amount of the selling price for which such token will be accepted in payment of the tax. The board may by rule and regulation prescribe the actual amounts of a transaction upon which such tokens will be sufficient to pay the sales tax Any person who shall make or duplicate any such tokens without the permission and order of the board or knowingly traffic in any tokens not produced with the authority of the board, shall be guilty of a felony and upon conviction thereof shall be subject to a fine of not more than one thousand dollars ($1,000) or not more than five years in prison or both. The board shall have power to provide means for the distribution of tax tokens to buyers throughout the State, including the right to place tokens on consignment and to require sufficient bond from consignees, and to require that persons making retail sales shall purchase and keep on hand tokens for the purpose of supplying buyers therewith.

Tax tokens shall not be acceptable in payment of tax by the seller to the State provided however that tax tokens will be redeemed at face value by the board under such rules as the board may provide.

This section is hereby declared to be separable and distinct from all other portions of this act, and shall not be deemed a consideration or inducement for the enactment of the whole or any portion of this act. If this section be for any reason declared invalid, the remainder of this act shall remain in full force and effect and shall be as completely operative as though this section had not been included herein.

SEC. 4. Section 9 of the Retail Sales Tax Act of 1933 is hereby amended as follows:

Sec. 9. The tax levied hereunder shall be a direct obligation of the retailer and shall be due and payable quarterly on or before the fifteenth day of the month next succeeding each quarterly period, the first of such quarterly periods being the period commencing with August 1, 1933, and ending on the thirtieth day of September, 1933. The retailer shall on or before the fifteenth day of the month following the close of the first quarterly period as above defined, and on or before the fifteenth day of the month following each subsequent quarterly period of three months, make out a return for the preceding quarterly period in such form as may be prescribed by the board showing the gross receipts of the retailer, the amount of the tax for the period covered by such return and such information as the board may deem necessary for the proper administration of this act. The retailer shall deliver the return together with a remittance of the amount of the tax due to the office of the board. The board, if it deems it necessary in order to insure the payment of the tax imposed by this act, may require returns and payment of the tax to be made for other than quarterly periods. Returns shall be signed by the retailer or his duly authorized agent but need not be verified by oath

Gross receipts from rentals or leases of tangible personal property shall be reported and the tax paid with respect thereto in accordance with such rules and regulations as the board may prescribe.

SEC. 5 Section 6½ is hereby added to the Use Tax Act of 1935 to read as follows:

Sec. 6½. In order to permit the collection of the tax herein provided the board shall procure, make available and sell tokens of such size and denomination as it may determine, but not less than 1/10th of a cent, which tokens shall under rules and regulations prescribed by the board, be sold at their designated face value to purchasers in order that said tokens may be available to pay the tax due in transactions subject to tax under this act, and may cause to be designated on such tokens the amount of the selling price for which such taken will be accepted in payment of the tax. The board may by rule and regulation prescribe the actual amounts of a transaction upon which such tokens will be sufficient to pay the sales tax. Any person who shall make or duplicate any such tokens without the permission and order of the board or knowingly traffic in any tokens not produced with the authority of the board, shall be guilty of a felony and upon conviction thereof shall be subject to a fine of not more than one thousand dollars ($1,000) or not more than five years in prison or both The board shall have power to provide means for the distribution of tax tokens to buyers throughout the State, including the right to place tokens on consignment and to require sufficient bond from consignees, and to require that persons making retail sales shall purchase and keep on hand tokens for the purpose of supplying buyers therewith.

Tax tokens shall not be acceptable in payment of tax by the seller to the State provided however that tax tokens will be redeemed at face value by the board under such rules as the board may provide."

Amendment No. 6.

On page 1 of the printed bill, amend the title by striking out the same, and inserting in lieu thereof the following:

"An act to amend sections 8 and 8½ and 9 of the Retail Sales Tax Act of 1933, and section 6 of the Use Tax Act of 1935, and to add section 6½ thereto, relating to advertising and requiring posted or advertised sales prices to be exclusive of retail sales tax or the use tax and providing for tokens required in the payment of such retail sales tax or use tax."

Amendments adopted.

Assembly Bill No. 617 ordered to reprint, and re-engrossment.

Assembly Bill No. 1209—An act to amend section 770 and 777 of the Vehicle Code, relating to the disposition of fees, fines, and forfeitures.

Motion to Amend Assembly Bill No. 1209.

Mr. Breed moved to amend Assembly Bill No. 1209 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "of", add a comma and the following: "and to add section 777.1 to,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the word "forfeitures", add the following: "and making appropriations for maintenance of the Motor Vehicle Department and for traffic accident research".

Amendment No. 3.

On page 2 of the printed bill, following line 13, add the following:

"SEC. 3. Section 777.1 is hereby added to the Vehicle Code to read as follows:

777.1 There is hereby appropriated out of the motor vehicle fund during the eighty-ninth and ninetieth fiscal years, the sum of twenty-five thousand dollars ($25,000), of which fifteen thousand dollars ($15,000) shall be available during the eighty-ninth fiscal year, and ten thousand dollars ($10,000) during the ninetieth fiscal year, to the University of California to be expended for the purpose of conducting special research covering causes and possible methods of prevention of traffic accidents with particular reference to determining standards of fitness for operators of motor vehicles and for necessary equipment for such purposes."

Amendments adopted.

Assembly Bill No. 1209 ordered to reprint, and re-engrossment

Assembly Bill No. 2647—An act to regulate the hours of service in public and private employment during the emergency declared to exist

Motion to Amend Assembly Bill No. 2647.

Mr. Patterson moved to amend Assembly Bill No. 2647 as follows.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 20 to 28, inclusive, and insert in lieu thereof the following "this act may be granted to employers upon submission

of satisfactory proof of the existence of special conditions making it necessary that their employees work more time than therein provided, upon a petition for exemption approved by the Commissioner of Corporations'

Amendment No. 2.

On page 2, line 1, of the printed bill, strike out "Federal jurisdiction."

Amendment No. 3.

On page 2, line 44, of the printed bill, insert before "similar", the following: "substantially".

Amendments adopted

Assembly Bill No. 2647 ordered to reprint, and re-engrossment.

Assembly Bill No. 2562—An act to amend section 1 of "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to hours of labor in subterranean or underground employment.

Motion to Amend Assembly Bill No. 2562.

Mr. Reaves moved to amend Assembly Bill No 2562 as follows

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, of the title, and insert in lieu thereof the following:

"An act to amend section 510 of, and to add sections 540 and 541 to, the Labor Code,".

Amendment No. 2.

On page 1, lines 6 and 7 of the title of the printed bill, strike out "in subterranean or underground employment".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 510 of the Labor Code is hereby amended to read as follows:

510. Six hours of labor constitute a day's work, unless it is otherwise expressly stipulated by the parties to a contract.

SEC. 2. Section 540 is hereby added to the Labor Code to read as follows:

540. No employer of labor, except employers of domestic servants and employers of agricultural labor which is employed by the month, shall cause his employees to work more than six hours within any twenty-four hours or more than thirty hours in any week.

SEC. 3. Section 541 is hereby added to the Labor Code to read as follows:

541. The hours of employment shall be consecutive, excluding intermissions for meals, for every person employed in any occupation of labor."

Amendments adopted.

Assembly Bill No. 2562 ordered to reprint, and re-engrossment

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2229 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 208 re-referred to Committee on Education

Assembly Bill No. 2044 re-referred to Committee on Education

Assembly Bill No. 1516 re-referred to Committee on Unemployment

Assembly Bill No 1520 re-referred to Committee on Unemployment

Assembly Bill No 2499 re-referred to Committee on Unemployment

Assembly Bill No 55 re-referred to Committee on Labor and Capital

Assembly Bill No. 2084 re-referred to Committee on Ways and Means.

Assembly Bill No. 2671 re-referred to Committee on Ways and Means.

Assembly Bill No. 2804 re-referred to Committee on Ways and Means.

Assembly Bill No. 1612 re-referred to Committee on Ways and Means.

Assembly Bill No. 2751 re-referred to Committee on Fish and Game

Assembly Bill No. 2844 re-referred to Committee on Municipal Corporations.

Senate Messages.

The following message from the Senate was taken up and read.

SENATE CHAMBER, SACRAMENTO, April 27, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1936.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

Notices of Motion to Reconsider Continued.

On motion of Mr. Cassidy, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 2375 was passed was continued until the next legislative day

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was refused passage was continued until the next legislative day

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 692 was refused passage was continued until the next legislative day.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1472 was refused passage was continued until the next legislative day.

On motion of Mr Garland, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 381 was passed was continued until the next legislative day.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2149 was passed was continued until the next legislative day.

On motion of Mr. Gilbert, the consideration of his notice of motion to reconsider the vote whereby the motion to withdraw Assembly Bill No. 659 was lost was continued until the next legislative day

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 78.	**Assembly Bill No. 906.**
Assembly Bill No. 451.	**Assembly Bill No. 962.**
Assembly Bill No. 481.	**Assembly Bill No. 1200.**
Assembly Bill No. 602.	**Assembly Bill No. 1432.**
Assembly Bill No. 795.	**Assembly Bill No. 2398.**
Assembly Bill No. 862.	**Assembly Bill No. 2547.**

And reports the same correctly enrolled, and presented to the Governor on this third day of May, 1937, at four o'clock p m

CUNNINGHAM, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 478. **Assembly Bill No. 2181.**
Assembly Bill No. 2180.
And reports the same correctly engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Adjournment.

At four o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late Michael J. Casey, President, Teamsters Union, Local 85 of San Francisco, until eleven o'clock a.m., Tuesday, May 4, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FOURTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 4, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Morgan, the further reading of the Journal of Monday, May 3, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr Waters, on motion of Mr Cunningham.

Miss Miller, on motion of Mr. Morgan.

Mr. Baynham, on motion of Mr. Kepple.

Mr. Millington, on motion of Mr. Gannon.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Elmer S. Nelson, former Economic Adviser to the Federal Government.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Theodore Golden of Oakland.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Lauretta McDonald and Miss Grace Raulins of Medford, Massachusetts.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Merton B. Hustler, Merton B. Hustler, Jr., and Walton E. Halmer of Sacramento.

On request of Mr. Beene, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chief Howard Zink and Mrs. Howard Zink of Palo Alto.

On request of Mr. Watson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mildred Watson.

On request of Mr. Muldoon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Eugene H. Agee of Oxnard.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Elizabeth Adams, principal, and the following students of Lafayette School: Elmer Altnow, Raymond Coldani, Homer Weahunt, Jack Mock, Beatrice Rose, Ethel Schneider, Beverly Shrum, Laura Jones, Elva Lange, Betty Lausten, Earl Bunds, George Mock, Kazue Okura, Mildred Jensen, Esther Ziemann, Harriet Rice, Haruko Hanaki, Laura Brusa, Marie Gannucci, Robert Nighswonger, John Brusa, Paul Schneider, and Hatsuto Nishimoto; and Mrs. Elizabeth Rice, Mrs. Esther Lange, Mrs. Ethel Lausten, and Mrs. Earl Bunds.

Assistant Clerk Berry Reading.

Communication.

The following communication was received and read:

By Mr. Speaker:

From George J. Hatfield, regarding report submitted by the Advisory Pardon Board.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 3, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

I am returning herewith, without my approval, **Assembly Bill No. 1063,** the same being:

"An act authorizing the removal of the Stephen M. White statue from the city of Los Angeles to the city of San Pedro."

This bill would authorize the removal of the statue of Stephen M. White, erected by certain patriotic citizens of Los Angeles and placed on the courthouse grounds. Of the citizens who patriotically and voluntarily subscribed and paid some $30,000 to provide this statue, only three remain, and these three, Hon. Isadore Dockweiler, Hon. Joseph Scott, and Hon. Reginaldo F. Del Valle, oppose the approval of Assembly Bill No. 1063.

In addition, no evidence has been submitted to establish any ownership or control of this statue by the State of California. I am told that the minutes of the board of supervisors, and other references at various times tend to establish county ownership, or, at least, county control of this statue.

Retention in its present location, or to what place it may be removed is not a matter for State determination. While appreciating that one of his great successes or great victories was the establishment and recognition secured for the harbor at San Pedro, for the reasons above set forth I am withholding my approval of Assembly Bill No. 1063.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1063 ordered on unfinished business calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1937.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to a motion adopted in connection therewith, the Senate requests that the following bill be returned to the Senate for further action:

Senate Bill No. 466—An act to amend sections 705, 882, 1500, 1590, 1678, 1679, 1713, 1765, 11060 and 11061 of the Insurance Code, and to add section 900.5 thereto, all relating to insurance, and declaring the urgency thereof, the act to take effect immediately.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Motion to Expunge Record and Rescind Actions on Senate Bill No. 466.

Mr. Rosenthal moved to expunge all Assembly records, and rescind all Assembly actions on Senate Bill No. 466.

The roll was called, and the records expunged and the actions rescinded by the following vote

AYES—Beene, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Johnson, Kepple, King, Kuchel, Leonard, Maloney, Martin, Mayo, Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Rosenthal, Stream, Tenney, Thorp, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—46.

NOES—None.

Senate Bill No. 466 returned to the Senate.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Senate Bill No. 963.
Assembly Bill No. 1677.
Respectfully reports the same back without recommendation, as amended

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 1813—An act to amend section 762 of the Agricultural Code, relating to quality of tomatoes for canning purposes.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 583—An act to add section 325 to the Agricultural Code, relating to uninspected meat and meat food products.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 581—An act to add section 326 to the Agricultural Code, relating to the labeling of meat and meat food products.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2832—An act to amend section 35 of, and to add section 98 to, an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts, and to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved March 20, 1903, relating to drainage districts

Bill read second time, and ordered to engrossment

Assembly Bill No. 2119—An act to amend sections 1299.18, 1300, 1300.1, 1300.2, 1300.3, 1300.4, 1300.5, and 1300.6 of the Agricultural Code, relating to processors of farm products and the licensing thereof.

Committee Amendments to Assembly Bill No. 2119.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "sections 1299.18, 1300, 1300.1, 1300.2, 1300.3, 1300.4, 1300.5, and 1300.6", and insert in lieu thereof the following "section 1300.1".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "1300", and insert in lieu thereof the following "1300.1".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 19, inclusive, and insert in lieu thereof the following:

"1300.1. No person shall act as a processor or agent without having obtained a license as provided in this chapter. Every person, acting as a processor, or intending to so act, shall file an application with the director for a license to so act, and such application shall be accompanied by a license fee of twenty-five dollars for each applicant processing one hundred or more tons of farm products in their raw state, or ten dollars for each applicant processing less than one hundred tons of such products.

Every person acting as an agent, or intending to so act, shall file an application with the director for a license to so act, and such application shall be accompanied by a license fee of one dollar.

Such application shall in each case state:

(a) The full name of the applicant.

(b) If the applicant be a firm, exchange, association or corporation the full name of each member of the firm, or the names of the officers of the exchange, association or corporation;

(c) The principal business address of the applicant in the State of California; and

(d) The name or names of the person or persons authorized to receive and accept service of summons for the applicant.

(e) In case the licensee was licensed in the preceding year under this chapter, whether or not more than one hundred tons of farm products in their raw state were processed by such licensee;

(f) The number of tons of farm products which the applicant intends to process during the license year.

Upon the filing of such application and the payment of such fee the director shall issue to such applicant a license entitling the applicant to conduct the business of processor or act as agent within the State of California for a year from the date thereof, or until the same shall have been revoked in the manner and upon the grounds hereinafter specified; provided, however, that the director may refuse to issue a license to any applicant who has, prior to the filing of the application herein provided for, been engaged in the business of processor, produce broker, dealer, or commission merchant, and who, during the conduct of such business has failed to comply with a valid and final order made and entered against such applicant by the director.

Fraud or misrepresentation in making any application shall ipso facto work a revocation or refusal of any license granted or to be granted thereunder. Previous violation by the applicant of any of the provisions of this chapter shall be good and sufficient ground for denial of a license."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1899—An act to add sections 154.1 to 154.8, inclusive, to the Agricultural Code, relating to the control of weed pests.

Committee Amendment to Assembly Bill No. 1899.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "154.8", and insert in lieu thereof "154.6".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1677—An act declaring an emergency, stating a policy with reference to labor disputes, and conferring upon the District Courts of Appeal jurisdiction to hear such disputes.

Committee Amendments to Assembly Bill No. 1677.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "Industrial strife", and insert in lieu thereof the following: "Labor strife, in industry and agriculture".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out "an industrial", and insert in lieu thereof the following: "such a".

Amendment No. 3.

On page 1, line 22, of the printed bill, after "industry", insert the following: "and agriculture".

Amendment No. 4.

On page 1, line 25, of the printed bill, strike out "industrial dispute", and insert in lieu thereof the following: "labor dispute in industry or agriculture".

Amendment No. 5.

On page 2, line 7, of the printed bill, strike out "an industrial", and insert in lieu thereof the following: "such a".

Amendment No. 6.

On page 2, line 13, of the printed bill, strike out "industrial", and insert in lieu thereof the following: "such".

Amendment No. 7.

On page 2, lines 17 and 18, of the printed bill, strike out "an industrial", and insert in lieu thereof the following: "the".

Amendment No. 8.

On page 2 of the printed bill, between lines 18 and 19, insert the following:

"SEC. 3. No change in the conditions out of which the dispute arose, shall be made by the parties to a labor dispute:

(a) After the giving of notice by either party to the other, of a desire to confer in respect to the dispute, and until ten days after the conferences have terminated

(b) After any proceeding has been commenced in the court with reference to the dispute, and until ten days after such proceedings have been terminated.

The period of time specified in this section, during which no change shall be made, shall be known as the "truce interval"."

Amendment No. 9.

On page 2, line 19, of the printed bill, strike out "3", and insert in lieu thereof the following: "4".

Amendment No. 10.

On page 2, line 24, of the printed bill, strike out "recommendations", and insert in lieu thereof the following: "conclusions and issue its order".

Amendment No. 11.

On page 2, lines 25 and 26, of the printed bill, strike out "recommendations", and insert in lieu thereof the following: "conclusions".

Amendment No. 12.

On page 2, between lines 26 and 27, of the printed bill, insert the following:

"SEC. 5. The findings, conclusions and order of the court shall be binding upon all parties to the dispute. However, the court shall have a continuing jurisdiction over its order, and may rescind or modify it, upon notice and hearing.

In all matters over which the court has jurisdiction its findings and decisions shall be final and conclusive.

SEC. 6. If any order of the court, for any reason, be found unconstitutional in any respect, such order shall, nevertheless be continued in effect as an advisory opinion for the purpose of making known to the public the full facts and equities concerning the dispute.

SEC. 7. Any decision of the court concerning wages shall be effective as of the date of the commencement of the truce interval."

Amendment No. 13.

On page 2, line 27, of the printed bill, strike out "4", and insert in lieu thereof the following: "8".

Amendment No. 14.

On page 2, line 38, of the printed bill, strike out "5", and insert in lieu thereof the following: "9".

Amendment No. 15.

On page 2, line 43, of the printed bill, strike out "6", and insert in lieu thereof the following: "10".

Amendment No. 16.

On page 2 of the printed bill, following line 51, insert the following
"(f) Or any other information that the court may deem necessary."

Amendment No. 17.

On page 3, line 1, of the printed bill, strike out "7", and insert in lieu thereof the following: "11".

Amendment No. 18.

On page 3, line 3, of the printed bill, strike out "industries", and insert in lieu thereof the following: "classes of employment"

Amendment No. 19.

On page 3 of the printed bill, between lines 5 and 6, insert the following
"(c) Or any other information that the court may deem necessary."

Amendment No. 20.

On page 3, line 6, of the printed bill strike out "8", and insert in lieu thereof the following: "12".

Amendment No. 21.

On page 3, line 9, of the printed bill, strike out "9", and insert in lieu thereof the following: "13".

Amendment No. 22.

On page 3 of the printed bill, following line 12, insert the following
"SEC. 14. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act and the application of such provisions to other persons or circumstances shall not be affected thereby.
SEC. 15. Violation of any provision of this act is a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 876—An act to amend section 137 of the Agricultural Code, relating to liens for county charges in the abatement of pests.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 278—An act to add section 28.5 to the Agricultural Code, relating to refunds.

Committee Amendments to Senate Bill No. 278.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill strike out "section 28.5", and insert in lieu thereof the following: "sections 28.5 and 28.6"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, immediately following "to", insert the following: "advance payments, collections and".

Amendment No. 3.

On page 1 of the printed bill, immediately following line 8, insert the following
"SEC. 2. Section 28.6 is hereby added to the Agricultural Code, to read as follows:

28.6. In cases where the director is authorized to perform sampling, grading testing, inspection or certification services in relation to agricultural products, and to fix reasonable fees which shall pay the cost of services necessary to perform such sampling, grading, testing, inspection or certification, he may collect such fees in advance of performing the services but shall not be required to do so if, in his opinion, the benefit of such services would be lessened by such advance payment. In lieu of collecting such fees in advance the director is authorized, if he deems it necessary, to accept a bond guaranteeing payment of the fees chargeable for any such services, provided said bond is satisfactory to the director.

Against any person required to take out a license or pay fees under the provisions of this code and who fails, neglects, or refuses to take out such license or pay such fees, or who carries on or attempts to carry on the business or do any act for which such license or payment of such fees is required without such license or payment of fees the director in addition to other remedies provided by law may direct suit in the name of the people of the State of California as plaintiff, to be brought for the recovery of the license or other fees; and in such case the director

may make the necessary affidavit for and a writ of attachment may issue, without any bonds being given on behalf of the plaintiff."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 953—An act to amend sections 1, 2, 3, 4 and 11 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways of the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to add sections 5, 6, 7, 8, 9, 10, 12, 15 and 21 to said act; to renumber and amend sections 5, 6, 7, 8, 9, 12, 13, 14, 16 and 17 of said act; to repeal sections 10 and 15 of said act; relating to the taxing of operators engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Committee Amendments to Senate Bill No. 953.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, strike out the words "any person having a fixed and", and strike out all of line 12.

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out all of lines 1 and 2, and in line 3, strike out the following: "eral overhead expenses of his business nor".

Amendment No. 3.

On page 3, line 4, of the printed bill, as amended, after "dollars", insert "payable to the board".

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out all of line 45 after "operator", strike out lines 46 to 48, inclusive; and strike out all of line 49 before the period.

Amendment No. 5.

On page 12, line 30, of the printed bill, as amended, strike out "sums paid to the Controller", and insert in lieu thereof "taxes, interest and penalties due".

Amendment No. 6.

On page 12 of the printed bill, as amended, between lines 42 and 43, insert the following:

"SEC. 21. Section 21 is hereby added to the act cited in the title hereof, to read as follows:".

Amendment No. 7.

On page 12, line 44, of the printed bill, as amended, strike out "section", and insert in lieu thereof "sections".

Amendment No. 8.

On page 12 of the printed bill, as amended, strike out lines 47 to 51, inclusive, and on page 13, strike out lines 1 to 16, inclusive.

Amendment No. 9.

On page 13, line 28, of the printed bill, as amended, strike out the period, and insert in lieu thereof "to read as follows:

Sec. 23. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional."

Amendment No. 10.

On page 13, line 30, of the printed bill, as amended, strike out the period, and insert in lieu thereof "to read as follows:

Sec. 24. This act, inasmuch as it provides for tax levies for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendment No. 11.

On page 13 of the printed bill, as amended, strike out lines 35 to 51, inclusive, and on page 14, strike out lines 1 and 2, and insert in lieu thereof the following:

"SEC. 27. The tax assessed by the board under the provisions of the act cited in the title hereof with respect to the operations of operators during the month of May, 1937, shall be paid to the Controller in accordance with the provisions of section 5 of said act as such provisions existed on January 1, 1937, anything in said act or in this act to the contrary notwithstanding."

Amendment No. 12.

On page 14, line 11, of the printed bill, as amended, strike out "Jan-", and strike out lines 12 to 15, inclusive, and insert in lieu thereof "October 1, 1937".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 963—An act to amend section 1 of the Fair Trade Act, relating to fair trade practices.

Committee Amendments to Senate Bill No. 963.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following:

"An act to add section 6 to the Fair Trade Act, relating to fair trade practices, and providing for the separability of said section 6."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 23, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the act cited in the title hereof to be numbered section 6 and to read as follows:

SEC. 6. All the provisions of this act shall extend to any commodity sold through vending equipment, if such vending equipment bears the trademark, brand or name of the producer or owner of such commodity and if such commodity is in fair and open competition with commodities of the same general class produced by others.

SEC. 2. It is hereby declared to be the intent of the Legislature in adding section 6 to the Fair Trade Act that, if said section 6 should be held to be unconstitutional, the remainder of the act shall be unaffected thereby and shall continue in full force and effect."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 1 to 28, inclusive.

Amendments adopted

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 518—An act to add two new sections to the Political Code, to be numbered 3480e and 3480f, relating to reclamation districts, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on third reading calendar.

Reconsideration of Assembly Bill No. 2824.

In compliance with a notice given on a previous day, Mr. Dawson moved that the vote whereby Assembly Bill No. 2824 was passed be reconsidered.

The roll was called, and Assembly Bill No. 2824 reconsidered by the following vote:

AYES—Andreas, Boyle, Breed, Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Fulcher, Gannon, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Voigt, Watson, Weber, Welsh, Williamson, and Mr. Speaker—44

NOES—Beene, Burns, Hugh M., Burns, Michael J., Clark, Donihue, Donnelly, Flint, Garibaldi, Hawkins, Heisinger, Hunt, King, Lore, Mechan, Miller, George P., Patterson, Pelletier, Reaves, Richie, Rosenthal, Tenney, Thorp, Walker, and Yorty—24.

Consideration of Assembly Bill No. 2824.

Assembly Bill No. 2824—An act to add Chapter VIa to Part III, Division V, of the School Code, relating to conventions of teachers.

Motion to Table Assembly Bill No. 2824.

Mr. Williamson moved that Assembly Bill No. 2824 be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Call, Cottrell, Cunningham, Daley, Field, Glick, Johnson, Kepple, Latham, Levey, Lyon, Martin, Mayo, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Walker, Watson, Weber, Welsh, and Williamson—27.

NOES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hunt, King, Kuchel, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Pelletier, Reaves, Richie, Rosenthal, Tenney, Thorp, Turner, Voigt, Yorty, and Mr. Speaker—40.

Motion to Amend Assembly Bill No. 2824.

Mr. Clark moved to amend Assembly Bill No. 2824 as follows.

Amendment No. 1.

On page 3, line 30, of the printed bill, after the word "of", insert the following: "transportation".

Amendment No. 2.

On page 4, line 26, of the printed bill, strike out the word "fifty", and insert in lieu thereof the following: "twenty-five".

Amendment No. 3.

On page 4, line 41, of the printed bill, before the word "Of", insert the following: "Of transportation".

Amendments read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—61.

NOES—Breed, Crowley, Hornblower, Johnson, and Sawallisch—5.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2824, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2824, as Amended.

Assembly Bill No. 2824—An act to add Chapter VI-A to Part III, Division V, of the School Code, relating to conventions of teachers.

Assembly Bill No. 2824, as amended, read third time, and refused passage by the following vote.

AYES—Beene, Boyle, Burns, Michael J., Clark, Crowley, Dannenbrink, Donihue, Donnelly, Flint, Gannon, Garland, Hawkins, Heisinger, Hunt, King, Lore, Meehan, Miller, George P., Patterson, Peck, Pelletier, Reaves, Richie, Rosenthal, Tenney, Thorp, Turner, Voigt, Yorty, and Mr. Speaker—30.

NOES—Andreas, Breed, Burns, Hugh M., Call, Cottrell, Cunningham, Daley, Dawson, Desmond, Dilworth, Field, Fulcher, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Walker, Watson, Weber, Welsh, and Williamson—39.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Dannenbrink:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to be expended as may be directed by the Regents of the University of California for the purpose of erecting, furnishing, and equipping buildings and other permanent improvements on the campuses of the University of California at Berkeley, Los Angeles, Davis, La Jolla, Mt. Hamilton, Riverside, and San Francisco.

Referred to Committee on Introduction of Bills.

By Mr. Weber:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4013 of, repeal Article II of Chapter VIII, Title II, Part IV of, and to add a new article, comprising sections 4222, 4222.2, 4222.4 4222.6, 4222.7, 4222.8 and 4222.9, to Chapter VIII, Title II, Part IV of the Political Code, relating to county engineers and county surveyors.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Dannenbrink:

An act making an appropriation to be expended as may be directed by the Regents of the University of California for the purpose of erecting, furnishing, and equipping buildings and other permanent improvements on the campuses of the University of California at Berkeley, Los Angeles, Davis, La Jolla, Mt Hamilton, Riverside, and San Francisco.

By Mr. Weber:

An act to amend section 4013 of, repeal Article II of Chapter VIII, Title II, Part IV of, and to add a new article, comprising sections 4222, 4222.2, 4222.4, 4222.6, 4222.7, 4222.8 and 4222.9, to Chapter VIII, Title II, Part IV of the Political Code, relating to county engineers and county surveyors.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—63.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2876: By Mr. Dannenbrink—An act making an appropriation to be expended as may be directed by the Regents of the University of California for the purpose of erecting, furnishing, and equipping buildings and other permanent improvements on the campuses of the University of California at Berkeley, Los Angeles, Davis, La Jolla, Mt. Hamilton, Riverside, and San Francisco.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2877: By Mr. Weber—An act to amend section 4013 of, repeal Article II of Chapter VIII, Title II, Part IV of, and to add a new article, comprising sections 4222, 4222.2, 4222.4, 4222.6,

4222.7, 4222.8, and 4222.9, to Chapter VIII, Title II, Part IV, of the Political Code, relating to county engineers and county surveyors.

Bill read first time, and referred to Committee on County Government.

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Motion to Continue Special Order.

On motion of Mr. Robertson, the special order heretofore set for this hour was continued until four o'clock p.m., Wednesday, May 5, 1937.

Notice of Motion to Withdraw Assembly Bill No. 2036 Waived.

Mr. Patterson waived his notice of motion to withdraw Assembly Bill No. 2036 from committee.

Notice of Motion to Reconsider Assembly Bill No. 2375 Waived.

Mr. Cassidy waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2375 was passed.

Assembly Bill No. 2375 ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1821—An act to amend section 4 of the "Act Concerning Cosmetology," relating to the State Board of Cosmetology.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Johnson, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Weber, and Welsh—50

NOES—Call, Gilbert, Latham, Lore, Tenney, Yorty, and Mr. Speaker—7.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1821.

Mr. Peek gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1821 was this day passed.

Assembly Bill No. 1474—An act to add section 335a to the Penal Code, relating to the seizure and destruction of machines or devices prohibited by the lottery and gambling laws.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Cottrell moved a call of the Assembly.

Motion carried.

Time, two o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 117—An act to amend section 1054 of the Code of Civil Procedure, relating to extension of time for acts to be done.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1175—An act to amend sections 2.876 and 2.877 of the School Code, relating to school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1494—An act to amend section 2 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—Robertson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At two o'clock and fifty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with, on motion of Mr. Cottrell.

The roll of absentees was called, and Assembly Bill No. 1474 refused passage by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Field, Garibaldi, Garland, Gilbert, Heisinger, Johnson, Kepple, Kuchel, Latham, Lore, Martin, Mayo, Morgan, Muldoon, O'Donnell, Patterson, Peek, Redwine, Scudder, Walker, Watson, and Yorty—32.

NOES—Andreas, Boyle, Burns, Michael J., Call, Cassidy, Cronin, Crowley, Dawson, Desmond, Donihue, Fulcher, Gannon, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Leonard, Levey, Lyon, Maloney, McMurray, Meehan, Miller, George P., Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Weber, Welsh, Williamson, and Mr. Speaker—40

Notice of Motion to Reconsider Assembly Bill No. 1474.

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1474 was this day refused passage.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Senate Bill No. 560.
Senate Bill No. 1110.
Respectfully reports the same back with the recommendation: Do pass
CLARK, Chairman

The above reported bill ordered on second reading calendar.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred.
Assembly Bill No. 2871.
Respectfully reports the same back with the recommendation: Do pass
MILLER, GEORGE P., Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 427.
Assembly Bill No. 2708.
Respectfully reports the same back with the recommendation: Do pass
ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred.
Assembly Bill No. 1185.
Assembly Bill No. 1247.
Assembly Bill No. 1873.
Respectfully reports the same back with the recommendation: Do pass as amended
ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 253.
Assembly Bill No. 1556.
Respectfully reports the same back without recommendation, as amended.
ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 1876.
Respectfully reports the same back with the recommendation: Do pass as amended
CLARK, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred
Assembly Bill No. 1448.
Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred
Assembly Bill No. 2063.
Respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred
Assembly Bill No. 1118.
Assembly Bill No. 2841.
Respectfully reports the same back with the recommendation: Do pass as amended

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Senate Bill No. 927.
Assembly Bill No. 214.
Assembly Bill No. 215.
Assembly Bill No. 2713.
Assembly Bill No. 2858.

Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:
Senate Bill No. 806.
Respectfully reports the same back with the recommendation: Do pass.

ANDREAS, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 153.
Assembly Bill No. 339.
Assembly Bill No. 693.
Assembly Bill No. 1707.
Senate Bill No. 199.
Senate Bill No. 661.
Senate Bill No. 662.

Respectfully reports the same back with the recommendation: Do pass

DESMOND, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 1073.
Respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman.

The above reported bill ordered on second reading calendar

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 617.
Assembly Bill No. 1209.
Assembly Bill No. 1267.
Assembly Bill No. 1283.
Assembly Bill No. 1629.
Assembly Bill No. 2258.
Assembly Bill No. 2562.
Assembly Bill No. 2647.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1509.
Assembly Bill No. 2289.
Assembly Bill No. 2318.
Assembly Bill No. 2714.
Assembly Bill No. 2832.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Senate Bill No. 282.
Senate Bill No. 339.
Senate Bill No. 341.
Senate Bill No. 344.
Senate Bill No. 346.
Senate Bill No. 350.
Senate Bill No. 631.
Assembly Bill No. 2086.
Assembly Bill No. 2309.

Respectfully reports the same back with the recommendation: Do pass.

RICHIE, Chairman

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1731.
Assembly Bill No. 1870.
Assembly Bill No. 2844.
Assembly Bill No. 2867.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 1849.
Assembly Bill No. 2343.

Respectfully reports the same back with the recommendation: Do pass as amended.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:

Senate Bill No. 525.
Senate Bill No. 526.
Senate Bill No. 650.
Assembly Bill No. 21.
Assembly Bill No. 53.
Assembly Bill No. 1845.

Respectfully reports the same back with the recommendation: Do pass.

GILBERT, Chairman.

The above reported bills ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 351.

Respectfully reports the same back without recommendation, as amended.

HUNT, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 52.

Respectfully reports the same back with the recommendation: Be adopted as amended.

HUNT, Chairman

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR SPEAKER: Your Committee on Agriculture, to which was referred.
Senate Bill No. 878.
Assembly Bill No. 2837.
Respectfully reports the same back without recommendation, as amended.

O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1072. **Assembly Bill No. 1766.**
Assembly Bill No. 1129. **Assembly Bill No. 1936.**
Assembly Bill No. 1412.
And reports the same correctly enrolled, and presented to the Governor on this fourth day of May, 1937, at four o'clock and thirty minutes p m

CUNNINGHAM, Chairman.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 30, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following:
Senate Bill No. 216.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Reconsideration of Assembly Bill No. 2149.

In compliance with a notice given on a previous day, Mr Peek moved that the vote whereby Assembly Bill No. 2149 was passed be reconsidered.

The roll was called, and Assembly Bill No. 2149 refused reconsideration by the following vote:

AYES—Clark, Daley, Gannon, Gilbert, Hawkins, Heisinger, Lore, Martin, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, and Yorty—17.

NOES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Field, Fulcher, Garibaldi, Glick, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—48.

Assembly Bill No. 2149 ordered transmitted to the Senate.

Reconsideration of Motion to Withdraw Assembly Bill No. 659.

In compliance with a notice given on a previous day, Mr. Gilbert moved that the vote whereby his motion to withdraw Assembly Bill No. 659 was lost be reconsidered.

The roll was called, and the motion to withdraw Assembly Bill No 659 refused reconsideration by the following vote:

AYES—Burns, Michael J., Cassidy, Donnelly, Gilbert, Hawkins, Heisinger, King, Lore, Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Turner, Voigt, and Mr. Speaker—19.

NOES—Beene, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Field, Fulcher, Gannon, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Muldoon, Redwine, Robertson, Sawallisch, Sheehan, Stream, Walker, Watson, Weber, and Williamson—38.

Notice of Motion to Withdraw Assembly Constitutional Amendment No. 60 from Committee.

Mr Heisinger gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Constitutional Amendment No. 60 from

the Committee on Constitutional Amendments, and have it placed upon the calendar.

Notice of Motion to Withdraw Assembly Bill No. 514 from Committee.

Mr. Heisinger gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 514 from the Committee on Elections, and have it placed upon the calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2621—An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2849—An act to amend sections 4 and 23 of an act entitled "An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act," approved May 3, 1923, as amended, relating to voting machines.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2849.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2849 was this day passed.

Assembly Bill No. 840—An act to add section 8a to an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of

such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, as amended, relating to the furnishing of water to such districts.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Michael J., Call, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, King, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—49.

NOES—Breed, Cottrell, Dilworth, Field, Johnson, Kepple, and Latham—7.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1588—An act for the relief of special assessment districts and for the adjustment, refunding, repayment, reassessment or cancellation of the assessments or bonded indebtedness of such districts and for the purpose of empowering legislative bodies of such districts to reassess, readjust, repay, refund or cancel all or any portion of such bonds or assessments and to permit proceedings to be conducted for such purposes under this and one or more other acts having a similar purpose

Urgency clause read, and adopted by the following vote:

AYES—Beene, Boyle, Breed, Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Leonard, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—57.

NOES—None.

Assembly Bill No. 1588 read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1753—An act to repeal section 10880 of the Insurance Code, and to add a new section to be known as section 10880, relating to the conversion of mutual companies to legal reserve companies.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, George P. Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. Fred Reaves in the Chair.

At four o'clock and twenty minutes p.m. Hon Fred Reaves, member of the Assembly from the Sixty-Eighth District, in the chair.

Assembly Bill No. 1572—An act to add section 5.406a to the School Code, relating to the employment of teachers and principals

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donnelly, Gannon, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, and Williamson—44.

NOES—Breed, Call, Crowley, Dannenbrink, Garibaldi, Latham, Lyon, Miller, George P., Patterson, Robertson, Scudder, and Watson—12

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1572.

Mr. Patterson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1572 was this day passed

Assembly Bill No. 121—An act to amend section 423 of the Probate Code, relating to nomination of administrators

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donnelly, Field, Fulcher, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, and Williamson—55.

NOES—Dilworth, and Scudder—2

Title read and approved Bill ordered transmitted to the Senate

The Speaker in the Chair.

At four o'clock and thirty minutes p m., Hon William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 1623—An act to amend section 3897 of the Political Code, relating to the sale of tax-deeded lands.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Williamson—58

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1111—An act to empower the City and County of San Francisco to appropriate and pay over to Number One-a District Agricultural Association for its general use such sums of money as said city and county may from time to time determine.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 860—An act to amend sections 484 and 485 of the Agricultural Code, relating to certified milk

Bill read third time, and passed by the following vote:

AYES—Beene, Burns, Hugh M., Burns, Michael J., Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly,

Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61

NOES—Boyle, Breed, and Miller, George P.—3.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 787—An act to amend sections 301 to 318, inclusive, of the Agricultural Code, relating to meat inspection.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

House Resolution No. 131—Requesting Governor to replace State Relief Administrator

Motion to Table House Resolution No. 131.

Mr. Glick moved that House Resolution No. 131 be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Beene, Boyle, Breed, Call, Cassidy, Cottrell, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Fulcher, Gannon, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Maloney, Martin, Mayo, Morgan, Muldoon, Redwine, Robertson, Scudder, Stream, and Walker—30.

NOES—Burns, Michael J., Cronin, Crowley, Dawson, Desmond, Donnelly, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, King, Laughlin, Levey, Lore, McMurray, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—36

Committee Amendment to House Resolution No. 131.

The following amendment was submitted by the committee:

Amendment No. 1.

Strike out the entire resolution, and insert in lieu thereof the following.

"House Resolution No. 131, as Amended.

WHEREAS, Harold Pomeroy, State Relief Administrator, has issued a verbal order prohibiting employees of the S R A from pursuing legislative activities in the California Legislature on their own time and in their capacity as private citizens; and

WHEREAS, Said order specifically forbids any meetings with legislators for the purpose of discussing any and all legislation, and

WHEREAS, Said order further prohibits the sending of communications or petitions to legislators concerning pending legislation; and

WHEREAS, Said order arbitrarily limits the exercise of fundamental political rights and liberties; and

WHEREAS, Said order is un-American and undemocratic in that it abridges the fundamental liberties of free speech, free press and free assemblage and the right of petition; and

WHEREAS, Our democratic form of government can only survive so long as the citizens engage in free discussion on public questions; and

WHEREAS, Said Harold Pomeroy has threatened to dismiss any S R A employee who disobeys said order; and

WHEREAS, The said Harold E. Pomeroy in the issue of said order has acted contrary to the Constitutions and laws of the United States and of this State; and

WHEREAS, In connection with the question of what constitutes an improper activity on the part of an employee of the State Relief Commission, the Attorney General of this State has ruled as follows

> "* * * In reply, the term 'Improper Activity' is not susceptible of a definition which could be applied in determining in each particular instance whether an activity of a political character were proper or improper. The propriety of political activity must in a large degree depend upon the circumstances of the particular instances

"It is generally admitted to be not only the privilege but the duty of an American citizen to be politically active, and it has not been supposed that employment in State or municipal service, either civil service or otherwise, would prevent or prohibit an employee from the exercise of political right, including a reasonable and well ordered activity in behalf of those political principles which he favored, or in the support of those candidates whose success he believed would best contribute to the general welfare. Whether an employee *in a particular instance* exceeds the limits indicated must be determined as above indicated by a consideration of the facts and circumstances bearing upon the particular activity.

"The propriety of political activity in a given instance does not depend upon the question whether such activity of the employee accords with the views of the principal, or even with the views of the political party represented by all or a majority of the office incumbents. * * *", and,

WHEREAS, It is inconsistent that said Harold E. Pomeroy has himself lobbied on State time both on the floor of this Assembly and elsewhere; and

WHEREAS, Lobbying or any other activity either advocating or opposing legislation by employees or officers of the State during business hours and on State time is a practice not to be condoned; and

WHEREAS, Some employees and officers of the S R A and other departments of the State Government have appeared in the Assembly Chamber from time to time urging the adoption or defeat of legislation; now, therefore, be it

Resolved, That said Harold E. Pomeroy is hereby requested to reverse any and all orders and directions made by him relative to the exercise of the rights of any citizen, whether employed by the State or not, and that he refrain from dismissing any employee for petitioning the State Legislature in person or otherwise; and be it further

Resolved, That the Governor be and he hereby is requested to relieve said Harold E. Pomeroy of his duties as State Relief Administrator, if the practices condemned by this resolution are continued; and be it further

Resolved, That the Assembly express the sentiment of this body that any lobbying activity by State officers or employees during business hours and on State time is a reprehensible practice not to be condoned or continued."

Amendment read, and refused adoption by the following vote:

AYES—Burns, Michael J., Call, Cottrell, Dannenbrink, Donahue, Gannon, Heisinger, Hunt, Johnson, Kepple, Kuchel, Leonard, Morgan, Muldoon, Turner, Walker, and Watson—17.

NOES—Beene, Boyle, Breed, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Gilbert, Hawkins, Hornblower, Latham, Laughlin, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Weber, Williamson, Yorty, and Mr. Speaker.—40.

House Resolution No. 131 read, and refused adoption by the following vote:

AYES—Burns, Michael J., Donnelly, Flint, Gilbert, Hawkins, Heisinger, Hunt, King, Lore, Meehan, Miller, George P., Patterson, Peek, Pelletier, Richie, Tenney, Thorp, Turner, Voigt, Yorty, and Mr. Speaker—21.

NOES—Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Fulcher, Gannon, Garibaldi, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Sheehan, Stream, Walker, Watson, Weber, and Williamson—40

Notice of Motion to Reconsider House Resolution No. 131.

Mr. Patterson gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution No. 131 was this day refused adoption.

House Resolution No. 32—Appointing Assembly Interim Committee on Fish and Game.

Committee Amendments to House Resolution No. 32.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 4 of the Assembly Daily Journal for January 13, 1937, between lines 4 and 5 of House Resolution No. 32, insert the following

"WHEREAS, The fishermen and hunters of California have millions of dollars of investments in fishing and hunting equipment and the merchants of California each season sell vast quantities of supplies to the fishermen and the hunters, all of which assists in the general prosperity of the people of this State; and

WHEREAS, Everything possible should be done to encourage and preserve these investments and nothing should be done to destroy the vast resources of fish and game nor the investment of the fishers or hunters but rather that all things possible should be done to encourage and promote these great resources; and".

Amendment No. 2.

On page 4 of the Assembly Daily Journal for January 13, 1937, in line 13 of the House Resolution No. 32, strike out ", and", and strike out line 14, and in line 15, strike out "fish and game".

Amendments adopted.

House Resolution No. 32, as Amended.

WHEREAS, The fish and game within this State constitutes one of its greatest resources, and this resource is gradually being depleted through the depredations of predatory birds and animals, through the depredations of man, and by other means, the nature and extent of which are not definitely known; and

WHEREAS, The fishermen and hunters of California have millions of dollars of investments in fishing and hunting equipment and the merchants of California each season sell vast quantities of supplies to the fishermen and the hunters, all of which assists in the general prosperity of the people of this State; and

WHEREAS, Everything possible should be done to encourage and preserve these investments and nothing should be done to destroy the vast resources of fish and game nor the investment of the fishers or hunters but rather that all things possible should be done to encourage and promote these great resources; and

WHEREAS, The conservation and preservation of fish and game are matters of vital interest to the people of this State, and it is necessary and desirable that the Assembly be informed as to all pertinent facts in relation to fish and game and the effect, operation, administration and enforcement of the laws relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members shall be appointed by the Speaker from the membership of the Assembly to make an investigation concerning all phases of the fish and game resources of the State of California and the administration of the laws in relation thereto; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, documents, and papers of every kind and description; to issue subpenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under the provisions of this resolution, and be it further

Resolved, That the sum of $3,000 is hereby appropriated from the contingent fund of the Assembly, said fund to be expended for the expenses of the committee. The said committee shall report its findings of fact and make such recommendations as it deems necessary to the Assembly immediately upon its organization in January, 1939.

Re-reference of House Resolution No. 32.

By order of the Speaker, House Resolution No. 32 was withdrawn from the calendar, and re-referred to Committee on Fish and Game.

Motion to Withdraw and Re-refer Assembly Constitutional Amendment No. 50.

Mr. Robertson moved that Assembly Constitutional Amendment No. 50 be withdrawn from the Committee on Constitutional Amendments, and be re-referred to the Committee on Governmental Efficiency and Economy.

The roll was called, and the motion lost by the following vote:

AYES—Beene, Boyle, Cassidy, Cottrell, Donahue, Donnelly, Fulcher, Garland, Heisinger, Latham, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Tenney, Turner, and Walker—19.

NOES—Breed, Call, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Flint, Garibaldi, Gilbert, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Rosenthal, Sheehan, Stream, Watson, Weber, Williamson, Yorty, and Mr. Speaker—31.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1872—An act to amend section 12 of the Central Valley Project Act of 1933, relating to acquisition of property by eminent domain and sale or lease of property no longer needed for the purpose of said act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2388—An act to amend the title of the Central Valley Project Act of 1933 and to add to said act a new section to be numbered 15a, relating to the power of the Water Project Authority of the State of California to contract with the United States of America for the construction, maintenance and operation of said project, to perform duties as may be prescribed by acts of Congress now in effect or hereafter adopted, and to otherwise cooperate with the United States of America relative to said project and to further amend the title of said act relating to payment of expenses resulting from interference with State property or State activities.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr Speaker—61.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 954—An act to amend section 4.974 of the School Code of the State of California, relating to the expenses for the issuance of school bonds

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field Flint, Fulcher, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1400—An act to amend sections 11526 and 11528 of the Insurance Code, relating to voluntary mutualization of incorporated insurers or departments thereof.

Bill read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie,

Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1402—An act to amend sections 1101, 1102, 1103, 1104 and 1106 of the Insurance Code, relating to transactions between an insurer and its officers, directors, trustees and other persons.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Redwine, Richie, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—54.

NOES—Dilworth—1.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1402.

Mr. Peyser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1402 was this day passed.

Assembly Bill No. 1049—An act providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof.

Bill read third time, and passed by the following vote.

AYES—Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Patterson, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—56

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1618—An act to amend section 361a of the Civil Code, relating to the merger and consolidation of corporations.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—62

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1619—An act to amend section 362a of the Civil Code, relating to the amendment of articles of incorporation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Glick:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act providing ways and means for liquidating, refinancing and readjusting defaulted bonds and warrants secured by, or payable out of proceeds derived from, special assessments and special taxes; for judicial proceedings to carry out such purpose, for the confirmation of plans for liquidation, refinancing and readjustment; authorizing the exercise of the police power and the power of eminent domain; for the acquisition and cancellation of such obligations of such bonds and warrants held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Burns, Hugh M.:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the support of the State colleges, to take effect immediately.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Glick:

An act providing ways and means for liquidating, refinancing and readjusting defaulted bonds and warrants secured by, or payable out of proceeds derived from, special assessments and special taxes; for judicial proceedings to carry out such purpose; for the confirmation of plans for liquidation, refinancing and readjustment; authorizing the exercise of the police power and the power of eminent domain; for the acquisition and cancellation of such obligations of such bonds and warrants held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately.

By Mr. Burns, Hugh M:

An act making an appropriation for the support of the State colleges, to take effect immediately.

CALL, Chairman.

The roll was called, and the report adopted by the following vote

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2878: By Mr. Glick—An act providing ways and means for liquidating, refinancing and readjusting defaulted bonds and warrants secured by, or payable out of proceeds derived from, special assessments and special taxes; for judicial proceedings to carry out such purpose; for the confirmation of plans for liquidation, refinancing and readjustment; authorizing the exercise of the police power

and the power of eminent domain; for the acquisition and cancellation of such obligations of such bonds and warrants held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2879: By Mr. Burns, Hugh M.—An act making an appropriation for the support of the State colleges, to take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Constitutional Amendment No. 61: By Messrs. Donihue, Meehan, Miller, Desmond, Hunt, Cunningham, Glick, Tenney, Flint, Martin, Walker, Kepple, Stream, Latham, Dawson, Morgan, Thorp, Laughlin, Reaves, Pelletier, King, Kuchel, Andreas, McMurray, Boyle, Sawallisch, Garland, Field, Welsh, and Redwine, and Mrs Daley—Proposed amendment to Article III of the Constitution, by adding section 20 thereto, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 62: By Mr. Garibaldi—Proposed amendment to Article VI of the Constitution, by adding section 5½ thereto, relative to the jurisdiction of superior courts of the State of California.

Introduced, and referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 43: By Mr. Dannenbrink—Relative to memorializing the President and the Congress of the United States to negotiate treaties and enact legislation for the preservation of sardines and pilchards in the waters of the Pacific Ocean.

Request for Unanimous Consent.

Mr. Dannenbrink asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 43, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 43.

Assembly Joint Resolution No. 43—Relative to memorializing the President and the Congress of the United States to negotiate treaties and enact legislation for the preservation of sardines and pilchards in the waters of the Pacific Ocean.

Assembly Joint Resolution No. 43 read, and ordered on unfinished business calendar.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1402.

Mr Welsh moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Assembly Bill No. 1402.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey,

Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—None

Assembly Bill No. 1402 ordered on third reading calendar.

Motion to Expunge Record and Rescind Action on House Resolution No. 131.

Mr Patterson moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to House Resolution No 131

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Cassidy, Clark, Crowley, Donnelly, Gannon, Garland, Gilbert, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Patterson, Richie, Rosenthal, Tenney, Thorp, Turner, Voigt, Watson, Yorty, and Mr Speaker—26.

NOES—Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Daley, Dawson, Desmond, Dilworth, Donahue, Flint, Fulcher, Garibaldi, Hornblower, Johnson, Kepple, Leonard, Levey, Maloney Martin, Morgan, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Walker, Weber, Welsh, and Williamson—34.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 4, 1937

To the Assembly of the State of California:

Assembly Bill No. 500, known as the Budget Bill, is approved except for certain items hereinafter specifically set forth,

1. I object to and eliminate the item on pages 6 and 7, under the heading 'Administrative" reading as follows

> "of which the amount of thirty-four thousand one hundred sixty dollars shall be expended for support of the Safety Section of the Railroad Commission of the State of California"

for the reason that I consider the Railroad Commission of the State of California and the Department of Finance better equipped to make such allocations, and vested with ample authority to provide through fiscal year budgets, for the needs, when known, of such functions.

2. I object to and eliminate the items on pages 10 and 11, under the heading "Industrial Relations," reading as follows

> "of which three hundred twenty-eight thousand dollars shall be used for additional safety inspectors; provided, that out of the moneys hereby appropriated the sum of twenty thousand dollars ($20,000) shall be used and spent for the salaries of agents in the Division of Industrial Welfare and for no other purposes, whether in said division of the Department of Industrial Relations or for any other purpose of the State"

for the reason that I consider the Department of Industrial Relations and the Department of Finance better equipped to make such allocations, and vested with ample authority to provide through fiscal year budgets, for the needs, when known, of such functions.

3 I object to the item on pages 10 and 11, under the heading "Industrial Relations" reading as follows·

> "one million six hundred twenty-five thousand one hundred eighty-five dollars ($1,625,185) * * *----------$1,625,185 00"

and reduce the same to

> "one million three hundred ninety-seven thousand one hundred eighty-five dollars ($1,397,185)----------$1,397,185 00"

for the reason that $1,397,185 is considered sufficient to permit an expanded program of activities of this department for the next biennium This amended item is $141,804 65 more than the appropriation of two years ago, and $100,000 more than originally recommended in this budget.

Increasing this item $100,000 more than originally recommended is justified·

> (a) By the rehabilitation of the Minimum Wage Law for Women and Minors, by decision of the United States Supreme Court rendered on March 29, 1937. The decision upholding this law permits the department to function to the full extent of the authority delegated by the laws of California. The activities under the Minimum Wage Law for Women and Minors were greatly curtailed pending the decision above mentioned

(b) By reason of the increase in business and industrial activities in the State, more inspectors and an expansion of activities are necessary in the Department of Industrial Relations.

4. I object to and eliminate the items on pages 21 and 22, under the heading "Unemployment Relief," reading as follows

"provided, however, that of the amount appropriated in this item the following amounts, and in addition thereto such sums as may be made available therefor by the Federal Government, shall be expended for a program of unemployment work relief consisting of construction and improvements at the following State institutions, schools, colleges and other State agencies: Department of Agriculture, $2,700.00, Chico State College, $11,500.00; Fresno State College, $11,500.00; Humboldt State College, $11,500.00; San Diego State College, $11,500.00; San Francisco State College, $12,800.00; San Jose State College, $12,000.00; Santa Barbara State College, $497,500.00, California School for Blind, $4,750.00; Department of Finance, $35,000.00; Agnews State Hospital, $182,990.00; Camarillo State Hospital, $2,765,000.00, Mendocino State Hospital, $30,400.00; Napa State Hospital, $1,016,700.00; Norwalk State Hospital $18,500.00; Patton State Hospital, $18,000.00, Stockton State Hospital, $98,500.00; Pacific Colony-State Narcotic Hospital, $990,500.00; Sonoma State Home, $1,053,260.00; Preston School of Industry, $7,750.00; Ventura School for Girls, $7,650.00; Whittier State School, $3,750.00; Industrial Home for Adult Blind, $8,000.00; Adjutant General and California National Guard, $25,000.00; Veterans' Home of California, $324,000.00; Woman's Relief Corps Home, $11,000.00; Folsom State Prison, $42,300.00, San Quentin State Prison $45,000.00; and California Institution for Women $7,500.00, provided further that if no money is made available for this purpose by the Federal Government then the amounts above shown for construction and improvements at State institutions, schools, colleges and other State agencies shall be expended in accordance with the law"

for the reason that such allocations would in practical effect reduce by such amounts the item of $48,000,000 which I recommended in the Budget Bill as necessary during the coming biennium for the relief of hardship and destitution due to and caused by unemployment. The effort to apparently reduce the budget total by removing the appropriations recommended for construction and improvements for prisons, hospitals and institutions of learning, and requiring that such construction and improvements be made from the fund appropriated for relief would work to the detriment both of relief and the State institutions

The effect of such amendment in removing from capital outlay the construction of new and the repair of present buildings at the various State institutions, not only reduces in effect the amount provided for relief, but cripples the construction and repair program provided in the budget and would turn over to the Relief Administrator and the commission the building program of the State, which organization is not prepared to economically carry on construction activities of such magnitude.

The expenditures for public institutions, their improvement and construction, should be made in the regular course of business so that the labor necessary for such purposes can be made available to all the citizens of the State at prevailing wage scales and through the regular channels of employment.

The relief of human misery should not be placed in jeopardy by juggling funds so as to apparently provide $48,000,000 for relief, but in effect reducing that amount by "earmarking" $7,266,550 for other activities.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

The consideration of the Governor's reductions to Assembly Bill No. 500 ordered on unfinished calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 4, 1937.

To the Honorable Members of the Assembly,
Sacramento, California

I am returning herewith, without my approval, **Assembly Bill No. 1925**, the same being:

"An act to amend section 4264 of the Political Code, relating to salaries of county officers in counties of the thirty-fifth class"

Assembly Bill No. 1925 is returned without my approval, there being nothing in the file to sustain its enactment. The author of the bill and other members of the Legislature representing the counties of the thirty-fifth class have filed no statement in support of the approval of the measure, nor does it appear from the record in this office that the board of supervisors or the grand jury approve of the increased salaries

In order to give my approval to county government bills, the members of the Legislature from the counties affected, and the grand jury and the board of supervisors must file requests asking enactment.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1925 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 4, 1937.

To the Honorable Members of the Assembly,
Sacramento, California.

I am returning herewith, without my approval, **Assembly Bill No. 8,** the same being

"An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 to 'An act authorizing the establishment, maintenance, and operation of recreation districts,' approved June 19, 1931, relating to recreation districts, declaring the urgency hereof and providing that this act shall take effect immediately."

Assembly Bill No. 8 is being returned without my approval for the reason that I object to that portion of section 13 of the bill which provides that these bonds "are legal investments for savings banks, may lawfully be purchased or received in pledge for loans by banks and trust companies, and whenever any money or funds may be invested in bonds of any county, city and county, city or other municipal or corporate body, such money or funds may be invested in bonds of such districts which are such legal investments for savings banks"

Provision is made under the General Laws of the State for the proper certification of bonds for such purpose by the Superintendent of Banks after investigation as to the value of such bonds and securities. The bonds it is proposed to issue under Assembly Bill No. 8, if enacted into law, should be submitted for certification as are other bonds and securities.

I am therefore returning the bill without my approval for the above-mentioned reasons.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 8 ordered on unfinished business calendar.

Motion to Set Senate Bill No. 888 as Special Order.

Mr. Desmond moved that the consideration of Senate Bill No. 888 be made a special order of business for Friday, May 7, 1937, at two o'clock and thirty minutes p.m.

The roll was called, and Senate Bill No. 888 made a special order of business by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Fulcher, Gannon, Garibaldi, Hornblower, Johnson, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, Williamson, and Yorty—42.

NOES—Breed, Call, Dilworth, Donihue, Flint, Garland, Gilbert, Heisinger, Hunt, Kepple, King, Lore, Miller, George P., Peek, Richie, Rosenthal, Tenney, Watson, Welsh, and Mr. Speaker—20.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 4, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following

Senate Bill No. 90.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 2607.
Assembly Bill No. 1177.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO May 4 1937

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following.

Assembly Bill No. 2684.

J. A BEEK, Secretary of Senate
By F ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO May 4, 1937

MR SPEAKER Your Committee on Medical and Dental Laws, to which was referred

Assembly Bill No. 1004.
Assembly Bill No. 1005
Assembly Bill No. 1258.
Assembly Bill No. 1261.
Assembly Bill No. 1320.
Assembly Bill No. 1859.
Assembly Bill No. 1929.
Assembly Bill No. 2350.

Respectfully reports the same back with the recommendation Do pass

CRONIN, Chairman

The above reported bills ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR SPEAKER Your Committee on Agriculture, to which was referred,

Assembly Bill No. 2178
Assembly Bill No. 2857
Senate Bill No. 230.
Senate Bill No. 626
Senate Bill No. 692.
Senate Bill No. 1084.

Respectfully reports the same back with the recommendation Do pass

O'DONNELL, Chairman

The above reported bills ordered on second reading calendar

Recess.

At six o'clock p.m., on motion of Mr. King, the Assembly was declared at recess until eight o'clock and thirty minutes p m

Reassembled.

At eight o'clock and thirty minutes p m. the Assembly reconvened Speaker Jones in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1393—An act to amend section 6 531 of the School Code, relating to the operation of school district libraries as branch county libraries.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Turner moved a call of the Assembly.

Motion carried

Time, nine o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Beene, Boyle, Breed, Burns, Hugh M, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham Daley Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Gannon, Garibaldi Garland, Gilbert, Hawkins, Heisinger, Hornblower, Kepple, Kuchel, Lore, Martin, McMurray, Meehan, Morgan, Peek Pelletier Peyser, Richie, Robertson, Rosenthal Sawaillsch, Sheehan, Stream, Turner, Watson, Weber, Welsh and Mr. Speaker—45.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1146—An act to repeal section 2.123 of the School Code and to add a new section thereto to be numbered 4.192, both relating to the furnishing of facilities and services by county superintendents of schools for the education of pupils.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Kepple, Kuchel, Levey, Lore, Martin, McMurray, Meehan, Morgan, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Watson, Weber, Welsh, and Mr. Speaker—45.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 984—An act granting certain salt marsh, tide, overflowed and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, McMurray, Meehan, Morgan, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Weber, Welsh, and Mr. Speaker—51

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1048—An act to provide for the adoption and use of a uniform fire alarm code signal in all public, private or parochial schools.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, McMurray, Meehan, Morgan, Peek, Pelletier, Peyser, Richie, Robertson, Scudder, Sheehan, Thorp, Turner, Weber, Welsh, and Mr Speaker—49

NOES—Kuchel, and Watson—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2851—An act to renumber Article 11a of Chapter I, Part IV, Division II of the School Code, to be Article IIa, and to renumber and amend sections 2.1365 and 2.1366 of the School Code, to be sections 2.1405 and 2.1406 respectively, relating to the State Council of Education Planning and Coordination.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, McMurray, Meehan, Morgan, Peek, Peyser, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Weber, Welsh, and Mr. Speaker—50.

NOES—Garland—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2843—An act to create a Commission to Study Existing Public and Private Arboreta and Botanic Gardens and make recommendations for the establishment of a publicly owned arboretum and botanic garden, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Don-

nelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, McMurray, Meehan, Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Welsh, and Mr. Speaker—53.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 685—An act to amend section 942 of the Code of Civil Procedure relating to undertakings on appeal.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Hunt, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, McMurray, Meehan, Morgan, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Weber, Welsh, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1625—An act to amend section 1.2 of the School Code, relating to pupils in the public schools.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, McMurray, Meehan, Morgan, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Weber, Welsh, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1625 read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, McMurray, Meehan, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Thorp, Turner, Watson, Weber, Welsh, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2565—An act to add section 8a to the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution caused by labor disputes.

Bill read third time, and refused passage by the following vote:

AYES—Burns, Michael J., Clark, Flint, Gilbert, Hawkins, Hornblower, King, Lore, Maloney, Patterson, Peek, Pelletier, Reaves, Richie, and Rosenthal—15.

NOES—Beene, Boyle, Breed, Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Martin, McMurray, Meehan, Morgan, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Watson, Weber, Welsh, and Mr Speaker—43.

Assembly Bill No. 2646—An act to add section 4 to an act entitled "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, relating to free employment bureaus for teachers.

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Paterson, Pelletier, Peyser, Reaves, Richie, Robertson,

Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Weber, and Mr Speaker—52.

NOES—Call, Cunningham, Dilworth, Kepple, Kuchel, Latham, Lyon, Morgan, Redwine, and Welsh—10

Motion to Amend Title to Assembly Bill No. 2646.

Mr. Patterson moved to amend the title as follows:

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, as amended, strike out ", 1684, and 1685", and insert in lieu thereof the following "and 1684".

Amendment adopted.

Title as amended, read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2405—An act amending section 4243 of the Political Code, relating to salaries and compensation of officers in counties of the fourteenth class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Morgan, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Weber, Welsh, and Mr Speaker—58

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1345—An act granting certain salt marsh, tide overflowed and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns Michael J., Call Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Weber, Welsh, and Mr. Speaker—61

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1490—An act to amend section 1 of an act entitled "An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control," approved July 20, 1935, relating to structural pest control.

Bill read third time, and passed by the following vote:

AYES—Andreas Boyle, Breed Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon Patterson, Peek Pelletier, Reaves, Redwine, Richie, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Watson Weber Williamson, and Mr Speaker—58

NOES—Cottrell—1

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1490.

Mr Peyser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1490 was this day passed.

Assembly Bill No. 268—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Donahue, Donnelly, Field, Flint, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, King, Latham, Leonard, Levey, Lore, Maloney, McMurray, Meehan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sheehan, Stream, Turner, Weber, Williamson, and Mr Speaker—43.

NOES—Beene, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Dannenbrink, Desmond, Dilworth, Fulcher, Garibaldi, Garland, Johnson, Kepple, Kuchel, Martin, Morgan, Redwine, Scudder, Thorp, Voigt, Walker, and Watson—23

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 268.

Mr Dawson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 268 was this day passed.

Assembly Bill No. 1018—An act to add section 170.5 to the Code of Civil Procedure, relating to peremptory challenges of judges.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Hornblower, Kepple, King, Kuchel, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—55

NOES—Burns, Michael J., Dilworth, Fulcher, Garibaldi, Garland, Heisinger, Johnson, Latham, and Leonard—9.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1648—An act to provide for and to regulate the certification of librarians.

Motion to Amend Assembly Bill No. 1648.

Mr Williamson moved to amend Assembly Bill No. 1648 as follows:

Amendment No. 1.

On page 3, line 29, of the printed bill, before the word "hospitals", insert the following: "courts,".

Amendment adopted.

Assembly Bill No. 1648 ordered to reprint, and re-engrossment.

Assembly Bill No. 88—An act to amend section 1507 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 89—An act to amend section 2289 of the Political Code, relating to minor orphans, half orphans and abandoned children

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—64.

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 478—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relative to and defining employees.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Field Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Weber, Williamson, and Mr. Speaker—61.

NOES—Dilworth—1

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2318—An act to amend sections 4, 5, and 6 of an act entitled "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—63

NOES—None

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 2714—An act to require all applicants for construction and improvement permits to prove compliance with the "Workmen's Compensation, Insurance and Safety Act of 1917."

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber Welsh, Williamson, and Mr Speaker—65

NOES—Kuchel, and Watson—2.

Motion to Amend Title to Assembly Bill No. 2714.

Mrs. Daley moved to amend the title as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, before "Workmen's", strike out the quotation marks

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 3 of the title, and insert in lieu thereof the following: "Compensation Insurance Laws of this State"

Amendments adopted.

Title, as amended, read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2289—An act to add section 900.5 to the Insurance Code, relating to financial statement of insurers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Desmond, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, King, Latham, Laughlin, Levey, Lore, Martin, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sheehan, Thorp, Turner, Voigt, Walker, Weber, and Mr. Speaker—41

NOES—Beene, Call, Cottrell, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Hornblower, Johnson, Kuchel, Leonard, Maloney, Meehan, Peyser, Redwine, Scudder, Watson, and Williamson—21

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2704—An act to amend section 367b of the Political Code, relating to the compensation of members of the Social Welfare Board.

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie Robertson, Rosenthal, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2705—An act to amend section 105 of the Welfare and Institutions Code, relating to compensation of members of the Social Welfare Board

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr Speaker—61.

NOES—Hunt—1

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1267—An act to add section 795.5 to the Agricultural Code, relating to orange field boxes.

Motion to Amend Assembly Bill No. 1267.

Mr Walker moved to amend Assembly Bill No 1267 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "and 796", and insert in lieu thereof the following: ", 796 and 811"

Amendment No. 2.

On page 2 of the printed bill, as amended, after line 28, insert the following

"SEC 3 Section 811 of said code is hereby amended to read as follows:

811. Cantaloupes shall be mature but not overripe, not poorly netted, and free from mold, decay, and insect injury which has penetrated or damaged the edible portion of the cantaloupe, and free from serious damage, due to bruises, sunburn, growth cracks, cuts, sponginess, flabbiness, wilting, or other causes Damage to any one cantaloupe is not serious unless it affects the edible portion of the individual cantaloupe.

Not more than 10 per cent, by count, of the cantaloupes in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance shall be allowed for any one cause

Cantaloupes when packed shall be virtually uniform in size and there shall be the same numerical count of uniformly sized cantaloupes in each layer throughout the container.

"Mature" in the case of cantaloupes means that the appearance of the outside indicates maturity and the arils which surround the seed during the development of maturity have been absorbed and in addition, that the juice of the edible portion shall contain not less than 8 per cent soluble solids as determined by the Balling or Brix scale hydrometer. In view of the differences in climatic and other natural conditions prevailing south and east of San Gorgonio Pass, which result in the cantaloupes grown in that area having, at maturity, a higher percentage of soluble solids than the mature cantaloupes grown in the area north and west of San Gorgonio Pass, mature in the case of cantaloupes produced in the area south and east of San Gorgonio Pass, means, in addition to the maturity requirements herein specified, that the juice of the edible portion shall contain not less than 10 per cent soluble solids, as determined by the Balling or Brix scale hydrometer or that the cantaloupes have been separated from the vine by a "full slip" which indicates full maturity on the vine.

All closed containers of packed cantaloupes shall bear upon them in plain sight and in plain letters on one outside end, the name of the person who first packed or authorized the packing of the cantaloupes, or the name under which such packer is engaged in business, together with a sufficiently explicit address to permit ready location of such packer All containers of cantaloupes in which the pack does not conform to the standard pack provisions for cantaloupes in section 829 shall be conspicuously marked in letters not less than one-half inch in height "irregular pack."

SEC. 4 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State, and shall therefore take effect immediately. A statement of the facts constituting such necessity is as follows:

The changes in quality standards made by this act are necessary in order to raise the standards and conform to existing conditions of production and marketing In order to insure the consumer of proper quality and to protect the producer during the present growing season it is necessary that this act take effect immediately."

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, strike out the period after the word "vegetables", and insert in lieu thereof a comma and the following "and declaring the urgency thereof."

Amendments adopted.

Request for Unanimous Consent.

Mr Corwin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1267, as amended at this time without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1267, as amended.

Assembly Bill No. 1267—An act to add section 795.5 to the Agricultural Code, relating to orange field boxes.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Love, Maloney, Martin, McMurray, Meehan, Morgan Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—66

NOES—None

Assembly Bill No 1267, as amended, read third time, and passed by the following vote.

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert Glick, Hawkins Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Levey, Love, Maloney, Martin McMurray, Meehan, Morgan, Muldoon,

Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—63

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Notices of Motion to Reconsider Waived.

Mr Garibaldi waived his notice of motion to reconsider the vote whereby Assembly Bill No 830 was passed

Assembly Bill No 830 ordered transmitted to the Senate

Mr Garibaldi waived his notice of motion to reconsider the vote whereby Assembly Bill No 266 was passed.

Assembly Bill No 266 ordered transmitted to the Senate

Mr Garibaldi waived his notice of motion to reconsider the vote whereby Assembly Bill No 265 was passed.

Assembly Bill No 265 ordered transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2452—An act to amend sections 165 and 382 of the Vehicle Code, relating to duplicate plates and documents of registration

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson Desmond, Dilworth Donahue, Field, Gannon, Garibaldi, Garland Gilbert, Glick, Hawkins, Heisinger, Hornblower Hunt, Johnson Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray Meehan, Morgan, Muldoon, Patterson Peek, Pelletier, Peyser, Reaves Redwine, Richie Robertson, Rosenthal, Scudder Sheehan, Stream, Tenney, Turner, Voigt Watson, Weber, Welsh, Williamson, and Mr Speaker—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Third Reading of Senate Bills.

Senate Bill No. 310—An act to amend section 482 of the Fish and Game Code, relating to pollution of waters

Urgency clause read, and adopted by the following vote.

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns Michael J., Call Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—66

NOES—None

Senate Bill No 310 read third time, and passed by the following vote.

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder Sheehan, Stream, Tenney, Thorp, Voigt Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—66

NOES—None

Title read and approved Bill ordered transmitted to the Senate

Senate Bill No. 566—An act to repeal sections 2 2134, 2 2135 and 4 375 of the School Code and to add thereto two new sections to be

numbered 4.368 and 4.375, all relating to maximum school district tax rates and school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—65.

NOES—None.

Senate Bill No. 566 read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At eleven o'clock and twenty-five minutes p. m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Morgan.

The roll of absentees was called, and Assembly Bill No. 1393 passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawalbsch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 20—Proposed amendment to Article XIII of the Constitution, by adding a new section numbered 1¼a, relative to taxation.

Motion to Amend Assembly Constitutional Amendment No. 20.

Mr. Gilbert moved to amend Assembly Constitutional Amendment No. 20 as follows:

Amendment No. 1.

On page 1, line 12, of the printed measure, strike out "one thousand dollars", and insert in lieu thereof the following: "five hundred dollars".

Amendment adopted.

Assembly Constitutional Amendment No. 20 ordered to reprint, and to re-engrossment.

Assembly Bill No. 252—An act providing for a State exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939, providing for the construction of a State Building therefor and the gardening and improvement of its surrounding grounds, creating a California Commission for the Golden Gate Inter-

national Exposition to have charge and control of said State Exhibit and Building, defining its powers and duties and making an appropriation therefor.

Motion to Amend Assembly Bill No. 252.

Mr. Levey moved to amend Assembly Bill No 252 as follows·

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "five (5)", and in lieu thereof insert the following, "twenty-five (25)".

Amendment adopted.

Assembly Bill No. 252 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 468—An act to amend section 105 of the Insurance Code, relating to insurance.

Motion to Amend Senate Bill No. 468.

Mr Scudder moved to amend Senate Bill No. 468 as follows:

Amendment No. 1.

On page 1 line 12, of the printed bill, as amended, strike out the comma and "except such as is incidental to a policy", and strike out line 13, and insert in lieu thereof a period and the following:

"Nothing in this paragraph shall be deemed to limit any of the powers of title insurers."

Amendment No. 2.

On page 1, line 16, of the printed bill, as amended, after the word "performance", insert the following: "or in a contract indemnifying any bank, banker, broker financial or moneyed corporation or association, any State, political subdivision, public or municipal corporation, or any officer of any State, political subdivision public or municipal corporation".

Amendment No. 3.

On page 1, line 20, of the printed bill, as amended, after the comma which follows "bonds", insert the following, "notes, drafts, checks, instruments of similar character,".

Amendment No. 4.

On page 2, line 5, of the printed bill, as amended, strike out "custody or possession of a carrier for hire", and insert in lieu thereof the following, "exclusive custody or possession of a common carrier".

Amendment No. 5.

On page 2, lines 7 and 8, of the printed bill, as amended, strike out "accompanied by one or more armed guards".

Amendments adopted.

Senate Bill No 468 ordered to reprint, and third reading calendar.

Senate Bill No. 613—An act to amend section 96 of the "Bank Act," relating to deposits of money received by State Treasurer from trust companies.

Motion to Amend Senate Bill No. 613.

Mr. Williamson moved to amend Senate Bill No 613 as follows

Amendment No. 1.

On page 2, line 13, of the printed bill, as amended, strike out the semicolon following the word "bank", and insert the following ", or registered warrants of the State of California.".

Amendment adopted.

Senate Bill No. 613 ordered to reprint, and third reading calendar.

Resolution.

The following resolution was offered

By Mr Donnelly:

House Resolution No. 157.

WHEREAS, Certain financial institutions in this State are paying a rate of interest on deposits which is much lower than the rate of interest paid in former years; and,

WHEREAS, These financial institutions are making loans of money at rates of interest which are the same as they were in former years, and,

WHEREAS, It appears that the difference between the rate of interest paid on deposits and the rate of interest received on loans by these financial institutions should not be as great as it appears to be; now therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Interim Committee on Financial Institutions, composed of five members of the Assembly be appointed by the Speaker of the Assembly to investigate the rates of interest paid on deposits with financial institutions, the rates of interest received on loans by financial institutions, and the profits and practices of financial institutions in California generally, and be it further

Resolved, That said committee shall be and is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters above referred to in order to enable the Assembly to act judiciously and advisedly upon legislation with reference to such matters, and the said committee shall hereby be empowered to summon and subpena witnesses, require the production of persons, books, accounts, reports and records of every kind; to issue subpenas and take all necessary means to compel the attendance of witnesses and to procure testimony, the members of such committee are, and each of them is, hereby authorized to administer oaths, all of the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution, and said committee shall have the power therein specified, the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof, and do and perform any other service required of him by said committee; and be it further

Resolved, That the committee is authorized to hold hearings in any and all places in the State of California and to investigate all matters and things pertinent to the subject of this resolution; and be it further

Resolved, That the committee report to the Assembly at the next regular session of the Legislature its findings and recommendations concerning the matters which it is by this resolution authorized to consider, including any legislation it recommends; and be it further

Resolved, That the sum of $2,500 or so much thereof as may be necessary, be and the same is hereby appropriated from the contingent fund of the Assembly for such incidental expenses as the committee may necessarily meet, including securing of transcript of such of its proceedings as it may deem necessary to preserve. Such items of expense are to be paid to the persons entitled thereto upon certification to the Controller by the chairman of said committee, and the Controller shall draw his warrant therefor and the Treasurer shall pay the same.

House Resolution No. 157 read, and referred to the Committee on Financial Institutions.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO May 4, 1937

MR SPEAKER Your Committee on County Government, to which was referred:
Senate Bill No. 639.
Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR SPEAKER Your Committee on County Government, to which was referred:
Assembly Bill No. 1670.
Respectfully reports the same back without recommendation, as amended.

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR SPEAKER Your Committee on County Government, to which was referred:
Senate Bill No. 412.
Senate Bill No. 298.
Assembly Bill No. 2677.
Respectfully reports the same back with the recommendation: Do pass as amended.

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR SPEAKER: Your Committee on Labor and Capital, to which was referred:
Senate Bill No. 394.
Respectfully reports the same back signed out by the committee.

FLINT, Chairman.
LORE.
REAVES.
BURNS, MICHAEL J.
GILBERT
ROSENTHAL
PELLETIER.
MALONEY.

The above reported bill ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR SPEAKER: Your Committee on Crime Problems, to which was referred:
Assembly Bill No. 2304.
Respectfully reports the same back with the recommendation: Do pass as amended.

RICHIE, Chairman.

The above reported bill ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:
Assembly Bill No. 1260.
Assembly Bill No. 1259.
Respectfully reports the same back with the recommendation: Do pass as amended.

CRONIN, Chairman.

The above reported bills ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR SPEAKER: Your Committee on Labor and Capital, to which was referred:
Assembly Bill No. 52.
Assembly Bill No. 55.
Respectfully reports the same back signed out by the committee.

FLINT, Chairman.
LORE.
REAVES.
BURNS, MICHAEL J.
GILBERT
ROSENTHAL
PELLETIER.
MALONEY

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:
Assembly Bill No. 1828.
Respectfully reports the same back signed out by the committee.

FLINT, Chairman.
LORE.
REAVES
BURNS, MICHAEL J.
GILBERT
ROSENTHAL
PELLETIER.
HUNT.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:
Assembly Bill No. 430.
Assembly Bill No. 1120.
Respectfully reports the same back signed out by the committee.

FLINT, Chairman.
LORE
REAVES
BURNS, MICHAEL J
GILBERT.
ROSENTHAL
PELLETIER.

The above reported bills ordered on second reading calendar

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following.

Senate Bill No. 59—An act to add section 6.5 to the State Narcotic Act, relating to addiction to the use of habit forming, narcotic and other dangerous drugs and substances;

Senate Bill No. 228—An act to amend section 788 of the Fish and Game Code, relating to crabs;

Senate Bill No. 557—An act to amend section 3731 of the Political Code, relating to Department of Natural Resources.

Senate Bill No. 665—An act to amend sections 128 and 129 of the Vehicle Code relating to the Department of Motor Vehicles.

Senate Bill No. 1015—An act to amend section 602 of the Penal Code, relating to criminal trespass.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 59 read first time, and referred to Committee on Medical and Dental Laws

Senate Bill No. 228 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 557 read first time, and referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 665 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 1015 read first time, and referred to Committee on Crime Problems.

Notices of Motion to Reconsider Continued.

On motion of Mr. Yorty, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 187 was refused passage was continued until the next legislative day.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 70 was passed was continued until the next legislative day.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was refused passage was continued until the next legislative day

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 692 was refused passage was continued until the next legislative day.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1472 was refused passage was continued until the next legislative day

On motion of Mr. Tenney, the consideration of his notice of motion to reconsider the vote whereby the motion to withdraw Assembly Bill No. 1028 from committee was lost was continued until the next legislative day.

On motion of Mr. Garland, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 381 was passed was continued until the next legislative day.

Adjournment.

At eleven o'clock and thirty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Wednesday, May 5, 1937

DAVID V. OLIVER, Minute Clerk

160—45260

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIFTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, WEDNESDAY, May 5, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Garland, the further reading of the Journal of Tuesday, May 4, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Bruce Hotchkiss, Vice President of California Embalmers' Association of Oakland.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Walter S. Reed.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Oak View School, Lee R. Bunce, principal; and the following students: Richard Seibel, Donna Ryan, Allen Meier, Robert Pearl, Evelyn Frey, Lillian Seibel, Wilbert Reiswig, Daniel Goehring, Elmer Bertsch, Jasper Cooper, Leo

Lewis, Ruby Kirby, Maxine Merrill, Herman Rathjen, Riley Price, George Meier, Almed Mohamed, Henry Baumbach, Louie Sartor, Grace Saner, Florence Rath, Lorene Rau, Dorothy Hirtel, Ella Dais, Helen Goehring, Ralph Wilson, Jack Thompson, Norris Rodhouse, Ruben Rathjen, John Gribuado, Jr., John Heinrich, John Kiriaye, Harry Nuss, Blanche Bedger, Elma Heinrich, Katherine Sullivan, and Verna Mae Perry.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William Paden and H. Albert George.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Thomas D. Johnston and Judge and Mrs. A. F. Bray of Martinez.

On request of Mr. Kepple, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Marshall Bowen, City Engineer of Whittier.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Poole, member of the sixth grade from the Hillside School in Berkeley.

Assistant Clerk Berry Reading.

Presentation of Petitions.

The following petition was received and referred to Committee on Judiciary General:

Impeachment petition in the matter of Milford B. Martin.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 53.
Assembly Bill No. 153.
Assembly Bill No. 215.
Assembly Bill No. 339.
Assembly Bill No. 693.
Assembly Bill No. 1004.
Assembly Bill No. 1005.
Assembly Bill No. 1258.
Assembly Bill No. 1261.
Assembly Bill No. 1320.
Assembly Bill No. 1707.
Assembly Bill No. 1731.
Assembly Bill No. 1859.
Assembly Bill No. 2086.
Assembly Bill No. 2178.
Assembly Bill No. 2309.
Assembly Bill No. 2713.
Assembly Bill No. 2857.
Assembly Bill No. 2858.
Assembly Bill No. 2871.
Assembly Joint Resolution No. 43.

And reports the same correctly engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 2871—An act to add section 4056e to the Political Code, relating to the issuance of bonds by counties for the purpose of providing for county exhibits at domestic or foreign expositions.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 427—An act relating to the acquisition by the State of a site or sites in the city of Fresno, the erection thereon of a building or buildings to house all State offices and agencies, maintaining headquarters in that city, and making an appropriation therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2708—An act making an appropriation for the establishment, maintenance and support of an industrial workshop and salesroom for the adult blind in San Diego.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1185—An act to make an appropriation to meet a deficiency in the appropriation for the support of the California Nautical School for the eighty-seventh and eighty-eighth fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1185.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, strike out "to meet a deficiency in the appropriation".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out "eighty-seventh and eighty-eighth", and insert in lieu thereof the following. "eighty-ninth and ninetieth".

Amendment No. 3.

On page 1, lines 4 and 5 of the title of the printed bill, strike out ", declaring the urgency thereof, and providing that this act shall take effect immediately"

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "seven thousand dollars ($7,000)", and insert in lieu thereof the following: "fifty-two thousand one hundred seventy-five dollars".

Amendment No. 5.

On page 1, line 3, of the printed bill, strike out 'meet a deficiency in", and insert in lieu thereof the following: "in addition to and in augmentation of".

Amendment No. 6.

On page 1, line 5, of the printed bill, strike out "eighty-seventh and eighty-eighth", and insert in lieu thereof the following: "eighty-ninth and ninetieth".

Amendment No. 7.

On page 1 of the printed bill, strike out lines 6 to 24, inclusive, and on page 2, strike out lines 1 to 7, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1247—An act to add a new chapter to Part I of Division IV of the School Code to be known as Chapter IV, to add to Chapter II of Part IV of Division IV of said code a new article to be known as Article IIa and to add to said code two new sections to be numbered 2.1224 and 4.766-1, all relating to the creation of a State kindergarten fund, the apportionment thereof and the use of apportionments therefrom.

Committee Amendments to Assembly Bill No. 1247.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the following: "State kindergarten fund", and insert in lieu thereof the following: "State support of kindergartens".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 7 to 15, inclusive.

Amendment No. 3.

On page 1, line 16, of the printed bill, strike out "4.71", and insert in lieu thereof the figure "4.70".

Amendment No. 4.

On page 1, line 23, of the printed bill, strike out "kindergarten", and insert in lieu thereof the word "general".

Amendment No. 5.

On page 2, line 1, of the printed bill, strike out the period, and insert in lieu thereof the following: "under the provisions of Article IIa of Chapter II of Part IV of this Division."

Amendment No. 6.

On page 2, line 7, of the printed bill, strike out "kindergarten", and insert in lieu thereof the word "general".

Amendment No. 7.

On page 2, line 14, of the printed bill, strike out the following: "Kindergarten Fund", and insert in lieu thereof the following: "General Fund for Support of Kindergartens".

Amendment No. 8.

On page 2, line 18, of the printed bill, strike out the following: "State kindergarten fund", and insert in lieu thereof the following: "moneys from the State general fund".

Amendment No. 9.

On page 2, line 24, of the printed bill, strike out the word "kindergarten", and insert in lieu thereof the word "general".

Amendment No. 10.

On page 1 of the printed bill, strike out all of lines 6 and 7 in the title, and insert in lieu thereof the following: "the support of kindergartens"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1873—An act to authorize and direct the Division of Water Resources of the Department of Public Works to prosecute efforts, on behalf of the Water Project Authority of the State of California, in aid of the construction of the Central Valley Project.

Committee Amendments to Assembly Bill No. 1873.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 5 of the title of the printed bill strike out the period following the word "Project", and insert in lieu thereof the following: ", and making an appropriation therefor."

Amendment No. 2.

On page 1 of the printed bill, between lines 8 and 9, insert the following:

"SEC. 2. In addition to any sums otherwise appropriated for the use of the Division of Water Resources of the Department of Public Works, the sum of fifty thousand dollars ($50,000), or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for the purpose of carrying out the provisions of this act, and the State Controller is hereby directed to draw warrants upon such sum from time to time upon demand of the Division of Water Resources of the Department of Public Works and the State Treasurer is hereby directed to pay such warrants"

Amendment No. 3.

On page 1, line 9, of the printed bill, strike out "2", and insert in lieu thereof the figure "3".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 253—An act to amend an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, by adding a new section thereto to be known as section 13.1 thereof relating to appropriations out of the fair and exposition fund to supplement other appropriations for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939.

Committee Amendments to Assembly Bill No. 253.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "section 13 of".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 9 to 14, inclusive, of the title, and insert in lieu thereof the following: "provisions," approved June 5, 1933, relating to money derived from horse racing, declaring the urgency of this act, to take effect immediately."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 15, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 13 of the act cited in the title hereof is hereby amended to read as follows

SEC 13. All fees, commissions, and other moneys received by the board shall be paid into the State Treasury immediately upon receipt of the same and credited to a special fund hereby created, to be known as the "Fair and exposition fund" There is hereby appropriated annually out of said moneys the following. Thirty thousand dollars to the board to defray the expenses of the officers and employees provided for herein, one hundred twenty-five thousand dollars for the support of *the California State Fair, one hundred twenty-five thousand dollars to the Los* Angeles County Fair; fifteen thousand dollars to the Sixth District Agricultural Association of the State of California, for the purpose of holding a permanent exposition and exhibition of all citrus products and of all of the industries and industrial enterprises, resources, and products of every kind and nature of the State of California, with a view of improving, exploiting, encouraging and stimulating the same, to which there shall never be any charge of admission, and for the support of the buildings and grounds and other property of the Sixth District Agricultural Association; of the balance of said moneys, after all of the above deductions have been made, five per cent for payment to and use of those certain fruit fairs defined in section 94 of the Agricultural Code, but not to district agricultural associations or county fairs, said sum to be apportioned between such citrus fruit fairs upon the basis of the population of the several counties in which such fairs are held, and if only one such fair is held, then it shall receive all of said sum; forty per cent of such balance for the encouragement of county, district or combined county and district agricultural fairs (exclusive of the Los Angeles County Fair, the Sixth District Agricultural Association and such citrus fruit fairs) to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by section 92 of the Agricultural Code and other applicable provisions of law, but no such county, district or combined county and district agricultural fair shall receive a sum greater than sixty-five thousand dollars from the fair and exposition fund in any one year. If in any year said forty per cent of such balance is less than sixty per cent of the amount of said forty per cent of such balance in the year 1935, then during said year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by section 13 of Chapter 769 of the Statutes of 1933 and by section 92 of the Agricultural Code. The balance of said moneys in said fund after all of the above deductions have been made is hereby allocated for permanent improvements upon the property of the State, county or district agricultural associations for fair purposes, for permanent improvements at, or support of, State educational institutions devoted to agricultural and vocational training in animal husbandry in such amounts as may be allocated by executive order of the Director of Finance, who in making such allocations shall consider the appropriations and special allocations made by this section Said *money may be expended* without regard to fiscal years

SEC 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California and shall therefore go into effect immediately. A statement of the facts constituting such necessity is as follows:

The facilities of existing buildings and equipment at State county and agricultural district fairs and at State educational institutions devoted to agricultural and vocational training in animal husbandry are inadequate, due to influx of visitors to the State of California by reason of state-wide celebrations planned during the coming years and increased enrollments in such educational institutions, and it is necessary to provide facilities for the safety and convenience of persons attending such fairs or persons enrolled in such educational institutions"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1556—An act making an appropriation to pay the claim of William E. Laney against the State of California.

Committee Amendment to Assembly Bill No. 1556.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out "$16,575", and insert in lieu thereof the following: "$40,218".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1876—An act to create a California Building Authority, to give such authority extraordinary authority for allocation of funds for building purposes, supplementing the Public Works Administration program, making an appropriation therefor, and providing for the allocation of said appropriation.

Committee Amendments to Assembly Bill No. 1876.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to provide for the construction, maintenance and equipment of buildings for emergency schools and schools maintained for children of migratory laborers, and making an appropriation therefor."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 25, inclusive, and on page 2, strike out all of lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. There is hereby appropriated from any moneys in the State Treasury not otherwise appropriated, the sum of two hundred fifty thousand dollars, which shall be placed in the State Treasury to the credit of a fund to be known as the "Emergency school building fund," which fund is hereby created.

SEC. 2. There is hereby created the Board of Emergency School Construction to consist of the Director of Education, the Director of Finance, the State Controller, the Director of Public Works and the Chief of the Division of Schoolhouse Planning of the Department of Education. The said board is hereby authorized to expend the moneys in the "Emergency school building fund" for the following purposes: (1) upon application of the county superintendent of schools of any county, to construct and equip buildings for emergency schools and schools for children of migratory laborers established under the provisions of the School Code; (2) to have prepared all necessary plans and specifications for all buildings so constructed. (3) to establish and enforce such rules and regulations as it may deem necessary for the administration and execution of the purposes of this act; (4) to determine the terms and conditions under which buildings will be construed under the provisions of this act; (5) to rent any building constructed under the provisions of this act to the county superintendent of schools having jurisdiction over the county in which such building is located; (6) to fix the rental to be paid by the county superintendent of schools for buildings constructed by the Board of Emergency School Construction and rented to the county superintendent of schools; (7) to fix the terms and manner of the payments of said rental; (8) to insure all buildings constructed by the Board of Emergency School Construction until the total agreed rentals has been paid by the county superintendent of schools; (9) to do any and all things and to perform any and all acts not heretofore enumerated, and necessary to give full effect to the provisions of this act.

SEC. 3. Before constructing and equipping any building, an agreement between the county superintendent of schools and the Board of Emergency School Construction must be entered into. Such agreement shall fix the powers, duties, responsibilities and liabilities thereunder of the county superintendent of schools and the said board.

The county superintendent of schools of any county is hereby empowered to enter into, to comply with the provisions of, and to do all things necessary to carry out the terms of, any agreement which the said county superintendent of schools may enter into with the said board, and which may be required or authorized by this act.

SEC. 4. The total rentals charged shall be fixed at such amount as will return to the State within such period as may have been agreed by the board and the county superintendent of schools of the county concerned, the sums which the State, through the board, may have expended for the county, under the provisions of this act, plus an amount equal to the interest which the board may fix

The county superintendent of schools of any county who has entered into an agreement to pay rentals to the board under the provisions of this act must include in his estimate of the county unapportioned elementary school fund for any year during which the agreement is in effect, an amount sufficient to pay such rental as may become due the said board during such year, and, if such superintendent fails to include such amount, the Superintendent of Public Instruction shall nevertheless apportion such amount to said fund.

All rentals payable by a county superintendent of schools shall be payable at such times as the board may designate, and when due shall be deducted by the State Controller from the moneys apportioned by the Superintendent of Public Instruction to the unapportioned county elementary school fund, and shall be paid by the controller into the general fund of the State.

SEC 5. For the purposes of this act any building and equipment constructed and provided by the board under this act, shall be, and is hereby declared to be, the property of the State. Whenever there has been paid to the board the total of the agreed rentals fixed by any agreement entered into under the provisions of this act, the board shall, and is hereby authorized to, convey to the county superintendent of schools in the name of the State, the building or buildings and equipment mentioned in said agreement.

SEC. 6. All contracts by the board for the construction of any building and the equipment thereof shall be let by the said board to the lowest responsible bidder who shall give such security as the board may require, or else the said board shall reject all bids and advertise for new bids.

For the purpose of securing bids the board must publish at least once a week for two weeks in some newspaper of general circulation published in the county in which such building is to be constructed, or if there is no such paper, then in some newspaper of general circulation, circulated in the county, a notice calling for bids stating the work to be done or materials or supplies to be furnished and the time when and the place where bids will be opened.

SEC. 7. If any section, subsection, sentence, clause or phrase of this act is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1448—An act to amend sections 143, 185, 215, 377, and 378 of the Vehicle Code, relating to the registration of vehicles.

Committee Amendments to Assembly Bill No. 1448.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "215, 377,".

Amendment No. 2.

On page 1, line 8, of the printed bill, before "residence", insert the following: "business or".

Amendment No. 3.

On page 1, line 11, of the printed bill, after "including", insert a comma and the following: "in so far as the hereinafter specified data may exist with respect to a given vehicle,".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 10 to 32, inclusive

Amendment No. 5.

On page 2, line 33, of the printed bill, strike out "Sec. 5", and insert in lieu thereof the following: "Sec. 3".

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2063—An act to add Article IIa to Chapter III of Title I of Part III of the Political Code, embracing sections 360 to 360h, inclusive, relating to the creation of a State Department of Highway Safety Engineering, and prescribing its powers and duties.

Committee Amendments to Assembly Bill No. 2063.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, of the title, and in line 4, strike out "Department of Highway", and insert in lieu thereof the following:

"An act to add Article 2a to Chapter 1 of Division I of the Streets and Highways Code, embracing sections 85 to 93, inclusive, relating to the creation of a Bureau of".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive; on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following

"SECTION 1. A new article is hereby added to Chapter 1 of Division I of the Streets and Highways Code, to be numbered 2a, embracing sections 85 to 93, inclusive, to read as follows:

Article 2a. The Bureau of Safety Engineering.

85. There is hereby created in the department, within the Division of Highways, the Bureau of Safety Engineering.

86. The bureau shall be in charge of a chief designated as the Safety Engineer, to be appointed by the director.

87. The salary of the Safety Engineer shall be fixed in accordance with law. He shall devote his entire time to the duties of his office.

88. The Safety Engineer shall adopt and promulgate such reasonable rules and regulations, consistent with law, as may be necessary for or convenient to the exercise of the powers and the performance of the duties of the bureau, and may from time to time amend or repeal any of such rules or regulations or adopt new rules or regulations in lieu thereof.

89. The bureau shall conduct investigations of specific accidents by the application of scientific and technical methods from the point of view of ascertaining the precise causes thereof, and shall recommend the installation of any devices or equipment that it may consider necessary in the interest of traffic safety and accident prevention.

90. The bureau shall make scientific surveys of all the various factors entering into the problem of accident prevention.

91. The bureau shall make a survey of the flow of traffic in the different parts of the State where traffic congestion is the heaviest and the problem of accident prevention is the most acute. In making this survey, the bureau shall cooperate with any municipal or county authority or private individuals or groups who manifest a practical interest in accident prevention. This survey shall concern itself with the following matters:

(a) The creation of regional traffic safety engineering bureaus irrespective of existing local political boundaries, and the relation which such bureaus should have to the State bureau.

(b) The methods by which the regional bureaus shall cooperate with one another and with the State bureau in the conducting of surveys, accident investigation, and exchange of information with reference to devices for accident prevention.

(c) The means and methods of financing the work of the regional groups so as to insure efficiency, economy, and the greatest degree of cooperation among themselves and with the State bureau.

A report of such survey shall be filed with the director on or before January 1, 1939.

92. The bureau shall gather information as to the work and experience of other States and of cities throughout the United States on the subject of traffic safety and traffic accident prevention. It shall compile statistics on such subject of practical use and gather such statistics as have been or may be compiled by other responsible public and private organizations. It shall act as a clearing-house for the prompt dissemination of accurate information on questions of traffic safety and traffic accident prevention.

93. The bureau shall be supported from the funds appropriated by law for the administration of the Division of Highways of the Department of Public Works."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1118—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and

other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Committee Amendments to Assembly Bill No. 1118.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 20, inclusive; and on page 2, strike out lines 1 to 21, inclusive, and insert in lieu thereof the following:

"SEC. 9. The municipal court in a city or city and county of the second and one-fourth class shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(a) There shall be five judges, each of whom must be a registered and qualified elector of the city or city and county wherein they are to serve and must have had at least five years active practice at law in this State prior to their election or appointment, and each of whom shall receive five thousand dollars per annum, payable in equal monthly installments;

(b) There shall be one clerk and secretary to be appointed by the judges of the court, who shall receive two hundred fifty dollars per month;

(c) The clerk may appoint the following:

One chief deputy, who shall receive two hundred dollars per month;

Five court clerks each of whom shall receive one hundred seventy-five dollars per month;

Three deputy clerks, each of whom shall receive one hundred seventy-five dollars per month;

One stenographer who shall receive one hundred twenty-five dollars per month;

(d) There shall be one marshal to be appointed by the judges of the court who shall receive two hundred fifty dollars per month;

(e) The marshal may appoint the following:

One chief deputy marshal to receive one hundred seventy-five dollars per month;

Four deputy marshals who shall receive one hundred sixty-five dollars per month each;

(f) All fees collected in such municipal courts shall be paid into the county treasury, but the phonographic reporters shall be allowed to retain for their own use any money received by them for services in civil cases

(g) Any appointive officer or employee of the municipal court in cities or cities and counties of the second and one-fourth class who becomes a candidate for election by the people to any other public office or position shall automatically forfeit such office or employment.

(h) Where a municipal court is established in a city of the second and one-fourth class an agreement may be made between the city and the county for an equitable division of the costs of maintaining such court.

SEC. 2. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2841—An act to amend section 4 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved July 31, 1921, relating to the creation of cemetery districts.

Committee Amendments to Assembly Bill No. 2841.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the numeral "4", add "and 8"

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, before the word "of", insert "and operation"

Amendment No. 3.

On page 2 of the printed bill, after line 40, insert the following:

"SEC. 2. Section 8 of the first act cited in the title hereof is hereby amended to read as follows:

Sec. 8. Said district may maintain a cemetery or cemeteries, limited in use to the ground burial of residents of the district or of members of the family of a resident who has heretofore purchased a burial lot. Such district may maintain and care for all public streets, alleys, ways, and places, in any cemetery within said district, and for said purposes shall be capable of holding title to property, taking property, by grant, gift, devise, lease, or any other method; and of doing all acts necessary or proper for the carrying out of the purposes of this act, including the selling or leasing of burial lots. Said cemetery district may embrace contiguous lands in one or more counties."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 214—An act to amend section 20 of an act entitled "An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner within the Department of Professional and Vocational Standards; and to provide for the enforcement of said act and penalties for the violation thereof," approved July 20, 1935, relating to the suspension and revocation of licenses.

Bill read second time, and ordered to engrossment

Assembly Bill No. 215—An act to amend section 1 of an act entitled "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motor boat regulation.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2713—An act to amend section 4185a of the Political Code, relating to qualifications and eligibility for the office of justice of the peace.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2858—An act providing for, and prescribing the duties and compensation of, the position of bailiff for the appellate department of the superior court

Bill read second time, and ordered to engrossment

Assembly Bill No. 339—An act to amend section 581 of the Code of Civil Procedure, relating to the dismissal of civil actions

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1707—An act to amend section 670 of the Code of Civil Procedure, relating to the judgment roll.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 153—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 693—An act to amend section 1147 of the Probate Code, relating to the handling of decedent's money by the public administrator.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1073—An act to amend section 437c of the Code of Civil Procedure, relating to summary judgments.

Committee Amendments to Assembly Bill No. 1073.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, following the word "action," insert the following: "to recover upon a debt or upon a liquidated demand including an action to enforce or foreclose a lien or mortgage or to recover an unliquidated debt or demand for a sum of money only arising on a contract express or implied in fact or in law or to recover possession of specific real or personal property or for specific performance of a contract in writing for the sale or purchase of property, or for an accounting arising on a written contract."

Amendment No. 2.

On page 1, line 3, of the printed bill, following the word "courts," insert the words "and justices' courts of Class A."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2309—An act to amend section 1298 of the Penal Code, relating to bail.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2086—An act to add a new section to the Penal Code to be known as section 537i, relating to the defrauding of garage keepers.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1731—An act to establish a permissive pension plan for employees and officers of cities of the fifth and sixth class, providing for contributions from employees and from public funds, and providing for the administration of such pension plan.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1870—An act for the relief of certain assessment districts and for that purpose empowering incorporated cities to render financial aid to such districts and to declare the urgency of this act, to take effect immediately.

Bill read second time, and ordered to engrossment

Assembly Bill No. 2844—An act to authorize municipal corporations to abandon parks and sell and convey the land embraced therein.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2867—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal Bankruptcy Courts therein, and to provide for the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not consenting to the refunding proceedings and for the acquisition of any security of such obligations consisting of real property situated in the State of California or any rights therein

Bill read second time, and ordered to engrossment.

Assembly Bill No. 53—An act to amend section 1195a of, and to add a new section to be numbered 1195c to, the Political Code, relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1849—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 20, 22, 24, 25, 26 and 29 of an act entitled "An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments, levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bond and to enforce the lien of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the Bankrupt Laws of the United States of America in any refunding," approved July 20, 1935, and declaring the urgency of this act.

Committee Amendments to Assembly Bill No. 1849.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "3, 4," strike out "6," strike out "8," and strike out "15," and, in lieu of the figures "15," insert the figures "10, 14,"; and in the same line, strike out the figures "17;"; and in line 2 of the title, strike out "20, 22, 24," and strike out "26 and"; also, following the figures "29", insert the following language: "and 30"; and following the word "of", insert the following language: ", and to add a new section to be numbered section 18 to".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out the figures "29", and insert in lieu thereof the figure "1."; and strike out all of lines 3 to 11, inclusive, and on page 2, strike out all of lines 1 to 7, inclusive, and insert in lieu thereof the following language:

"SECTION 1. Any bonded indebtedness consisting of outstanding unpaid bonds and outstanding unpaid interest coupons of bonds issued by or for any special improvement district the bonds of which are payable from special taxes or special assessments levied wholly or partly in accordance with the assessed value of lands may be funded or refunded under and pursuant to the provisions of this act. At least two of the interest coupons on the refunding bonds must be at a rate of interest less than the interest rate on the bonds to be refunded, and the rate of interest on the refunding bonds shall not exceed the rate of interest on the bonds to be refunded. The legislative body of the city or county or city and county which conducts the refunding proceeding may negotiate and contract with the holders of bonds for such refunding and to aid in such refunding may appropriate moneys from the general fund or from any available fund of the city or county or city and county. Also, any county in which the district lies whether the district be entirely or partly within a city or cities, or entirely or partially within unincorporated territory of the county, is hereby authorized to appropriate moneys from its general fund, road fund or any available fund to assist in such refunding. Any city in which the district or any portion thereof lies is also authorized to appropriate moneys from any available fund to assist in such refunding. To assist in refunding the indebtedness of any district the county in which the district lies and any city in which any portion of a district lies are hereby authorized to contribute moneys to be received from the collection of delinquent county or city taxes, as the case may be, upon property within the district. In refunding such indebtedness under this act, the total amount of the reassessments to be levied under this act plus contributions, if any, of public moneys to aid in such refunding except contributions for the payment of interest maturing or accruing subsequent to the date the resolution of intention in the refunding pro-

ceeding is adopted and moneys used for the payment of incidental expenses of the refunding proceeding, shall be less than the total amount of the outstanding unpaid bonds and the outstanding due and unpaid interest coupons which are to be refunded.

The legislative body making any contribution of public funds to aid or assist in the refunding must determine that the public interest, convenience or necessity requires such contribution."

Amendment No. 3.

On page 2, line 8, of the printed bill, strike out all of the words and figures following the figure "2.", and strike out all of lines 9 and 10, and insert in lieu thereof the following language: "Section 2 of said act is hereby amended to read as follows:

Sec. 2. Whenever the legislative body of any city or county or city and county of this State determines by resolution that the public interest, convenience or necessity require the refunding of the indebtedness of any special improvement district which it is given jurisdiction to refund under the provisions of this act, said legislative body shall by resolution declare its intention to refund such indebtedness and shall determine the total maximum principal amount for which an assessment shall be levied in the refunding proceedings and shall determine the term of any refunding bonds to be issued to represent unpaid assessments as herein provided and the rate of interest of such bonds. The rate of interest during the entire term of such bonds need not be the same but different rates may be stated for one or more interest payments of such bonds. If such different rates of interest are proposed, each rate and the time during which such rate shall be paid shall be designated in such resolution. The amount of any proposed contribution of public funds to be made to assist in such refunding, except contributions for the payment of interest maturing or accruing subsequent to the date the resolution of intention is adopted and prior to the date the assessment is recorded and money used for the payment of incidental expenses of the refunding proceeding, shall be stated in such resolution, but this shall not prevent said legislative body making additional contributions thereto at any time. In said resolution said legislative body shall state the total amount of the outstanding indebtedness to be refunded (which shall be deemed to be the principal amount of outstanding unpaid bonds and the amount of due and unpaid interest coupons), and shall state the amount of the principal of bonds included therein, and the amount of due and unpaid interest coupons included therein, all as of the date said resolution is adopted. No error or mistake in the computation of the amount of unpaid principal or unpaid interest shall affect the validity of the refunding proceedings, and no error or mistake in any statement of the amount of such principal or interest in any notice, resolution or order in the course of the proceedings shall invalidate in any way the assessment or the refunding bonds or the refunding proceedings, provided, that the total sum of the assessment levied in the refunding proceedings, plus any contribution or contributions of public funds made to aid in such refunding, except contributions for the payment of interest maturing or accruing subsequent to the date the resolution of intention is adopted and prior to the date the assessment is recorded and moneys used for the payment of incidental expenses of the refunding proceedings, shall not exceed the sum of the principal amount of the bonds to be refunded and the amount of the due and unpaid interest coupons to be refunded. If interest maturing or accruing subsequent to the date the resolution of intention is adopted and prior to the date the assessment is recorded is to be paid, the resolution shall so state.

Said resolution shall also contain a date, hour and place for the hearing of objections to said refunding, and the date fixed for said hearing shall not be less than twenty (20) days nor more than sixty (60) days subsequent to the date of adoption of said resolution. Said resolution shall also contain a statement that the refunding shall not be authorized unless the written consent of the owners of a majority in area of the land in the district subject to tax or assessment to pay the principal and interest of the outstanding bonds is filed with the clerk of the legislative body, and that any owner of land in said district may file his written consent to such refunding at any time prior to the adoption of the resolution ordering the refunding.

SEC. 3. Section 5 of said act is hereby amended to read as follows:

"Sec. 5. (1) Jurisdiction, power, and authority to conduct proceedings for the refunding of indebtedness under this act and the levy of an assessment therefor is conferred upon the legislative bodies of cities or counties, or cities and counties, as set forth herein. The legislative body, which ordered the bonds of any district which are to be refunded issued, shall have complete jurisdiction, power, and authority to conduct proceedings to refund the indebtedness of said district under this act and to levy an assessment therefor.

(2) If the district, the indebtedness of which is to be refunded, lies entirely within a municipality, the legislative body of said municipality shall have complete jurisdiction, power, and authority to conduct proceedings to refund such indebtedness

under this act and to levy an assessment therefor, and if the district, the indebtedness of which is to be refunded, lies entirely within unincorporated territory of a county, the legislative body of such county shall have complete jurisdiction, power, and authority to conduct proceedings to refund such indebtedness under this act and to levy an assessment therefor. It is the intent of this section that, in all cases of incorporation of municipalities, or annexation of territory to municipalities, or consolidation of municipalities, or exclusion of territory from municipalities, or the dissolution of municipalities, the jurisdiction, power, and authority which, under paragraph numbered (1) of this section, would have been vested in the legislative body which conducted the proceedings for the issuance of the bonds to be refunded, shall be vested in and may be exercised by the legislative body which, by reason of such incorporation, annexation, consolidation, exclusion, or dissolution, has jurisdiction at the time such refunding is begun over the territory of the assessment district; provided, however, that, in the event all of the territory of the district lies entirely within a municipality but the tax or assessment for the payment of principal and interest of the bonds which are to be refunded is levied by the legislative body of the county, the consent of the legislative body of such county to the refunding of the indebtedness of said district under this act and the levy of an assessment therefor shall be obtained as hereinafter provided.

(3) In case an assessment district lies entirely within two or more municipalities, the legislative body of any municipality in which any part of the district lies may conduct the proceedings to refund the indebtedness of said district and to levy an assessment therefor, and, in case the assessment district lies partly within unincorporated territory of a county and partly within one or more municipalities, the legislative body of the county, or of any municipality in which any portion of the district lies, may conduct proceedings to refund the indebtedness of said district, and to levy an assessment therefor; provided, however, that in any case in which the assessment district lies entirely within two or more municipalities, or partly within unincorporated territory of a county and partly within one or more municipalities, or in any case in which the legislative body proposing to conduct the refunding proceeding is not the legislative body which levies the tax or assessment for the payment of principal and interest of the bonds to be refunded, the legislative body which proposes to conduct the refunding proceeding shall obtain the consent of the legislative body of each municipality in which any part of the district lies, of the legislative body of the county in case a part of the district lies in unincorporated territory of the county, and of the legislative body which levies the said tax or assessment for the payment of principal and interest of the bonds to be refunded, to the refunding of the indebtedness of such district under this act and the levying of an assessment therefor. Such consent shall be obtained prior to the adoption of the resolution of intention in the refunding proceeding and shall be expressed by resolution, a certified copy of which shall be filed with the clerk of the legislative body which proposes to conduct the refunding proceedings on or before the date the resolution of intention in the refunding proceedings is adopted When such consent has been given, the legislative body to which the consent has been granted shall have complete jurisdiction, power, and authority to refund the bonds of such district under this act and to levy an assessment therefor under the provisions hereof.

SEC. 4. Section 7 of said act is hereby amended to read as follows:

Sec. 7 The total amount for which said assessment shall be levied shall not exceed the total principal amount of such assessment as stated in the resolution ordering same but may be for a smaller amount. Said assessment shall be made upon all such lots, pieces or parcels of land within the assessment district as are subject to be assessed or taxed to pay the principal and interest of the outstanding bonds. The total amount to be assessed shall be apportioned upon the said lots, pieces and parcels of land in the manner hereinafter set forth, to wit: To the total principal sum of the assessment proposed to be levied shall be added the total sum of all of the amounts (including such interest and penalties as go into such fund) paid into the interest and sinking fund of such district on or prior to the date the resolution of intention in the refunding proceeding was adopted, upon taxes or assessments levied upon any lot, piece or parcel of land subject to assessment in the refunding proceeding to raise funds to pay the principal and/or interest of bonds of said district, the bonds of which are to be refunded. The total amount of the two sums shall be apportioned as an assessment upon all such lots, pieces or parcels of land within the assessment district as are subject to be assessed or taxed to pay the principal and interest of the bonds to be refunded. The person making the assessment shall proceed to estimate upon the lots, pieces or parcels of land within the assessment district, and, subject to assessment under the terms of this act, the benefits arising from the acquisition or improvement or acquisition and improvement for which the bonds to be refunded were issued and to be received by each lot, piece or parcel of land, and shall thereupon assess upon and against the said lands the total amount of the two sums hereinbefore in this section mentioned and in so doing

shall assess the said total amount upon the said several lots, pieces or parcels of land in said district subject to said assessment in the manner following to wit: Upon each lot, piece or parcel of land, respectively, in proportion to the estimated benefits received by each such lot, piece or parcel of land from the acquisition or improvement or the acquisition and improvement for which the bonds to be refunded were issued.

When said total amount has been assessed upon each of the lots, pieces or parcels of land to be assessed there shall be deducted from the amount so assessed upon any lot, piece or parcel of land any sum (including interest and penalties, if any) paid into the interest and sinking fund of the district on or prior to the date of adoption of the resolution of intention in the refunding proceeding, upon an assessment or special tax levied upon any such lot, piece or parcel of land to pay the principal and interest on bonds of said district. In case any such lot, piece or parcel of land was a portion of a larger parcel of land for which a payment of an assessment or special tax was made, the portion of such payment to be deducted from the amount assessed against such smaller lot, piece or parcel of land shall be that proportion of such payment which the amount assessed against said smaller lot, piece or parcel of land bears to the total amount assessed against all of the parcels which comprised the said larger parcel of land. After all of the amounts of assessments and special taxes (including any penalties and interest) paid into the interest and sinking fund have been deducted from the amounts assessed to each such lot, piece or parcel of land the amounts remaining assessed against each such lot, piece or parcel of land shall be deemed assessments and shall comprise the total assessment to be levied and shall in total amount be the sum stated in said resolution of intention, or a smaller sum. Should the amount paid as ad valorem assessments upon any parcel exceed the amount assessed as benefits against said parcel no refund shall be made to any property owner.

SEC. 5. Section 9 of said act is hereby amended to read as follows.

Sec. 9. When said assessment has been filed with the clerk, the legislative body shall direct said clerk to give notice of the filing of said assessment and of the time and place when and where all persons interested in any such assessment will be heard by said legislative body. Said notice shall be in substantially the following form:

(Fill in blanks, omit inapplicable language)

Notice of hearing on proposed assessment for refunding of indebtedness of _____ District No _____ of _____ (city or county) of _____ (insert names or otherwise designate all districts not included).

Notice is hereby given that an assessment for the refunding of the indebtedness of the above entitled district (or districts) has been filed with the clerk of the _____ (name of legislative body) of _____ (city or county) of _____ and may be examined by any person interested. The acquisitions or improvements or acquisitions and improvements (use whichever of the foregoing words applies), to pay the costs and expenses of which said indebtedness was incurred, were made pursuant to _____ (ordinance or resolution) of intention No. _____ (if numerated) adopted _____, 19 _____, (if more than one ordinance or resolution, give numbers, if any, and date of adoption of each and designate the city or county, the legislative body of which adopted same), and reference is hereby made to such _____ (ordinance or resolution) of intention on file in the office of _____ (if more than one designate where each ordinance or resolution is on file) for a description of the _____ (acquisitions of improvements or acquisitions and improvements).

The district (if only one) total area comprising the districts (if more than one) of lands benefited by said acquisitions or improvements, or acquisitions and improvements (using the appropriate words), is described in general terms as follows: (Here insert a description in general terms of the district (if only one) total area comprising the districts (if more than one) as shown upon the plat or diagram attached to the assessment excepting therefrom any lands not to be assessed.)

Reference is hereby made to the diagram contained in said assessment for the boundaries and extent of the said assessment district (if only one) total area comprising the districts (if more than one) and said diagram shall govern for all details as to the extent thereof. Said diagram shows each lot, piece or parcel of land assessed and said assessment shows the amount proposed to be assessed upon each lot, piece or parcel of land.

Notice is further given that it is proposed to levy said assessment for the refunding of the indebtedness of said district (or districts). The total amount of the proposed assessment is the sum of $_____.

The total amount of the outstanding indebtedness to be refunded, as of the date the resolution of intention was adopted, is $_____: the amount of the principal of unpaid bonds included therein is $_____, and the amount of due and unpaid interest coupons included therein is $_____. (If the proceeding includes more than one district state also the indebtedness of each district and the respective amounts of principal of unpaid bonds and of due and unpaid interest coupons included therein.)

(If interest maturing or accruing subsequent to the date the resolution of intention was adopted and prior to the date the assessment is recorded is to be paid use substantialy the following statement:)

The interest maturing or accruing on the outstanding bonds subsequent to the _____ day of _____, and prior to the date the assessment is recorded in this refunding proceeding is to be paid from public funds to be contributed by the _____ of _____.

(If public funds have been contributed, use substantially the following statement, setting forth amount contributed as stated in the resolution of intention.)

The sum of _____ dollars ($_____) has been contributed by the _____ of _____ to assist in such refunding.

Notice is further given that on the _____ day of _____, 19 _____, at the hour of _____ o'clock, __m., at the chambers of the _____ (designating legislative body) of the the _____ (city or county) in the city of _____ is the time and place the said _____ (designating legislative body) will hold the hearing on said assessment. Protests or objections to said assessment or to any proceedings taken in the refunding of said indebtedness and the levy of an assessment therefor or to any part of such proceedings or to any specific assessment upon any ground whatsoever must be filed in writing with the clerk of _____ (designating legislative body) at or before the time of said hearing. Upon the recording of said assessment, the respective amounts assessed shall be immediately due and payable. The assessment proceedings are under and bonds shall be issued in the manner and form provided in (here set out the title of this act and its date of approval) to represent all assessments remaining unpaid after the expiration of thirty days from the date of recording said assessment. Said bonds shall bear interest at the following rate (or rates) _____. Said bonds shall be payable as follows _____ (state generally when).

_____
Clerk of the_____
(designate legislative body) of
_____
(designate name of city or county)

SEC. 6. Section 10 of said act is hereby amended to read as follows:

Sec. 10. If the legislative body of a city is conducting the proceedings for such refunding, said notice shall be published by at least two insertions in a newspaper of general circulation printed and published in such city, and if there is no newspaper of general circulation published in such city, then in a newspaper published in the county in which said city lies. If the legislative body of a county is conducting such proceedings for refunding, said notice shall be published by at least two insertions in a newspaper of general circulation published in said county. Copies of such notice shall also be posted upon all open streets within the district of lands proposed to be assessed. Such notices shall be not more than three hundred feet in distance apart and not less than three of such notices shall be posted. The heading upon such posted notices shall be in letters at least one-half inch in height. The posting and publication of such notices must be completed at least fifteen days prior to the date of hearing stated in such notice. The affidavits of publication and posting shall be filed in the office of the clerk of said legislative body. The failure to post any or all of the said notices shall in no event affect the validity of the proceedings.

SEC. 7. Section 14 of said act is hereby amended to read as follows:

Sec. 14. After the full expiration of thirty days from the date of recording said assessment, the superintendent of streets (if the assessment is recorded with him) or the county surveyor (if the assessment is recorded with him) shall make and file with the clerk of the legislative body which conducted the refunding proceeding a complete list of all assessments unpaid, and the amounts thereof unpaid, excepting therefrom unpaid assessments upon public property for which bonds are not to be issued. The legislative body shall issue refunding bonds in the total principal sum of the assessments unpaid as shown on said list and shall pass a resolution determining the amount of such unpaid assessments. The legislative body shall prescribe the denominations of such bonds, which shall be in convenient amounts, not necessarily equal, and shall provide for the issuance of the same.

SEC. 8. Section 16 of said act is hereby amended to read as follows:

Sec. 16. Said bonds shall be issued in substantially the following form (in multiple district refunding in the bond form give names of or otherwise designate each district):

_____District No _____
of _____(city or county) of
_____

Refunding Bond

$_____
Series_____ No._____

Under and by virtue of an act of the Legislature of the State of California entitled "(title of this act)," the _____ (city or county) of _____ will, on the second day of July, 19__, out of the redemption fund for the payment of bonds

issued upon the assessments made for the refunding of the bonds of _____ District No. _____ of the _____ (city or county) of _____, pay to bearer the sum of _____ dollars ($_____), with interest thereon from the _____ day of _____, 19__, to the _____ day of _____, 19__, at the rate of _____ per cent per annum, and thereafter at the rate of _____ per cent per annum at the office of the treasurer of the _____ of _____, State of California.

This bond is one of an issue of bonds of like date, tenor and effect issued by said _____ (city or county) under said act for the purpose of refunding the bonds of _____ District No. _____ of the _____ (city or county) of _____ and is secured by the moneys in said redemption fund and by the unpaid assessments made for the purpose of refunding such bonds and including principal and interest is payable exclusively out of said fund.

The interest is payable semiannually, to wit: on the second days of January and July in each year hereafter upon presentation of the proper coupons therefor, provided, that the first of said coupons is for the interest to the second day of January, 19__, and thereafter the interest coupons are for the semiannual interest. This bond will continue to bear interest after maturity at the rate above stated provided it is presented at maturity, or within ten days thereafter, and payment thereof is refused on the ground that there is not sufficient money in said redemption fund with which to pay same. If it is not so presented interest thereon will run until maturity.

This bond may be redeemed and paid in advance of maturity upon the second day of January or July in any year by giving the notice provided in said act and by paying principal and accrued interest to such date of redemption.

It is hereby certified, recited and declared that all proceedings, acts and things required by law precedent to or in the issuance of this bond have been regularly had, done and performed and this bond is by law made conclusive evidence thereof.

IN WITNESS WHEREOF, Said _____ (city or county) of _____ has caused this bond to be signed by the _____ (mayor or other chief executive of a city, or chairman of the board of supervisors if a county) and by the treasurer of said _____ (city or county) and attested by its clerk and has caused its clerk to affix thereto the seal of (the city, if a city, or the board of supervisors of said county, if a county) all on the _____ day of _____, 19__.

_____

(Mayor of the city of_____

or

Chairman of the board of supervisors of ____ County.)

_____

Treasurer.

ATTEST:

_____

Clerk.

SEC. 9. Section 25 of said act is hereby amended to read as follows:

Sec. 25. The legislative body may, and in the event of demand by the tax collector therefor as provided in section 24 hereof must, at the time of fixing the annual rate and levying the taxes to be collected for general municipal or county purposes, as the case may be, levy a special tax upon the taxable property in the city or county, as the case may be, for the purpose of paying for the lands purchased or to be purchased at such tax sales, or for the purpose of paying installments of the assessment or of interest which the city or county is required to pay under the provisions of section 24 hereof, but not to exceed for each district, the bonds of which are refunded, ten cents on each one hundred dollars of assessable property. Such special tax shall be in addition to all other taxes levied for municipal or county purposes and shall be computed, entered and collected in the same manner and by the same persons and at the same time and with the same penalties and interest as are other taxes of the city or county, as the case may be. In the event that the district lies partly in unincorporated territory of the county and partly within one or more municipalities or lies within two or more municipalities, a certified copy of the resolution determining the amounts of the assessments remaining unpaid upon the security of which the refunding bonds are issued shall be filed in the office of the auditor of the county in which the assessment district lies, and no copy thereof shall be filed in the office of the city auditor, and for any such proceeding in which the lands assessed lie in more than one jurisdiction the auditor of the county in which the assessment district lies shall perform the duties imposed upon an auditor under this act and the tax collector of such county shall perform the duties imposed upon a tax collector under this act. In case the lands assessed lie in more than one jurisdiction, in the event of the delinquency in the payment of any assessment levied hereunder and a sale to the State therefor, the county shall be deemed the real purchaser of all parcels sold which lie within unincorporate territory of the county and the city shall be deemed the real purchaser of all parcels sold which lie within the boundaries of the city, and each such city or county must make payment for the lands of which it is deemed the real purchaser, and if there are no available funds in the treasury with which to make such payment the legislative body of such city or county must, at the time of fixing the annual tax rate and levying the taxes to be collected for general municipal or county purposes, as the case may be, levy a

special tax upon the taxable property in such city or county, as the case may be for the purpose of paying for the lands purchased or to be purchased at such tax sales, or for the purpose of paying installments of the assessment or of interest which the city or county is required to pay under the provisions of section 24 hereof but not to exceed for each district the bonds of which are refunded ten cents on each one hundred dollars of assessable value in such city or county, as the case may be Such special tax shall be in addition to all other taxes levied for municipal or county purposes and shall be computed, entered and collected in the same manner and by the same persons and at the same time and with the same penalties and interest as are other taxes of the city or county, as the case may be

As to all lands of which any city or county is deemed the real purchaser under the provisions of this section, such city or county and all of the officials thereof shall have all of the rights, powers, duties and obligations granted, authorized or imposed by this act

SEC 10. Section 29 of said act is hereby amended to read as follows

Sec. 29. When all or any part of the lands in any district, the indebtedness of which could be refunded under the provisions of this act, lie in any other district or districts, the indebtedness of which could be refunded under the provisions of this act, all or any number of such districts which wholly or partially overlap may be included in one refunding proceeding and the total indebtedness of all of the districts so included in one proceeding may be refunded in such proceeding and one issue of refunding bonds issued and one assessment levied therefor It is the intent of this section to permit, but not to require, the refunding in one proceeding of the indebtedness of all districts which wholly or partially overlap, and to authorize the refunding in one proceeding of the indebtedness of any number of districts where some part of the area of each of the districts lies wholly or partially within the boundaries of one or more of the other districts included in the same refunding proceedings, and such refunding in one proceeding of the indebtedness of two or more districts may be called "multiple district refunding"

A multiple district refunding proceeding may be conducted by the legislative body of the county if any portion of any of the districts to be including in the proceeding lies in unincorporated territory of the county, or by the legislative body of any municipality in which any portion of any of the districts proposed to be includ d in the proceeding lies, upon obtaining consent of other legislative bodies as herein required.

If the legislative body of a city is conducting the multiple district refunding proceeding, the refunding may include a district or districts lying entirely outside the boundaries of such city upon obtaining consent as herein provided and, if the legislative body of a county is conducting the proceeding, the refunding may include a district or districts lying entirely within the boundaries of one or more incorporated cities upon obtaining consent as herein provided The provisions of this section are to be liberally construed, to the end that jurisdiction to refund in one proceeding the indebtedness of any and every combination of districts now existing shall be full and complete.

In the event that all or any part of any district included in any multiple district refunding proceeding lies outside of the boundaries of the city, the legislative body of which proposes to conduct the proceeding, the consent of each municipal corporation in which any part of the district lies, the consent of the county, if any part of the district lies in unincorporated territory of the county, and the consent of the legislative body which levies the taxes or assessments for the payment of principal and interest of the outstanding bonds of such district, shall be obtained to the refunding of the indebtedness of such district in the multiple district refunding proceeding, and to the levy of an assessment therefor In the event the legislative body of a county proposes to conduct the multiple district refunding proceeding and all or any part of any of the districts to be included in such proceeding lies within any incorporated city or cities, the consent of each municipal corporation in which any part of any of said districts lies, and the consent of the legislative body which levies the taxes or assessments for the payment of principal and interest of the outstanding bonds of such district, shall be obtained to the refunding of the indebtedness of such district in the multiple district refunding proceeding and to the levy of an assessment therefor Such consent shall be obtained prior to the adoption of the resolution of intention in the multiple district refunding proceeding and shall be expressed by resolution, a certified copy of which shall be filed with the clerk of the legislative body which proposes to conduct the multiple district refunding proceedings on or before the date the resolution of intention in such proceedings is adopted. When such consent has been given by the legislative bodies of each of the cities, the consent of which is required, and by the legislative body of the county, if the consent of such body is required, the legislative body to which the consent has been granted shall have complete jurisdiction, power, and authority to refund the indebtedness of the districts included within such multiple district refunding proceedings, and to levy an assessment therefor under the provisions of this act

The districts included in any multiple district refunding proceeding need not be formed under the same act, but, if formed under any act under which taxes or assessments are levied wholly or partly in accordance with the assessed value of

lands, the indebtedness thereof may be refunded in one refunding proceeding hereunder. Such multiple district refunding proceeding shall be had and the assessment levied under the provisions of this act as modified in this section, and under the same general procedure provided for refunding the indebtedness of a single district, so far as applicable, and the legislative body conducting the proceeding is authorized and empowered to adapt or modify any and all resolutions, orders, notices, summons, records, bonds, and all other proceedings provided for under this act so as to fully provide for such multiple district refunding hereunder

If the legislative body which proposes to conduct the multiple district refunding proceeding determines by resolution that the public interest, convenience or necessity requires the refunding of the indebtedness of all of the districts to be included therein in one refunding proceeding, it may proceed to conduct such refunding proceeding under the terms of this act. The consent of the city or cities or of the county, hereinbefore required under the provisions of this section, shall be obtained prior to the adoption of the resolution of intention in the multiple district refunding proceedings.

The total amount of the proposed assessment shall be fixed by the legislative body conducting the multiple district refunding proceeding in the resolution of intention.

The resolution of intention and the notice of hearing on the proposed assessment shall describe the exterior boundaries of the area comprising the districts included in the multiple district refunding proceeding by stating the exterior boundaries thereof, or by giving a description thereof according to any official recorded map or maps, or by referring to a plat or map approved by the legislative body conducting the proceeding which shall be on file in the office of the clerk of the legislative body of the city or county conducting the proceeding at the time the resolution of intention is adopted, which said plat or map shall indicate by a boundary line the extent of the total territory comprising all of the said districts, and said plat or map shall govern for all details as to the extent thereof The total area comprising the said districts need not be described in any notice, resolution, or order other than the resolution of intention and the notice of hearing on the proposed assessment.

The resolution of intention and all posted or published notices shall name or otherwise designate the districts included in the multiple district refunding proceeding, but need not describe the boundaries thereof, and the resolution of intention shall state separately the amount of the outstanding indebtedness of each such district, and that it is proposed to refund the indebtedness of all of the districts named or otherwise designated therein in one refunding proceeding and to levy one assessment therefor and to issue one issue of refunding bonds therefor, and shall state that the refunding shall not be authorized unless the consent of the owners of a majority in area of the lands included within each of the districts, who shall likewise be the owners of a majority in area of the lands included within the exterior boundaries of the total area which comprises the districts, is filed with the clerk of the legislative body conducting the proceeding, and that any owner of land in any of the districts may file his written consent to such refunding at any time prior to the adoption of the resolution ordering the refunding. If, at the hearing provided in section 4 hereof, the legislative body determines that the written consent of the owners of a majority in area of the lands in each of the districts, who are likewise the owners of a majority in area of the lands included within the exterior boundaries of the total area comprising the districts, has been filed, it shall be authorized to proceed with such multiple district refunding and to make an assessment and issue refunding bonds therefor as in this act provided The assessment shall be spread over all of the lands in the total area comprising the districts and subject to tax or assessment for the payment of principal and interest of any of the bonds of the districts to be refunded in the proceeding To the total sum of the assessment shall be added the total sum of all taxes upon land and all assessments, including interest and penalties, paid into the interest and sinking fund of any of the districts for the payment of principal or interest or both of any bonds of the said districts, the indebtedness of which is to be refunded The total amount of the two sums thus ascertained shall be assessed upon and against all of the lands within the total area comprised by the districts and upon each lot, piece or parcel thereof in proportion to the estimated benefits received by each such lot, piece or parcel of land from the acquisitions or improvements or acquisitions and improvements to pay for which the indebtedness proposed to be refunded was incurred From the assessment thus made upon each lot, piece or parcel of land shall be deducted the amount of such taxes upon land and such assessments (including interest and penalties, if any) paid into the interest and sinking fund of any of said districts on or prior to the date of adoption of the resolution of intention in the multiple district refunding proceeding upon a tax or assessment levied upon any such lot, piece or parcel of land to pay principal or interest or both of bonds of any of the districts included in the multiple district refunding proceeding. The amounts remaining after such deductions have been made shall be and constitute the assessments and shall comprise the total assess-

ment to be levied and the total amount of such assessments shall be the total sum of the assessment stated in the resolution of intention or a smaller sum.

In the event that the holders of one or more of the outstanding bonds of any of the districts included in the multiple district refunding proceeding do not enter any contract with the legislative body to refund the same, nevertheless, if the holders of seventy-five per cent or more of the total amount of the outstanding bonds of all of said districts do contract with the legislative body which conducts the refunding proceedings for the refunding of the bonds owned or held by them, said legislative body shall have authority to refund all of the indebtedness of the districts included in such multiple district refunding proceeding under the provisions of this act, but, in such event, prior to recording the assessment levied under this act, sufficient moneys to adequately provide for the retirement or payment of the bonds of the nonconsenting holders must be provided and set aside in the proper fund or funds for that purpose. The word "bonds" as used in this paragraph shall be deemed to include due and unpaid interest coupons.

This act is remedial in nature and shall be liberally construed. No proceeding taken, assessment levied, or refunding bond issued hereunder shall be held invalid for failure to comply with the provisions of this act; provided that the acts done and proceedings taken are not invalid under the provisions of the State and Federal Constitutions. To effectively and speedily accomplish the refunding of the indebtedness of these districts the legislative body conducting any refunding proceeding hereunder and all other officials taking any part therein, or upon whom is imposed any duty under this act, are hereby authorized and empowered to take any and all steps and proceedings and perform any and all acts, within the limitations of the State and Federal Constitutions, necessary or convenient for the refunding of the indebtedness of any district or districts under this act, and the levy and enforcement of assessments therefor. The remedies provided for the enforcement of any assessment levied under the provisions of this act are not exclusive and additional remedies may be provided at any time. The curative clauses of this act are cumulative and each of them is to be given full force and effect

Special improvement district bonded indebtedness which is payable from taxes levied upon all property or upon all taxable property in the improvement district may be refunded under this act The proceeding for refunding such indebtedness shall be the same as for refunding other indebtedness under this act and in making the assessment hereunder to the total sum of the proposed assessment shall be added the total sum of all of the amounts (including such penalties and interest as go into such fund) paid into the interest and sinking fund of the district on or prior to the date the resolution of intention in the refunding proceeding is adopted upon taxes levied upon any lot, piece or parcel of land subject to assessment in the refunding proceeding to raise funds to pay principal or interest of any bonds of the same issue as the bonds to be refunded, and the total of the two sums shall be apportioned upon the lands subject to assessment according to benefits as hereinbefore provided in this act, and from the amounts so apportioned to any lot, piece or parcel of land shall be deducted any such sum paid into the interest and sinking fund of the district on or prior to the date said resolution of intention is adopted upon any tax levied upon such lot, piece or parcel of land to pay principal or interest or both of bonds of the same issue as the bonds to be refunded.

SEC. 11 Section 30 of said act is hereby amended to read as follows:

Sec 30 The term "city auditor" as used in this act shall be held to mean and include any person who, under whatever name or title, is charged with the duty of extending taxes upon the assessment rolls and lists The term "tax collector" as used in this act shall be held to mean and include any person who, under whatever name or title, is charged with the duty of collecting taxes, advertising delinquent lists of unpaid taxes, selling lands thereunder and executing certificates of sale and deeds thereon.

The word "improvement" where used in the phrase "special improvement district" in this act shall mean any public improvement of any nature whatsoever, including any acquisition of lands, rights of way or easements for public use, any acquisition or construction of buildings, structures or public works of any kind or nature, or a combination of any or all of the foregoing, and the word shall be given its broadest and most liberal construction as including all acquisitions of land and all acquisition and construction of public works authorized under any law of the State of California, including particularly the Acquisition and Improvement Act of 1925, the Road District Improvement Act of 1907 and the Municipal Improvement District Acts of 1915 and 1927

This act shall be known as and whenever mentioned, cited, referred to or amended may be designated as the "Refunding Assessment Bond Act of 1935" and by such designation shall be sufficiently identified in any proceeding hereunder or in any court action or proceeding, and whenever under the procedure set forth in this act the title of the act is to be stated in any resolution, notice or order, it shall be sufficient to designate the act as provided in this paragraph

Whenever any resolution, order, notice, or determination is required to be published or posted and the duty of the posting, or procuring the publication or posting, of the same is not specifically enjoined upon any officer of the city

or county, as the case may be, it shall be the duty of the clerk of the legislative body to post, or to procure the publication or posting thereof, as the case may be No proceeding or step herein shall be invalidated or affected by any error or mistake or departure herefrom as to the officer or person posting, or procuring the publication or posting of, any resolution, notice, order, or determination hereunder.

SEC 12 A new section is hereby added to said act, to be numbered section "18" and to read as follows:

SEC 18. Any lot, piece or parcel of land which has been deeded to the State for delinquent taxes, or for delinquent taxes and assessments, (which may be called herein for brevity, tax deeded lands) shall be subject to assessment in any refunding proceeding hereunder, and in any such proceeding the Controller of the State of California is authorized and empowered to sign any consent or consents to the refunding and assessment for the State of California and the board of supervisors of the county in which the property lies is authorized and empowered to consent to the refunding and assessment by resolution.

Anything to the contrary in this act notwithstanding, if any assessment levied upon any lot, piece or parcel of said tax deeded land is not paid within the thirty day period provided for cash payments of assessments, the list of unpaid assessments filed with the clerk shall include the assessment upon any such lot, piece or parcel of tax deeded land and refunding bond shall be issued to represent such unpaid assessments In the event of default in the payment of any installment of interest or principal of any bond issued to represent any assessment upon tax deeded land, the land may be sold or a foreclosure suit brought under this act as in the case of other land. In any such suit to foreclose, or in any suit to quiet title brought by the purchaser at the sale for delinquency, or by his successor in interest, the State of California may be made a party defendant and in that event it shall be sufficient service of process to serve the same upon the Attorney General of the State of California

When an assessment has been levied upon any parcel of tax deeded land, upon the recordation of the assessment, notice that the bonds of the district have been refunded and that the unpaid taxes and special assessment taxes levied to pay principal and interest of the bonds refunded are canceled shall be sent by the clerk of the legislative body which conducted the refunding proceeding to the auditor of the county in which the land lies, and he shall compute the amount of the unpaid taxes or special assessment taxes, penalties and interest so canceled and shall notify the State Controller thereof, and such amount shall be deducted from the sum for which the property was sold to the State, in computing the amount necessary for a redemption of the property or in any sale of the property by the State

The refunding of the indebtedness of overburdened ad valorem special improvement districts so as to eliminate pyramiding of assessments and taxes, thus making the property available for development and restoring it to the tax rolls, is declared to be an important policy of this State and all necessary authority, power and jurisdiction to impose a valid assessment upon lands deeded to the State for delinquent taxes or for delinquent taxes and assessments and to enforce the lien of such assessment is hereby granted, and any and all acts and proceedings of every kind and nature necessary for the levy of a valid assessment and for the enforcement of the lien of such assessment are hereby authorized

SEC. 13 This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such necessity:

The indebtedness of special improvement districts payable from ad valorem assessments or from general taxes is, in many instances, greater than the property within the district can bear Pyramiding of the taxes and assessments has resulted in districts becoming almost entirely delinquent and in preventing the upbuilding and development of the lands in such districts In many of such districts general taxes and the special assessments have been delinquent for several years. In many of such districts large blocks of land have been sold to the State for delinquency in the payment of taxes and assessments and deeds to the State have been issued thereon. Property in these districts which comprise substantial areas is almost entirely unproductive of revenue for school, city and county purposes. In some districts this lack of revenue has hampered and prevented the city from providing adequate police and fire protection, sanitation and other health facilities. By refunding the obligations of such districts under this act, delinquent general taxes will be paid speedily, the properties will be restored to the tax roll and tax revenues will be provided to meet the urgent needs of the cities, school districts and counties. Unless this relief is immediately given, many thousands of property owners will lose their property, millions of dollars in taxes will be uncollectible, and funds necessary to provide for the safety and health of the inhabitants of many districts will not be supplied. The immediate refinancing of the indebtedness of these districts as provided in this act will save property owners from loss of their property, restore

property to the tax rolls, provide funds needed for public safety, sanitation and health purposes, and permit building and development now stopped by fear of pyramiding"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2343—An act authorizing the erection, maintenance and operation of churches and schools in any part of a city or city and county, forbidding all cities and cities and counties from prohibiting the erection, maintenance or operation of churches or schools in any residential or other district established by a zoning or other ordinance thereof, and declaring invalid and void any provision of any zoning or other ordinance of any city or city and county which prohibits the erection, maintenance or operation of a church or school in any part of such city or city and county.

Committee Amendments to Assembly Bill No. 2343.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following: "An act making it unlawful, in any zoning or other ordinance of any city or city and county to prohibit the erection and/or maintenance of a private school or schools in any residential or other district in such city or city and county in which the erection and/or maintenance of a public school or schools is permitted"

Amendment No. 2.

On page 1 of the printed bill, strike out section 1, and insert in lieu thereof the following:

"SECTION 1. It shall be unlawful, in any zoning or other ordinance of any city or city and county to prohibit the erection and/or maintenance of a private school or schools in any residential or other district of such city or city and county wherein the erection and/or maintenance of a public school or schools is permitted."

Amendment No. 3.

On page 1 of the printed bill, strike out section 2, and insert in lieu thereof the following:

"SEC. 2. Any zoning or other ordinance of any city or city and county which shall prohibit the erection and/or maintenance of a private school or schools in any residential or other district in such city or city and county wherein the erection and/or maintenance of a public school is permitted is hereby declared to be invalid and void."

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Assembly Bill No. 21—An act to repeal sections 273, 274, 275, 276, 277, 278, 279, 280, 281, 282 and 283, of the Political Code, relating to the contesting of elections for members of the Legislature.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 351—An act relating to and providing for the calling and holding of a convention to revise the Constitution of this State, including the election of delegates, the proceedings, powers, and duties of the convention and the delegates, and the submission to the people of the Constitution that may be agreed upon by the convention, and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 351.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "January", and insert in lieu thereof the following: "March".

Amendment No. 2.

On page 1 of the printed bill, between lines 3 and 4, insert the following

"SEC. 1 5. The delegates to such convention shall be chosen in the same manner and have the same qualifications as members of the Legislature."

Amendment No. 3.

On page 1, line 9, of the printed bill, strike out ", except that:", and strike out lines 10 to 13, inclusive, and insert in lieu thereof a period and the following:

"Candidates for the office of delegate to the convention shall be nominated in each district of this State from which a member of the Assembly is elected, and in each district of this State from which a member of the Senate is elected."

Amendment No. 4.

On page 1, line 14, of the printed bill, strike out "(b)".

Amendment No. 5.

On page 1, line 17, of the printed bill, before "district", insert the following: "or Senate".

Amendment No. 6.

On page 2, line 3, of the printed bill, strike out the period, and insert in lieu thereof the following: ", and one delegate shall be elected from each district from which a member of the Senate is elected."

Amendment No. 7.

On page 2, lines 6 and 7, of the printed bill, strike out "which members of the Assembly", and insert in lieu thereof the following: "they".

Amendment No. 8.

On page 2, line 11, of the printed bill, before "district", insert the following: "or Senatorial".

Amendment No. 9.

On page 2, line 13, of the printed bill, before "or", insert the following: ", "member of Senate," ".

Amendment No. 10.

On page 2, line 14, of the printed bill, after "Assembly", insert the following "or Senate".

Amendment No. 11.

On page 2, line 20, of the printed bill, strike out "January", and insert in lieu thereof the following: "March".

Amendment No. 12.

On page 2, line 36, of the printed bill, strike out "twenty", and insert in lieu thereof the following: "twelve".

Amendment No. 13.

On page 4, line 30, of the printed bill, after "with", insert the following: "any other special election that may be held during the period between the time when the convention has agreed upon a Constitution and has adjourned sine die and the general election in 1938. If no special election for any other purpose is called to be held during such period, a special election is hereby called to be consolidated with".

Amendment No. 14.

On page 4, line 31, of the printed bill, strike out ", at which special election", and insert in lieu thereof the following: ". In either case at such special election".

Amendment No. 15.

On page 5, line 5, of the printed bill, in the blank space preceding "thousand", insert the following: "two hundred".

Amendment No. 16.

On page 5, line 6, of the printed bill, after the period, insert the following: "The unexpected balance of such appropriation, after the adjournment of the convention, shall revert to the general fund of the State.

SEC. 20. *The Legislative Counsel of this State and the California Code Commission* shall make such preliminary studies and investigations as to them seem advisable and shall submit to the convention a draft of the Constitution of this State, containing the substance of the existing provisions thereof, restated without major substantive change, but with such clarification and elimination of ambiguities and obsolete and inoperative provisions thereof as to them seem advisable. The Legislative Counsel and the California Code Commission may submit such draft in alternative forms whenever in their opinion such alternative forms seem advisable They may also submit other drafts and proposals, whether or not recommended by them in such form and in such manner as may be requested by State officers, members of the Legislature, or delegates to the convention."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 52—Proposed amendment to Article XI, section 5, of the Constitution, relative to the appointment and compensation of deputies of certain county officers.

Committee Amendment to Assembly Constitutional Amendment No. 52.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed measure, after line 29, insert the following:

"The provisions of this section shall not be construed to abridge, modify or otherwise affect the provisions of sections 7½, 7¾a and 8½ of this article, relating to county or city and county charters That certain act entitled "An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of boards of supervisors with respect to county and township officers, deputies, assistants and employees," as enacted by the Legislature at its fiftieth session, is hereby validated and made fully and completely effective.

The compensation of any county, township or municipal officer shall not be increased after his election or during his term of office, nor shall the term of any such officer be extended beyond the period for which he was elected or appointed. The provisions of this section shall not prevent the allowance of any new or additional deputy or assistant to the principal in any county office during his term, nor shall they prevent any increase in the compensation of any deputy or assistant to such principal at any time.

The provisions of this section shall not abridge, modify or otherwise limit the power of the Legislature by general and uniform laws to prescribe the qualifications of any county officer or of any deputy or assistant, or to prescribe the method of appointment of any person so qualified."

Amendment adopted.

Bill ordered to reprint and engrossment.

Assembly Bill No. 2837—An act to amend section 976 of the Agricultural Code, relating to navel oranges.

Committee Amendments to Assembly Bill No. 2837.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, after "months," insert the following: "in all of San Diego County and Orange County and that portion of Los Angeles County lying east of the Los Angeles River and south of a line beginning at a point of intersection of the 34th Parallel with the Los Angeles River, thence easterly along the 34th Parallel to the 118th Meridian, thence on a straight line southeasterly to the common meeting point of San Bernardino, Los Angeles and Orange counties,".

Amendment No. 2.

On page 1, line 13, of the printed bill, after "mature", insert the following: "in said area".

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Assembly Bill No. 2857—An act to amend sections 86, 88 and 89 of the Agricultural Code, relating to agricultural districts and including provision for leasing property of such districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1261—An act to amend sections 1650, 1651, 1654, and 1655, and repealing sections 1656 and 1657, of the Business and Professions Code, relating to registration of licenses with county clerks.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1258—An act to amend section 1748 of the Business and Professions Code, relating to the suspension and revocation of dental licenses.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1929—An act amending section 1603 of the Business and Professions Code, relating to appointment of members of the State Board of Dental Examiners.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2350—An act to amend sections 3024, 3027, 3040, 3090, 3091, 3098, 3102, 3103 and 3149, and to repeal section 3093 of the Business and Professions Code, relating to the practice of optometry.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1004—An act to amend section 2380 of the Business and Professions Code, relating to unprofessional conduct within the chapter on medicine.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2178—An act to amend section 632 of the Agricultural Code, relating to records.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1005—An act to amend section 581 of the Business and Professions Code, relating to the unlawful use of any diploma, certificate or transcript necessary for the practice of a healing art.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1320—An act to add section 14.5 to the State Medical Practice Act, relating to unprofessional conduct.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1859—An act to add Chapter 9, comprising sections 4000 to 4256, inclusive, to Division II and to add section 30006 to Division XXX of the Business and Professions Code, relating to the practice of pharmacy and the sale of drugs, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1670—An act to amend sections 4041.13 and 4041.18 of the Political Code, relating to county purchases of personal property and services.

Committee Amendments to Assembly Bill No. 1670.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 4, line 13, of the printed bill, strike out "lower", and insert in lieu thereof "more".

Amendment No. 2.

On page 4, line 15, of the printed bill, following the word "purchased", add "after securing informal bids or quotations".

Amendment No. 3.

On page 4, line 15, of the printed bill, strike out the word "from".

Amendment No. 4.

On page 4, line 16, of the printed bill, capitalize the word "any".

Amendment No. 5.

On page 4, line 19, of the printed bill, strike out the word "where", and capitalize the word "informal"

Amendment No. 6.

On page 4, line 19, of the printed bill, strike out "are required, the pur-", and insert in lieu thereof the words "shall be secured".

Amendment No. 7.

On page 4, line 20, of the printed bill, strike out "chasing agent shall secure them", and the word "he".

Amendment No. 8.

On page 4, line 21, of the printed bill, strike out "shall keep a record of all those secured", and insert in lieu thereof "a record shall be kept of all those secured".

Amendment No. 9.

On page 4, line 27, of the printed bill, insert a comma after the word "bid"

Amendment No. 10.

On page 4, line 29, of the printed bill, strike out "never", and insert in lieu thereof "not".

Amendment No. 11.

On page 4, line 35, of the printed bill, following the word "dealers", insert a period

Amendment No. 12.

On page 4, line 35, of the printed bill, strike out "such bids to be accompanied by certified check or bid".

Amendment No. 13.

On page 4, line 36, of the printed bill, strike out "bond in the sum of ten per cent of the total bid".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2677—An act to add a new section to be numbered 4041.29 to the Political Code, relating to powers of boards of supervisors.

Committee Amendments to Assembly Bill No. 2677.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "4041.29", and insert in lieu thereof the following: "4041.34".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "4041.29", and insert in lieu thereof the following: "4041.34".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert in lieu thereof the following:

"4041.34. Under such limitations and restrictions as are prescribed by law and in addition to jurisdiction and powers otherwise conferred, the boards of supervisors in their respective counties shall have the jurisdiction and power to contract with and employ any person, firm, or corporation for the furnishing to the county itself, or for and on behalf of any districts therein, of special services and advice in financial, economic, accounting, engineering, legal or administrative matters by persons specially trained and experienced in such lines of work and who are in the opinion of the board of supervisors competent to perform the special services required.

The board of supervisors of any county may agree to pay and pay from any available funds such compensation to these experts as it may deem proper for the services rendered or agreed to be rendered by the expert or experts with whom the contract is made."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2304—An act to amend section 1308 of the Penal Code, relating to bail

Committee Amendments to Assembly Bill No. 2304.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 17, of the printed bill, strike out the second "or", and insert in lieu thereof the following: "as surety on bail."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 18 and 19.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1260—An act to amend sections 1626 and 1635 of the Business and Professions Code, relating to the practice of dentistry.

Committee Amendments to Assembly Bill No. 1260.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following, "and surgeon licensed under the Medical Practice Act."

Amendment No. 2.

On page 1, line 10, of the printed bill, after "college.", insert the following: "approved by the Board of Dental Examiners.

(c) The practice of dentistry by licensed dentists of other States or countries while appearing and operating as bona fide clinicians or instructors in dental colleges approved by the Board of Dental Examiners.

(d) The practice of dentistry by licensed dentists of other States or countries in conducting or making a clinical demonstration before any bona fide dental or medical society, association or convention; provided, however, the consent of the Board of Dental Examiners to the making and conducting of such clinical demonstration must be first had and obtained"

Amendment No. 3.

On page 1, line 11, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(e)".

Amendment No. 4.

On page 1, line 20, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(f)".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1259—An act to amend section 1748 of the Business and Professions Code, relating to dental hygienists

Committee Amendment to Assembly Bill No. 1259.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, preceding line 1, insert the following:

"SECTION 1 Section 1748 of the Business and Professions Code is hereby amended to read as follows:".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 52—An act to prohibit the passage or enforcement of anti-picketing ordinances, laws or regulations.

Bill read second time, and ordered to engrossment

Assembly Bill No. 55—An act to add Chapter 2a to Part 3 of Division II of the Labor Code, relating to the enforcement of anti-picketing laws, ordinances or regulations

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 430—An act to amend section 6 750 of the School Code, relating to the use of school buildings as civic centers

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1828—An act to add section 1396.5 to the Labor Code, relating to the sale of goods made or manufactured with child labor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1120—An act to amend section 552 of the Labor Code, relating to days of rest.

Motion to Amend Assembly Bill No. 1120.

Mr Richie moved to amend Assembly Bill No. 1120 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 13 to 16, inclusive

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1845—An act to amend sections 12, 24 and 25 of, and to add two new sections to be numbered 24½ and 24¾ to, the Direct Primary Law, relating to primary elections.

Motion to Amend Assembly Bill No. 1845.

Mr. Lyon moved to amend Assembly Bill No. 1845 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "1", add a comma and the following: "12.".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 2 and 3 of the title, add a comma and the following: "and to add sections 24½ and 24¾ to,".

Amendment No. 3.

On page 12 of the printed bill, as amended, between lines 37 and 38, add the following:

"SEC. 2. Section 12 of said act is hereby amended to read as follows:

Sec. 12. All voting at primary elections within the meaning of this act shall be by ballot. A separate official ballot for each political party shall be printed and provided for use at each voting precinct, but all such party ballots must be alike in the designation of candidates for judicial, school, county, and township offices. The ballots must have a different tint or color for each of the political parties participating in the primary election. There shall also be printed and provided a nonpartisan ballot of a different tint and color from all the others (or white, if all the others are colored), which shall contain only, but in like manner, all the candidates for judicial, school, county, and township offices to be voted for at the primary election; and one of the nonpartisan ballots shall, at the primary election, be furnished to each registered qualified elector who is not registered as intending to affiliate with any one of the political parties participating in said primary election; but to any elector registered as intending to affiliate with any political party participating in the primary there shall be furnished, not a nonpartisan ballot, but a ballot of the political party with which said elector is registered as intending to affiliate.

It shall be the duty of the county clerk of each county or of the registrar of voters in any city and county to provide such printed official ballots to be used at any August primary election for the nomination of candidates to be voted for in such county or city and county at the ensuing November election and at any May presidential primary election. It shall be the duty of the city clerk or secretary of the legislative body of any municipality to provide such printed official ballots for any primary election other than the August primary election or the May presidential primary election. Such official ballots to be used at any primary election shall be printed on official paper, furnished by the Secretary of State, in the manner provided by section 1196 of the Political Code, and in the form hereinafter provided. The names of all candidates for the respective offices for whom the prescribed nomination papers have been duly filed shall be printed thereon

Immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designations:

a. Words designating the city, county, district or State office which the candidate then holds.

b. If the candidate be a candidate for the same office which he then holds, the word "incumbent."

c. The word designating the profession, vocation or occupation of the candidate. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of such candidate; provided, however, the word "incumbent" shall be used only under subsection (b) herein. Such designation shall remain the same for all purposes of both primary and general election, unless canceled by the candidate.

In all cases words so used shall be printed in eight point roman boldface capitals and lower case type.

2. Official primary election ballots used at any primary election for the nomination of candidates to be voted for at any Presidential or general State election, except as provided in subdivision 5 of this section, shall be as long as the herein prescribed captions, headings, party designations, directions to voters and lists of names of candidates, properly subdivided according to the several offices to be nominated for, may require; and no official primary election ballots shall be less than six and one-half inches wide.

3. Across the top of the ballot shall be printed in heavy-faced gothic capital type, not smaller than forty-eight point, the words: "Official primary election ballot"; providing, that on a nonpartisan ballot said words may be printed in gothic capital type not smaller than twenty-four point. Beneath this heading shall be printed in heavy-faced gothic capital type, not smaller than twenty-four point, the party designation if it be a party ballot; or, in the case of a ballot containing the names of no candidates except candidates for a judicial, school, county, or township office, the words "Nonpartisan ballot." Beneath the party designation or the words "Nonpartisan ballot," as the case may be, insert the respective number of the Congressional, Senatorial, or Assembly District in which the ballot is to be voted, in

black-faced type, as large as the width of the ballot shall make possible. In the case of official primary election ballots to be used at any primary election held for the nomination of candidates other than those to be voted for at a Presidential or a general State election, and on which, in accordance with the provisions of this act, the names of candidates may be printed in a single column or in two parallel columns, as the case may be, the words "Official primary election ballot" shall be printed thereon in heavy-faced gothic capital type, not smaller than twenty-four point. The party or nonpartisan designation shall be printed in heavy-faced gothic capital type, not smaller than eighteen point. The instructions to voters shall be printed in ten point gothic type.

4. At least three-eighths of an inch below the district designation shall be printed in ten point gothic type, double leaded, the following instructions to voters: "To vote for a person whose name appears on the ballot, stamp a cross (+) in the square at the right of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose."

5. The instructions to voters shall be separated from the lists of candidates and the designation of the several officers to be nominated for by one light and one heavy line of rule. The names of the candidates and the respective offices shall, except as may be hereinafter otherwise provided, be printed on the ballot in four or more parallel columns, each two and one-half inches wide. The number of such parallel columns shall be exactly divisible by two, and such parallel columns shall be equally divided on the ballot for party and nonpartisan tickets by a solid black line, extending down from the printed lines separating the instructions to voters from the list of names of candidates to the bottom margin of the ballot. In the case of a primary election for the nomination of candidates to be voted for at a presidential or general State election, the order of precedence shall be as follows, that is to say: In the column to the left, under the heading State shall be printed the groups of names of candidates for State offices, except judicial and school offices, and for members of the State Board of Equalization. In the second column, under the heading Congressional shall be printed the groups of names for United States Senator in Congress, if any, and for Representative in Congress. Next, under the heading Legislative shall be printed the groups of names for State Senator, if any, for member of Assembly. In the case of primary elections where State officers are not to be nominated, at the left of the solid black dividing line there may be only one column. In the parallel columns to the right of the solid black dividing line shall be printed the groups of names of candidates for nomination to judicial, school, county, and township offices in the following order: Under the heading Judicial shall be printed all the names of candidates for judicial offices, in the order of Chief Justice Supreme Court, Associate Justices Supreme Court, Judge of District Court of Appeal, Judge of superior court and justice of the peace. Next, under the heading School shall be printed all the names of candidates for school offices in the order of State Superintendent of Instruction, superintendent of schools, and school district officers, if any. Next, under the heading County and Township shall be printed the groups of candidates for all county and township offices except judicial or school offices. In the case of primary elections where county officers are not to be nominated at the right of the solid black dividing line there may be only one column. The nonpartisan ballot provided for in subdivision one of this section shall be identical as to offices and names of candidates with that portion of the party ballot which is printed to the right of the solid black dividing line hereinabove described. The tally sheets furnished to election officers shall have the names of offices and candidates arranged in the order in which said names of offices and candidates are printed on the ballots according to the provisions of this section and subdivision. In the case of primary elections for the nomination of candidates for city, city and county or municipal offices only, the groups of names of candidates may be printed in two parallel columns and the order of precedence shall be determined by the legislative body of such city or municipality or by the board of election commissioners of any such city and county.

6. The group of names of candidates for nomination to any judicial office, school office, county office, or township office shall include all the names receiving the requisite number of signatures on a nomination paper for such office, and shall be identical for each such office on the primary election ballots of each political party participating at the primary election; but the groups of names of candidates for all other offices on the ballots of each political party shall comprise only the names of the candidates for nomination by such party.

7. The order in which the list of candidates for any office shall appear upon the primary election ballot shall be determined as follows:

(a) If the office is an office the candidates for which are to be voted on throughout the entire State, including United States Senator in Congress, the Secretary of State shall arrange the names of all candidates for such office in alphabetical order for the First Assembly District, and thereafter for each succeeding Assembly District, the name appearing first for each office in the last preceding district shall be placed last, the order of the other names remaining unchanged. If the office is that

of Representative in Congress, or is an office the candidates for nomination to which are to be voted on in more than one county or city and county, but not throughout the entire State, except the office of State Senator or Assemblyman, the Secretary of State shall arrange the names of all candidates for such office in alphabetical order for that Assembly District which is lowest in numerical order of any Assembly District in which such candidates are to be voted on; and thereafter for such succeeding Assembly District in which such candidates are to be voted on, the name appearing first for such office in the last preceding district shall be placed last, the order of the other names remaining unchanged. In transmitting to each county clerk or registrar of voters the certified list of names as required in section 10 of this act, the Secretary of State shall certify and transmit the list of candidates for nomination to each office according to Assembly Districts, in the order of arrangement as determined by the above provisions; and in the case of each county or city and county containing more than one Assembly District he shall transmit separate lists for each Assembly District. Except for the office of State Senator or Assemblyman, the order in which the names filed with the Secretary of State shall appear upon the ballot, shall be for each Assembly District the order as determined by the Secretary of State in accordance with the above provisions, and as certified and transmitted by him to each county clerk or registrar of voters.

(b) If the office is an office to be voted on throughout, but wholly within, one county or city and county, except the office of Representative in Congress or State Senator or Assemblyman, or county central committeeman, the county clerk of such county or the registrar of voters of such city and county, shall arrange the names of all candidates for such office in alphabetical order for the first supervisorial district; and thereafter for each supervisorial district, the name appearing first for each such office in the last preceding supervisorial district shall be placed last, the order of the other names remaining unchanged; provided, there are no more than five Assembly Districts in such county, or city and county If there are more than five Assembly Districts in such county, or city and county, the county clerk or registrar of voters shall so arrange on the ballot the order of names of all candidates for such office except candidates for county central committee that they shall appear in alphabetical order for that Assembly District in such county, or city and county, which is lowest in numerical order, and thereafter for each succeeding Assembly District in such county, or city and county, the name appearing first for each office in the last preceding Assembly District shall be placed last, the order of the other names remaining unchanged.

(c) If the office is that of State Senator or Assemblyman, or any office except the office of Representative in Congress to be voted on wholly within any county or city and county but not throughout such county or city and county, the names of all candidates for such office shall be placed upon the ballot in alphabetical order.

(d) If the office is a municipal office in any city or town whose charter does not provide for the order in which names shall appear on the ballot, the names of candidates for such office shall be placed upon the ballot in alphabetical order.

8 In publishing the names and addresses of all candidates for whom nomination papers have been filed, as required in section 10 of this act, the county clerk or registrar of voters shall publish the names in the order in which they will appear upon the ballot; provided, that in counties or cities and counties containing more than one Assembly District the order of names of candidates shall be that of the Assembly District in such county or city and county which is lowest in numerical order

9 Each group of candidates to be voted on shall be preceded by the designation of the office for which the candidates seek nomination, and the words "vote for one" or "vote for two" or more according to the number to be elected to such office at the ensuing election. Such designation of the office to be nominated for and of the number of candidates to be nominated shall be printed in heavy-faced gothic type, not smaller than ten point. The word or words designating the office shall be printed flush with the left-hand margin and the words 'vote for one" or "vote for two' or more, as the case may be, shall extend to the extreme right of the column and over the voting square. The designation of the office and the direction for voting shall be separated from the names of the candidates by a light line.

10. The names of the candidates shall be printed on the ballot without indentation, in roman capital type not smaller than eight point, between light lines or rules three-eighths of an inch apart. Under each group of names of candidates shall be printed as many blank spaces, defined by light lines or rules, three-eighths of an inch apart, as there are to be candidates nominated for such office. To the right of the names of the candidates shall be printed a light line or rule so as to form a voting square three-eighths of an inch square. Each group of names of candidates shall be separated from the succeeding group by one light and one heavy line or rule. Each series of groups shall be headed by the word "State," "congressional," "legislative," "county and township" or "municipal" or other proper general classification, as the case may be, printed in heavy-faced gothic capital type

not smaller than twelve point. The left-hand side of the first column of names on the ballot, and also the right-hand side of the last column of voting squares on the ballot shall be bordered by a broad printed line one-twelfth of an inch wide. The binding or stitching of each package of ballots shall be on the left side thereof. The ballots shall be printed on the same leaf with a stub not over one and one-half inches in width, and separated therefrom by a perforated line from top to bottom, one-half inch to the left of the broad printed line along the left border of the ballot. Upon this stub shall be printed the number of the ballot only. On each ballot a perforated line shall extend across the top of the ballot one inch from the top thereof. The same number as appears on the stub shall be printed above such perforated line within two inches of the perforated line on the left side of the ballot, and above this number shall be printed in parentheses in small type as follows: "(This number to be torn off by inspector)", and one-half inch to the right of this ballot number there shall be a short perforated line extending from the perforated line along the top of the ballot to the top edge of the ballot. Immediately above said perforated line shall be printed in black-face lower case type, at least twelve point in size, and enclosed in parentheses, the following: "(Fold ballot to this perforated line, leaving top margin exposed.)" Above this printed direction, *and midway between it and the top edge of the ballot, shall be printed in* black-face capital type, at least twelve point in size, if possible, and with the four middle words underlined or otherwise made prominent, the following: "Mark crosses (+) on ballot only with rubber stamp, never with pen or pencil." The number on each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county, provided, that the sequence of numbers on such official ballots and stubs for each party shall begin with the number one. The official ballots of each political party shall be made up in stub books, each book to contain ten, or some multiple of ten, ballots, in the manner provided by law for official election ballots, and except as to the order of the names of candidates shall be printed in substantially the following form:

3347

3347

MARK CROSSES (+) ON BALLOT ONLY WITH RUBBER STAMP, NEVER WITH PEN OR PENCIL

(Fold Ballot in this Perforated Line, leaving Top Margin exposed)

OFFICIAL PRIMARY ELECTION BALLOT

REPUBLICAN PARTY

8TH CONGRESSIONAL, 17TH SENATORIAL, 48TH ASSEMBLY DISTRICT

To vote for a person whose name appears on the ballot, stamp a cross (+) in the square at the RIGHT of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose.

STATE

Governor — Vote for One

- RICHARD ROE, Incumbent
- HENRY BROWN, Mayor of Nana
- JOHN DOE, Shop Keeper

Lieutenant Governor — Vote for One

- WILLIAM SMITH, Attorney
- THOMAS GREEN, Merchant
- HORACE JONES, Farmer

Secretary of State — Vote for One

- JOHN TOURTILLOTTE, Supervisor of Marin County
- ALBERT BERG
- PETER E. HONSON, Physician

Controller — Vote for One

- THOMAS THOMPSON, Bank President
- SAMUEL ALDEN, Accountant
- WILLIAM DUNN, Incumbent

Treasurer — Vote for One

- HENRY SAMPSON, San Diego County Treasurer
- A. V. CHILTON, Accountant
- SAMUEL JOHNSON, Incumbent

Attorney General — Vote for One

- GEORGE P. WILSON, Attorney
- W. H. CURRAN, Butte City Attorney
- THOMAS O'BRIEN, Incumbent

Surveyor General — Vote for One

- FRANK WHEATON, Engineer
- MICHAEL KERNAN, State Highway Engineer
- JOHN P. WALKER, Humboldt County Surveyor

Member of State Board of Equalization, First District — Vote for One

- WILLIAM ADAMS, Accountant
- HARRY ALGER, Incumbent

CONGRESSIONAL

United States Senator — Vote for One

- CHARLES W. HARY, United States Representative
- WALTER BROWNLOW
- CASSIUS M. CLAY, Lieutenant

Representative in Congress 8th District — Vote for One

- PETER PETERSON, Incumbent
- BARTICK BOYLAN, State Senator
- HENRY HUDSON, Engineer

LEGISLATIVE

Member of Assembly 48th District — Vote for One

- ANDREW ANDERSON
- GEORGE CAULFIELD, Merchant
- PETER PETERSON, Attorney

JUDICIAL

Chief Justice Supreme Court — Vote for One

- WALTER WILTER, Incumbent
- JOSEPH JENNINGS, Superior Court Judge
- THOMAS MERTON, Attorney

Associate Justice Supreme Court — Vote for Two

- WILLIAM BREWER, Attorney
- ERASTUS PECK, Incumbent
- SAMUEL SNOW, Incumbent
- GEORGE TAWNEY, Superior Judge

Judge of the District Court of Appeal, First District — Vote for One

- ANTHONY BRENNAN
- PETER DREW, Incumbent

Judge of the Superior Court — Vote for Five

- GEORGE BUNN, Attorney
- WALTER CAMPBELL, Attorney
- CHARLES R. DAVIS, Incumbent
- THOMAS McCALL, Attorney
- ERNEST W. ROBERTS, Incumbent

Justice of the Peace — Vote for One

- THOMAS SULLIVAN, Attorney
- PETER HEPBURN, Incumbent
- CLAUDE SWANSON, Incumbent

SCHOOL

Superintendent of Public Instruction — Vote for One

- CHARLES H. STOVER, Marin County Superintendent
- FRANK W. KENDALL, Teacher
- ARTHUR ROBERTS, Oakland Superintendent

County Superintendent of Schools — Vote for One

- TIMOTHY HEALEY, School Teacher
- J. W. REYNOLDS, School Teacher
- CHARLES CARSON, Incumbent

COUNTY AND TOWNSHIP

Sheriff — Vote for One

- J. P. DOLLIVER, Deputy Sheriff
- CHESTER L. LONG, Incumbent
- R. A. ALGER, Private Detective

District Attorney — Vote for One

- A. R. RITTRIDGE, Attorney
- JOHN T. MORGAN, Incumbent
- E. J. BURNETT, Oakland City Attorney

County Clerk — Vote for One

- S. R. MALLORY, Bookkeeper
- JAMES R. McCREARY, Filing Clerk
- ASBURY C. LATTIMER, Incumbent

Auditor — Vote for One

- JOHN W. DANIEL, Accountant
- M. J. FOSTER, Certified Public Accountant
- JOHN M. PATTERSON, Bookkeeper
- J. F. ALLEN, Incumbent
- CLARENCE D. CLARK, Deputy County Auditor

Treasurer — Vote for One

- FRED T. DU BOIS, Bank Cashier
- AUGUSTUS O. BACON
- JAMES H. BERRY, Incumbent

Assessor — Vote for One

- J. S. SPOONER, Banker
- R. C. NEWLANDS, Lime Agent
- E. W. PETTUS, Incumbent

Tax Collector — Vote for One

- KNUTE NELSON, Banker
- REDFIELD PROCTOR, Chancellor
- E. W. CARMACK, Accountant

Recorder — Vote for One

- C. M. DE PEW, Incumbent
- CHARLES W. FULTON, President of Title Company
- THOMAS H. CARTER, Banker

Public Administrator — Vote for One

- H. M. TELLER, Attorney
- J. W. BAILEY, Incumbent

Coroner — Vote for One

- JAMES B. FRAZIER, Undertaker
- H. C. LODGE, Undertaker
- W. F. DILLINGHAM, Incumbent

Surveyor — Vote for One

- E. B. YOUNG, Engineer
- J. B. FORAKER, Incumbent

Supervisor — Vote for One

- C. E. PATTERSON, Farmer
- THOMAS SPIGHT, Merchant
- JAMES E. WATSON, Incumbent

Constable — Vote for One

- R. W. PARKER, Incumbent
- JOHN A. STERLING, Collector

[illegible]

OFFICIAL PRIMARY ELECTION BALLOT

NON-PARTISAN BALLOT

8th Congressional, 17th Senatorial, 48th Assembly District

To vote for a person whose name appears on the ballot, stamp a cross (X) in the square at the RIGHT of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose

JUDICIAL

Chief Justice Supreme Court — Vote for One

- ROBERT ALEXANDER, Incumbent
- A. C. GIDLUND, State Senator
- J. C. GILKERSON, Attorney

Associate Justice Supreme Court — Vote for Two

- A. R. HOPKINS, Incumbent
- DEWEY McCORMICK, Incumbent
- L. R. WERTZ, Attorney
- DAVID ANTUNEZ, Attorney

Judge of the District Court of Appeal, First District — Vote for One

- J. T. HICKEY, Incumbent
- R. D. MUIR, Attorney

Judge of the Superior Court — Vote for Two

- J. J. RYAN, Incumbent
- E. P. RYAN, Incumbent
- E. R. SHIRLEY, Attorney
- W. H. STAFFORD, City Police Judge
- J. J. WINSLOW, Attorney

Justice of the Peace — Vote for Two

- J. H. YOUNGER, Attorney
- A. E. ZAHN, Incumbent
- J. P. CARLIN, Incumbent

SCHOOL

Superintendent of Public Instruction — Vote for One

- GEO. ELLIOTT, Incumbent
- J. C. HARLOW, Teacher
- A. J. TORRES, Teacher

County Superintendent of Schools — Vote for One

- F. W. TURNER, High school principal
- ELLIS BURNS, Incumbent
- WILLIAM R. McGEE, Teacher

COUNTY AND TOWNSHIP

Sheriff — Vote for One

- M. E. TERANEY, Incumbent
- HARRY VACHER, Deputy Sheriff
- G. D. BEARDSLEE, Constable

District Attorney — Vote for One

- JAMES M. BYRNE, Attorney
- E. C. COOK, Attorney
- W. E. CONLEY, Independent

County Clerk — Vote for One

- ALEXANDER CROSSAN, Accountant
- LEE G. DAGGETT, Incumbent
- R. C. DAVIS

Auditor — Vote for One

- H. N. DOTY, Accountant
- E. F. DRACKERT, Accountant
- E. M. DUCHOW, Incumbent
- M. L. DUNNING, C. P. A.
- F. G. FALL, Accountant

Treasurer — Vote for One

- M. D. HALEY
- T. J. HODGSON, Bricklayer
- RICHARD HENEY, Merchant

Assessor — Vote for One

- H. G. JACKSON, Realtor
- H. C. JILLSON, Realtor
- CARLETON H. JOHNSON, Incumbent

Tax Collector — Vote for One

- R. L. MERRITT, Accountant
- M. M. McCONNELL, Constable
- L. NEHRBASS, Incumbent

Recorder — Vote for One

- H. G. NEWBERT, Incumbent
- W. R. O'BRIEN, Statistician
- J. P. OLWELL

Public Administrator — Vote for One

- H. K. ORMAN, Attorney
- G. A. PAGNELLO, Incumbent

Coroner — Vote for One

- WARREN E. READ, Undertaker
- J. R. RUGGLES, Undertaker
- FRED W. SMITH, Incumbent

Surveyor — Vote for One

- H. F. SOPGE, Engineer
- JUSTUS STAIGER, Incumbent

Supervisor — Vote for One

- J. R. SPANN, Merchant
- EDWARD O. STRONG, Attorney
- R. L. TAYLOR, Farmer

Constable — Vote for One

- JAMES E. THOMPSON, Incumbent
- E. G. WARNER

Amendment No. 4.

On page 12, line 38, of the printed bill, as amended, strike out the first "2", and insert in lieu thereof the following: "3".

Amendment No. 5.

On page 12 of the printed bill, as amended, strike out lines 40 to 52, inclusive, and strike out pages 13 to 20, inclusive, and insert in lieu thereof the following:

"SEC. 24. 1. State Central Committees of each party chosen as hereinafter provided may be appointed in this State for the purpose of holding party conventions, promulgating platforms and transacting such other business of the party as is not inconsistent with the provisions of this act.

2. The State Central Committee of each political party shall be composed of the following members

(a) Each elective official herein named who was registered in, nominated and elected as a candidate of such party and whose successor has not been elected and qualified, to wit:

The Governor
The Lieutenant Governor
The Treasurer
The Controller
The Attorney General
The Secretary of State.
All Senators and Representatives in Congress from California and
All members of the State Legislature.

(b) Each county central committee in each county and each city and county containing one or more Assembly Districts shall appoint members of the State Central Committee equal in number to the number of Assembly Districts and Congressional Districts of the State of California which are wholly within said county or city and county

(c) Each county central committee in each county containing less than one Assembly District shall appoint one member to the State Central Committee.

(d) There shall be one member appointed for each Congressional District in the State of California not wholly contained within any county or city and county.

3 Members of the State Central Committee who are appointed by the county central committees as provided herein shall be elected at the regular meeting of the county central committee which shall be held the fourteenth day after the May Presidential primary election in each Presidential election year and on the third Tuesday in May in each general State election year

Members of the State Central Committee to be elected from each Congressional District not wholly contained within any county or city and county shall be elected at a conference meeting of the chairmen of the county central committees from the counties contained wholly or in part in any such Congressional District at a special meeting which shall be called by the chairman of the county central committee from the county in which the party nominee for Congress resides, and such meeting shall be held on the twenty-first day after the May Presidential primary election in Presidential election years and on the fourth Tuesday in May in each general State election year.

4 The appointment of members of the State Central Committee appointed in accordance with the provisions of this act must be made in writing in the form hereinafter prescribed, signed and acknowledged before a notary public or other officer authorized to administer oaths in this State, and must be filed in the office of the Secretary of State not later than two o'clock of the afternoon of the third Thursday in June of the then current year Appointment of members of the State Central Committee shall be in the following form and executed by the chairman and secretary of county central committees authorized to make such appointments, or the public official or chairman of the Congressional District county committee conference so authorized.

APPOINTMENT OF MEMBERS OF THE STATE CENTRAL COMMITTEE

This is to certify that the following electors residing within the county of _____ (Congressional District) have been this day elected members of the State Central Committee of the _____ Party to represent _____ County (Congressional District) (strike out part inapplicable):

_____ _____
Name Post-office address

_____ _____
Name Post-office address

_____ _____
Name Post-office address

In witness whereof I (we) have hereunto set my (our) hand _____ this _____ day of _____ 19__.

Chairman, County Central Committee
(Chairman, Congressional District Committee Conference)

_____
Secretary.

Signed and acknowledged before me this _____ day of _____

_____
Notary Public
My commission expires

5. Within forty-eight hours after the final filing time for membership for members of the State Central Committee, the Secretary of State shall prepare a list of the names and post-office addresses of all members of each party State Central Committee qualified under the provisions of this act, and the Secretary of State shall thereupon send a notice by mail to each such member, which shall inform the member that he is a member of the party State Central Committee, that the first convention of the new State Central Committee meets at Sacramento on the last Saturday in June of the current year as the State party convention of the party, that the meeting may be attended either in person or by proxy, that their proxy must be filed in the office of the Secretary of State not later than nine o'clock of the morning of the meeting of the committee and that said proxy must be in writing, signed and acknowledged before a notary public or other officer authorized to administer oaths, and the Secretary of State shall enclose with such notice one copy of the following form of proxy for attendance at the meeting of the State Central Committee

PROXY FOR ATTENDANCE AT THE STATE CENTRAL COMMITTEE MEETING AT SACRAMENTO, IN THE YEAR 19____

I _____duly qualified to sit as a member of the State Central Committee meeting at Sacramento in the year 19____, by virtue of (being a delegate to the State convention) (my appointment thereto by _____; said appointment having been duly filed in the office of the Secretary of State on the _____ day of _____ 19____) (strike out part inapplicable) do hereby designate _____ _____
Name Post-office address
as my proxy with full power to act for me in every respect as a duly qualified member of the State Central Committee meeting at Sacramento on the_____ day of _____ 19____.

In witness whereof I have hereunto set my hand this _____ day of _____ 19____.

_____
Member

Signed and acknowledged before me this _____day of_____ 19____.

_____
Notary Public.

The Secretary of State shall deliver to the retiring chairman of the State Central Committee as soon as possible after two o'clock on the third Thursday in June of each general election year a certified alphabetical list of the names and post-office addresses of the members of the State Central Committee which have been filed with the Secretary of State.

Every member of the State Central Committee who desires to attend the first meeting by proxy must designate his proxy in the form hereinbefore prescribed, which must be signed and acknowledged before a notary public or other officer authorized to administer oaths, and he must cause the proxy to be delivered to the Secretary of State not later than nine o'clock of the morning of the first meeting of the committee.

6. In the event that any appointee is disqualified for membership on the State Central Committee for any reason herein stated, or in the event that any member dies, then in every such case a vacancy shall be deemed to exist in the membership of the State Central Committee of the party and a member shall be chosen and appointed to fill such vacancy as follows

(a) If the vacancy occurs in a county or city and county as provided herein, by appointment by the county central committeee of such party in such county or city and county.

(b) If the vacancy occurs in any Congressional District which is not wholly contained within any county or city and county, by the chairman of the elective county central committee of such party in the county wherein the disqualified or deceased member resided, or if the vacancy is caused by failure to file the appointment, by the chairman of the State Central Committee of such party

7. Each State Central Committee may select from its membership an executive committee, to which executive committee it may grant all or any portion of its powers and duties. It shall choose its officers by roll call vote and each committee and its officers shall have the power usually exercised by such committees and the officers thereof in so far as may be consistent with this act. The various officers and committees now in existence shall exercise the powers and perform the duties herein prescribed until their successors are chosen in accordance with the provisions of this act. Each State Central Committee may remove any member thereof who, during his or her term of membership, affiliates with, or registers as a member of another party or who gives support to or avows a preference for a candidate of another party or candidate who is opposed to a candidate nominated by the party which such member represents. Each State Central Committee shall conduct party campaigns for the party to which it belongs and in behalf of the candidates of such party; appoint committees and appoint and employ campaign directors and perfect such campaign organizations as by it may be deemed suitable or desirable and for the best interest of the party.

SEC. 4. Section 24½ is hereby added to said act, to read as follows:

Sec. 24½. 1. Party conventions may be held in this State for the purpose of promulgating platforms and transacting such other business of the party as is not inconsistent with the provisions of this act

2. State conventions of each political party shall consist of members of the State Central Committee.

3. The first meeting of the biennial State convention of the party shall be held at Sacramento at ten o'clock of the morning of the last Saturday in June in each year in which there is a general November State or National election.

The Secretary of State shall deliver to the retiring Chairman of the State Central Committee as soon as possible before ten o'clock of the morning of the first meeting of the new State Central Committee a certified alphabetical list of the names of the persons duly designated as proxies by members of the new committee, together with all proxies received by him prior to nine o'clock of said morning, and he shall require the retiring chairman's receipt for said proxies.

The convention shall be called to order at ten o'clock of the morning of the last Saturday in June of the years designated herein by the retiring chairman of the State Central Committee and shall at once proceed to the election of a temporary chairman by roll call read from the alphabetical roll submitted by the Secretary of State and shall likewise elect such other temporary officers as the convention may determine.

The temporary chairman shall appoint a committee consisting of one delegate from each Congressional District, which shall serve as the Committee on Credentials of the convention and shall appoint such other committees as the convention may direct. The convention at its first meeting shall determine the membership of the State Central Committee in accordance with the provisions of this act. In case the convention finds that any county central committee or Congressional Central Committee conference has failed to file its appointment of members of the State Central Committee with the Secretary of State within the time prescribed, the convention shall make such appointments of the requisite number of electors residing wihin the district represented by such delinquent authority.

The secretary of the convention shall certify the names and post-office addresses of the members of the State Central Committee as determined by the convention to the Secretary of State within thirty-six hours after the convening of the convention and the permanent chairman shall deliver the appointments receipted for by him to the Secretary of State within thirty-six hours, which appointments shall be kept and filed by the Secretary of State and shall be open to public inspection.

A quorum of the State Central Committee shall be a majority of the entire membership represented either in person or by proxy

Proxies to be recognized by the Secretary of State and by the committee on proxies and credentials appointed as aforesaid must be signed and acknowledged before a notary public or other officer authorized to administer oaths and must be in the form hereinbefore in this act prescribed. Revocation or change of proxies shall be recognized by the committee on proxies and credentials upon a request made by the member in person before said committee and at no other time in any other manner. No proxy shall be recognized prior to election of a permanent chairman unless filed in the office of the Secretary of State not later than nine o'clock of the morning of the State committee meeting.

4. The convention shall elect permanent officers. The chairman of the State Central Committee shall not succeed himself and the chairmanship shall alternate each biennium between the northern and southern territories.

5. Robert's Rules of Order, except as may be herein modified, shall govern the proceedings at the convention and at all meetings of the State Central Committee.

6. Each State Central Committee may select from its membership an Executive Committee at its first convention meeting.

7. At the close of business of the June State convention, the convention shall be adjourned to meet again at Sacramento at ten o'clock on the morning of the first Saturday in September in each year of the general State or National November election.

Each candidate of each political party in whose behalf nomination papers were filed and who was nominated at the primary election by such political party for the office of Governor, Lieutenant Governor, Treasurer, Controller, Attorney General, Secretary of State, all Senators and Representatives in Congress from California and all members of the State Legislature, shall be the ex officio member of the party State Central Committee at any convention held during September in each year of the general State and Presidential November election, and shall be entitled to speak but shall have no vote unless he is a regular member of the State Central Committee.

At such September meeting each two years, the convention shall adopt a State platform for its party, which said State platform of each political party shall be immediately made public.

At the September meeting in each year of the general November election at which electors of the President and Vice President of the United States are to be chosen, the convention shall also nominate as the candidates of its party as many electors of President and Vice President of the United States as the State is then entitled to and shall certify the name of each elector so nominated, his residence and his business address to the Secretary of State. Such certificates shall be delivered to and filed with the Secretary of State. The Secretary of State shall cause the names of the candidates for President and Vice President of the several political parties to be placed upon the ballot of the ensuing November election. The names of the condidates for electors of President and Vice President shall not be printed upon the ballot. The votes cast for candidates for President and Vice President of each political party shall be counted for the candidates for Presidential electors of such political party whose names have been filed with the Secretary of State.

In each Congressional District containing more than one county, the Executive Committee of the State Central Committee of each political party shall, in conjunction with the county central committees and the nominee for Congress affiliated with such party, select a Congressional Committee for the district in which such nominee is a candidate. Such committee shall consist of not less than fifteen nor more than thirty-five members, and shall assist in the conduct of the campaign of such nominee, subject to the supervision of the State Central Committee of such party.

SEC 5 Section 24¾ is hereby added to said act to read as follows.

Sec. 24¾. 1. At each May Presidential primary election, there shall be elected in each county or city and county a county central committee for each political party, which shall have charge of the party campaign in the county under general direction of the State Central Committee. Members of the county central committee shall be elected for four year terms at each May Presidential primary election.

In any city and county, the county central committee of such party shall be elected by each Assembly District and shall consist of five members from each Assembly District in such city and county.

In each county containing twenty or more Assembly Districts, the county central committee of such party shall consist of seven members from each Assembly District.

In any county containing more than seven and less than twenty Assembly Districts, the county central committee of each party shall be elected by each Assembly District and shall consist of five members from each Assembly District therein

In all counties containing not more than seven nor less than five Assembly Districts the county central committee of such party shall be elected by Assembly Districts and shall consist of one member for each seven hundred votes or fraction

thereof in each such Assembly District cast for such party's candidate for Governor at the last general election at which a Governor was elected.

In all counties containing less than five Assembly Districts, the county central committee shall be elected by supervisorial districts, and the number to be elected from any supervisorial district shall be determined as follows: The number of votes cast in such supervisorial district for such party's candidate for Governor at the last general election at which such Governor was elected shall be divided by one-twentieth of the number of votes cast for such Governor in such county and the integer next larger than the quotient obtained by such division shall constitute the number of members of the county central committee to be elected by such party in said supervisorial district.

In each county and city and county the nominee of the party for State Senator or the incumbent State Senator and the nominees of the party for the Assembly shall be ex officio members of the committee

2. The county clerk or registrar of voters in each county or city and county shall, between the first Monday and the second Monday of February next preceding the May Presidential primary election, compute the number of members of the county central committee allotted to each Assembly District or supervisorial district, as the case may be, by the provisions of this subdivision.

3. Each candidate for member of a county central committee shall appear upon the ballot upon the filing of a nomination paper according to the provisions of section 5 of this act, signed in his behalf by the electors of the political subdivision in which he is a candidate, as above provided; and the number of candidates to which each party is entitled, as hereinbefore provided, in each political subdivision, receiving the highest number of votes shall be declared elected; but no candidate for county committeeman shall be declared elected unless he shall have received votes equal in number to the minimum of signatures to the nomination paper which would have been required to place his name on the primary ballot as a candidate for member of the county committee

At the May Presidential primary election, in addition to the ballot described in section 7 of the Presidential Primary Act, there shall be furnished to each voter a ballot containing the names of the candidates for the county central committee of the party with which such voter is affiliated

In each Assembly District of any city and county and in each county containing five or more Assembly Districts, the names of the candidates for any party county central committee shall be divided into five groups of equal, or as nearly as practicable equal, members from an alphabetical list of the candidates. In each Assembly District, one-fifth of the ballots printed and distributed shall be arranged in alphabetical order; and thereafter each succeeding one-fifth of the ballots printed and distributed the group of names appearing first in the last preceding fifth shall be placed last, the order of the other names remaining unchanged.

Except as otherwise herein provided, all of the provisions of this act as to ballots to be used at August primary elections apply to ballots for members of the county central committee

The title of such ballots shall be: Official County Central Committee Election Ballot _____ Party. The ballot shall be in substantially the following form:

3347

(This number to be torn off by Inspector)

3347

Perforated Line

Mark Crosses (+) on Ballot ONLY WITH RUBBER STAMP, Never with Pen or Pencil

(Fold Ballot to this Perforated Line, leaving Margin exposed)

Perforated Line

OFFICIAL COUNTY CENTRAL COMMITTEE ELECTION BALLOT

REPUBLICAN PARTY

8th Congressional, 17th Senatorial, 48th Assembly District

To vote for a person whose name appears on the ballot, stamp a cross (+) in the square at the RIGHT of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose

COUNTY COMMITTEE

Member of County Central Committee Vote for Three	
JOHN T. HUNT School Teacher	
JOSEPH T. JOHNSON Paving Contractor	
H. L. MAYNARD Broker	
E. S. MINOR Real Estate Agent	
H. D. ROBINSON Doctor	
EDWARD F. STEVENS Dentist	

Perforated Line

4. Each county central committee shall meet in the court house at its county seat on the fourteenth day after the May Presidential primary election, and shall organize by selecting a chairman, a secretary and such other officers and committees as it shall deem necessary for carrying on the campaign of the party, and shall adopt such rules and regulations for the conduct of its business as shall not be inconsistent with the provisions of this act.

Each county central committee may select from its membership an executive committee, to which executive committee it may grant all or any portion of its powers and duties. It shall choose its officers by a roll call vote and each committee and its officers shall have the power usually exercised by such committees and the officers thereof in so far as may be consistent with this act. The various officers, members and committees now in existence shall exercise the powers and perform the duties herein prescribed until their successors are chosen in accordance with the provisions of this act. Each county central committee may remove any member thereof who, during his or her term of membership, affiliates with, or registers as a member of, another party or who gives support to or avows a preference for a candidate of another party or candidate who is opposed to a candidate nominated by the party which such member represents.

Each county central committee shall conduct party campaigns for the party to which it belongs within the county and in behalf of the candidates of such party; appoint committees and appoint and employ campaign directors and perfect such campaign organizations as by it may be deemed suitable or desirable and for the best interest of the party.

5 In the event that any member of the county central committee is disqualified for any reason herein stated or in the event that any member dies, or if within any county containing more than five Assembly Districts a member of the county central committee changes his residence from within the Assembly District from which he was elected, then in every such case a vacancy shall be deemed to exist in the membership of the county central committee of the party and a member shall be chosen and appointed to fill such vacancy as follows.

(a) If the vacancy occurs in any county or city and county as provided herein, containing less than five Assembly Districts, by appointment of the chairman of the county central committee of such party in such county or city and county;

(b) If the vacancy occurs in any county containing five or more than five Assembly Districts, by the majority of the incumbent members of the county central committee elected from the Assembly District in which such vacancy exists."

Amendments adopted.

Assembly Bill No 1845 read second time, ordered to reprint, and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 1110—An act to repeal an act entitled "An act to limit the registration, enrollment, and attendance of the California Polytechnic School to male students," approved May 14, 1929, relating to the registration, enrollment, and attendance of students at the California Polytechnic School.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 560—An act to reepal an act entitled "An act relating to the attendance of pupils attending school in a district other than the district in which they reside." approved April 6, 1929; to repeal sections 3.174, 3.301, 3.302, 3.303, 3 304, 3.305, 3 306, 3.307, 3 308, 3.309, 3 415 and 3.416 of the School Code; and to add three new sections to the School Code to be numbered 2.21, 2 22 and 3 301, all relating to the attendance of pupils residing in one district upon the schools of another district.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 927—An act to amend section 1a of an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the Chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justice and judges incurred in the discharge of such assignments." approved May 20, 1927, relating to expenses of judges and justices of the peace sitting under assignment from the Judicial Council.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 806—An act to provide for the consolidation of Coachella Valley County Water District and Coachella Valley Storm Water District and to provide for the carrying on of the functions of the consolidated district.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 199—An act to add sections 1128 and 1129 to the Probate Code, relating to establishing a procedure for transfer of testamentary trusts after final distribution

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 662—An act to amend section 41 of the Probate Code, relating to devises and bequests to charity.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 282—An act to amend section 1425 of the Penal Code, relating to the criminal jurisdiction of justices' courts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 631—An act to amend sections 1333 and 1567 of, and to add section 1567a to, the Penal Code, relating to the manner of bringing prisoners before the courts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 339—An act to add section 246a to the Penal Code, relating to assault by a convict.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 341—An act to amend section 110 of the Penal Code, relating to aid in escaping from a prison.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 344—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonment and parole of prisoners.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 350—An act to amend section 288a of the Penal Code, relating to sex perversion.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 346—An act providing when the allowance to a prisoner of time for good conduct shall begin to run, to provide for the conditional release of prisoners, and, further, to extend the provisions of the Parole Laws.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 525—An act to amend section 1197b of the Political Code, relating to initiative measures.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 526—An act to amend section 1197a of the Political Code, relating to initiative measures.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 650—An act to amend Part III, Title II, Chapter VIII of the Political Code, so as to add a new section thereto to be numbered section 1195c thereof, relating to printed arguments for and against proposed constitutional amendments, initiative petitions and referendum petitions.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 661—An act to amend section 42 of the Probate Code.

Motion to Amend Senate Bill No. 661.

Mr. Levey moved to amend Senate Bill No. 661 as follows:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "institution", insert the following: ", or to any corporation organized under the provisions of section 606 of the Civil Code".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 878—An act to amend section 632 of the Agricultural Code, relating to samples

Committee Amendments to Senate Bill No. 878.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 6, of the printed bill, as amended, following the word "delivery", insert a period, and strike out the word "and" and insert in lieu thereof the following: "In the case of market milk".

Amendment No. 2.

On page 2, line 14, of the printed bill, as amended, strike out the comma after the word "State", and the remainder of the line, and strike out all of line 15, and insert in lieu thereof the following "on products handled for their own members or on products handled for nonmembers provided payments to such nonmembers are made on the same basis as payments to members."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading

Senate Bill No. 230—An act to add section 751.5 to the Agricultural Code, relating to the certification of barley.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1084—An act to amend section 1 of an act entitled "An act relating to tare allowances on fruit, grain, and wool sold in bags," approved May 27, 1935, relating to sales of farm products

Bill read second time, and ordered on third reading calendar

Senate Bill No. 692—An act to amend sections 821, 827 and 1011 of, and to add sections 1012.4 and 1012.6 to, the Agricultural Code, relating to fruits and vegetables

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 626—An act to add a new chapter to be numbered Chapter 9, to Division V of the Agricultural Code, relating to grades and standards for nursery stock.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 639—An act to amend sections 2322x28 and 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 412—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class

Committee Amendments to Senate Bill No. 412.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 5 of the printed bill, as amended, strike out lines 49 and 50, and insert in lieu thereof the following: "shall receive, and the salary is hereby fixed in the sum of one thousand eight hundred dollars per annum"

Amendment No. 2.

On page 6, line 1, of the printed bill, as amended, strike out "nine", and insert in lieu thereof the following "eight".

Amendment No. 3.

On page 6, line 2, of the printed bill, as amended, strike out "twenty", and insert in lieu thereof the following: "ten".

Amendment No. 4.

On page 6, line 5, of the printed bill, as amended, strike out "six", and insert in lieu thereof the following. "four".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 298—An act to amend section 4277 of the Political Code, relating to the compensation of county and township officers and jurors in counties of the forty-eighth class

Committee Amendments to Senate Bill No. 298.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "sections", insert the following: "4268,".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "4277", and insert *in lieu thereof the following:* "4268".

Amendment No. 3.

On page 1 of the printed bill, as amended, between lines 2 and 3, insert the following:

"4268. In counties of the thirty-ninth class, the following county officers shall receive as compensation for services required of them by law, or by virtue of their offices, the following fees, salaries, and expenses, to wit:

1. The auditor, eight hundred dollars per annum.

2. The district attorney, two thousand four hundred dollars per annum

3. The county surveyor shall be given all work for the county in which the county employs one surveyor or civil engineer He shall also receive all actual expenses when at work in the field

4. The board of supervisors of such county shall furnish and supply to the justices of the peace of the various townships the codes of the State and amendments thereto and all necessary stationery, legal blanks and forms for the proper conduct of business.

5 Each member of the board of supervisors, one thousand two hundred dollars per annum, and mileage from residence to the county seat, at each sitting of the board, at twenty-five cents per mile; provided, that each supervisor is, in addition, allowed three hundred dollars per annum to cover mileage expenses at twenty-five cents per mile in viewing the roads, which said salaries and mileage shall be in full for all services.

6. In counties of this class, the official reporter of the superior court shall receive a salary of one hundred dollars per month, to cover all work done in criminal cases, both in the superior and justices' courts of the county, and shall receive as compensation for taking notes in civil cases tried in the superior court a per diem of ten dollars, and for transcription of said notes, when required during the progress of the trial, he shall receive the sum of twenty-five cents per folio for the original, and five cents per folio for one copy, in both criminal and civil cases; but if such transcription is not required until after the conclusion of the trial, then he shall receive the sum of ten cents per folio for the original and five cents per folio for copies required; said compensation for transcription in criminal cases to be audited and allowed by the board of supervisors as other claims against the county, and paid out of the county treasury; and in civil cases to be paid by the party ordering the same, or when ordered by the judge, by either party, or jointly by both parties, as the court may direct. He shall also be allowed his actual traveling expenses when *reporting outside of the county seat.*

7 Grand jurors, and trial jurors shall receive the following fees and mileage (1) Grand jurors and jurors in the superior court shall be paid three dollars per day for each day's attendance and for each mile actually traveled in going only, while acting as jurors, twenty-five cents; and the judge of said court shall make an order directing the auditor to draw his warrant on the treasurer in favor of each such juror for said per diem and mileage, and the treasurer shall pay the same

8. For attending as a trial juror in criminal cases only, in any justice's court of the county, for each day's attendance, two dollars and fifty cents. The justice of the peace shall certify to the auditor the number of days' attendance of each juror, and the auditor shall then draw his warrant therefor, and the treasurer shall pay the same.

9 For attending as a witness in criminal cases only, in the superior court of the county, for each day's attendance, the sum of three dollars, and for each mile traveled in going, one way only, while acting as juror twenty-five cents.

10. For attending as a witness in criminal cases only, in any justice's court, for each day's attendance the sum of two dollars and for each mile actually traveled in going only, while acting as a witness twenty-five cents, one way. The judge of the superior court, or the justice of the peace shall certify to the auditor the number of days' attendance of each witness, and the auditor shall thereupon draw his warrant therefor and the treasurer pay the same.

SEC 1 5 Section 4277 of the Political Code is hereby amended to read as follows:".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 394—An act to amend sections 6901, 6902, and 6903 of the Labor Code, relating to train crews

Bill read second time, and ordered on third reading calendar.

Consideration of Senate Amendment to Assembly Bill No. 1177.

Assembly Bill No. 1177—An act to amend the title of, and sections 1 and 10 of, and to add sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1177?

Amendment No. 1.

On page 11 of the printed bill, as amended, after line 6, insert the following: "SEC. 16. This act shall expire on the first day of September, 1939."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1177 by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Field, Flint, Gilbert, Glick, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, Mayo, Meehan, Miller, Eleanor, Miller, George P., Millington, Muldoon, Patterson, Redwine, Richie, Sawallisch, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—46

NOES—Dawson, Hornblower, Maloney, Pelletier, Peyser, Reaves, Sheehan, and Tenney—8.

Assembly Bill No. 1177 ordered to enrollment.

Reconsideration of Motion to Withdraw Assembly Bill No. 1028.

In compliance with a notice given on a previous day, Mr. Richie moved that the vote whereby his motion to withdraw Assembly Bill No. 1028 from the Committee on Judiciary Codes and have it placed upon the calendar was lost be reconsidered

Demand for Previous Question.

Messrs. Morgan, Muldoon, Cunningham, Beene and Flint demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of the motion to withdraw Assembly Bill No. 1028.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Richie moved a call of the Assembly.

Motion carried.

Time, twelve o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink,

Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Notice of Motion to Reconsider Assembly Bill No. 1572 Waived.

Mr. Patterson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1572 was passed.

Assembly Bill No. 1572 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 381.

In compliance with a notice given on a previous day, Mr. Garland moved that the vote whereby Assembly Bill No. 381 was passed be reconsidered.

The roll was called, and Assembly Bill No. 381 refused reconsideration by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Corwin, Crowley, Donihue, Fulcher, Garland, Heisinger, Kuchel, Latham, Mayo, O'Donnell, Redwine, Sawallisch, Scudder, Stream, Thorp, and Turner—19

NOES—Beene, Breed, Call, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Glick, Hornblower, Johnson, King, Laughlin, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sheehan, Tenney, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—43.

Assembly Bill No. 381 ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At twelve o'clock and thirty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr Richie.

The roll of absentees was called, and the motion to withdraw Assembly Bill No. 1028 reconsidered by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Clark, Dannenbrink Donihue, Donnelly, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt Johnson, King, Laughlin, Lore, Maloney, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Weber, Welsh, Yorty, and Mr Speaker—42.

NOES—Baynham, Beene, Breed, Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Garland, Kepple, Kuchel, Latham, Levey, Lyon, Martin, Mayo, Millington, Muldoon, Peyser, Redwine, Scudder, Stream, Thorp, Watson, and Williamson—32.

Assembly Bill No. 1028 ordered on the unfinished business calendar

Recess.

At twelve o'clock and forty-five minutes p m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p m., the Assembly reconvened.

Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 565.
Assembly Bill No. 1750.
Senate Bill No. 949.
Respectfully reports the same back with the recommendation: Do pass as amended.

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 566.
Senate Bill No. 271.
Respectfully reports the same back with the recommendation: Do pass

BOYLE, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 52.
Assembly Bill No. 430.
Assembly Bill No. 1828.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2684.
And reports the same correctly enrolled, and presented to the Governor on this fifth day of May, 1937, at three o'clock and fifteen minutes p.m.

CUNNINGHAM, Chairman

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred.

Assembly Bill No. 656.	**Assembly Bill No. 1911.**
Assembly Bill No. 870.	**Assembly Bill No. 2140.**
Assembly Bill No. 965.	**Assembly Bill No. 2150.**
Assembly Bill No. 1065.	**Assembly Bill No. 2171.**
Assembly Bill No. 1092.	**Assembly Bill No. 2176.**
Assembly Bill No. 1827.	**Assembly Bill No. 2720.**

Respectfully reports the same back signed out by the committee.

FLINT, Chairman
PELLETIER.
YORTY
REAVES
BURNS, MICHAEL J.
LORE.
MILLER, GEORGE P.
GILBERT.

The above reported bills ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Assembly Bill No. 134.
Assembly Bill No. 353.
Assembly Bill No. 2852.
Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred, **Assembly Bill No. 2353.**

Respectfully reports the same back with the recommendation: Do pass.

MEEHAN, Chairman

The above reported bill ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred

Assembly Bill No. 1180. **Assembly Bill No. 1299.**
Assembly Bill No. 1264. **Assembly Bill No. 2414.**

Respectfully reports the same back with the recommendation. Do pass.

DONNELLY, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Senate Bill No. 720.

Respectfully reports the same back without recommendation, as amended.

DONNELLY, Chairman

The above reported bill ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR SPEAKER: Your Committee on Conservation, to which was referred:

Assembly Bill No. 2850.

Respectfully reports the same back with the recommendation: Do pass as amended.

ANDREAS, Chairman

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred

Senate Bill No. 690.

Respectfully reports the same back with the recommendation: Do pass as amended

HORNBLOWER, Chairman

The above reported bill ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred

Assembly Bill No. 672.

Respectfully reports the same back with the recommendation: Do pass as amended

MEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1755.

Respectfully reports the same back with the recommendation: Do pass as amended

TURNER, Chairman

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR. SPEAKER: Your Committee on Fish and Game, to which was referred.

Assembly Bill No. 473. **Senate Bill No. 719.**
Senate Bill No. 331. **Senate Bill No. 800.**

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman

The above reported bills ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR. SPEAKER: Your Committee on Public Morals, to which was referred,
Senate Bill No. 388.
Respectfully reports the same back with the recommendation Do pass
TURNER, Chairman.

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 2384.
Assembly Bill No. 2663.
Respectfully reports the same back with the recommendation Do pass as amended
PATTERSON, Chairman

The above reported bills ordered on second reading calendar.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning
Assembly Bill No. 2794.
J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 2794 ordered to reprint and enrollment.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 2794.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning
Assembly Bill No. 2794—An act relating to alcoholic beverages, prohibiting licensees under the Alcoholic Beverage Control Act from transporting or importing into this State, purchasing, receiving, possessing, or selling alcoholic beverages manufactured in any State, the laws, rules, or regulations of which discriminate against alcoholic beverages manufactured in this State or against persons selling or dealing therein, defining discriminatory laws, providing for the enforcement of the provisions hereof, and providing that this act shall take effect immediately;
Reports that it has met a like committee of the Senate, consisting of Senators Swing, Tickle and Parkman, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments and that the bill be further amended as follows

Amendment No. 1.

On page 6 of the printed bill, as amended in the Senate April 5, 1937, strike out line 49, and insert in lieu thereof the following: "September 1, 1938".

SWING.	PEYSER.
TICKLE.	SHEEHAN.
PARKMAN.	LYON.
Senate Committee on Free Conference.	Assembly Committee on Free Conference.

The roll was called, and the report and amendment adopted by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Clark, Cunningham, Dannenbrink, Dawson, Dilworth, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin Levey, Lore, Maloney, Martin, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—52.
NOES—None.

Third Reading of Assembly Bills.

Assembly Bill No. 409—An act relating to trade practices and unfair discrimination.

Motion to Amend Assembly Bill No. 409.

Mr Peyser moved to amend Assembly Bill No 409 as follows:

Amendment No. 1.

On page 1, lines 12 and 13, of the printed bill, as amended, strike out "trade or commerce within this State", and insert in lieu thereof the following: "such production, manufacturing, distribution or sale of any commodity, product or output of a service trade, as the Legislature is not prohibited from regulating by the provisions of any Constitution or Federal law".

Amendment No. 2.

On page 1, line 18, of the printed bill, as amended, strike out "or to discriminate in price between different", and strike out lines 19 and 20 and in line 21, strike out "tions thereof in this State,".

Amendment No. 3.

On page 4 of the printed bill as amended, between lines 37 and 38, insert the following:

"SEC. 16. No manufacturer or wholesaler shall grant any advertising allowance to any retailer or other wholesaler unless:

(a) Such retailer or other wholesaler has actually expended an amount equal to such allowance in advertising the product of the manufacturer or wholesaler making the allowance, and

(b) Such advertising allowances are available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

No manufacturer or wholesaler shall pay any retailer or other wholesaler for the use of space on the premises for the advertising or display of commodities which are offered for sale by the retailer or other wholesaler to whom such payment is made, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities."

Amendment No. 4.

On page 4, line 38, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "17".

Amendment No. 5.

On page 4, line 46, of the printed bill, as amended, strike out "17", and insert in lieu thereof the following: "18".

Amendment No. 6.

On page 4, line 50, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "19".

Amendment No. 7.

On page 5, line 1, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "20".

Amendments adopted.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Bill No. 409, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 409, as Amended.

Assembly Bill No. 409—An act relating to trade practices and unfair discrimination.

Assembly Bill No. 409, as amended, read third time.

Demand for Previous Question.

Messrs. Dawson, Weber, Sheehan, Dannenbrink and Lyon demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 409.

The roll was called, and Assembly Bill No. 409, as amended, passed by the following vote:

AYES—*Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Johnson, Kepple, King,*

Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Sheehan, Thorp, Turner, Weber, Welsh, and Williamson—48.

NOES—Clark, Flint, Gilbert, Richie, Rosenthal, Tenney, Voigt, Watson and Mr Speaker—9.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 409.

Mr Rosenthal gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 409 was this day passed.

Special Order.

The hour of two o'clock having arrived, the special order heretofore set for this hour was taken up for consideration

Consideration of Assembly Bill No. 175.

Assembly Bill No. 175—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished

Demand for Previous Question.

Messrs. Flint, Garland, Reaves Turner and Voigt demanded the previous question

The question being put Shall the main question be now put?

Demand for previous question sustained

The question being on the passage of Assembly Bill No 175

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr. King moved a call of the Assembly.

Motion carried.

Time, four o'clock and twenty minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll

The roll was called, and the following answered to their names

Andreas, Baynham, Beene, Breed, Burns, Hugh M, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—74

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly

Proceedings Under Call of the Assembly by Unanimous Consent.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 18.—Relative to memorializing the President and the Congress of the United States to take action to relieve producers of agricultural products which have been damaged by freezing.

Senate Concurrent Resolution No. 38.—Relative to approving the charter of the city of Alameda, a municipal corporation in the county of Alameda, State of Cali-

fornia, voted for and ratified by the qualified electors of said city at a special election held therein on the twenty-ninth day of April, 1937.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Miller asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 38, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 38.

Senate Concurrent Resolution No. 38—Relative to approving the charter of the city of Alameda, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special election held therein on the twenty-ninth day of April, 1937.

Senate Concurrent Resolution No. 38 read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Assembly Bill No. 1209.

On motion of Mr. Breed, Assembly Bill No. 1209 was withdrawn from the calendar, and re-referred to the Committee on Motor Vehicles.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 2826.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 2826—An act to add section 925a to the Penal Code, relating to grand juries and the public sessions thereof, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2826?

Amendment No. 1.

On page 1, line 14, of the printed bill, after the comma following the word "welfare", and before the word "and", insert the following: "respecting matters involving the alleged corruption or misfeasance or malfeasance in office or dereliction of duty of public officials or public employees or of any person allegedly acting in conjunction or conspiracy with such officials or employees in such alleged acts,"

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 1 to 18, inclusive.

Amendment No. 3.

On page 1, lines 2 and 3 of the title of the printed bill, as amended May 3, 1937, strike out the following: "to take effect immediately".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2826 by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J. Cassidy, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, and Williamson—49.

NOES—Andreas, Clark, Cottrell, Dannenbrink, Hunt, Johnson, King, Kuchel, Miller, George P., Peek, Reaves, Rosenthal, Tenney, Yorty, and Mr. Speaker—15.

Assembly Bill No. 2826 ordered to enrollment.

Assembly Bill No. 2607—An act authorizing any incorporated city within this State to adopt by ordinance a retirement or pension system for the retirement of officers and employees; providing for the creation of a retirement board and for the delegation of certain powers to such board, authorizing the creation of a pension and retirement fund and the levy of a special tax in connection therewith; authorizing the transfer of surplus funds; providing for joint contribution to said fund by officers and employees and the city; and authorizing any regularly established fire or police protection district to avail itself of the provisions of this enabling act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2607?

Amendment No. 1.

On page 9 of the printed bill, as amended, strike out lines 19 to 26, inclusive.

Amendment No. 2.

On page 9, line 27, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendment No. 3.

On page 9, line 37, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following "8".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2607 by the following vote:

AYES—Baynham, Boyle, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2607 ordered to enrollment.

Special Order.

The hour of four o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration

Consideration of Senate Bill No. 166.

Senate Bill No. 166—An act to establish a California Labor Relations Board for the mediation and arbitration of labor disputes and for ancillary purposes, and to prescribe its powers and duties.

Re-reference of Senate Bill No. 166.

On motion of Mr. Hunt, Senate Bill No. 166 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital by the following vote:

AYES—Andreas, Boyle, Cassidy, Clark, Cronin, Crowley, Daley, Donihue, Flint, Fulcher, Gilbert, Hawkins, Hornblower, Hunt, King, Laughlin, Leonard, Maloney

McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sheehan, Stream, Tenney, Turner, Williamson, Yorty, and Mr. Speaker.—36

NOES—Baynham, Beene Breed, Burns, Hugh M., Corwin, Cottrell, Cunningham, Dannenbrink, Dawson Desmond, Dilworth, Field, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Kuchel, Latham, Lore, Lyon, Martin, Mayo, Millington, Muldoon, Robertson, Sawallisch, Scudder, Thorp, Walker, Watson, and Welsh—33.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Leonard:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for additional support of the Department of Natural Resources, to take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Scudder:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 14, 15, and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation district, declaring the urgency hereof and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr Baynham:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1080 of the Political Code relating to office hours.

Referred to Committee on Introduction of Bills.

By Mr Miller:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the support of the State Board of Prison Directors and the divisions and agencies comprising it, to take effect immediately

Referred to Committee on Introduction of Bills.

By Mr. Welsh:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to make an appropriation for construction and improvements at Santa Barbara State College.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Miller.

An act making an appropriation for the support of the State Board of Prison Directors and the divisions and agencies comprising it, to take effect immediately.

By Mr. Welsh:

An act to make an appropriation for construction and improvements at Santa Barbara State College.

By Mr. Leonard:

An act making an appropriation for additional support of the Department of Natural Resources, to take effect immediately

By Mr. Scudder:
An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts, declaring the urgency hereof and providing that this act shall take effect immediately.

By Mr. Baynham:
An act to amend section 1030 of the Political Code relating to office hours

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—69

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2880: By Mr. Leonard—An act making an appropriation for additional support of the Department of Natural Resources, to take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2881: By Mr. Baynham—An act to amend section 1030 of the Political Code, relating to office hours.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2882: By Mr. Miller—An act making an appropriation for the support of the State Board of Prison Directors and the divisions and agencies comprising it, to take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2883: By Mr. Welsh—An act to make an appropriation for construction and improvements at Santa Barbara State College.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2884: By Mr. Scudder—An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 14, 15, and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 2884, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 2884.

Assembly Bill No. 2884—An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 14, 15, and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved

June 19, 1931, relating to recreation districts, declaring the urgency hereof and providing that this act shall take effect immediately.

Case of Urgency.

The following resolution was offered:

By Mr. Scudder:

Resolved, That Assembly Bill No 2884 presents a case or urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—71

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2884, at this time.

Second Reading of Assembly Bill No. 2884.

Assembly Bill No. 2884—An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read second time

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—67.

NOES—None.

Third Reading of Assembly Bill No. 2884.

Assembly Bill No. 2884—An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66

NOES—None

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Re-reference of Assembly Bill No. 1629.

On motion of Miss Miller, Assembly Bill No. 1629 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 5, 1937

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 1620,** the same being:

"An act to amend section 439 of the Political Code, relating to employees in the Controller's office."

This bill would delete the statutory salaries of the deputy controllers, for which the present section provides. It also designates titles for the various deputies in the office of the Controller.

There seems to be little reason for the enactment of such a measure. It will also permit increases in certain salaries. I am, therefore, returning it without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 1620 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 5, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 197,** the same being:

"An act to amend section 1011 of the Code of Civil Procedure, relating to service of notices and papers in civil actions"

This bill would add to section 1011 of the Code of Civil Procedure, a provision that notices and other legal papers can be served upon the attorney by mail if the attorney has his office within the same county and in a city other than that in which the person making the service has his office.

I am unable to determine the purpose of this bill, since section 1012 of the Code of Civil Procedure now provides that service may be made by mail in cases where the person desiring to serve the notice resides or has his office "in a different place" than that in which the party to be served resides or has his office

It has been the universal practice to serve by mail in cases where the two parties reside in different cities within the same county, and Assembly Bill No 197 seems to add nothing to the present code section I know of no decision to the effect that service can not be made between cities within the same county, by mail.

For the above reasons, I am returning Assembly Bill No 197 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 197 ordered on unfinished business calendar.

Point of Order.

Mr Field arose to the following point of order That the Committee on Public Utilities had not failed to hold a meeting on two consecutive times, therefore Assembly Bill No. 2401 was not eligible to be signed out of the Committee on Public Utilities, and placed on the calendar.

Ruling on Point of Order.

The Speaker ruled that the point of order was well taken, and ordered Assembly Bill No 2401 withdrawn from the calendar, and re-referred to Committee on Public Utilities

Notice of Motion to Withdraw Assembly Bill No. 2401 from Committee.

Mr Garland gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 2401 from the Committee on Public Utilities, and have it placed upon the calendar.

Resolution.

The following resolutions were offered:

By Mr. Levey:

House Resolution No. 158.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Cascade Towel Supply Co (January $26 98—March $48 40)			$75 38
Jones & Dart Music Co.—Piano rental			10 00
Ellas Marx Music Co.—Piano rental			12 00
Carruthers Sign Co.—Lettering committee room doors			72 44
James Strachan—Chair repairs			3 50
C. H. Carter Co.—Two desk lamps			2 38
C. C. Langevin Co.—Installation of sound system	$150 00		
Rental sound system—January	200 00		
Rental sound system—March	200 00		550 00
Thomson-Diggs Co—Door mat			1 01
Patrick-Moise-Klinkner Co.—Badges			96 82
Department of Finance—			
Prorate cost of telephone service:			
January	$61 85		
February	31 74		
March	35 59	$129 18	
Taking up Assembly floor to install drinking fountains	45 00		
Installing drinking fountains	202 31	247 31	
Installing name plates on members' desks		6 98	
Furnishing and installing protecting plugs in microphone outlets		4 48	
Cabinet work on Minute Clerks' desk		7 75	
Installing box and padlock on Minute Clerks' desk		3 13	
Constructing three file cases for clerks' desks		8 55	
Attaching typewriter to desk		60	407 98
Bureau of Purchases—Including supplies for Assembly, typewriter rentals, etc., for months of January, February, March, 1937			$1,122 82

Request for Unanimous Consent.

Mr. Levey asked for, and was granted, unanimous consent to take up House Resolution No. 158, at this time, without reference to committee or calendar.

House Resolution No. 158 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Richie, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

By Mr. Lyon:

House Resolution No. 159.

WHEREAS, The California Code Commission, as a part of its work, has in the course of preparation a draft of the balance of the proposed Streets and Highways Code; and

WHEREAS, Much of this draft in mimeographed form was submitted to many interested persons and groups prior to the present session of the Legislature, but has not yet been printed and thus has not received the wide circulation and exhaustive scrutiny which such a measure should receive before submission for legislative enactment; and

WHEREAS, The laws included in this proposed code, embodying various Street Improvement Acts, which authorize and prescribe the procedure for financing

street improvements by means of special assessments, are of vital concern to every property owner and to every city and county officer engaged in the construction or maintenance of streets, and therefore should be widely distributed and carefully examined for as long a period and by as many interested persons and groups as possible before submission to the Legislature for enactment into law; now therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to prepare the balance of the proposed Streets and Highways Code for printing as soon after the adjournment of the 1937 session of the Legislature as possible, including therein all laws relating to streets and street improvement which are enacted by this session of the Legislature, and immediately to distribute the same to interested persons and groups as herein indicated; and be it further

Resolved, That the Chief Clerk is hereby instructed to have not to exceed 1,500 copies of the remainder of the proposed Streets and Highways Code printed, the cost thereof to be payable from the legislative printing appropriation.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No 159, at this time, without reference to committee or calendar.

House Resolution No. 159 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Cassidy, Cottrell, Cronin, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Peyser, Reaves, Richie, Robertson, Sawallisch, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—55

NOES—None.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR SPEAKER: Your Committee on Financial Institutions, to which was referred:

House Resolution No. 157.

Respectfully reports the same back with the recommendation: Be adopted.

LYON, Chairman

Consideration of House Resolution No. 157.

House Resolution No. 157—Creating Assembly Interim on Financial Institutions.

House Resolution No. 157 read, and refused adoption by the following vote.

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, King, Laughlin, Lore, Mayo, McMurray, Meehan, Miller, George P., Pelletier, Reaves, Richie, Rosenthal, Sawallish, Tenney, Thorp, Turner, Voigt, Weber, and Mr Speaker—38

NOES—Baynham, Beene, Breed, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Field, Gannon, Glick, Johnson, Kepple, Kuchel, Latham, Levey, Maloney, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Peck, Sheehan, Stream, Walker, Watson, and Williamson—28

Further Proceedings Under Call of the Assembly Dispensed With.

At five o'clock and thirty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Pelletier.

The roll of absentees was called, and Assembly Bill No. 175 refused passage by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cottrell, Daley, Dannenbrink, Dawson, Donihue, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Levey, Lore, Lyon, Maloney, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peck, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sheehan, Tenney, Turner, Voigt, Weber, Welsh, Youtz, and Mr Speaker—40

NOES—Baynham, Beene, Breed, Burns, Hugh M., Corwin, Cronin, Crowley, Cunningham, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Martin, Mayo, Miller, Eleanor; Millington, Muldoon, O'Donnell, Peyser, Sawallisch, Scudder, Stream, Thorp, Walker, Watson, and Williamson—37.

Notice of Motion to Reconsider Assembly Bill No. 175.

Mr. Pelletier gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 175 was this day refused passage.

Motion to Expunge Record and Rescind Action on House Resolution No. 157.

Mr. Donnelly moved to expunge the record and rescind the action whereby the Assembly, on this day, refused adoption to House Resolution No. 157.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Flint, Fulcher, Garland, Gilbert, Hawkins, Johnson, Kepple, King, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Weber, and Mr. Speaker—43

NOES—Baynham, Breed, Corwin, Dawson, Field, Glick, Kuchel, Millington, Muldoon, Stream, and Williamson—11.

House Resolution No. 157 ordered on unfinished business calendar.

Leave of Absence.

Mr. Yorty was granted leave of absence for the balance of this legislative day, on motion of Mr. Cunningham.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1951—An act to amend section 3408a of the Political Code, relating to cancellation of taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2170—An act to provide for the employment of union labor.

Motion to Amend Assembly Bill No. 2170.

Mr. Reaves moved to amend Assembly Bill No. 2170 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following.

"An act to add Chapter 3, consisting of sections 1970 to 1984, to Part 7, Division II, of the Labor Code, relating to persons with whom public agencies may contract."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. Chapter 3, consisting of sections 1970 to 1984, is hereby added to Part 7 of Division II of the Labor Code, to read as follows:

CHAPTER 3. CONTRACTS WITH PUBLIC AGENCIES.

Article 1. Scope and Operation.

1970. Unless the context otherwise requires, the definitions hereinafter set forth cover the construction of this chapter.

1971. "Labor organization" means a labor organization as defined in the National Labor Relations Act and in any statute of this State similar thereto.
1972. "Unfair labor practice" means an unfair labor practice as defined in the National Labor Relations Act and in any statute of this State similar thereto.
1973. "Public agency" means any county, city, district, public corporation, or public agency in this State.

Article 2. Conditions of Contracts

1980. No person shall submit a bid or otherwise apply to perform work or to furnish material or supplies for a public agency unless such person has an agreement with his employees, which agreement was arrived at by bargaining collectively with his employees. Such a person has not bargained collectively with his employees if he has committed an unfair labor practice in reaching such agreement.
1981. Every person submitting a bid, or otherwise making application, for the purpose of performing work, or furnishing supplies or material for a public agency shall submit with such bid or application a copy of the agreement which such person has with his employees and shall submit an affidavit that he has complied with the conditions of this chapter.
1982. No officer or employee of a public agency shall knowingly make any contract for the performance of work or the furnishing of materials or supplies with any person who violates the provisions of this chapter.
1983. Any contract made in violation of the provisions of this chapter is void, except that if the public agency through its officer or employee did not know of the violation of this chapter the public agency may require the other contracting party to perform his obligations under the contract.
1984. Any person submitting an affidavit required by this chapter, which affidavit is untrue in whole or in part, is guilty of perjury."

Amendments adopted.

Assembly Bill No. 2170 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills.

Senate Bill No. 945—An act to amend section 4241 of the Political Code, relating to the compensation of county officers in counties of the twelfth class.

Motion to Amend Senate Bill No. 945.

Mr. Dilworth moved to amend Senate Bill No. 945 as follows:

Amendment No. 1.

On page 1, line 9, of the printed bill, following the period, add the following new sentence: "Such deputies and employees as are allowed the auditor by the board of supervisors shall be appointed by the auditor and shall be paid by said county in equal monthly installments at the same time, in the same manner and out of the same fund as the salary of the auditor is paid."

Amendment No. 2.

On page 1, line 12, of the printed bill, following the period, add the following new sentence: "Such deputies and employees as are allowed the district attorney by the board of supervisors shall be appointed by the district attorney and their salaries shall be paid in equal monthly installments at the same time, in the same manner and out of the same fund as the salary of the district attorney is paid."

Amendments adopted.

Senate Bill No. 945 ordered reprint, and third reading calendar.

Senate Bill No. 912—An act to add a new section to be numbered 32c to an act entitled "An act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act, for the admission in evidence of copies of the State's standard of weights and measures, providing

for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Motion to Amend Senate Bill No. 912.

Mr. Williamson moved to amend Senate Bill No 912 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after "for any person", insert the following: "knowingly".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, strike out "to the extent of 95 per cent".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended, after "contain", insert the following: "to the extent of 90 per cent of capacity, less such decrease as may be due to shrinkage or settling occurring between the time of packaging and the time of sale,".

Amendment No. 4.

On page 2, line 3, of the printed bill, as amended, after "except", insert the following: "in cases of materials used for household purposes where a gas or pressure is formed or generated within the container, and".

Amendment No. 5.

On page 2, line 7, of the printed bill, as amended, following "labeled", insert a comma and the following: "and in cases where the unfilled portion of the container is visible to the purchaser,".

Amendments adopted

Senate Bill No. 912 ordered to reprint, and third reading calendar.

Report of Standing Committee—(Resumed).

The following report of standing committee was received and read:

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Senate Bill No. 986.
Respectfully reports the same back with the recommendation: Do pass.

WELSH, Chairman.

The above reported bill ordered on second reading calendar

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2258 re-referred to Committee on Fish and Game.

Senate Bill No. 963 re-referred to Committee on Judiciary General.

Notices of Motion to Reconsider Continued.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was refused passage was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 692 was refused passage was continued until the next legislative day.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1472 was refused passage was continued until the next legislative day.

On motion of Mr. Yorty, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 187 was refused passage was continued until the next legislative day.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 70 was passed was continued until the next legislative day.

On motion of Mr. Williamson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2849 was passed was continued until the next legislative day.

On motion of Mr Patterson, the consideration of his notice of motion to reconsider the vote whereby House Resolution No. 131 was refused adoption was continued until the next legislative day.

On motion of Mr. Levey, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1821 was passed was continued until the next legislative day.

On motion of Mr. Johnson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1474 was refused passage was continued until the next legislative day.

On motion of Mr. Peyser, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1490 was passed was continued until the next legislative day

On motion of Mr. Dawson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 268 was passed was continued until the next legislative day.

Adjournment.

At five o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Thursday, May 6, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SIXTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 6, 1937

At eleven o'clock a m, pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Assistant Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawyer, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev William F Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr Watson, the further reading of the Journal of Wednesday, May 5, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Brother Edmund, and the following students of Sacred Heart College High, San Francisco: I. Akimoff, C. Lasca, W Eichel, B. McDonald, S. Bisetti, C. Roche, R Mariaux, G. Gallagher, G. Burke, G Pera, W. Egan, V. Schoenstein, R Zaro, J Cavanaugh, E. O'Donnell.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lena B. Everett, teacher, and the following high eighth and low seventh Social Studies Class of Stanford Junior High, Sacramento: Harry Powers, Earl Lovelett, Jay Marchand, Vito Caleca, Patsy Offer, Shirley Johnson, Made-

line Fisher, Grace De Paul, Catherine Costello, Mary Anable, Dorothy Cole, Ella Maude Taggart, Roberta Ballentine, Mildred Renner, Peter Marino, Bob Ballentine, Robert Heidt, John Jelicich, Thomas Busby, June Walker, Vera Latina, Donald Olaver, Bob Ballentine, Doreen Olding, Marie Richardson, Jane Penhall, Phyllis Martin, James Hernandez, William Williams, Leonard Sachs, Donovan Waddams, Fred Loesch, Stanton Benjamin, Robert Just

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Hanjes.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Albert Sealze.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Herbert House of Hollywood.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students of Washington Elementary School, Turlock: Beverly Peterson, Marianna Johnson, Ruth Smithcamp, Harriet Holm, Violet Hansen, Ellen Sinclair, Bernice Wedin, Bernice Teulker, Willie Kay, Willis Van Natta, Elizabeth Jacobs, James Monroe, Willard Stevens, and Mae Udo; accompanied by Mrs Lillian Warren, principal; Mr Albert Peterson, trustee, and Mr and Mrs. Ed Johnson.

Assistant Clerk Berry Reading.

Senate Messages.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, May 5, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 411.
Assembly Bill No. 1084.
Assembly Bill No. 1907.
Assembly Bill No. 2024.
Assembly Bill No. 2557.
Assembly Bill No. 2788.

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, May 5, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 501.
Assembly Bill No. 1462.
Assembly Bill No. 1466.
Assembly Bill No. 1720.
Assembly Bill No. 1722.
Assembly Bill No. 2023.
Assembly Bill No. 2279.

J A BEEK, Secretary of Senate.
By F ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 5, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 322—An act to amend section 1027 of the Political Code, relating to the Great Seal of the State of California.

Senate Bill No. 424—An act to add two new sections to the School Code, to be numbered 4.194 and 4.252, relating to instruction in the public schools.

Senate Bill No. 474—An act to amend sections 737f, 737k, 737r, 737ft and 737zz of the Political Code, relating to the compensation of judges of the superior court;

Senate Bill No. 979—An act to amend section 20j of the California Real Estate Act, relating to subdivisions;

Senate Bill No. 1131—An act to add sections 1425.2, 1425.4, 1425.5 and 1425.6 to the Penal Code, relating to the territorial jurisdiction of justices' courts and trials therein;

Senate Bill No. 1137—An act to add section 4237.1 to the Political Code, providing a salary for court phonographic reporters and for payment thereof and providing for the appointment of one reporter secretary.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 322 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 424 read first time, and referred to Committee on Education.

Senate Bill No. 474 read first time, and referred to committee on Judiciary General.

Senate Bill No. 979 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 1131 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 1137 read first time, and referred to Committee on Judiciary General.

SENATE CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following:

Senate Bill No. 55.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Withdrawal and Re-reference of Assembly Bills Nos. 1265 and 1266.

On motion of Mr. Garibaldi, Assembly Bills Nos. 1265 and 1266 were withdrawn from the Committee on Medical and Dental Laws, and re-referred to the Committee on Live Stock and Dairies.

Second Reading of Assembly Bills.

Assembly Bill No. 656—An act to add section 4455.5 to the Labor Code, relating to computation of average weekly earnings

Bill read second time, and ordered to engrossment.

Assembly Bill No. 870—An act to amend section 11½ and section 11 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relative to limitations on fees charged, and to the provisions of receipts or contracts issued by such agencies.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 965—An act to add a new section to be known as section 16a to "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment and

granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1092—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of the Unfair Practices Act to add sections 16, 17, 18, 19 and 20 thereto, declaring unlawful discrimination, unfair methods of competition, unfair practices and sales at less than cost unlawful, and providing methods for establishing prevailing minimum wages, prevailing maximum hours, and prevailing minimum costs and for prohibiting child labor, providing for enforcement thereof, providing for the establishment of administrative authorities in connection with such enforcement, making the violation of the provisions of this act a misdemeanor, providing a penalty and declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1827—An act to add section 8.5 to an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, relating to the sale, in this State, of goods produced or manufactured with child labor

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1065—An act to establish a California Agricultural Labor Relations Board, to provide machinery for the mediation and arbitration of agricultural labor disputes and for ancillary purposes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1911—An act to amend sections 3351 and 3352 of the Labor Code, relating to definition of employee.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2140—An act to amend section 2 of an act entitled "An act to provide for the proper sanitary conditions of factories and workshops, and for the preservation of the health of employees," approved February 6, 1889, relating to sanitation of work places.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2150—An act to add a new article to Chapter 1, Part 1, Division II, of the Labor Code to be known as Article 3, relating to farm labor contractors.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2171—An act to forbid the employment and transportation of strike-breakers

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2176—An act defining farm labor contractors, providing for the licensing thereof and for the issuance of permits to such farm labor contractors by the Division of Labor Statistics and Law Enforcement before such farm labor contractors can contract with any crop owner to cultivate, plant, tend, irrigate, harvest, pack or process

crops belonging to or in which such crop owner has any interest and providing that the violation of such act shall be a misdemeanor

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2720—An act to add section ____ to the Labor Code, relating to and extending the workmen's compensation provisions thereof to employees on strike

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2852—An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 353—An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the District Courts of Appeal and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 134—An act to amend section 105 of an act entitled "An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor," approved June 9, 1931, as amended, relating to part time employment of retired employees.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2353—An act to amend section 13 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle," approved May 15, 1933, relating to the disposition of moneys received under said act

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 1180—An act to amend sections 471, 478 and 480 of the Agricultural Code, relating to milk

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1299—An act to add a new article to be numbered Article 6 to Chapter 1 of Division III of the Agricultural Code, relating to the registration of stallions and jacks and the service thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2414—An act to amend sections 736.3 and 737.3 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1264—An act to add Chapter 11, comprising sections 4800 to 4897, inclusive, to Division II and to add section 30008 to Division XXX of the Business and Professions Code, relating to the practice of veterinary medicine and surgery and repealing acts and parts of acts specified herein.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2850—An act to amend sections 3 and 5 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols.

Committee Amendment to Assembly Bill No. 2850.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, strike out all of lines 1 to 9, inclusive, and insert in lieu thereof the following:

"The State Forester and the Director of Natural Resources of the State of California, together with such assistants as they may appoint, shall sit as a board of equalization from the first day of August to the thirtieth day of August of each and every year. Said board shall hear the protests of owners of forest lands throughout the State of California, relating to the assessment of the patrol fee hereinbefore provided, and may cancel any assessment levied; provided that said board, in their discretion, believe that said cancellation is authorized under the provisions of this act Owners of forest land must file their protests within the said thirty day period and the said board of equalization must act upon said protests within such period. At the expiration of the said thirty day period the assessment shall become final.

The board of equalization shall turn over said assessment roll to the Director of Natural Resources of the State of California not later than the fifth day of September of each and every year.

The Director of Natural Resources shall turn the assessment roll over to the county auditor of the county wherein the property protected is located, not later than the fifteenth day of September of each and every year

As soon as the auditor receives the assessment roll from the Director of Natural Resources, he shall note the respective sums in dollars and cents, rejecting the fractions of a cent, and place the same in a separate column of the County Assessment Book.

The county auditors in the respective counties throughout the State of California, must, on or before the first day of October of each and every year, deliver such assessments to the tax collector of each and every county wherein the property assessed is located. The laws pertaining to the collection of county ad valorem taxes shall be applicable to the collection of the patrol fee, provided for herein, and herein adopted for that purpose, save as they may be inconsistent with any provision of this act"

Amendment adopted.

Bill read second time ordered to reprint and engrossment.

Assembly Bill No. 672—An act to amend section 1626 of the Streets and Highways Code.

Committee Amendment to Assembly Bill No. 672.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill following line 13, add the following: "Where such property has been deeded to the State or other subdivision for such delinquent taxes or assessments a credit in similar amount shall be allowed upon the amount necessary to redeem The officer who makes the cancellation of taxes, assessments and liens as herein above provided shall notify the State Controller or corresponding officer of such other subdivision of the credit which shall be allowed upon the right of redemption and such State Controller or such other officer shall thereupon allow such credit, provided, however, that in all respects except the collection and disbursement of redemption money the tax deed shall not be affected and shall remain unimpaired."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1755—An act to add section 7.2 to the Alcoholic Beverage Control Act, relating to licenses

Committee Amendments to Assembly Bill No. 1755.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "No application", insert the following: "for a retail package off-sale distilled spirits license,".

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out "off-sale", and insert in lieu thereof the following: "package off-sale distilled spirits".

Amendment No. 3.

On page 1, line 6, of the printed bill, strike out "already in possession of a", strike out line 7, and insert in lieu thereof the following: "in which alcoholic beverages are sold under a retail package off-sale distilled spirits license. Nothing in this section shall prevent the removal or transfer of an existing retail package off-sale distilled spirits license under which the licensee has operated for not less than one year, to a location which is within fifteen hundred feet of the premises already occupied by another retail package distilled spirits off-sale licensee, when such removal or transfer is made in accordance with the provisions of this act and the rules and regulations of the board. Any license so removed or transferred as to location may not be transferred as to ownership within one year subsequent to such transfer of location.

Distances provided in this section shall be measured not by airline but by following the shortest public way or ways connecting the points in question."

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Assembly Bill No. 566—An act to amend the title, and sections 1, 2, 3 and 5, and to repeal section 4, of an act entitled "An act authorizing and providing for suits for the collection of delinquent taxes due upon personal property," approved March 13, 1903, as amended, to provide for suits for the collection of delinquent taxes and assessments due upon all property not a lien on real property, or not a lien on real property sufficient to secure payment thereof, together with all penalties thereon.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 565—An act to amend section 3681a, Political Code, relating to the correction of errors in the assessment of real estate or in any subsequent step in the collection of the taxes thereon and for the reassessment of real estate when on account of error a delinquent tax thereon can not be enforced or when an assessment of property may have been adjudged to be invalid for error of assessment, or in the acts therein, or later

Committee Amendment to Assembly Bill No. 565.

The following amendment was submitted by the committee

Amendment No. 1.

On page 2, line 42, of the printed bill, after the word "section.", add the following:

"If a reassessment made under the provisions of this section is adjudged to be illegal, there shall be no second reassessment of the property against which the reassessment was made and the auditor and tax collector shall then certify that no taxes are due for the years covered by such reassessment."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1750—An act to amend section 5 of, and to add sections 2.1 and 10.1 to, the Personal Income Tax Act of 1935, relating to taxation and providing for the rates of taxation and earned income credits

Committee Amendments to Assembly Bill No. 1750.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 5 of and to".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out "and providing for the rates of taxation".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 25 and 26, and strike out all of page 2, and on page 3, strike out lines 1 to 26, inclusive, and insert in lieu thereof the following: "tions."

Amendment No. 4.

On page 3, line 35, of the printed bill, after the period, insert the following: "The earned income credit allowable to each spouse in a joint return is the same as is allowable to each spouse in separate returns; however, the earned income, earned income deductions, earned net income, and net income of each spouse shall be shown separately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2384—An act to amend sections 721 and 722 of the Fish and Game Code and to repeal section 724 thereof, relating to fish.

Committee Amendments to Assembly Bill No. 2384.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "721 and 722 of", and insert in lieu thereof the following: "65, 722 and 724 of, and to add sections 65.5, 65.6, 722.5, 740.5, 960, 974 and 994 to".

Amendment No. 2.

On page 1 of the printed bill, strike out line 2 of the title, and insert in lieu thereof the following: "Code, relating to the taking and sale of fish, and creating certain new districts for the regulation thereof."

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "721", and insert in lieu thereof the following "65".

Amendment No. 4.

On page 1 of the printed bill, between lines 2 and 3, insert the following:

"65. District 2 The following shall constitute Fish and Game District 2. Those portions of the following counties not included in other districts: Mendocino, Colusa, Yolo, Solano, Napa, Sonoma, and Marin.

SEC. 2. Section 65.5 is hereby added to the Fish and Game Code to read as follows:

65.5. District 2¼ The following shall constitute Fish and Game District 2¼: That portion of Lake County not included in Districts 2⅜ and 2½. All provisions of this code relating to District 2 shall apply with like force and effect to District 2¼, provided, however, that no such provision shall apply to District 2¼ which conflicts with any provision of this code specifically relating to District 2¼.

SEC. 3. Section 65.6 is hereby added to the Fish and Game Code to read as follows:

65.6. District 2⅛ The following shall constitute Fish and Game District 2⅛. The waters of the southeasterly portion of Clear Lake within the following boundaries: Beginning at Buckingham Point and continuing thence in a straight line to Anderson Island; thence in a straight line to Craig Island; thence in a straight line to Clear Lake Point; thence following the shore line in a general southeasterly direction to Cache Creek Outlet; thence following the shore line in a general northwesterly direction to Buckingham Point, the place of beginning All provisions of this code relating to District 2 shall apply with like force and effect to District 2⅛, provided, however, that no such provision shall apply to District 2⅛ which conflicts with any provision of this code specifically relating to District 2⅛

SEC. 4. Section 722 of the Fish and Game Code is hereby amended to read as follows:

722. Catfish may not be sold between May 1 and August 31, except that catfish taken in District 2¼ may be sold at any time in District 2¼. Any person holding a license under section 994 may sell catfish in District 2¼ at any time of the year if such catfish have been otherwise lawfully taken by him.

SEC. 5. Section 722.5 is hereby added to the Fish and Game Code to read as follows:

722.5 Catfish taken in District 2¼ may be sold anywhere in the State of California between November 15 and March 15.

SEC. 6. Section 740.5 is hereby added to the Fish and Game Code to read as follows:

740.5. Fish taken under the provisions of section 960 may be sold only in District 2¼.

SEC. 7 Section 724 of the Fish and Game Code is hereby amended to read as follows:

724. Between November 15 and March 15, every person holding a license under section 994 of this code may take and possess not more than fifty pounds and one fish of dressed, or one hundred pounds and one fish in the round, of catfish in any one day in District 2¼ Otherwise, in District 2¼, not more than twenty-five

pounds and one fish of dressed, or fifty pounds and one fish in the round, of catfish may be taken or possessed by any one person in any one day. Notwithstanding any provision in this code, any person conducting a market or restaurant where catfish are sold to the public may possess and sell any amount of lawfully taken catfish at any time.

SEC. 8. Section 974 is hereby added to the Fish and Game Code to read as follows:

974. In District 2¼, catfish may be taken between November 15 and March 15 by a set line As used in this code, the term "catfish" shall be deemed to include the term "mud pouts." No set line may be used unless it is marked at each end by a buoy 12 x 12 inches attached thereto Each such buoy shall has displayed thereon the license number assigned by the commission to the commercial fisherman so using such line In using a set line under this section, no person may use more than one set line at any one time, nor may any person use a set line having more than five hundred hooks; no person may use as bait on any set line anything except worms; no person may suspend or float any set line from the bottom of the waters in which such line is being used, and no set line may be operated between one hour after sunset on Saturday and one hour before sunrise on the ensuing Monday.

SEC 9 Section 960 is hereby added to the Fish and Game Code to read as follows.

960 In Districts 2¼ and 2⅞, bait seines may be used to take fish, other than catfish and game fish, to be used as bait only, subject to the restriction that such seines may not measure more than four by thirty feet in size with not to exceed one-half inch mesh stretched.

SEC. 10. Section 994 is hereby added to the Fish and Game Code to read as follows:

994. Under the provisions of this article, the commission shall prepare and issue suitable commercial fishing licenses, entitling the holder to take catfish by set line between November 15 and March 15. Unless holding such a license, no person shall use a set line to take catfish Every person operating under a license as provided in this section shall, in addition to the license fee, pay a privilege tax of one-half cent per pound of all catfish purchased, received or taken by him. The proceeds of such privilege tax shall be used only to restock and propagate fish in District 2¼."

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out lines 3 to 24, inclusive

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2663—An act to add section 919 to the Fish and Game Code, relating to bait nets.

Committee Amendments to Assembly Bill No. 2663.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended in Assembly April 10, 1937, strike out the word "amend" and insert in lieu thereof the word "repeal".

Amendment No. 2.

On page 1 of the printed bill, as amended April 10, 1937, strike out lines 14, 15 and 16, and insert in lieu thereof the word "repealed", and a period.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 473—An act to amend section 658 of the Fish and Game Code, relating to salmon

Motion to Amend Assembly Bill No. 473.

Mr Peyser moved to amend Assembly Bill No 473 as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "September 15", and insert in lieu thereof the following: "August 15".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "March 1", and insert in lieu thereof the following: "March 15".

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment

Second Reading of Senate Bills.

Senate Bill No. 720—An act to amend sections 305 and 307 of the Agricultural Code, relating to slaughtering establishments and meat inspection.

Committee Amendments to Senate Bill No. 720.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 12, of the printed bill, after "municipal inspection.", insert the following "This section shall be effective only in counties having a population of thirteen thousand or more."

Amendment No. 2.

On page 2, line 7, of the printed bill, strike out "eight", and insert in lieu thereof the following: "three".

Amendment No. 3.

On page 2 of the printed bill, strike out lines 12 to 19, inclusive, and insert in lieu thereof the following: "marketed by whole carcass with hide on."

Amendment No. 4.

On page 2 of the printed bill, strike out lines 34 to 37, inclusive, and insert in lieu thereof the following: "animals were slaughtered"

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 690—An act to create a Commission to Promote Traffic Safety upon the Streets and Highways of this State.

Committee Amendments to Senate Bill No. 690.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2, of the printed bill, as amended, strike out "in the Department of Motor Vehicles".

Amendment No. 2.

On page 1, lines 3 and 4, of the printed bill, as amended, strike out "who shall be the chairman of the commission,"

Amendment No. 3.

On page 1, line 28, of the printed bill, as amended, strike out "highway", and insert in lieu thereof the following: "traffic".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 22 and 23, and insert in lieu thereof the following: "lature or contributed by civic or public agencies for the carrying out of such traffic safety work."

Amendment No. 5.

On page 2, line 29, of the printed bill, as amended, strike out "and publish".

Amendment No. 6.

On page 2, line 37, of the printed bill, as amended, strike out "If the", and strike out lines 38 and 39.

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out lines 9, 10, and 11.

Amendment No. 8.

On page 2, line 12, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof figure "4".

Amendment No. 9.

On page 2, line 21, of the printed bill, as amended, strike out the figure "6", and insert in lieu thereof figure "5".

Amendment No. 10.

On page 2, line 29, of the printed bill, as amended, strike out the figure "7", and insert in lieu thereof figure "6".

Amendment No. 11.

On page 2, line 31, of the printed bill, as amended, strike out the figure "8", and insert in lieu thereof the figure "7".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 949—An act to add section 3810 to the Political Code, relating to payment of delinquent taxes before sale to the State.

Committee Amendment to Senate Bill No. 949.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after "taxes", insert the following: "or assessments, or for rights of way for State highway purposes".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 271—An act to add section 3817d2 to the Political Code, relating to taxation and assessment, including tax delinquencies, and tax sales and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 331—An act to amend section 252 and to add section 252.5 to the Fish and Game Code, relating to refuges.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 719—An act to add section 1324 to the Fish and Game Code, relating to muskrats.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 800—An act to amend section 525 of the Fish and Game Code, relating to water flow through a dam.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 388—An act to amend section 397 of the Penal Code, relating to the sale of intoxicating liquors.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 986—An act to amend sections 22, 23, 24 and 50 of "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creating of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, relating to protection of the natural resources of water, petroleum and gas from damage, waste and destruction, and providing for bonds required of drillers of oil and gas wells.

Bill read second time, and ordered on third reading calendar.

Introduction and Reference of Bills.

The following bill was introduced.

Assembly Joint Resolution No. 44: By Messrs. Crowley, Mayo and Leonard—Relative to memorializing the Postmaster General to use California granite in the erection of the new post office for the city of Los Angeles.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 44, at this time, without reference to print, committee or calendar, and that the same be considered.

Consideration of Assembly Joint Resolution No. 44.

Assembly Joint Resolution No. 44—Relative to memorializing the Postmaster General to use California granite in the erection of the new post office for the city of Los Angeles.

Assembly Joint Resolution No. 44 read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Love, Lyon, Maloney, Martin, Mayo, Mcehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Consideration of Governor's Veto to Assembly Bill No. 8.

Assembly Bill No. 8—An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts.

The question being put: Shall Assembly Bill No. 8 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt—1

NOES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—63.

Special Order Set for Assembly Bill No. 500.

On motion of Mr. Lyon, the consideration of Assembly Bill No. 500 was made a special order of business for Thursday, May 6, 1937, at two o'clock p.m.

Consideration of Governor's Veto to Assembly Bill No. 197.

Assembly Bill No. 197—An act to amend section 1011 of the Code of Civil Procedure, relating to service of notices and papers in civil actions.

The question being put: Shall Assembly Bill No. 197 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt—1.

NOES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—62

Notice of Motion to Reconsider Assembly Bill No. 2849 Waived.

Mr. Williamson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2849 was passed.

Assembly Bill No. 2849 ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1490.

Mr. Burns, Hugh M., moved to expunge the record and rescind the action whereby the Assembly, on May 4, 1937, passed Assembly Bill No. 1490.

The roll was called and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Pat-

terson, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber Welsh, Williamson, and Mr. Speaker—59.

NOES—None.

Assembly Bill No 1490 ordered on third reading calendar

Notice of Motion to Reconsider Assembly Bill No. 268 Waived.

Mr. Dawson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 268 was passed

Assembly Bill No. 268 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 409.

In compliance with a notice given on a previous day, Mr. Rosenthal moved that the vote whereby Assembly Bill No. 409 was passed be reconsidered.

The roll was called, and Assembly Bill No. 409 refused reconsideration by the following vote:

AYES—Andreas, Burns, Hugh M., Call, Cassidy, Clark, Daley, Dawson, Donnelly, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Laughlin, Lyon, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Thorp, and Mr. Speaker—27.

NOES—Beene, Boyle, Breed, Burns, Michael J., Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Johnson, Kepple, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Peyser, Redwine, Robertson, Scudder, Sheehan, Stream, Walker, Watson, Weber, Welsh, and Williamson—43.

Assembly Bill No. 409 ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By Messrs Cunningham, and Richie, and Mrs. Daley.

House Resolution No. 160.

WHEREAS, Forty-four years ago today, two young hopefuls took one another, for better or for worse; and

WHEREAS, The gentleman member of this duo has obviously received the better of the taking; and

WHEREAS, The lady member of the duo has for 44 years borne the burden of keeping her pipe-smoking, illustrious public servant from San Diego County in tolerable spirits; and

WHEREAS, Such successful accomplishment is one worthy of commendation; now, therefore, be it

Resolved by the Assembly of the State of California, That Mrs. Florence E. Stream, helpmate and wife of the Honorable Charles W. Stream, Assemblyman from San Diego County, be congratulated on having been able, successfully, to live with and successfully go through 44 years of married life with our illustrious colleague, the Honorable Charles W. Stream; and be it further

Resolved, That Mrs. Florence E. Stream and the Honorable Charles W. Stream be congratulated upon their forty-fourth wedding anniversary.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up House Resolution No. 160, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

House Resolution No. 160 read, and unanimously adopted

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Thorp:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the county of San Joaquin.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Thorp:

An act to amend section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the county of San Joaquin.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—71

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2885: By Mr. Thorp—An act to amend section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the county of San Joaquin.

Bill read first time, and referred to Committee on Judiciary General

Recess.

At twelve o'clock and twenty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1177.

And reports the same correctly enrolled, and presented to the Governor on this sixth day of May, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 566.
Assembly Bill No. 656.
Assembly Bill No. 870.
Assembly Bill No. 1065.
Assembly Bill No. 1180.
Assembly Bill No. 1299.
Assembly Bill No. 1827.
Assembly Bill No. 1911.
Assembly Bill No. 2140.
Assembly Bill No. 2150.
Assembly Bill No. 2171.
Assembly Bill No. 2720.
Assembly Bill No. 2852.
Assembly Constitutional Amendment No. 52.
Assembly Bill No. 21.
Assembly Bill No. 214.
Assembly Bill No. 351.
Assembly Bill No. 1073.
Assembly Bill No. 1185.
Assembly Bill No. 1448.
Assembly Bill No. 1556.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1247.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bill ordered on third reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 2034.
Assembly Bill No. 2391.
Senate Bill No. 508.
Respectfully reports the same back with the recommendation. Do pass

CLARK, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR SPEAKER: Your Committee on Judiciary General, to which was referred.
Assembly Bill No. 1928. **Senate Bill No. 963.**
Assembly Bill No. 2800. **Senate Bill No. 1134.**
Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 1479. **Assembly Bill No. 1483.**
Assembly Bill No. 1480. **Assembly Bill No. 1484.**
Assembly Bill No. 1481. **Senate Bill No. 306.**
Assembly Bill No. 1482.
Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 2250.
Senate Bill No. 175.
Respectfully reports the same back with the recommendation: Do pass as amended

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 848.
Respectfully reports the same back with the recommendation: Do pass as amended

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred:
Assembly Bill No. 468.
Respectfully reports the same back with the recommendation: Do pass as amended

MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1937.

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 646. **Assembly Bill No. 1635.**
Assembly Bill No. 717. **Assembly Bill No. 2642.**
Assembly Bill No. 833. **Assembly Bill No. 2770.**
Respectfully reports the same back with the recommendation: Do pass as amended

DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1937

MR. SPEAKER: Your Committee on Commerce and Navigation to which was referred:

Assembly Bill No. 1776.

Respectfully reports the same back without recommendation.

MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937

MR. SPEAKER: Your Committee on Corporations, to which was referred:

Assembly Bill No. 1645.

Assembly Bill No. 1646.

Respectfully reports the same back with the recommendation: Do pass as amended

McMURRAY, Chairman.

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 580.

Respectfully reports the same back with the recommendation: Do pass as amended

HORNBLOWER, Chairman

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2593.

Respectfully reports the same back with the recommendation: Do pass as amended

CLARK, Chairman

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred.

Assembly Bill No. 1516.

Assembly Bill No. 1526.

Respectfully reports the same back with the recommendation: Do pass as amended.

HAWKINS, Chairman.

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 839.

Senate Bill No. 558.

Respectfully reports the same back with the recommendation: Do pass as amended

KING, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 641.

Assembly Bill No. 1725.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman.

The above reported bills ordered on second reading calendar.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937

MR SPEAKER: Your Committee on Corporations, to which was referred

Assembly Bill No. 2853.

Respectfully reports the same back with the recommendation: Do pass

McMURRAY, Chairman.

The above reported bill ordered on second reading calendar.

Motion to Waive Special Order.

On motion of Mr. Heisinger the consideration of Assembly Bill No. 50, heretofore made a special order of business for this hour, was waived

Assembly Bill No. 50 ordered on third reading calendar

Special Order.

The hour of two o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Governor's Message Relative to Assembly Bill No. 500.

Assembly Bill No. 500—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Consideration of Item No. 1.

"of which the amount of thirty-four thousand one hundred sixty dollars shall be expended for support of the Safety Section of the Railroad Commission of the State of California".

The question being put: Shall Item No. 1 become a law, notwithstanding the veto of the Governor?

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Welsh moved a call of the Assembly.

Motion carried.

Time, two o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Further Proceedings Under Call of the Assembly Dispensed With.

At three o'clock and fifteen minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Welsh.

The roll of absentees was called, and the veto of the Governor to Item No. 1 sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—47.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham,

Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Stream, Thorp, Weber, and Williamson—31.

Consideration of Item No. 2.

"of which three hundred twenty-eight thousand dollars shall be used for additional safety inspectors;".

The question being put: Shall Item No. 2 become a law, notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Laughlin, Leonard, Lore, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—49.

NOES—Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Kepple, Kuchel, Latham, Levey, Lyon, Maloney, Martin, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Stream, Thorp, Walker, Weber, and Williamson—28

Consideration of Item No. 3.

"provided, that out of the moneys hereby appropriated the sum of twenty thousand dollars ($20,000) shall be used and spent for the salaries of agents in the Division of Industrial Welfare and for no other purposes, whether in said division of the Department of Industrial Relations or for any other purpose of the State".

The question being put: Shall Item No. 3 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Laughlin, Lore, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr Speaker—48

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Field, Hornblower, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Stream, Thorp, Walker, Weber, and Williamson—31.

Consideration of Item No. 4.

"one million six hundred twenty-five thousand one hundred eighty-five dollars ($1,625,185) * * *----------$1,625,185.00"

and reduce the same to

"one million three hundred ninety-seven thousand one hundred eighty-five dollars ($1,397,185) ----------$1,397,185.00"

The question being put: Shall Item No. 4 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Laughlin, Lore, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—47.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Field, Hornblower, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Stream, Thorp, Walker, Weber, and Williamson—31.

Consideration of Item No. 5.

"provided, however, that of the amount appropriated in this item the following amounts, and in addition thereto such sums as may be made available therefor by the Federal Government, shall be expended for a program of unemployment work relief consisting of construction and improvements at the following State institutions, schools, colleges and other State agencies".

The question being put: Shall Item No. 5 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—45.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Consideration of Item No. 6.

"Department of Agriculture, $2,700.00".

The question being put: Shall Item No. 6 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—44

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—34.

Consideration of Item No. 7.

"Chico State College, $11,500.00".

The question being put: Shall Item No. 7 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—45

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33

Consideration of Item No. 8.

"Fresno State College, $11,500.00".

The question being put: Shall Item No. 8 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, Martin, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—47

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—32

Consideration of Item No. 9.

"Humboldt State College, $11,500.00"

The question being put: Shall Item No. 9 become a law notwithstanding the veto by the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—45

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Consideration of Item No. 10.

"San Diego State College, $11,500.00".

The question being put: Shall Item No 10 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty and Mr Speaker—45.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Consideration of Item No. 11.

"San Francisco State College, $12,800.00".

The question being put: Shall Item No. 11 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher Gannon, Garibaldi Garland, Gilbert Glick Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr Speaker—45.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Consideration of Item No. 12.

"San Jose State College, $12,000.00".

The question being put: Shall Item No 12 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—46.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham,

Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Consideration of Item No. 13.

"Santa Barbara State College, $497,500.00".

The question being put: Shall Item No. 13 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Daley, Dannenbrink, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—41.

NOES—Beene, Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Donihue, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Robertson, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—35.

Consideration of Item No. 14.

"California School for the Blind, $4,750.00".

The question being put: Shall Item No. 14 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Kuchel, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—46.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—32.

Consideration of Item No. 15.

"Department of Finance, $35,000.00".

The question being put: Shall Item No. 15 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—43.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—34.

Consideration of Item No. 16.

"Agnew's State Hospital, $182,990.00".

The question being put: Shall Item No. 16 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—44.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham,

Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor, Morgan, Peyser, Redwine, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—32

Consideration of Item No. 17.

"Camarillo State Hospital, $2,765,000.00".

The question being put Shall Item No. 17 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr Speaker—44.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—32.

Consideration of Item No. 18.

"Mendocino State Hospital, $30,400.00".

The question being put: Shall Item No. 18 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—45.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—31.

Consideration of Item No. 19.

"Napa State Hospital, $1,016,700.00".

The question being put: Shall Item No. 19 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Laughlin Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—43.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Explanation of Vote on Napa State Hospital.

Regardless of any controversy as to whether funds for construction in our State institutions should be from relief funds or from a regular budget, I feel that it is a prime necessity that they must be provided. Accordingly, I feel that I can not vote to eliminate the only funds now in the budgets for the institutions.

It is my intention to introduce a separate bill to provide for the construction required if these are not retained in the budget, but I feel that I can not vote to eliminate these items while no other funds are assured.

ERNEST C. CROWLEY.

Consideration of Item No. 20.

"Norwalk State Hospital, $18,500.00".

The question being put: Shall Item No. 20 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—45.

NOES—Beene, Breed, Burns, Michael J., Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—32.

Consideration of Item No. 21.

"Patton State Hospital, $18,000.00".

The question being put: Shall Item No. 21 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Ritchie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—46

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Consideration of Item No. 22.

"Stockton State Hospital, $98,500.00".

The question being put: Shall Item No. 22 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—45.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Consideration of Item No. 23.

"Pacific Colony-State Narcotic Hospital, $990,500.00".

The question being put: Shall Item No. 23 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—44.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—34.

Consideration of Item No. 24.

"Sonoma State Home, $1,053,260.00".

The question being put: Shall Item No. 24 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—46.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33

Consideration of Item No. 25.

"Preston School of Industry, $7,750.00"

The question being put: Shall Item No. 25 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—46

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33

Consideration of Item No. 26.

"Ventura School for Girls, $7,650.00".

The question being put: Shall Item No. 26 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—45.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—32.

Consideration of Item No. 27.

"Whittier State School, $3,750.00".

The question being put: Shall Item No. 27 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—45.

NOES—Beene, Breed, Burns, Michael J., Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor, Morgan, Peyser, Redwine, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—30

Consideration of Item No. 28.

"Industrial Home for Adult Blind, $8,000 00"

The question being put: Shall Item No 28 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—46

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—32.

Consideration of Item No. 29.

"Adjutant General and California National Guard, $25,000.00".

The question being put. Shall Item No. 29 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—41.

NOES—Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—31.

Consideration of Item No. 30.

"Veterans Home of California, $324,000 00".

The question being put: Shall Item No. 30 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—44.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Consideration of Item No. 31.

"Woman's Relief Corps Home, $11,000.00"

The question being put: Shall Item No 31 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—46.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Consideration of Item No. 32.

"Folsom State Prison, $42,300.00".

The question being put: Shall Item No. 32 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—45

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33

Consideration of Item No. 33.

"San Quentin State Prison, $45,000.00".

The question being put: Shall Item No. 33 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—45.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Consideration of Item No. 34.

"California Institution for Women, $7,500.00".

The question being put: Shall Item No. 34 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—43.

NOES—Beene, Breed, Burns, Michael J., Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—32.

Consideration of Item No. 35.

"provided further that if no money is made available for this purpose by the Federal Government then the amounts above shown for construction and improvements at State institutions, schools, colleges and other State agencies shall be expended in accordance with the law".

The question being put: Shall Item No. 35 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek,

Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—46.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—33.

Re-reference of Senate Bill No. 912.

On motion of Mr Williamson, Senate Bill No 912 was withdrawn from the calendar, and re-referred to the Committee on Judiciary General

Resolution.

The following resolution was offered:

By Mr Tenney:

House Resolution No. 161.

Resolved, That there is hereby appropriated from the contingent fund of the Assembly the sum of $1,200, or so much thereof as may be necessary, to augment the appropriation for the Assembly Special Investigating Committee on the Conviction of the Modesto Dynamite Cases, appointed pursuant to House Resolution No. 25 adopted January 21, 1937, appearing at page 55 of the Assembly Journal for that day.

Request for Unanimous Consent.

Mr. Tenney asked for unanimous consent to take up House Resolution No. 161, at this time, without reference to committee or calendar.

Mr. Millington withheld his consent.

House Resolution No. 161 ordered on the unfinished business calendar.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Mr. Voigt:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add sections 1099, 1100, 1176, 1244, 1245, 1246, 1247, 1248, 1249, 1250 and 1251 to the Political Code, relating to compulsory registration and compulsory voting.

Referred to Committee on Introduction of Bills

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Voigt:

An act to add sections 1099, 1100, 1176, 1244, 1245, 1246, 1247, 1248, 1249, 1250 and 1251 to the Political Code, relating to compulsory registration and compulsory voting.

CALL, Chairman

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt Hornblower, Johnson, Kepple, King, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—71

NOES—None

Introduction and Reference of Bills—(Resumed).

The following bill was introduced and referred as indicated:

Assembly Bill No. 2886: By Mr. Voigt—An act to add sections 1099, 1100, 1176, 1244, 1245, 1246, 1247, 1248, 1249, 1250 and 1251 to the Political Code, relating to compulsory registration and compulsory voting.

Bill read first time, and referred to Committee on Elections.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 5, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 2762.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, May 6, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 144—An act relating to State lands, permitting the holders of certificates of purchase of certain State lands to complete purchases thereunder, notwithstanding any past forfeiture of such lands to the State for default in interest payments or taxes;

Senate Bill No. 553—An act to amend section 9 of and to add section 9a to an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the powers of the Surveyor General, now the Chief of the Division of State Lands; for the purpose of taking gold or other minerals from and granting of easements to recover gold or other minerals from the beds of tide and submerged lands, and of navigable rivers and streams;

Senate Bill No. 987—An act to amend section 412 of the Penal Code, prohibiting prize fights and betting on any pugilistic contest, boxing contest or exhibition, but sanctioning amateur boxing contests, sparring matches and exhibitions not to exceed five rounds of duration, prescribing conditions in relation thereto and the issuance of annual licenses to hold such amateur contests by the State Athletic Commission of California;

Senate Bill No. 1014—An act to amend section 647 of the Penal Code, relating to definitions of vagrants;

Senate Bill No. 1104—An act to amend section 810 of the Agricultural Code, relating to artichokes.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 144 read first time, and referred to Committee on State Grounds and Parks.

Senate Bill No. 553 read first time, and referred to Committee on Oil Industries.

Senate Bill No. 987 read first time, and referred to Committee on Public Morals.

Senate Bill No. 1014 read first time, and referred to Committee on Crime Problems.

Senate Bill No 1104 read first time, and referred to Committee on Agriculture.

Recess.

At five o'clock and fifteen minutes p.m., on motion of Mr. King, the Assembly was declared at recess until eight o'clock p m.

Reassembled.

At eight o'clock p m., the Assembly reconvened.
Speaker Jones in the chair.

Leave of Absence.

Mr Burns, Hugh M., was granted leave of absence for the balance of this legislative day, on motion of Mr. Sawallisch.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 272.
Assembly Bill No. 383.
Assembly Bill No. 534.
Assembly Bill No. 696.
Assembly Bill No. 697.
Assembly Bill No. 849.
Assembly Bill No. 850.
Assembly Bill No. 1300.
Assembly Bill No. 2027.
Assembly Bill No. 2548.
Assembly Bill No. 2584.
Assembly Bill No. 2671.
Assembly Bill No. 2820.
Assembly Bill No. 2863.
Assembly Bill No. 2869.
Assembly Bill No. 2872.
Assembly Bill No. 2873.
Assembly Bill No. 2875.
Assembly Bill No. 2879.

Respectfully reports the same back with the recommendation Do pass.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 252.
Assembly Bill No. 1120.
Assembly Bill No. 1648.
Assembly Bill No. 1873.
Assembly Bill No. 1899.
Assembly Bill No. 2170.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 253.
Assembly Bill No. 1259.
Assembly Bill No. 1260.
Assembly Bill No. 1677.
Assembly Bill No. 1876.
Assembly Bill No. 2063.
Assembly Bill No. 2119.
Assembly Bill No. 2343.
Assembly Bill No. 2677.
Assembly Bill No. 2837.
Assembly Bill No. 2841.
Assembly Bill No. 1118.
Assembly Constitutional Amendment No. 20.

And reports the same correctly engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937

MR SPEAKER: Your Committee on County Government, to which was referred:
Assembly Bill No. 702.

Respectfully reports the same back with the recommendation: Do pass as amended

LAUGHLIN, Chairman

The above reported bill ordered on second reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER Your Committee on Oil Industries, to which was referred:
Assembly Bill No. 1455.

Respectfully reports the same back with the recommendation: Do pass as amended.

WELSH, Chairman

The above reported bill ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1937

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred
Assembly Bill No. 1265.
Assembly Bill No. 1266.
Respectfully reports the same back with the recommendation: Do pass as amended.

DONNELLY, Chairman

The above reported bills ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:
Assembly Bill No. 2747.
Respectfully reports the same back with the recommendation: Do pass.

MALONEY, Chairman

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 90.
Assembly Bill No. 2870.
Respectfully reports the same back with the recommendation: Do pass as amended.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

Motion to Withdraw Assembly Bill No. 84 from Committee.

In compliance with a notice given on a previous day, Mr. Yorty moved to withdraw Assembly Bill No 84 from the Committee on Public Morals, and have it placed upon the calendar.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Yorty moved a call of the Assembly.

Motion carried

Time, nine o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Beene, Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Daley, Dawson, Dilworth, Field, Garibaldi, Gilbert, Hawkins, Hunt, Johnson, Kepple, Kuchel, Latham, **Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor;** Miller, George P., Morgan, Pelletier, Richie, Rosenthal, Scudder, Sheehan, Stream, Turner, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—41

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2621.

Mr Williamson moved to expunge the record and rescind the action whereby the Assembly, on May 4, 1937, passed Assembly Bill No. 2621, and that the bill be recalled from the Senate.

The roll was called, and the record expunged and the action rescinded by the following vote

AYES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Field, Gannon, Garibaldi, Gilbert, Hawkins, Johnson, Kepple, King, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Peek, Pelle-

tier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—48.

NOES—None.

Re-reference of Assembly Bill No. 965.

On motion of Mr. King, Assembly Bill No 965 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2562—An act to amend section 1 of "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to hours of labor in subterranean or underground employment.

Bill read third time, and refused passage by the following vote:

AYES—Clark, Cronin, Dawson, Flint, Gilbert, Hawkins, Hunt, King, Laughlin, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Voigt, Williamson, Yorty, and Mr. Speaker—25.

NOES—Boyle, Breed, Call, Corwin, Cottrell, Crowley, Cunningham, Daley, Dilworth, Field, Fulcher, Gannon, Glick, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Martin, Mayo, Miller Eleanor, Morgan, Peyser, Redwine, Robertson, Scudder, Stream, Weber, and Welsh—30

Assembly Bill No. 1378—An act to amend an act entitled "An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein," approved June 25, 1935, by amending sections 2, 3, 4, 5, 6 and first section 9 thereof, by adding section 7a thereto, by repealing second section 9 thereof, and by renumbering third section 9 thereof to be section 10; and to repeal an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to licensing and taxing of vehicles, declaring the urgency hereof, and providing that this act shall go into immediate effect.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68

NOES—None.

Assembly Bill No. 1378 read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder,

Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At nine o'clock and twenty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Yorty.

The roll of absentees was called, and the motion to withdraw Assembly Bill No. 84 lost by the following vote.

AYES—Flint, Fulcher, Pelletier, Reaves, and Yorty—5

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donahue, Donnelly, Field, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—68

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 728—An act to add a new section to be numbered 1685 to the Streets and Highways Code, relating to the allocation and expenditure of motor vehicle fuel license tax moneys by boards of supervisors of counties having a registration therein of more than 750,000 motor vehicles.

Motion to Amend Assembly Bill No. 728.

Mr. Lore moved to amend Assembly Bill No. 728 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out "eighty", and insert in lieu thereof the following: "seventy-five".

Demand for Previous Question.

Messrs. Lore, Flint, Andreas, Morgan and Muldoon demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Boyle, Clark, Cottrell, Cronin, Cunningham, Daley, Desmond, Donahue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sheehan, Tenney, Welsh, and Yorty—42.

NOES—Baynham, Breed, Burns, Michael J., Call, Cassidy, Corwin, Crowley, Dawson, Dilworth, Gannon, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Martin, Meehan, Millington, Muldoon, O'Donnell, Sawallisch, Scudder, Stream, Turner, Voigt, Walker, Watson, Weber, and Mr. Speaker—30.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Bill No. 728, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 728, as Amended.

Assembly Bill No. 728—An act to add a new section to be numbered 1685 to the Streets and Highways Code, relating to the allocation and expenditure of motor vehicle fuel license tax moneys by boards of

supervisors of counties having a registration therein of more than 750,000 motor vehicles

Assembly Bill No. 728, as amended, read third time.

Demand for Previous Question.

Messrs Call, Morgan, Glick, Johnson and Flint demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 728

The roll was called, and Assembly Bill No 728 refused passage by the following vote:

AYES—Boyle, Clark, Cunningham, Field, Flint, Gilbert, Hawkins, Laughlin, Leonard, Lore, Lyon, Maloney, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Welsh, and Yorty—20

NOES—Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr Speaker—55.

Notice of Motion to Reconsider Assembly Bill No. 728.

Mr Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 728 was refused passage.

Third Reading of Senate Bills—(Out of Order).

Senate Bill No. 252—An act to provide for the acquisition of land and the construction and equipment of buildings, offices and facilities for officers, boards, commissions and State agencies supported from sources other than the general fund.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr Speaker—70.

NOES—Boyle—1.

Senate Bill No. 252 read third time, and passed by the following vote.

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr Speaker—71

NOES—Boyle—1

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1118—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and

for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Motion to Amend Assembly Bill No. 1118.

Mrs. Daley moved to amend Assembly Bill No. 1118 as follows.

Amendment No. 1.

On page 1, line 9 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "and declaring the urgency thereof, the act to take effect immediately."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 47 to 50, inclusive

Amendment No. 3.

On page 3 of the printed bill, as amended, after line 15, add the following:

"SEC. 3. This act is hereby declared to be an urgency measure within the meaning of section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately

The facts constituting such necessity are as follows: In one of the cities of the second and one-fourth class a majority of the qualified electors of the city, voting upon the question of the establishment of a municipal court, have voted in favor thereof, contemplating and basing their action upon a court structure such as will be effected by this amendment, to come into operation on July 1, 1937. A change from inferior courts to a municipal court on July 1, 1937, if followed, shortly thereafter, by a further change in set-up and organization of such court, would cause expense, confusion, loss of time and dissatisfaction, which can and will be avoided if this act takes effect immediately."

Amendments adopted.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to take up Assembly Bill No. 1118, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1118, as Amended.

Assembly Bill No. 1118—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class and declaring the urgency thereof, the act to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 1118, as amended, read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie,

Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—69

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1—An act to amend sections 2, 2½, 3, 4, 14, 17 and 18, to add sections 4½, 5 and 25, and to repeal section 8 of the Old Age Security Act of the State of California, relating to aid to the aged.

Motion to Amend Assembly Bill No. 1.

Mr. Donnelly moved to amend Assembly Bill No 1 as follows:

Amendment No. 1.

On page 8, line 40, of the printed bill, as amended, after the period, add the following. "No warrant drawn in payment of the aid given under the provisions of this act shall contain any reference to indigency or pauperism."

Amendment adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1, as Amended.

Assembly Bill No. 1—An act to amend sections 2, 2½, 3, 4, 14, 17 and 18, to add sections 4½, 5 and 25, and to repeal section 8 of the Old Age Security Act of the State of California, relating to aid to the aged.

Assembly Bill No. 1, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J. Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—79.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 98—An act to amend section 2289 of the Political Code, relating to age of minor orphans, half orphans and abandoned children.

Motion to Amend Assembly Bill No. 98.

Mr Miller moved to amend Assembly Bill No. 98 as follows:

Amendment No. 1.

On page 2, line 39, of the printed bill, as amended, strike out "State Board of Control", and insert in lieu thereof the following. "State Department of Social Welfare".

Amendment No. 2.

On page 3, line 8, of the printed bill, as amended, strike out "State Board of Control", and insert in lieu thereof the following: "State Department of Social Welfare".

Amendment No. 3.

On page 3, line 9, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "department".

Amendments adopted.

Request for Unanimous Consent.

Mr. Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 98, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 98, as Amended.

Assembly Bill No. 98—An act to amend section 2289 of the Political Code, relating to age of minor orphans, half orphans and abandoned children.

Urgency clause read, and adopted by the following vote

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—70.

NOES—None.

Assembly Bill No. 98 read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—72.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 524—An act to amend section 4 of the Old Age Security Act of the State of California, approved May 28, 1929, as amended, relating to the signing of notices of aid which are to be recorded as liens.

Motion to Amend Assembly Bill No. 524.

Mr Lore moved to amend Assembly Bill No 524 as follows:

Amendment No. 1.

On page 3, line 4, of the printed bill, as amended, after "paid", insert the following: "by".

Amendment No. 2.

On page 3, line 32, of the printed bill, as amended, after "when", insert the following: "and".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up Assembly Bill No. 524, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 524, as Amended.

Assembly Bill No. 524—An act to amend section 4 of the Old Age Security Act of the State of California, approved May 28, 1929, as amended, relating to the signing of notices of aid which are to be recorded as liens.

Urgency clause read, and adopted by the following vote:

AYES—Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly,

Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 524 read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Michael J. Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1875—An act to add section 5.5 and to amend sections 6 and 10 of "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by this State or any of its political subdivisions, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, relating to aid to the needy blind.

Motion to Amend Assembly Bill No. 1875.

Mr. Miller moved to amend Assembly Bill No. 1875 as follows:

Amendment No. 1.

On page 2, line 15, of the printed bill, as amended, strike out "(C)", and insert in lieu thereof the following: "(A)".

Amendment No. 2.

On page 2, line 30, of the printed bill, as amended, after "paid", insert the following: "by".

Amendment No. 3.

On page 2, line 45, of the printed bill, as amended, after "greater", insert the following: "or less".

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out lines 33 to 52, inclusive, and on page 4, strike out lines 1 and 2.

Amendments adopted.

Request for Unanimous Consent.

Mr. Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 1875, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1875, as Amended.

Assembly Bill No. 1875—An act to add section 5.5 and to amend sections 6 and 10 of "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by this State or any of its political subdivisions, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, relating to aid to the needy blind.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller,

George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1875 read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin,, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Assembly Bill No. 1295—An act to regulate the rug cleaning business and to create a Rug Renovation Board, prescribing the powers and duties thereof; providing for the licensing of persons engaged in conducting rug cleaning establishments and providing for the enforcement of the act by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards, for the protection of the public health and persons engaged in the practice of rug cleaning.

Motion to Amend Assembly Bill No. 1295.

Mr Lyon moved to amend Assembly Bill No. 1295 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 41 and 42.

Amendment No. 2.

On page 2, line 43, of the printed bill, as amended, strike out "(o)", and insert in lieu thereof the following: "(n)".

Amendment No. 3.

On page 2, line 46, of the printed bill, as amended, strike out "(p)", and insert in lieu thereof the following: "(o)".

Amendment No. 4.

On page 2, line 48, of the printed bill, as amended, strike out "(q)", and insert in lieu thereof the following: "(p)".

Amendment No. 5.

On page 2, line 51, of the printed bill, as amended, strike out "(r)", and insert in lieu thereof the following "(q)".

Amendment No. 6.

On page 3, line 1, of the printed bill, as amended, strike out "(s)", and insert in lieu thereof the following: "(r)".

Amendment No. 7.

On page 3, line 3, of the printed bill, as amended, strike out "(t)", and insert in lieu thereof the following: "(s)".

Amendment No. 8.

On page 3 of the printed bill, as amended, strike out lines 5 to 43, inclusive.

Amendment No. 9.

On page 3, line 44, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "3".

Amendment No. 10.

On page 3, line 45, of the printed bill, as amended, strike out ", subject", and all of line 46, and insert in lieu thereof a period.

Amendment No. 11.

On page 3 of the printed bill, as amended, after line 51 insert the following paragraph

"He may prescribe rules and regulations and standards necessary for the administration of this act and the governing of the practice of rug cleaning and the opera-

tions of rug cleaning establishments. He may appoint a technical advisory committee, consisting of five members, four of whom shall be licensees under this act, to assist him in the determination and formulation of policies to be pursued by him in the administration and enforcement of this act."

Amendment No. 12.

On page 4, line 1, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following "4".

Amendment No. 13.

On page 4, line 12 of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "5"

Amendment No. 14.

On page 4, line 22, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "6".

Amendment No. 15.

On page 4, line 41, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following "7".

Amendment No. 16.

On page 5, line 3, of the printed bill, as amended, strike out "8 and 9", and insert in lieu thereof the following: "5 and 6"

Amendment No. 17.

On page 5, line 4, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "8".

Amendment No. 18.

On page 5, line 5, of the printed bill, as amended, strike out "or the motion of the board."

Amendment No. 19.

On page 5, line 12, of the printed bill, as amended, strike out the semicolon and "provided, however, that m", and strike out lines 13, 14, and 15, and insert in lieu thereof a colon.

Amendment No. 20.

On page 6, line 4, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "9".

Amendment No. 21.

On page 7, line 9, of the printed bill, as amended, strike out "board, or director, or its", and insert in lieu thereof the following: "director".

Amendment No. 22.

On page 7 of the printed bill, as amended, strike out lines 14 to 26, inclusive, and insert in lieu thereof the following "mony. If any person refuses to obey a subpena or denies the representative of the department access to his place of business or records necessary for the purposes of the investigation, the facts of such refusal shall be certified to the superior court of the county in which the subpena was served or the records are kept. The court shall thereupon proceed to hear the matter in accordance with the laws concerning contempt for the disobedience of the process of the court, and if the court finds that the subpena has been duly served and that the person so served has wilfully disobeyed it, the court shall proceed as provided for a contempt of the court"

Amendment No. 23.

On page 7, line 27, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "10".

Amendment No. 24.

On page 7, line 41, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "11".

Amendment No. 25.

On page 8, line 15, of the printed bill, as amended, strike out the quotation marks preceding the word "Persons".

Amendment No. 26.

On page 8, line 21, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "12".

Amendment No. 27.

On page 8, line 38, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "13".

Amendment No. 28.

On page 8, line 40, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "12".

Amendment No. 29.

On page 8, line 42, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "department".

Amendment No. 30.

On page 8, line 47, of the printed bill, as amended, strike out "17", and insert in lieu thereof the following: "14".

Amendment No. 31.

On page 9, line 4, of the printed bill, as amended, strike out "18" and insert *in lieu thereof the following*: "15".

Amendments adopted.

Assembly Bill No. 1295 ordered to reprint, and re-engrossment.

Assembly Bill No. 743—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Motion to Amend Assembly Bill No 743.

Mr. Fulcher moved to amend Assembly Bill No 743 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 2", and insert in lieu thereof the following: "sections 2 and 3".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, as amended, strike out "license fees", and insert in lieu thereof the following: "itinerant vendors".

Amendment No. 3.

On page 2 of the printed bill, as amended, following line 21, insert the following:

"SEC. 2 Section 3 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 3. An itinerant vendor within the meaning of this act shall include all persons who carry on the business above described by passing from house to house or place to place, or by haranguing people on the public streets or in public places or in stores, shops or other places to which the public is invited or attracted, or who use other devices for attracting crowds to or into such places and therewith recommending their wares and offering them for sale

Nothing in this act shall apply to the sale or offering for sale of such drugs, nostrums, ointments or appliances in any duly licensed and operated pharmacy, as such pharmacy is defined in that act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," where such selling or offering for sale is made in the regular conduct of such pharmacy and by a duly and regularly licensed registered pharmacist, or registered assistant pharmacist, or where such selling or offering for sale is done by a person holding a permit issued by the Board of Pharmacy to general dealers in rural districts under said act."

Amendments adopted.

Assembly Bill No. 743 ordered to reprint, and re-engrossment.

Assembly Bill No. 744—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors.

Motion to Amend Assembly Bill No. 744.

Mr Fulcher moved to amend Assembly Bill No. 744 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "sections", insert the following: "4061,".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "4063", and insert in lieu thereof the following: "4061".

Amendment No. 3.

On page 1 of the printed bill, as amended, between lines 2 and 3, insert the following:

"4061. Within the meaning of this article, itinerant vendors include all persons who carry on the business described in section 4060 by passing from house to

house or place to place, or by haranguing the people on the public streets or in public places or in stores, shops or other places to which the public is invited or attracted, or use the various customary devices for attracting crowds to or into such places and therewith recommending their wares, and offering them for sale Nothing in this article applies to persons holding a permit issued by the Board of Pharmacy to general dealers in rural districts.

SEC. 2. Section 4063 of the Business and Professions Code is hereby amended to read as follows:".

Amendment No. 4.

On page 1, line 16, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "3".

Amendment No. 5.

On page 1, line 22, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following "4".

Amendment No. 6.

On page 2, line 5, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 7.

On page 2, line 14, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6".

Amendments adopted.

Assembly Bill No. 744 ordered to reprint, and re-engrossment.

Assembly Bill No. 1721—An act relating to the sale, disposition of, advertising, and control through licensing and otherwise, of prophylactics.

Motion to Amend Assembly Bill No. 1721.

Mr Boyle moved to amend Assembly Bill No. 1721 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "advertising,"

Amendment No. 2.

On page 2, line 12, of the printed bill, as amended strike out 'made from"

Amendment No. 3.

On page 2, line 15, of the printed bill, as amended, strike out "materials".

Amendment No. 4.

On page 2, line 20, of the printed bill, as amended, strike out "nor impaired"

Amendment No. 5.

On page 3, line 11, of the printed bill, as amended, after "pharmacies", insert the following "and rural dealers licensed by the board"

Amendment No. 6.

On page 3, line 19, of the printed bill, as amended, strike out "or dis-" and in line 20, strike out "tributor".

Amendment No. 7.

On page 3 of the printed bill, as amended, strike out lines 26 to 36, inclusive.

Amendments adopted.

Assembly Bill No 1721 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills.

Senate Bill No. 953—An act to amend sections 1, 2, 3, 4 and 11 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to add sections 5, 6, 7, 8, 9, 10, 12, 15 and 21 to said act, to renumber and amend sections 5, 6, 7, 8, 9, 12, 13, 14, 16, and 17 of said act; to repeal sections 10 and 15 of said act; relating to the taxing of operators engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Motion to Amend Senate Bill No. 953.

Mr. Hornblower moved to amend Senate Bill No. 953 as follows.

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 38 and 39, insert the following:

"If the total taxes and licenses, excluding such State taxes and licenses as are on, according to or measured by gross receipts or net income or with respect to motor vehicle fuel, becoming due and payable during a calendar year and paid during such year to this State and its political subdivisions, including municipalities, by an operator upon, or on account of the operations of, his property used exclusively to produce gross receipts from his operations taxable hereunder, shall exceed two per cent of such gross receipts from his operations during such year, the amount of such excess, not exceeding, however, the amount of license taxes paid hereunder during such year, shall be subject to refund upon a verified claim therefor filed with the board by such operator within ninety days after the close of such year. Thereafter the board shall examine such claim and if it shall appear to the satisfaction of the board that a refund is due, shall certify to the State Board of Control the amount thereof and if approved by that board the same shall be credited on any taxes then due from the operator under this act and the balance shall be refunded to the operator, or his successors, administrators, executors or assigns, but no such credit or refund shall be allowed unless the claim therefor shall have been filed within the time herein specified."

Amendment adopted.

Senate Bill No. 953 ordered to reprint, and third reading calendar.

Senate Bill No. 1028—An act to add section 2b to "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, relating to boundaries of municipal corporation.

Motion to Amend Senate Bill No. 1028.

Mr. Call moved to amend Senate Bill No. 1028 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "and 852b", and insert in lieu thereof the following: "852b and 862 6".

Amendment No. 2.

On page 4 of the printed bill, as amended, after line 37, insert the following:

"SEC. 5. Section 862.6 of said act is hereby amended to read as follows:

862 6. To acquire property required for the parking of motor vehicles and for the opening and laying out of any street, alley, lane or tunnel from the point where the continuity of such street, alley, lane or tunnel ceases, to the point where such street, alley, lane or tunnel again commences; to lay out and improve said street, alley, lane or tunnel; and to pay the cost and expense incurred in the acquisition of the required property out of the general fund of the city."

Amendments adopted.

Senate Bill No 1028 ordered to reprint, and third reading calendar

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No. 1824.

Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1899 re-referred to Committee on Agriculture.

Assembly Bill No 1677 re-referred to Committee on Judiciary General.

Assembly Bill No. 253 re-referred to Committee on Ways and Means
Assembly Bill No. 2063 re-referred to Committee on Motor Vehicles.
Assembly Bill No. 2837 re-referred to Committee on Agriculture.
Senate Bill No. 912 re-referred to Committee on Judiciary General

Notices of Motion to Reconsider Continued.

On motion of Mr. Johnson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1474 was refused passage was continued until the next legislative day.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was refused passage was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 692 was refused passage was continued until the next legislative day.

On motion of Mr Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1472 was refused passage was continued until the next legislative day.

On motion of Mr. Yorty, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 187 was refused passage was continued until the next legislative day.

On motion of Mr. Kepple, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 70 was passed was continued until the next legislative day

On motion of Mr. Patterson, the consideration of his notice of motion to reconsider the vote whereby House Resolution No 131 was refused adoption was continued until the next legislative day

On motion of Mr Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 1821 was passed was continued until the next legislative day.

Adjournment.

At eleven o'clock and fifteen minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until ten o'clock and thirty minutes a m., Friday, May 7, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SEVENTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 7, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Hunt, the further reading of the Journal of Thursday, May 6, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Breed, on motion of Mr. Miller.

Mr. Beene, on motion of Mr. Hunt.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to F. P. Ulrich, Division Chief of the Coast and Geodetic Survey, Seismological Division.

On request of Mr. Hawkins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edwin L. Jefferson and J. D. Jenkins.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. George E. Gross of Oakland.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. J. Cook and Roy H. Nevis.

On request of Mrs. Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Harry Straine.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jane Gates and Mrs. Nellie G. Latta, teachers; and the following third grade students of the Coloma School: Margaret Boniface, Betty Lou Clark, Winona Dudley, Patricia Gillies, Verna Haman, Colleen Leahey, Elaine Loftus, Louella Milano, Margaret Normington, Marion Stephenson, Margaret Vennard, Betty Wright, Barbara Harmon, Gloria Robertson, Richard Bertolucci, James Brooks, Peter Caitti, Robert Carlson, John Faight, George Fallon, Richard Fields, Arthur Hauschildt, Bobby Kelly, Donald Mayberry, Buddy Murphy, Neal Peek, Bobby Phillips, Edgar Sackett, George Senf, James Simpson, Richard Pierce, Jean Abel, Patty Ball, Mary Felitto, Sally Grimshaw, Elizabeth Harrington, Anita Heise, June Jenks, Carolyn Jensen, Leanore Kasparian, Shirley Knowles, Ardice Kurkowski, Elouise Martin, Jacqueline Smith, Amanda Waite, Donald Bachman, Peter Babich, Paul Babich, Philip Bettens, Andy Callahan, Albert Cornick, Jimmie Duncan, Raymond Ghilardia, Walter Hart, Herbert Jacobs, Bobbie Keenan, Don Martello, Frank Mezzanares, Carl Mugford, Wesley Pearson, Edward Stribbling, Donald Suggett, Earl Thomason, Robert Williams, Billie Whittington, Tommy Wittsche, and Milo Murphy.

On request of Mr Cassidy and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr F. V. Custer, Mr G E. Mortensen, Mr. I. Waugh, and Mrs. Ethel Levy, sponsors; and the following students of the Castlemont High School: Madeline Borges, Dorothea Breitweiser, Marjorie Brock, Ruby Brown, Bob Byrne, Jeanne Cox, Donald Craig, Robert Critchley, Kay Dethman, Margaret Fox, Georginia French, Arlyne Gladden, Rose Govea, Beatrice Gregg, Lorin Haagensen, Dolores Hallert, Marie Hintz, Robert Holmes, Josephine Horacek, Catherine Jones, Jessie Kettle, Roberta Kiem, June Knobelauch, Theresa Knobelauch, Berna Knutsen, George Kraw, Lorraine Locke, Bob Lumley, Don MacDougall, Waldo Mackey, Margaret Manger, Berdett Manley, Letitia Martin, Bob Massonheimer, Willie Lee Mathews, Adele McFarland, Fred Meder, Beth Miller, Merle Miller, Dorothy Peterson, Dolores Putman, Norman Richards, Dorothy Schoenfeld, June Scozzafava, James Scully, Bill Stavosky, Aletha Swanson, Robert Sweetland, Silvana Texeira, Evelyn Tyler, Viola Waldron, Delford Walters, Joe Welshemeyer, Anita Wyns, Leslie Videll, Stewart McBrayer, and George McCraig.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert A. Hill, principal; Emma Bubb and David Neilsen, teachers; Marion Barklow, bus driver; and the following eighth grade students of Empire, Stanislaus County: Leonora Artz, Thelma Bates, Norma Bliss, Dick Brockway, Leonard Camp, Elizabeth Dunagan, Opal Epie, Bob Frantz, Cecil Harms, Carol Holloway, Dorothy Heiny, Marlin Howard, Dick Hunter, John Irwin, Carol Anne Johnson, Neil Johnson, Alice Jean Little, Helen Metcalf, Carmen Moran, Mary Odell, Max Odneal, Richard Omi,

Arnold Peters, Frank Romano, Harding Rose, Paul Saris, Dorothy Schutte, Derrel Sensenbaugh, Tom Shively, Wahlel Showalter, Marvin Strait, Betsy Sturtevant, Harold Van Dyke, Raymond Welch, Edward Wenger, Jack Werner, Lawrence Wollesen, Ernest Willson, Frank Wyatt, Yaeko Yamate, and Gertrude Gilbert.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Elinor C Bauman, teacher; and the following high fifth grade students of the David Lubin School: David Applegate, Billy Bittner, Leighton Broadley, Bill Coffman, Bamford Frankland, Harold Garfield, Darrell Haag, Billy Hanson, Jimmie Malcolm, Ralph McLaughlin, Norvan Travis, Matthew Utal, Billy Wells, Mary Lou Anderson, Shirley Bong, Teddy Cochran, Patty Cole, Gay Dallman, Nellie Lou Gerdis Carolyn Hornbostel, Shirley Jacobsen, Evelyn Johnson, Merilyn McKenzie, Harriet Odgers, Virginia Parish, Betty Richards, Marian Schlapp, and Patti Thompson; and Mrs. V. S Dallman, Mrs. G. W. Richards, Mrs. J. S Bowden, Mrs. C. E. McLaughlin, Mrs W. E Coffman, and Mrs. Norine Gallagher, parents.

On request of Mr. Beene, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Elda Lindsay, and Miss Lila Rasmussen, teachers; Mr Lawrence C. Curtis, principal; Mrs. Lawrence C. Curtis, and the following students of the Jefferson Union Elementary School: Illeen Adams, Bob Brown, Robert Cabral, Joe Cardoza, Clara Castro, George Chew, Manuel Darouze, Maxine Enborg, Dorothy Gardner, William Simas, Marie Giadone, Marian Johnson, Akio Konoshima, Tom Malone, Alice Rodriques, Clara Stayton Yoshiye Tachibana, Fumiyo Tsurusaki, Lucine Walker, Frances Wilcox, James Yagi, Masao Yagi, William Briones, Frank Burgess, Evelyn Cabral, Leo Cabral, Sally Cardoza, Beatrice Cintas, Danny Cunha, June Duckgeischel, Buck Foote, Charles Gammell, Nancy Imura, Bruce Johnson, Joe Luiz, Nick Mardesich, Lily Maxwell, Kathleen Meyer, Florence Moriuchi, Hanley Murray, Clarence Narciso, Alvin Neves, Emil Nitshke, Donald Nunn, James Sadler, Cerina Sargenti, Anne Schurpf, Rokuro Shimada, Susumi Oba, James Soares, Lyman Swan, and Albert Souza.

On request of Mr. Levey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Theresa Levey, mother of Assemblyman Levey.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Flora Morgan and George Hildreth of Oakland.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. W W. Miller, Mr. F. I Miller, Mrs M. C. Garland and Mrs. Gordon H. Garland.

Recess.

At eleven o'clock and fifteen minutes a.m., the Speaker declared the Assembly at recess until two o'clock and thirty minutes p m., for the observance of the special Mother's Day ceremonies in accordance with the provisions of House Resolution No 150

MOTHER'S DAY OBSERVANCE.

California State Legislature.

Fifty-second Session.

Proclamation.

Mother's Day is recognized as one of the most impressive days of the year because it is observed in honor of that unselfish and sympathetic personality whose patience and counsel was invaluable to each of us during the experiences of childhood, youth and the later years.

The emblem of Mother's Day, through the universal language and beauty of a flower, a carnation, is expressive of an ideal and is associated throughout the world with the name, "Mother."

On this day, some of us will be fortunate enough to wear a red carnation and by so doing will have an opportunity to express our appreciation in a tangible manner Others of us will be privileged only to wear a white carnation and have the pleasant memories of that kind and understanding personality to whom we refer as "The Best Mother Who Ever Lived."

In an effort to emphasize the significance of this day and as a reminder of the many features included in the Mother's Day program such as The Letter, The Carnation, The Memory Tree and The Home Pilgrimage; now, therefore, I, Frank F. Merriam, Governor of California, do hereby proclaim Sunday, the ninth day of May, as "Mother's Day" within the limits of our Commonwealth.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-eighth day of April, A.D. nineteen hundred and thirty-seven.

[SIGNED] FRANK F. MERRIAM,
Governor of California.

Attest:
[SIGNED] FRANK C. JORDAN,
Secretary of State

[SEAL]

Program.

ASSEMBLYMAN JEANETTE E. DALEY, Chairman.
TRIO.
HAZEL QUINN HOOK, Pianist.
EDITH FRAZIER, Violinist.
FRANCIS OSBORNE, Cellist.
COMMUNITY SINGING—"America."
LLOYD SWEETMAN, Leader.
MRS. FRED W. LINKS at the piano.
INVOCATION.
REV. WILLIAM F. EHMANN, Chaplain of the Assembly.
INTRODUCTION OF GUESTS.
PRESENTATION OF FLOWERS TO MOTHERS AND WIVES OF LEGISLATORS
BUGLE—"Little Mother of Mine"
ASSEMBLYMAN HARRISON W. CALL.
ASSEMBLYMAN JACK B. TENNEY, Accompanist
GREETINGS TO OUR GUESTS.
HON. WILLIAM MOSELEY JONES, Speaker of the Assembly.
HON. GEORGE J. HATFIELD, Lieutenant Governor.
HON. FRANK F. MERRIAM, Governor.
SONGS—"Mother, My Dear."
"Villonella."
MARCELLA THORP.
EILEEN DANIELS at the Piano.
SONGS—"Mother O' Mine."
"Mother Machree."
EUGENE HUSTON.
JOSEPH P. HOLLINGS, Accompanist.
ADDRESS—"Memories of Mother"
ASSEMBLYMAN GEOFFREY F. MORGAN.
SONGS—Negro Spiritual, "Roll, Jordan, Roll."
Arranged by NETTA PAULLYN GARNER
"God's Garden"—Frank Lambert.
GEORGE GARNER.
NETTA PAULLYN GARNER at the piano
SONGS—"Ave Maria"
"Estrellita."
VERNE LEWIS.
Courtesy of THOMAS A. MALONEY.

VIOLIN—"Praeludium."
"Allegro"—Fritz Kreisler.
"Gypsy Airs"—Sarasate
EDITH LORAND, Guest artist.
ROBERT FLACK, Accompanist.
Courtesy of LIEUTENANT GOVERNOR GEORGE J HATFIELD.

Pageant of Our Nation's Mothers Portraying Epochs in American Life.

ASSEMBLYMAN ELEANOR MILLER, Narrator
I. INDIAN OCCUPATION.
MRS. BEN ROSENTHAL and daughter GLORIA: "Land of the Sky Blue Waters"
II PURITAN PERIOD.
MRS GEORGE P. MILLER and daughter ANN. "Nearer My God to Thee."
III. COLONIAL HOURS.
MRS. JEANETTE E. DALEY: "Minuet"
IV. DAYS OF THE SPANISH DONS.
MRS JAMES J. BOYLE: "La Paloma."
V. SOUTHERN MOMENTS.
MRS. FRED P. GLICK: "Dixie."
VI. PLANTATION MEMORIES.
"Hush-a-bye, Kentucky Babe," "Carry Me Back to Old Virginny"
VII. THE DAYS OF '49.
MRS. FRED P. MULDOON: "O, Susanna, Don't You Cry."
VIII. RECONSTRUCTION PERIOD.
MRS. JERROLD L. SEAWELL "The Old Paisley Shawl."
Song—DR GEORGE L HUNTINGTON; MRS. HUNTINGTON, Accompanist.
IX. PIONEER YEARS
MRS. J. I. WAGY: "Home on the Range"
X. THE GAY NINETIES.
MRS. JOHN B. MCCOLL AND MARGARET CAVANAGH: "Let Me Call You Sweetheart."
XI. CIVIL WAR PERIOD.
MRS. ED. FLETCHER
XII WORLD WAR EPOCH
MRS C. DON FIELD. "There's a Long, Long Trail-A-Winding."
XIII. THE MODERN ERA.
MRS. GARDINER JOHNSON: "The Bells of St. Mary's."
XIV. IMMIGRANT MOTHER.
MRS. WESSIE FISHER: "Santa Lucia"
XV. MOTHERS OF TODAY AND YESTERDAY.
MRS. WM. MOSELEY JONES AND SHELLEY AND MRS. MARY LINCOLN DEWING "Sweetheart," "Home, Sweet Home"

Committees on Observance of Mother's Day.

EXECUTIVE COMMITTEE

Assemblyman Eleanor Miller — Assemblyman Jeanette E. Daley

RECEPTION COMMITTEE

Mrs John Phillips, Chairman

Mrs Don Field	Mrs Harold F. Sawallisch
Mrs. Cecil R. King	Mrs. George Biggar
Mrs. Henry P. Meehan	Mrs. Ray Hays
Mrs D Jack Metzger	Mrs Wm F Knowland
Mrs M. J. Burns	Mrs. W. P. Rich
Mrs S. L Heisinger	Mrs Clarence R Walker
Mrs. Gerald Kepple	Mrs. Ray Williamson
Mrs. Seth Millington	Mrs. Charles W Stream
Mrs John H O'Donnell	Mrs Frank W Mixter
Mrs Andy Pierovich	Mrs Roy J. Nielsen
Mrs. Harold Powers	Mrs Edward H Tickle
Mrs Kent Redwine	Mrs. Sanborn Young

MUSIC COMMITTEE

Mrs. Edward H Law, Chairman

Mrs Arthur H Breed, Jr.	Mrs Henry A. Dannenbrink
Mrs Thomas J Cunningham	Mrs. Jack B Tenney

COSTUME AND PROPERTIES COMMITTEE

Mrs J C Garrison, Chairman

Mrs. James M. Allen	Mrs. Adron Beene
Mrs. Frank Baynham	Mrs. Melvyn I Cronin
Mrs. Nelson Dilworth	Mrs. Clinton J. Fulcher
Mrs Chester Gannon	Mrs Fred Reaves
Mrs Charles Lyon	Mrs. Clyde A. Watson
Mrs Ernest C. Crowley	Mrs Richard J Welsh

PAGEANT COMMITTEE

Mrs. P. J McMurray, Chairman

Mrs. Frank L. Gordon	Mrs. Hubert Scudder
Mrs. William B. Hornblower	Mrs. Paul Peek
Mrs. Elmer E. Lore	Mrs. Andrew Schottky
Mrs. Thomas Kuchel	Mrs. Ernest Voigt
Mrs. Thomas Maloney	Mrs Gordon H. Garland
Mrs. Joseph Francis Sheehan	Mrs Hugh P. Donnelly

DECORATION COMMITTEE

Mrs. Irwin Quinn, Chairman

Mrs. Augustus Hawkins	Mrs. Bradford Crittenden
Mrs. Frank D. Laughlin	Mrs J. James Hollister
Mrs. Thomas McCormack	Mrs William F. Gilbert
Mrs. Ed. Fletcher	

FLOWERS PRESENTED IN HONOR OF MOTHERS.

Motion to Print Statement in Journal.

On motion of Miss Miller, the following statement was ordered printed in the Journal:

The committee wishes to acknowledge the invaluable assistance of Mrs. Hulda McGinn and the officers and aides of the departments of State and all others who helped in the preparation of this program.

Reassembled.

At two o'clock and thirty minutes p.m, the Assembly reconvened Speaker Jones in the chair.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 406.
Assembly Bill No. 2794.
And reports the same correctly enrolled, and presented to the Governor on this seventh day of May, 1937, at three o'clock p.m.

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1092.
Assembly Bill No. 1849.
Assembly Bill No. 2867.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1670.
Assembly Bill No. 1845.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read·

SENATE CHAMBER, SACRAMENTO, May 6, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 387.
Assembly Bill No. 811.
Assembly Bill No. 1698.
Assembly Bill No. 2825.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 73—An act to amend section 3559 of the Harbors and Navigation Code, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego;

Senate Bill No. 118—An act relating to the conduct of clinical laboratories and the licensing of clinical laboratory technologists and clinical laboratory technicians for the purpose of protecting the public health and to provide penalties for the violation of the provisions of this act, and to repeal Chapter 638, Statutes of 1935;

Senate Bill No. 223—An act to amend section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price from the sale of jute bags;

Senate Bill No. 473—An act to amend sections 380.51, 380.52, 380.55 and 380.59, of the Agricultural Code, relating to live stock marks and brands;

Senate Bill No. 637—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees;

Senate Bill No. 638—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors;

Senate Bill No. 757—An act to amend sections 2 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; *and creating a State Corporation Department and the office of* "'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities;

Senate Bill No. 969—An act to amend sections 5892, 5900, 5901, 5902 of, and to add sections 5900.1 to 5900.10, inclusive, to, the Harbors and Navigation Code, relating *to the management and control of harbors created, developed and improved under* the provisions of Part 2 of Division VIII of said code.

Senate Bill No. 133—An act to add Chapter 5, comprising sections 2000 to 2496, inclusive, to Division II and to add section 30003 to Division XXX of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted and repealing acts and parts of acts specified herein;

Senate Bill No. 134—An act to add Chapter 4, comprising sections 1600 to 1752, inclusive, to Division II and to add section 30002 to Division XXX of the Business and Professions Code, relating to the practice of dentistry and dental hygiene and repealing acts and parts of acts specified herein;

Senate Bill No. 288—An act to add Chapter 6, comprising sections 2700 to 2784, inclusive, to Division II and to add section 30004 to Division XXX of the Business and Professions Code, relating to the practice of nursing the sick or afflicted and repealing acts and parts of acts specified herein;

Senate Bill No. 290—An act to add Article 2, comprising sections 525 to 534, inclusive, to Chapter 1 in Division II and to add section 30009 to Division XXX of the Business and Professions Code, relating to the State Medical Library and repealing acts and parts of acts specified herein;

Senate Bill No. 291—An act to add Article 3, comprising sections 550 to 558, inclusive, to Chapter 1 in Division II and to add section 30001 to Division XXX of the Business and Professions Code, relating to the prevention of blindness at childbirth and repealing acts and parts of acts specified herein;

Senate Bill No. 289—An act to add Chapter 10, comprising sections 4500 to 4551, inclusive, to Division II and to add section 30007 to Division XXX of the Business and Professions Code, relating to the care of the sick or afflicted by trained attendants and repealing acts and parts of acts specified herein;

Senate Bill No. 389—An act to establish a Welfare and Institutions Code, thereby consolidating and revising the law relating to and providing for protection, care, and assistance to children, aged persons, and others specially in need thereof, and to repeal certain acts and parts of acts specified herein;

Senate Bill No. 390—An act to add Chapter 1, comprising sections 1500 to 1575, inclusive, to Part 2 of Division II of the Welfare and Institutions Code, and to add section 20100 to Division XX thereof, relating to and providing for aid to needy children, and repealing certain acts and parts of acts specified herein.

Senate Bill No. 456—An act to amend section 12974 of the Insurance Code, to repeal section 12975 thereof, and to add sections 12975 and 12975.5 thereto, all relating to the insurance fund in the State Treasury, making an appropriation, and providing the same shall take effect immediately;

Senate Bill No. 466—An act to amend sections 705, 882, 1500, 1590, 1678, 1679, 1713, 1765, 11060 and 11061 of the Insurance Code, and to add section 9005 thereto, all relating to insurance, and declaring the urgency thereof, the act to take effect immediately;

Senate Bill No. 942—An act to add a new chapter to Division VI of the Agricultural Code to be numbered 10, relating to marketing of agricultural products;

Senate Bill No. 1078—An act to add section 737.5a to the Agricultural Code, relating to persons purchasing milk.

Senate Bill No. 391—An act to add Chapter 1, comprising sections 2000 to 2225, inclusive, to Division III of the Welfare and Institutions Code, and to add section 20200 to Division XX thereof, relating to and providing for the protection, welfare, and assistance of needy aged persons resident in the State, and repealing certain acts and parts of acts specified herein;

Senate Bill No. 392—An act to add Chapter 1, comprising sections 3000 to 3090 inclusive, to Part 1 of Division V of the Welfare and Institutions Code, and to add section 20300 to Division XX thereof, relating to and providing for needy blind persons not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, and repealing certain acts and parts of acts specified herein;

Senate Bill No. 425—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 14, 17, 19, 21, 22, 23, 24, 26, 27, 28, 30, 31, 33, 34, 35, 37, 38, 40, 41, 45, 48, 49, 50, 51, 52, 53, 54, 58, 60, 61, 62, 65, 66, and to repeal section 29 of the Alcoholic Beverage Control Act, and to add thereto sections 6 5, 6.7, 8 5, 11a, 16¼, 20¼, 22a, 22b, 22c, 22d, 22e, 23a, 23b, 24.2, 24 3, 24.4, 24.5, 24.7, 26a, 26b, 26c, 27a, 27b, 27c, 27d, 31a, 31b, 31c, 31d, 31e, 31f, 31g, 33a, 33b, 33c, 33d, 33e, 35a, 35b, 35c, 36a, 36b, 38a, 38b, 38c, 38d, 38e, 48¼, 49 2, 49.4, 51a, 51b, 51c, 51d, 51e, 51f, 51g, 52½, 53 5, 55 5, 55 7, 59 5, 65a, 65b, 66 5, 67 1, 67.5, relating to alcoholic beverages;

Senate Bill No. 1002—An act to amend an act entitled "An act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor," approved June 7, 1913, as amended, relating to the revolving fund, making an appropriation therefor, and providing that it shall go into immediate effect

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 73 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 118 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 223 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 473 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 637 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 638 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 757 read first time, and referred to Committee on Corporations.

Senate Bill No. 969 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 133 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 134 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 288 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 290 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 291 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 289 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No 389 read first time, and referred to Committee on Social Service and Welfare.

Senate Bill No 390 read first time, and referred to Committee on Social Service and Welfare.

Senate Bill No. 456 read first time, and referred to Committee on Insurance.

Senate Bill No. 466 read first time, and referred to Committee on Insurance.

Senate Bill No. 942 read first time, and referred to Committee on Agriculture.

Senate Bill No. 1078 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 391 read first time, and referred to Committee on Social Service and Welfare.

Senate Bill No. 392 read first time, and referred to Committee on Social Service and Welfare.

Senate Bill No. 425 read first time, and referred to Committee on Public Morals.

Senate Bill No. 1002 read first time, and referred to Committee on Ways and Means.

SENATE CHAMBER, SACRAMENTO, May 6, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 248—An act to add Part 1, comprising sections 1690 to 3231, inclusive, to Division VI and to add sections 10004, 10005, and 10005 5 to, the Harbors and Navigation Code, relating to the harbor of San Francisco and the Board of State Harbor Commissioners for San Francisco Harbor, and to repeal certain acts and parts of acts specified herein;

Senate Bill No. 247—An act to add Chapter 4, comprising sections 1350 to 1399, inclusive, to Division V and to add section 10008 to Division XX of the Harbors and Navigation Code, relating to Pilots and Pilot Commissioners for San Diego Harbor, and to repeal certain acts specified herein;

Senate Bill No. 246—An act to add Chapter 3, comprising sections 1250 to 1292, inclusive, to Division V and to add sections 10006 and 10007 to Division XX of the Harbors and Navigation Code, relating to Pilots and Pilot Commissioners for Humboldt Bay, and to repeal certain acts and parts of acts specified herein;

Senate Bill No. 249—An act to add Part 2, comprising sections 3500 to 3752, inclusive, to Division VI and to add sections 1009 and 10010 to Division XX of the Harbors and Navigation Code, relating to San Diego Harbor and the Board of State Harbor Commissioners for the Bay of San Diego, and to repeal certain acts and parts of acts specified herein;

Senate Bill No. 245—An act to establish an Harbors and Navigation Code, thereby consolidating and revising the law relating to harbors, ports, and navigation, and matters incidental thereto, and to repeal certain acts and parts of acts specified herein.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bills Nos 248, 247, 246, 249, and 245 read first time.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 245, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 245.

Case of Urgency.

The following resolution was offered by Mr. Maloney:

Resolved, That Senate Bill No. 245 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 245, at this time.

Second Reading of Senate Bill No. 245.

Senate Bill No. 245—An act to establish an Harbors and Navigation Code, thereby consolidating and revising the law relating to harbors, ports, and navigation, and matters incidental thereto, and to repeal certain acts and parts of acts specified herein.

Bill read second time.

Third Reading of Senate Bill No. 245.

Senate Bill No. 245—An act to establish an Harbors and Navigation Code, thereby consolidating and revising the law relating to harbors, ports, and navigation, and matters incidental thereto, and to repeal certain acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 246, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 246.

Case of Urgency.

The following resolution was offered by Mr. Maloney:

Resolved, That Senate Bill No. 246 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No 246, at this time.

Second Reading of Senate Bill No. 246.

Senate Bill No. 246—An act to add Chapter 3, comprising sections 1250 to 1292, inclusive, to Division V and to add sections 10006 and 10007 to Division XX of the Harbors and Navigation Code, relating to Pilots and Pilot Commissioners for Humboldt Bay, and to repeal certain acts and parts of acts specified herein.

Bill read second time.

Third Reading of Senate Bill No. 246.

Senate Bill No. 246—An act to add Chapter 3, comprising sections 1250 to 1292, inclusive, to Division V and to add sections 10006 and 10007 to Division XX of the Harbors and Navigation Code, relating to Pilots and Pilot Commissioners for Humboldt Bay, and to repeal certain acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr Maloney asked for, and was granted, unanimous consent to take up Senate Bill No 247, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 247.

Case of Urgency.

The following resolution was offered by Mr Maloney:

Resolved, That Senate Bill No 247 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 247, at this time.

Second Reading of Senate Bill No. 247.

Senate Bill No. 247—An act to add Chapter 4, comprising sections 1350 to 1399, inclusive, to Division V and to add section 10008 to Division XX of the Harbors and Navigation Code, relating to Pilots and Pilot Commissioners for San Diego Harbor, and to repeal certain acts specified herein.

Bill read second time.

Third Reading of Senate Bill No. 247.

Senate Bill No. 247—An act to add Chapter 4, comprising sections 1350 to 1399, inclusive, to Division V and to add section 10008 to Division XX of the Harbors and Navigation Code, relating to Pilots and Pilot Commissioners for San Diego Harbor, and to repeal certain acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 248, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 248.

Case of Urgency.

The following resolution was offered by Mr. Maloney:

Resolved, That Senate Bill No. 248 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—59

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 248, at this time.

Second Reading of Senate Bill No. 248.

Senate Bill No. 248—An act to add Part 1, comprising sections 1690 to 3231, inclusive, to Division VI and to add sections 10004, 10005, and 10005.5 to, the Harbors and Navigation Code, relating to the harbor of San Francisco and the Board of State Harbor Commissioners for San Francisco Harbor, and to repeal certain acts and parts of acts specified herein.

Bill read second time.

Third Reading of Senate Bill No. 248.

Senate Bill No. 248—An act to add Part 1, comprising sections 1690 to 3231, inclusive, to Division VI and to add sections 10004, 10005, and 10005.5 to, the Harbors and Navigation Code, relating to the harbor of San Francisco and the Board of State Harbor Commissioners for San Francisco Harbor, and to repeal certain acts and parts of acts specified herein

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Wilhamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 249, at this time, without reference to committee or calender.

Consideration of Senate Bill No. 249.

Case of Urgency.

The following resolution was offered by Mr. Maloney:

Resolved, That Senate Bill No. 249 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read, and adopted by the following vote.

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Wilhamson, Yorty, and Mr. Speaker—59.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Senate Bill No. 249, at this time.

Second Reading of Senate Bill No. 249.

Senate Bill No. 249—An act to add Part 2, comprising sections 3500 to 3752, inclusive, to Division VI and to add sections 10009 and 10010 to Division XX of the Harbors and Navigation Code, relating to San Diego Harbor and the Board of State Harbor Commissioners for the bay of San Diego, and to repeal certain acts and parts of acts specified herein.

Bill read second time.

Third Reading of Senate Bill No. 249.

Senate Bill No. 249—An act to add Part 2, comprising sections 3500 to 3752, inclusive, to Division VI and to add sections 10009 and 10010 to Division XX of the Harbors and Navigation Code, relating to San Diego Harbor and the Board of State Harbor Commissioners for the bay of San Diego, and to repeal certain acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P. Morgan, Muldoon, O'Donnell, Pelletier Peyser, Robertson, Rosenthal,

Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Second Reading of Assembly Bills.

Assembly Bill No. 2034—An act to amend section 5.1004½ of the School Code, relating to contributions to pension funds by school districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2391—An act to add a new section to the School Code to be numbered 4.152, relating to transfers of funds by county superintendents of schools.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1928—An act to add a new section, to be numbered 33½, to the Retail Sales Tax Act of 1933, relating to judicial review.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2800—An act to amend section 369 of the Civil Code, relating to the compensation of dissenting shareholders upon merger or consolidation of corporations.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1479—An act to amend section 981a of the Code of Civil Procedure, respecting dismissal of appeals from justice court.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1480—An act to amend section 976 of the Code of Civil Procedure, respecting appeal on questions of fact, or law and fact.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1481—An act to amend section 975 of the Code of Civil Procedure, respecting appeals from justice's or police courts on questions of law.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1482—An act to amend section 981 of the Code of Civil Procedure, respecting filing fee on appeal.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1483—An act to amend section 980 of the Code of Civil Procedure, respecting powers of superior court on appeal.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1484—An act to amend section 978 of the Code of Civil Procedure, respecting appeal bonds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2250—An act to regulate sales and special sales of goods, wares and merchandise, and the advertising of such sales, and to provide penalties for the violation thereof.

Committee Amendments to Assembly Bill No. 2250.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out ", and the advertising of such sales,".

Amendment No. 2.

On page 1, line 7, of the printed bill, as amended, strike out "advertising, on the part of".

Amendment No. 3.

On page 1, line 11, of the printed bill, as amended, strike out "sale advertised to be a".

Amendment No. 4.

On page 1, line 19, of the printed bill, as amended, strike out "advertised in such a manner as to," and insert in lieu thereof "which".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out lines 23 to 28, inclusive

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 1 and 2 inclusive

Amendment No. 7.

On page 2, line 9, of the printed bill, as amended, strike out the quotation marks

Amendment No. 8.

On page 2, line 14, of the printed bill, as amended, strike out "publish or"

Amendment No. 9.

On page 2, line 28, of the printed bill, as amended, strike out ", together with the proposed language".

Amendment No. 10.

On page 2, line 29, of the printed bill, strike out "content in any advertisements"

Amendment No. 11.

On page 3, line 3, of the printed bill, strike out "county clerk", and insert in lieu thereof "sheriff".

Amendment No. 12.

On page 3, line 9, of the printed bill, strike out "and advertisement".

Amendment No. 13.

On page 3, line 12, of the printed bill, strike out "advertising,".

Amendment No. 14.

On page 4, line 2 of the printed bill, strike out "county clerk", and insert in lieu thereof "sheriff".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 848—An act making an appropriation for the purchase of real property for the San Jose State College.

Committee Amendment to Assembly Bill No. 848.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out the blank, and insert in lieu thereof the following: "$435,000".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 468—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor; providing for the continuation in service of employees and entitling them to the benefits of the civil service provisions of the charter of the City and County of San Francisco; providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire

Committee Amendment to Assembly Bill No. 468.

The following amendment was submitted by the committee:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out the remainder of the bill after "Section 1.", and insert in lieu thereof the following.

"There is hereby granted to the City and County of San Francisco, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to that portion of the bay of San Francisco, together with all the improvements, rights, privileges, easements and appurtenances connected therewith or in anywise appertaining thereto, bounded as follows, to wit.

Commencing at the intersection of the center line of Lewis Street with the center line of Webster Street, running thence easterly along the center of Lewis Street to a point distant 514.19 feet westerly from the westerly line of Van Ness Avenue; thence northerly 21.78 feet to a point distant 514.65 feet westerly from the westerly line of Van Ness Avenue; thence easterly 156.0 feet to a point distant 358.68 feet westerly from the westerly line of Van Ness Avenue and 25.02 feet northerly from the center line of Lewis Street; thence southerly 25.02 feet to a point on the center line of Lewis Street distant 358.16 feet westerly from the westerly line of Van Ness Avenue; thence easterly along the center of Lewis Street to the center of Polk Street; thence southerly along the center of Polk Street to the southerly line of the Embarcadero, thence easterly along the southerly line of the Embarcadero to a point 275 feet west of the westerly line of Hyde Street measured at right angles thereto; thence southerly parallel with the westerly line of Hyde Street to a point 225 feet north of the northerly line of Jefferson Street; thence easterly parallel with the northerly line of Jefferson Street to the westerly line of Hyde Street; thence southerly along the westerly line of Hyde Street to the center of Jefferson Street, thence easterly along the center of Jefferson Street to the southerly line of the Embarcadero; thence easterly along the southerly line of the Embarcadero to the center of Powell Street; thence southerly along the center of Powell Street to the center of Beach Street, thence easterly along the center of Beach Street to the southerly line of the Embarcadero, thence easterly along the southerly line of the Embarcadero to the center of Grant Avenue; thence southerly along the center of Grant Avenue to the center of North Point Street, thence easterly along the center of North Point Street to the southwesterly line of the Embarcadero, thence southeasterly along the southwesterly line of the Embarcadero to the center of Kearny Street, thence southerly along the center of Kearny Street to the center of Francisco Street; thence easterly along the center of Francisco Street to the center of Montgomery Street;

Thence southerly along the center of Montgomery Street to the center of Chestnut Street; thence easterly along the center of Chestnut Street to the center of Sansome Street, thence southerly along the center of Sansome Street to the center of Lombard Street, thence easterly along the center of Lombard Street to the westerly line of the Embarcadero; thence southerly along the westerly line of the Embarcadero to the center of Battery Street, thence southerly along the center of Battery Street to the center of Greenwich Street; thence easterly along the center of Greenwich Street to the westerly line of the Embarcadero, thence southerly along the westerly line of the Embarcadero to the center of Front Street; thence southerly along the center of Front Street to the center of Vallejo Street; thence easterly along the center of Vallejo Street to the center of Davis Street; thence southerly along the center of Davis Street to the center of Pacific Street; thence easterly along the center of Pacific Street to the westerly line of the Embarcadero, thence southerly along the westerly line of the Embarcadero to the center of Folsom Street, thence westerly along the center of Folsom Street to the center of Steuart Street, thence southerly along the center of Steuart Street to the westerly line of the Embarcadero; thence southerly along the westerly line of the Embarcadero to a point 137.5 feet southerly from the southerly line of Harrison Street, measured at right angles thereto; thence westerly parallel to Harrison Street to the center of Spear Street, thence southerly along the center of Spear Street to the westerly line of the Embarcadero, thence southerly along the westerly line of the Embarcadero to the center of Bryant Street; thence westerly along the center of Bryant Street to the center of Beale Street; thence southerly along the center of Beale Street to the westerly line of the Embarcadero; thence southerly along the westerly line of the Embarcadero to the center of Brannan Street; thence westerly along the center of Brannan Street to the center of First Street, thence southerly along the center of First Street to the westerly line of the Embarcadero; thence southerly along the westerly line of the Embarcadero to the center of Townsend Street; thence westerly along the center of Townsend Street to the center of Gale Street, thence southerly along the center of Gale Street to the center of King Street thence westerly along the center of King Street to the center of Second Street,

Thence southerly along the center of Second Street to the center of Berry Street; thence westerly along the center of Berry Street to the center of Third Street; thence southerly along the center of Third Street to the northerly line of Channel

Street; thence westerly along the northerly line of Channel Street to the easterly line of Seventh Street; thence southerly along the easterly line of Seventh Street to the southerly line of Channel Street; thence easterly along the southerly line of Channel Street to the center of Third Street; thence southerly along the center of Third Street to the center of Fourth Street; thence southeasterly along the center of Fourth Street to the center of Georgia Street; thence southerly along the center of Georgia Street to the center of Alameda Street, thence easterly along the center of Alameda Street to the westerly line of the Embarcadero; thence southerly along the westerly line of the Embarcadero to a point distant 130 feet easterly from the easterly line of Georgia Street, measured at right angles thereto; thence southerly, parallel with Georgia Street to the center of El Dorado Street; thence westerly along the center of El Dorado Street to the center of Illinois Street; thence southerly along the center of Illinois Street to the southerly line of Eighteenth Street; thence easterly along the southerly line of Eighteenth Street to the water front line established by the Board of State Tideland Commissioners; thence southerly along said last mentioned line to the northerly line of Tulare Street; thence westerly along the northerly line of Tulare Street to the center of Texas Street; thence southerly along the center of Texas Street produced to the southerly line of Islais Street produced westerly; thence easterly along the southerly line of Islais Street to the easterly line of Third Street; thence southerly along the easterly line of Third Street to the southwesterly line of Arthur Avenue; thence southeasterly along the southwesterly line of Arthur Avenue to the westerly line of India Street; thence southerly and easterly along the westerly and southerly lines of India Street to the center of Water Front Street; thence southerly along the center of Water Front Street to the northwesterly line of China Street; thence southwesterly along the northwesterly line of China Street to the southwesterly line of Custer Street; thence southeasterly along the southwesterly line of Custer Street to the southeasterly line of Dry Dock Basin; thence northeasterly along the southeasterly line of Dry Dock Basin to the water front line established by the Board of State Tideland Commissioners; thence southerly along said last mentioned line to the northeasterly line of Evans Avenue produced; thence northwesterly along the northeasterly line of Evans Avenue produced, to the center of Water Front Street; thence southerly along the center of Water Front Street to the northeasterly line of Shafter Avenue; thence northwesterly along the northeasterly line of Shafter Avenue to the northwesterly line of Alvord Street; thence southwesterly along the northwesterly line of Alvord Street to the northeasterly line of Wallace Avenue; thence northwesterly along the northeasterly line of Wallace Avenue to a point distant 239.32 feet southeasterly from the southeasterly line of Ingalls Street; thence southwesterly to a point on the southwesterly line of Yosemite Avenue distant 316.27 feet southeasterly from the southeasterly line of Ingalls Street; thence southeasterly along the southwesterly line of Yosemite Avenue to the center of Water Front Street; thence southerly along the center of Water Front Street to the southern boundary of the City and County of San Francisco; thence along the southerly, easterly and northerly boundary lines of said city and county to a point due north of the place of commencement; thence south to the place of commencement. Together with all other property or equipment of every kind and nature owned by the State of California and used in connection with the operation of said harbor including the so-called belt railway now operated by the Board of State Harbor Commissioners, together with the tracks and equipment used in connection with said railway.

SEC. 2. Said property shall be used by said city and county and its successors only for the conduct and improvement of a harbor and for the construction, maintenance and operation thereon of wharves, docks, piers, railways, slips, warehouses, cold storage facilities, agricultural depots, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and for the establishment and operation therein and thereon of such foreign trade zones as may be permitted by the laws of the United States, for the use and benefit of the people of the State of California; and said city and county or its successors shall not at any time grant, convey, give or grant a lien on said lands or any part thereof to any individual, firm or corporation for any purposes whatsoever; provided, that the said city and county may lease unused lands hereby granted not devoted to or immediately required for harbor purposes, for limited periods for purposes consistent with the trusts upon which said property is held by the State of California and with the requirements of commerce or navigation at said harbor and for the purpose of developing commerce, manufacturing, shipping, live stock, farming or agriculture, but for no purpose which will interfere with navigation or commerce.

The grant contained in this act shall be subject to any present or future use of any of such property by the California Toll Bridge Authority, or any other department of the State of California in connection with the San Francisco-Oakland Bay Bridge, the approaches thereto, or the transportation facilities in connection therewith. The title to all of such property required for present or future use in connection with said bridge, approaches or transportation facilities is specifically reserved in the State of California.

It shall be the duty and obligation of said City and County of San Francisco to hereafter continuously give full consideration at all times and to comply with the proper requirements of the agricultural interests of this State, in the conduct and operation of said water front, and to that end it shall be the duty and obligation of said city and county to make such necessary additions and improvements to said water front as may be advisable so as to give effect to this provision of this act.

SEC. 3. There is hereby reserved to the people of the State of California, the right to fish in the waters connected with or included in said property as hereinabove described.

SEC. 4. No money, property or thing of value, of any kind or description whatsoever, shall ever hereafter be granted, conveyed, appropriated or transferred from said water front or said harbor or from any fund that may be under the jurisdiction of the harbor commission of the City and County of San Francisco, or of any other official or authority of said municipality, to any other branch or department of said City and County of San Francisco, or to any other political subdivision of this State, or otherwise, the purpose of this act being to preserve, in trust, for the use and benefit of the people of the State of California, all of the assets of said water front and of said harbor, that is hereby granted in trust to said City and County of San Francisco, as well as all increment therefrom, as well as all past, present and future receipts, of every kind, from said water front and harbor.

Said water front and harbor shall not be operated for profit. For the purpose of giving effect to this provision it shall be the duty of said City and County of San Francisco, acting through its said harbor commission and other municipal officials and authority, to impose minimum rates, charges and tariffs, of every kind, on all freight and passenger transportation, that may be conducted over, in and upon said water front and said harbor, and in no event shall said charges, rates or tariffs be greater than is necessary to meet the cost of operating said water front and said harbor, including operating and overhead expenses and payment of obligations chargeable against the same

SEC 5. The harbor commission of the City and County of San Francisco, or such other board, commission or public officers as shall be vested by said city and county with the management and control of said harbor shall, on the first day of each and every month after this act takes effect and until such time as the Governor issues his proclamation as in section 12 of this act provided, remit to the Treasurer of the State of California, all moneys coming into its possession from any and all sources connected with the conduct and management of the property in section 1 of this act described, except so much thereof as may be necessary for the administration, management, maintenance and operating expenses of said commission or board and the property in section 1 of this act described, and for the employees' retirement fund and excepting in addition thereto the sum of ten thousand dollars per month to be used as an emergency revolving fund where cash advances are necessary. The commission or board must account for the sum or sums so retained for said revolving fund at any time upon the demand of the Treasurer of the State of California, until such time as the Governor issues his said proclamation

The Treasurer shall forthwith transmit to said commission his receipt for all moneys so received and shall deposit said moneys in the following funds, which are hereby created:

First—A fund to be known as the San Francisco Harbor fund, in which fund shall be deposited in the first instance all moneys received by the Treasurer from the San Francisco Harbor Commission as in this section provided, together with all moneys which may be on deposit at the time this act takes effect in the San Francisco Harbor improvement fund, which fund is created by section 2533 of the Political Code of the State of California

The Treasurer shall thereupon transfer from said San Francisco Harbor fund to the special funds by this act created or which may hereafter be created, the sum or sums necessary therefor as determined by the provisions of this act.

Second—A special fund to be known and designated as the San Francisco Seawall Act of 1903 sinking fund, in which fund shall be deposited by the Treasurer a sum of money equal to the total sum required to be deposited in the San Francisco seawall sinking fund by section 5 of that certain act entitled "An act to provide for the issuance and sale of State bonds to create a fund for the construction by the Board of State Harbor Commissioners of a seawall and appurtenances in the City and County of San Francisco; to create a sinking fund for the payment of said bonds; and providing for the submission of this act to a vote of the people," approved March 20, 1903 (which act is known and cited as the "San Francisco Seawall Act"), section 5 whereof provides for the creation of a sinking fund for the payment of principal and interest of and upon the bonds issued, sold and outstanding pursuant to said act; said sum shall be so transferred by the Treasurer on the first day of each and every month to said San Francisco Seawall Act of 1903 sinking fund from the "San Francisco Harbor fund" hereinabove created; and the Treasurer shall transfer any and all bonds of the United States, or of the State of California, or of the several counties and municipalities of the State of California, which may have

been, or may hereafter be, purchased by said Treasurer pursuant to the provisions of section 5 of said San Francisco Seawall Act to the credit of the San Francisco Seawall Act of 1903 sinking fund.

Third—A special fund to be known and designated as the San Francisco Harbor Improvement Act of 1909 sinking fund, in which fund shall be deposited by the Treasurer a sum of money equal to the total sum required to be deposited in the "Second San Francisco seawall sinking fund" created by section 5 of that certain act entitled "An act to provide for the issuance and sale of State bonds to create a fund for the improvement of San Francisco harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, State railroad, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith in the City and County of San Francisco, to create a sinking fund for the payment of said bonds; to define the duties of State officers in relation thereto; to make an appropriation of five thousand dollars for the expense of printing said bonds; and to provide for a submission of this act to a vote of the people," approved March 20, 1909 (which act is known and cited as the San Francisco Harbor Improvement Act of 1909), section 5 whereof provides for the creation of a sinking fund for the payment of principal and interest of and upon the State bonds issued, sold and outstanding pursuant to the provisions of said act; and the Treasurer shall transfer any and all bonds of the United States, or of the State of California, or of the several counties or municipalities of the State of California, which may have been or may hereafter be purchased by said Treasurer pursuant to the provisions of section 5 of said San Francisco Harbor Improvement Act of 1909 to the credit of the San Francisco Harbor Improvement Act of 1909 sinking fund. The sum required by this subdivision of this section to be transferred by the Treasurer shall be so withdrawn and transferred by the Treasurer on the first day of each and every month, commencing with the first day of August, 1935.

Fourth—A special fund to be known and designated as the "India Basin Act of 1909 sinking fund," in which fund shall be deposited a sum of money equal to the total sum required to be deposited in the India Basin sinking fund by section 5 of that certain act entitled "An act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin, for wharves, docks, piers, harbors and appurtenances, in the City and County of San Francisco; to create a sinking fund for the payment of said bonds, and defining the duties of State officers in relation thereto, making an appropriation of one thousand dollars for the expenses of printing said bonds; and providing for the submission of this act to a vote of the people, approved March 25, 1909" (which act is known and cited as the India Basin Act), section 5 whereof provides for the creation of a sinking fund for the payment of principal and interest of and upon the bonds issued, sold and outstanding, pursuant to the provisions of said act; and the Treasurer shall transfer any and all bonds of the United States or of the State of California, or of the several counties or municipalities of the State of California, which may have been or may hereafter be purchased by said Treasurer pursuant to the provisions of section 5 of said India Basin Act to the credit of the India Basin Act of 1909 sinking fund. The sum required by this subdivision of this section to be withdrawn and transferred by the Treasurer shall be withdrawn and transferred on the first day of each and every month, commencing with the first day of January, 1937.

Fifth—A special fund to be known and designated as the San Francisco Harbor Improvement Act of 1913 sinking fund, in which fund shall be deposited by the Treasurer a sum of money equal to the total sum required to be deposited in the third San Francisco seawall sinking fund created by section 5 of the San Francisco Harbor Improvement Act of 1913, approved June 16, 1913 (Statutes 1913, page 1122), section 5 whereof provides for the creation of a sinking fund for the payment of principal and interest of and upon the State bonds issued, sold and outstanding pursuant to the provisions of said act; and the Treasurer shall transfer any and all bonds of the United States or the State of California or of the several counties or municipalities of the State of California which may have been or may hereafter be purchased by said Treasurer pursuant to the provisions of section 5 of said San Francisco Harbor Improvement Act of 1913 to the credit of the San Francisco Harbor Improvement Act of 1913 sinking fund. The sums required by this subdivision of this section to be transferred by the Treasurer shall be so withdrawn and transferred by the Treasurer on the first day of each and every month commencing with the first day of August, 1939.

Sixth—A special fund to be known and designated as the fourth San Francisco seawall fund, in which fund shall be deposited by the Treasurer a sum of money equal to the total sum required to be deposited in the "Fourth San Francisco seawall sinking fund" created by Chapter 835, Statutes 1929, approved and validated by the Constitution of the State of California, Article XVI, section 8, entitled "An act to provide for the issuance and sale of State bonds to create a fund for the improvement of San Francisco Harbor by the construction by the Board of State Harbor Commissioners of wharves, piers, seawall, State railroad, spurs, betterments and appurtenances, and necessary dredging and filling in connection therewith in the City and

County of San Francisco, to create a sinking fund for the payment of said bonds; to define the duties of State officers in relation thereto; and to make an appropriation of five thousand dollars for the expense of printing said bonds," approved June 17, 1929, which act is known and cited as the "San Francisco Harbor Improvement Act of 1929," which provides for the creation of a sinking fund for the payment of principal and interest of and upon the State bonds issued, sold and outstanding pursuant to said act, said sum shall be so transferred by the Treasurer on the first day of each and every month to said "Fourth San Francisco seawall sinking fund" hereinabove created, and the Treasurer shall transfer any and all bonds of the United States, or of the State of California, which may have been, or may hereafter be, purchased by said Treasurer pursuant to the provisions of said "Fourth San Francisco seawall sinking fund."

SEC. 6. The Treasurer and Controller of the State of California, and each of them, may examine and audit the books of account and such other records and papers of the San Francisco Harbor Commission as they, or either of them, may see fit, and at such times as may appear desirable; and it is hereby made the duty of said Treasurer and Controller, jointly, to audit and examine said books, records and papers on the first day of March and the first day of September of each year, for the purpose of ascertaining and determining whether or not all moneys and funds prescribed by this act to be remitted to the Treasurer are duly, properly and fully remitted, it being expressly stipulated that in the event of the failure, refusal or neglect of the San Francisco Harbor Commission to remit all moneys and funds to the Treasurer as in this act provided, less the deductions for current and necessary expenses as in section 5 of this act provided, or in the event of a breach of any of the conditions in this act contained, then and thereupon all right, title and interest in and to the property and properties by this act conveyed shall revert to the State of California; provided, that the power and duty of examination and audit herein conferred upon the Treasurer and Controller shall cease and determine upon the issuance of the proclamation as in section 12 of this act provided.

SEC. 7. Whenever the City and County of San Francisco shall hereafter see fit to remit to the Treasurer of the State of California any sum or sums of money whatever, in excess of and in addition to the moneys which are required by section 5 of this act to be remitted, which said sum or sums may have been made available either by a bond election duly held for said purpose or otherwise, said sum or sums may be thus remitted and the Treasurer shall thereupon issue his receipt therefor in duplicate to the mayor of said city and county and to the harbor commission, and shall deposit said sum or sums in one or more of the sinking funds, by section 5, of this act, created, and said sum or sums shall be used for the purposes of said sinking fund or funds.

SEC. 8. The San Francisco Harbor Commission may institute and prosecute to final judgment, actions in the name of the people of the State of California, for the possession of any portion of the premises described in this act, situate between the inshore line or line nearest the mainland, and the line offshore six hundred fifty feet therefrom, and parallel therewith, or for the annulling of any lease or contract entered into by the commission on behalf of the State or of the City and County of San Francisco by virtue of any general or special law, or for the collection of any money due, or that may become due the State or to said city and county by authority of this act. The commission may also institute and prosecute to final judgment, actions for the removal of all unlawful obstruction in or upon said property in section 1 of this act described, or for the removal of all unlawful obstructions in or upon the streets, through the center of which the inshore line or line nearest the mainland, bounding said property runs. The commission may also remove any unlawful obstruction thereon, after the owner, possessor or occupant of such obstructions thereon shall have five days' notice, in writing, to remove the same, either served on such owner, possessor, or occupant, or posted upon said obstruction by a person designated by the commission. After the issuance of the proclamation by the Governor of the State of California, as hereinafter in this act provided, all of the powers herein by this section granted may be exercised by the City and County of San Francisco through said commission and actions may be commenced in behalf of the City and County of San Francisco for the purposes herein stated.

SEC. 9. The commission shall have the following jurisdiction and powers:

First—The commission shall have possession and control of that portion of the bay of San Francisco described in section 1 of this act, together with all the improvements, rights, privileges, easements and appurtenances connected therewith or in anywise appertaining thereto, including all tracks, marine railways, railroads and railroad equipment and supplies and operative properties, for the purposes in this act provided (excepting such parcels thereof as are held by the lessees, or their assigns, on valid leases, which parcels so held it is hereby made the duty of the commission to take possession of, together with the improvements thereon, as soon as said leases terminate, and also to see that the lessees, or their successors, or assigns, do not exercise rights and privileges that are not conferred by said leases),

provided, that no harbor embankment or seawall shall be constructed outside of the following named points and lines, to wit:

Commencing at the point where the eastern boundary line of the Presidio Reservation, extended in a northerly direction, intersects the three-fathom contour line shown upon the chart of the United States survey, and running thence in an easterly and southerly direction, upon straight or curved lines in such a manner as to approach as near as practicable the extreme outer projections of the water line front, as described in an act to provide for the disposition of certain property of the State of California, passed March 26th, in the year of our Lord 1851, to a point at or near the intersection of Second and Berry Streets, thence continuing southerly, upon straight or curved lines, in such a manner as to approach as near as practicable the extreme outer projections of the water line front, as established by the Board of State Tideland Commissioners, to the southerly boundary of said City and County of San Francisco.

Second—The commission in addition to a general control over said property shall have authority to use for loading and landing merchandise with the right to collect dockage, wharfage and tolls thereon, such portion of the streets of the City and County of San Francisco, ending or fronting upon the waters of said bay as may be used for such purposes without obstructing the same as thoroughfares.

Third—The commission shall have authority to fix and regulate, from time to time, the rates of dockage, wharfage, cranage, tolls and rents, and collect such an amount of revenue therefrom as will enable the commission to perform the duties required of it by authority of this act.

Fourth—It is made a condition of this grant that no greater or less amount of money shall, in the main, ever be collected by the commission by the collection of dockage, wharfage, tolls, rents and cranage than shall be necessary to construct and keep in repair such number of wharves, piers, landings and thoroughfares, to construct sheds and wharves, to dredge slips and docks, to construct a seawall and harbor embankment, to pay incidental expenses allowed to be paid by this act and to collect a sum of money sufficient for the purpose of the revolving fund and the interest sinking funds created by section 5 of this act.

Fifth—No contract or obligation shall be made by the said commission unless the amount then to the credit of the San Francisco Harbor fund, together with the revenue estimated to accrue up to the time of the maturity of such contract, over and above the current expenses of the commission, be sufficient to meet the payments to become due thereon, provided, such estimate of revenue shall be limited as to time to fifteen years.

Sixth—For all sums of money paid by the commission, excepting the expenses authorized and sums required by section 5 of this act to be remitted to the State Treasurer, drafts shall be drawn by said commission on the Controller of the State of California, which said drafts shall be countersigned by the secretary of the commission, and the Controller shall draw his warrant on the said Treasurer, who shall pay the same out of any money in said treasury credit to the San Francisco Harbor fund. No warrant shall be drawn by the Controller upon the Treasurer as provided in this section unless the order therefor bears the approval of the commission. On the payment to the State Treasurer of any sum of money by the commission, the secretary and the State Treasurer must report to the State Controller the amount so paid and the Treasurer must give the secretary a receipt for the same. Such payments shall be construed as payments into the State treasury and the Treasurer shall be responsible on his official bond therefor. The commission shall on or before the first day of November after this act becomes effective and every two years thereafter make to the Governor of the State of California and to the Mayor of the City and County of San Francisco a full report of all moneys by it received and disbursed, stating specifically for what the same was received, and for what purpose expended, and shall give a concise account of all improvements made and the general condition of the property under its charge.

SEC. 10. Nothing in this act shall be taken or deemed to affect any action or suit now pending or any right of action accrued, or any contract or obligation existing under the provisions of Article IX of Title VI of Part III of the Political Code of the State of California, but such suits or actions may be prosecuted in the name in which they have been instituted and such rights of action, contract or obligation shall remain unimpaired, and may be prosecuted and enforced in all respects the same as if this act had not been passed.

SEC. 11. Whenever the mayor and the harbor commission of the City and County of San Francisco shall hereafter request the sale of the bonds authorized but not sold pursuant to the San Francisco Seawall Act, the San Francisco Harbor Improvement Act of 1909, the India Basin Act or the San Francisco Harbor Improvement Act of 1913, or the San Francisco Harbor Improvement Act of 1929, the Treasurer of the State of California shall sell the bonds, in the manner provided in the acts herein named in such parcels and numbers as the mayor and the harbor commission shall request, the mayor and the harbor commission shall request the sale only when in their judgment the actual harbor receipts, and those reasonably anticipated, will justify such sale of bonds.

SEC. 12. Whenever the bonds authorized, issued and sold pursuant to and under the authority of the acts known and cited as the "San Francisco Seawall Act," the "San Francisco Harbor Improvement Act of 1909," the "India Basin Act," and the "San Francisco Harbor Improvement Act of 1913" or the "San Francisco Harbor Improvement Act of 1929," (the titles whereof are fully set forth in section 5 of this act, together with the dates of their approval, respectively) shall have been fully redeemed by the employment and use of the sinking funds created by section 5 of this act, the Treasurer shall advise and inform the Governor that the same have been fully redeemed and the Governor shall thereupon issue his proclamation to the effect that all of said bonds have been redeemed and upon informing himself that such is the fact shall issue his proclamation to the effect that all of the terms of this act have been fulfilled, and upon the issuance of said proclamation, the Treasurer shall proceed to close and shall close all accounts created by section 5 of this act, and shall transfer the funds therein to the treasurer of the City and County of San Francisco, who shall issue his receipt therefor. The treasurer of said city and county shall thereupon create in his department a special harbor fund which shall be appropriated, drawn upon, or expended in such manner and for such purpose, as may be provided for by the charter of the City and County of San Francisco. Upon the issuance of the proclamation by the Governor as herein provided all powers of audit and examination of accounts by the State of California shall cease and determine.

SEC. 13. All persons actually employed in the operating service of the Board of State Harbor Commissioners and heads of departments and bureaus in such operating service at the time the City and County of San Francisco shall take over and assume the management and control of said harbor and the properties used in connection therewith and who at said date shall be entitled to the benefits of the civil service provisions of the State of California, in so far as the same may be applicable to the employees of the Board of State Harbor Commissioners, shall be continued in their respective positions and shall continue to hold their said positions pursuant to the civil service provisions of the charter of the City and County of San Francisco and they shall be entitled to all of the rights, benefits and privileges which said persons might have or might have had, had said persons been originally appointed to their respective positions under certification from the civil service commission of the City and County of San Francisco, and in the matter of seniority in service of said employees entitled to the benefits of said civil service provisions as herein provided, the seniority of each employee shall be reckoned from his first permanent appointment to employment under said Board of State Harbor Commissioners, and as to their respective positions said employees shall have preference over all other employees of the City and County of San Francisco.

SEC. 14. All persons who are in the employ of the State Harbor Commission on the date of the actual transfer to the City and County of San Francisco of the properties now under the control of said commission, and who are continued in accordance with this act in the employ of the board vested by the City and County of San Francisco with the management and control of said harbor, shall become members of the San Francisco city and county employees' retirement system on said date. The contributions standing to the credit of said persons in the State Employees' Retirement System at the close of the day immediately preceding said date, shall be transferred to the said San Francisco city and county employees' retirement system, plus interest on said contributions at the rate of four per cent per annum from the first of the month following that for which the contribution was made, to said date of actual transfer, plus such rate of interest as shall have been earned on such contributions in excess of four per cent, while in the State Employees' Retirement Fund, through the June 30th next preceding the said date of actual transfer, all interest to be compounded at each June 30th. Contributions, with interest as described in the next preceding sentence, which shall have been made from the harbor fund to the State Employees' Retirement System to provide service and disability retirement allowances to be based on service rendered by said persons after becoming members of the said State Retirement System, shall be transferred to the San Francisco city and county employees' retirement system at the time contributions are transferred as set forth herein, an amount equal to the difference between the contributions, with interest, of employees referred to in the first sentence of this section and the contributions referred to in the next preceding sentence, shall be paid from the harbor fund to the San Francisco city and county employees retirement system, all for the purpose of meeting the requirement in that system that the employer's contributions shall be equal to contributions of the employees. Said persons shall receive credit as prior service under said San Francisco city and county employees' retirement system, for all service rendered prior to January 1, 1932, as employees of the said commission, in exactly the same manner as said credit would have been granted had such service been rendered as employees of an office or department of the City and County of San Francisco, the cost of benefits allowed on the basis of such service to be met by contributions from the harbor fund.

Any person who shall have been retired under the State Employees' Retirement System from employment by the harbor commission, and shall be receiving a retirement allowance from such system, on said date of actual transfer, shall thereafter receive the retirement allowance from said San Francisco system. An amount equal to the actuarial value, at said date and according to the tables adopted by the Board of Administration of said State system, of the portion of said retirement allowance, as defined in Chapter 700, Statutes of 1931, which was calculated on the basis of service rendered by said person after December 31, 1931, shall be transferred from said State Retirement System to said San Francisco system. The portion of said retirement allowance, which was calculated on the basis of service rendered prior to January 1, 1932, shall be paid, beginning with said date of actual transfer, by said San Francisco retirement system and charged against the harbor revenues. The status of said retired person under the San Francisco system shall be the same in all respects, except as to amount of retirement allowance and death benefit, as if he had been originally retired under that system.

Since it is the intent of this section that the memberships in the San Francisco city and county employees' retirement system of the persons herein referred to shall be the same, as far as practical, as if contributions made by them to the State Employees' Retirement System had been made instead to the said San Francisco system, the transfer of funds from the State Employees' Retirement System to the San Francisco city and county employees' retirement system, shall be accomplished by the transfer of bonds owned by the former, with a book value as shown on the records of said State Retirement System, equal to the amount of contributions, with interest, to be transferred, provided that if it shall be impractical to select bonds with such book value, cash equal to the difference, which shall not exceed $1,000, by which said amount shall exceed said book value of bonds selected for transfer, shall be transferred in addition to said bonds. Such bonds shall be of issues approved by the retirement board of the said San Francisco system for the investment of funds of said system, and shall have an average effective interest yield to the maturity of such bonds at a rate, based on the said book value, at least equal to the average rate of interest realized, during the fiscal year ending on the June 30th next preceding said date of actual transfer, by the said State Employees' Retirement System on the book value of bonds owned by it.

The records held in the office of the State Employees' Retirement System in connection with the memberships therein of persons referred to in the first and second paragraphs of this section, shall be transferred to the said San Francisco system in accordance with and to the extent of an agreement to be entered into between the governing boards of the two systems.

The cost of the additional pension and second additional pension provided by sections 83 and 84 of said act shall be a charge upon and be paid by the City and County of San Francisco, out of said San Francisco Harbor fund, in all such cases.

All persons employed in the operating service of the Board of State Harbor Commissioners at the time this act goes into effect, and who on the date this act takes effect reside outside the City and County of San Francisco shall not thereafter be required to reside within the City and County of San Francisco, nor shall they otherwise have their residence restricted.

The provisions of this act in respect to persons employed in the operating service of the Board of State Harbor Commissioners at the time this act takes effect shall also apply to heads of departments and bureaus in such operating service in the same manner as to the other employees, provided, however, that no person who is not a citizen of the United States shall be continued in or appointed to his position.

SEC. 15. When the management and control of the properties now under the jurisdiction of the Board of State Harbor Commissioners, and hereinbefore referred to, is transferred to the City and County of San Francisco, all control over the said properties and over the revenue and income therefrom shall cease and determine, provided, however, that nothing herein contained shall curtail or abridge the powers of said Board of State Harbor Commissioners over said properties if the said properties or the management or control thereof should revert to the State of California.

SEC. 16. This act may be known, referred to and cited as the "San Francisco Harbor Act."

SEC. 17. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 646—An act to amend section 1031 of the Code of Civil Procedure, relating to costs in municipal courts and justices courts.

Committee Amendment to Assembly Bill No. 646.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 8, and insert in lieu thereof the following: "the court may, in its discretion, allow or deny costs in whole or in part as it may deem proper to the plaintiff when the judgment is"

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 833—An act to add section 607b to the Code of Civil Procedure, relating to instructions to juries.

Committee Amendment to Assembly Bill No. 833.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out the word "and", all of line 10, and all of line 11, down to and including the word "instructions".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 717—An act to amend sections 667 and 688 of the Political Code, relating to claims and actions against the State.

Committee Amendments to Assembly Bill No. 717.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, between lines 5 and 6, insert the following:

"This section shall not apply to any claim against the State founded upon the provisions of section 400 of the Vehicle Code"

Amendment No. 2.

On page 3 of the printed bill, after line 25, insert the following:

"The provisions of this section shall not apply to any claim against the State founded upon the provisions of section 400 of the Vehicle Code, except that summons shall be served as herein provided."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1635—An act to amend section 602 of the Penal Code, relating to trespass.

Committee Amendment to Assembly Bill No. 1635.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out all of lines 30 to 39, inclusive, and insert in lieu thereof the following:

"(j) Entering any lands under cultivation or inclosed by fence, belonging to, or occupied by, another;

(k) Entering upon uncultivated or uninclosed lands where signs forbidding trespass are displayed at intervals not less than three to the mile along all exterior boundaries, and at all roads and trails entering such lands for the purpose of hunting, shooting, killing, or destroying any animal or bird on such lands, without having first obtained written permission from the owner of such lands, or his agent, or the person in lawful possession thereof,".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2642—An act to amend section 640 of the Probate Code, relating to estates

Committee Amendments to Assembly Bill No. 2642.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section", and insert in lieu thereof the following: "sections".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after "640", insert the following: ", 641, 642, 645 and 646".

Amendment No. 3.

On page 1 of the printed bill, after line 24, insert the following:

"SEC. 2. Section 641 of the Probate Code is hereby amended to read as follows:

641. If the person petitioning for probate of the will or for letters of administration does not include such an allegation as is provided for by the previous section, the surviving spouse, if there be one, and if there be none, the guardian of the minor child or minor children, may, at any time prior to the hearing of such petition, file a verified petition setting forth the matters mentioned in the previous section, and pray that the estate be set aside for the use of the surviving spouse or minor child or minor children. If the hearing of the original petition is set for a day more than ten days after the filing of the petition herein provided for, the latter shall be set for hearing at the same time as the former; if not, it shall be set for hearing at least ten days after the date on which it is filed, and the former petition shall be continued until such date.

SEC. 3. Section 642 of the Probate Code is hereby amended to read as follows:

642. If the decedent leaves a surviving spouse or minor child or minor children, and upon the filing of the inventory of the estate it appears that the net value of the whole estate over and above all liens and encumbrances of record at the date of death does not exceed the sum of two thousand five hundred dollars, the personal representative of the decedent or the surviving spouse or guardian of the minor child or children may file a verified petition showing the value of the estate to be no greater than as aforesaid, and the clerk shall fix a day for the hearing thereof.

SEC. 4. Section 645 of the Probate Code is hereby amended to read as follows:

645. If, upon the hearing of any petition provided for by this article, the court finds that the net value of the estate over and above all liens and encumbrances of record at the date of the death of the decedent does not exceed the sum of two thousand five hundred dollars, and that the expenses of the last illness, funeral charges and expenses of administration have been paid, it shall, by decree for that purpose, assign to the surviving spouse of the decedent, if there be a surviving spouse, or, if there be no surviving spouse, then to the minor child or children of the decedent, if any, the whole of the estate, subject to whatever mortgages, liens, or encumbrances there may be upon said estate at the time of the death of the decedent. The title thereto shall vest absolutely in the surviving spouse, if there be a surviving spouse, or if there be no surviving spouse, in the minor child or children subject to whatever mortgages, liens or encumbrances there may be upon said estate at the time of the death of the decedent, and there must be no further proceedings in the administration, unless further estate be discovered. But no surviving spouse or minor child having other estate of five thousand dollars in value shall be entitled to such an assignment.

SEC. 5. Section 646 of the Probate Code is hereby amended to read as follows:

646. If the court finds that the net value of the estate exceeds two thousand five hundred dollars, or that the surviving spouse or minor child has other estate of five thousand dollars in value, or that there is neither a surviving spouse nor minor child, it shall act upon the petition for probate or for letters of administration in the same manner as though no petition to set aside the estate had been included, and the estate shall then be administered in the usual manner."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2770—An act to add section 607ff to the Civil Code, relating to prevention of cruelty to animals.

Committee Amendment to Assembly Bill No. 2770.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 607ff is hereby added to the Civil Code, to read as follows:

607ff. Each peace officer and each officer of the humane society shall, before entering upon his duties, execute a bond in the sum of $2,500, with sufficient

surety or sureties as provided by law, conditioned upon the payment of any judgment or judgments rendered against him for damages arising out of his performance of the duties imposed upon him under the provisions of section 597f of the Penal Code, to be recorded in the office of the county recorder and then filed and kept in the office of the county clerk.

In any action against any peace officer or officer of the humane society for damages arising out of any violation of law by any such officer in the performance of any duties imposed upon him under the provisions of section 597f of the Penal Code, the clerk shall, before issuing the summons thereunder, require a written undertaking on the part of the plaintiff in the sum of $200, with sufficient surety or sureties as provided by law, to the effect that, if the action be dismissed or if the defendant recover judgment, the plaintiff shall pay such costs and charges as may be awarded against him by judgment or in the progress of the action or on an appeal, not exceeding the sum specified in the undertaking. Any such action brought without filing the undertaking required, shall be dismissed.

In case plaintiff recovers judgment, he shall be allowed as costs $100 to cover counsel fees, in addition to the other costs In case the action is dismissed, or the defendant recovers judgment, he shall be allowed $100 to cover counsel fees, in addition to the other costs, and judgment therefor shall be entered accordingly."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1776—An act to amend section 2527a of the Political Code, relating to the extension of wharfs and piers to islands under the jurisdiction of the State Board of Harbor Commissioners

Committee Amendment to Assembly Bill No. 1776.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, after line 21, add the following:

"Nothing in this section shall be construed so as to deny to the Board of State Harbor Commissioners the power to collect dockage charges from any watercraft using or making fast to said wharves or piers, including said extensions thereof, at the rates provided by said board for other wharves and piers under its jurisdiction; and it shall be the duty of said board to collect all such dockage charges.

Any lease made under the provisions of this section must expressly make reservation of the power of said board to collect such dockage charges."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1645—An act to amend section 400 of the Civil Code of California, relating to the voluntary winding up and dissolution of corporations.

Committee Amendment to Assembly Bill No. 1645.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, after "dissolve", add the following: ", whenever the corporation has an even number of directors who can not agree as to the management of its affairs so that its business can not longer be conducted to advantage".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1646—An act to amend section 404 of the Civil Code, relating to the involuntary winding up and dissolution of corporation and appointment of provisional director thereof.

Committee Amendments to Assembly Bill No. 1646.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill strike out "or", and insert in lieu thereof the following: "and".

Amendment No. 2.

On page 1, line 21, of the printed bill, strike out "or", and insert in lieu thereof the following: "and".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 580—An act to amend section 44 of the Vehicle Code, relating to emergency vehicles.

Committee Amendments to Assembly Bill No. 580.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the words "or privately".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out the words "bona fide peace officer", and insert in lieu thereof the word "police".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 9 to 17, inclusive.

Amendment No. 4.

On page 2 of the printed bill, following line 10, insert the following:

"(g) A motor vehicle owned by the State of California when used by a fish and game warden in actual pursuit of a violator or suspected violator of the Fish and Game Laws of this State; provided however, nothing herein contained shall be construed as limiting the liability for negligent operation of such motor vehicle, when in actual pursuit of such violator or suspected violator."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2593—An act to amend sections 5.72, 5.721 and 5.722 of the School Code, relating to leaves of absence of persons employed in school districts requiring certification requirement.

Committee Amendments to Assembly Bill No. 2593.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 5, of the printed bill, as amended April 3, 1937, strike out the word "five", and insert in lieu thereof the following: "ten school".

Amendment No. 2.

On page 2, line 20, of the printed bill, as amended April 3, 1937, strike out "childbirth and conditions caused thereby", and insert in lieu thereof the following: "pregnancy and childbirth".

Amendment No. 3.

On page 2 of the printed bill, following line 28, insert the following:

"Leave of absence when granted to a probationary employee under the provisions of this section, shall not be construed as a break in the continuity of service required for the classification of such employee as permanent under section 5.500 of this code; but the time during which such leave of absence is taken shall not be considered as employment within the meaning of such section.

Nothing in this section contained shall affect the rights of the parties to any litigation pending in any court at the time of the adoption hereof."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1516—An act to add section 6.5 to, and amend sections 7 and 8 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1516.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "amend", strike out "sections", and insert in lieu thereof the following: "section".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, after "7", insert the following: "of,".

Amendment No. 3.

On page 1, line 1 of the title of the printed bill, as amended, after "7 and", insert the following: "to repeal section".

Amendment No. 4.

On page 3, line 3, of the printed bill, as amended, after "(h)", strike out "Employment", and insert in lieu thereof the following: "Service".

Amendment No. 5.

On page 3, line 6, of the printed bill, as amended, after "hereby", strike out "amended, to read as follows:", and insert in lieu thereof the following: "repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1526—An act to amend section 93 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to the Division of State Employment Agencies.

Committee Amendments to Assembly Bill No. 1526.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 4, of the printed bill, as amended, strike out "commission, through the".

Amendment No. 2.

On page 2, line 5, of the printed bill, as amended, after "Employment", strike out the comma.

Amendment No. 3.

On page 2, line 7, of the printed bill, as amended, strike out "The commission, through said", and insert in lieu thereof the following: "Said".

Amendment No. 4.

On page 2, line 8, of the printed bill, as amended, strike out "and with the approval of the commission".

Amendment No. 5.

On page 2, line 10, of the printed bill, as amended, after "Congress", insert the following: "and, with the approval of the commission,".

Amendment No. 6.

On page 2, line 14, of the printed bill, as amended, strike out "appropriated by this State or".

Amendment No. 7.

On page 2 of the printed bill, as amended, following line 21, insert the following: "Each person who enters, or heretofore entered, the State service in the Division of State Employment Agencies in the Department of Employment, and who on the date of such entrance is or was (and for six months immediately preceding said date was) an employee of the Federal Government performing services in the United States Employment Service, holds in the Division of State Employment Agencies in the Department of Employment a position the same as or comparable to the position held by him in the United States Employment Service immediately prior to said date, without change in classification or compensation, and shall continue to hold such position in said division subject to the provisions of Article XXIV of the Constitution and to such probationary term, to commence on said date, of not less than two months nor more than eight months, as the State Personnel Board may fix."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 839—An act to add section 12a to an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the furnishing of water to such towns and villages

Committee Amendments to Assembly Bill No. 839.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 19 of the printed bill, strike out "without cost or charge", and insert in lieu thereof the following: "at cost".

Amendment No. 2.

On page 1, line 20, of the printed bill, after the comma which follows the word "district", add the following: "or company furnishing such water,".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 641—An act providing for and requiring that a record be made of the ownership of street improvement bonds, fixing the time within which such recording should be made, and providing for the effect of failure to so record.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1725—An act to amend sections 1, 2, 3, 4, 5, 6, 7, and 8, of an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal Bankruptcy Courts therein," approved June 5, 1933.

Bill read second time, and ordered to engrossment

Assembly Bill No. 2853—An act to add section 347 to the Civil Code and to amend section 362 of the Civil Code, all relating to corporations.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2869—An act making an appropriation for the support of the Third District Court of Appeal.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 696—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 697—An act to amend section 56 of the Labor Code and to add to Division I thereof Chapter 6, consisting of sections 150, 151 and 152, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2671—An act to amend sections 1, 2 and 4 of, and to add two new sections to be numbered 5 and 6 to "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2863—An act making an appropriation to the Division of Fish and Game, Department of Natural Resources.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2027—An act relating to the establishment and maintenance of a Bureau of Safety in the Railroad Commission of this State.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2820—An act to provide for the conduct of investigations to determine in cooperation with the Federal Government suitable methods of beach protection and restoration and to promote and encourage the healthful recreation of the people, and providing an appropriation therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2875—An act making an appropriation for the printing, publication, purchasing and transportation of textbooks.

Bill read second time, and ordered to engrossment

Assembly Bill No. 2872—An act making an appropriation for the support of the Railroad Commission of the State of California, to take effect immediately

Bill read second time, and ordered to engrossment.

Assembly Bill No. 383—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors, to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1300—An act making an appropriation to provide land and water supply for the Napa State Hospital.

Bill read second time, and ordered to engrossment

Assembly Bill No. 850—An act making an appropriation for the purchase and improvement of land for Agnews State Hospital in Santa Clara County.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 849—An act making an appropriation for the purchase of land for the Agnews State Hospital in Santa Clara County

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2548—An act to provide for the acquisition of the Muir Wood Toll Road by the State and the inclusion thereof in the State highway system, and making an appropriation therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2873—An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, prescribing the powers and the duties of said board and commissioner, making an appropriation and authorizing contributions by certain agencies for the purpose of carrying out the provisions of the act, and creating the Colorado River fund

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2584—An act appropriating money for the repairs, improvements, equipment and furnishing of Sutter's Fort in Sacramento.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 534—An act to amend sections 2, 3, 4, and 21 of the Old Age Security Act of the State of California, relating to and to the aged.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 272—An act to appropriate $800,000 for flood control, including conservation and the relief of employment, in San Bernardino County and the Santa Ana River Basin.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2879—An act making an appropriation for the support of the State colleges, to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 90—An act providing for payment by the State for park property acquired for highway purposes in the Arroyo Seco in Los Angeles County.

Committee Amendments to Assembly Bill No. 90.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, strike out the following: "in the Arroyo Seco in Los Angeles County."

Amendment No. 2.

On page 1, lines 2 and 3, of the printed bill, strike out the following: "the highway created by section 642 of the Streets and Highways Code", and insert in lieu thereof: "A State highway".

Amendment No. 3.

On page 1, line 4, of the printed bill, after the word "park", strike out the words "in the Arroyo", and insert in lieu thereof a comma and the following: "the cost and expense of the acquisition of which has been paid, in whole or in part, by special assessments levied against property in an assessment district alleged to be benefited thereby,".

Amendment No. 4.

On page 1, line 5, of the printed bill, strike out the following: "Seco in Los Angeles County,".

Amendment No. 5.

On page 1 of the printed bill, between lines 7 and 8, insert the following paragraph:

"Such value shall be determined by an action filed in the superior court pursuant to the provisions of the Code of Civil Procedure relating to eminent domain. In such action it shall be sufficient to name and obtain service of process upon the municipal corporation and the members of the board of park commissioners thereof, if any, as parties defendant. Owners of property within the assessment district shall not be necessary or proper parties to any such action."

Amendment No. 6.

On page 1 of the printed bill, strike out lines 8 to 24, inclusive, and insert in lieu thereof the following:

"SEC. 2. The amount determined by the court shall be paid to the property owners within the assessment district as hereinafter provided. The city council shall order the street superintendent to proceed to make a reassessment in the original proceedings for the acquisition of such property for park purposes in the following manner: The said street superintendent shall prepare and file with the reassessment a diagram showing the lots, pieces or parcels of land deemed by him to have been benefited by the work of improvement; the reassessment shall assess upon and against each of the lots, pieces or parcels of land within the assessment district the amount of the original assessment less a pro rata of the sum so appropriated, prorated in the same proportion that the said original assessment against such lot, piece or parcel of land bears to the total of such original assessment for the improvement. Such reassessment need not be in any prescribed form but shall refer to the original assessment filed, giving the date of filing of said original assessment, and shall state that it is made pursuant to the order of the legislative body of the municipality and shall be accompanied by a diagram showing the lots to be reassessed and their relation to the work. Such dia-

gram may be the original assessment diagram if it otherwise conforms to the provisions of this section. It shall then be presented to the legislative body, which shall fix a time and place of hearing before it. Such time must be at least twenty (20) days after the reassessment is so presented. The city clerk shall then advertise the time and place of such hearing before the legislative body by publishing a notice in the newspaper in which the ordinance of intention for the improvement was published unless the legislative body directs publication in some other paper. The notice shall contain a reference to the original assessment and diagram and reference shall also be made to the reassessment and diagram of the street superintendent for full particulars as to the extent of the district affected by these proceedings and for all other particulars.

At the time fixed for the said hearing or at such time or times to which the same may be continued the legislative body shall consider any objections to the said reassessment and may correct inequalities or mistakes therein. When the city council is satisfied with the correctness of the reassessment it shall confirm the same The street superintendent shall thereupon record the reassessment and diagram, in his office, with a certificate at the end thereof executed by the city clerk that it is the reassessment approved by the legislative body of the city. He shall also note opposite the several assessments in the original assessment that have been displaced by the reassessment the fact that the reassessment has been made, giving its date, and shall credit upon such reassessment all payments theretofore made upon the original assessment or upon the bonds issued to represent the same Such reassessment shall be collectible by and payable to the city treasurer or such other officer as the city council may designate so far as practicable in the same manner as an original assessment and shall be enforceable by suit in the same manner provided in this act for enforcing an original assessment and shall have the same weight in evidence. In the event that bonds issued under or upon the security of the original assessment, no reassessment made pursuant to this section shall change the security or lien of any such bond in any manner whatsoever or the method of the enforcement thereof. The lien of such reassessment shall hold its relative rank as to other special assessment liens as of the date of filing of the original assessment. Upon confirming the said reassessment the city shall transfer into the bond and assessment redemption fund the amount so apportioned among the several assessments.

Whenever prior to the confirmation of said reassessment any principal payments shall have been made on any assessment, or on any bond issued to represent any such assessment, the owner of record of the property against which such assessment was levied, at the time such payment was made, or where a purchaser under a contract of purchase or a lessee under a lease pursuant to the terms of which contract of purchase or lease, is required to and has made such payment or payments upon the original assessment or bonds, then such purchaser or lessee shall be entitled to receive a refund of an amount of the difference between the original assessment and the reassessment in the proportion that such payment or payments made by him bears to the original assessment, with respect to the lot, piece or parcel of land for which such payment or payments were made The balance of any such appropriation, as determined by the reassessment, shall be credited pro rata to the bonds in payment thereof, applying such payment first to the interest due and then upon the principal. Thereafter the city treasurer shall pay to the holder of each bond the payment so credited from said bond and assessment redemption fund. The city treasurer is hereby authorized and directed to make all payments of refunds as authorized by this section Whenever it shall appear to the legislative body that payments shall have been made on any such assessments or bonds prior to the said reassessment, it shall be its duty to cause to be published in the newspaper in which the ordinance or resolution of intention for the improvement was published, unless the legislative body directs publication in some other paper, a notice stating the fact of such reassessment and calling upon all property owners affected by the said improvement to make claim for refund within two years from the date of the first publication of the said notice. Reference shall be made to said reassessment and diagram for all particulars Such notice shall be published once a week for two (2) weeks. In case claim for such refund shall not be made within said period, then all claims therefor shall be barred and the said amount remaining unclaimed shall revert to the fund from which said supplemental appropriation was made by the city council. No such suit shall be brought to contest, modify annul, review or in any way attack the validity of such reassessment and the proceedings had under this section unless the same shall have been commenced within thirty (30) days after the recording of the diagram and reassessment, and thereafter persons shall be barred from any such action or any defense of invalidity of the reassessment and all bonds issued thereon.

In making any such reassessment the street superintendent shall first deduct from the amount appropriated by the city council the estimated cost of the reassessment proceedings. In case such estimate should for any reason exceed the actual cost thereof, then the excess of such fund reserved for the payment of the said costs shall revert to the fund from which the appropriation was made. In the event that the said estimate shall prove to be insufficient to meet the costs of the said reassessment, then the said city council shall appropriate such additional sums as may be necessary to meet the excess costs and expenses thereof."

Amendment No. 7.

On page 2 of the printed bill, strike out lines 1 and 2

Amendment No. 8.

On page 2, line 3, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendment No. 9.

On page 2 of the printed bill, following line 4, insert the following section

"SEC. 4. If any section, subsection, clause, sentence or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2870—An act making an appropriation for the purchase of certain lands by the State

Committee Amendments to Assembly Bill No. 2870.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the words "sixty-five"

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out the words Parcel number one, that", and insert in lieu thereof the following: "That"

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 16 to 30, inclusive.

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 702—An act to amend section 19x24 of the Juvenile Court Law, relating to the probation officer

Committee Amendment to Assembly Bill No. 702.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 4 to 13, inclusive, and insert in lieu thereof the following "one probation officer"

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, before "of", insert the following "and to repeal section 19x31"

Amendment No. 3.

On page 1 of the printed bill, after line 13, add the following

"SEC. 2. Section 19x31 of the Juvenile Court Law is hereby repealed"

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1455—An act authorizing the Director of Finance, upon behalf of the State, to prospect for, drill for, develop, extract, take and remove or dispose of, and to grant leases and easements for taking or extraction of, oil, gas or other hydrocarbons, or other minerals, of whatsoever kind, within and from certain lands belonging to the State; to acquire by purchase, eminent domain or otherwise, real property or interests therein necessary for the purposes of this act; providing for the disposition of all funds received pursuant to the provisions hereof; repealing all acts or parts of acts inconsistent or in conflict with this act, and making an appropriation for the purpose of carrying out the provisions of this act.

Committee Amendments to Assembly Bill No. 1455.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of the title and insert in lieu thereof the following:

"An act relating to State lands, authorizing the State Oil Development Board, which is hereby created, on behalf of the State of California, to enter into contracts for the production of oil, gas and other hydrocarbons therefrom, authorizing the production and sale or other dispositon of oil, gas and other hydrocarbons from such lands by lease or contract or by the State providing for the exercise of the powers of eminent domain in connection therewith, providing for elections and repealing all acts or parts of acts inconsistent or in conflict herewith."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 20, inclusive, and strike out all of pages 2 to 7, inclusive, and insert in lieu thereof the following

'SECTION 1. The State of California is the owner in its sovereign and proprietary capacity of certain tide and submerged lands, some of which lands contain valuable deposits of oil, gas and other hydrocarbon substances

SEC. 2. The oil and gas deposits in said State lands are being constantly drained by oil wells drilled in and operating on privately owned lands adjacent thereto. The protection of the public interest requires the development, production, removal and disposition of the oil, gas and other hydrocarbon substances from said State lands for the benefit of the State.

SEC. 3. There is hereby created the State Oil Development Board, which board shall consist of the Director of Finance, the Director of the Department of Natural Resources and the State Controller.

SEC. 4. The State Oil Development Board is hereby authorized and directed to secure the development, extraction, removal and sale of oil, gas and other hydrocarbon substances from said lands for the benefit of the State in the manner hereinafter provided.

SEC. 5. The term "person" as herein used, means an individual, a corporation a partnership, an association, a joint stock company, a trust, or any unincorporated organization or association.

SEC. 6. The State Oil Development Board, for and in behalf of the State, is authorized and empowered to condemn, acquire and possess, for and in the name of the State, any real property, and any right-of-way, easement or other interest therein that may be necessary or desirable for convenient access by the public to said State lands or for the development and production of oil, gas and other hydrocarbon substances therefrom in the manner as herein provided, and for their removal, transportation, storage and sale, and for such purposes shall, in the name of the people of the State of California, institute condemnation proceedings pursuant to section 14 of Article I of the Constitution and the Code of Civil Procedure, relating to eminent domain. The acquisition of such property is hereby declared a public use.

Any property or interest so acquired shall be made available to any person to whom an oil and gas lease may be awarded under this act; provided that the cost and expense of such acquisition shall be first paid by such person.

SEC. 7. Whenever the State Oil Development Board shall determine that the protection of the interest of the State of California in and to any oil, gas or other hydrocarbons lying within any of the tide or submerged lands of the State requires the development of said lands, then said lands shall be offered for lease in the manner as hereinafter provided to that qualified bidder offering by bid to pay to the State the highest percentum in amount and value of oil, gas and other hydrocarbon substances produced from wells drilled under such lease. Whenever the State Oil Development Board offers to lease any of such lands, the board, in its discretion, may offer such lands to be leased in their entirety or make such subdivision of such lands as the board deems desirable.

SEC. 8. The State Oil Development Board shall, within thirty (30) days after the determination to lease any of said lands, cause to be published once a week for three (3) consecutive weeks, in a newspaper of daily and general circulation, in the county in which said lands to be leased are located, and in two (2) other newspapers of daily and general circulation, one published in the city of Los Angeles and one published in the city of San Francisco, notice that the said lands will be leased and that persons desiring to bid for said leases shall fill out and file, within thirty (30) days from the last date of publication of said notice, a questionnaire with the State Oil Development Board. Said notice shall specify the minimum royalty requirements herein established. Said questionnaire shall be on a standard form prescribed by the State Oil Development Board and shall contain questions calling for the following information:

1. The exact name in which the person filing the questionnaire intends to bid

2. Whether the person filing the questionnaire is an individual, partnership unincorporated association, business trust, corporation, or joint stock company. In

case of a person filing a questionnaire as an individual he shall give his residence and business address for five years last past. In case of a partnership or unincorporated association, the names, addresses, and residence for five year last past for all members shall be given. Like information as to managing officers or trustees and beneficiaries shall be filed in the case of business trusts and joint stock associations.

3. In the case of business trusts, corporations, joint stock associations, or partnerships, the name of the State or other sovereign power under which the filer is organized or incorporated and the period of time that said filer has been qualified to do and has done business in the State of California.

4. The period of time the filer has engaged in the oil business in this State and in what branch thereof

5. Such other information as the State Oil Development Board may require

SEC. 9. Such statement of information shall be verified under oath as pleadings in a civil action. All statements shall be accompanied by a certified or cashier's check payable to the order of the State Treasurer in the sum of $100 as an examination fee, which in no case shall be returned. Statements so filed shall be public records and shall be open to inspection by any person or his duly authorized agent filing statements hereunder. Immediately upon receipt of said statements the State Oil Development Board shall proceed to examine the same for the purpose of carrying out the provisions of this act. If such questionnaire be deemed insufficient by the State Oil Development Board it shall, within fifteen (15) days from receipt of said questionnaire, notify in writing the person filing the same of his objections, and such person shall, within fifteen (15) days thereafter, file an amended statement setting forth the information requested.

Said board shall complete the examination of all such questionnaires within one hundred twenty (120) days after the board's determination to lease said lands; provided, however, that said board shall be authorized to extend said time of one hundred twenty (120) days an additional thirty (30) days.

SEC. 10. Within one hundred twenty (120) days after the determination by the board to lease any of said lands, unless said time be extended by the State Oil Development Board, as hereinbefore provided, the said State Oil Development Board shall cause to be prepared a list of persons qualified and entitled to bid for a lease of said lands.

SEC. 11. Within twenty (20) days after the preparation of said list of qualified bidders, the State Oil Development Board shall send out to each person qualified and entitled to bid a form of lease, said lease to contain the description of the lands offered for lease.

SEC. 12. No bid shall be accepted and no lease shall be made unless the same provides for payment to the State of not less than thirty per cent (30%) of the amount or value of the production of oil and gas from any and all wells drilled thereunder.

SEC. 13. Any lease made under authority of this act shall be for a term of twenty (20) years and as long thereafter as wells drilled thereon are producing oil and gas in commercial quantities, provided said lease may be terminated at any time after the expiration of a period of twenty-five (25) years from said date by act of the Legislature.

SEC. 14. Any lease made under authority of this act shall provide that the lessee shall, within ninety (90) days from the execution of said lease commence drilling operations and shall prosecute the same with reasonable diligence until oil and gas is found in paying quantities or to a depth at which further drilling would, in the judgment of the lessee, be unprofitable. In the event that the lessee shall not, within ninety (90) days from the execution of said lease commence drilling operations, then said lease may be declared forfeited by the State Oil Development Board, and thereupon said lease shall be null and void, and all of the rights of the lessee under said lease be at an end. If oil is found in paying quantities in any wells so drilled by the lessee, said lessee shall continue to drill additional wells, working with reasonable diligence, until a total number of wells, including offset wells, shall have been drilled equal to one (1) well for each three hundred feet (300) or major fraction thereof of the direct distance along the ordinary high-water mark of the lands embraced in the lease. The lessee may drill as many additional wells as he may desire.

The first wells drilled thereunder shall be so spaced as to properly offset wells operating on littoral lands that may be drawing oil and gas from the leased area. Any well or wells drilled so that the producing intervals thereof are within three hundred (300) feet of any exterior boundary line of the State lands embraced by the lease and which are producing oil, gas or other hydrocarbon substances in commercially paying quantities shall be deemed to be a well drawing oil and gas from the leased areas.

At any time after drilling of the first well required to be drilled under such lease, the lessee may quitclaim to the State said leased premises, except that portion on which any well shall have been drilled and is producing oil and gas in commercial quantities, and a space of three hundred thirty (330) feet square evenly surrounding the same; provided, that said lessee shall also grant to any subsequent lessee of such quitclaimed area, on such terms and conditions as the State Oil Development Board

may prescribe, a right to the joint use with said original lessee of rights of way, easements, or other interests in real property acquired in connection with the operation of said original lease as may be necessary or convenient in connection with operations on said quitclaimed area under a subsequent lease. On the quitclaiming of any area the area so quitclaimed may be again leased by the State Oil Development Board in the same manner as herein provided for making the original lease.

SEC. 15. In addition to other provisions required by this act, such lease shall also include provisions:

(a) That piers or groins shall be so constructed as not to prevent public access to and from the beach for bathing, fishing or other recreational purposes, and that drilling and production operations shall be conducted and the equipment therefor shall be constructed with precaution to prevent any pollution of the waters of the ocean and any unnecessary interference with public use of the beaches for such purposes.

(b) Such terms, conditions and provisions as shall protect the interests of the State with reference to securing the payment to the State of the proper amount or value of production; the proper spacing of wells for the purpose of securing maximum production; diligence on the part of the lessee in drilling the same to the oil sands; methods of operations and standard requirements for carrying on operations in proper and workmanlike manner; prevention of waste; protection of safety and health of workmen; liability of lessee for personal or property damage; prohibiting assignment of the lease or subletting without written consent of the State Oil Development Board; security for faithful performance by the lessee, and such other covenants, conditions, requirements and reservations as may be deemed advisable by the State Oil Development Board, in executing the purposes of this act, and not inconsistent with any of its provisions.

(c) A portion of the lands subject to the provisions of this act are located within the boundaries of an incorporated city or cities. Operations under this act will require additional expense to said city or cities in the administration and enforcement of its ordinances relating to police and fire protection. Use by the State or its lessees of the streets of said city or cities will be incidental to the development of said lands in the production, removal, storage and marketing of oil, gas and other hydrocarbon substances produced from said State lands, as provided for in this act, and easements and rights of way over, across, through and on lands owned by, under the control of, or in which said city or cities have an interest, may be required therefor. As full consideration to said city or cities for all such uses of the property of said city and for all easements, franchises, rights of way over, across, through and on lands owned by, under the control of or in which said city or cities have an interest, required in connection with the operations of the State or any of its lessees under this act, the State Oil Development Board is authorized and directed to contract and agree that there shall be paid to the respective city or cities not to exceed two-thousandths of the proceeds of the production of oil, gas and other hydrocarbon substances produced from said lands and received by the State as royalties under leases made pursuant to the provisions of this act from lands included within the corporate limits of said city or cities, provided, that all moneys paid to said city or cities under this provision shall be exclusively used by said city or cities for police and fire protection and for acquiring, constructing, repairing or maintaining public parks, playgrounds, piers and streets, such use being hereby declared to be for the public interest, welfare and convenience of the State.

SEC. 16. Every qualified bidder desiring to bid on any of said State lands offered for lease shall fill out the blank space indicated in said lease for fixing the percentage of amount or value of production of oil, and the percentage of amount or value of production of gas and casinghead gasoline proposed to be paid or to be delivered to the State as royalty, and sign and execute the lease as lessee and return it to the State Oil Development Board, State Capitol, Sacramento, California, at a date specified not later than thirty (30) days from the date of the mailing of the same by the State Oil Development Board. All bids shall, in this form, be presented under sealed cover and shall be accompanied by a certified or cashier's check of a responsible bank in California made payable to the State Treasurer in the sum of $10,000. The amount thereof shall be deposited as security for the faithful performance by the bidder of the terms and covenants of and compliance with the conditions of said lease in the event the bid offered by him is accepted. Upon his furnishing good and sufficient bond to the State in the sum of $50,000 for such faithful performance, as shall be provided for in the lease, said cash deposit shall be returned to the lessee. If his bid is not accepted, said deposit shall be returned to the bidder with notice of its rejection. No bid shall be considered unless such certified or cashier's check is inclosed therewith.

SEC. 17. On the date specified for the return of said bids at the hour of twelve o'clock m. the State Oil Development Board shall proceed to open publicly sealed bids and list the name of the bidder and the percentages of the amount or value of production bid for said State lands to be leased.

SEC. 18. Any person bidding on any of said State lands to be leased may be in attendance at the time said bids are opened, either in person or through an agent.

SEC. 19. In the event two or more persons offer bids on said State lands at the same percentage and have duplicate bids thereon, said persons shall immediately

determine by lots cast under the direction of the State Oil Development Board which one of said persons shall receive said lease

SEC. 20. Any bid may be withdrawn at any time prior to the hour for the opening of said bids, said withdrawal to be as follows and not otherwise. A request in writing for the withdrawal of such bid must be filed with the State Oil Development Board, which request must be executed by the bidder or his duly authorized representative. The withdrawal of a bid shall not prejudice the right of the bidder to file a new bid. Nothing in this section contained shall authorize the withdrawal of any bid at the hour fixed herein for the opening of such bid and no bid shall be received at or after such hour, regardless of whether or not such bids are opened exactly at the hour set or thereafter

SEC. 21. On the opening of said bids, and after determination of the highest qualified bidder entitled to the same, the Director of Finance, at the direction of the State Oil Development Board, after such bid is accepted, shall execute in the name of the State of California the lease executed and used as a bid by said successful bidder, and thereafter a duplicate of said lease shall be executed, both by the successful bidder and the Director of Finance. One copy of an accepted bid or lease, after its execution by the Director of Finance for and on behalf of the State, shall be recorded in the county in which said State lands to be leased are located and shall be filed with the Secretary of State.

SEC. 22. The State Oil Development Board shall have the power

(a) To make and enforce reasonable rules and regulations not inconsistent with this act for the purposes of carrying out the provisions hereof and it may do all things reasonably necessary for such purpose

(b) To lease any tidelands or submerged lands of the State of California for the development, extraction, recovery, storage and sale of oil, gas and other hydrocarbon substances within and from the subsurface of said State lands, whether or not said lands be within the geological structure of a producing oil or gas field, and whether or not they front on an incorporated city or be within any given distance on either side thereof

(c) To modify any of the provisions of any lease issued under the provisions of this act upon application for such modification be made by the lessee and determination by the said board that the interest of the State of California may be protected by such modification

(d) At its discretion, to enter into a lease with any person who can qualify as a bidder as in this act provided with reference to lands within a known productive oil area without the necessity of calling for bids as in this act set out when said board determines that the delay attendant upon the procedure for the award of a lease under the provisions of this act would result in a detriment and loss to the State of California and where the terms of said lease entered into under the provisions of this subsection provide for payment of a royalty to the State of California in an amount greater than the minimum royalty specified under the provisions of this act

(e) To determine the manner of development and to determine whether the best interest of the State will be served by drilling from the surface of said tidelands or from and by means of piers, groins or islands located thereon or from sites located on the littoral lands, and all offers to lease, pursuant to the provisions of this act, shall clearly specify whether or not the lessee will be required to drill from the surface of said lands offered for lease or from and by means of piers, groins or islands located thereon or from the surface of littoral lands adjoining said lands offered for lease.

SEC. 23. The State Oil Development Board is hereby prohibited from

(a) Leasing or offering to lease any lands not within the limits of a proven oil field for the production of oil by drilling from the surface of said lands or from and by means of piers, groins or islands located thereon;

(b) Leasing or offering to lease any State lands pursuant to the provisions of this act for the production of oil therefrom by means of wells located upon the surface of said lands or from and by means of piers, groins or islands located thereon, unless and until the qualified electors of the county in which said lands to be leased are located have, by affirmative vote at an election called for that purpose, ratified the proposal of the State Oil Development Board to lease the said lands for the development and production of oil by means of wells located on the surface of said lands to be leased or from or by means of piers, groins or islands located thereon

The board of supervisors of any county or city and county in which are located any of the lands subject to the provisions of this act which are proposed to be leased by the State Oil Development Board, in pursuance to the provisions of this act, shall, upon request therefor by the State Oil Development Board, submit to the qualified electors of said county or city and county, said proposal to lease said lands for the purpose of the development and production of oil therefrom either at any regular election or at a special election called for that purpose

SEC. 24. In the event no bids for leases of any State lands offered for lease are received by the State Oil Development Board in accordance with the foregoing requirements, the State Oil Development Board may and it is hereby authorized to again call for bids for leases thereof in the manner provided for in this

act, or the State Oil Development Board may proceed immediately with the drilling of wells on said State lands offered for lease and for which no bids were received for and on behalf of the State for the production, removal and disposal of oil, gas and other hydrocarbon substances therefrom. The work of drilling and construction in connection therewith, if done by the State may be performed under contract or award to the lowest responsible bidder or by day labor, provided that if done by contract, the State Oil Development Board may reject any and all bids and call for new bids for such work. The right of the State Oil Development Board to commence drilling from the surface of said State lands, or from and by means of piers, groins or islands located thereon, and for on behalf of the State shall not be exercised unless and until the qualified electors of the county in which said lands are located have first ratified and approved the proposed operations in accordance with the provisions of this act.

SEC. 25. In the event the development of any or all of said State lands by drilling or other operations is carried on directly by the State, the same shall be done in accordance with the requirements of this act and of lease requirements herein with reference to the location and number of wells to be drilled and other provisions as far as applicable. All necessary equipment and materials for the prosecution of said work, construction of piers, groins or islands, drilling, production and other operations shall be purchased by the State Oil Development Board from any funds made available for that purpose. All oil, gas and other hydrocarbon substances produced shall be sold by the State Oil Development Board at best obtainable prices and at such times as it shall deem proper for securing maximum cash returns to the State therefor. All funds received from operations under this act shall be immediately reported to the Controller and paid into the general fund, except as otherwise provided by law.

SEC. 26. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The Legislature hereby declares that it would have passed this act, and each and every section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentenced, clauses or phrases be declared unconstitutional.

SEC. 27. All acts and parts of acts inconsistent or conflicting with this act are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1265—An act to revise an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, as amended, relating to the practice of veterinary medicine and surgery, and repealing acts and parts of acts specified herein.

Committee Amendments to Assembly Bill No. 1265.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 49, of the printed bill, as amended, strike out "or", and insert in lieu thereof a comma and the following "when employed in the conduct of such person's business, or being assisted in such practice".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 50 and 51, and insert in lieu thereof the following: "tously. All veteri-"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1266—An act to revise Chapter 11 of Division 11 of the Business and Professions Code, relating to the practice of veterinary medicine and surgery.

Committee Amendments to Assembly Bill No. 1266.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 27, of the printed bill, as amended, after "from", insert a colon.

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 28 to 32, inclusive, and insert in lieu thereof the following:

"(a) Practicing veterinary medicine upon his own animals.

(b) Being assisted in such practice by his employees when employed in the conduct of such person's business.

(c) Being assisted in such practice by some other person gratuitously."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2747—An act requiring marine architects to be certified as such, specifying qualifications, rules and regulations therefor, creating a board, establishing a fund, and providing penalties.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1824—An act to amend an act entitled "An act to conserve the agricultural wealth of California, and to prevent economic waste in marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission, prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purpose of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, as amended, by amending sections 2, 8, 9, 10, 13, 18, 19.1, 22 and 22.5, all relating to the institution and enforcement of agricultural proration programs.

Bill read second time, and ordered on third reading calendar.

Second Reading of Senate Bills.

Senate Bill No. 508—An act to amend sections 5.10, 5.42, 5.60 and 5.84 of the School Code of the State of California, relating to the establishment of R. O. T. C. units in State colleges and the teaching of courses in military science and tactics in connection therewith.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 1134—An act to amend section 985 of the Political Code, relating to official bonds.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 963—An act to amend section 1 of the Fair Trade Act, relating to fair trade practices.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 306—An act to amend section 1033 of the Code of Civil Procedure, relating to cost bills in superior, municipal and justices' courts

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 175—An act to amend section 500 of the Penal Code, relating to neglect to notify the owner of property which has been saved from fire.

Committee Amendment to Senate Bill No. 175.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, after the word "is", strike out the words "punishable by imprisonment in the", and also strike out lines 9 to 15, inclusive, and insert in lieu thereof the following: "guilty of a misdemeanor and punishable by a fine of not more than $500 or a term in the county jail not to exceed the period of one year."

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 558—An act authorizing cities to construct and maintain public improvements within and without the territorial boundaries of said cities.

Committee Amendment to Senate Bill No. 558.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 2, of the printed bill, strike out "and maintain such", and strike out line 3, and in line 4, strike out "or Laws of this State," and insert in lieu thereof the following: ", maintain and operate tunnels for street and highway purposes".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Third Reading of Senate Bills.

Senate Bill No. 271—An act to add section 3817d2 to the Political Code, relating to taxation and assessment, including tax delinquencies, and tax sales and declaring the urgency thereof, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Walker, Weber, Welsh, Williamson, and Yorty—54

NOES—None.

Senate Bill No. 271 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Leave of Absence.

Mr Voigt was granted leave of absence for the balance of this legislative day, on motion of Mr. Garland.

Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up for consideration

Consideration of Senate Bill No. 888.

Senate Bill No. 888—An act providing an additional or alternative method for financing the acquisition, construction or completion of public utilities by any public agency of the State authorized by law to own and operate such public utilities systems by the issuance and sale of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues; providing for a statutory lien on the revenues derived from the operation of said public utility; and defining the terms public agency and public utility as included herein.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Johnson, Sawallisch, Meehan and Flint demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 888.

The roll was called, and Senate Bill No. 888 refused passage by the following vote:

AYES—Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Horublower, Johnson, Lore, Maloney, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sheehan, Thorp, Walker, Weber, Williamson, and Yorty—31.

NOES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Garland, Glick, Heisinger, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Martin, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Peyser, Redwine, Sawallisch, Scudder, Stream, Tenney, Turner, Welsh, and Mr. Speaker—41.

Notice of Motion to Reconsider Senate Bill No. 888.

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 888 was this day refused passage.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 7, 1937

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following

Assembly Bill No. 1118.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred:
Senate Bill No. 453.
Respectfully reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 2868.

Respectfully reports the same back signed out by the committee.

KING, Chairman.	WELSH.
KEPPLE.	YORTY
BREED.	TENNEY
KUCHEL.	CASSIDY.
LATHAM	

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 2352.

Respectfully reports the same back without recommendation, as amended

LORE, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Senate Bill No. 312.

Respectfully reports the same back with the recommendation: Do pass.

LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1179.
Assembly Bill No. 2136.
Senate Bill No. 9.
Senate Bill No. 438.
Senate Bill No. 534.

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937

MR SPEAKER Your Committee on Fish and Game, to which was referred

Assembly Bill No. 1944.
Assembly Bill No. 2783.

Respectfully reports the same back with the recommendation. Do pass as amended

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER Your Committee on Fish and Game, to which was referred:

House Resolution No. 32.

Respectfully reports the same back with the recommendation: Be adopted as amended.

PATTERSON, Chairman.

The above reported resolution ordered on third reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred.

Assembly Bill No. 1361.

Respectfully reports the same back with the recommendation Do pass as amended

LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER SACRAMENTO, May 7, 1937.

MR SPEAKER Your Committee on Unemployment, to which was referred

Assembly Bill No. 1520.
Assembly Bill No. 2499.

Respectfully reports the same back with the recommendation: Do pass as amended.

HAWKINS, Chairman

The above reported bills ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937

MR. SPEAKER: Your Committee on Insurance, to which was referred:
Senate Bill No. 452.

Respectfully reports the same back with the recommendation: Do pass as amended

SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 1209.
Assembly Bill No. 2013.

Respectfully reports the same back with the recommendation: Do pass as amended

HORNBLOWER, Chairman

The above reported bills ordered on second reading calendar.

Request for Unanimous Consent to Correct Journal.

Mr. Field asked for, and was granted, unanimous consent to have the corrected Assembly Journal of May 6th show Messrs. Andreas, Hunt, Dannenbrink, and Burns, Hugh M., voting "Aye" on Assembly Bill No. 1

Re-reference of Assembly Bills.

On motion of Mr. Levey, Assembly Bill No. 2462, was withdrawn from the calendar, and re-referred to the Committee on Motor Vehicles.

On motion of Mr. Miller, Assembly Bill No. 1876 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means

On motion of Mr. Dannenbrink, Assembly Joint Resolution No. 43 was withdrawn from the calendar, and re-referred to the Committee on Federal Relations.

On motion of Mr. Field, Assembly Bill No. 2521 was withdrawn from the calendar, and re-referred to the Committee on Governmental Efficiency and Economy.

Special Order Set for Assembly Bills Nos. 252 and 2861.

On motion of Mr. Levey, the consideration of Assembly Bills Nos. 252 and 2861 were made a special order of business for Tuesday, May 11, 1937, at two o'clock p.m.

Consideration of Governor's Vetoes to Assembly Bills.

Assembly Bill No. 1063—An act authorizing the removal of the Stephen M. White statue from the city of Los Angeles to the city of San Pedro.

The question being put, Shall Assembly Bill No. 1063 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt—1

NOES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—59.

Assembly Bill No. 1620—An act to amend section 439 of the Political Code relating to employees in the Controller's office

The question being put: Shall Assembly Bill No. 1620 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt—1.

NOES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

Assembly Bill No. 1925—An act to amend section 4264 of the Political Code, relating to salaries of county officers in counties of the thirty-fifth class.

The question being put: Shall Assembly Bill No. 1925 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt—1.

NOES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 411—An act to amend section 588 of the Vehicle Code, relating to parking.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 411?

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended March 30th, following the word "merchandise," insert the following words, "or discharging passengers".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 411 by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 411 ordered to enrollment.

Assembly Bill No. 2024—An act to amend section 4307 of the Political Code of the State of California, relating to county charges.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2024?

Amendment No. 1.

On page 1, line 18, of the printed bill, as amended March 9, 1937, after the word "him", insert the following: "in good faith".

Amendment No. 2.

On page 1, line 21, of the printed bill, as amended March 9, 1937, after the word "apply to", insert the following: "the detection of".

Amendment No. 3.

On page 2 of the printed bill, after line 49, insert the following

"15. The expenses necessarily incurred in the preparation of plans for meeting any emergency caused by a flood, fire, earthquake, pestilence, tornado, or other act of God which might cause extraordinary loss of life or destruction of property."

Amendment No. 4.

On page 1, line 16, of the printed bill, as amended, strike out the period, and insert in lieu thereof "when a district attorney is authorized to represent such officer or employee of former officer or employee in such action."

Amendment No. 5.

On page 2 of the printed bill, as amended, after the comma at the end of line 30, insert the following: "public administrators,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2024 by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None

Assembly Bill No. 2024 ordered to enrollment.

Assembly Bill No. 2788—An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city.

The question being put, Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2788?

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after the comma following the word "lands", insert the following: "except tidelands and submerged lands bordering upon State parks."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2788 by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Welsh, Williamson, Yorty, and Mr. Speaker—65

NOES—None.

Assembly Bill No. 2788 ordered to enrollment

Assembly Bill No. 2762—An act to amend section 698 of the Fish and Game Code, relating to black bass.

The question being put, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2762?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "black bass", and insert in lieu thereof the following: "fish".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, strike out the period after the word "time", and insert the following: "and except in District 4A where black bass, blue-gill perch and crappie may be taken between May 1st and October 1st"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2762 by the following vote

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham,

Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—None.

Assembly Bill No. 2762 ordered to enrollment.

Assembly Bill No. 2557—An act to amend section 1431 of the Penal Code, relating to change of venue.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2557?

Amendment No. 1.

On page 1, lines 19 and 20, of the printed bill, as amended, strike out "consents", and insert in lieu thereof the following ", if any, consent".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2557 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Tenney, Turner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2557 ordered to enrollment.

Hon. Cecil R. King in the Chair.

At five o'clock and twenty-five minutes p.m., Hon. Cecil R. King, member of the Assembly from the Sixty-Seventh District, in the chair.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 7, 1937.

To the Honorable Members of the Assembly

I am returning herewith, without my approval, Assembly Bill No. 69, the same being:

"An act to amend section 1307 of the Penal Code, relating to forfeiture of bail."

This bill proposed to amend section 1307 of the Penal Code, relating to forfeiture of bail. The present section now provides for payment by the clerk of the county treasurer of forfeited bail at the end of 30 days instead of 90 days, as is proposed in this bill.

Believing it poor public policy to extend this time to permit the holding of money deposited for bail, for the longer period, I am returning the bill without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 69 ordered on unfinished business calendar.

Consideration of House Resolution No. 161.

House Resolution No. 161—Additional appropriation for "Modesto Defendants" investigating committee

Demand for Previous Question.

Messrs Latham, Miller, Hunt, Flint and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the adoption of House Resolution No. 161.

The roll was called, and House Resolution No. 161 adopted by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Weber, Welsh, and Mr. Speaker—53.

NOES—Baynham, Breed, Dilworth, Field, Johnson, Kepple, Kuchel, Latham, Lyon, and Scudder—10.

Notice of Motion to Reconsider House Resolution No. 161.

Mr. Kepple gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution No 161 was this day adopted

Reconsideration of House Resolution No. 161.

In compliance with a notice previously given, Mr Kepple moved that the vote whereby House Resolution No. 161 was adopted be reconsidered.

The roll was called, and House Resolution No. 161 refused reconsideration by the following vote:

AYES—Breed, Dilworth, Field, Johnson, Kepple, Latham, Lyon, and Scudder—8.

NOES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, and Mr. Speaker—56.

Explanations of Vote on House Resolution No. 161.

I request the following statement to be printed in the Journal in reference to vote on House Resolution No. 161:

I did not vote on House Resolution No. 161 for the reason that I was a member of the committee and was extremely reluctant to request a further appropriation. At the time of hearings of the committee I vehemently opposed further meetings if such would result in a deficit in the original appropriation and amended a motion, for additional hearings, to be contingent on sufficient funds for that purpose, the information to be supplied by Assemblyman Yorty, secretary of the committee. On receipt of such information Assemblyman Jack Tenney called the additional hearings of the committee in San Francisco, which resulted in the deficit. I want to state positively that I am against the principle of interim committees incurring expenses in excess of the original appropriations and to state further that the present deficit of the committee was incurred over my definite and vigorous protest.

Signed,

KENT H. REDWINE.

I voted for the above bill to prevent innocent persons from suffering loss, but otherwise subscribe to everything stated above by Mr. Redwine.

SETH MILLINGTON.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 999.

Respectfully reports the same back with the recommendation: Do pass.

GILBERT, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 383.	Assembly Bill No. 2548.
Assembly Bill No. 849.	Assembly Bill No. 2584.
Assembly Bill No. 850.	Assembly Bill No. 2747.
Assembly Bill No. 1300.	Assembly Bill No. 2800.
Assembly Bill No. 1479.	Assembly Bill No. 2820.
Assembly Bill No. 1480.	Assembly Bill No. 2853.
Assembly Bill No. 1482.	Assembly Bill No. 2863.
Assembly Bill No. 1483.	Assembly Bill No. 2869.
Assembly Bill No. 1484.	Assembly Bill No. 2872.
Assembly Bill No. 1725.	Assembly Bill No. 2873.
Assembly Bill No. 2034.	Assembly Bill No. 2875.
Assembly Bill No. 2391.	Assembly Bill No. 2879.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Recess.

At five o'clock and thirty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Reconsideration of Assembly Bill No. 70.

In compliance with a notice given on a previous day, Mr Kepple moved that the vote whereby Assembly Bill No 70 was passed be reconsidered.

The roll was called, and Assembly Bill No 70 reconsidered by the following vote.

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Glick Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham Leonard, Lore Lyon, Maloney, Martin, Meehan, Miller, Eleanor Millington, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Re-reference of Assembly Bill No. 70.

On motion of Mr. Kepple, Assembly Bill No 70 was re-referred to the Committee on Judiciary General

Notice of Motion to Reconsider Assembly Bill No. 1474 Continued.

On motion of Mr. Johnson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 1474 was refused passage was continued until the next legislative day

Notice of Motion to Reconsider Assembly Bill No. 728 Waived.

Mr Lyon waived his notice of motion to reconsider the vote whereby Assembly Bill No 728 was refused passage.

Motion to Withdraw Assembly Constitutional Amendment No. 60 from Committee.

In compliance with a notice given on a previous day, Mr Heisinger moved to withdraw Assembly Constitutional Amendment No 60 from the Committee on Constitutional Amendments, and have it placed upon the calendar.

Demand for Previous Question.

Messrs Johnson, Dannenbrink, Meehan, Cunningham and Reaves demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Constitutional Amendment No. 60 from the Committee on Constitutional Amendments.

The roll was called, and Assembly Constitutional Amendment No. 60 withdrawn by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—51.

NOES—Cronin, Crowley, Cunningham, Dannenbrink, Johnson, Maloney, Meehan, and Peyser—8.

Consideration of Senate Amendments to Assembly Bill No. 1084.

Assembly Bill No. 1084—An act to amend section 751a of the Code of Civil Procedure, relating to the adjudication of the identity of persons executing instruments relating to real property by a name other than that by which they acquired title.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1084?

Amendment No. 1.

On page 1, line 7, of the printed bill, after the word "or", being the third word in said line, insert the word "has".

Amendment No. 2.

On page 1, line 10, of the printed bill, after the word "taken", insert the following: "or where the estate of a decedent has been probated under a name different from the name in which real property of such decedent stands of record, and the decree of final distribution has been entered in such estate".

Amendment No. 3.

On page 1, line 11, of the printed bill, after the word "persons", insert the following: "or the identity of such decedent and the person in whose name the property stands of record".

Amendment No. 4.

On page 1, line 12, of the printed bill, after the word "owner", insert the following: "or of any distributee of the estate of such decedent".

Amendment No. 5.

On page 1, line 15, of the printed bill, strike out the following: "Joinder of parties."

Amendment No. 6.

On page 1, line 18, of the printed bill, strike out the following. "Filing petition"

Amendment No. 7.

On page 1, line 22, of the printed bill, strike out the following: "Form of petition."

Amendment No. 8.

On page 2, line 2, of the printed bill, after the word "owner", being the third word in said line, insert the following: "or distributee of such decedent or successor in interest of such distributee".

Amendment No. 9.

On page 2, line 8, of the printed bill, after the word "conveyed", insert the following: "or where an estate has been distributed, setting out the name under which the estate of a decedent has been probated and the name in which real property of such decedent stands of record".

Amendment No. 10.

On page 2, line 9, of the printed bill, after the word "conveyances", insert the following "or such final decrees of distribution".

Amendment No. 11.

On page 2, line 12, of the printed bill, strike out the following: "Notice of hearing."

Amendment No. 12.

On page 2, line 19, of the printed bill, strike out the following: "Form."

Amendment No. 13.

On page 2, line 26, of the printed bill, after the word "lands", insert the following: "or in final decrees of distribution of said lands in probate".

Amendment No. 14.

On page 2, line 36, of the printed bill, strike out the following: "Answer."

Amendment No. 15.

On page 2, line 39, of the printed bill, strike out the following: "Hearing and decree."

Amendment No. 16.

On page 2, line 45, of the printed bill, strike out the following: "Appeal."

Amendment No. 17.

On page 2, line 47 of the printed bill, strike out the following "Effect of decree."

Amendment No. 18.

On page 3, line 3, of the printed bill, after the word "recorder", insert the following: "of every county"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1084 by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, and Mr. Speaker—59.

NOES—None

Assembly Bill No. 1084 ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2410—An act to add section 85 to the Public Utilities Act, relating to public utilities.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, and Mr. Speaker—54

NOES—Williamson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 271—An act to amend section 4225a of the Political Code, relating to cities of first and one-half class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 987—An act to repeal Chapters II, III and IV and Articles II and III of Chapter V, all of Part II of Division V of the School Code; to repeal sections 5.341, 5.342, 5.343, 5.360, 5.361, 5.362, 5.363 and 5.540 of the said code; to amend sections 5.263, 5.313, 5.314

and 5.315 of said code; and to add to Part II of Division V of said code a new chapter to be known as Chapter II, all relating to certificates and credentials for employment in the public school system

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Cunningham, Daley, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—Crowley, Dannenbrink, and Dilworth—3.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 987.

Mr. Fulcher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 987 was this day passed.

Assembly Bill No. 985—An act to repeal Article X of Chapter I of Part I of Division II of the School Code and to add to Chapter I of Part I of Division II of the School Code a new article to be known are Article VIIIa, all relating to the formation, annexation, uniting and changing of boundaries of school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1251—An act to amend the title and to add three new sections to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Lore, Lyon Maloney, Martin McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2170—An act to provide for the employment of union labor.

Bill read third time, and refused passage by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Daley Dawson, Donihue, Gannon, Gilbert, Heisinger, Hornblower, Hunt, Lore, McMurray, Meehan, Miller, George P., Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Williamson, Yorty, and Mr Speaker—26.

NOES—Baynham, Boyle, Corwin, Cronin, Cunningham, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland, Glick, Johnson, Kepple, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Miller, Eleanor; Millington, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Sawallisch, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Weber—36.

Hon. Gerald C. Kepple in the Chair.

At nine o'clock and thirty minutes p.m., Hon. Gerald C. Kepple, member of the Assembly from the Fiftieth District, in the chair.

Assembly Bill No. 2048—An act to add section 538ee to the Penal Code, relating to second hand goods.

Motion to Amend Assembly Bill No. 2048.

Mr. Burns, Hugh M., moved to amend Assembly Bill No. 2048 as follows.

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, insert after "engaged", the following: "exclusively".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 26 and 27, insert the following:

"This section shall not apply to any person, firm or corporation engaged in the business of buying for resale any vehicle of a type subject to registration under the provisions of the Vehicle Code."

Amendments adopted.

Request for Unanimous Consent.

Mr Burns, Hugh M., asked for, and was granted, unanimous consent to take up Assembly Bill No. 2048, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2048, as Amended.

Assembly Bill No. 2048—An act to add section 538ee to the Penal Code, relating to second hand goods.

Assembly Bill No. 2048, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sheehan, Stream, Thorp, Turner, Walker, Weber, Welsh, Williamson, and Yorty—56

NOES—Lore, Richie, and Rosenthal—3.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Constitutional Amendment No. 59—Proposed amendment to Article XI, section 8, of the Constitution, relative to the adoption of charters of cities and cities and counties.

Assembly Constitutional Amendment No. 59 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves,

Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Hon. Hugh M. Burns in the Chair.

At ten o'clock and one minute p m., Hon. Hugh M. Burns, member of the Assembly from the Thirty-Sixth District, in the chair.

Assembly Bill No. 1813—An act to amend section 762 of the Agricultural Code, relating to quality of tomatoes for canning purposes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—57

NOES—Latham, and Pelletier—2

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 583—An act to add section 325 to the Agricultural Code, relating to uninspected meat and meat food products.

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson Rosenthal Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—60.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 581—An act to add section 326 to the Agricultural Code, relating to the labeling of meat and meat food products.

Bill read third time, and passed by the following vote:

AYES—Andreas Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, and Yorty—59.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 2119—An act to amend sections 1299.18, 1300, 1300.1, 1300.2, 1300.3, 1300.4, 1300.5 and 1300.6 of the Agricultural Code, relating to processors of farm products and the licensing thereof

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—60.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2832—An act to amend section 35 of, and to add section 98 to, an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural

lands other than swamp and overflowed lands, to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts, and to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and for the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved March 20, 1903, relating to drainage districts

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—57.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2871—An act to add section 4056e to the Political Code, relating to the issuance of bonds by counties for the purpose of providing for county exhibits at domestic or foreign expositions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Cassidy, Clark, Corwin, Cronin Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger Hornblower, Hunt Johnson Kuchel, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Muldoon, Peek Pelletier, Peyser Reaves, Richie, Rosenthal, Sheehan, Tenney, Thorp Turner, Walker, Weber, Welsh, Williamson, and Yorty—49

NOES—Field, Glick, Kepple, Latham and Redwine—5

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2708—An act making an appropriation for the establishment, maintenance and support of an industrial workshop and salesroom for the adult blind in San Diego

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue Donnelly, Field Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Lore, Maloney, Martin, McMurray, Meehan Miller, Eleanor, Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal Sheehan, Stream, Tenney, Thorp Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—59

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Motion to Adjourn.

Mr Flint moved that the Assembly adjourn until the hour of ten o'clock a.m., Monday, May 10, 1937.

The roll was called, and the motion lost by the following vote:

AYES—Dawson, Dilworth, Gilbert Latham, McMurray, Pelletier, Rosenthal, Sawallisch, Sheehan, and Watson—10.

NOES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Daley Dannenbrink, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi Garland, Glick Heisinger, Hornblower Hunt, Johnson, Kepple, Laughlin, Lore, Maloney, Martin, Miller, Eleanor; Miller, George P., Peyser, Reaves, Redwine, Tenney, Thorp, Turner, Walker, Weber, Williamson, and Mr Speaker—40

The Speaker in the Chair.

At ten o'clock and thirty minutes p m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 427—An act relating to the acquisition by the State of a site or sites in the city of Fresno, the erection thereon of a

building or buildings to house all State offices and agencies, maintaining headquarters in that city, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—54.

NOES—*Cunningham, Dilworth, Field, Kepple, and Latham—5*

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 743—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Hugh M., Call, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—47.

NOES—Cassidy, and Glick—2.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 743.

Mr. Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 743 was this day passed.

Assembly Bill No. 744—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Hugh M., Call, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson and Mr. Speaker—48.

NOES—Cassidy and Cronin—2.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 744.

Mr. Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 744 was this day passed.

Assembly Bill No. 880—An act to establish a Business and Professions Code, thereby consolidating and revising the law regulating and protecting private business and licensed professions and callings and penalizing violations thereof, and to repeal acts and parts of acts specified herein.

Motion to Amend Assembly Bill No. 880.

Mr. Gannon moved to amend Assembly Bill No. 880 as follows:

Amendment No. 1.

On page 7, line 11, of the printed bill, before "Chapter", insert the following: **"the State Medical Practice Act or in".**

Amendment No. 2.

On page 7, line 24, of the printed bill, before "Chapter", insert the following: "the State Medical Practice Act or in".

Amendment No. 3.

On page 7, line 28, of the printed bill, before "Chapter", insert the following: "the State Medical Practice Act or under".

Amendment No. 4.

On page 7, line 34, of the printed bill, before "Chapter", insert the following: "the State Medical Practice Act or in".

Amendment No. 5.

On page 8, line 32, of the printed bill, strike out "practitioners of osteopathy", and insert in lieu thereof the following: "licentiates of the Board of Osteopathic Examiners".

Amendments adopted.

Request for Unanimous Consent.

Mr. Gannon asked for, and was granted, unanimous consent to take up Assembly Bill No. 880, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 880, as Amended.

Assembly Bill No. 880—An act to establish a Business and Professions Code, thereby consolidating and revising the law regulating and protecting private business and licensed professions and callings and penalizing violations thereof, and to repeal acts and parts of acts specified herein.

Assembly Bill No. 880, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—53.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2867—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal Bankruptcy Courts therein, and to provide for the exercise of the police power and the power of eminent domain for the acquisition and cancellation of obligations of districts held by persons not consenting to the refunding proceedings and for the acquisition of any security of such obligations consisting of real property situated in the State of California or any rights therein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Miller,

Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—56.

NOES—Johnson—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1849—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 20, 22, 24, 25, 26 and 29 of an act entitled "An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments, levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bond and to enforce the lien of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the Bankrupt Laws of the United States of America in any refunding," approved July 20, 1915, and declaring the urgency of this act.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1849 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1137—An act to add Chapter 7, comprising sections 3000 to 3152, inclusive, to Division II and to add section 30005 to Division XXX of the Business and Professions Code, relating to the practice of optometry and repealing acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2403—An act to amend the Central Valley Project Act of 1933, by amending section 20, relating to use of money appro-

priated by said act and to registration of bonds, and section 21, relating to use of money appropriated by said act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—63.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2404—An act to amend the Central Valley Project Act of 1933, by amending section 3, relating to the construction of said act, and section 4, relating to project units.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1399—An act to amend section 763 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 4—An act to amend sections 2, 3, 4, 5, 6, 10 and 11 and to repeal section 7 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to needy blind.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 490—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 491—An act to amend section 1507 of the Welfare and Institutions Code, relating to needy children.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2860—An act making an appropriation for the support of the University of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1859—An act to add Chapter 9, comprising sections 4000 to 4256, inclusive, to Division II and to add section 30006 to Division XXX of the Business and Professions Code, relating to the practice of pharmacy and the sale of drugs, and repealing acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Lore, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1264—An act to add Chapter 11, comprising sections 4800 to 4897, inclusive, to Division II and to add section 30008 to Division XXX of the Business and Professions Code, relating to the practice of veterinary medicine and surgery and repealing acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Muldoon, Peek,

Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2857—An act to amend sections 86, 88 and 89 of the Agricultural Code, relating to agricultural districts and including provision for leasing property of such districts.

Motion to Amend Assembly Bill No. 2857.

Mr. Williamson moved to amend Assembley Bill No. 2857 as follows:

Amendment No. 1.

On page 2, line 6, of the printed bill, after "years", insert the following: "; provided that an Agricultural Association shall not lease its race track, for running races of horses, to any private person, firm or corporation except to a National or International Exposition or its affiliated corporations or associations

(f) Do any and all things necessary to carry out the above powers and the objects and purposes for which the association is formed.

SEC. 1.5. If any provision of section 86 of the Agricultural Code shall be declared unconstitutional, such declaration shall not affect any other provision thereof and the Legislature hereby declares that it would have enacted each sentence, clause or phrase of that section regardless of the constitutionality of any other sentence, clause or phrase of said section 86".

Amendment adopted.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2857, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2857, as Amended.

Assembly Bill No. 2857—An act to amend sections 86, 88 and 89 of the Agricultural Code, relating to agricultural districts and including provision for leasing property of such districts.

Assembly Bill No. 2857, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, Meehan, Miller, Eleanor, Miller, George P., Muldoon, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—56

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2805—An act relating to the erection of the first unit of the Southern California Prison and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1883—An act making an appropriation to be expended by and under the direction of the Department of Finance in cooperation with the city of Long Beach for the purpose of rectifying, improving and protecting Alamitos Bay in the county of Los Angeles

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan Stream, Tenney, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr Speaker—58.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1896—An act to add a new section to the Political Code, to be known as section 443, relating to the transfer of moneys from special funds and other State accounts; the creation and reimbursement of the general cash revolving fund and the issuance of warrants against such fund; the issuance, endorsement and sale of registered warrants payable out of the general fund; providing for the obtaining of legal opinions relative to the legality of State warrants and making an appropriation therefor; confirming the validity of warrants heretofore registered pursuant to section 441 of the Political Code and now outstanding, including warrants issued, registered and sold under the plan relating to such warrants provided for by resolution of the State Board of Control adopted November 24, 1936, and providing that this act shall take effect immediately

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—57

NOES—None.

Assembly Bill No. 1896 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Millet, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Weber, Welsh Williamson, Yorty, and Mr Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1431—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved June 8, 1936; entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr Speaker—57

NOES—None.

Assembly Bill No. 1431 read third time and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine Richie, Robertson Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—57

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2858—An act providing for, and prescribing the duties and compensation of, the position of bailiff for the appellate department of the superior court.

Bill read third time, and passed by the following vote

AYES—Baynham, Burns, Hugh M., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—49.

NOES—Boyle, Burns, Michael J., Dilworth, Field, and Turner—5.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 647—An act to amend section 9 of an act entitled, "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the definition of employers and employees subject to the act.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 124—An act making an appropriation for construction of buildings and other improvements at the Veterans' Home at Yountville.

Bill read third time, and passed by the following vote.

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1059—An act to amend sections 100.5, 117, 130, 185, 188, 202, 673, 680, 720, 722, 730, 761, 825, 1622 and 1624 of the Streets and Highways Code, and to add new sections, to be numbered 103.5, 140.5 and 823.5, to said code, all relating to public highways and to the acquisition of rights of way for the administration, control, construction, and regulation thereof.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—55

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2850—An act to amend sections 3 and 5 of an act entitled "An act to require owners of forest lands to provide a fire patrol therefor," approved June 6, 1923, relating to forest land fire patrols.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—52

NOES—Daley, and Robertson—2

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2827—An act declaring a State policy relating to soil conservation through the prevention or control of soil erosion, creating a State Soil Conservation Advisory Committee and defining its duties and authority, providing procedure for the organization, management and dissolution of soil conservation districts and defining their powers, providing for cooperation between the State Soil Conservation Advisory Committee, the United States, the State, counties, soil conservation districts, other public districts, and individuals and corporations, and making an appropriation for paying the expenses of the State Soil Conservation Advisory Committee.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1198—An act to amend sections 3 and 6 of an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933, relating to land surveyors

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Turner, Walker, Weber, Welsh, Yorty, and Mr. Speaker—51.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2844—An act to authorize municipal corporations to abandon parks and sell and convey the land embraced therein.

Bill read third time, and passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Love, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Turner, Walker, Weber, Welsh, Yorty, and Mr. Speaker—46.

NOES—Daley, Reaves, Richie, Stream, and Tenney—5

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2844.

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2844 was this day passed.

Assembly Bill No. 50—An act to amend section 451 of the Agricultural Code, relating to dairies and dairy products.

Motion to Amend Assembly Bill No. 50.

Mr. Heisinger moved to amend Assembly Bill No. 50 as follows:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out all of lines 5 to 18, inclusive and insert in lieu thereof the following: "A city or county or group of either or both may, for the purpose of maintaining an approved milk inspection service levy and collect an inspection or license fee from those who come under the provisions of this division, provided that no producer and no distributor shall be required to pay an inspection or license fee to more than one city or county on the same market milk, and provided that in no case shall the total of said inspection or license fees be more than sufficient to maintain the cost of the approved milk inspection service for which such inspection or license fees are levied."

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out in line 52, the words "For the issuance, registration and".

Amendment No. 3.

On page 4 of the printed bill, as amended, strike out all of lines 1 to 4, inclusive.

Amendments adopted.

Assembly Bill No. 50 ordered to reprint, and re-engrossment

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 265—An act to amend section 24 of the Direct Primary Law, relating to party conventions.

Motion to Amend Senate Bill No. 265.

Mr. Dannenbrink moved to amend Senate Bill No. 265 as follows:

Amendment No. 1.

On page 9, line 13, of the printed bill, as amended, after the period, add the following: "Such members shall be entitled to all the rights and privileges including the right to vote and shall have the same standing in every way as other members of the county central committee."

Amendment No. 2.

On page 9 of the printed bill, as amended, between lines 38 and 39, add the following:

"The county clerk of each county or city and county shall within ten days after the second Tuesday in September, following the August primary election,

ascertain who is the duly elected chairman of the county central committee and shall mail a certificate to that effect to the Secretary of State.

If any chairman of any county central committee refuses to call a meeting, such a meeting may be called upon five days notice by a majority of the members of the county central committee.

Each county central committee may make rules and regulations providing:

(a) How officers of the committee may be removed

(b) How meetings may be called, and any provisions so made shall supersede anything in this act to the contrary.

(c) Whether or not proxies may be used and the conditions under which they may be used.

Any such rule heretofore adopted by any county central committee by majority vote of the members elected thereto is hereby validated and made of the same effect as if adopted after this act was passed."

Amendments adopted.

Senate Bill No. 265 ordered to reprint, and third reading calendar

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 743.
Assembly Bill No. 744.
Assembly Bill No. 2663.

And reports the same correctly re-engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 473.
Assembly Bill No. 565.
Assembly Bill No. 672.
Assembly Bill No. 1750.
Assembly Bill No. 2304.
Assembly Bill No. 2384.
Assembly Bill No. 2850.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

Leave of Absence.

Mr. Scudder was granted leave of absence for the balance of this legislative day, on motion of Mr. Thorp.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1556 re-referred to Committee on Ways and Means.

Assembly Bill No 1073 re-referred to Committee on Judiciary Codes.

Assembly Bill No. 351 re-referred to Committee on Constitutional Amendments.

Assembly Bill No 1670 re-referred to Committee on County Government.

Resolution.

The following resolution was offered:

By Mr. Johnson:

House Resolution No. 162.

WHEREAS, Today marks the birthday of Alfred W. Morgan, who was born in England on May 7, 1846, more than four years before the State of California was admitted to the Union, and

WHEREAS, During the vigor of his manhood he came to the State of California in 1888 with his beloved wife and their four children, and has given to the service of this State one of his sons, our colleague, Geoffrey F. Morgan, the Assemblyman from the Sixtieth District; and

WHEREAS, Our good friend, Geoffrey F. Morgan, is today at his home in Santa Monica joining with his family and many friends in celebrating the 91st birthday of his father; and

WHEREAS, All of the Members of this Assembly are happy to join in paying tribute to this venerable gentleman, who has reached so great an age while still in full possession of his faculties, and while surrounded by a devoted family of sons and daughters and a host of loyal and admiring friends, now, therefore, be it

Resolved, by the Assembly of the State of California, That we hereby express our hearty congratulations to the said Alfred W. Morgan, together with our best wishes for still further years of health and happiness, and, be it further

Resolved, That we felicitate our friend and fellow member, Geoffrey F. Morgan, upon his good fortune in having the companionship of a devoted father for so many happy years; and be it further

Resolved, That a copy of this resolution be properly engrossed for presentation to Alfred W. Morgan.

Request for Unanimous Consent.

Mr Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 162, at this time, without reference to committee or calendar.

House Resolution No. 162 read, and unanimously adopted

Notice of Motion to Reconsider Continued.

On motion of Mr Pelletier, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 175 was refused passage was continued until the next legislative day

Adjournment.

At eleven o'clock and fifty minutes p m , on motion of Mr Peek, the Speaker declared the Assembly adjourned this day until eleven o'clock a m , Monday, May 10, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 10, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—77

Quorum present.

Prayer.

Prayer was offered by Rev. E. B. Childress, guest Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Tenney, the further reading of the Journal of Friday, May 7, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Scudder, on motion of Mr. Thorp.

Mr. Field, on motion of Mr. Boyle.

Guests Extended Privilege of Assembly Floor.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Lee Eagen and Lois Pine.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Richard Chamberlain, Jr.

On request of Mr. Hawkins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rev. E. B. Childress, St Andrews A M E Church, Sacramento.

On request of Mr. Michael J. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Clyde E. Haley, Mr. Walter Getchel, Mr. William Jewett, and Mr. Irving Jewett of Eureka.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs. George L. Huntington of Pasadena.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Walter A. Melrose of Cathedral City.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Karl E. Klose of Piedmont.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Eleanor Smith of Hemet.

Motion to Print Prayer in the Journal.

On motion of Mr. Martin, the following prayer by Rev. E. B. Childress was ordered printed in the Journal:

Thy Name, O Christ, be praised!

As the will of the people is expressed in these representatives who effect measures and enact laws for the weal of the commonwealth, may the spirit of the Great Law Giver attend in wisdom and understanding. May such laws hasten the day when the Kingdom of the World becomes the Kingdom of our Lord and Christ.

In His Name we ask. Amen.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Senate Bill No. 389. **Senate Bill No. 391.**
Senate Bill No. 390. **Senate Bill No. 392.**

Respectfully reports the same back with the recommendation: Do pass as amended.

LORE, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 90. **Assembly Bill No. 1635.**
Assembly Bill No. 580. **Assembly Bill No. 1645.**
Assembly Bill No. 646. **Assembly Bill No. 1646.**
Assembly Bill No. 702. **Assembly Bill No. 1755.**
Assembly Bill No. 717. **Assembly Bill No. 1776.**
Assembly Bill No. 833. **Assembly Bill No. 2642.**
Assembly Bill No. 839. **Assembly Bill No. 2770.**
Assembly Bill No. 848. **Assembly Bill No. 2870.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1265. **Assembly Bill No. 1526.**
Assembly Bill No. 1266. **Assembly Bill No. 1721.**
Assembly Bill No. 1295. **Assembly Bill No. 2250.**
Assembly Bill No. 1455. **Assembly Bill No. 2593.**
Assembly Bill No. 1516.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Corporations, to which was referred:
Senate Bill No. 757.
Respectfully reports the same back with the recommendation: Do pass.

McMURRAY, Chairman.

The above reported bill ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred.
Assembly Bill No. 1495.
Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred.
Assembly Bill No. 1778.
Respectfully reports the same back, signed out by the committee.

BOYLE, Chairman.	FLINT
GARLAND	HUNT
LATHAM	TENNEY
DAWSON.	GILBERT.
LYON.	YORTY.
CUNNINGHAM	DONIHUE.
WILLIAMSON	

The above reported bill ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 2377.
Respectfully reports the same back, signed out by the committee.

BOYLE, Chairman	LATHAM
WILLIAMSON	YORTY
DAWSON.	CUNNINGHAM
DONIHUE.	TENNEY.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937

MR SPEAKER: Your Committee on Ways and Means, to which was referred
Assembly Bill No. 1629.
Assembly Bill No. 2880.
Assembly Bill No. 2882.
Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR SPEAKER Your Committee on Judiciary Codes, to which was referred
Senate Bill No. 54.
Respectfully reports the same back with the recommendation Do pass

DESMOND, Chairman

The above reported bill ordered on second reading calendar

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO May 7, 1937

MR SPEAKER Your Committee on Agriculture, to which was referred
Assembly Bill No. 1899.
Respectfully reports the same back with the recommendation Do pass

O'DONNELL, Chairman

The above reported bill ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, May 7 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Senate Bill No. 439.
Respectfully reports the same back with the recommendation: Do pass as amended

O'DONNELL Chairman

The above reported bill ordered on second reading calendar

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937

MR. SPEAKER: Your Committee on Civil Service, to which was referred:

Senate Bill No. 309.

Assembly Bill No. 2792.

Respectfully reports the same back with the recommendation: Do pass as amended

CROWLEY, Chairman.

The above reported bills ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 483—An act making an appropriation to provide land for the Sonoma State Home;

Senate Bill No. 502—An act to provide for leasing adequate facilities and service for the establishment and operation of a telephone-typewriter system of communication between counties and cities and counties of this State, to authorize the connection of this system with that of any adjacent State, and to make an appropriation therefor,

Senate Bill No. 504—An act to amend sections 890 and 898 of the Military and Veterans Code, relating to veterans, and making an appropriation for aid to veterans' dependents;

Senate Bill No. 536—An act making an appropriation to pay the claim of George A Sturtevant against the State of California;

Senate Bill No. 807—An act to amend the Fish and Game Code by the addition thereto of a new section designated 1069, relating to and regulating the granting of fish canning and fish reduction permits or licenses to plants not engaged in such business and lawfully processing fish resources of the State heretofore,

Senate Bill No. 1111—An act making an appropriation for the dredging of certain portions of San Diego Bay;

Senate Bill No. 1143—An act making an appropriation for the support of the University of California;

Senate Bill No. 704—An act to add section 76 to the Agricultural Code and to repeal section 694da of the Political Code, relating to the State Agricultural Society contingent fund,

Senate Bill No. 69—An act making an appropriation to reimburse the San Diego Harbor improvement fund for the moneys transferred from that fund to the general fund pursuant to Chapter 217, Statutes of 1931;

Senate Bill No. 83—An act to amend section 4 102 of the School Code, relating to an appropriation for vocational rehabilitation;

Senate Bill No. 222—An act to amend section 1 of an act entitled "An act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, relating to the revolving fund from the manufacture and sale of jute;

Senate Bill No. 321—An act to amend sections 4, 15, 16, 30, 38b, 43, 51, 52, 63, 65, 65b, 65c, 65d, 67, 76, 79, 95, 101, 108, and 109 of and to add sections 23a, 23b, and 113 to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System;

Senate Bill No. 355—An act appropriating money for fireproof vault equipment in the office of the Secretary of State;

Senate Bill No. 420—An act to amend sections 629 and 630 of the Fish and Game Code, relating to closing streams;

Senate Bill No. 443—An act to add section 12.5 and to amend sections 2 and 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers, providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the organization of said bureau and defining its powers and duties, and making an appropriation;

Senate Bill No. 472—An act to amend sections 44 and 130 of the Vehicle Code, relating to motor vehicles.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 483 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 502 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 504 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 536 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 807 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1111 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1143 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 704 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 69 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 83 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 222 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 321 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 355 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 420 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 443 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 472 read first time, and referred to Committee on Motor Vehicles.

SENATE CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 285.
Assembly Bill No. 399.
Assembly Bill No. 483.
Assembly Bill No. 669.
Assembly Bill No. 810.
Assembly Bill No. 841.
Assembly Bill No. 890.
Assembly Bill No. 930.
Assembly Bill No. 1151.
Assembly Bill No. 1224.
Assembly Bill No. 1231.
Assembly Bill No. 1232.
Assembly Bill No. 1263.
Assembly Bill No. 1335.
Assembly Bill No. 1341.
Assembly Bill No. 1719.
Assembly Bill No. 1734.
Assembly Bill No. 1736.
Assembly Bill No. 1737.
Assembly Bill No. 1918.
Assembly Bill No. 2688.
Assembly Bill No. 2689.
Assembly Bill No. 2690.
Assembly Bill No. 2730.
Assembly Bill No. 2808.
Assembly Bill No. 2815.
Assembly Bill No. 13.
Assembly Bill No. 1364.
Assembly Joint Resolution No. 44.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment

SENATE CHAMBER, SACRAMENTO, May 7, 1937

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 2845.	Assembly Bill No. 2834.
Assembly Bill No. 1533.	Assembly Bill No. 386.
Assembly Bill No. 1834.	Assembly Bill No. 444.
Assembly Bill No. 2057.	Assembly Bill No. 1078.
Assembly Bill No. 2694.	Assembly Bill No. 1086.
Assembly Bill No. 2723.	Assembly Bill No. 1268.
Assembly Bill No. 2789.	Assembly Bill No. 1409.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on unfinished business calendar

Messages from the Governor.

The following messages from the Governor were received and read

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 8, 1937

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 694**, the same being

> "An act to amend section 737hh of the Political Code, relating to compensation of the judges of the superior court in and for the county of Sacramento"

Nothing has been filed in support of this bill which indicates any unusual reason or situation justifying the proposed increases in salaries. In harmony with my policy of economy in every branch of the government, and that there shall be no approval of expenditures necessitating increased taxes, as announced some days ago when taking action on other bills, I am withholding my approval of Assembly Bill No. 694.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 694 ordered on unfinished business calendar

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 8, 1937

To the Honorable Members of the Assembly.

I am returning herewith, without my approval **Assembly Bill No. 425**, the same being,

> "An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by amending section 12 thereof, relating to flood control bonds"

Assembly Bill No. 425 undertakes to extend to the Los Angeles County Flood Control District special privileges relative to making certain bonds legal investment for all trust funds and for funds of all insurance companies, banks and trust companies, etc., in fact removing them entirely from the supervision of the Banking Department as provided under the Banking Laws of the State of California

Section 12 of the Act of 1915, creating the Los Angeles County Flood Control District, provides that bonds issued by the district are legal investment for all trust funds and for funds of all insurance companies, banks and trust companies, etc. The above provision of section 12, making the bonds legal investment for all trust funds and for funds of all insurance companies, banks and trust companies, etc, does not remove them from the supervision, investigation and certification of the banking department

The evident intention of paragraph 2 of Assembly Bill No. 425, is to declare the Los Angeles County Flood Control District a separate political entity and to make it absolutely exempt from the Banking Laws of the State of California as respects the investigation and certification of bonds available for legal investment of all trust companies and for funds of all insurance companies, banks and trust companies etc This paragraph of the act declares, viz.

> "This act is special and is intended to control over all other acts which authorize or otherwise provide for the investment of funds of the classes herein enumerated or which authorize the use of bonds as security for the performance of an act; and any act now existing or hereafter adopted which provides for the investment of funds of any of the classes, kind or type of public corporation" etc.

I am opposed to placing the Los Angeles County Flood Control District or any similar unit of government of the State above all supervision of the Banking Laws

of the State of California, and am, therefore, returning Assembly Bill No. 425 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 425 ordered on unfinished business calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 2868—An act to amend "An act providing for the incorporation, government, and management of regional park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying out the purposes of this act; and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers; and providing that this act shall take effect immediately," approved August 7, 1933, by amending section 11 relating to the borrowing of money and the levy and collection of taxes to repay the same, and section 21 relating to the levy and collection of taxes, and to declare the urgency hereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2352—An act to amend sections 1, 3, 16 and 21 and to add new sections to be designated as sections 15½, 15½a and 15½b of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years" etc, approved June 5, 1915, Stats. 1915, p. 1225, being also known as Act 3966 of Title 290, pages 2074-5, Volume Two, General Laws of 1931, and known as the "Juvenile Court Law."

Committee Amendments to Assembly Bill No. 2352.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, as amended, strike out "an act entitled "An act to be known as".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, after the word "Law", and the comma, strike out "and con-", and strike out all the rest of the title of the printed bill, as amended, and insert in lieu thereof the following: "relating to the scope and application thereof."

Amendment No. 3.

On page 1, line 4, of the printed bill, as amended, after the word "and", strike out the rest of said line 4, and strike out all of lines 5, 6 and 7, and insert in lieu thereof the following: "is to be liberally construed for the protection of childhood and youth. This act shall apply to any person under the age of twenty-one years."

Amendment No. 4.

On page 13, line 20, of the printed bill, as amended, after the first word "the", and preceding the word "Code", insert the word "Probate"; and after the word "Code", strike out the words "of Civil Procedure".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1179—An act to amend section 432.5 of the Fish and Game Code, relating to fee for boat owners transporting fishermen.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2136—An act to add section 240 to the Fish and Game Code providing for and establishing a game refuge.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1944—An act to add a new section to the Fish and Game Code to be known as section 840.5, relating to nets and lines.

Committee Amendment to Assembly Bill No. 1944.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the period following the word "origin", add the following: "Such metal tags shall be of such design that the same can not be removed from the net One such tag shall be placed on each fathom, or portion thereof, sold or offered for sale. Any person removing such tags from the fish net shall be guilty of a misdemeanor and the net shall be confiscated by the Division of Fish and Game."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2783—An act to amend section 481 of the Fish and Game Code, relating to the pollution of State waters and providing a method of determining pollution in relation to fish and plant life.

Committee Amendments to Assembly Bill No. 2783.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended March 18, 1937, following the word "petroleum", strike out all of the rest of line 7, and strike out all of lines 8 to 19, inclusive.

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 3 to 12, inclusive.

Amendment No. 3.

On page 2 of the printed bill, following line 34, insert the following: "acid, coal or oil tar, lamp black, aniline, asphalt, bitumen, or residuary products of petroleum, or carbonaceous material, or substance, or any refuse, liquid or solid, from any refinery, gas house, tannery, distillery, chemical works, mill or factory of any kind, or any sawdust, shavings, slabs, edgings, or any factory refuse, or any lime, any cocculus indicus, or any slag, or any refuse or effluent that deposits sludge or visible floating matter or that results in the growth of fungus or other abnormal aquatic growths, or any refuse of affluent that results in fish, mollusks or crustaceans becoming undesirable or unfit for human consumption, or any effluent, substance or material deleterious to fish, mollusks, crustaceans, spawn, fish foods, plant life, bird life or mammals."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1361—An act to furnish financial assistance to the needy youth of this State, and to provide educational and vocational opportunities for such youth, setting forth the powers and duties of the California Youth Commission in regard thereto, and making an appropriation for the purposes thereof.

Committee Amendment to Assembly Bill No. 1361.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 5, line 14, of the printed bill, strike out "twenty million", and insert in lieu thereof the following: "------".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1520—An act to amend section 41 of, and to repeal section 59 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 1520.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 3, of the printed bill, as amended, after the word "individual", insert the following: "during any benefit year".

Amendment No. 2.

On page 2, line 4, of the printed bill, as amended, after the word "during", strike out the word "the", and insert in lieu thereof the following: "his".

Amendment No. 3.

On page 2, line 6, of the printed bill, as amended, after the word "during", strike out the word "the", and insert in lieu thereof the following: "his".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2499—An act to amend sections 57 and 58 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Committee Amendments to Assembly Bill No. 2499.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, lines 34 and 35, of the printed bill, as amended, strike out "weekly benefit amount for total unemployment and the".

Amendment No. 2.

On page 2, line 38, of the printed bill, as amended, strike out "the", and insert in lieu thereof the following: "his".

Amendment No. 3.

On page 2, line 38, of the printed bill, as amended, strike out "(not counting in such total", and strike out line 39, and in line 40, strike out "charged hereunder),".

Amendment No. 4.

On page 2, line 42, of the printed bill, as amended, strike out "hereinafter".

Amendment No. 5.

On page 2, lines 43 and 44, of the printed bill, as amended, strike out "the weekly benefit amount for total unemployment and".

Amendment No. 6

On page 2, line 46, of the printed bill, as amended, strike out "the weekly benefit amount and".

Amendment No. 7.

On page 2, line 47, of the printed bill, as amended, strike out "respectively".

Amendment No. 8.

On page 2, line 51, of the printed bill, as amended, strike out "the", and insert in lieu thereof the following: "his".

Amendment No. 9.

On page 2, line 51, of the printed bill, as amended, strike out ", against which benefits have", and in line 52, strike out "not been previously charged hereunder", and insert in lieu thereof the following: "In computing the total wages earned by an individual in employment for employers during his base period, wages against which benefits have previously been charged hereunder shall not be considered".

Amendment No. 10.

On page 3, lines 7 to 43, inclusive, of the printed bill, as amended, strike out the entire vertical column headed "Weekly Benefit Amount", and ending with "15.00", and strike out said heading.

Amendment No. 11.

On page 4, lines 7 to 47, inclusive, of the printed bill, as amended, strike out the entire vertical column headed "Weekly Benefit Amount", and ending with "15.00", and strike out said heading.

Amendment No. 12.

On page 5, lines 7 to 49, inclusive, of the printed bill, as amended, strike out the entire vertical column headed "Weekly Benefit Amount", and ending with "15.00", and strike out said heading.

Amendment No. 13.

On page 6, lines 7 to 49, inclusive, of the printed bill, as amended, strike out the entire vertical column headed "Weekly Benefit Amount", and ending with "15.00", and strike out said heading.

Amendment No. 14.

On page 7, lines 7 to 49, inclusive, of the printed bill, as amended, strike out the entire vertical column headed "Weekly Benefit Amount", and ending with "15.00", and strike out said heading.

Amendment No. 15.

On page 8, lines 7 to 49, inclusive, of the printed bill, as amended, strike out the entire vertical column headed "Weekly Benefit Amount", and ending with "15.00", and strike out said heading.

Amendment No. 16.

On page 9, line 4, of the printed bill, as amended, strike out "or More".

Amendment No. 17.

On page 9, line 38, of the printed bill, as amended, strike out "2079.00", and insert in lieu thereof the following: "2079.99".

Amendment No. 18.

On page 9, lines 7 to 49, inclusive, of the printed bill, as amended, strike out the entire vertical column headed "Weekly Benefit Amount", and ending with "15.00", and strike out said heading.

Amendment No. 19.

On page 10, line 3, of the printed bill, as amended, strike out "the weekly benefit amount so determined.", and insert in lieu thereof the following: ", benefits at the rate of fifty per centum of his average weekly wage determined as herein provided, but not more than fifteen dollars per week, nor less than seven dollars per week."

Amendment No. 20.

On page 10, line 8, of the printed bill, as amended, strike out "paid", and insert in lieu thereof the following: "payable".

Amendment No. 21.

On page 10 of the printed bill, as amended, between lines 13 and 14, insert the following:

"(d) The average weekly wage of any individual shall be determined by dividing the total of the wages earned by him in employment for employers during only those calendar quarters of his base period in each of which the total of such wage exceeds one-half his average quarterly wage, by the total number of weeks contained in such calendar quarters. The average quarterly wage of any individual shall be determined by dividing the total of the wages earned by such individual in employment for employers during his base period by the number of calendar quarters in which any of such wages are earned. Wages in excess of three hundred ninety ($390) dollars earned by an individual in any one calendar quarter shall not be included in making a determination of either his average weekly wage or his average quarterly wage, pursuant to this subsection."

Amendment No. 22.

On page 10, line 14, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "(e)".

Amendment No. 23.

On page 10, lines 15 and 16, of the printed bill, as amended, strike out "or compensation".

Amendment No. 24.

On page 10, line 18, of the printed bill, as amended, after "paid", insert a comma.

Amendment No. 25.

On page 10, line 20, of the printed bill, as amended, after the comma, insert the following: "or otherwise,".

Amendment No. 26.

On page 10, line 23, of the printed bill, as amended, after "from", insert the following: "benefits to which".

Amendment No. 27.

On page 10, line 23, of the printed bill, as amended, strike out "claimant's subsequent benefits", and insert in lieu thereof the following: "claimant subsequently became entitled in the benefit year in which such excess was paid.".

Amendment No. 28.

On page 10, line 26, of the printed bill, as amended, strike out "inaccurate"

Amendment No. 29.

On page 10, line 33, of the printed bill, as amended, after "hearing", insert the following: ", as provided for in this act,"

Amendment No. 30.

On page 10, line 34, of the printed bill, as amended, strike out ", as provided for in this act".

Amendment No. 31.

On page 10, line 35, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof the following: "(f)".

Amendment No. 32.

On page 10, line 36, of the printed bill, as amended, strike out "paid", and insert in lieu thereof the following: "payable".

Amendment No. 33.

On page 10, line 40, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof the following: "(g)".

Amendment No. 34.

On page 10, lines 40 and 41, of the printed bill, as amended, strike out "benefits received hereunder".

Amendment No. 35.

On page 10, line 42, of the printed bill, as amended, after "each", insert "calendar", and strike out "of his base period".

Amendment No. 36.

On page 10, line 43, of the printed bill, as amended, strike out "such", and insert in lieu thereof the following: "any".

Amendment No. 37.

On page 10, line 45, of the printed bill, as amended, after "employers", insert the following: "in each calendar quarter".

Amendment No. 38.

On page 10, line 46, of the printed bill, as amended, strike out "which", and insert in lieu thereof the following: "against which benefits".

Amendment No. 39.

On page 10, line 47, of the printed bill, as amended, after the second "the", strike out the remainder of the line, and strike out lines 48 and 49, inclusive, and insert in lieu thereof the following: "maximum total amount of benefits payable to him during his benefit year bears to the total of the wages earned by him in employment for employers during his base period, against which benefits have not been previously charged hereunder."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2013—An act to add section 735.5 to the Vehicle Code, relating to procedure upon arrest.

Committee Amendment to Assembly Bill No. 2013.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 19 and 20, and insert in lieu thereof the following: "taking of the person arrested, without unnecessary delay, before a magistrate as required by this code."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1209—An act to amend sections 770 and 777 of the Vehicle Code, relating to the disposition of fees, fines, and forfeitures.

Committee Amendments to Assembly Bill No. 1209.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out ", and to add section 777.1 to,".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, strike out "and making", and strike out lines 4 to 6, inclusive, and insert in lieu thereof a period

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 18 to 30, inclusive

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 999—An act to amend section 1142 of the Political Code to authorize precinct election boards consisting of four members only where not more than one tally book is used at the elections.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1629—An act to add a new section to the School Code to be numbered 3 362 and to amend sections 3 291, 3 400 and 3.411 of said code, all relating to junior colleges maintained by junior college districts.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 453—An act to amend section 100 of the Insurance Code, to repeal sections 119 and 12660 to 12741, inclusive, thereof, and to add sections 12660 and 12661 thereto, all relative to land value insurance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 312—An act to repeal Chapter 2 of Part 1 of Division VI of the Welfare and Institutions Code, comprising sections 5250 to 5288, inclusive, to add a new Chapter 2 thereto, comprising sections 5250 to 5264, inclusive, to repeal Chapters 3 and 4 of Part IV of the Welfare and Institutions Code, comprising sections 7000 to 7081, inclusive, and to add a new Chapter 3 thereto, comprising sections 7000 to 7015, inclusive, relating to homes for the feeble-minded.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 9—An act to add section 742 to the Fish and Game Code, relating to marlin swordfish meat.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 438—An act to amend section 4 of an act entitled "An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation of the provisions hereof," approved April 13, 1933, relating to species illegally entered or kept.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 534—An act adding section 1275.5 to the Fish and Game Code, relating to the possession of deer.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 452—An act to amend sections 733, 1151, 11658, and 12924 of the Insurance Code, to repeal sections 12903, 12904, and 12923 thereof, and to add sections 704.5, 706.5, 903.5, 12903, 12904, 12919, 12923, 12928.5, 12956, and 12957 thereto, all relating to insurance.

Committee Amendments to Senate Bill No. 452.

The following amendments were submitted by the committee

Amendment No 1.

On page 4, line 25, of the printed bill, as amended, strike out "and shall be binding upon the", strike out line 26, and insert in lieu thereof the following "in respect to the matter"

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, as amended, before "12956", insert the following: "12928.6,"

Amendments adopted,

Bill read second time, ordered to reprint and third reading

Senate Bill No. 389—An act to establish a Welfare and Institutions Code, thereby consolidating and revising the law relating to and providing for protection, care, and assistance to children, aged persons, and others specially in need thereof, and to repeal certain acts and parts of acts specified herein.

Committee Amendments to Senate Bill No. 389.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, as amended, strike out the period after "herein", and insert in lieu thereof a comma and the following: "declaring the urgency hereof, and providing that this act shall take effect immediately."

Amendment No. 2.

On page 51 of the printed bill, as amended, strike out lines 22 to 51, inclusive; strike out all of pages 52, 53, 54 and 55; and on page 56, strike out lines 1 to 22, inclusive.

Amendment No. 3.

On page 102 of the printed bill, as amended, after line 49, insert the following:

"6739. In the event that Assembly Bill 930 is finally enacted by the Legislature at its fifty-second session, notwithstanding the provisions of sections 6729, 6734, and 6735 of this code, no county clerk of any county shall be required under the provisions of this article to record any of the following documents:

(a) The certificate of discharge, when any person is discharged as recovered from a State hospital.

(b) The certificate of recovery issued to any person by the medical superintendent of a State hospital.

(c) The order of a court adjudging any person to be sane.

In the event above-mentioned, and references in sections 6729, 6734, and 6735 to the recordation of any such document, and to the record thereof, shall be null and of no effect."

Amendment No. 4.

On page 117, line 40, of the printed bill, as amended, strike out "1933.761.2005".

Amendment No. 5.

On page 118 of the printed bill, as amended, after line 38, insert the following:

"DIVISION XXV. URGENCY.

25000. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately.

The facts constituting the necessity are as follows:

There are before the Legislature for consideration many legislative bills, including a number of urgency measures, dealing with various phases of the statutory law codified in the Welfare and Institutions Code, hence affected by and dependent upon prior enactment and immediate effectiveness of the code on this subject Wherefore, to avoid the confusion and added expense that would otherwise occur, it is necessary that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 390—An act to add Chapter 1, comprising sections 1500 to 1575, inclusive, to Part II of Division II of the Welfare and Institutions Code, and to add section 20100 to Division XX thereof, relating to and providing for aid to needy children, and repealing certain acts and parts of acts specified herein.

Committee Amendments to Senate Bill No. 390.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, as amended, strike out the period after "herein", and insert in lieu thereof a comma and the following: "declaring the urgency hereof, and providing that this act shall take effect immediately."

Amendment No. 2.

On page 6 of the printed bill, as amended, after line 41, insert the following

"SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the mean-

ing of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately, in the event mentioned in section 3 hereof.

The facts constituting the necessity are as follows

There are before the Legislature for consideration many legislative bills, including a number of urgency measures, dealing with various phases of the statutory law codified in the Welfare and Institutions Code, hence affected by and dependent upon prior enactment and immediate effectiveness of the code on this subject Wherefore, to avoid the confusion and added expense that would otherwise occur, it is necessary that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 391—An act to add Chapter 1, comprising sections 2000 to 2228, inclusive, to Division III of the Welfare and Institutions Code, and to add section 20200 to Division XX thereof, relating to and providing for the protection, welfare, and assistance of needy aged persons resident in the State, and repealing certain acts and parts of acts specified herein.

Committee Amendments to Senate Bill No. 391.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, as amended, strike out the period after "herein", and insert in lieu thereof a comma and the following "declaring the urgency hereof, and providing that this act shall take effect immediately."

Amendment No. 2.

On page 9 of the printed bill, as amended, after line 34, insert the following:

"SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately in the event mentioned in section 3 hereof.

The facts constituting the necessity are as follows:

There are before the Legislature for consideration many legislative bills, including a number of urgency measures, dealing with various phases of the statutory law codified in the Welfare and Institutions Code, hence affected by and dependent upon prior enactment and immediate effectiveness of the code on this subject Wherefore, to avoid the confusion and added expense that would otherwise occur, it is necessary that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 392—An act to add Chapter 1, comprising sections 3000 to 3090, inclusive, to Part 1 of Division V of the Welfare and Institutions Code, and to add section 20300 to Division XX thereof, relating to and providing for needy blind persons not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, and repealing certain acts and parts of acts specified herein.

Committee Amendments to Senate Bill No. 392.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, strike out the period after "herein", and insert in lieu thereof a comma and the following: "declaring the urgency hereof, and providing that this act shall take effect immediately."

Amendment No. 2.

On page 5, line 23, of the printed bill, after "physician", insert the following "skilled in diseases of the eye".

Amendment No. 3.

On page 7 of the printed bill, after line 29, insert the following:

"SEC 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the

meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately, in the event mentioned in section 3 hereof.

The facts constituting the necessity are as follows:

There are before the Legislature for consideration many legislative bills, including a number of urgency measures, dealing with various phases of the statutory law codified in the Welfare and Institutions Code, hence affected by and dependent upon prior enactment and immediate effectiveness of the code on this subject Wherefore, to avoid the confusion and added expense that would otherwise occur, it is necessary that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Consideration of Governor's Vetoes to Assembly Bills.

Assembly Bill No. 1726—An act to amend section 1151 of the Political Code, relating to election officers in cities.

The question being put: Shall Assembly Bill No 1726 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—58.

Assembly Bill No. 69—An act to amend sections 1305, 1306, and 1307 of the Penal Code, relating to forfeiture of bail.

The question being put: Shall Assembly Bill No. 69 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr Speaker—57.

Consideration of Senate Amendments to Assembly Bill No. 1907.

Assembly Bill No. 1907—An act imposing an excise tax on the use in this State of motor vehicle fuel, providing for the issuance of permits to the users of such fuel and for the levy, assessment and collection of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1907?

Amendment No. 1.

On page 2, line 51, of the printed bill, as amended, strike out "said report is not filed or".

Amendment No. 2.

On page 3, line 11, of the printed bill, as amended, strike out "general", and insert in lieu thereof "motor vehicle fuel"; after "fund", insert "but said moneys shall be retained in a special account in said fund until appropriated after the effective date of this act".

Amendment No. 3.

On page 5 of the printed bill, as amended, strike out all of lines 22 to 26, both inclusive.

Amendment No. 4.

On page 1, line 8, of the printed bill, as amended April 15, 1937, strike out the period, and insert in lieu thereof a comma and add the following: "excepting a vehicle used exclusively upon stationary rails or tracks or implements of husbandry, trucks or tractors used in agricultural operations and only incidentally operated or moved upon a highway."

Amendment No. 5.

On page 2, line 21, of the printed bill, as amended, after "has been", insert the following "used to propel an implement of husbandry, truck or tractor used in agricultural operations and only incidentally operated or moved upon a highway or has been".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1907 by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—56

NOES—None.

Assembly Bill No. 1907 ordered to enrollment.

Reconsideration of Assembly Bill No. 175.

In compliance with a notice given on a previous day, Mr. Pelletier moved that the vote whereby Assembly Bill No. 175 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 175 reconsidered by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Daley, Dannenbrink, Dawson, Flint, Fulcher, Garland, Gilbert, Glick, Hawkins, Hornblower, Kepple, Kuchel, Laughlin, Levey, Lore, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—43.

NOES—Baynham, Breed, Burns, Hugh M., Call, Cronin, Crowley, Cunningham, Dilworth, Donnelly, Gannon, Garibaldi, Heisinger, Johnson, Leonard, Martin, Millington, Muldoon, Peyser, Redwine, Stream, and Walker—21.

Consideration of Assembly Bill No. 175.

Assembly Bill No. 175—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

Motion to Amend Assembly Bill No. 175.

Mr. Pelletier moved to amend Assembly Bill No. 175 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 11 to 22, inclusive, and insert in lieu thereof the following: "without possibility of parole"

Amendment adopted.

Assembly Bill No. 175 ordered to reprint, and re-engrossment.

Special Order Set for Assembly Bill No. 1283.

On motion of Mr. Welsh, the consideration of Assembly Bill No. 1283 was made a special order of business for Monday, May 10, 1937, at two o'clock p.m.

Third Reading of Assembly Bills.

Assembly Bill No. 617—An act to amend section 8 of the Retail Sales Tax Act of 1933 and section 6 of the Use Tax Act of 1935, relating

to advertising and requiring posted or advertised sales prices to be exclusive of the retail sales tax or the use tax.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Peyser, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, and Yorty—57.

NOES—Burns, Hugh M., Call, Cunningham, Dilworth, Flint, Hawkins, Miller, George P., Muldoon, Rosenthal, Welsh, and Mr. Speaker—11.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 617.

Mr. Rosenthal gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 617 was this day passed.

Assembly Bill No. 47—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Miller, Cunningham, Baynham and Turner demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 47.

The roll was called, and Assembly Bill No. 47 passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Laughlin, Leonard, Levey, Lore, Maloney, McMurray, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Voigt, Watson, and Yorty—41.

NOES—Andreas, Baynham, Boyle, Breed, Corwin, Daley, Dawson, Dilworth, Donnelly, Garland, Heisinger, Hunt, Kepple, Kuchel, Latham, Lyon, Martin, Meehan, Miller, Eleanor, Richie, Stream, Turner, Walker, Weber, and Mr. Speaker—25

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 47.

Mr Latham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 47 was this day passed.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented

By Mr. Cronin:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to the Department of Finance for construction, reconstruction, repairs, improvements, equipment and furnishings in the State Capitol and the State office buildings in the city of Sacramento.

Referred to Committee on Introduction of Bills.

By Mr. Andreas:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to carry out the provisions of the Public Welfare Act.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Cronin:

An act making an appropriation to the Department of Finance for construction, reconstruction, repairs, improvements, equipment and furnishings in the State Capitol and the State office buildings in the city of Sacramento.

By Mr. Andreas:

An act making an appropriation to carry out the provisions of the Public Welfare Act.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—66.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2887: By Mr. Cronin—An act making an appropriation to the Department of Finance for construction, reconstruction, repairs, improvements, equipment and furnishings in the State Capitol and the State office buildings in the city of Sacramento.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2888: By Mr. Andreas—An act making an appropriation to carry out the provisions of the Public Welfare Act.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Constitutional Amendment No. 63: By Mr. Turner—Proposed amendment to Article IV of the Constitution by adding a new section 1b thereto, relative to initiative and referendum petitions.

Introduced, and referred to Committee on Constitutional Amendments.

Special Order Set for Assembly Bill No. 534.

On motion of Mr. Pelletier, the consideration of Assembly Bill No. 534 was made a special order of business for Tuesday, May 11, 1937, at eleven o'clock and thirty minutes a.m.

Notice of Motion to Reconsider Assembly Bills Nos. 743 and 744 Waived.

Mr. Cronin waived his notice of motion to reconsider the vote whereby Assembly Bills Nos. 743 and 744 were passed.

Assembly Bills Nos. 743 and 744 ordered transmitted to the Senate.

Recess.

At twelve o'clock and thirty-five minutes p.m., on motion of Mr. Flint, the Assembly was declared at recess until two o'clock p m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1185—An act to make an appropriation to meet a deficiency in the appropriation for the support of the California Nautical School for the eighty-seventh and eighty-eighth fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—61.

NOES—Cottrell—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1873—An act to authorize and direct the Division of Water Resources of the Department of Public Works to prosecute efforts, on behalf of the Water Project Authority of the State of California, in aid of the construction of the Central Valley Project.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Hon. John H. O'Donnell in the Chair.

At two o'clock and thirty minutes p m., Hon. John H. O'Donnell, member of the Assembly from the Third District, in the chair.

Special Order.

The hour of two o'clock p m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1283.

Assembly Bill No. 1283—An act to amend section 100 of, and to add section 122 to, the Insurance Code, and to add Chapter 14 to Part 2 of Division 2 of said code, providing for the regulation of insurance against the need for medical and hospital services, defining such services, providing standard provisions for such insurance, maintenance of reserves for the protection of insureds under such insurance, providing for the licensing of persons entering into such contracts and rendering such services and providing penalties for the violation thereof.

Bill read third time

The Speaker in the Chair.

At three o'clock and twenty-five minutes p m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Demand for Previous Question.

Messrs. Hunt, Andreas, Johnson, Turner and Morgan demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 1283.

The roll was called, and Assembly Bill No. 1283 refused passage by the following vote:

AYES—Clark, Crowley, Daley, Donahue, Fulcher, Garland, Gilbert, Kepple, Leonard, Lore, Martin, Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Rosenthal, Tenney, Thorp, Turner, Watson, Welsh, and Yorty—24.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Peyser, Reaves, Redwine, Richie, Sawallisch, Sheehan, Stream, Walker, Weber, Williamson, and Mr. Speaker—46.

Notice of Motion to Reconsider Assembly Bill No. 1283.

Mr Welsh gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1283 was this day refused passage

Resolution.

The following resolution was offered.

By Messrs McMurray, and Jones:

House Resolution No. 163.

WHEREAS, It has come to the attention of the people of California, and the Assembly in particular, through the medium of the press, that one of its esteemed legislative representatives has but lately returned from a neighboring sister State having journeyed to the marriage mart of Reno, Nevada, for the purpose of assuming and entering into the bonds of matrimony; and

WHEREAS, It is evident that said Assembly member is not a believer in home products, as evidenced by his marked preference for a Nevada brand of marriage license instead of the home-grown variety as produced efficiently and cheerfully by the various county clerks in the fifty-eight counties of the State of California; and

WHEREAS, The bride is a charming member of the staff of attaches of this Assembly during its fifty-second session; now, therefore, be it

Resolved, That in view of the personality, beauty and charm of the bride, and the resultant good taste of the bridegroom in choosing the little lady as his wife and help-mate, this Assembly unanimously forgives, acquits, forgets, pardons and condones said action of Assemblyman Charles A. Hunt in migrating to Reno, Nevada, during the past week-end and there taking the marriage vows with the lady of his heart, the former Blanche E. Black, and this Assembly does hereby heartily congratulate its colleague and fellow member on his good judgment, and wishes the bride and groom, the Honorable and Mrs Charles A. Hunt, every happiness in the long years of wedded life that lie ahead, and may health, happiness and prosperity be theirs; and be it further

Resolved, That a copy of this resolution be suitably engrossed, and presented to the Honorable Charles A. Hunt and Mrs Hunt.

House Resolution No 163 read, and unanimously adopted.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Millington:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to be expended by the Department of Public Works for the purpose of operating and maintaining certain units or portions of

the flood control work within the Sacramento and San Joaquin Drainage District, as provided for in Chapter 774, Statutes of 1927, as amended

Referred to Committee on Introduction of Bills

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Millington:

An act making an appropriation to be expended by the Department of Public Works for the purpose of operating and maintaining certain units or portions of the flood control work within the Sacramento and San Joaquin Drainage District, as provided for in Chapter 774, Statutes of 1927, as amended.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, and Mr. Speaker—67.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2889: By Mr. Millington—An act making an appropriation to be expended by the Department of Public Works for the purpose of operating and maintaining certain units or portions of the flood control work within the Sacramento and San Joaquin Drainage District, as provided for in Chapter 774, Statutes of 1927, as amended.

Bill read first time, and referred to Committee on Ways and Means.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to your request and to a motion adopted in the Senate in connection therewith, the Assembly bill as listed hereunder is returned herewith.

Assembly Bill No. 2621.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 2621 ordered on third reading calendar.

SENATE CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 40—Relative to granting leave of absence to the Honorable Thomas McCormack, member of the Senate of the fifty-second session of the Legislature of the State of California.

Senate Concurrent Resolution No. 39—Relative to the establishment of a public park and memorial museum at Fort Tejon.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 40, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 40.

Senate Concurrent Resolution No. 40—Relative to granting leave of absence to the Honorable Thomas McCormack, member of the Senate of the fifty-second session of the Legislature of the State of California.

Senate Concurrent Resolution No. 40 read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 39, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 39.

Senate Concurrent Resolution No. 39—Relative to the establishment of a public park and memorial museum at Fort Tejon.

Senate Concurrent Resolution No. 39 read, and adopted by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Hold Night Session.

Mr. Morgan moved that the Assembly meet in regular session on Tuesday evening, May 11, 1937

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sheehan, Thorp, Turner, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—50.

NOES—Cassidy, Daley, Donihue, Heisinger, Hornblower, King, Kuchel, Reaves, Richie, Sawallisch, Tenney, and Watson—12.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2857.

Mr Hornblower moved to expunge the record and rescind the action whereby the Assembly, on May 7, 1937, passed Assembly Bill No. 2857, and that the bill be recalled from the Senate.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon,

O'Donnell, Patterson, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Watson, Weber, Welsh, Yorty, and Mr. Speaker—57

NOES—None.

Assembly Bill No. 2857 ordered recalled from the Senate.

Resolution.

The following resolution was offered.

By the Committee on Attaches.

House Resolution No. 164.

Resolved, That the following named persons be, and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, Sundays excepted, and the Controller is hereby directed to draw his warrants in favor of the said persons for the said amounts, and the Treasurer is hereby directed to pay the same:

Commencing May 10, 1937—	*Per day*
George Campbell, Assistant Sergeant-at-Arms	$5 00
Dewey Baker, Page	2 50
William Murphy, Page	2 50
Harold McKenzie, Page	2 50

Resolved, further, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly, as follows:

Beginning May 10, 1937—	*Per day*
Ralph Kellogg, Assistant Sergeant-at-Arms	$5 00
Beginning May 12, 1937—	
Daryl C. Fulcher, Assistant Sergeant-at-Arms	5 00

House Resolution No. 164 read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Dombue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Laughlin, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1005—An act to amend section 581 of the Business and Professions Code, relating to the unlawful use of any diploma, certificate or transcript necessary for the practice of a healing art.

Motion to Amend Assembly Bill No. 1005.

Mr. Gannon moved to amend Assembly Bill No. 1005 as follows.

Amendment No. 1.

On page 1, line 10, of the printed bill, before "Chapter", insert the following: "the State Medical Practice Act or in"

Amendment adopted.

Assembly Bill No. 1005 ordered to reprint, and re-engrossment.

Assembly Bill No. 839—An act to add section 12a to an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the furnishing of water to such towns and villages

Motion to Amend Assembly Bill No. 839.

Mr. Welsh moved to amend Assembly Bill No. 839 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 8 to 10, inclusive, and insert in lieu thereof the following "irrigation purposes to install on its water mains, upon the request of any fire district organized under the provisions of this act, any and all fire hydrants".

Amendment adopted.

Assembly Bill No. 839 ordered to reprint, and re-engrossment.

Notice of Motion to Withdraw Senate Bill No. 519 from Committee.

Mr. Redwine gave notice, in compliance with Rule 58, that he would move to withdraw Senate Bill No. 519 from the Committee on Fish and Game, and have it placed upon the calendar.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR SPEAKER: Your Committee on Agriculture, to which was referred:
Senate Bill No. 878.
Respectfully reports the same back with the recommendation: Do pass as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Senate Bill No. 953.
Respectfully reports the same back with the recommendation. Do pass.

HORNBLOWER, Chairman

The above reported bill ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1937.

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred.
Assembly Bill No. 1776.
Respectfully reports the same back with the recommendation: Do pass.

MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 999.
Assembly Bill No. 1179.
Assembly Bill No. 2868.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 501.	**Assembly Bill No. 1722.**
Assembly Bill No. 1118.	**Assembly Bill No. 2023.**
Assembly Bill No. 1462.	**Assembly Bill No. 2279.**
Assembly Bill No. 1466.	**Assembly Bill No. 2607.**
Assembly Bill No. 1720.	**Assembly Bill No. 2826.**

And reports the same correctly enrolled, and presented to the Governor on this tenth day of May, 1937, at three o'clock p m

CUNNINGHAM, Chairman.

On Public Charities and Corrections.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR SPEAKER: Your Committee on Public Charities and Corrections, to which was referred:
Assembly Bill No. 2407.
Respectfully reports the same back signed out by the committee, with amendments.

PELLETIER, Chairman. BEENE.
LEONARD. MILLER, ELEANOR.
CALL.

The above reported bill ordered on second reading calendar.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1776 re-referred to Committee on Commerce and Navigation.

Senate Bill No. 878 re-referred to Committee on Agriculture.

Senate Bill No. 720 re-referred to Committee on Live Stock and Dairies.

Senate Bill No. 278 re-referred to Committee on Agriculture.

Senate Bill No. 953 re-referred to Committee on Motor Vehicles.

Notices of Motion to Reconsider Continued.

On motion of Mrs. Daley, the consideration of her notice of motion to reconsider the vote whereby Assembly Bill No. 2702 was refused passage was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 692 was refused passage was continued until the next legislative day.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1472 was refused passage was continued until the next legislative day.

On motion of Mr. Yorty, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 187 was refused passage was continued until the next legislative day.

On motion of Mr. Johnson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 1474 was refused passage was continued until the next legislative day

On motion of Mr. Patterson, the consideration of his notice of motion to reconsider the vote whereby House Resolution No. 131 was refused passage was continued until the next legislative day.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 1821 was passed was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No. 888 was refused passage was continued until the next legislative day.

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 987 was passed was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2844 was passed was continued until the next legislative day.

Statement.

On request of Mr. Maloney, the following statement was printed in the Journal:

Dewey Saint Clair Baker, Jr., Assembly Page, of 1318 34th St., Sacramento, today, May 10, 1937, celebrated his fourteenth birthday.

Adjournment.

At four o'clock and twenty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Tuesday, May 11, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-NINTH LEGISLATIVE DAY
ONE HUNDRED TWENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 11, 1937.

At eleven o'clock a m, pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair
Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Baynham, the further reading of the Journal of Monday, May 10, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day.

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arthur Edsham of Redlands and Guy S Pinney of Palm Springs

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs Edward Alton of Beverly Hills.

On request of Mr. Dannenbrink and the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Louis Swenson, Advisor to the Junior Statesmen of the University High School of Oakland; William Hall, President, and the following members of the Junior Statesmen: Martha

Kaza, Betty Brewer, Harvey Morton, Ruth Cone, Rosellen Frank, Lenore Greenberg, Dan Amneus, Martini Castoris, Lucille Tagert, Josephine Allara, Pat McCollum, Muriel Grenelle, Arden Mayhew, John Buckingham, Perry Wood, Ruth Hunt, Bill Hall, Elizabeth Kelley, Mary Charlotte Wales, Betty Howden, Joe Poli, Allen Laybourn, Al Albrecht, Graham Snyder, Arch Brown, and Eleanor Coy.

On request of Mr Domhue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs C. M. Weymann

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Former Senator Edward K. Strobridge of Castro Valley, Alameda County.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Alfred J Waterhouse, Mrs. Frances Milsap, Miss Loretta Johnson, and William V. Bugeria.

Assistant Chief Clerk Greenburg Reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 10, 1937.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed the following.

Senate Bill No. 178—An act to add section 37 to the Fish and Game Code, relating to training schools for officers enforcing Fish and Game Laws;

Senate Bill No. 292—An act making an appropriation for the purchase and removal of the James W Marshall pioneer museum collection and the James W Marshall blacksmith shop, and for the purchase of land and the construction of a water system to be used in connection with the James W Marshall Park;

Senate Bill No. 372—An act to amend sections 3 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the practice of pharmacy;

Senate Bill No. 373—An act to amend section 488 of the Vehicle Code, relating to accident reports;

Assembly Bill No. 1446.

J A BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No 178 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 292 read first time, and referred to Committee on Ways and Means.

Senate Bill No 372 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No 373 read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No 1446 ordered to enrollment.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 10, 1937.

To the Honorable Members of the Assembly

I am returning herewith without my approval **Assembly Bill No. 1406,** the same being

"An act to amend sections 1 and 2 of an act entitled "An act establishing and standardizing the weight of loaves of bread and regulating the sale thereof," approved June 2, 1921, relating to weights of bread"

No reason has been filed with me in favor of the approval of this measure, and I am at a loss to understand the reason for its presentation. The present law

requires the taking of certain weights of bread six hours after baking, and the weight of the bread shall be secured by averaging the weight of not less than 20 loaves.

Assembly Bill No. 1406 would change this to require the certain weights of bread 12 hours after baking and of averaging the weight of not less than ten loaves.

Since no reason has been advanced for the change, I am returning the bill without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1406 ordered on unfinished business calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 1495—An act to add section 391.5 to the Agricultural Code, relating to straying animals.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1778—An act to amend the Personal Income Tax Act of 1935, relating to taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2377—An act to amend section 7 of "An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately," approved June 13, 1935, relating to the levy and collection of a tax upon the incomes of individuals, estates and trusts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2880—An act making an appropriation for additional support of the Department of Natural Resources, to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2882—An act making an appropriation for the support of the State Board of Prison Directors and the divisions and agencies comprising it, to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1899—An act to add sections 154.1 to 154.8, inclusive, to the Agricultural Code, relating to the control of weed pests.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2792—An act to amend sections 84a and 108 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol, and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 2792.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "84a and 108", and insert in lieu thereof the following: "28a, 65a, 65d, 83a, and 109 of, to add section 8a to, and to repeal section 84a".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and on page 2, strike out lines 1 to 37, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 8a is hereby added to the act cited in the title hereof to read as follows:

Sec 8a. "Highway Patrol Service" shall mean service rendered as a member of the California Highway Patrol, or as a member, on or after September 1, 1923, of the highway patrol of the county of Los Angeles in California, or as a member of

the highway patrol of any other county in the State on and after the effective date of the contract entered into by said county with the State in connection with its highway patrol, as provided for in Chapter 266, Statutes of 1923. For the purpose of this act, a member shall be considered as being in the "Highway Patrol Service" only while he is receiving compensation from the State or county for such service, except as provided in section 47 hereof.

SEC. 2. Section 28a of the act cited in the title hereof is hereby amended to read as follows:

Sec. 28a. Persons who are members of the California Highway Patrol become and remain members of the retirement system in the same manner as in the case of other eligible State officers or employees, except that when any such person is disabled or killed by injury or illness arising out of and in the course of such duties, such person, in respect to such disability or death, is deemed a member of the retirement system while in State service prior to the completion of the six months of service referred to in section 27, to the same extent as if such six months of service was completed prior to such disability or death.

"Member of the California Highway Patrol," and "Member of the highway patrol of a county," for the purpose of the retirement system, includes persons employed in the Motor Vehicle Department or by a county in connection with its highway patrol function, respectively, whose principal duties consist of active law enforcement service and excludes such persons whose principal duties are those of a telephone operator, clerk, stenographer, machinist, mechanic, or otherwise clearly not falling within the scope of active law enforcement service, even though such person is subject to occasional call, or is occasionally called upon, to perform duties within the scope of active law enforcement service.

SEC. 3. Section 65a of the act cited in the title hereof is hereby amended to read as follows:

Sec. 65a. The normal rates of contribution of each member, who is also a member of the California Highway Patrol, shall be based on his age at July 1, 1935, or at his later entrance into the retirement system, and his age when he entered highway patrol service, both ages being taken to the next lower completed quarter year. The age at entrance into the highway patrol service, if said entrance was prior to July 1, 1935, shall be determined by deducting the total of such service credited to the member at July 1, 1935, from his age at that date. The normal rates of contribution of each such member who entered highway patrol service at or below age forty-five shall be such as, on the average for such member, if his service on full salary be uninterrupted and when accumulated with regular interest, added to the equal accumulated contributions of the State and applied according to the tables adopted by the board will provide a retirement allowance upon retirement for service at the age of sixty years, or upon completion of twenty years of service at an age higher than sixty years, equal to one-half of his final compensation, less that part of the retirement allowance set forth in section 83a, which is to be provided by contributions of the State on account of service rendered prior to January 1, 1932, if such member affirmatively exercises the option in section 65d; otherwise, less a pension calculated in the same manner as the pension in section 83a, but on the basis of highway patrol service rendered by him prior to July 1, 1935. If such member entered highway patrol service at an age greater than forty-five years, then his normal rate of contribution shall be such as will provide an average annuity at age sixty-five equal to one-eightieth of his final compensation, according to tables adopted by the board, for each year of service after July 1, 1935, or after entrance into the retirement system if he affirmatively exercises the option in section 65d. The normal rate of contribution of any member who received credit for service rendered as a member of the highway patrol of a county in California, shall be adjusted in such manner as may be necessary to comply with this section.

SEC. 4. Section 65d of the act cited in the title hereof is hereby amended to read as follows:

Sec. 65d. The rates of contribution provided for in section 65c for members of the California Highway Patrol shall apply on and after July 1, 1935. Each of such members, however, shall have the option, to be exercised on or before December 31, 1937, of contributing a sum sufficient to make the amount of the accumulated contributions standing to his credit on that date the same as such amount would have been had he been contributing at the rate, from and after the effective date of his membership in the retirement system, which would have applied to him at such effective date if said rates for the highway patrol had been then in effect. If such option is affirmatively exercised, then the rate of contribution for such member on and after July 1, 1935, shall be based on his age at such effective date and his age at the date of entrance into highway patrol service.

SEC. 5. Section 83a of the act cited in the title hereof is hereby amended to read as follows:

Sec. 83a. An additional pension for members who are also members of the California Highway Patrol, purchased by contributions of the State. Such additional pension shall be the same percentage of his final compensation, regardless of his age at retirement, for each year of highway patrol service rendered by him

prior to January 1, 1932, as the contributions of the member and the State are calculated to provide upon retirement for service at sixty years of age or upon completion of twenty years of service at an age higher than sixty years or upon retirement with less than twenty years of service at age sixty-five, for each year of such service after said date.

SEC. 6. Section 84a of the act cited in the title hereof is hereby repealed.

SEC. 7. Section 109 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 109 In addition to such payments from the general fund, there shall be paid monthly, from and after the date this act takes effect, into the State employees' retirement fund out of the motor vehicle fund a sum equal to nine and twenty one-hundredths per centum of the total compensation paid from said fund to members of the retirement system who also are members of the California Highway Patrol and out of said motor vehicle fund and every other fund directly controlled by the State, out of which the compensation of members is paid, a sum equal to three and seventy-five one-hundredths per centum of the total compensation paid members, other than members of the said highway patrol, of the retirement system from the said fund All such payments, whether heretofore or hereafter made are hereby validated and confirmed The board of administration shall certify to the State Controller at the end of each month the total amount of compensation paid such members of the retirement system from each such fund and the State Controller shall thereupon transfer the percentages as specified in this section, of said total amount from each such fund, respectively, to the "State employees' retirement fund" If any member of the said highway patrol shall affirmatively exercise the option in section 65d, the Controller shall transfer into the said retirement fund from the motor vehicle fund upon certification by the board of administration of the total compensation received by said member for service as a member of the retirement system rendered prior to July 1, 1935, three and ninety one-hundredths per centum of said total compensation. The appropriation made by Chapter 865, Statutes of 1933, shall no longer be held solely for the benefit of the persons designated therein, but shall be applied on the State's liability for benefits based on prior service of all members of the California Highway Patrol."

Amendments adopted

Bill read second time, ordered to reprint, and engrossment

Assembly Bill No. 1776—An act to amend section 2527a of the Political Code, relating to the extension of wharfs and piers to islands under the jurisdiction of the State Board of Harbor Commissioners.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 2407—An act to amend section 4041.16 of the Political Code, relating to county care of indigents.

Committee Amendments to Assembly Bill No. 2407.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, between lines 19 and 20, insert the following: "or when there is lack of adequate facilities in county or city and county institutions.".

Amendment No. 2.

On page 1, line 27, of the printed bill, after the comma, insert the following: "convalescent home, rest home, clinic, lying-in or emergency hospital,".

Amendment No. 3.

On page 2, line 1, of the printed bill, after "hospitals", insert a comma and the following: "homes, clinics, laboratories and sanitariums".

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 757—An act to amend sections 2 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of "'Commissioner of Corporations',' approved May 18, 1917, as amended, relat-

ing to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 54—An act to add section 4506 to the Political Code, to repeal certain acts superseded by the Political Code and the Code of Civil Procedure, all relating to courts of justice and various officers connected therewith.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 439—An act to amend sections 782, 784.3 and 830 of the Agricultural Code, relating to fruits, nuts and vegetables.

Committee Amendment to Senate Bill No. 439.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of lines 28 to 36, inclusive, and insert in lieu thereof the following: "standards established in this chapter. The enforcing officer may affix a warning tag or notice to any fruits, nuts or vegetables failing to comply with the standards established in this chapter."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 309—An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution and providing for reports in regard to personnel by other officers and employees of the State.

Committee Amendments to Senate Bill No. 309.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 12 to 21, inclusive, and insert in lieu thereof the following:

"SEC. 3 The term "Board" means the agency created by section 2 of Article XXIV of the State Constitution and shall include the "State Personnel Board" provided in section 2 (a) and the 'Executive Officer" provided in section 2 (c) thereof."

Amendment No. 2.

On page 2, line 22, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following "4".

Amendment No. 3.

On page 2, line 25, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following. "5".

Amendment No. 4.

On page 2, line 31, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: '6".

Amendment No. 5.

On page 2, line 34, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following "7".

Amendment No. 6.

On page 2, line 37, of the printed bill, as amended, strike out "10" and insert in lieu thereof the following: "8".

Amendment No. 7.

On page 2, line 39, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: '9"

Amendment No. 8.

On page 2, line 42, of the printed bill, as amended, after "list', insert the following: "or a promotional eligible list".

Amendment No. 9.

On page 2, line 44, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "10".

Amendment No. 10.

On page 2, line 49, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "11".

Amendment No. 11.

On page 3, line 3, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "12".

Amendment No. 12.

On page 3, line 6, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "13"

Amendment No. 13.

On page 3, line 10, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "14".

Amendment No. 14.

On page 3, line 13, of the printed bill, as amended, strike out "17", and insert in lieu thereof the following: "15"

Amendment No. 15.

On page 3, line 16, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "16"

Amendment No. 16.

On page 3, line 20, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "17".

Amendment No. 17.

On page 3, line 23, of the printed bill, as amended, strike out "20", and insert in lieu thereof the following: "18".

Amendment No. 18.

On page 3, line 26, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "19".

Amendment No. 19.

On page 3, line 28, of the printed bill, as amended, strike out "22", and insert in lieu thereof the following: "20"

Amendment No. 20.

On page 3, line 31, of the printed bill, as amended, strike out "23", and insert in lieu thereof the following: "21"

Amendment No. 21.

On page 3, line 38, of the printed bill, as amended, strike out "24", and insert in lieu thereof the following: "22".

Amendment No. 22.

On page 3, line 45, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board"

Amendment No. 23.

On page 3, line 46, of the printed bill, as amended, strike out "25", and insert in lieu thereof the following: "23"

Amendment No. 24.

On page 3, line 51, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 25.

On page 4, line 23, of the printed bill, as amended, after the word "and", insert the following: "an attorney and".

Amendment No. 26.

On page 4, line 27, of the printed bill, as amended, strike out "State Personnel Agency", and insert in lieu thereof the following: "board".

Amendment No. 27.

On page 4 of the printed bill, as amended, strike out lines 29 to 34, inclusive

Amendment No. 28.

On page 4, line 35, of the printed bill, as amended, strike out "33" and insert in lieu thereof the following: "32"

Amendment No. 29.

On page 4, lines 35 and 36, of the printed bill as amended, strike out "State Personnel Agency", and insert in lieu thereof the following: "board"

Amendment No. 30.

On page 4, line 44 of the printed bill, as amended, strike out "34" and insert in lieu thereof the following: "33"

Amendment No. 31.

On page 4, line 49, of the printed bill, as amended, strike out "State Personnel Agency", and insert in lieu thereof the following "board".

Amendment No. 32.

On page 4, line 51, of the printed bill, as amended, strike out "State Personnel Agency", and insert in lieu thereof the following: "board".

Amendment No. 33.

On page 5, line 1, of the printed bill, as amended, strike out "35", and insert in lieu thereof the following: "34".

Amendment No. 34.

On page 5, line 10, of the printed bill, as amended, strike out "36", and insert in lieu thereof the following: "35".

Amendment No. 35.

On page 5, line 34, of the printed bill, as amended, strike out ", including a report to the board," and strike out lines 35 to 38, inclusive, and insert in lieu thereof a period.

Amendment No. 36.

On page 5, line 39, of the printed bill, as amended, strike out "(g)", and insert in lieu thereof the following: "(f)".

Amendment No. 37.

On page 5 of the printed bill, as amended, strike out lines 43 to 48, inclusive.

Amendment No. 38.

On page 5, line 49, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof the following: "(g)".

Amendment No. 39.

On page 6, lines 1 and 2, of the printed bill, as amended, strike out "he may deem pertinent or that may be".

Amendment No. 40.

On page 6 of the printed bill, as amended, strike out lines 3 to 7, inclusive.

Amendment No. 41.

On page 6, line 8, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof the following: "(h)".

Amendment No. 42.

On page 6 of the printed bill, as amended, strike out lines 12 to 16, inclusive.

Amendment No. 43.

On page 6, line 17, of the printed bill, as amended, strike out "(g)", and insert in lieu thereof the following: "(i)".

Amendment No. 44.

On page 6, line 27, of the printed bill, as amended, strike out "38", and insert in lieu thereof the following: "36".

Amendment No. 45.

On page 6, line 29, of the printed bill, as amended, strike out "39", and insert in lieu thereof the following: "37".

Amendment No. 46.

On page 6, line 29, of the printed bill, as amended, strike out "and the executive officer."

Amendment No. 47.

On page 6 of the printed bill, as amended, strike out lines 33 and 34, and insert in lieu thereof the following:

"SEC. 38. The attorney general and district attorneys and other".

Amendment No. 48.

On page 6, lines 36 and 37, of the printed bill, as amended, strike out "or the executive officer".

Amendment No. 49.

On page 6, line 39, of the printed bill, as amended, strike out "41", and insert in lieu thereof the following: "39".

Amendment No. 50.

On page 6, line 45, of the printed bill, as amended, strike out "42", and insert in lieu thereof the following: "40".

Amendment No. 51.

On page 6, line 46, of the printed bill, as amended, strike out ", the executive officer".

Amendment No. 52.

On page 6, line 47, of the printed bill, as amended, strike out "other"

Amendment No. 53.

On page 7, line 6, of the printed bill, as amended, strike out "43", and insert in lieu thereof the following: "41".

Amendment No. 54.

On page 7, line 12, of the printed bill, as amended, strike out "44", and insert in lieu thereof the following: "42"

Amendment No. 55.

On page 7, line 17, of the printed bill, as amended, strike out "45", and insert in lieu thereof the following: "43".

Amendment No. 56.

On page 7, line 40, of the printed bill, as amended, strike out "46", and insert in lieu thereof the following: "44".

Amendment No. 57.

On page 7, line 49, of the printed bill, as amended, strike out "47", and insert in lieu thereof the following "45".

Amendment No. 58.

On page 8, line 6, of the printed bill, as amended, strike out "48", and insert in lieu thereof the following: "46".

Amendment No. 59.

On page 8, line 6, of the printed bill, as amended, strike out "45 to 48", and insert in lieu thereof the following: "43 to 45".

Amendment No. 60.

On page 8, line 11, of the printed bill, as amended, strike out "49", and insert in lieu thereof the following: "47".

Amendment No. 61.

On page 8, line 24, of the printed bill, as amended, strike out "50", and insert in lieu thereof the following: "48".

Amendment No. 62.

On page 8, line 31, of the printed bill, as amended, strike out "51", and insert in lieu thereof the following: "49".

Amendment No. 63.

On page 8, line 38, of the printed bill, as amended, strike out "52", and insert in lieu thereof the following: "50".

Amendment No. 64.

On page 8, line 41, of the printed bill, as amended, strike out "53", and insert in lieu thereof the following: "51".

Amendment No. 65.

On page 8, line 41, of the printed bill, as amended, strike out "50 to 52", and insert in lieu thereof the following: "48 to 50".

Amendment No. 66.

On page 8, line 45, of the printed bill, as amended, strike out "54", and insert in lieu thereof the following: "52".

Amendment No. 67.

On page 9, line 9, of the printed bill, as amended, strike out "55", and insert in lieu thereof the following: "53".

Amendment No. 68.

On page 9, line 10, of the printed bill, as amended, strike out ", or the executive officer".

Amendment No. 69.

On page 9, line 12, of the printed bill, as amended, strike out "the president", and insert in lieu thereof the following: "any member"

Amendment No. 70.

On page 9, line 15, of the printed bill, as amended, strike out "56", and insert in lieu thereof the following: "54".

Amendment No. 71.

On page 9, line 22, of the printed bill, as amended, strike out ", the executive officer".

Amendment No. 72.

On page 9 of the printed bill, as amended, strike out line 28, and insert in lieu thereof the following "Sec. 55 The".

Amendment No. 73.

On page 9, line 29, of the printed bill, as amended, strike out "the", and insert in lieu thereof the following: "its".

Amendment No. 74.

On page 9, line 30, of the printed bill, as amended, strike out "of the State personnel agency".

Amendment No. 75.

On page 9, line 36, of the printed bill, as amended, strike out "State Personnel Agency", and insert in lieu thereof the following: "board".

Amendment No. 76.

On page 9, line 37, of the printed bill, as amended, after the period at the end of said line, insert the following:

"Any moneys paid to the State pursuant to such agreements shall be placed in the general fund in the State Treasury to the credit of the support appropriation for the board."

Amendment No. 77.

On page 9, line 38, of the printed bill, as amended, strike out "58", and insert in lieu thereof the following: "56".

Amendment No. 78.

On page 9, line 38, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 79.

On page 9 of the printed bill, as amended, strike out lines 42 to 48, inclusive.

Amendment No. 80.

On page 10, line 10, of the printed bill, as amended, strike out "by the executive officer".

Amendment No. 81.

On page 10, line 47, of the printed bill, as amended, strike out "State Personnel Agency", and insert in lieu thereof the following: "board".

Amendment No. 82.

On page 10, lines 49 and 50, of the printed bill, as amended, strike out "promptly report to the State Personnel Agency", and insert in lieu thereof the following "also promptly so report".

Amendment No. 83.

On page 11, line 50, of the printed bill, as amended, strike out "executive officer and the".

Amendment No. 84.

On page 12, line 19, of the printed bill, as amended, strike out "the." and insert in lieu thereof the following: "this".

Amendment No. 85.

On page 12, lines 22 and 23, of the printed bill, as amended, strike out "the executive officer shall provide for the establishment of".

Amendment No. 86.

On page 12, line 24, of the printed bill, as amended, insert after "lists", the words "shall be established".

Amendment No. 87.

On page 12, line 36, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following. "board".

Amendment No. 88.

On page 12, line 50, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 89.

On page 13, line 3, of the printed bill, as amended, strike out "or preliminary requirements", and insert in lieu thereof the following: "qualifications".

Amendment No. 90.

On page 13, line 6, of the printed bill, as amended, strike out "he may deem proper", and also strike out all of line 7, and insert in lieu thereof the following. "may be deemed proper."

Amendment No. 91.

On page 13, line 8, of the printed bill, as amended, strike out "The executive officer shall require all", and insert in lieu thereof the following: "All".

Amendment No. 92.

On page 13, line 9, of the printed bill, as amended, strike out "to file in his office", and insert in lieu thereof the following: "shall file in the office of the board".

Amendment No. 93.

On page 13, line 12, of the printed bill, as amended, strike out "by the executive officer".

Amendment No. 94.

On page 13, line 28, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 95.

On page 13, line 45, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 96.

On page 13, line 48, of the printed bill, as amended, strike out "the executive officer shall place", and insert in lieu thereof the following: "the names of persons successful in such examination shall be placed".

Amendment No. 97.

On page 13, lines 50 and 51, of the printed bill, as amended, strike out ", the names of persons successful in such examination".

Amendment No. 98.

On page 14, line 3, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 99.

On page 14, lines 5 and 6, of the printed bill, as amended, strike out "In accordance with rules adopted by the board, the executive officer", and insert in lieu thereof the following: "The board".

Amendment No. 100.

On page 14, lines 19 and 20, of the printed bill, as amended, strike out "the executive officer shall cause to be", and insert in lieu thereof the following: "there shall be".

Amendment No. 101.

On page 14, line 25, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 102.

On page 14, lines 27 and 28, of the printed bill, as amended, strike out "the executive officer shall cause to be", and insert in lieu thereof the following: "there shall be".

Amendment No. 103.

On page 14, line 46, of the printed bill, as amended, strike out "State personnel agency", and insert in lieu thereof the following: "board".

Amendment No. 104.

On page 15, line 2, of the printed bill, as amended, strike out "the", and insert in lieu thereof the following: "this".

Amendment No. 105.

On page 15, line 28, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 106.

On page 15, line 32, of the printed bill, as amended, strike out "the executive officer certify".

Amendment No. 107.

On page 15, line 33, of the printed bill, as amended, after the word "position", and before the period, insert the following: "be certified".

Amendment No. 108.

On page 15, line 34, of the printed bill, as amended, strike out "The executive officer shall then certify", and insert in lieu thereof the following: "There shall be certified".

Amendment No. 109.

On page 15, lines 40 and 41, of the printed bill, as amended, strike out "the executive officer shall certify", and insert in lieu thereof the following: "there shall be certified".

Amendment No. 110.

On page 15, lines 43 and 44, of the printed bill, as amended, strike out "it shall be the duty of the executive officer to conduct".

Amendment No. 111.

On page 15, lines 44 and 45, of the printed bill, as amended, strike out "until he is enabled to certify three names", and insert in lieu thereof the following: "shall be conducted until three names may be certified"

Amendment No. 112.

On page 16, line 2, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 113.

On page 16, line 10, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 114.

On page 16, line 14, of the printed bill, as amended, after the period after "Constitution", insert the following: "An appropriate eligible list shall be established for each class for which temporary appointment is made before the expiration of such appointment."

Amendment No. 115.

On page 16, lines 26 and 27, of the printed bill, as amended, strike out "to the executive officer"

Amendment No. 116.

On page 16, line 28, of the printed bill, as amended, strike out "The executive officer shall certify eligibles", and insert in lieu thereof the following "Eligibles shall be certified".

Amendment No. 117.

On page 17, line 3, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 118.

On page 17, line 8, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 119.

On page 17, line 21 of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 120.

On page 17, line 31, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board"

Amendment No. 121.

On page 17, line 34, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 122.

On page 17, line 46, of the printed bill, as amended, strike out "the execu-", and in line 47, strike out "tive officer in accordance with rule of".

Amendment No. 123.

On page 18, lines 21 and 22, of the printed bill, as amended, strike out "executive officer shall, with the approval of the board," and insert in lieu thereof the following: "board shall".

Amendment No. 124.

On page 18, line 32, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 125.

On page 18, lines 33 and 34, of the printed bill, as amended, strike out "on his own initiative or on appeal of an employee".

Amendment No. 126.

On page 18, line 35, of the printed bill, as amended, strike out "his", and insert in lieu thereof the following: "its".

Amendment No. 127.

On page 18, line 36, of the printed bill, as amended, strike out "by an employee with the findings of the", and strike out all of lines 37 and 38, and insert in lieu thereof the following: ", or upon appeal of an employee, the decision of the board shall be final."

Amendment No. 128.

On page 19, line 6, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 129.

On page 19, line 14, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 130.

On page 19, lines 18 and 19, of the printed bill, as amended, strike out ", with the approval of the executive officer".

Amendment No. 131.

On page 19, lines 24 and 25, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 132.

On page 19, line 25, of the printed bill, as amended, strike out "him", and insert in lieu thereof the following: "it".

Amendment No. 133.

On page 19, line 38, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board"

Amendment No. 134.

On page 19, lines 46 and 47, of the printed bill, as amended, strike out "through the executive officer".

Amendment No. 135.

On page 19, line 50, of the printed bill, as amended, strike out "executive officer" and insert in lieu thereof the following: "board".

Amendment No. 136.

On page 20, lines 4 and 5, of the printed bill, as amended, strike out ", with the approval of the executive officer,".

Amendment No. 137.

On page 20, lines 40 and 41, of the printed bill, as amended, strike out "In accordance with rules prescribed by the board, the executive officer", and insert in lieu thereof the following "The board".

Amendment No. 138.

On page 20, line 51, of the printed bill, as amended, strike out "State personnel agency, and insert in lieu thereof the following: "board".

Amendment No. 139.

On page 20, line 52, of the printed bill, as amended strike out "either the board or the executive officer, and insert in lieu thereof the following: "the board".

Amendment No. 140.

On page 21, line 6, of the printed bill, as amended, strike out "agency", as the same appears for the first time in said line, and insert in lieu thereof the following "board".

Amendment No. 141.

On page 21, line 6, of the printed bill, as amended, strike out "State Personnel Agency", and insert in lieu thereof the following: "board".

Amendment No. 142.

On page 22, lines 28 and 29, of the printed bill, as amended, strike out "The board's decision upon the matter shall be final."

Amendment No. 143.

On page 22, line 38, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 144.

On page 22, lines 47 and 48, of the printed bill, as amended, strike out "State personnel agency", and insert in lieu thereof the following: "board".

Amendment No. 145.

On page 23, line 26, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 146.

On page 24, lines 6 and 7, of the printed bill, as amended, strike out ", or the executive officer,".

Amendment No. 147.

On page 25, lines 3 and 4, of the printed bill, as amended, strike out "Decisions shall be final and not subject to review by any other tribunal; provided that within", and insert in lieu thereof the following: "Within".

Amendment No. 148.

On page 25, line 29, of the printed bill, as amended, strike out "on the Treasurer or other"; and strike out all of line 30; and in line 31, strike out "Treasurer or other disbursing officer", and insert in lieu thereof the following: "or check payable out of State funds".

Amendment No. 149.

On page 25, line 35, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 150.

On page 26, line 9, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 152.

On page 27, line 34, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 153.

On page 28, line 44, of the printed bill, as amended, strike out "executive officer", and insert in lieu thereof the following: "board".

Amendment No. 154.

On page 29, line 20, of the printed bill, as amended, strike out "the executive officer or", and insert in lieu thereof the following: "an".

Amendment No. 155.

On page 29, line 22, of the printed bill, as amended, strike out "the executive officer or", and insert in lieu thereof the following: "an".

Amendment No. 156.

On page 29 of the printed bill, as amended, between lines 44 and 45, insert the following:

"SEC. 243. In declaring herein that the State Personnel Board shall administer, enforce, perform and discharge various powers, duties, purposes and jurisdiction, it is not the purpose or intent of the Legislature (1) to add to or take from the Personnel Board or its executive officer any power, duty, purpose or jurisdiction vested in or allocated to either thereof by the provisions of subdivision (c) of section 2 of Article XXIV of the State Constitution, nor (2) to place any construction upon or to undertake or make any interpretation of the provisions of said subdivision (c) in respect to allocation of powers, duties, purposes and jurisdiction as between the Personnel Board and its executive officer. It is the belief of the Legislature that such are judicial questions to be determined by the judicial department, not by the legislative department, of the Government of the State of California."

Amendment No. 157.

On page 29, line 45, of the printed bill, as amended, strike out "243", and insert in lieu thereof the following: "244".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 878—An act to amend section 632 of the Agricultural Code, relating to samples

Committee Amendment to Senate Bill No 878.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended May 5, 1937, strike out all of lines 6 to 19, inclusive, and insert in lieu thereof the following: "upon delivery, and payment shall be made in accordance with the percentage of milk fat actually found in said samples. Milk and cream must be thoroughly mixed and stirred before samples are taken. Containers of a size larger than a ten-gallon milk can from which samples are taken must be equipped with mechanical devices which will thoroughly mix the milk or cream to be sampled. Such mechanical devices shall be of a type and installed in a manner as provided in rules and regulations promulgated by the director. Nothing in this section prohibits weighing or sampling on the route, or the use of composite samples of milk; provided, however, that upon request by any producer one daily sample must be taken and tested in every eight days and a copy of such test supplied to the requesting producer."

Amendment adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 953—An act to amend sections 1, 2, 3, 4 and 11 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to add sections 5, 6, 7, 8, 9, 10, 12, 15 and 21 to said act; to renumber and amend sections 5, 6, 7, 8, 9, 12, 13, 14, 16 and 17 of said act; to repeal sections 10 and 15 of said act, relating

to the taxing of operators engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Bill read second time, and ordered on third reading calendar.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 386—An act to amend section 224 of and to add section 227b to the Civil Code, relating to the adoption of children.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 386?

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 18 and 19, and in lieu thereof insert the following: "of the clerk of the superior court of the county wherein the action is brought to immediately notify the State Department of Social Welfare of such action. Within 60 days after such notice the State Department of Social Welfare shall appear before the court for the purpose of representing the adopted child."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 386 by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Maloney, Martin, Mayo, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Scudder, Thorp, Voigt, Walker, Watson, Williamson, and Mr. Speaker—44

NOES—None.

Assembly Bill No 386 ordered to enrollment

Assembly Bill No. 1268—An act to amend section 3 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1268?

Amendment No. 1.

On page 1, line 11 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "relating to the abatement of weed nuisances."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1268 by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Scudder, Thorp, Voigt, Walker, Watson, Williamson, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 1268 ordered to enrollment.

Assembly bill No. 1086—An act to amend section 3716 of the Political Code, relating to the lien of taxes on real and personal property and providing that such lien shall cease to exist after 30 years

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1086?

Amendment No. 1.

On page 1 of the printed bill, commencing in line 25, strike out the following: "A sale or deed to the State or to any taxing agency for tax delinquency, which sale or deed does not terminate the right of redemption, shall not be deemed a sale in the manner provided by law for the payment of the tax."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1086 by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Call, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Thorp, Voigt, Walker, Watson, Williamson, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 1086 ordered to enrollment.

Assembly Bill No. 2694—An act to add sections 221, 222, 223, 224, and 225 to the Labor Code, relating to wages and prescribing a penalty for violation thereof.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2694?

Amendment No. 1.

On page 1, line 22, of the printed bill, as amended, after the word "law", strike out the period, and insert in lieu thereof the following: "or when a deduction is expressly authorized in writing by the employee to cover insurance premiums, hospital or medical dues, or other deductions not amounting to a rebate or deduction from the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2694 by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2694 ordered to enrollment.

Assembly Bill No. 2789—An act to add section 4056 to the Political Code, relating to wild flower reserves.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2789?

Amendment No. 1.

On page 1, line 8, of the printed bill, after the word "supervisors," insert "by a four-fifths vote thereof,".

Amendment No. 2.

On page 1, line 10, of the printed bill, after the word "year," insert "not to exceed ninety (90) days at any one time,".

Amendment No. 3.

On page 1, line 11, of the printed bill, strike out "of this State", and insert in lieu thereof "any unsold or unleased public State land".

Amendment No. 4.

On page 1 of the printed bill, as amended April 7, after line 25, add the following words: "The provisions of this act shall not be effective after October 1, 1939."

Amendment No. 5.

On page 1, line 18, of the printed bill, after "desirable.", insert the following: "The provisions of this act shall not apply to any public grazing land within the scope of an act of Congress entitled "An act to stop injury to the public grazing lands by preventing over-grazing and soil deterioration, to provide for their orderly use, improvement and development, to stabilize the live stock industry dependent upon the public range, and for other purposes," approved June 28, 1934, and the provisions of Chapter 640, Statutes of the State of California, 1935."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2789 by the following vote:

AYES—Beene, Boyle, Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Kepple, Latham, Leonard, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 2789 ordered to enrollment.

Assembly Bill No. 2834—An act to amend sections 11, 12, 20, 21 and 22 of the "General Cemetery Act" and adding section 21a thereto, relating to cemeteries and powers of cemetery corporations.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2834?

Amendment No. 1.

On page 6 of the printed bill, as amended, after line 8, add the following new paragraph:

"No action shall lie against any cemetery association relating to the cremated remains of any person which have been left in its possession for a period of five years, unless a written contract has been entered into with said association for their care or unless permanent interment has been made thereof by the person vested with that duty."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2834 by the following vote:

AYES—Andreas, Baynham, Beene, Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Johnson, Kepple, Latham, Leonard, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Stream, Thorp, Voigt, Walker, Watson, Williamson, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 2834 ordered to enrollment.

Hon. Jeanette E. Daley in the Chair.

At eleven o'clock and fifty minutes a.m., Hon. Jeanette E. Daley, member of the Assembly from the Seventy-Eighth District, in the chair

Special Order.

The hour of eleven o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 534.

Assembly Bill No. 534—An act to amend sections 2, 3, 4, and 21 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read third time, and refused passage by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Cunningham, Daley, Dawson, Desmond, Donihue, Field, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Latham, Laughlin, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—44.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Dannenbrink, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Johnson, Kepple, Leonard, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Redwine, Scudder, Stream, Thorp, and Walker—30

The Speaker in the Chair.

At twelve o'clock and thirty-five minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair

Motion to Expunge Record and Rescind Action on Assembly Bill No. 534.

Mr. Williamson moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 534.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—73

NOES—None.

Third Reading of Assembly Bill No. 534.

Assembly Bill No. 534—An act to amend sections 2, 3, 4, and 21 of the Old Age Security Act of the State of California, relating to aid to the aged.

Assembly Bill No. 534 read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Motion carried.

Time, twelve o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—76

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Withdrawal and Re-reference of Assembly Bills.

On motion of Mr. Hornblower, Assembly Bill No. 2503 was withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Oil Industries.

On motion of Mr. Johnson, Assembly Bill No. 1924 was withdrawn from the Committee on Labor and Capital and re-referred to the Committee on Social Service and Welfare.

Re-reference of Assembly Bills.

On motion of Mr. Desmond, Assembly Bill No. 2217 was withdrawn from the calendar and re-referred to the Committee on Public Morals.

On motion of Mr. Martin, Assembly Bill No. 1533 was withdrawn from the calendar, and re-referred to the Committee on Conservation.

Special Order Set for Assembly Bill No. 2422.

On motion of Mr. Desmond, the consideration of Assembly Bill No 2422 was made a special order of business for Tuesday, May 11, 1937, at three o'clock p.m.

Notice of Motion to Withdraw Assembly Bill No. 2401 from Committee Waived.

Mr. Garland waived his notice of motion to withdraw Assembly Bill No. 2401 from the Committee on Public Utilities

Motion for Afternoon Session.

Mr. Maloney moved that the Assembly meet in regular session during the entire afternoon, Wednesday, May 12, 1937.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Johnson, Kepple, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—53.

NOES—Boyle, Cassidy, Corwin, Glick, Hunt, Laughlin, Muldoon, Sheehan, and Stream—9.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 444—An act to amend the Political Code of the State of California by amending section 1142 thereof; by adding a new section to be designated section 1142b to provide for the publication of the designated polling places in a newspaper of general circulation or in one or more newspapers of general circulation at various places in the county, and by amending section 4058 to provide for publication of the notice of election in the same manner.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 444?

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out all of lines 34 and 35.

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out all of lines 18 to 23, both inclusive.

The roll was called and the Assembly concurred in the Senate amendments to Assembly Bill No. 444 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 444 ordered to enrollment.

Assembly Bill No. 1409—An act to add a new section to be numbered 11a to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities

kept for sale or in process of delivery, to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act, for the admission of evidence of copies of the State's standard of weights and measures, providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to qualifications of county sealer of weights and measures.

The question being put, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1409?

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, strike out "may", and insert in lieu thereof the following: "shall".

Amendment No. 2.

On page 1, line 7, of the printed bill, as amended, after "examinations", insert the following: "given for the purpose of determining the fitness, experience, and qualifications of candidates for these positions."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1409 by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—64.

NOES—None.

Assembly Bill No. 1409 ordered to enrollment.

Motion to Withdraw Assembly Bills Nos. 14, 351 and 174 from Committee.

Mr Latham moved to withdraw Assembly Bills Nos. 14, 351 and 174 from the Committee on Constitutional Amendments, and have them placed upon the calendar

The roll was called, and Assembly Bills Nos. 14, 351 and 174 withdrawn by the following vote.

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dawson, Donahue, Donnelly, Field, Flint, Garibaldi, Gilbert, Glick, Hawkins, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Tenney, Voigt, Walker, Watson, Yorty, and Mr. Speaker—54

NOES—Breed, Cottrell, Cronin, Dannenbrink, Dilworth, Gannon, Hornblower, Johnson, Mayo, Scudder, Sheehan, Turner, and Williamson—13.

Assembly Bills Nos 14, 351 and 174 ordered on second reading calendar.

Reconsideration of Assembly Bill No. 2702.

In compliance with a notice given on a previous day, Mrs. Daley moved that the vote whereby Assembly Bill No 2702 was refused passage be reconsidered

The roll was called, and Assembly Bill No. 2702 reconsidered by the following vote

AYES—Andreas Been, Breed, Burns Hugh M., Burns, Michael J., Call Cassidy, Corwin Cottrell, Cronin Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi Gilbert, Glick, Hawkins, Heisinger,

Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Yorty, and Mr Speaker—64.

NOES—None.

Further Proceedings Under Call of the Assembly Dispensed With.

At two o'clock and twenty-nine minutes p m, further proceedings under the call of the Assembly were dispensed with on motion of Mr. Pelletier.

The roll was called, and Assembly Bill No. 534 refused passage by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Domhue, Field, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—47.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Dannenbrink, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Johnson, Kepple, Kuchel, Leonard, Martin, Mayo, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Redwine, Scudder, Thorp, and Walker—29

Consideration of Assembly Bill No. 2702.

Assembly Bill No. 2702—An act to add section 37 to the Fish and Game Code, relating to the preservation of fish and game.

Motion to Amend Assembly Bill No. 2702.

Mrs. Daley moved to amend Assembly Bill No. 2702 as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, after "deer", insert the following: "contest or".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 5 and 6, and insert in lieu thereof the following: "given in connection therewith of a value of over twenty-five dollars."

Amendments adopted.

Assembly Bill No. 2702 ordered to reprint, and re-engrossment.

Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 252.

Assembly Bill No. 252—An act providing for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939, providing for the construction of a State Building therefor and the gardening and improvement of its surrounding grounds, creating a California Commission for the Golden Gate International Exposition to have charge and control of said State Exhibit and Building, defining its powers and duties and making an appropriation therefor.

Motion to Amend Assembly Bill No. 252.

Mr. Kepple moved to amend Assembly Bill No 252 as follows:

Amendment No. 1.

On page 2, line 15, of the printed bill, as amended, strike out "five million", and insert in lieu thereof the following: "two million five hundred thousand".

Demand for Previous Question.

Messrs. Hunt, Johnson, Turner, Morgan, and McMurray demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment by Mr. Kepple.

Amendment read and refused adoption by the following vote:

AYES—Cunningham, Daley, Dilworth, Kepple, Latham, Richie, and Yorty—7.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr Speaker—67.

Motion to Amend Assembly Bill No. 252.

Mr Yorty moved to amend Assembly Bill No. 252 as follows.

Amendment No. 1.

On page 3 of the printed bill, as amended, after line 12, insert the following:

"SEC 5. The contract, or contracts, if any, entered into by the commission with the San Francisco Bay Exposition shall be construed to include a provision, whether specifically stated therein or not, giving to the commission and its authorized representatives the authority to examine the books, records, contracts, accounts and vouchers kept by the San Francisco Bay Exposition"

Amendment read, and refused adoption by the following vote:

AYES—Breed, Burns, Michael J., Clark, Cunningham, Daley, Dilworth, Gilbert, Johnson, Kepple, Latham, Laughlin, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Reaves, Richie, Rosenthal, Turner, Watson, and Yorty—22

NOES—Andreas, Baynham, Beene, Boyle Burns, Hugh M., Call Cassidy, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Hunt, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Williamson, and Mr. Speaker—50

Motion to Amend Assembly Bill No. 252.

Mr. Latham moved to amend Assembly Bill No 252 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out line 31 after "California", and on page 3, strike out all of line 1, and strike out "only" in line 2, and insert in lieu thereof the following "to the position of a preferred claimant to be first repaid the amount of the money herein appropriated".

Amendment No. 2.

On page 3, line 5, of the printed bill, as amended, strike out ", including its obligations to refund to the", and strike out all of lines 6 and 7, and insert in lieu thereof the following: "incurred in operating said exposition including the allowance of a reason-".

Amendment No. 3.

On page 3, line 8, of the printed bill, as amended, strike out "a", and insert in lieu thereof the following: "the immediate".

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out "share" at the end of line 9, and strike out all of line 10 to and including "returns", and insert in lieu thereof the following: "money returned to the State".

Amendments read, and refused adoption by the following vote:

AYES—Burns, Michael J., Daley, Gilbert, Heisinger, Kepple, Latham, Laughlin, Patterson, Peek, Reaves, Richie, Turner, and Yorty—13

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Williamson, and Mr. Speaker—56.

Assembly Bill No 252 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham,

Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—73.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 2861.

Assembly Bill No. 2861—An act providing for the acquisition of lands for, and the construction, maintenance and operation of buildings at the Pacific Exposition and Mercado to be held in the county of Los Angeles, State of California, providing for the exhibition of products, resources of and other matters pertaining to the State of California at said Pacific Exposition and Mercado, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—73

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Special Order.

The hour of three o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 2422.

Assembly Bill No. 2422—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4, and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Hon. Jack B. Tenney in the Chair.

At three o'clock and forty minutes p.m., Hon. Jack B. Tenney, member of the Assembly from the Forty-Sixth District, in the chair

Motion to Amend Assembly Bill No. 2422.

Mr Desmond moved to amend Assembly Bill No. 2422 as follows:

Amendment No. 1.

On page 5, line 29, of the printed bill, as amended April 20, 1937, after the words "or phrases be declared unconstitutional.", add the following

"SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, welfare, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California and shall therefore go into immediate effect. The statement of the facts constituting such necessity is as follows:

The economic conditions of fluid milk producers and distributors throughout the State are such as to require immediate relief if their purchasing power and tax-

paying ability are to continue and the morale and standard of living are not to be undermined. Such relief can be afforded only by the orderly production and marketing of fluid milk and fluid cream. The provisions herein contained are necessary in order to prevent the further demoralization of the fluid milk and fluid cream industries."

Amendment adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 2422, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2422, as Amended.

Assembly Bill No. 2422—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4, and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Robertson, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—56.

NOES—Burns, Michael J., Cronin, Dawson, Gilbert, Hawkins, Meehan, Pelletier, Peyser, Richie, Rosenthal, and Yorty—11.

Motion to Amend Assembly Bill No. 2422.

Mr. Levey moved to amend Assembly Bill No. 2422 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 12 to 16, inclusive, and insert in lieu thereof the following:

"736.11. The director may, upon the petition of sixty-five per cent of the distributors and retail stores doing business in a marketing area wherein a stabilization and marketing plan is in effect under the provisions of this chapter, designate and prescribe or provide methods for designating and prescribing,".

Amendment read, and refused adoption by the following vote:

AYES—Burns, Michael J., Clark, Cronin, Cunningham, Dawson, Flint, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Laughlin, Levey, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peyser, Richie, Sheehan, Tenney, Watson, Williamson, and Yorty—26

NOES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Crowley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Glick, Johnson, Kepple, Kuchel, Latham, Lore, Lyon, Martin, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Peek, Reaves, Redwine, Robertson, Sawallisch, Thorp, Turner, Walker, and Welsh—39

Motion to Amend Assembly Bill No. 2422.

Mr. Cronin moved to amend Assembly Bill No. 2422 as follows:

Amendment No. 1.

On page 4 of the printed bill, strike out lines 39 to 40, inclusive, and the words "fluid milk or fluid cream or both" in line 41, and insert in lieu thereof the following: "The board shall consist of seven members, who shall be residents of or engaged in business within the marketing area for which they are appointed by the director, three of whom shall be persons whose major interest is the distribution, marketing or sale of fluid milk or fluid cream or both, one producer-distributor, two retail storekeepers and one person, representative of the consuming public, who has no connection with the milk or cream business."

Amendment read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawk-

ms, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Sheehan, Tenney, Turner, Welsh, Williamson, and Yorty—59.

NOES—Crowley—1

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 2422, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2422, as Amended.

Assembly Bill No. 2422—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4, and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream

Assembly Bill No. 2422, as amended, read third time, and refused passage by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Crowley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Martin, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Welsh, and Mr. Speaker—46.

NOES—Andreas, Burns, Michael J., Cassidy, Cronin, Cunningham, Dawson, Flint, Gilbert, Hawkins, Heisinger, Hornblower, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Millington, Pelletier, Peyser, Richie, Rosenthal, Sheehan, Watson, Williamson, and Yorty—26.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2422.

Mr. Desmond moved to expunge the record and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 2422

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peyser, Reaves, Redwine, Sawallisch, Sheehan, Tenney, Thorp, Turner, Walker, Welsh, Williamson, Yorty, and Mr. Speaker—56

NOES—Richie, and Voigt—2

Hon. Ben Rosenthal in the Chair.

At four o'clock and forty-five minutes p.m., Hon. Ben Rosenthal, member of the Assembly from the Fifty-Second District, in the chair.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2422.

Mr. Yorty moved to expunge the record and rescind the action whereby the urgency clause to Assembly Bill No. 2422 was this day adopted.

The roll was called, and the motion to expunge lost by the following vote:

AYES—Cronin, Dawson, Gilbert, Heisinger, McMurray, Reaves, Richie, and Yorty—8

NOES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Crowley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel,

Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Patterson, Peyser, Redwine, Sawallisch, Sheehan, Thorp, Turner, Voigt, Walker, Welsh, and Williamson—47.

Third Reading of Assembly Bill No. 2422.

Assembly Bill No. 2422—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4, and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Assembly Bill No. 2422 read third time, and refused passage by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Crowley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Martin, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Reaves, Redwine, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, and Welsh—43.

NOES—Andreas, Burns, Michael J., Cronin, Cunningham, Dawson, Flint, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Millington, Pelletier, Peyser, Richie, Rosenthal, Sheehan, Watson, Williamson, and Yorty—26

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2422.

Mr. Desmond moved to expunge the record and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 2422, and adopted the urgency clause thereto.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Glick, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Welsh, and Williamson—54

NOES—Cronin, Dawson, Flint, Garland, Gilbert, Hawkins, Heisinger, McMurray, Meehan, Pelletier, Peyser, Reaves, Richie, Voigt, and Yorty—15.

Consideration of Assembly Bill No. 2422.

Assembly Bill No. 2422—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737.11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736.5, 736.6, 736.7, 737, 737.1, 737.2, 737.3, 737.4, and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Assembly Bill No. 2422, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Johnson, Kepple, Kuchel, Leonard, Lyon, Martin, Mayo, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Redwine, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Welsh, and Mr. Speaker—44.

NOES—Andreas, Burns, Michael J., Clark, Cronin, Cunningham, Dawson, Flint, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Levey, Lore, Maloney, McMurray, Meehan, Millington, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sheehan, Watson, Williamson, and Yorty—27.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2422.

Messrs. Beene and Yorty gave notice that on the next legislative day they would move to reconsider the vote whereby Assembly Bill No. 2422 was this day passed.

Assembly Bill No. 2422 ordered to reprint.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1629—An act to add a new section to the School Code to be numbered 3.362 and to amend sections 3.291, 3.400 and 3.411 of said code, all relating to junior colleges maintained by junior college districts.

Motion to Amend Assembly Bill No. 1629.

Miss Miller moved to amend Assembly Bill No. 1629 as follows.

Amendment No. 1.

On page 4 of the printed bill, as amended, following line 6, insert the following: "No junior high school or system of junior high schools may be established in a high school district under the provisions of this section except as authorized by Article I of Chapter II of Part III of Division III of this code."

Amendment adopted.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 1629, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1629, as Amended.

Assembly Bill No. 1629—An act to add a new section to the School Code to be numbered 3.362 and to amend sections 3.291, 3.400 and 3.411 of said code, all relating to junior colleges maintained by junior college districts.

Urgency clause read.

Demand for Previous Question.

Messrs. Beene, Cottrell, Lyon, Turner and Andreas demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Kepple, Kuchel, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—54.

NOES—Burns, Michael J., Call, Cassidy, Cronin, Desmond, Garland, Heisinger, Hornblower, King, Levey, Maloney, Meehan, Millington, Peyser, Tenney, Voigt, and Williamson—17.

Assembly Bill No. 1629 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Johnson, Kepple, King, Kuchel, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—58.

NOES—Burns, Michael J., Call, Cronin, Heisinger, Hornblower, Levey, Maloney, Meehan, Millington, Peyser, Richie, and Williamson—12

Title read and approved. Bill ordered transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Burns, Michael J.:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937

MR SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the construction and equipment of a building or buildings at the Humboldt State College.

Referred to Committee on Introduction of Bills.

By Mr. Donihue:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add sections 274.5, 274.7 and 687 to the Vehicle Code, relating to the operation of State-owned motor vehicles.

Referred to Committee on Introduction of Bills.

By Mr. Jones:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide a unified and centralized program of construction, repair and improvement of State buildings and making an appropriation for the purpose of this act.

Referred to Committee on Introduction of Bills.

By Mr. Sawallisch:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act remising, releasing and quitclaiming to the Regents of the University of California certain real property in the county of Humboldt.

Referred to Committee on Introduction of Bills.

By Mr. Hawkins.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend sections 2, 3 and 11 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Burns, Michael J.

An act making an appropriation for the construction and equipment of a building or buildings at the Humboldt State College

By Mr. Donihue:

An act to add sections 274.5, 274.7 and 687 to the Vehicle Code, relating to the operation of State-owned motor vehicles

By Mr. Jones:

An act to provide a unified and centralized program of construction, repair and improvement of State buildings, and making an appropriation for the purpose of this act.

By Mr. Sawallisch.

An act remising, releasing and quitclaiming to the Regents of the University of California certain real property in the county of Humboldt.

By Mr. Hawkins

An act to amend sections 2, 3 and 11 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to creat an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which such licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2890: By Mr. Burns, Michael J.—An act making an appropriation for the construction and equipment of a building or buildings at the Humboldt State College.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2891: By Mr. Donihue—An act to add sections 274.5, 274.7 and 687 to the Vehicle Code, relating to the operation of State-owned motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 2892: By Mr. Jones—An act to provide a unified and centralized program of construction, repair and improvement of State buildings, and making an appropriation for the purposes of this act.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 2893: By Mr. Sawallisch—An act remising, releasing and quitclaiming to the Regents of the University of California certain real property in the county of Humboldt.

Bill read first time, and referred to Committee on Universities.

Assembly Bill No. 2894: By Mr. Hawkins—An act to amend sections 2, 3 and 11 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling.

Bill read first time, and referred to Committee on Public Utilities.

Assembly Constitutional Amendment No. 64: By Messrs. Richie, Tenney, and Hunt—Proposed amendment to Article VII of the Constitution by adding section 2 thereto, relative to the pardon of Thomas J. Mooney.

Introduced, and referred to Committee on Constitutional Amendments.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:
Senate Bill No. 340.
Senate Bill No. 349.
Senate Bill No. 629.
Respectfully reports the same back with the recommendation. Do pass.

RICHIE, Chairman.

The above reported bills ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:
Senate Constitutional Amendment No. 9.
Respectfully reports the same back with the recommendation: Be adopted.

HUNT, Chairman.

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:
Assembly Constitutional Amendment No. 31.
Respectfully reports the same back with the recommendation: Be adopted

HUNT, Chairman

The above reported bill ordered to engrossment.

On State Colleges.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on State Colleges, to which was referred:
Assembly Bill No. 2366.
Respectfully reports the same back without recommendation, and be re-referred to Committee on Ways and Means

BURNS, HUGH M., Chairman

The above reported bill re-referred to Committee on Ways and Means

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937

MR. SPEAKER: Your Committee on Education, to which was referred.
Senate Bill No. 424.
Assembly Bill No. 1284.
Assembly Bill No. 2862.
Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman

The above reported bills ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred.
Assembly Bill No. 2063.
Respectfully reports the same back with the recommendation. Do pass.

HORNBLOWER, Chairman

The above reported bill ordered on second reading calendar

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937

MR. SPEAKER: Your Committee on Conservation, to which was referred.
Senate Bill No. 172.
Assembly Bill No. 1570.
Respectfully reports the same back with the recommendation Do pass
ANDREAS, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred
Assembly Bill No. 1617.
Assembly Bill No. 2859.
Respectfully reports the same back with the recommendation: Do pass.
DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred
Assembly Bill No. 2878.
Respectfully reports the same back with the recommendation: Do pass.
KING, Chairman.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR SPEAKER: Your Committee on County Government, to which was referred:
Assembly Bill No. 2046.
Senate Bill No. 1124.
Respectfully reports the same back with the recommendation. Do pass.
LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 587.
Respectfully reports the same back with the recommendation: Do pass.
ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:
Assembly Bill No. 2358.
Respectfully reports the same back with the recommendation: Do pass as amended.
KING, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 445.
Respectfully reports the same back with the recommendation: Do pass as amended.
DESMOND, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 2809.
Respectfully reports the same back with the recommendation: Do pass as amended
HORNBLOWER, Chairman

The above reported bill ordered on second reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Assembly Bill No. 1658.
Respectfully reports the same back with the recommendation: Do pass as amended.

CLARK, Chairman.

The above reported bill ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:
Assembly Bill No. 432.
Respectfully reports the same back with the recommendation: Do pass as amended.

RICHIE, Chairman.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Assembly Bill No. 2179.
Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

LAUGHLIN, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 189.
Assembly Bill No. 1070.
Assembly Bill No. 1071.
Assembly Bill No. 1280.
Assembly Bill No. 1591.
Assembly Bill No. 2802.
Assembly Bill No. 2874.
Assembly Bill No. 2876.
Assembly Bill No. 2883.
Assembly Bill No. 2887.
Senate Bill No. 69.
Senate Bill No. 83
Senate Bill No. 483.
Senate Bill No. 504.
Senate Bill No. 1111.

Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Constitutional Amendment No. 31.

Assembly Bill No. 1361.
Assembly Bill No. 1495.
Assembly Bill No. 1778.
Assembly Bill No. 468.
Assembly Bill No. 1944.
Assembly Bill No. 2878.
Assembly Bill No. 2377.
Assembly Bill No. 2880.
Assembly Bill No. 2882.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 50.
Assembly Bill No. 175.
Assembly Bill No. 1005.
Assembly Bill No. 1209.
Assembly Bill No. 1520.
Assembly Bill No. 2013.
Assembly Bill No. 2783.
Assembly Bill No. 839.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 387.
Assembly Bill No. 411.
Assembly Bill No. 811.
Assembly Bill No. 1084.
Assembly Bill No. 1698.
Assembly Bill No. 2024.
Assembly Bill No. 2557.
Assembly Bill No. 2762.
Assembly Bill No. 2788.
Assembly Bill No. 2825.

And reports the same correctly enrolled, and presented to the Governor on this eleventh day of May, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 50.

Respectfully reports the same back without recommendation, as amended.

HUNT, Chairman.

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2835.

Respectfully reports the same back without recommendation, as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2848.

Respectfully reports the same back with the recommendation: Do pass as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2888.

Respectfully reports the same back without recommendation, as amended.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 1677.

Respectfully reports the same back without recommendation, as amended.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER Your Committee on County Government, to which was referred.

Assembly Bill No. 621.

Assembly Bill No. 1670.

Respectfully reports the same back without recommendation, as amended.

LAUGHLIN, Chairman.

The above reported bills ordered on second reading calendar.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 621—An act to amend section 5 of an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray expenses thereof," approved May 23, 1923, relating to county fire protection districts.

Committee Amendments to Assembly Bill No. 621.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 19, of the printed bill, as amended, strike out "permit", and insert in lieu thereof the following: "install on its water mains, on the request of".

Amendment No. 2.

On page 2, lines 20 and 21, of the printed bill, as amended, strike out "to install on the water mains of said company", and insert in lieu thereof a comma.

Amendment No. 3.

On page 2, line 27, of the printed bill, as amended, after the period, insert the following: "such fire hydrants and appurtenances shall be installed in such manner as will not interfere with the proper functioning of the district's or company's pipe line."

Amendment No. 4.

On page 2, line 29, of the printed bill, as amended, strike out the word "necessary".

Amendment No. 5.

On page 2, line 30, of the printed bill, as amended, strike out the word "cost", and insert in lieu thereof the following: "the same rate charged by".

Amendment No. 6.

On page 2, line 31, of the printed bill, as amended, strike out the word "to", and after the word "water", insert the following: "to the domestic consumers of said district or company".

Amendment No. 7.

On page 2, line 34, of the printed bill, as amended, after the word "thereof", insert the following: ", and cost of water,".

Amendment No. 8.

On page 2, line 38, of the printed bill, as amended, after the word "companies", insert the following: "or districts".

Amendment No. 9.

On page 2, line 40, of the printed bill, as amended, after the period, insert the following: "Before any fire drill shall be held the fire department or fire company through the proper officer must, at least twenty-four hours before any such drill is held, notify the company or district of the time and place of holding such drill, and the length of time it is intended to use water for such drill, and the drill shall be held at such time, and not more than one fire drill shall be held by any one fire company in any one week."

Amendment No. 10.

On page 2, line 49, of the printed bill, as amended, strike out the period, and insert the following: ", and said county fire protection district shall be liable to the company or district furnishing the water for any and all damage which may result from the installation and use of said fire hydrants."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1670—An act to amend sections 4041.13 and 4041.18 of the Political Code, relating to county purchases of personal property and services.

Committee Amendments to Assembly Bill No. 1670.

The following amendments were submitted by the committee

Amendment No. 1.

On page 3, line 32, of the printed bill, as amended, add "shall be permitted to submit quotations or bids".

Amendment No. 2.

On page 3, line 32, of the printed bill, as amended, strike out the period following "chases".

Amendment No. 3.

On page 3, line 35, of the printed bill, as amended, add "and a record shall be kept of all those secured".

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out lines 41, 42, 43 and 44.

Amendment No. 5.

On page 4, line 8, of the printed bill, as amended, add "In every case the lowest and best bid, price, quality and service considered, shall be accepted, except that the county shall not pay more than the current market price for anything which it purchases. Any, or all bids, formal or informal, may be rejected at the discretion of the purchasing agent. If all bids received are approximately the same, or unreasonable, in the opinion of the county purchasing agent, he shall have authority to reject all bids and purchase in the open market, provided that the price paid in the open market be less than the bid price."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1677—An act declaring an emergency, stating a policy with reference to labor disputes, and conferring upon the district courts of appeal jurisdiction to hear such disputes.

Committee Amendments to Assembly Bill No. 1677.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 18 and 19, add the following:

"SEC. 2.5. Whenever a controversy is not settled in conference between an employer and his employees, the controversy shall be submitted to the mediation of a board of three members, one member to be selected by the employer, the second member to be selected by the employees, and these two members shall choose the third."

Amendment No. 2.

On page 2, line 37, of the printed bill, as amended, after the period, insert the following: "Such action by the court shall commence after and in the event of failure on the part of the mediation board, herein mentioned, to bring about a settlement."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2888—An act making an appropriation to carry out the provisions of the Public Welfare Act.

Committee Amendments to Assembly Bill No. 2888.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "making an", and insert in lieu thereof the following, "relating to the".

Amendment No. 2.

On page 1, in the last line of the title of the printed bill, strike out the period, and insert a comma and the following: "and declaring the effect of Item 185 of Chapter 157 of the Statutes of 1937 in relation thereto"

Amendment No. 3.

On page 1 of the printed bill, strike out line 1, and all of the remainder of the bill, and insert in lieu thereof the following:

"SECTION 1. The appropriation made by Item 185 of section 1 of Chapter 157, Statutes of 1937, is hereby declared to be the provision of law making available the moneys for the payments and advances referred to in section 15 of an act passed by the Legislature at the fifty-second session, and entitled "An act to amend the title of and sections 1 and 10 of, and to add sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, to an act entitled 'An act to provide for the aid and relief of indigents,' approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act," and the moneys appropriated by said item are expressly declared to be available for the purposes of said act."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Constitutional Amendment No. 50—Proposed amendment to Article V, section 17, Article XIII, section 20, and adding section 34a to Article IV, of the Constitution, relative to State revenue, taxes, moneys and property and the collection, acquisition, administration, supervision, management, control, use and disposition thereof and reports, accounting and auditing with respect thereto.

Committee Amendments to Assembly Constitutional Amendment No. 50.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the title of the printed bill, strike out "34a", and insert in lieu thereof the following "34b".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out "34a", and insert in lieu thereof the following: "34b".

Amendment No. 3.

On page 1, line 10, of the printed bill, strike out "34a" and insert in lieu thereof the following: "34b".

Amendment No. 4.

On page 1, line 12, of the printed bill, strike out "34a", and insert in lieu thereof the following: "34b".

Amendment No. 5.

On page 2, line 17, of the printed bill, strike out the following "The State Department of"

Amendment No. 6.

On page 2, line 50, of the printed bill, after the word "abolished" strike out the period, and add the following "to take effect June 30, 1939, but the person holding the office of State Controller and the person elected to said office at the time this amendment becomes effective shall be and become the Auditor General herein created and shall serve as such until the next general election of officers in this section mentioned following the adoption of this amendment"

Amendments adopted

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2878—An act providing ways and means for liquidating, refinancing and readjusting defaulted bonds and warrants secured by, or payable out of proceeds derived from, special assessments and special taxes, for judicial proceedings to carry out such purpose; for the confirmation of plans for liquidation, refinancing and readjustment; authorizing the exercise of the police power and the power of eminent domain, for the acquisition and cancellation of such obligations of such bonds and warrants held by persons not accepting such plan, declaring an emergency and the urgency hereof and providing that this act shall take effect immediately.

Bill read second time, and ordered to engrossment

Assembly Bill No. 2848—An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation.

Committee Amendments to Assembly Bill No. 2848.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1, 2, 3 and 4 of the title, and insert in lieu thereof the following:

"An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation"

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 25, inclusive, and strike out all of pages 2, 3 and 4 and insert in lieu thereof the following:

"SECTION 1 Section 301 of the Agricultural Code is hereby amended to read as follows:

301 As used in this article:

(a) "Federal inspection" means the meat inspection maintained by the Bureau of Animal Industry of the United States Department of Agriculture.

(b) "State inspection" means the meat inspection maintained by the department.

(c) "Establishments" includes all premises where animals are slaughtered or otherwise prepared for food purposes, meat canneries, sausage factories, curing and smoke houses, and similar places.

(d) "Animals" means cattle, swine, sheep, goats and other large domesticated mammals, but does not include small species such as dogs, cats and rabbits.

(e) "Slaughter" means kill and prepare for human consumption.

SEC. 2. Section 305 of said code is hereby amended to read as follows.

305. No establishment may be operated in this State for the purpose of slaughtering animals, or for the manufacture of meat food products unless such establishment is operated under Federal inspection or State inspection. No dressed carcasses of animals intended for food purposes, parts thereof, prepared meats or meat food products shall be sold within the State unless the same shall bear the "Inspection and passed" stamp of an establishment operating under Federal inspection or State inspection.

SEC 3. Section 306 of said code is hereby amended to read as follows:

306. When any meat or meat food product that has been inspected as provided by this article and marked "Inspected and passed" shall be placed or packed in any can, pot, tin, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this article is maintained, the person preparing said meat or meat food product shall cause a label to be attached to said can, pot, tin, canvas, or other receptacle or covering under the supervision of an inspector, which label shall state that the contents thereof have been "Inspected and passed" under the provisions of this article; and no inspection of meat or meat food product deposited or inclosed in a can, pot, tin, canvas, or other receptacle or covering in any establishment where inspection is maintained under the provisions of this article shall be deemed to be complete until such meat or meat food product has been sealed or inclosed in said can, pot, tin, canvas, or other receptacle or covering under supervision of an inspector; and no such meat or meat food product shall be sold by any person in the State of California under any false or deceptive name; but established trade names that are usual to such products, and which are not false or deceptive, and which shall be approved by the director are permitted. The director shall confiscate and cause to be destroyed all such labels that are found to be false or deceptive.

SEC. 4. Section 307 of said code is hereby amended to read as follows:

307 Nothing in this article prohibits:

(a) A live stock producer from slaughtering animals on his own premises that are a part of his own herd for his own consumption or from disposing of the carcasses and products of those animals thus slaughtered, provided they can be identified as such, and are sound, healthful, wholesome, and fit for human food, and are disposed of in his locality; when cattle, sheep, swine or goats are sold by said producer in the vicinity where produced and slaughtered there shall be attached to said meat or meat products a statement giving substantially the following:

I hereby certify that the uninspected meat (or meat products as the case may be) to which this certificate is attached is from animals slaughtered by the undersigned, a farmer, on his farm and that at this date it is sound, healthful, wholesome, and fit for human food.

(b) A live stock producer or dairyman from slaughtering upon his own premises calves under the age of eight months which are the actual increase of his own herd, if the calves are accompanied by a certificate of ownership, offered for inspection at any point where inspection is maintained in accordance with regulations issued by the director, and are marketed by whole carcass with hide on.

(c) Any butcher located in a remote section, when in the opinion of the director it is impractical or impossible to assign any inspector, may, upon written application, be granted an exemption certificate to be used in accordance with the regulations of the director; provided, that the meat of animals slaughtered in accordance with such exemption shall be offered for sale only in the immediate locality where the animals were slaughtered.

The certificate must be renewed the first day of January of each year.

Should facilities for inspection become available at any time, the director is empowered to withdraw such exemption certificate. The director is also empowered to withdraw such exemption certificate when, in his opinion, the person to whom the same is issued has not complied with the rules and regulations pertaining to the use thereof.

SEC 5. Section 311 of said code is hereby amended to read as follows:

311. The director may provide post-mortem inspection of all animals slaughtered for food purposes in any establishments in the State. The head, tongue, tail, thymus glands, viscera, and other parts and blood used in the preparation of meat food products, or medicinal products shall be retained in such a manner as to preserve their identity until after the post-mortem examination has been completed. Carcasses and parts thereof found to be sound, healthful, and wholesome after inspection and otherwise fit for human food shall be passed and may be marked in the following manner: "Cal. inspected and passed". This mark may also include any number given the establishment. Each carcass or part thereof which is found on post-mortem inspection to be unsound, unhealthful, unwholesome, or otherwise unfit for human food, shall be marked conspicuously by the inspector at the time of inspection with the words, "Cal. inspected and condemned," and such carcasses or parts thereof, under the supervision of the inspector, shall be rendered unfit for human consumption in a manner approved by the director.

SEC. 6. Section 312 of said code is hereby amended to read as follows:

312. Any person desiring to engage in slaughtering animals or manufacturing meat food products for human consumption shall apply to the director for the inauguration of an inspection service in the establishment where said animals are to be slaughtered or meat food products manufactured. Such application shall be in writing, addressed to the director on blanks furnished by the department. In such application the applicant for inspection shall agree to comply with the provisions of this article and to maintain said establishment in a clean and sanitary manner. Upon receipt of said application, the director shall make an inspection of said establishment and if found clean and sanitary, and properly equipped to conduct its business in accordance with the rules and regulations of the department, the director shall inaugurate an inspection service therein, and shall give to such establishment an official number, to be used to mark the meat and meat food products of this establishment as provided in this section. Such establishment shall thereafter be known as "official establishment No. _____."

SEC. 7. Section 314 of said code is hereby amended to read as follows:

314. It is unlawful for any person, except employees of the United States Department of Agriculture or the department to possess, keep, or use any mark, stamp, or brand provided or used for marking, stamping, or branding the carcass of any animal, parts thereof, meats or meat food products, or to possess, keep, or use any mark, stamp, or brand having thereon a device or words the same or similar in character or import to the marks, stamp or brands provided or used by the United States Department of Agriculture or the department for marking, stamping, or branding the carcasses of animals or parts thereof intended for food purposes, meats, or meat food products.

SEC. 8. Sections 302, 303 and 304 of said code are hereby repealed.

SEC. 9. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of $1,130,000 to be expended under the supervision of the director in carrying out the provisions of this act. No portion of the sum appropriated by this act shall be expended in any county, city and county or city where an approved meat inspection service is now maintained in slaughtering establishments, unless such establishment shall elect in writing to the Director of Agriculture on or before January 1, 1938, to discontinue such municipal or county approved inspection service and assume State inspection service. If an establishment does not elect to assume State inspection on or before January 1, 1938, then it may not so elect to assume State inspection service until further moneys shall have been appropriated by the Legislature from the general fund to provide State inspection service in said establishment. State inspection service may be instituted in such an establishment requesting it, when such moneys have been made available to the Department of Agriculture to provide State inspection service in said establishment."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2835—An act to provide for the regulation of the marketing, preparing and processing of agricultural foodstuffs, to provide for the administration of such act by the Director of Agriculture, to prescribe standards for the guidance of said director, and to declare the urgency of this act, to take effect immediately.

Committee Amendments to Assembly Bill No. 2835

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 20 of the printed bill, delete the period, and insert, at the end of the sentence, the following: "excluding unfermented fruit juices, concentrates, cocktails, purees, syrups and sauces."

Amendment No. 2.

On page 5, line 36, of the printed bill, after the word "provisions", insert the words "regulating processors."

Amendment No. 3.

On page 6, line 33, of the printed bill, delete all of said subdivision (d), and renumber following paragraphs "(e)", "(f)", "(g)", "(g)", "(i)", and "(j)", accordingly to read as follows: "(d)", "(e)", "(f)", "(g)", "(h)" and "(i)."

Amendment No. 4.

On page 6, line 51, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 5.

On page 7, line 1, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 6.

On page 7, line 2, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 7.

On page 7, line 6, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 8.

On page 7, line 11 of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 9.

On page 7, line 17, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 10.

On page 7, line 26, of the printed bill, after the word "such", delete the words "distributor or."

Amendment No. 11.

On page 7, line 47, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 12.

On page 7, line 51, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 13.

On page 7, line 52, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 14.

On page 8, line 38, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 15.

On page 8, line 42, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 16.

On page 8, line 44, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 17.

On page 8, line 52, of the printed bill, after the word "processors", delete the words "or distributors."

Amendment No. 18.

On page 9, line 1, of the printed bill, after the word "processors", delete the words "or distributors."

Amendment No. 19.

On page 9, line 6, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 20.

On page 9, line 8, of the printed bill, after the word "processor", delete the words "or distributor."

Amendment No. 21.

On page 9, line 19, of the printed bill, after the word "by", and before the word "marketing", delete the words "a processing and".

Amendment No. 15.

On page 9, line 28, of the printed bill, after the word "order", and before the word "marketing", insert the numeral "(a)".

Amendment No. 16.

On page 9, line 35, of the printed bill, insert the following: "(b) No marketing order or amendments thereto issued by the director under this act shall become effective unless and until the director finds that such order has been assented to in writing by the processors regulated by the provisions of such order who processed Not less than sixty-five (65%) per cent of the volume of the agricultural foodstuffs covered thereby which is processed within the defined area in such order, or by sixty-five (65%) per cent of the number of such processors engaged in processing such agricultural foodstuffs within the area defined in such order"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Re-reference of Assembly Bill No. 1361.

On motion of Mr. Lore, Assembly Bill No. 1361 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means

Recess.

At five o'clock and thirty-five minutes p.m., on motion of Mr King, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Concurrent Resolution No. 50: By Mr. Scudder—Relative to approving certain amendments to the charter of the city of Petaluma, a municipal corporation in the county of Sonoma, State of California, voted for and ratified by the qualified electors of such city at a special election held therein on the twenty-eighth day of April, 1937.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 50, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 50.

Assembly Concurrent Resolution No. 50—Relative to approving certain amendments to the charter of the city of Petaluma, a municipal corporation in the county of Sonoma, State of California, voted for and ratified by the qualified electors of such city at a special election held therein on the twenty-eighth day of April, 1937.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr Scudder moved a call of the Assembly.

Motion carried.

Time, eight o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Johnson, Latham, McMurray, Millington, Morgan, Muldoon, O'Donnell, Peyser, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, and Mr. Speaker—34.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 11, 1937.

To the Honorable Members of the Assembly

I am returning herewith, without my approval, **Assembly Bill No. 2817**, the same being:

"An act to amend section 737vv of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Solano."

This action is prompted by the same considerations as set forth in previous messages, and in harmony with a policy of economy in every branch of the government.

That there shall be no approval of expenditures necessitating increased taxes seems to justify withholding my approval of Assembly Bill No. 2817.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2817 ordered on unfinished business calendar.

Further Proceedings Under Call of the Assembly Dispensed With.

At nine o'clock and twenty minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Scudder.

The roll of absentees was called, and Assembly Concurrent Resolution No. 50 adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Latham, Levey, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—48.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1516—An act to add section 6.5 to, and amend sections 7 and 8 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Latham, Levey, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Peyser, Richie, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—45.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1526—An act to amend section 93 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to the Division of State Employment Agencies.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Levey, Lore, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1498—An act to amend section 76 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan,

Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1078—An act granting certain salt marsh, tide and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1078?

Amendment No. 1.

On page 2 of the printed bill, after line 30, add the following:

"(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest."

Amendment No. 2.

On page 1, line 11, of the printed bill, after the words "of the", strike out "eastern line of Harrison", and insert in lieu thereof "western line of Alice".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1078 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Levey, Love, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1078 ordered to enrollment.

Assembly Bill No. 2723—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of bottles and containers used for foods, drugs and liquors.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2723?

Amendment No. 1.

On page 2, line 38, of the printed bill, as amended, strike out "two and one-half", and insert in lieu thereof the following: "five".

Amendment No. 2.

On page 3, line 18, of the printed bill, as amended, strike out "until", and strike out lines 19 to 24, inclusive, and insert in lieu thereof the following: "unless the tin plate from which said containers are manufactured has, prior to the manufacture of the containers, been cleansed and sterilized by being thoroughly immersed in

boiling water, and then dried on hot rolls or by the use of heated air. The California State Board of Public Health is hereby given authority to inspect all places where said containers are manufactured for the purpose of enforcing the provisions of this section."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2723 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 2723 ordered to enrollment.

Assembly Bill No. 2845—An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2845?

Amendment No. 1.

On page 2, line 46, of the printed bill, strike out the word "deeds", and insert in lieu thereof the word "Deeds".

Amendment No. 2.

On page 2, line 46, of the printed bill, after the following: "Santa Barbara", insert the word "County".

Amendment No. 3.

On page 3, line 23, of the printed bill, strike out the word "least", and insert in lieu thereof the word "lease".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2845 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2845 ordered to enrollment.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Cottrell:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 38.5 to, and to amend sections 6, 10, 11, 20, 21, 24, 25, 26, 27, 28, 30, 31, 32, 33, 45, 51, 52, 62, 95, 97 and 101 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriations therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Cottrell:

An act to add section 38.5 to, and to amend sections 6, 10, 11, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 45, 51, 52, 62, 95, 97 and 101 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

CALL, Chairman

The roll was called, and the report adopted by the following vote.

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None

Introduction and Reference of Bills—(Resumed).

The following bill was introduced and referred as indicated

Assembly Bill No. 2895: By Mr. Cottrell—An act to add section 38.5 to, and to amend sections 6, 10, 11, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 45, 51, 52, 62, 95, 97, and 101 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read first time, and referred to Committee on Unemployment

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 11, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 1912**, the same being:

"An act to authorize counties to convey and transfer to flood control districts within such counties drainage systems and works constructed in drainage improvement districts organized pursuant to an act entitled the Drainage District Improvement Act of 1919 prior to January 1, 1937, and prescribing the terms and conditions and the effect of such conveyance and transfer and fixing liabilities with respect to obligations of such drainage districts"

This bill affects more especially Los Angeles County Flood Control District, and its taxpayers. Under the terms of this measure nine or more local drainage districts within the flood control boundaries could, upon approval of the board of supervisors, transfer approximately $5,000,000 of drainage district bonds and interest to the larger district. The taxpayers in the drainage district which have already discharged their obligations would thus be assessed by the flood control district to pay bonds of the drainage districts so transferred.

It hardly seems fair to make taxpayers join in paying the bonds of other districts after having paid their own obligations for similar undertakings.

Assembly Bill No. 1913, a companion measure relating to the same subject, provides for an additional levy by a special tax "sufficient to pay the cost and expense of maintaining, repairing, making changes in, additions to or extension of the drainage systems and works so conveyed and transferred," and this bill must necessarily be considered in connection with Assembly Bill No. 1912.

A question has arisen as to whether under Assembly Bill No. 1912 and Assembly Bill No. 1913, drainage districts against which no bonds existed may be transferred to the flood control district. If districts without bond obligations can be transferred, and such districts must continue with their "maintenance, repairing, making changes

in, additions to or extensions," etc., this law would work an injustice, and should not be enacted.

I regret these measures are not more specific in regard to the matters above mentioned, and further that they do not provide for the adoption of such a course by vote of the people of the district. There could be no serious opposition to the bill if all drainage districts are to be transferred, and the voters were permitted to express themselves on the question of such transfers and maintenance.

For the above reasons, I am returning Assembly Bill No. 1912, without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1912 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 11, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 1913**, the same being:

"An act to amend the 'Los Angeles County Flood Control Act,' by adding thereto a new section, to be numbered 13½, relating to the conveyance and transfer to such district of drainage systems and works of drainage improvement districts and for the assumption of liability for the payment of bonds of drainage districts issued for the construction of the drainage systems and works so conveyed and transferred and for the maintenance of such drainage system and works."

My reasons for withholding approval of Assembly Bill No. 1913 have been fully set forth and discussed in connection with the message on Assembly Bill No. 1912.

Approval is withheld in accordance with the statement above mentioned.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1913 ordered on unfinished business calendar.

Statement From the Governor.

I am vetoing Assembly Bills Nos. 1912 and 1913.

In addition to the statements appearing in the veto messages, it should be understood that after conference with the sponsors and authors of these measures it has been agreed new bills will be drawn avoiding the objections made to the present bills.

FRANK F. MERRIAM, Governor.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1616.
Assembly Concurrent Resolution No. 48.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 773—An act to amend the title and section 1, 3 and 12 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the taxation of the transportation of persons or property for hire or compensation on the public streets, roads, or highways in the State of California by motor vehicle, to take effect immediately.

Senate Bill No. 333—An act authorizing the use, for major construction and equipment of plant quarantine border inspection stations, of moneys already appropriated; declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 243—An act to amend sections 6 and 7 of the Dental Practice Act, relating to the qualifications and examination of applicants;

Senate Bill No. 475—An act to amend sections 332, 336, 338, 341, 343, 346, 350, 354, 356, 362, 366, 367 and 377 of the Agricultural Code and to add sections 363.1, 363.2, 363.3 and 378.5 thereto, relating to live stock marks and brands.

Senate Bill No. 182—An act to add section 21.2 to the Fish and Game Code, relating to fish and game enforcement officers.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 773 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 333 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 243 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 475 read first time and referred to Committee on Live Stock and Dairies.

Senate Bill No. 182 read first time, and referred to Committee on Fish and Game.

SENATE CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 300—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court, Plumas County;

Senate Bill No. 393—An act to add section 159a to the Agricultural Code, relating to the elimination of Austrian field cress, and to make an appropriation therefor;

Senate Bill No. 844—An act to add section 690.11 to the Political Code, relating to the disposition of fees received under the provisions of section 690.10 of the Political Code;

Senate Bill No. 996—An act to amend section 737ww of the Political Code, relating to the salary of judges of the county of Sonoma;

Senate Bill No. 1038—An act to add section 4041.29 to the Political Code, relating to reports relating to financial statements by county supervisors;

Senate Bill No. 1043—An act to amend section 4272 of the Political Code, relating to compensation of officers, officials and deputies in counties of the forty-third class;

Senate Bill No. 1044—An act to amend section 4260 of the Political Code, relating to compensation of officers, officials and deputies in counties of the thirty-first class;

Senate Bill No. 1138—An act to add section 66a to the Code of Civil Procedure, relating to the number of superior court judges in and for the county of Ventura, and providing for the appointment thereof;

Senate Bill No. 1140—An act to authorize the State Treasurer to collect bonds and bond coupons, to pay all expense of collection and to provide for the reimbursement of the general fund for expense of collecting bonds and bond coupons for special funds;

Senate Bill No. 1145—An act to amend section 1 of an act entitled "An act to create a revolving fund for the manufacturing departments of the State Prison at San Quentin and to appropriate money therefor," approved June 12, 1915, relating to the balance in the San Quentin Prison manufacturing revolving fund.

Senate Bill No. 46—An act to amend section 4.51 and 4.52 of the School Code, relating to the distribution of funds received by the State under the act of Congress approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain";

Senate Bill No. 657—An act making an appropriation for the addition of another story to the building known as the annex to the State Printing Plant;

Senate Bill No. 781—An act to amend the title of, and to add section 18a to, the State Medical Practice Act, relating to remedies for violations thereof;

Senate Bill No. 782—An act to add sections 2372 5, 2410, and 2411 to the Business and Professions Code, relating to disciplinary proceedings within the chapter on medicine;

Senate Bill No. 783—An act to add section 2436 to the Business and Professions Code, relating to remedies for the enforcement of the chapter on medicine thereof;

Senate Bill No. 951—An act making an appropriation for the purchase of property for State college at Chico;

Senate Bill No. 1117—An act providing for the compilation of, printing, binding, publishing and distribution of a State Blue Book, and repealing certain acts specified herein;

Senate Bill No. 1144—An act to amend section 1251 of, and to add sections 1264.1, 1264 2, 1264.3, 1264.4, 1264.5, 1264 6, 1264 7 and 1264 8 to the Code of Civil Procedure, relative to eminent domain proceedings, including those for the condemnation of toll bridge or toll road franchises;

Senate Bill No. 1146—An act to amend esction 10 of the "Highway Carriers' Act," relating to highways carriers, including rates chargeable by such carriers.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No 300 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 393 read first time, and referred to Committee on Ways and Means.

Senate Bill No 844 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 996 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 1038 read first time, and referred to Committee on County Government

Senate Bill No. 1043 read first time, and referred to Committee on County Government

Senate Bill No. 1044 read first time, and referred to Committee on County Government

Senate Bill No 1138 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 1140 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1145 read first time, and referred to Committee on Ways and Means.

Senate Bill No 46 read first time, and referred to Committee on Ways and Means.

Senate Bill No 657 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 781 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 782 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 783 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 951 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1117 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1144 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No 1146 read first time, and referred to Committee on Public Utilities

SENATE CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding section 4d to Article VI, relating to advisory opinions of the Supreme Court.

Senate Concurrent Resolution No. 41—Relative to approving five certain amendments to the charter of the city of Redwood City, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eleventh day of June, 1936;

Senate Concurrent Resolution No. 42—Relative to granting leave of absence to the Honorable Ed Fletcher, member of the Senate of the fifty-second session of the Legislature of the State of California.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Constitutional Amendment No. 27 referred to Committee on Constitutional Amendments

Request for Unanimous Consent.

Mr. Call asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 41, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 41.

Senate Concurrent Resolution No. 41—Relative to approving five certain amendments to the charter of the city of Redwood City, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eleventh day of June, 1936.

Senate Concurrent Resolution No. 41 read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Hunt, Johnson, Kepple, Latham, Levey, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, and Mr. Speaker—42.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr Richie asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 42, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 42.

Senate Concurrent Resolution No. 42—Relative to granting leave of absence to the Honorable Ed. Fletcher, member of the Senate of the fifty-second session of the Legislature of the State of California.

Senate Concurrent Resolution No. 42 read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Heisinger, Hunt, Johnson, Kepple, Latham, Levey, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Weber, and Mr. Speaker—44.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1295—An act to regulate the rug cleaning business and to create a Rug Renovation Board, prescribing the powers and duties thereof; providing for the licensing of persons engaged in conducting rug cleaning establishments and providing for the enforcement of the act by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards, for the protection of the public health and persons engaged in the practice of rug cleaning.

Bill read third time.

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr Lyon moved a call of the Assembly.

Motion carried.

Time, nine o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names.

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower Hunt, Johnson, Kepple, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 60—Proposed amendment to Article IV of the Constitution, by amending section 23 and adding sections 7.2 and 15.3, relating to the legislative department of the State Government.

Motion to Amend Assembly Constitutional Amendment No. 60.

Mr. Heisinger moved to amend Assembly Constitutional Amendment No. 60 as follows:

Amendment No. 1.

On page 1 of the printed measure, strike out lines 11 and 12, and in line 13, strike out "house", and insert in lieu thereof the following:

"SEC. 7.2. Each candidate for nomination as candidate for the Legislature, when he files his declaration of candidacy or his acceptance of candidacy shall also file as a part thereof".

Amendment No. 2.

On page 1, line 15, of the printed measure, following the period, add the following: "In such declaration of candidacy or acceptance of candidacy the candidate shall also state the name of each person, firm or corporation from which he has received during the past year five hundred dollars or more or with which he has a valid contract from which he will receive within the next year three hundred dollars or more and also the name of every person, firm or corporation where the total amount of money he has received from such person, firm or corporation, respectively, plus the total amount of money which he expects to receive within the following year from such person, firm or corporation, respectively, amounts to the sum of three hundred dollars or more."

Amendment No. 3.

On page 1, line 22, of the printed measure, strike out "three", and insert in lieu thereof the following: "two".

Amendment No. 4.

On page 1 of the printed measure, strike out lines 5 and 6 of the title, and insert in lieu thereof the following: "thereof, by amending section 11 of Article VI, and by amending section 5 of Article XI, relating to the legislative department of the State government, county government, and the salaries of judges and of county officers."

Amendment No. 5.

On page 2 of the printed measure, following line 10, add the following

"Fourth. Section 11 of Article VI is hereby amended to read as follows:

SEC. 11. In any city or city and county which is governed under a charter framed and adopted under the authority of this Constitution containing a population of more than forty thousand inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States, a municipal court may be established as in this article provided, anything in this Constitution to the contrary notwithstanding. For each such municipal court at least one judge with such additional judges as may be determined by the Legislature, shall be elected by the qualified electors of the city or city and county at the general municipal election. In any city, or city and county, in which such municipal court shall be established for which there shall be more than one judge the judges of such court may hold as many sessions thereof at the same time as there are judges thereof, and the business thereof shall be apportioned among such judges in the manner prescribed by law

The Legislature shall provide by general law for the establishment of such municipal courts in cities or cities and counties in this section specified, and for the constitution, regulation, government, procedure and jurisdiction thereof.

The manner in which, the time at which, the term for which the judges, clerks and other attaches of municipal courts shall be elected or appointed, the number and qualifications of said judges and of the clerks and other attaches, except as such matters are otherwise provided in this article, shall be prescribed by the Legislature.

In any city or city and county where such municipal court has been established, and in townships situated in whole or in part in such city or city and county, there shall be no other court inferior to the superior court, except that the Legislature may provide for the establishment of such inferior courts.

Pending actions, trials, and all pending business of inferior courts within a city or city and county or township, upon the establishment of any such municipal court therein, shall, unless otherwise provided by law, be transferred to and become pending in such municipal court, and all records of such inferior courts shall be transferred to, and thereafter be and become records of, such municipal court.

Upon the establishment of any such municipal court, and until the first election and the qualification of the judge or judges thereof, and the first appointment and the qualification of the clerks and other attaches thereof, the judges or justices, and the clerks and other attaches, of any existing inferior courts in such city, city and county, or township shall become and act as the judges, clerks and attaches respectively of such municipal court. Whenever any city having a municipal court is formed into a consolidated city and county with the combined powers of a city and county, under proceedings therefor as elsewhere in this Constitution provided such municipal court shall thereupon and thereby be and become the municipal court of such city and county.

The compensation of justices of the supreme court and of the district court of appeal shall be fixed, and the payment thereof prescribed, by the Legislature.

The compensation of judges of the superior court and judges of the municipal courts shall be fixed by the boards of supervisors of the respective counties in which the courts are situated to which such judges were elected or appointed.

Fifth Section 5 of Article XI is hereby amended to read as follows:

SEC 5. The Legislature, by general and uniform laws, shall provide for the election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, district attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of boards of supervisors in the respective counties and for this purpose may classify the counties by population. It may regulate the compensation of grand and trial jurors in all courts within the classes of counties herein permitted to be made. The boards of supervisors in the respective counties shall regulate the compensation of all officers in said counties other than boards of supervisors, shall regulate the compensation of judges of the superior court and judges of any municipal courts in such county, and shall regulate the number, method of appointment, terms of office or employment, and compensation of all deputies, assistants, and employees of the counties and of all employees and attaches of the superior court and municipal courts in such counties.

The provisions of this section shall not be construed to abridge, modify or otherwise affect the provisions of sections 7½, 7¾a and 8½ of this article, relating to county or city and county charters. That certain act entitled "An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of boards of supervisors with respect to county and township officers, deputies, assistants and employees," as enacted by the Legislature at its fiftieth session, is hereby validated in all respects except as it conflicts with this section, and made fully and completely effective.

The compensation of any county, township or municipal officer shall not be increased after his election or during his term of office, nor shall the term of any such officer be extended beyond the period for which he was elected or appointed. The provisions of this section shall not prevent the allowance of any new or additional deputy or assistant to the principal in any county office during his term, nor shall they prevent any increase in the compensation of any deputy or assistant to such principal at any time.

The provisions of this section shall not abridge, modify or otherwise limit the power of the Legislature by general and uniform laws to prescribe the qualifications of any county officer or of any deputy or assistant, or to prescribe the method of appointment of any person so qualified."

Amendments adopted

Assembly Constitutional Amendment No. 60 ordered to reprint, and re-engrossment

Assembly Bill No. 1490—An act to amend section 1 of an act entitled "An act to regulate the practice of structural pest control; to create

the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control," approved July 20, 1935, relating to structural pest control.

Motion to Amend Assembly Bill No. 1490.

Mr Burns, Hugh M., moved to amend Assembly Bill No. 1490 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "preventing infestation of pests other than those defined in section 100 of the Agricultural Code."

Amendment adopted.

Assembly Bill No. 1490 ordered to reprint, and re-engrossment

Assembly Bill No. 1750—An act to amend section 5 of, and to add sections 2 1 and 10.1 to, The Personal Income Tax Act of 1935, relating to taxation and providing for the rates of taxation and earned income credits.

Motion to Amend Assembly Bill No. 1750.

Mr. Boyle moved to amend Assembly Bill No. 1750 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "2.1 and 10.1", and insert in lieu thereof the following. "2.1, 2.4, 2 5, 10.5, 10 6, 10.7, and 10 8"

Amendment No. 2.

On page 1 line 4 of the printed bill, as amended, strike out "(a)", and insert in lieu thereof the following: "2.1."

Amendment No. 3.

On page 1, lines 5 and 6, of the printed bill, as amended, strike out ", by an individual,".

Amendment No. 4.

On page 1, line 19, of the printed bill, as amended, strike out "(b)", and insert in lieu thereof the following:

"SEC. 2 Section 2.4 is hereby added to said act to read as follows·

Sec. 2.4."

Amendment No. 5.

On page 1, line 21, of the printed bill, as amended, after "allocable", insert the following: "to".

Amendment No. 6.

On page 1, line 23, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following:

"SEC. 3. Section 2 5 is hereby added to said act to read as follows·

Sec. 2.5."

Amendment No. 7.

On page 1, line 25, of the printed bill, as amended, after the period, insert the following: "If the taxpayer's net income is not more than $3,000, his entire net income shall be considered to be earned net income, and if his net income is more than $3,000, his earned net income shall not be considered to be less than $3,000. In no case shall the earned net income be considered to be more than $14,000"

Amendment No. 8.

On page 2 of the printed bill, as amended, strike out line 34, and insert in lieu thereof the following: "Sec. 4. Section 10.5 is".

Amendment No. 9.

On page 2 of the printed bill, as amended, strike out lines 36 to 41, inclusive, and in line 42, strike out "income credit", and insert in lieu thereof the following.

"Sec. 10.5 Earned Income Credits. An individual subject to the tax imposed by this act shall be allowed an offset against the tax in an amount equal to four per cent of the earned income credit provided for in section 10 6

SEC. 5. Section 10.6 is hereby added to said act, to read as follows:

Sec. 10.6. The earned income credit shall be an amount equal to ten per cent of the earned net income, which shall not exceed ten per cent of the amount of net income in excess of credits against net income provided in section 10

SEC 6 Section 10.7 is hereby added to said act, to read as follows

Sec 10 7 In the case of members of a partnership the proper part of each share of the net income which consists of earned income shall be determined under rules and regulations to be prescribed by the commissioner and shall be separately shown in the return of the partnership.

SEC. 7 Section 10.8 is hereby added to said act, to read as follows

Sec. 10.8. The commissioner shall by regulations prescribe the method of applying the provisions of subsection (b) of section 16 to cases where the taxpayer makes a separate return under such subsection on account of a change in the accounting period, and it appears that for the period for which the return is so made he has received earned income"

Amendments adopted.

Assembly Bill No 1750 ordered to reprint, and re-engrossment

Assembly Bill No. 1455—An act authorizing the Director of Finance, upon behalf of the State, to prospect for, drill for, develop, extract, take and remove or dispose of, and to grant leases and easements for taking or extraction of, oil, gas or other hydrocarbons, or other minerals, of whatsoever kind, within and from certain lands belonging to the State; to acquire by purchase, eminent domain or otherwise, real property or interests therein necessary for the purposes of this act; providing for the disposition of all funds received pursuant to the provisions hereof; repealing all acts or parts of acts inconsistent or in conflict with this act, and making an appropriation for the purpose of carrying out the provisions of this act.

Motion to Amend Assembly Bill No. 1455.

Mr Welsh moved to amend Assembly Bill No 1455 as follows:

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, as amended May 7, 1937, strike out "State Oil Development Board, which is hereby created", and insert in lieu thereof the following. "Director of Finance".

Amendment No. 2.

On page 1, lines 12 and 13, of the printed bill, as amended in the Assembly May 7, 1937, strike out the words "providing for elections".

Amendment No. 3.

On page 7 of the printed bill, as amended in the Assembly on May 7, 1937, strike out the period in line 31, and insert in lieu thereof the following: "which lands are situated at Huntington Beach, Orange County, and are described as follows:

The area bounded by a line beginning at the northeast corner of the northwest quarter of the northeast quarter of Section 4, Township 6 South, Range 11 West, S. B. B. & M., thence easterly a distance of 14,520 feet, more or less, to the northeast corner of the northwest quarter of Section 1, Township 6 South, Range 11 West, S B. B. & M.; thence south 41° 20′ west to the ordinary high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5,280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 10,901 feet, more or less, to a point in the Pacific Ocean, thence north 41° 20′ east to the point of beginning, except that portion thereof lying landward from the ordinary high water mark of the Pacific Ocean."

Amendment No. 4.

On page 7 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 38 to 41, inclusive.

Amendment No. 5.

On page 7, line 42, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "SEC. 4 The State Oil Development Board", and insert in lieu thereof the following "SEC 3 The Director of Finance".

Amendment No. 6.

On page 7, line 47, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "5", and insert in lieu thereof the numeral "4".

Amendment No. 7.

On page 7, line 51, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "SEC 6 The State Oil Development Board", and insert in lieu thereof the following "SEC 5. The Director of Finance"

Amendment No. 8.

On page 8 of the printed bill, as amended in the Assembly on May 7, 1937, between lines 16 and 17, insert the following:

"SEC. 6. For the purpose of prospecting, drilling for, extracting, procuring, removing and disposing of oil, gas and other hydrocarbon substances from said lands, the area thereof shall be divided into eleven parcels specifically described as follows:

Parcel A. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northeast quarter of Section 4, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of said Section 4; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel B. The area bounded by a line beginning at the northeast corner of Section 4, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of the northwest quarter of Section 3, Township 6 South, Range 11 West, S B B. & M; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel C. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northwest quarter of Section 3, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of Section 3, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean, thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean

Parcel D. The area bounded by a line beginning at the northeast corner of the northwest quarter of Section 3, Township 6 South, Range 11 West, S. B. B & M., thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of the northeast quarter of Section 3, Township 6 South, Range 11 West, S B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel E. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northeast quarter of Section 3, Township 6 South, Range 11 West, S B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of Section 3, Township 6 South, Range 11 West, S B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean, thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean

Parcel F. The area bounded by a line beginning at the northeast corner of Section 3, Township 6 South, Range 11 West, S B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of the northwest quarter of Section 2, Township 6 South, Range 11 West, S B B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning, except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel G. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northwest quarter of Section 2, Township 6 South, Range 11 West, S. B. B. & M; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of Section 2, Township 6 South, Range 11 West, S. B B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel H. The area bounded by a line beginning at the northeast corner of the northwest quarter of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of the northeast quarter of Section 2, Township 6 South, Range 11 West, S B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean, thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel I. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northeast quarter of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of Section 2, Township 6 South, Range 11 West, S B B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel J. The area bounded by a line beginning at the northeast corner of Section 2, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of the southwest quarter of Section 1, Township 6 South, Range 11 West, S. B B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean; thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean, thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Parcel K. The area bounded by a line beginning at the northeast corner of the northwest quarter of the northwest quarter of Section 1, Township 6 South, Range 11 West, S. B. B. & M.; thence easterly a distance of 1320 feet, more or less, to the northeast corner of the northwest quarter of Section 1, Township 6 South, Range 11 West, S. B. B. & M.; thence south 41° 20′ west to the high water mark of the Pacific Ocean, thence south 41° 20′ west a distance of 5280 feet to a point in the Pacific Ocean; thence north 48° 40′ west a distance of 991 feet, more or less, to a point in the Pacific Ocean; thence north 41° 20′ east to the point of beginning; except that portion thereof lying landward from the high water mark of the Pacific Ocean.

Amendment No. 9.

On page 8 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 17 to 29 inclusive, and insert in lieu thereof the following:

"SEC. 7. Each parcel described in section 6 hereof shall be offered for lease in the manner as hereinafter provided, to that qualified bidder offering by bid to pay to the State the highest cash bonus, to be paid at the time of execution by the State of the lease therefor, except that if any bidder offers a cash bonus for all of the lands described in section 6, which bonus is in excess of the total amount of the highest cash bonus offered for all of said parcels, for which bids are received, all of said parcels shall then be leased to such bidder. In addition to such cash bonus, each lessee shall pay to the State a royalty at twenty per cent of the value, of all the oil, gas, casinghead gasoline, or other hydrocarbon substances produced and saved from said State lands."

Amendment No. 10.

On page 8 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 30 to 45, inclusive, and insert in lieu thereof the following:

"SEC. 8. Within one week after the effective date of this act, the director shall give public notice of his intention to lease said lands as provided herein. The notice shall state the time (which shall not be less than one week nor more than ten days after date of publication of such notice) and place for the receiving and opening of bids for the leasing of said lands to qualified persons offering the largest cash bonus for the leasing of the parcels described in section 6, or as provided herein for the entire parcel described in section 1.

Such notice shall be published for a period of five consecutive days in a newspaper of daily and general circulation in the county of Orange, and in two newspapers of daily and general circulation, one published in the city of Los Angeles, and one published in the City and County of San Francisco."

Amendment No. 11.

On page 8 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 46 to 52, inclusive, and on page 9, all of lines 1 to 14, inclusive.

Amendment No. 12.

On page 9 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 15 to 42, inclusive.

Amendment No. 13.

On page 9 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 43 to 47, inclusive, and insert in lieu thereof the following:

"SEC. 9. The Director of Finance shall first have prepared a form of lease for each of the parcels described in section 6 of this act, the only difference between said leases being the description of the parcel, and also a form of lease for all of said State lands described in section 1 of this act as a unit.

The leases shall contain such terms and conditions as are necessary to properly carry out the provisions of this act, and also such other terms and conditions consistent therewith as the director deems necessary to protect the interest of the State. The director shall supply copies thereof to any person who desires to bid on any such parcels."

Amendment No. 14.

On page 9 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 48 to 52, inclusive.

Amendment No. 15.

On page 10 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SEC. 10. Any lease of the lands described in section 1, or of any parcel thereof, shall be for a period of twenty-five years with the right of renewal upon such terms and conditions as may be prescribed by law at the time of the expiration thereof."

Amendment No. 16.

On page 10, line 7, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "14", and insert in lieu thereof the numeral "11".

Amendment No. 17.

On page 10, line 8, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "ninety (90)", and insert in lieu thereof the following: "sixty (60)"

Amendment No. 18.

On page 10, line 13, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "ninety (90)", and insert in lieu thereof, the following: "sixty (60)".

Amendment No. 19.

On page 10, lines 15 and 16, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "State Oil Development Board", and insert in lieu thereof the following: "Director of Finance."

Amendment No. 20.

On page 10 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 21, 22, 23 and 24, and insert in lieu thereof the following: "of 5 wells, including offset wells, shall have been drilled for each parcel leased. The".

Amendment No. 21.

On page 10, lines 42 and 43, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "State Oil Development Board", and insert in lieu thereof the following: "Director of Finance."

Amendment No. 22.

On page 10 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of line 48, and insert in lieu thereof the following: "under a subsequent lease. On the quitclaiming of any area, the number of wells which the lessee shall be required to drill thereunder shall be reduced in the same proportion as the acreage subject to the provisions of such lease is reduced by the area quitclaimed and".

Amendment No. 23.

On page 10, lines 49 and 50, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "State Oil Development Board", and insert in lieu thereof the following: "Director of Finance."

Amendment No. 24.

On page 11, line 1, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "15", and insert in lieu thereof, the numeral "12".

Amendment No. 25.

On page 11, lines 20 and 21, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "State Oil Development Board", and insert in lieu thereof the following: "Director of Finance."

Amendment No. 26.

On page 11, lines 23 and 24, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "State Oil Development Board", and insert in lieu thereof the following: "Director of Finance."

Amendment No. 27.

On page 11 of the printed bill, as amended in the Assembly on May 7, 1937, between lines 25 and 26, insert the following: "(c) That the lessee shall comply with all reasonable rules and regulations not inconsistent with the provisions of this act that the Director of Finance thereafter makes affecting the said State lands and the production of oil, gas, and other hydrocarbons therefrom."

Amendment No. 28.

On page 11, line 26, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "(c)", and insert in lieu thereof the following: "SEC. 13."

Amendment No. 29.

On page 11, line 44, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "State Oil Development Board", and insert in lieu thereof the following: "Director of Finance."

Amendment No. 30.

On page 12, between lines 6 and 7, of the printed bill, as amended in the Assembly on May 7, 1937, insert the following:

"SEC. 14. In any lease made under the provisions of this act, the director shall prescribe a reasonable rate of prospecting and development of the lands included therein. The rate of production thereunder shall be pursuant to any Federal and State law, or rule and regulation thereunder, or to any reasonable conservation and curtailment plan of orderly development prescribed by the director."

Amendment No. 31.

On page 12 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 7 to 31, inclusive, and insert in lieu thereof the following:

"SEC. 15. Any person desiring to bid on any or all of said parcels shall fill out the blank space indicated in said lease for the amount of cash bonus to be paid to the State, and sign and execute the lease as lessee and return it to the Director of Finance, at the place and at or prior to the time specified for the receiving and opening of bids for such leases. All bids shall, in this form, be presented under sealed cover and shall be accompanied by a certified or cashier's check of a responsible bank in California made payable to the State Treasurer in the sum of $25,000 as evidence of good faith and as security to the State for the payment of the bonus offered to be paid by the bidder. If the bidder submits bids upon more than one parcel, a separate check shall accompany the bid for each such parcel. If the bid is for a lease of all the lands described in section 1, the amount of the check shall be $275,000. If his bid is not accepted, said deposit shall be returned to the bidder with notice of its rejection. No bid shall be considered unless such certified or cashier's check is inclosed therewith. Each bidder shall, at the time of submitting his bid, furnish to the Director of Finance in such form as the director shall prescribe satisfactory evidence of the financial ability of the bidder to fully perform his contract."

Amendment No. 32.

On page 12 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 32 to 36, inclusive, and insert in lieu thereof the following:

"SEC. 16. On the date specified for the return of said bids, at the hour of twelve o'clock m., the Director of Finance shall proceed to open said sealed bids and list for each parcel therein the name of the bidder and amounts offered as a cash bonus for each parcel. He shall also list the names of the bidders, if any, and the amounts offered as cash bonuses for the lease of all the lands described in section 1."

Amendment No. 33.

On page 12, line 37, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "18", and insert in lieu thereof the numerals "17."

Amendment No. 34.

On page 12, line 40, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "19", and insert in lieu thereof the numerals "18".

Amendment No. 35.

On page 12, line 41, of the printed bill, as amended in the Assembly on May 7, 1937, strike out the word "percentage", and insert in lieu thereof the word "bonus."

Amendment No. 36.

On page 12, line 43, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "State Oil Development Board", and insert in lieu thereof the words "Director of Finance."

Amendment No. 37.

On page 12, line 45, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "20", and insert in lieu thereof the numerals "19."

Amendment No. 38.

On page 12, lines 48 and 49, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "State Oil Development Board", and insert in lieu thereof the words "Director of Finance."

Amendment No. 39.

On page 13 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 5 to 16, inclusive, and insert in lieu thereof the following:

"SEC. 20. After the determination by the director of the highest qualified bidder for each of said parcels or the highest qualified for the entire area and within one week from the date of the opening of said bids the director shall announce the names of such persons and shall notify each such person by registered mail to pay to the State of California within ten days from the receipt of such notice the amount of the cash bonus offered by such person in his bid. Upon the delivery to the Director of Finance by such person of a certified or cashier's check of a responsible bank in California made payable to the State Treasurer in the amount of the cash bonus so offered the director shall execute in the name of the State of California the lease executed and used as a bid by said successful bidder, and thereafter a duplicate of said lease shall be executed, both by the successful bidder and the Director of Finance One copy of the accepted bid or lease, after its execution by the Director of Finance shall be recorded in the county of Orange and shall be filed with the Secretary of State. If the successful bidder fails to deliver such check to the Director of Finance within said time he shall forfeit all rights to the lease and the amount of the check deposited by him with his bid shall be forfeited to the State of California.

The Director of Finance, in his discretion and if he deems it to be for the best interest of the State, may reject all bids, and return the security deposited by the bidders. He shall thereupon proceed promptly to advertise for new bids in the manner herein provided He may if any successful bidder fails to pay the amount of the cash bonus offered for any parcel either accept the bid of the next highest qualified bidder or again advertise for bids for leases upon such parcel."

Amendment No. 40.

On page 13 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 17 to 52, inclusive, and on page 14, all of lines 1 to 30, inclusive, and insert in lieu thereof the following:

"SEC. 21. The Director of Finance may, upon application therefor by the lessee, modify any of the provisions of any lease issued under the provisions of this act whenever, in the opinion of the director, said modifications are to the best interests of the State of California."

Amendment No. 41.

On page 14 of the printed bill, as amended in the Assembly on May 7, 1937, strike out all of lines 31 to 52, inclusive, and insert in lieu thereof the following:

"SEC. 22 In the event no bids for leases of said lands are received by the Director of Finance under the provisions of this act, the Director of Finance may, and he is hereby authorized, to again call for bids for leases thereof, in the manner provided in this act, or the Director of Finance with the consent of the Governor may proceed immediately with the drilling of wells on said lands for and on behalf of the State for the production, removal and disposal of oil, gas and other hydrocarbons therefrom The work of drilling and construction in connection therewith if done by the State, may be performed under contract or award to the lowest responsible bidder or by day labor, provided if done by contract, the Director of Finance may reject any and all bids and call for new bids for such work."

Amendment No. 42.

On page 15, line 1, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "25", and insert in lieu thereof the numerals "23."

Amendment No. 43.

On page 15, lines 9 and 10, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "State Oil Development Board", and insert in lieu thereof the words "Director of Finance"

Amendment No. 44.

On page 15, line 12, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "State Oil Development Board", and insert in lieu thereof the words "Director of Finance."

Amendment No. 45.

On page 15, line 13, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "it", and insert in lieu thereof the following: "he."

Amendment No. 46.

On page 15, line 18, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "26", and insert in lieu thereof the numerals "24".

Amendment No. 47.

On page 15, line 26, of the printed bill, as amended in the Assembly on May 7, 1937, strike out "27", and insert in lieu thereof the numerals "25."

Amendments adopted

Assembly Bill No. 1455 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills.

Senate Bill No. 908—An act to amend sections 1299.18, 1300, 1300.3 and 1300.4 of the Agricultural Code, relating to processors of farm products.

Motion to Amend Senate Bill No. 908.

Mr Scudder moved to amend Senate Bill No 908 as follows:

Amendment No. 1.

On page 2, line 23, of the printed bill, as amended, after "dollars", insert the following: "for each applicant processing one hundred tons or more of farm products in their raw state, or ten dollars for each applicant processing less than one hundred tons of such products".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 41 and 42, insert the following.

"(e) In case the licensee was licensed in the preceding year under this chapter, whether or not more than one hundred tons of farm products in their raw state were processed by such licensee;

(f) The number of tons of farm products which the applicant intends to process during the license year."

Amendments adopted

Senate Bill No 908 ordered to reprint, and third reading calendar.

Senate Bill No. 558—An act authorizing cities to construct and maintain public improvements within and without the territorial boundaries of said cities.

Motion to Amend Senate Bill No. 558.

Mr. Stream moved to amend Senate Bill No 558 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, after the period, add the following: "As to any such tunnels on State highways, the approval of the Department of Public Works shall first be obtained."

Amendment adopted.

Senate Bill No. 558 ordered to reprint, and third reading calendar

Consideration of House Resolution No. 32.

House Resolution No. 32—Creating Assembly Interim Committee on Fish and Game.

Committee Amendment to House Resolution No. 32.

The following amendment was submitted by the committee:

Amendment No. 1.

Strike out the entire resolution, which appears on pages 4 and 5 of the Assembly Journal for January 13, 1937, and as amended in the Assembly May 4, 1937, and insert in lieu thereof the following:

House Resolution No. 32, as Amended.

WHEREAS, The fish and game within this State constitutes one of its greatest resources, and this resource is gradually being depleted through the depredation of predatory birds and animals, through the depredation of man, and by other means, the nature and extent of which are not definitely known; and

WHEREAS, The fishermen of our streams and the ocean, and the hunters of California have millions of dollars of investments in fishing and hunting equipment and the merchants of California each season sell vast quantities of supplies to the fishermen and the hunters, all of which assists in the general prosperity of the people of this State; and

WHEREAS, The commercial fishing industry in this State is a major industry of our State and produces many millions of dollars each year by reason of its activities and ocean fishing; and

WHEREAS, Everything possible should be done to encourage and preserve these investments and the continued employment of the people and nothing should be done to destroy the vast resources of fish and game nor the investment of the fishermen or the hunters but rather that all things possible should be done to encourage and promote these great resources; and

WHEREAS, The conservation and preservation of fish and game are matters of vital interest to the people of this State, and it is necessary and desirable that the Assembly be informed as to all pertinent facts in relation to fish and game and the effect, operation, administration and enforcement of the laws relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members to be known as the Assembly Interim Fish and Game Investigating Committee, shall be appointed by the Speaker from the membership of the Assembly to make an investigation concerning all phases of the fish and game resources of the State of California and the administration of the laws in relation thereto; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, documents, and papers of every kind and description; to issue subpenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committee thereof shall apply to the committee appointed under the provisions of this resolution; and be it further

Resolved, That the sum of $3,000 is hereby appropriated from the contingent fund of the Assembly, said fund to be expended for the expenses of the committee. The said committee shall report its findings of fact and make such recommendations as it deems necessary to the Assembly immediately upon its organization in January, 1939.

Amendment adopted.

House Resolution No. 32 ordered on third reading calendar

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1206—An act to add sections 34.5, 50, 51, 145.1, 604.1, 604.2, 604.3, 604.4, 682 and 682.1 to the Vehicle Code, relating to the transportation of certain inflammable liquids upon highways in this State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1195—An act to repeal an act entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted." approved April 6, 1929, to repeal an act entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of the State and educational institutions supported in whole or in part by the State," approved June 19, 1929, to repeal Part IV of Division V of the School Code, and to add to said Division V or said School Code, a new part to be known as Part IV, all relating to a retirement system for persons serving the State, counties and school districts in teaching and other positions, and for the superintending, administration and supervision of colleges, schools and classes maintained by the State and for the schools thereof, declaring the urgency thereof and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—71

NOES—None.

Assembly Bill No. 1195 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—74.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1897—An act to add section 215 to the Agricultural Code, relating to the inspection of hogs.

Motion to Amend Assembly Bill No. 1897.

Mr Thorp moved to amend Assembly Bill No. 1897 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of line 10, and insert in lieu thereof the following: "not arrive in this State within thirty days following"

Amendment No. 2.

On page 4, line 10, of the printed bill, as amended strike out the period.

Amendment No. 3.

On page 4, line 11, of the printed bill, as amended, strike out "Such shipments".

Amendments adopted.

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to take up Assembly Bill No. 1897, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1897, as Amended.

Assembly Bill No. 1897—An act to add section 215 to the Agricultural Code, relating to the inspection of hogs.

Assembly Bill No. 1897, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr Speaker—71.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1685—An act to amend sections 4, 8, 9, 12, 25, 33, 38a, 39, 42, 49, 67, 78, 83, 85a, 86 and 108 of, and to add sections 3a, 33a, 75a and 83b to an act entitled "An act to provide for the crea-

tion, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of employees of the University of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 307—An act to amend section 7 of the California Nautical School Act, relating to admission fees.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, King, Latham, Laughlin, Leonard, Levey, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, and Mr. Speaker—57.

NOES—Cottrell, Dannenbrink, Flint, Hawkins, Johnson, Kepple, Maloney, Patterson, Tenney, and Yorty—10.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 471—An act making an appropriation to meet a deficiency in an appropriation for the support of the Department of Motor Vehicles, and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 471 read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1201—An act making an appropriation to the Department of Motor Vehicles to pay claims against the State of California.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham,

Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1201 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—68

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1583—An act relating to aid for the blind in securing employment, creating the California Employment Bureau for the Blind for the purposes hereof, and making an appropriation for the purposes hereof.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Yorty, and Mr. Speaker—60

NOES—None

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1583.

Mr. Kepple gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1583 was this day passed.

Further Proceedings Under Call of the Assembly Dispensed With.

At ten o'clock p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Lyon.

The roll of absentees was called, and Assembly Bill No. 1295 passed by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Crowley, Cunningham, Daley, Desmond, Field, Flint, Fulcher, Gannon, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Lyon, Maloney, Martin, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Robertson, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Welsh, Yorty, and Mr. Speaker—45.

NOES—Baynham, Breed, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Garland, Gilbert, Heisinger, Hunt, Levey, Lore, Mayo, McMurray, Meehan, Miller, George P., Millington, Patterson, Peek, Richie, Rosenthal, Sawallisch, Tenney, Voigt, Watson, Weber, and Williamson—31

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 210—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi,

Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 210 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1745—An act to add a new section to the School Code to be numbered 5.855, relating to the public school teachers permanent fund.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Desmond, Donihue, Donnelly, Field, Flint, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2599—An act to add a new section to "An act to create a State Medical Library under the direction of the Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance, and support of the same, and making an appropriation therefor," relating to fixed and traveling exhibits.

Motion to Amend Assembly Bill No. 2599.

Mr. Johnson moved to amend Assembly Bill No. 2599 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "a new section to", and insert in lieu thereof the following: "Section 6 to an act entitled".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, after the quotation marks, insert the following: "approved June 9, 1931, or to add section 535 to the Business and Professions Code.".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "A new section is hereby added to", and insert in lieu thereof the following: "Section 6 is hereby added to an act entitled"

Amendment No. 4.

On page 1, lines 6 and 7, of the printed bill, strike out "being Chapter 699 of the Statutes of California 1931, to be numbered section 6, and", and insert in lieu thereof the following "approved June 9, 1931,".

Amendment No. 5.

On page 1, line 9, of the printed bill, before "The", insert the following "Sec. 6"

Amendment No. 6.

On page 1, in the printed bill, after line 20, insert the following

"SEC. 2. Section 535 is hereby added to the Business and Professions Code to read as follows

535. The State Board of Public Health is hereby directed to prepare fixed and traveling exhibits of the character referred to in section 527 hereof, which would

be proper subjects to advise, assist and educate the medical profession and the people of the State of California concerning the general and public health in medical matters

The Regents of the University of California are authorized and directed to provide suitable and necessary space at the State Medical Library and elsewhere for the purpose of accomplishing a direct dissemination of medical and public health knowledge.

Costs for the maintenance of exhibits of the character mentioned, including the transportation thereof, are hereby authorized.

SEC. 3. Section 1 of this act shall take effect only if the act entitled, "An act to create a State Medical Libary under the direction of the Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance and support of the same, and making an appropriation therefore," approved June 9, 1931, is not repealed and its provisions are not incorporated in the Business and Professions Code by the Legislature at its fifty-session."

SEC. 4. Section 2 of this act shall take effect only if the act entitled "An act to create a State Medical Library under the direction of the Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance and support of the same, and making an appropriation therefor," approved June 9, 1931, is repealed and its provisions are incorporated in the Business and Professions Code by the Legislature at its fifty-second session."

Amendments adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2599, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2599, as Amended.

Assembly Bill No. 2599—An act to add a new section to "An act to create a State Medical Library under the direction of the Regents of the University of California, providing for the establishment of branches of said library and for the administration, maintenance, and support of the same, and making an appropriation therefor," relating to fixed and traveling exhibits.

Assembly Bill No. 2599, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 379—An act to amend and renumber section 2610 of the Political Code, as added thereto by Chapter 992 of the Statutes of 1933, relating to the powers of the Board of State Harbor Commissioners for the bay of San Diego.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—66

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 380—An act to amend section 3559 of the Harbors and Navigation Code, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2070—An act to add sections 9 and 10 to an act entitled "An act creating a Commission to Codify, Consolidate, Revise or Compile the Statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, making an appropriation for said commission and adding a short title to said act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1886—An act relating to employees in the State civil service.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1886 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1203—An act to regulate the business of selling used motor vehicles by dealers not residing in or having a permanent place of business in this State, and by resident dealers purchasing,

handling and selling used motor vehicles received or acquired from nonresident dealers; requiring the registration of all used cars brought into this State for the purpose of sale to be registered with the Department of Motor Vehicles, and requiring all such dealers to execute and deliver to each purchaser of each used motor vehicle a bond indemnifying the purchaser against failure of title or breach of warranty or fraudulent misrepresentations, requiring the delivery of a certificate of title to the vendee; defining the term dealer and vendor, and providing penalties for the violation of the provisions of this act.

Motion to Amend Assembly Bill No. 1203.

Mr. Redwine moved to amend Assembly Bill No. 1203 as follows:

Amendment No. 1.

On page 2, line 6, of the printed bill, as amended, strike out "purchaser and his vendees", and insert in lieu thereof the following "original purchaser".

Amendment No. 2.

On page 2, line 8, of the printed bill, as amended, strike out "and/or vendees."

Amendments read, and refused adoption by the following vote:

AYES—Baynham, Beene, Boyle, Field, Fulcher, Heisinger, Johnson, Latham, Martin, Meehan, Miller, Eleanor; Morgan, Muldoon, Pelletier, Redwine, Robertson, Scudder, Tenney, Thorp, Watson, and Weber—21

NOES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, King, Laughlin, Leonard, Levey, Lore, Maloney, Miller, George P., Millington, Patterson, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—42

Assembly Bill No. 1203 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—Lore, and O'Donnell—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2051—An act making an appropriation to the State Department of Finance for the purchase of real property, declaring the urgency thereof, and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—68

NOES—Latham—1

Assembly Bill No. 205 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Mul-

doon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—Latham, and Rosenthal—2.

Title read and approved Bill ordered transmitted to Senate

Assembly Bill No. 293—An act to amend section 3½ of the Contractor's License Law, relating to exemptions therefrom.

Motion to Amend Assembly Bill No. 293.

Mr. Desmond moved to amend Assembly Bill No. 293 as follows:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended in the Assembly April 23d, strike out the word "fifty", and insert in lieu thereof the words "one hundred".

Amendment No. 2.

On page 2, line 42, of the printed bill, as amended in the Assembly April 23d, strike out the semicolon, and insert in lieu thereof a comma.

Amendment No. 3.

On page 3, line 19, of the printed bill, as amended in the Assembly April 23d, strike out the word "inclosure", and insert in lieu thereof the word "enclosure".

Amendment No. 4.

On page 3, line 45, of the printed bill, as amended in the Assembly April 23d, at the end of the word "Vocation", add the letters "al".

Amendment No. 5.

On page 6, line 48, of the printed bill, as amended in the Assembly April 23d, strike out the second "and" which follows the comma after the word "integrity", and insert in lieu thereof the word "or".

Amendments adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 293, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 293, as Amended.

Assembly Bill No. 293—An act to amend section 3½ of the Contractor's License Law, relating to exemptions therefrom.

Motion to Amend Assembly Bill No. 293.

Mr. Kepple moved to amend Assembly Bill No. 293 as follows:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended, strike out "one hundred", and insert in lieu thereof the following: "two hundred".

Amendment No. 2.

On page 2, line 19, of the printed bill, as amended, strike out "one", and insert in lieu thereof the following: "two".

Amendments adopted by the following vote.

AYES—Baynham, Boyle, Breed, Cassidy, Clark, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garland, Gilbert, Hawkins, Heisinger, Hunt, Kepple, King, Laughlin, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Rosenthal, Sawallisch, Tenney, Watson, Weber, and Yorty—41.

NOES—Andreas, Burns, Hugh M., Call, Corwin, Cottrell, Cronin, Daley, Dannenbrink, Desmond, Gannon, Glick, Johnson, Levey, Maloney, Miller, Eleanor; Millington, Muldoon, O'Donnell, Redwine, Scudder, Sheehan, Stream, Turner, Voigt, Welsh, Williamson, and Mr. Speaker—27.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 293, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 293, as Amended.

Assembly Bill No. 293—An act to amend section 3½ of the Contractor's License Law, relating to exemptions therefrom.

Assembly Bill No. 293, as amended, read third time, and passed by the following vote:

Assembly Bill No. 293 ordered to reprint.

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P, Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Watson, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—Cassidy, Crowley, Dilworth, Hawkins, Patterson, Reaves, Tenney, and Yorty—8.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 293.

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 293 was this day passed.

Assembly Bill No. 293 ordered to reprint

Assembly Bill No. 817—An act relating to the installation of concession stands in the public buildings of this State, and providing for their operation by licensed blind persons, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1935—An act making an appropriation for the encouragement of agriculture and the breeding of better poultry stock, and providing for the payment of premiums at the National Egg Laying Contest at Modesto.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Weber, Williamson, and Mr Speaker—60.

NOES—Call, Cottrell, Cunningham, Reaves, Redwine, and Yorty—6

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2447—An act making an appropriation for the purpose of providing for a National Egg Laying Contest.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J, Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller,

Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Weber, Williamson, and Mr. Speaker—63.

NOES—Cottrell, Cunningham, Reaves, Redwine, Richie, and Yorty—6.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2058—An act to amend section 1144 of and to add sections 1143a, 1145a, and 1145b to the Agricultural Code relating to egg products and providing for the keeping and giving of information in reference thereto, regulating the delivery thereof from public warehouses, regulating the containers in which egg products are packed, providing for the seizure of egg products and food products manufactured using egg products and providing an appropriation for the enforcement of Article IV of Chapter 8 of Division V of the Agricultural Code.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Watson, Weber, Williamson, and Mr. Speaker—66.

NOES—Cunningham, King, Welsh, and Yorty—4.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1779—An act making an appropriation for the support of the Sales Tax Division of the Board of Equalization during the eighty-eighth fiscal year and to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger Hornblower, Hunt, Johnson, Kepple, King, Latham Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1779 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—Field—1.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1779.

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1779 was this day passed.

Assembly Bill No. 2732—An act to amend the title and sections 1, 2, 3, 4, 5, 6, and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging and/or pressing establishments, or

agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, as amended, relating to cleaning and dyeing.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—Boyle, Cottrell, Lore, and Watson—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2733—An act to amend the title and sections 1, 2, 3, 4, 5, and 6 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," and to add a new section numbered 7, approved June 3, 1927, as amended, relating to clothes cleaning establishments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—73

NOES—Cottrell, and Lore—2.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 389—An act to establish a Welfare and Institutions Code, thereby consolidating and revising the law relating to and providing for protection, care, and assistance to children, aged persons, and others specially in need thereof, and to repeal certain acts and parts of acts specified herein.

Motion to Amend Senate Bill No. 389.

Mr. Lore moved to amend Assembly Bill No. 389 as follows:

Amendment No. 1.

On page 68, line 17, of the printed bill, as amended, strike out "Chapter 2 of Division IV of this code," and insert in lieu thereof the following: "an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended,".

Amendment adopted.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up Senate Bill No. 389, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 389, as Amended.

Senate Bill No. 389—An act to establish a Welfare and Institutions Code, thereby consolidating and revising the law relating to and providing for protection, care, and assistance to children, aged persons, and others specially in need thereof, and to repeal certain acts and parts of acts specified herein.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Senate Bill No. 389, as amended, read third time, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 390—An act to add Chapter 1, comprising sections 1500 to 1575, inclusive, to Part II of Division II of the Welfare and Institutions Code, and to add section 20100 to Division XX thereof, relating to and providing for aid to needy children, and repealing certain acts and parts of acts specified herein.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Senate Bill No. 390 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 391—An act to add Chapter 1, comprising sections 2000 to 2225, inclusive, to Division III of the Welfare and Institutions Code, and to add section 20200 to Division XX thereof, relating to and providing for the protection, welfare, and assistance of needy aged persons resident in the State, and repealing certain acts and parts of acts specified herein.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Senate Bill No. 391 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 392—An act to add Chapter 1, comprising sections 3000 to 3090, inclusive, to Part 1 of Division V of the Welfare and Institutions Code, and to add section 20300 to Division XX thereof, relating to and providing for needy blind persons not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, and repealing certain acts and parts of acts specified herein.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Senate Bill No. 392 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By Messrs. Meehan, Cassidy, Miller, Donahue, Johnson, and Breed:

House Resolution No. 166.

WHEREAS, This eleventh day of May marks the birthday of our friend and colleague, Henry Dannenbrink; and

WHEREAS, The said Henry Dannenbrink has now reached the age of 32 years; and

WHEREAS, It is evident to all who know him, that our genial associate has achieved more than the ordinary measure of reputation and recognition; now, therefore, be it

Resolved by the Assembly of the State of California, That we hereby assure the said Henry Dannenbrink of our sincere admiration and high regard; and be it further

Resolved, That we wish him many happy returns of the day, and a long and prosperous life of useful service to the people and the State.

Resolved, That the following named persons be included in the resolution, on motion of Mr. Williamson:

Stanley Wymar.
Cristel Hastings.
Mrs. Arthur Daniels.

Request for Unanimous Consent.

Mr. Meehan asked for, and was granted, unanimous consent to take up House Resolution No. 166, at this time, without reference to committee or calendar.

House Resolution No. 166 read and unanimously adopted.

Motion to Print Explanation of Vote in Journal.

On motion of Mr. Robertson, the following explanation of vote on Governor's objections to Assembly Bill No. 500 on May 6, 1937, was ordered printed in the Journal:

Explanation of Vote on Governor's Objections to Assembly Bill No. 500.

The undersigned members voted to override the objections of the Governor to Assembly Bill No. 500 for the following reasons:

Generally speaking with reference to all of the items deleted by executive action, we feel that such action was taken without due consideration to the best interests of the State of California.

More specifically the deletions from the budget were as follows:

First.—The provision for $34,160 to be expended for the safety section of the Railroad Commission of the State of California.

The investigations and findings of the Committee on Ways and Means indicate without question this item, though relatively small in amount, was a most important provision of the budget, in that its expenditure might have saved many lives in the coming biennium, through proper inspection of dangerous railroad conditions and the elimination thereof. This item was particularly desired by labor. We feel that the Railroad Commission has been definitely handicapped by the failure of the administration to provide funds for necessary inspection and resulting safety orders.

Second.—By the elimination of $40,000, ear-marked for salaries of agents of the Division of Industrial Welfare, there has been prevented the proper supervision of the mines, oil industries and industrial plants, which will lead to numerous accidents and deaths, as has been shown in the last few years when sufficient appropriations for this department have not been made, the result being there has been a tremendous percentage increase in industrial accidents. The committee which went into this felt this to be very essential to the welfare of the people of this State. This was one of the most vital requests of labor for its own protection.

There was also cut from the budget $228,000 allocated to this Department of Industrial Relations, all of which money should have been used and expended for the protection of labor and the decrease of accidents throughout the State.

Third.—The most sweeping and unexplainable action by the Governor, however, was in removing from the budget all appropriations for capital additions and improvements to the institutions of this State in the sum of $7,266,550. It is hard

to realize that the budget, as approved and signed by the Governor, has in it absolutely no items to cover needed construction in our State institutions, such as the

California School for the Blind.
Agnews State Hospital,
Camarillo State Hospital,
Mendocino State Hospital,
Napa State Hospital,
Norwalk State Hospital,
Patton State Hospital,
Stockton State Hospital,
Pacific Colony State Narcotic Hospital,
Sonoma State Home,
Preston School of Industry,
Ventura School for Girls,
Whittier State School,
Industrial Home for Adult Blind,
Veterans' Home of California at Yountville

These institutions for a long time have been overcrowded to a most deplorable extent. The inmates are sleeping on floors, in basements and attics. Many of these buildings are fire traps of the worst kind. Unless something is done it is only a question of time until there will be a major tragedy in some one of these places Six million dollars of the $7,200,000 stricken from the budget, was provided for improvements and construction in these institutions We believe this sum an absolute minimum. To leave them without any provision whatsoever is inconceivable and in any view of the case inhumane.

The reason given for this action is that the Legislature provided that the improvements and work on these institutions should be done in cooperation with the PWA work program and that this would reduce the appropriation made for direct relief.

Competent authorities appearing before the Legislature unanimously testified the amount provided in the Budget Bill as originally enacted was more than ample to take care of this function of the Government. No authority has testified that a sum in excess of $40,000,000 was in any way necessary. We can not see why there should be any objection toward cooperating with Federal agencies when you consider that under Federal regulations of the PWA the State of California would receive back 115 per cent of the money expended by it in the construction and improvement of these institutions to the extent of labor taken off of the State employment service rolls, and that under these regulations contracts would be let by the State at prevailing hours and wages.

By adhering to this policy there has been lost to the State of California from $3,000,000 to $4,000,000 in Federal grants which would be automatically forthcoming, and which would have added that much to needed construction at these institutions. We can not look on this as an "economy" measure. We, the undersigned members, were fully aware of the fact that in voting to overide the Governor's veto we could not hope to succeed, but, nevertheless, we felt that by voting our convictions we would at least bring to the attention of the people of the State of California the soundness of our position.

WM. MOSELEY JONES.
ALFRED W. ROBERTSON.
ELLIS E. PATTERSON.
JACK B TENNEY.
ELMER E LORE.
JEANETTE E. DALEY.
PAUL A. RICHIE.
FRED P. GLICK.
SAMUEL WM. YORTY.
FRED REAVES.
FRANK D. LAUGHLIN
CHARLES A. HUNT.
WILBUR F. GILBERT.
BEN ROSENTHAL.
CLYDE A. WATSON.
PAUL PEEK.
FRANK L. BAYNHAM.
FRED P. MULDOON.
AUGUSTUS F. HAWKINS.
JOHN B. PELLETIER
JAMES J. BOYLE.
G. A. ANDREAS
CECIL R KING.
RODNEY TURNER.
JOHN H. O'DONNELL.
S. L. HEISINGER.
EARL D. DESMOND.
HUGH P. DONNELLY.
GEO. P. MILLER.
HENRY A. DANNENBRINK.
JAMES M. CASSIDY.
HENRY P. MEEHAN.
ERNEST O. VOIGT.
GORDON H. GARLAND.
CLINTON J. FULCHER.
JOHN GEE CLARK.
L. M. DONIHUE.
ERNEST C. CROWLEY.
CHESTER F. GANNON.
HUGH M. BURNS.
SETH MILLINGTON.
JAMES D GARIBALDI
HAROLD F. SAWAILISCH.
P J. MCMURRAY.
RALPH LOUIS WELSH.
GENE FLINT.

177—45260

Resolution.

The following resolution was offered:

By Mr. Voigt:

House Resolution No. 165.

Resolved by the Assembly of the State of California, That the State Controller be and is hereby directed to draw his warrant upon the contingent fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of $2,000, said amount to be used for the purchase of postage stamps to be used by members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding $2,000 in the aggregate, as shall be necessary for the use of the members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of $25.

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up House Resolution No 165, at this time, without reference to committee or calendar.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—Daley, and Robertson—2.

Reconsideration of Assembly Bill No. 617.

In compliance with a notice given on a previous day, Mr. Mayo moved that the vote whereby Assembly Bill No. 617 was passed be reconsidered.

Demand for Previous Question.

Messrs. Morgan, Johnson, Dannenbrink, Turner and Flint demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 617.

The roll was called, and Assembly Bill No 617 refused reconsideration by the following vote:

AYES—Beene, Cassidy, Clark, Dawson, Dilworth, Flint, Garland, Glick, Hawkins, Heisinger, Hornblower, King, Laughlin, Leonard, Mayo, McMurray, Meehan, Miller, George P., Muldoon, Peek, Pelletier, Richie, Tenney, Voigt, Watson, Williamson, and Mr. Speaker—27.

NOES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmond, Donihue, Fulcher, Gannon, Garibaldi, Johnson, Latham, Levey, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Weber, Welsh, and Yorty—40.

Assembly Bill No. 617 ordered transmitted to the Senate.

Notices of Motion to Reconsider Continued.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 692 was refused passage was continued until the next legislative day.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1472 was refused passage was continued until the next legislative day.

On motion of Mr. Yorty, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 187 was refused passage was continued until the next legislative day

On motion of Mr. Johnson, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1474 was refused passage was continued until the next legislative day.

On motion of Mr. Patterson, the consideration of his notice of motion to reconsider the vote whereby House Resolution No. 131 was refused adoption was continued until the next legislative day.

On motion of Mr. Peek, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1821 was passed was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No 888 was refused passage was continued until the next legislative day

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 987 was passed was continued until the next legislative day

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 2844 was passed was continued until the next legislative day.

On motion of Mr. Latham, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 47 was passed was continued until the next legislative day.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 1283 was refused passage was continued until the next legislative day.

Motion to Expunge Record and Rescind Action on House Resolution No. 165.

Mr. Voigt moved to expunge the record, and rescind the action whereby the Assembly, on this day, adopted House Resolution No 165.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Domhue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawalhsch, Scudder, Stream, Tenney, Thorp, Turner Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—63

NOES—Flint, Hawkins, Johnson, and Pelletier—4

House Resolution No 165 referred to the Committee on Rules.

Notice of Motion to Withdraw Assembly Bill No. 2231 from Committee.

Mr Watson gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No 2231 from the Committee on Fish and Game, and have it placed upon the calendar

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Peek:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to define escrow companies and regulate them and their organization, business, and operation; to license escrow companies and provide for the revocation of licenses and provide for a license fee; to define and regulate the manner of doing business, regulate their officers, directors and employees; to prescribe their rights, powers, duties and liabilities; to require accounts, reports, audits, statements and to regulate their advertising; to provide for and define the duties of the Commissioner of Corporations, his assistants and employees, in respect thereto.

Referred to Committee on Introduction of Bills.

By Miss Miller:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the participation by the State in the Golden Jubilee Celebration of the Tournament of Roses, and making an appropriation therefor.

Referred to Committee on Introduction of Bills

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937

MR. SPEAKER: Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Miss Miller:

An act to provide for the participation by the State in the Golden Jubilee Celebration of the Tournament of Roses, and making an appropriation therefor.

By Mr. Peek:

An act to define escrow companies and regulate them and their organization, business, and operation; to license escrow companies and provide for the revocation of licenses and provide for a license fee; to define and regulate the manner of doing business, regulate their officers, directors and employees; to prescribe their rights, powers, duties and liabilities; to require accounts, reports, audits, statements and to regulate their advertising; to provide for and define the duties of the Commissioner of Corporations, his assistants and employees, in respect thereto.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2896: By Miss Miller—An act to provide for the participation by the State in the Golden Jubilee Celebration of the Tournament of Roses, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 2897: By Mr. Peek—An act to define escrow companies and regulate them and their organization, business, and operation; to license escrow companies and provide for the revocation of

licenses and provide for a license fee; to define and regulate the manner of doing business, regulate their officers, directors and employees; to prescribe their rights, powers, duties and liabilities; to require accounts, reports, audits, statements and to regulate their advertising; to provide for and define the duties of the Commissioner of Corporations, his assistants and employees, in respect thereto.

Bill read first time, and referred to Committee on Judiciary General.

Assembly Joint Resolution No. 45: By Messrs. Scudder, Maloney, Hornblower, Williamson, McMurray, Peyser, Cronin, Burns, Michael J., Dawson, Levey, Sheehan, and Crowley—Relative to memorializing the President and Congress to enact such legislation as shall be necessary to acquire the petrified redwood forest in Sonoma County, California, for the purpose of establishing it as a National park and monument.

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 46: By Mr. Boyle—Relative to memorializing the President and Congress of the United States to enact legislation to relieve California champagne makers from discriminatory regulations of the Federal Alcohol Administration.

Introduced, and referred to Committee on Federal Relations

Assembly Constitutional Amendment No. 65: By Mr. Robertson—Proposed amendment to section 17 of Article 5 of the Constitution, and to add section 34b to Article 4 and section 20 to Article 13 of said Constitution relative to State revenue, taxes, moneys, and property and the collection, acquisition, administration, supervision, management, control, use and disposition thereof and reports, accounting and auditing with respect thereto.

Introduced, and referred to Committee on Constitutional Amendments.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 2425—An act to add a new article to Chapter III of Title I of Part III of the Political Code, to be numbered Article IIA, embracing sections 360 to 360d, both inclusive, relating to a Department of Revenue

Committee Amendments to Assembly Bill No. 2425.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 5 of the printed bill, as amended, strike out lines 9 to 13, both inclusive, and insert in lieu thereof the following: "thereof In connection with such hearing the board shall possess all of the powers given the head of a department under section 353 of this code and shall also adopt all necessary rules of practice and procedure and shall not be bound by the common law or statutory rules of evidence and procedure but may make inquiry in such manner through oral testimony and exhibits as is best calculated to ascertain the substantial rights of the petitioner A competent stenographic reporter employed by said board shall take down in shorthand a complete record of every hearing including all testimony and evidence received, objections exceptions and statements of the petitioner and his counsel and rulings and statements of the board and each member thereof at such hearing Said board shall make findings of fact and render its decision within ten days after the completion of each hearing and give the petitioner notice thereof by registered mail directed to his address as spec-"

Amendment No. 2.

On page 5, lines 16 and 17, of the printed bill, as amended, strike out the following: "petition for a writ of review or any other"

Amendment No. 3.

On page 5 of the printed bill, as amended, strike out lines 21 to 23, both inclusive, and insert in lieu thereof the following:

"Appeals may within thirty days after the giving of notice thereof to petitioner as hereinbefore provided appeal from said decision to the Supreme Court of this State. Said appeal shall be taken by filing with said board a notice stating the appeal from said decision or some specific part thereof. Upon receiving said notice said board shall cause the stenographic reporter who reported the hearing before the board to transcribe fully and completely the phonographic report of said hearing. The transcript so prepared must be filed with the clerk of said Supreme Court within twenty days after the filing of said notice of appeal save that for good cause shown said clerk may extend said time for not exceeding an additional twenty days. After said transcript is so filed, said cause shall be brief, argued, heard, decided and remittur filed in like way and manner, and the court shall be vested with like powers as to transferring said cause, taking additional evidence, deciding said cause and all other matters, as in the case of similar appeals from civil superior court judgments."

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2229—An act to provide a Code of Procedures to be followed in the administration and control of the financial operations and transactions of the State

Committee Amendments to Assembly Bill No. 2229.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 29 to 33, both inclusive.

Amendment No. 2.

Strike out pages 36 and 37, and lines 1 to 28, both inclusive, on page 38 of the printed bill, as amended

Amendment No. 3.

On page 38, line 30, of the printed bill, as amended, strike out "Article 10", and insert in lieu thereof the following: "Article 9"

Amendment No. 4.

On page 40, line 44, of the printed bill, as amended, strike out "Article 11", and insert in lieu thereof the following. "Article 10".

Amendment No. 5.

On page 41, line 24, of the printed bill, as amended, strike out "Article 12", and insert in lieu thereof the following: "Article 11".

Amendment No. 6.

On page 6, line 29, of the printed bill, as amended, strike out the second word "the".

Amendment No. 7.

On page 6, line 50, of the printed bill, as amended, strike out the word "in".

Amendment No. 8.

On page 40, line 47, of the printed bill, as amended, after the word "provided", add the word "for".

Amendment No. 9.

On page 3, line 37, of the printed bill, as amended, strike out "Section 1.", and insert in lieu thereof the following: "SEC. 5."

Amendment No. 10.

On page 3, line 44, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figure "6"

Amendment No. 11.

On page 4, line 14, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figure "7".

Amendment No. 12.

On page 6, line 39, of the printed bill, as amended, strike out "4", and insert in lieu thereof the figure "8".

Amendment No. 13.

On page 6, line 45, of the printed bill, as amended, strike out "5", and insert in lieu thereof the figure "9"

Amendment No. 14.

On page 7, line 7, of the printed bill, as amended, strike out "6", and insert in lieu thereof the figure "10".

Amendment No. 15.

On page 7, line 24, of the printed bill, as amended, strike out "7", and insert in lieu thereof the figure "11".

Amendment No. 16.

On page 7, line 34, of the printed bill, as amended, strike out "8", and insert in lieu thereof the figure "12".

Amendment No. 17.

On page 7, line 50, of the printed bill, as amended, strike out "9", and insert in lieu thereof the figure "13".

Amendment No. 18.

On page 8, line 10, of the printed bill, as amended, strike out "10", and insert in lieu thereof the figures "14".

Amendment No. 19.

On page 8, line 17, of the printed bill, as amended, strike out "11", and insert in lieu thereof the figures "15".

Amendment No. 20.

On page 8, line 20, of the printed bill, as amended, strike out "12", and insert in lieu thereof the figures "16".

Amendment No. 21.

On page 8, line 30, of the printed bill, as amended, strike out "13", and insert in lieu thereof the figures "17".

Amendment No. 22.

On page 8, line 36, of the printed bill, as amended, strike out "14", and insert in lieu thereof the figures "18".

Amendment No. 23.

On page 8, line 45, of the printed bill, as amended, strike out "15", and insert in lieu thereof the figures "19".

Amendment No. 24.

On page 9, line 7, of the printed bill, as amended, strike out "16", and insert in lieu thereof the figures "20".

Amendment No. 25.

On page 9, line 25, of the printed bill, as amended, strike out "17", and insert in lieu thereof the figures "21".

Amendment No. 26.

On page 9, line 46, of the printed bill, as amended, strike out "18", and insert in lieu thereof the figures "22".

Amendment No. 27.

On page 10, line 7, of the printed bill, as amended, strike out "19", and insert in lieu thereof the figures "23".

Amendment No. 28.

On page 10, line 38, of the printed bill, as amended, strike out "20", and insert in lieu thereof the figures "24".

Amendment No. 29.

On page 10, line 48, of the printed bill, as amended, strike out "21", and insert in lieu thereof the figures "25".

Amendment No. 30.

On page 11, line 6, of the printed bill, as amended, strike out "22", and insert in lieu thereof the figures "26".

Amendment No. 31.

On page 11, line 50, of the printed bill, as amended, strike out "23", and insert in lieu thereof the figures "27".

Amendment No. 32.

On page 12, line 13, of the printed bill, as amended, strike out "24", and insert in lieu thereof the figures "28".

Amendment No. 33.

On page 12, line 28, of the printed bill, as amended, strike out "25", and insert in lieu thereof the figures "29".

Amendment No. 34.

On page 13, line 1, of the printed bill, as amended, strike out "26", and insert in lieu thereof the figures "30".

Amendment No. 35.

On page 13, line 18, of the printed bill, as amended, strike out "27", and insert in lieu thereof the figures "31".

Amendment No. 36.

On page 13, line 24, of the printed bill, as amended, strike out "28", and insert in lieu thereof the figures "32".

Amendment No. 37.

On page 13, line 33, of the printed bill, as amended, strike out "Section 1.", and insert in lieu thereof the following: "SEC. 42."

Amendment No. 38.

On page 14, line 17, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figures "43".

Amendment No. 39.

On page 14, line 24, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figures "44".

Amendment No. 40.

On page 14, line 38, of the printed bill, as amended, strike out "4", and insert in lieu thereof the figures "45".

Amendment No. 41.

On page 15, line 17, of the printed bill, as amended, strike out "5", and insert in lieu thereof the figures "46".

Amendment No. 42.

On page 15, line 24, of the printed bill, as amended, strike out "6", and insert in lieu thereof the figures "47".

Amendment No. 43.

On page 15, line 37, of the printed bill, as amended, strike out "7", and insert in lieu thereof the figures "48".

Amendment No. 44.

On page 16, line 3, of the printed bill, as amended, strike out "Section 1.", and insert in lieu thereof the following: "SEC. 58."

Amendment No. 45.

On page 16, line 23, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figures "59".

Amendment No. 46.

On page 16, line 38, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figures "60".

Amendment No. 47.

On page 17, line 6, of the printed bill, as amended, strike out "4", and insert in lieu thereof the figures "61".

Amendment No. 48.

On page 17, line 22, of the printed bill, as amended, strike out "4a", and insert in lieu thereof the figures "62".

Amendment No. 49.

On page 17, line 29, of the printed bill, as amended, strike out "4b", and insert in lieu thereof the figures "63".

Amendment No. 50.

On page 17, line 34, of the printed bill, as amended, strike out "5", and insert in lieu thereof the figures "64".

Amendment No. 51.

On page 17, line 46, of the printed bill, as amended, strike out "6", and insert in lieu thereof the figures "65".

Amendment No. 52.

On page 18, line 7, of the printed bill, as amended, strike out "7", and insert in lieu thereof the figures "66".

Amendment No. 53.

On page 18, line 23, of the printed bill, as amended, strike out "8", and insert in lieu thereof the figures "67".

Amendment No. 54.

On page 18, line 44, of the printed bill, as amended, strike out "9", and insert in lieu thereof the figures "68".

Amendment No. 55.

On page 19, line 3, of the printed bill, as amended, strike out "9a", and insert in lieu thereof the figures "69".

Amendment No. 56.

On page 19, line 15, of the printed bill, as amended, strike out "Section 1.", and insert in lieu thereof the following: "Sec. 79".

Amendment No. 57.

On page 19, line 37, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figures "80".

Amendment No. 58.

On page 20, line 11, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figures "81".

Amendment No. 59.

On page 20, line 28, of the printed bill, as amended, strike out "Section 1." and insert in lieu thereof the following: "Sec. 91."

Amendment No. 60.

On page 21, line 30, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figures "92".

Amendment No. 61.

On page 21, line 35, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figures "93".

Amendment No. 62.

On page 21, line 45, of the printed bill, as amended, strike out "4", and insert in lieu thereof the figures "94".

Amendment No. 63.

On page 22, line 25, of the printed bill, as amended, strike out "5", and insert in lieu thereof the figures "95".

Amendment No. 64.

On page 22, line 33, of the printed bill, as amended, strike out "6", and insert in lieu thereof the figures "96".

Amendment No. 65.

On page 23, line 26, of the printed bill, as amended, strike out "Section 1", and insert in lieu thereof the following: "Sec. 106".

Amendment No. 66.

On page 23, line 41, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figures "107".

Amendment No. 67.

On page 24, line 17, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figures "108".

Amendment No. 68.

On page 24, line 51, of the printed bill, as amended, strike out "4", and insert in lieu thereof the figures "109".

Amendment No. 69.

On page 25, line 12, of the printed bill, as amended, strike out "4a", and insert in lieu thereof the figures "110".

Amendment No. 70.

On page 25, line 19, of the printed bill, as amended, strike out "4b", and insert in lieu thereof the figures "111".

Amendment No. 71.

On page 25, line 23, of the printed bill, as amended, strike out "5", and insert in lieu thereof the figures "112".

Amendment No. 72.

On page 26, line 5, of the printed bill, as amended, strike out "5a", and insert in lieu thereof the figures "113".

Amendment No. 73.

On page 26, line 10, of the printed bill, as amended, strike out "6", and insert in lieu thereof the figures "114".

Amendment No. 74.

On page 26, line 35, of the printed bill, as amended, strike out "7", and insert in lieu thereof the figures "115".

Amendment No. 75.

On page 26, line 50 of the printed bill, as amended, strike out "8", and insert in lieu thereof the figures "116".

Amendment No. 76.

On page 27, line 13, of the printed bill, as amended, strike out "9" and insert in lieu thereof the figures "117".

Amendment No. 77.

On page 27, line 20, of the printed bill, as amended, strike out "10", and insert in lieu thereof the figures "118".

Amendment No. 78.

On page 27, line 41, of the printed bill, as amended, strike out "10a", and insert in lieu thereof the figures "119".

Amendment No. 79.

On page 27, line 46, of the printed bill, as amended, strike out "11", and insert in lieu thereof the figures "120".

Amendment No. 80.

On page 28, line 6, of the printed bill, as amended, strike out "12", and insert in lieu thereof the figures "121".

Amendment No. 81.

On page 28, line 21, of the printed bill, as amended, strike out "13", and insert in lieu thereof the figures "122".

Amendment No. 82.

On page 29, line 38, of the printed bill, as amended, strike out "14", and insert in lieu thereof the figures "123".

Amendment No. 83.

On page 30, line 22, of the printed bill, as amended, strike out "15", and insert in lieu thereof the figures "124".

Amendment No. 84.

On page 30, line 41, of the printed bill, as amended, strike out "Section 1", and insert in lieu thereof the following: "Sec. 134".

Amendment No. 85.

On page 30, line 49, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figures "135".

Amendment No. 86.

On page 31, line 5, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figures "136".

Amendment No. 87.

On page 31, line 21, of the printed bill, as amended, strike out "4", and insert in lieu thereof the figures "137".

Amendment No. 88.

On page 31, line 32, of the printed bill, as amended, strike out "5", and insert in lieu thereof the figures "138".

Amendment No. 89.

On page 31, line 50, of the printed bill, as amended, strike out "6", and insert in lieu thereof the figures "139".

Amendment No. 90.

On page 32, line 21, of the printed bill, as amended, strike out "7", and insert in lieu thereof the figures "140".

Amendment No. 91.

On page 32, line 27, of the printed bill, as amended, strike out "8", and insert in lieu thereof the figures "141".

Amendment No. 92.

On page 32, line 43, of the printed bill, as amended, strike out "9", and insert in lieu thereof the figures "142".

Amendment No. 93.

On page 33, line 3, of the printed bill, as amended, strike out "10", and insert in lieu thereof the figures "143".

Amendment No. 94.

On page 33, line 17, of the printed bill, as amended, strike out "11", and insert in lieu thereof the figures "144".

Amendment No. 95.

On page 33, line 26, of the printed bill, as amended, strike out "12", and insert in lieu thereof the figures "145".

Amendment No. 96.

On page 33, line 39, of the printed bill, as amended, strike out "13", and insert in lieu thereof the figures "146".

Amendment No. 97.

On page 34, line 12, of the printed bill, as amended, strike out "14", and insert in lieu thereof the figures "147".

Amendment No. 98.

On page 34, line 29, of the printed bill, as amended, strike out "15", and insert in lieu thereof the figures "148".

Amendment No. 99.

On page 34, line 47, of the printed bill, as amended, strike out "16", and insert in lieu thereof the figures "149".

Amendment No. 100.

On page 35, line 4, of the printed bill, as amended, strike out "19", and insert in lieu thereof the figures "150".

Amendment No. 101.

On page 35, line 27, of the printed bill, as amended, strike out "18", and insert in lieu thereof the figures "151".

Amendment No. 102.

On page 35, line 40, of the printed bill, as amended, strike out "19", and insert in lieu thereof the figures "152".

Amendment No. 103.

On page 38, line 33, of the printed bill, as amended, strike out "Section 1", and insert in lieu thereof the following: "Sec. 162".

Amendment No. 104.

On page 39, line 25, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figures "163".

Amendment No. 105.

On page 39, line 35, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figures "164".

Amendment No. 106.

On page 39, line 45, of the printed bill, as amended, strike out "4", and insert in lieu thereof the figures "165".

Amendment No. 107.

On page 40, line 25, of the printed bill, as amended, strike out "5", and insert in lieu thereof the figures "166".

Amendment No. 108.

On page 40, line 46, of the printed bill, as amended, strike out "Section 1", and insert in lieu thereof the following: "Sec. 176"

Amendment No. 109.

On page 41, line 1, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figures "177".

Amendment No. 110.

On page 41, line 15, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figures "178".

Amendment No. 111.

On page 41, line 26, of the printed bill, as amended, strike out "Section 1", and insert in lieu thereof the following: "Sec. 188".

Amendment No. 112.

On page 41, line 46, of the printed bill, as amended strike out "2", and insert in lieu thereof the figures "189".

Amendment No. 113.

On page 42, line 7, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figures "190".

Amendment No. 114.

On page 42, line 32, of the printed bill, as amended, strike out "4", and insert in lieu thereof the figures "191".

Amendment No. 115.

On page 42, line 46, of the printed bill, as amended, strike out "5", and insert in lieu thereof the figures "192".

Amendment No. 116.

On page 44, line 19, of the printed bill, as amended, strike out "6", and insert in lieu thereof the figures "193".

Amendment No. 117.

On page 44, line 25, of the printed bill, as amended, strike out "7", and insert in lieu thereof the figures "194".

Amendment No. 118.

On page 44, line 30, of the printed bill, as amended, strike out "8", and insert in lieu thereof the figures "195".

Amendment No. 119.

On page 44, line 38, of the printed bill, as amended, strike out "9", and insert in lieu thereof the figures "196".

Amendment No. 120.

On page 44, line 44, of the printed bill, as amended, strike out "10", and insert in lieu thereof the figures "197".

Amendment No. 121.

On page 44, line 49, of the printed bill, as amended, strike out "11", and insert in lieu thereof the figures "198".

Amendment No. 122.

On page 45, line 1, of the printed bill, as amended, strike out "12", and insert in lieu thereof the figures "199".

Amendment No. 123.

On page 45, line 19, of the printed bill, as amended, strike out "13", and insert in lieu thereof the figures "200".

Amendment No. 124.

On page 45, line 31, of the printed bill, as amended, strike out "14", and insert in lieu thereof the figures "201".

Amendment No. 125.

On page 45, line 38, of the printed bill, as amended, strike out "15", and insert in lieu thereof the figures "202".

Amendment No. 126.

On page 45, line 50, of the printed bill, as amended, strike out "16", and insert in lieu thereof the figures "203".

Amendment No. 127.

On page 6, line 50, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figure "7".

Amendment No. 128.

On page 40 of the printed bill, as amended, strike out line 30, and insert in lieu thereof the following: "zations as hereinbefore in this article prescribed. He shall be".

Amendment No. 129.

On page 41, lines 21 and 22, of the printed bill, as amended, strike out the following: "section 5 of".

Amendment No. 130.

On page 41, line 46, of the printed bill, as amended, strike out "section 1 hereof", and insert in lieu thereof the following "the first section of this article".

Amendment No. 131.

On page 42, line 7 of the printed bill, as amended, strike out "section 1 hereof", and insert in lieu thereof the following: "the first section of this article".

Amendment No. 132.

On page 42, line 32, of the printed bill, as amended, strike out "section 1 hereof", and insert in lieu thereof the following: "the first section of this article"

Amendment No. 133.

On page 42, line 46, of the printed bill, as amended, strike out "section 1 hereof", and insert in lieu thereof the following: "the first section of this article".

Amendment No. 134.

On page 44, line 19, of the printed bill, as amended, strike out "section 1 hereof", and insert in lieu thereof the following: "the first section of this article".

Amendment No. 135.

On page 44, line 25, of the printed bill, as amended, strike out "section 1 hereof", and insert in lieu thereof the following: "the first section of this article".

Amendment No. 136.

On page 44, line 30, of the printed bill, as amended, strike out "section 1 hereof", and insert in lieu thereof the following: "the first section of this article".

Amendment No. 137.

On page 32, line 3, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figures "136".

Amendment No. 138.

On page 21 of the printed bill, as amended, strike out line 39, and insert in lieu thereof the following: "treasurer. The figures for".

Amendment No. 139.

On page 21, line 41, of the printed bill, as amended, strike out the period, and after the word "Treasurer", insert the following "and the records of the Controller."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1924—An act to amend section 1182 of the Labor Code, relating to minimum wages.

Committee Amendments to Assembly Bill No. 1924.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 61, 1353 and 1356 of the Labor Code providing for certain powers and duties of the Department of Industrial Relations relating to minimum wages."

Amendment No. 2.

On page 1 of the printed bill, strike out everything after "Section 1" in line 1, down to and including the word "State" in line 18, and insert in lieu thereof the following:

"Section 61 of the Labor Code is hereby amended to read as follows:

61. All the provisions of Chapter 1 of Part 4 of Division II of this code shall be administered and enforced solely by the Division of Industrial Welfare and no complaint filed with said division, the chief or any agent thereof be assigned to nor shall any work or duty of said division be assigned to or performed directly or indirectly by any private firm, association, corporation or individual. The powers heretofore exercised by the Division of Labor Statistics and Law Enforcement in enforcing the provisions of Chapter 1, Part 4 of Division II of this code are hereby transferred to and vested in the Division of Industrial Welfare."

Amendment No. 3.

Add to the bill new sections to read as follows:

"SEC. 2. Section 1353 of the Labor Code is amended to read as follows:

1353. Every employer subject to this article shall keep an accurate record showing the names of, and actual hours worked by all female employees. This record shall be accessible at all reasonable hours to the officers and agents of the Division of Industrial Welfare.

SEC. 3. Section 1356 of the Labor Code is hereby amended to read as follows: The Division of Industrial Welfare shall enforce this article."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2751—An act to amend section 482 of the Fish and Game Code, relating to the pollution of water.

Committee Amendments to Assembly Bill No. 2751.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend section 482 of", and insert in lieu thereof the following: "add section 482.5 to".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 482.5 is hereby added to the Fish and Game Code to read as follows:".

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, strike out "482", and insert in lieu thereof the following: "482.5".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2503—An act to add section 25a to "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act,"

approved May 25, 1921, as amended, relating to the powers of the Surveyor General.

Committee Amendments to Assembly Bill No. 2503.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "section 25a to", and insert in lieu thereof the following: "to the act entitled"

Amendment No. 2.

On page 1, line 12 of the title of the printed bill, strike out all of the line after the comma, and insert in lieu thereof the following: "new sections to be numbered 25a, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56, creating a State Oil and Gas Commission and prescribing its powers and duties, relating to the development of State lands."

Amendment No. 3.

On page 1, line 6, of the printed bill, strike out "Department of Finance", and insert in lieu thereof the following: "State Oil and Gas Commission, which is hereby created,".

Amendment No. 4.

On page 1, lines 7 and 8, of the printed bill, strike out "Department of Finance", and insert in lieu thereof "State Oil and Gas Commission".

Amendment No. 5.

On page 1, line 10, of the printed bill, strike out "article", and insert in lieu thereof the word "act".

Amendment No. 6.

On page 1, line 12, of the printed bill, strike out "Department of Finance", and insert in lieu thereof "State Oil and Gas Commission".

Amendment No. 7.

On page 1, line 13, of the printed bill, strike out "Department of Finance", and insert in lieu thereof the words "State Oil and Gas Commission"

Amendment No. 8.

On page 1 of the printed bill, after line 14, insert the following

"There is hereby created the State Oil and Gas Commission, hereinafter referred to as the 'Commission', which shall be composed of the Director of Finance, Director of Natural Resources and the State Controller The commission shall administer the provisions of sections 25a to 56 inclusive hereof through the Department of Finance by Division of State Lands.

SEC. 2 Section 26 is hereby added to act cited in the title hereof, to read as follows:

Sec. 26 The State of California is the owner of certain tide and submerged lands, containing valuable deposits of oil, gas and other hydrocarbon substances, which lands are proven to be commercial oil and gas bearing. The commission is hereby authorized and empowered in the name of and upon behalf of the State of California, whenever it appears in the judgment of the commission to be for the best interests of the State to lease any such commercial oil and gas bearing tide and submerged lands for the production of minerals, oil, gas or other hydrocarbons; provided, that no such lease shall be made where it will seriously impair or destroy any fishing, or bathing right, privilege, easement, or use, or any right of navigation vested in any private person, trust firm or corporation, or in the people of the State of California.

SEC. 3 Section 27 is hereby added to said act to read as follows:

Sec 27. The provisions of sections 25a to 56 inclusive hereof shall apply only to all those certain tidelands, whether filled or unfilled, submerged lands and overflowed lands situate in the county of Los Angeles, State of California, and more particularly described as follows, to wit. Sections 33, 34 and 35 in T 4S., R 13 W., S B M., and Sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 in T.5S., R. 13W., S B M

SEC. 4 Section 28 is hereby added to said act to read as follows:

Sec. 28 No part of this act shall limit, effect or control the provisions of said sections 25a to 56 inclusive hereof and no other provisions of this act shall be construed as applying to the lands to which reference is made in sections 25a to 56 inclusive hereof.

SEC. 5 Section 29 is hereby added to said act to read as follows:

Sec. 29. The oil and gas deposits in said State lands are being constantly drained by oil wells drilled in and operating on privately owned lands adjacent thereto The protection of the public interest requires the development, production, removal and disposition of the oil, gas and other hydrocarbon substances from said State lands for the benefit of the State

SEC. 6. Section 30 is hereby added to said act to read as follows:

Sec. 30. The commission is hereby authorized and directed to secure the development, extraction, removal and sale of oil, gas and other hydrocarbon substances from said lands for the benefit of the State in the manner hereinafter provided.

SEC. 7. Section 31 is hereby added to said act to read as follows:

Sec. 31. The term 'person', as herein used, means an individual, a corporation, a partnership, an association, a joint stock company, a trust, or any unincorporated organization or association.

SEC. 8. Section 32 is hereby added to said act to read as follows:

Sec. 32. The commission for and in behalf of the State is authorized and empowered to condemn, acquire and possess, for and in the name of the State, any real property, and any right-of-way, easement or other interest therein that may be necessary or desirable for convenient access by the public to said State lands or for the development and production of oil, gas and other hydrocarbon substances therefrom in the manner as herein provided, and for their removal, transportation, storage and sale, and for such purposes shall, in the name of the people of the State of California, institute condemnation proceedings pursuant to section 14 of Article I of the Constitution and the Code of Civil Procedure relating to eminent domain. The acquisition of such property is hereby declared a public use.

Any property or interest so acquired shall be made available to any person to whom an oil and gas lease may be awarded under this act.

SEC. 9. Section 33 is hereby added to said act to read as follows:

Sec. 33. For the purpose of prospecting, drilling for, extracting, producing, removing and disposing of oil, gas and other hydrocarbon substances from said lands, the area thereof shall be divided into parcels the dimensions of each of which shall be 991 feet, more or less, by 5,280 feet, more or less, provided that the commission may lay out parcels of smaller size if in their judgment that is for the best interests of the State.

SEC. 10. Section 34 is hereby added to said act to read as follows:

Sec. 34. Each parcel shall be offered for lease in the manner as hereinafter provided.

SEC. 11. Section 35 is hereby added to said act to read as follows:

Sec. 35. The commission shall, within thirty (30) days after the effective date of this act, publish once a week for three consecutive weeks, in a newspaper of daily and general circulation in the county of Orange and in three other newspapers of daily and general circulation, one published in the city of Los Angeles, and one published in the city of San Francisco, and one published in the city of Long Beach, notice that the parcels described will be leased, and that persons desiring to bid for said leases shall fill out and file, within thirty days from the last date of publication of said notice, a questionnaire with the commission. Said notice shall specify the minimum royalty requirements herein established. Said questionnaire shall be on the standard form prescribed by the commission and shall contain questions calling for the following information:

1. The exact name in which the person filing the questionnaire intends to bid.

2. Whether the person filing the questionnaire is an individual, partnership, unincorporated association, business trust, corporation, or joint stock company. In case of a person filing a questionnaire as an individual he shall give his residence and business address for five years last past. In case of a partnership or unincorporated association, the names, addresses, and residence for five years last past for all members shall be given. Like information as to managing officers or trustees and beneficiaries shall be filed in the case of business trusts and joint stock associations.

3. In the case of business trusts, corporations, joint stock associations, or partnerships, the name of the State or other sovereign power under which the filer is organized or incorporated and the period of time that said filer has been qualified to do and has done business in the State of California.

4. The period of time the filer has engaged in the oil business in this State and in what branch thereof.

5 Such other information as the commission may require.

SEC. 12. Section 36 is hereby added to said act to read as follows:

Sec. 36. Such statement of information shall be verified under oath as pleadings in a civil action. All statements shall be accompanied by a certified or cashier's check payable to the order of the State Treasurer in the sum of $100, as an examination fee, which in no case shall be returned Statements so filed shall be public records and shall be open to inspection by any person or his duly authorized agent filing statements hereunder. Immediately upon receipt of said statements the commission shall proceed to examine the same for the purpose of carrying out the provisions of this act. If such questionnaire be deemed insufficient by the commission, the commission shall, within fifteen (15) days from receipt of said questionnaire, notify in writing the person filing the same of his objections, and such person shall, within fifteen (15) days thereafter, file an amended statement setting forth the information requested. Said commission shall complete the examination of all such questionnaires within one hundred twenty (120) days after the effective date hereof; provided, however, that he shall be authorized to extend said time of one hundred twenty (120) days an additional thirty (30) days.

SEC 13 Section 37 is hereby added to said act to read as follows:

SEC 37 Within one hundred twenty (120) days after the effective date of this act, unless said time be extended by the commission, as hereinbefore provided the commission shall prepare a list of persons qualified and entitled to bid for lease of said parcels.

SEC 14. Section 38 is hereby added to said act to read as follows:

SEC 38 A copy of the list so prepared by the commission shall be sent by him to all persons who have qualified as bidders hereunder.

SEC 15. Section 39 is hereby added to said act to read as follows:

SEC 39 Within twenty (20) days after the preparation of said list of qualified bidders, the commission shall send out to each person qualified and entitled to bid, a form of lease for each parcel, the only difference in said leases being the description of the parcel.

SEC 16 Section 40 is hereby added to said act to read as follows.

SEC 40 Each parcel of the said State lands subject to lease pursuant to provisions 25a to 56, inclusive, hereof shall be offered for lease in the manner as provided in said sections, to that qualified bidder offering by bid to pay to the State the highest cash bonus, to be paid at the time of execution by the State of the lease therefor. In addition to such cash bonus, each lessee shall pay to the State a royalty at twenty per cent in amount of value of the oil, gas, casinghead gasoline or other hydrocarbon substances produced from said State lands.

SEC 17. Section 41 is hereby added to said act to read as follows

SEC 41. Any lease made under authority of this act shall be for a term of twenty (20) years with the right of renewal given to lessee for an additional five (5) year term, and as long thereafter, as wells drilled thereon are producing oil and gas in commercial quantities, not exceeding twenty-five (25) years from the date of said lease.

SEC 18. Section 42 is hereby added to said act to read as follows

SEC 42 Any lease made under authority of this act shall provide that the lessee shall, within sixty (60) days from the execution of said lease commence drilling operations and shall prosecute the same with reasonable diligence until oil and gas is found in paying quantities or to a depth at which further drilling would, in the judgment of the lessee, be unprofitable. In the event that the lessee shall not, within sixty (60) days from the execution of said lease commence drilling operations, then said lease may be declared forfeited by the commission, and thereupon said lease shall be null and void, and all of the rights of the lessee under said lease be at an end If oil is found in paying quantities in any wells so drilled by the lessee, said lessee shall continue to drill additional wells, working with reasonable diligence, until a total number of wells, including offset wells, shall have been drilled The lessee may drill as many additional wells as he may desire.

SEC 19 Section 43 is hereby added to said act to read as follows:

SEC. 43 Any lease or easement made under authority of this act shall provide for the drilling of at least ten wells on the strip or area embraced in said lease from and by means of piers, groins or islands or by slant drilling from littoral lands, or lands adjacent thereto, into the subsurface of the State lands, and that the first wells drilled thereunder shall be so spaced as to properly off-set commercially producing wells operating on land, the title of which is not held by the State of California and from which the State receives no royalty, that may be drawing oil and gas from the leased area Upon the completion of the required number of offset wells, the lessee shall be required to proceed with the drilling of additional wells with one or more strings of tools, until a total of at least ten wells shall have been drilled to the oil zone of the leased parcel. The producing portion of the pipe or casing of any well drilled under said lease shall be so spaced as not to be nearer than 330 feet from the producing portion of the pipe or casing of any other well drilled under said lease in so far as it is practicable to so space the same At any time after the drilling of the offset or first wells required to be drilled under such lease, the lessee may quitclaim to the State said leased premises, except that portion on which any well shall have been drilled and is producing oil and gas in commercial quantities and a space of 330 feet square evenly surrounding the same: provided that said lessee shall also grant to any subsequent lessee of such quitclaimed area, on such terms and conditions as the commission may prescribe, a right to the joint use with said original lessee of rights of way, easements or other interests in real property acquired in connection with the operation of said original lease as may be necessary or convenient in connection with operations on said quitclaimed area under a subsequent lease. The commission may thereupon lease to the highest bidder such quitclaimed portion of said leased area in substantially the same manner as is herein provided for making such original lease.

SEC. 20 Section 44 is hereby added to said act to read as follows:

SEC 44 In addition to other provisions required by this act, such lease shall also include provisions:

(a) That piers, groins, islands, or other suitable structures shall be so constructed as not to prevent public access to and from the beach for bathing, fishing or other recreational purposes, and that drilling and production operations shall be conducted and the equipment therefor shall be constructed with precaution to pre-

vent any pollution of the waters of the ocean and any unnecessary interference with public use of the beaches for such purposes.

(b) Such terms, conditions and provisions as shall protect the interests of the State with reference to securing the payment to the State of the proper amount or value of production; the proper spacing of wells for the purpose of securing maximum production and offsetting the drainage of oil and gas from said State lands by wells drilled and operated on and within privately owned lands; diligence on the part of the lessee in drilling the same to the oil sands and requirements as to the depth of such wells for the purpose of reaching the oil sands and producing oil and gas therefrom in commercial quantities; methods of operations and standard requirements for carrying on operations in proper and workmanlike manner; prevention of waste, protection of safety and health of workmen; protection of any valid existing rights or easements in the premises; liability of lessee for personal or property damage; prohibiting assignment of the lease or subletting without written consent of the commission.

SEC. 21. Section 45 is hereby added to said act to read as follows

SEC. 45. Every qualified bidder desiring to bid on any or all of said parcels shall fill out the blank space indicated in said lease for fixing the percentage of amount or value of production of oil, and the percentage of amount or value of production of gas and casinghead gasoline proposed to be paid or to be delivered to the State as royalty, and sign and execute the lease as lessee and return it to the commission, State Capitol, Sacramento, California, at a date specified not later than thirty (30) days from the date of the mailing of the same by the commission. All bids shall, in this form, be presented under sealed cover and shall be accompanied by a certified or cashier's check of a responsible bank in California made payable to the State Treasurer in the sum of $10,000. The amount thereof shall be deposited as security for the faithful performance by the bidder of the terms and covenants of and compliance with the conditions of said lease in the event the bid offered by *him* is accepted. *Lessee shall within 20 days after the acceptance* of his bid furnish a good and sufficient bond to the State in the sum of $50,000 for such faithful performance, as shall be provided for in the lease, said cash deposit shall be returned to the lessee. If his bid is not accepted, said deposit shall be returned to the bidder with notice of its rejection. No bid shall be considered unless such certified or cashier's check is inclosed therewith.

SEC. 22. Section 46 is hereby added to said act to read as follows

Sec. 46. On the date specified for the return of said bids, at the hour of twelve o'clock m., the commission shall proceed to open publicly said sealed bids and list for each parcel therein the name of the bidder and the percentages of amount or value of production bid for each parcel.

SEC. 23. Section 47 is hereby added to said act to read as follows:

Sec. 47. Any person bidding on any of said parcels may be in attendance at the time said bids are opened, either in person or through an agent.

SEC. 24. Section 48 is hereby added to said act to read as follows:

Sec. 48. In the event two or more persons bid on any one or more of said parcels at the same percentage and have duplicate bids thereon, said persons shall immediately determine by lots cast by the commission which one of said persons shall receive said lease.

SEC. 25. Section 49 is hereby added to said act to read as follows:

Sec. 49. Any bid may be withdrawn at any time prior to the hour for the opening of said bids, said withdrawal to be as follows and not otherwise: A request in writing for the withdrawal of such bid must be filed with the commission, which request must be executed by the bidder or his duly authorized representative. The withdrawal of a bid shall not prejudice the right of the bidder to file a new bid. Nothing in this section contained shall authorize the withdrawal of any bid at the hour fixed herein for the opening of such bid and no bid shall be received at or after such hour, regardless of whether or not such bids are opened exactly at the hour set or thereafter.

SEC. 26. Section 50 is hereby added to said act to read as follows:

Sec. 50. On the opening of said bids, and after determination of the highest qualified bidder entitled to the same, the commission, after such bid is accepted, shall execute in the name of the State of California the lease executed and used as a bid by said successful bidder, and thereafter a duplicate of said lease shall be executed, both by the successful bidder and the commission. One copy of an accepted bid or lease, after its execution by the commission for and on behalf of the State, shall be recorded in the county in which the lands are located and shall be filed with the Secretary of State.

SEC. 27. Section 51 is hereby added to said act to read as follows:

Sec. 51. Neither the right to bid for nor any lease awarded hereunder shall be capitalized for the sale of any interest thereunder or for the issuance or sale of stock in any corporation or any unit of interest in any trust or other entity or person holding such right or lease.

SEC. 28. Section 52 is hereby added to said act to read as follows:

Sec. 52. In the event bids for leases of any of said parcels, are not received by the commission in accordance with the foregoing requirements, the commission may

and they are hereby authorized to again call for bids for leases thereof in the manner provided for in this act, or the commission may, with the consent and approval of the Governor, proceed immediately with the drilling of wells thereon for and on behalf of the State, for the production, removal and disposal of oil, gas and other hydrocarbon substances therefrom. The work of drilling and construction work in connection therewith, if done by the State, may be performed under contract or award to the lowest responsible bidder or by day labor; provided, that if done by contract the commission may reject any and all bids and call for new bids.

SEC. 29. Section 53 is hereby added to said act to read as follows:

Sec. 53. A portion of the lands subject to the provisions of this act are located within the boundaries of an incorporated city or cities. Operations under this act will require additional expense to said city or cities in the administration and enforcement of its ordinances relating to police and fire protection. Use by the State or its lessees of the streets of said city or cities will be incidental to the development of said lands in the production, removal, storage and marketing of oil, gas and other hydrocarbon substances produced from said State lands, as provided for in this act, and easements and rights of way over, across, through and on lands owned by, under the control of or in which said city or cities have an interest, may be required therefor. As full consideration to said city or cities for all such uses of the property of said city and for all easements, franchises, rights of way over, across, through and on lands owned by, under the control of or in which said city or cities have an interest, required in connection with the operations of the State or any of its lessees under this act, the commission is authorized and directed to contract and agree that there shall be paid to the respective city or cities not to exceed two thousandths of the proceeds of the production of oil, gas and other hydrocarbon substances produced from said lands and received by the State as royalties under leases made pursuant to the provisions of this act from lands included within the corporate limits of said city or cities, provided that all moneys paid to said city or cities under this provision shall be exclusively used by said city or cities for police and fire protection and for acquiring, constructing, repairing or maintaining public parks, playgrounds, piers and streets, such use being hereby declared to be for the public interest, welfare and convenience of the State.

SEC. 30. Section 54 is hereby added to said act to read as follows:

Sec. 54. In the event the development of any or all of said parcels by drilling and other operations is carried on directly by the State, the same shall be done in accordance with the requirements of this act and of lease requirements herein with reference to the location and number of wells to be drilled, methods of development and other provisions so far as applicable. All necessary equipment and materials for the prosecution of said work, construction of piers, groins or islands, drilling, producing and other operations, shall be purchased by the commission.

All oil, gas and other hydrocarbon substances produced shall be sold by the commission at best obtainable prices and at such times as the commission shall deem proper for securing maximum cash returns to the State therefor. All funds received from operations under this act shall be immediately reported to the Controller and paid into the general fund, except as otherwise provided by law.

SEC. 31. Section 55 is hereby added to said act to read as follows:

Sec. 55. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The Legislature hereby declares that it would have passed this act, and each and every section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 32. Section 56 is hereby added to said act to read as follows:

Sec. 56. All acts and parts of acts inconsistent or conflicting with this act are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Senate Bill No. 223.

Assembly Bill No. 2699.

Respectfully reports the same back with the recommendation: Do pass

REAVES, Chairman

The above reported bills ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1012.
Assembly Bill No. 2881.
Senate Bill No. 253.
Senate Bill No. 254.
Senate Bill No. 322.
Senate Bill No. 557.
Senate Bill No. 884.

Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman

The above reported bills ordered on second reading calendar

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred.
Senate Bill No. 774.
Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

O'DONNELL, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Senate Bill No. 278.
Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred.
Senate Bill No. 942.
Respectfully reports the same back with the recommendation: Do pass as amended

O'DONNELL, Chairman

The above reported bill ordered on second reading calendar.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR SPEAKER: Your Committee on Irrigation, to which was referred:
Assembly Bill No. 1788.
Respectfully reports the same back with the recommendation. Do pass as amended.

GARLAND, Chairman.

The above reported bill ordered on second reading calendar

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 2756.
Senate Bill No. 182.
Respectfully reports the same back with the recommendation: Do pass as amended

PATTERSON, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 2751.
Senate Bill No. 807.
Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR SPEAKER: Your Committee on Fish and Game, to which was referred:
Senate Bill No. 203.
Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2229.
Assembly Bill No. 2425.

Respectfully reports the same back without recommendation, as amended.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:

Assembly Bill No. 2503.

Respectfully reports the same back without recommendation, as amended

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 1924.

Respectfully reports the same back without recommendation, as amended.

LORE, Chairman

The above reported bill ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 588.
Senate Bill No. 59.
Senate Bill No. 134.
Senate Bill No. 288.
Senate Bill No. 289.
Senate Bill No. 290.
Senate Bill No. 291.

Respectfully reports the same back with the recommendation: Do pass.

CRONIN, Chairman

The above reported bills ordered on second reading calendar

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2790—An act relating to the care and control of venereal diseases, granting other and further powers in relation thereto to the State Board of Public Health and its subordinate agencies, authorizing the acceptance of Federal Social Security funds, and making an appropriation therefor.

Motion to Amend Assembly Bill No. 2790.

Mr Burns, Hugh M., moved to amend Assembly Bill No. 2790 as follows:

Amendment No. 1.

On pages 1 and 2 of the printed bill, strike out all of Section 1, (page 1, lines 1-25, inclusive, and page 2, lines 1-11, inclusive), and insert in lieu thereof the following:

"SECTION 1. The State Board of Public Health shall establish and maintain in the Department of Public Health a Bureau of Venereal Diseases whose function it shall be to cooperate for the prevention, control, and cure of venereal diseases with physicians and surgeons, medical schools, public and private hospitals, dispensaries, clinics, public and private school, college, normal school, university authorities; penal and charitable institutions; reform and industrial schools; detention homes; Federal, State, local and district health officers and boards of health, and all other health authorities; institutions caring for the insane; and with any other persons, institutions, or agencies

The State Board of Public Health shall appoint a fulltime chief of the bureau who shall devote his entire time to the duties of the office No person shall be eligible for the position of chief of the bureau unless he or she shall hold a physician's and surgeon's certificate issued in this State and shall have been specially trained or experienced in public health work, and in the prevention and control, of

venereal diseases. The chief shall perform and discharge all of the powers, duties, purposes and functions which are herein or which may hereafter by law be vested in him. The State Board of Public Health shall appoint from civil service lists such assistants, deputies, clerical, and other help as it deems reasonably necessary in carrying out the provisions and purposes of this act and shall prescribe their duties.

The State Board of Public Health shall have the power to receive any financial aid made available to it by any private, State, Federal, or other grant or source, and shall use such funds to carry out the provisions and purposes of this act, and if Federal funds are made available to the State Board of Public Health to aid it in carrying out the said provisions and purposes, the said board, in counties where there is no county health department capable of carrying out the provisions and purposes of this act, may, in its discretion, use a portion of the funds hereby appropriated to aid in establishing, in such counties, part or fulltime health departments; provided adequate facilities for the approved diagnosis, examination, and control of venereal diseases are furnished in such county health departments."

Amendment No. 2.

On page 2 of the printed bill, strike out all of section 2 (page 2, lines 12-20, inclusive), and insert in lieu thereof the following:

"SEC. 2. In addition to the powers and duties herein and elsewhere mentioned, the State Board of Public Health shall have the power to and shall make and promulgate such rules and regulations as are reasonably necessary to effectuate the prevention and control of venereal diseases in this State, and such rules and regulations as are reasonably necessary to control and effectuate the proper reporting, quarantine, examination of, and proper control measures for, such diseases. The bureau shall conduct such educational and publicity work as it may deem necessary and, from time to time, shall cause to be issued, free of charge, copies of such rules and regulations, pamphlets, and other literature as it deems reasonably necessary."

Amendment No. 3.

On page 2, line 39, of the printed bill, strike out "affected", and insert in lieu thereof the word "infected".

Amendment No. 4.

On page 2, line 40, of the printed bill, strike out "affected", and insert in lieu thereof the word "infected".

Amendment No. 5.

On page 3, line 9, of the printed bill, strike out the comma at the end of the line.

Amendment No. 6.

On page 3, line 12, of the printed bill, strike out "and control", and insert in lieu thereof the words "control, and approved procedure".

Amendment No. 7.

On page 3, line 19, of the printed bill, strike out the words "Director of the".

Amendment No. 8.

On page 3, line 25, of the printed bill, after the word "jurisdictions", insert the following: "to investigate all cases that are not, or probably are not, subject to proper control measures approved by the State Board of Public Health "

Amendment No. 9.

On page 3, line 37, of the printed bill, strike out the words "and prevention", and insert in lieu thereof the following: ", prevention, and control".

Amendment No. 10.

On page 3 of the printed bill, strike out all of section 11, page 3, lines 45 to 52, inclusive, and insert in lieu thereof the following:

"SEC. 11. In addition to the duties herein elsewhere imposed, it shall be the duty of any diseased person to comply with all rules and regulations made and promulgated by the State Board of Public Health, and all the provision of this act, and to give all the information required by this act, including the name and address of any person from whom such disease has been contracted, and from time to time to submit to approved examinations to determine the condition of such disease. It shall also be the duty of any diseased person to conduct himself, or herself, in a manner which will not be likely to expose any other person to infection or to spread such disease, and to submit to proper control measures until the venereal disease with which he or she is infected is no longer in an infectious state and no longer likely again to become infectious. Whenever it appears to the State Board of Public Health to be reasonably necessary for the purpose of protecting the health of any person or carrying out the provisions and purposes of this act, it shall make and promulgate rules and regulations designating the callings which persons having a venereal disease in an infectious state shall not enter or continue in.

If any person subject to proper control measures concerning venereal disease shall discontinue such procedure when such procedure is required by this act, the person, or other agency administering such procedure prior to such discontinuance shall make reasonable efforts to determine whether such person is continuing to comply with such procedure elsewhere and if it shall appear reasonably likely that such person is not complying with such procedure elsewhere, the person, other agency who was administering such procedure for such person prior to such discontinuance, shall make all reasonable efforts to induce such person to comply and, if it thereafter appears reasonably likely that such person has failed to comply shall report, on forms furnished by the State Department of Public Health, the name and address of such person to the local health officer or board of health, or to the State Department of Public Health where there is no such local health officer."

Amendment No. 11.

On page 4 of the printed bill, as amended, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following.

SEC 12. The sum of $150,000 is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be expended solely in carrying out the provisions and purposes of this act. All claims against this appropriation shall be submitted for approval and audit to the State Department of Public Health and the State Department of Finance, and shall be paid in accordance with law."

Amendment No. 12.

On page 4 of the printed bill, strike out all of section 13 (page 4, lines 7-12, inclusive), and in lieu thereof insert the following:

"Sec. 13. Any person violating any rule or regulation of the State Board of Public Health made pursuant to this act, or any provision of this act, or refusing to give any of the information or to make any report, or to comply with proper control measures or examination required by this act, or refusing to perform any duty or act required by this act, or exposing to or infecting any person with any venereal disease; or any person infected with a venereal disease in an infectious state who knows of such condition and who marries or has sexual intercourse, is guilty of a misdemeanor punishable by a fine not exceeding $500, or imprisonment in the county jail for a term not exceeding six months or both such fine and imprisonment. In any prosecution for a violation of any provision of this act or any rule or regulation of the State Board of Public Health made pursuant to this act, or in any quarantine proceeding authorized by this act, or in any habeas corpus or other proceeding in which the legality of such quarantine is questioned, any physician, health officer, spouse, or other person shall be competent and may be required to testify against any person against whom such prosecution, or other proceeding is instituted, or any person by whom such habeas corpus or other proceeding is instituted, and the provisions of subsections 1 and 4 of section 1881 of the Code of Civil Procedure shall not be applicable to such prosecution, or proceeding."

Amendment No. 13.

On page 4 of the printed bill, strike out all of section 14 (page 4, lines 13-19, inclusive), and insert in lieu thereof the following:

"SEC 14. The provisions of this act shall apply in all instances whether the person infected with a veneral disease became infected or commenced treatment before or after the passage of this act; provided, however, that no act performed before the effective date of this act shall be subject to any criminal prosecution under this act."

Amendments adopted.

Assembly Bill No. 2790 ordered to reprint and re-engrossment.

Assembly Bill No. 2852—An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

Motion to Amend Assembly Bill No. 2852.

Mr. Sheehan moved to amend Assembly Bill No. 2852 as follows:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out "four years", and insert in lieu thereof the following: "at the pleasure of the Governor".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out "The terms of the three", and strike out all of lines 12 to 20, inclusive, and insert in lieu thereof the following. "Each mem-".

Amendments adopted.

Assembly Bill No. 2852 ordered to reprint, and re-engrossment

Assembly Bill No. 322—An act granting to the city of Los Angeles and the city of Long Beach the right to adjust and straighten, and

to survey, locate and establish dividing lines and property lines betweeen tidelands and submerged lands heretofore granted to said cities and the lands abutting thereon, and to release certain lands from all tideland trusts.

Motion to Amend Assembly Bill No. 322.

Mr. Peek moved to amend Assembly Bill No. 322 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1 to 9, inclusive, of the title, and insert in lieu thereof the following:

"An act authorizing and empowering any municipal corporation to which tidelands and submerged lands situated within the limits thereof, have been, or may hereafter be, granted by the State of California, to adjust or straighten a known dividing line or property line between said tidelands and submerged lands and lands abutting thereon, or to survey, locate and establish by agreement a dividing line or property line between said tidelands and submerged lands and lands abutting thereon where the dividing line or property line is unknown or uncertain, providing the tidelands, submerged lands, or other lands lying above or landward from said dividing line or property line so adjusted or straightened, or so surveyed, located and established by agreement are not used for the purposes of navigation within the meaning of the present provisions of Article XV, section 3, of the Constitution and authorizing the filing of a petition in the superior court of the county where any portion of said lands are located to determine whether said lands are so used; declaring the said tidelands and submerged lands lying above or landward from said dividing line or property line so straightened or adjusted, or so surveyed, located and established by agreement, to be released from the trust for the public purposes of commerce, navigation and fishery, and all other trusts, conditions, limitations and restrictions imposed by the granting acts and authorizing the conveyance thereof to abutting owners."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 20, inclusive.

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 3 to 20, inclusive, and insert in lieu thereof the following:

"SECTION 1. Any municipal corporation to which tideland and submerged lands, whether filled or unfilled, situated within the boundaries thereof have been, or may hereafter be, granted by the State of California, is hereby authorized and empowered:

1. To adjust or straighten all or any portion of the dividing line or property line between the said tidelands and submerged lands and lands abutting thereon where the dividing line or property line between said lands is known or determined, or

2. To survey, locate and establish by agreement with abutting owners a dividing line or property line between all or any portion of the said tidelands and submerged lands and lands abutting thereon where the dividing line or property line between said lands is uncertain or unknown, if in either of said cases the tidelands, submerged lands or other lands lying above or landward from the new dividing line or property line so adjusted or straightened, or so surveyed, located and established, are not used for the purposes of navigation within the meaning of the present provisions of section 3, Article IV of the Constitution of the State of California.

SEC. 2. Such dividing line or property line shall be determined by mutual agreement between the municipal corporation and the owner or owners of said abutting lands. Said agreement may provide for the execution and delivery by the parties thereto of appropriate instruments of conveyance to accomplish the purposes thereof. All such tidelands and submerged lands lying above or landward from said agreed dividing line or property line not used for the purposes of navigation within the meaning of the present provisions of section 3, Article XV of the Constitution of the State of California, are released from the trust for the public purposes of commerce, navigation and fishery and all other trusts, conditions, limitations and restrictions imposed in the acts of the Legislature granting said tidelands and said submerged lands to said municipal corporation, and the said municipal corporation is hereby authorized and empowered to convey the same to said abutting owner or owners

SEC. 3. Any party or parties to such an agreement may file in the superior court of the county in which any part of the lands affected thereby are situated, a verified petition, setting forth the facts pertaining to said agreement and describing such portion of the lands lying above or landward from the said agreed dividing line or property line as may be covered by the terms of said agreement.

The clerk must set the petition for hearing by the court and give notice thereof by causing a notice of the time and place of the hearing to be posted at the court

house in the county where the court is held, at least ten days before the hearing, provided the court may order such further notice to be given as in his judgment may seem proper. No hearing shall be held upon such petition unless the party or parties filing the same shall have given the other party or parties to said agreement not joining in said petition notice of the time and place of the hearing at least ten days prior thereto.

The court shall take evidence for or against the petition and shall render judgment thereon determining whether or not the said tidelands, submerged lands or other lands described in the petition lying above or landward from the said agreed dividing line or property line are used for the purposes of navigation within the meaning of the present provisions of section 3, Article XV of the Constitution of the State of California.

A certified copy of the decree may be recorded in the office of the recorder of each county in which any part of the land described in the petition is situated."

Amendments adopted.

Assembly Bill No. 322 ordered to reprint and re-engrossment.

Assembly Bill No. 1184—An act to provide for the permanent relief and rehabilitation of the indigent and unemployed families of the State of California by the removal of such families to new rural communities to be located upon large tracts of good agricultural land, and providing for loans by the State Department of Social Welfare to a nonprofit, cooperative agricultural association created to carry out such purpose, and to make an appropriation therefor.

Motion to Amend Assembly Bill No. 1184.

Mr. Glick moved to amend Assembly Bill No 1184 as follows:

Amendment No. 1.

On page 1, lines 8 and 9 of the title of the printed bill, as amended, strike out ", this act to take effect immediately".

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out lines 33 to 50, inclusive.

Amendments adopted.

Assembly Bill No. 1184 ordered to reprint, and re-engrossment.

Re-reference of Assembly Bill No. 1563.

On motion of Mr. Voigt, Assembly Bill No. 1563 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Notice of Motion to Withdraw Assembly Bill No. 2463 from Committee.

Mr. King gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 2463 from the Committee on Public Utilities, and have it placed upon the calendar.

Adjournment.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m , Wednesday, May 12, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTIETH LEGISLATIVE DAY
ONE HUNDRED TWENTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 12, 1937

At one o'clock and thirty minutes p m, pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair Chief Clerk James G Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M, Burns, Michael J, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Love, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P, Millington, Morgan, Muldoon, O'Donnell Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawyallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—77

Quorum present

Prayer.

Prayer was offered by Rev William F Ehmann, Chaplain of the Assembly

Reading of the Journal Dispensed With.

On motion of Mr Hornblower, the further reading of the Journal of Tuesday, May 11, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day

Mr. Waters, on motion of Mr. Cunningham.

Mr Patterson on motion of Mr Levey.

Mr Colwin, on motion of Mr Stream

Guests Extended Privilege of Assembly Floor.

On request of Messrs. Clark and Peek, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Lulu Maganety, Mrs Edna Newman, Mrs. Minnie V. Robinson and Mrs Lydia Stevens, Delegates from Long Beach to the Rebecca Assembly.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Florence Monohan, Superintendent of California Institute of Women at Tehachapi, and Mrs. Rose B. Wallace, member of board of trustees.

On request of Mr Meehan, the privilege of the floor of the Assembly

Chamber for this day was unanimously extended to Judge Louis J. Hardis of Albany.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ruth Engberg, Marie Tobiason, Lorraine Hasey, Evelyn Tobiason, Dorothy Bailey, Betty Tate, Dorothy Prior, Virginia Tate, Helen Godman, Betty Pitts, Juanita Hansen, Thelma Walsh, Miriam Walsh, June Baxter, Opal Krenzer, Muriel Kenzer, Wilma Brown, Betty Madden, and Dorothy Bridges of Richmond Theta Rho Girls Club No. 13, Richmond.

On request of Mr Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Arthur E. Isham of Redlands, Guy S. Pinney of Palm Springs, and Stephen C. Paxton of Riverside.

On request of Mr. Hawkins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rev. E. N. Smith of Los Angeles.

On request of Mr. Muldoon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank Inglis of Oxnard.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Leonora Moganini, Mrs. Ethel Foster, and Mrs. Frances Kemp of Oakland, and Miss Delight Gaston, Mrs. Ruth Green, Mrs. Alma Swanstrom and Vera Condon of Berkeley.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. C. M. Turner, Mayor of Hollister.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Iva Deon Myers and Jack Collins.

Recess.

At one o'clock and fifty-five minutes p.m., by order of the Speaker, the Assembly was declared at recess to hear Miss Kathleen Andreas render two songs.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Assistant Chief Clerk Greenburg Reading.

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 966—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and application of revenues, rates and charges for the use of the sewage works or improvements

Senate Concurrent Resolution No. 44—Relative to approving amendments to the charter of the city of Santa Barbara.

J. A. BEEK, Secretary of Senate.
By JOHN F. LEA, Assistant Secretary.

Senate Bill No. 966 read first time, and referred to Committee on Municipal Corporations.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 44, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 44.

Senate Concurrent Resolution No. 44—Relative to approving amendments to the charter of the city of Santa Barbara.

Senate Concurrent Resolution No. 44 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Second Reading of Assembly Bills.

Assembly Bill No. 14—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 351—An act relating to and providing for the calling and holding of a convention to revise the Constitution of this State, including the election of delegates, the proceedings, powers, and duties of the convention and the delegates, and the submission to the people of the Constitution that may be agreed upon by the convention, and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 174—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1284—An act to amend section 4.345 of the School Code, relating to the approval of requisitions and orders drawn on school district funds.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2862—An act to add Article IIa to Chapter I, Part IV, Division II, of the School Code, relating to the State Board of Education.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2063—An act to add Article IIa to Chapter III of Title I of Part III of the Political Code, embracing sections 360 and 360h, inclusive, relating to the creation of a State Department of Highway Safety Engineering, and prescribing its powers and duties.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 1570—An act to amend section 4041.6 of the Political Code, relating to the appropriation and expenditure of funds by boards of supervisors.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 1617—An act to amend sections 595, 596 and 605e of the Civil Code, relating to nonprofit corporations.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2859—An act to amend sections 303, 304 and 312 of the Civil Code, relating to directors of corporations.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2046—An act to amend sections 4307 and 4308 of the Political Code, relating to county charges and the district attorney's special fund.

Bill read second time, and ordered to engrossment

Assembly Bill No. 587—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2358—An act to amend sections 1, 2, 3, 4, and 5 of an act originally entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, the title of which as amended by act approved July 20, 1935, reads as follows: "An act to authorize municipal corporations to issue bonds for the purpose of acquiring other general obligation bonds of the municipal corporation, or bonds issued by or for districts therein or bonds issued for street work or other public improvements, and providing for acquiring such bonds, and the levy or collection of taxes and assessments to pay principal and interest of bonds acquired, the use of funds derived from bonds issued under this act or acquired under this act and the payment of bonds issued under this act," as amended.

Committee Amendments to Assembly Bill No. 2358.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, following the figure "1", strike out the comma, and insert in lieu thereof the word "and"; and in the same line, strike out the following language: ", 3, 4 and 5".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "4", and insert in lieu thereof the figure "1"; and strike out all of lines 3 to 17, inclusive, and insert in lieu thereof the following language:

"SECTION 1. Whenever the public interest or necessity may require, any municipal corporation in the State of California may incur a bonded indebtedness to acquire any bonds issued by such municipality, or by or for any district therein, or bonds issued for street work or other public improvements in the municipal corporation under any act of the Legislature providing for the performance of street work or other public improvements, or the issuance of bonds to represent or be secured by assessments levied for such work or improvements, including any bonds issued under the Improvement Bond Act of 1915 and the Acquisition and Improvement Act of 1925. It is the intent of this act that the acquisition of such bonds or investments of the "General improvement fund" created hereunder shall be for the purpose of aiding or facilitating the making of needed public improvements in the municipality or for the purpose of limiting or preventing such increasing of direct taxes or assessments as might lessen or impair the general tax revenues of the municipality from any district or districts, or for the purpose of providing means whereby direct indebtedness or assessments represented by or securing bonds may be reduced, or for the purpose of obtaining collection of delinquent municipal taxes or restoring property to the tax rolls in order that municipal taxes may be collected thereon, or for any or all of such purposes

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. Except as herein modified, the bonds authorized to be issued under the provisions of this act shall be issued substantially in the manner provided for in an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction and completion thereof," in effect February 25, 1901, and amendments thereto, provided that the ordinance calling the election therein provided for need not contain any statement as to the estimated cost of the proposed public improvement, but shall, if the bonds are to be issued to acquire outstanding bonds, briefly and generally state what bonds are to be purchased or acquired, the total principal amount thereof and the maximum purchase price proposed to be paid therefor, and the maximum purchase price so stated shall not be exceeded in the purchase of such bonds. The interest rate on the bonds need not be the same during the entire term thereof but different rates may be fixed for one or more interest payments on such bonds The bonds issued under this act may be sold at not less than the par value thereof or may be exchanged at their par value for the outstanding bonds, provided the outstanding bonds are taken in such exchange at a price not exceeding the maximum purchase price stated in the ordinance calling the election In case of exchange of bonds interest accruing to date of exchange upon the bonds to be acquired may be offset against the interest accruing upon the bonds issued under this act, and in case of purchase of bonds interest accruing to date of exchange may be paid. Any bonds issued under this act shall be redeemed and paid as provided in said act of 1901, and the taxes for the payment thereof shall be levied as provided in said act; provided, however, that where any issue of bonds under this act is to mature at one time the amount of taxes to be levied actually shall be as provided in section 5 of this act. Any proceedings taken prior to the time these amendments take effect may be continued to completion under the provisions of the act as hereby amended."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 445—An act to amend section 284 of the Code of Civil Procedure, relating to substitution of attorneys and fees of same.

Committee Amendment to Assembly Bill No. 445.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, after the word "full", insert the following: "or partial"; and in line 19, after the word "full", insert the following: "or partial".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2809—An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof.

Committee Amendments to Assembly Bill No. 2809.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "motor".

Amendment No. 2.

On page 1 line 3 of the title of the printed bill, strike out "motor".

Amendment No. 3.

On page 1, line 8 of the title of the printed bill, after "thereof", insert a comma and the following "and to repeal an act entitled "An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof," approved July 6, 1935, declaring the urgency thereof, and providing that it shall take effect immediately".

Amendment No. 4.

On page 1 of the printed bill, strike out line 2, and insert in lieu thereof the following. "mean the transportation of any vehicle of a type subject to registration under the Vehicle Code, operated on its".

Amendment No. 5.

On page 1, line 3, of the printed bill, strike out "another", and insert in lieu thereof the following: "a".

Amendment No. 6.

On page 1, line 12, of the printed bill, strike out "motor"

Amendment No. 7.

On page 1, line 19, of the printed bill, strike out "motor".

Amendment No. 8.

On page 2, line 11, of the printed bill, strike out "motor"

Amendment No. 9.

On page 2, line 13, of the printed bill, strike out "another", and insert in lieu thereof the following: "a".

Amendment No. 10.

On page 2, line 18, of the printed bill, strike out "motor".

Amendment No. 11.

On page 2, line 19, of the printed bill, after "permits", insert a comma and the following: "and to public safety upon the highways as affected by such operation".

Amendment No. 12.

On page 2, line 21, of the printed bill, strike out "one year", and insert in lieu thereof the following: "six months".

Amendment No. 13.

On page 2 of the printed bill, strike out line 31, and insert in lieu thereof the following: "such vehicle during the period that such vehicle may".

Amendment No. 14.

On page 2, line 32, of the printed bill, strike out "motor"

Amendment No. 15.

On page 3, line 11 of the printed bill, strike out "motor"

Amendment No. 16.

On page 3, line 14, of the printed bill, strike out "motor".

Amendment No. 17.

On page 3 of the printed bill, strike out lines 16 to 19, inclusive, and insert in lieu thereof the following: "caravaned over the public highways of this State Such report and listing shall be made".

Amendment No. 18.

On page 3, line 27, of the printed bill, strike out "cents", and insert in lieu thereof the following "per cent of such fees".

Amendment No. 19.

On page 3, line 30, of the printed bill, strike out "motor".

Amendment No. 20.

On page 3, line 31, of the printed bill, strike out "motor".

Amendment No. 21.

On page 3, line 35, of the printed bill, strike out "motor".

Amendment No. 22.

On page 3 of the printed bill, strike out lines 39 to 42, inclusive, and insert in lieu thereof the following. "over the public highways of this State"

Amendment No. 23.

On page 3, line 46, of the printed bill, strike out "motor"

Amendment No. 24.

On page 4 of the printed bill, after line 19, insert the following:

"SEC. 15. An act entitled "An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof," approved July 6, 1935, is hereby repealed.

SEC. 16. This act is hereby declared to be an urgency measure within the meaning of section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety and as such shall take effect immediately.

The following is a statement of facts constituting such necessity:

Experience has shown that, due to climatic conditions, the caravaning of vehicles occurs almost exclusively during the spring and summer months. It is necessary, therefore, in order to regulate caravan vehicles, the number of which is now increasing, that this act shall take effect immediately."

Amendment No. 25.

On page 2 of the printed bill, strike out lines 51 and 52, and on page 3, strike out lines 1 to 10, and insert in lieu thereof the following:

"SEC. 8. The provisions of this act shall not apply to the transportation of motor vehicles wholly within Zone 1 or wholly within Zone 2, which zones are hereby defined as follows.

Zone 1 —That part of the State of California lying within the counties of San Diego, Imperial, Orange, Riverside, San Bernardino, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Kern and Inyo;

Zone 2:—That part of the State of California not included within Zone 1 as herein defined."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1658—An act to amend sections 4.347 and 4.349 of the School Code, and to add a new section to said code to be numbered 4.348, all relating to the manner of disbursing funds of school districts.

Committee Amendments to Assembly Bill No. 1658.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, beginning in line 1, strike out the following: "to amend sections 4.347 and 4.349 of the School Code and".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "said code", and insert in lieu thereof the following, "the School Code".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, strike out the following: "4.348, all", and insert in lieu thereof the following: "4.353,".

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the School Code to be numbered 4.353 and to read as follows:

4.353. In lieu of the method provided hereinbefore in this article for the approval and payment of orders drawn against the funds of a school district, upon resolution of the county board of supervisors of any county with the approval of the county superintendent of schools, the method provided for by this section may be followed.

The order of the governing board of a school district when signed by at least a majority of the members of the governing board or by such person or persons as may be authorized to sign such orders in its name, shall be transmitted to the county superintendent of schools who shall, in case he approves such order, indorse upon it, "examined and approved," and shall, in attestation thereof, affix his signature thereto, and shall number and date the order and deliver the same to the claimant or his order.

The claimant, or his order, shall transmit the demand to the auditor, who shall, in case he allows said demand, indorse upon it "allowed," together with the number and date when allowed, and shall, in attestation thereof, affix his signature thereto, and deliver the same to the claimant and make a proper record thereof, and charge against the particular fund of the particular district, against which such demand was allowed.

The order when so approved and signed by the county superintendent of schools and when so allowed and signed by the auditor, shall constitute a requisition on the auditor, and a warrant on the county treasurer."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 432—An act to add a new section to the Penal Code to be numbered 146.1, relating to taking, possession or use of fingerprints or copies thereof, and prescribing penalties for violation of the provisions thereof.

Committee Amendments to Assembly Bill No. 432.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 13, inclusive, and insert in lieu thereof the following:

"14611. No person, including any officer or employee of the State or of any political subdivision, shall acquire or possess the fingerprints of any person, except of a person arrested for, or convicted of, a crime.

This section does not apply:

(a) where the fingerprints are volunteered by the person whose fingerprints they are.

(b) Where the fingerprints are taken for".

Amendment No. 2.

On page 1, line 17, of the printed bill, strike out "or parents".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2874—An act making an appropriation for the support of the State Controller, to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2802—An act providing for the compilation of, printing, binding, publishing and distribution of a Legislative Manual, State Blue Book, Roster or Register of California State Government, and repealing certain acts specified herein.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2883—An act to make an appropriation for construction and improvements at Santa Barbara State College

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1070—An act to amend section 2237 of the Political Code, relating to the establishment of an advanced vocational school in conjunction with the California School for the Deaf at Berkeley and making an appropriation therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1071—An act making an appropriation for major construction and equipment at California School for the Deaf at Berkeley.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2876—An act making an appropriation to be expended as may be directed by the Regents of the University of California for the purpose of erecting, furnishing, and equipping buildings and other permanent improvements on the campuses of the University of California at Berkeley, Los Angeles, Davis, La Jolla, Mt. Hamilton, Riverside, and San Francisco.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2887—An act making an appropriation to the Department of Finance for construction, reconstruction, repairs, improvements, equipment and furnishings in the State Capitol and the State office buildings in the city of Sacramento

Bill read second time, and ordered to engrossment.

Assembly Bill No. 189—An act providing for completion of investigation and report by the Division of Water Resources, Department of Public Works on flood control, hydro-electric development and conservation and utilization of water supply of Salinas River Basin.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1591—An act to amend the Military and Veterans Code. (Statutes of 1935, Chapter 389.)

Bill read second time, and ordered to third reading

Assembly Bill No. 1280—An act to add section 139.5 to the Agricultural Code, relating to the suppression of rodents, and to make an appropriation therefor

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 2699—An act authorizing a county to use persons confined in county jail for road and other work; providing for the payment of compensation for such work to the dependents of the persons performing such work.

Bill read second time, and ordered to engrossment

Assembly Bill No. 2881—An act to amend section 1030 of the Political Code, relating to office hours

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1012—An act to amend an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5 1931, relating to the pension of county and township peace officers.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 1788—An act to amend section 45 of the California Irrigation District Act, relating to certificates of sale

Committee Amendments to Assembly Bill No. 1788.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 45 of ," and insert in lieu thereof the following "add sections 47 1 48 1 and 48 2 to"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "certificates of sale", and insert in lieu thereof the following: "actions concerning land deeded to irrigation districts for delinquent irrigation district taxes or assessments"

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 31, inclusive and on page 2 strike out lines 1 to 28, inclusive, and insert in lieu thereof the following

"SECTION 1. A new section to be numbered section 47 1 is hereby added to the California Irrigation District Act to read as follows:

Sec. 47.1. No action, suit or proceeding to set aside, cancel or question the validity or regularity of any agreement of sale, deed, lease or option heretofore or hereafter executed by the district in disposing of land theretofore deeded to the district by its collector for delinquent taxes or assessments, or to attack or question the effectiveness of any such instrument to convey or affect the title to the land therein described shall be commenced or maintained unless the same shall have been commenced within one year after the execution by the district of such agreement, deed, lease or option or within nine months after the effective date of this amendatory act whichever be the later to expire, and thereafter all persons shall be barred from commencing or prosecuting any such action suit or proceeding or maintaining any defense, counterclaim or cross-complaint or answer thereto in any action, suit or proceeding, which action, suit or proceeding, defense, counterclaim cross-complaint or answer is based or depends in whole or in part upon the alleged invalidity, irregularity or ineffectiveness of such agreement, deed, lease or option. The burden of proof in any such action, suit or proceeding shall be upon the person urging the invalidity, irregularity or ineffectiveness of such agreement, deed, lease or option, or of any taxes, assessments, sales or tax deeds of which he complains to show such invalidity, irregularity or ineffectiveness and such person shall be required to plead specifically the grounds upon which he urges such invalidity, irregularity or ineffectiveness.

SEC. 2. A new section to be numbered section 48.1 is hereby added to The California Irrigation District Act to read as follows:

Sec. 48.1. No action, suit or proceeding to set aside, cancel or question the validity or regularity of any deed for delinquent taxes or assessments heretofore or hereafter executed to the district by its collector, or to attack or question the effectiveness of any such deed to convey the absolute title to the land therein described shall be commenced or maintained unless the same shall have been commenced within one year after the recordation of such deed or within nine months after the effective date of this amendatory act, whichever be the later to expire, and thereafter all persons shall be barred from commencing or prosecuting any such action, suit or proceeding or maintaining any defense, counterclaim or cross-complaint or answer thereto in any action, suit or proceeding, which action, suit or proceeding, defense, counterclaim, cross-complaint or answer is based or depends in whole or in part upon the alleged invalidity, irregularity or ineffectiveness of such deed. The burden of proof in any such action, suit or proceeding shall be upon the person urging the invalidity, irregularity or ineffectiveness of such deed or of any taxes, assessments or sales of which he complains to show such invalidity, irregularity or ineffectiveness and such person shall be required to plead specifically the grounds upon which he urges such invalidity, irregularity or ineffectiveness.

SEC. 3. Section 48 2 is hereby added to the California Irrigation District Act to read as follows:

Sec. 48.2. The provisions of sections 47 1 and 48.1 do not apply in the following cases:

(a) Where the assessments or taxes for which the land was sold or the certificate issued were paid before the sale.

(b) Where the land was redeemed after the sale.

(c) Where the land was not subject to assessment or taxation at the time it was assessed.

(d) Where no taxes or assessments were due on the land at the time of sale.

(e) Where fraud is established.

(f) Where the deed is void on its face.

(g) Where the owner of the land is, at the time of the sale, a minor or insane person, in which case the statute of limitations begins to run when such disability is removed.

(h) In any other case where there is a total lack of jurisdiction to make the sale or the deed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2756—An act to amend sections 10 and 11 of the Fish and Game Code, relating to the Fish and Game Commission.

Committee Amendments to Assembly Bill No. 2756.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "10 and 11", and insert in lieu thereof the following: "10, 11 and 46 and repealing section 12".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out the words "Fish and Game Commission", and insert in lieu thereof the following: "administration of Fish and Game Laws".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out the words "a Division of Fish and Game in the", and strike out lines 4 to 15, inclusive, and insert in lieu thereof the following "in the Department of Natural Resources a Division of Fish and Game which shall be administered by the Director of Natural Resources through a chief of the division who shall be a person of proved acquaintance with and knowledge of wild animals, wild birds, fishes, mollusks, crustacea and other forms of aquatic animals and plants, and who shall be appointed by the Governor. The Director of Natural Resources shall direct and be responsible for the enforcement of laws relating to the functions of such division and for the expenditure of moneys heretofore or hereafter appropriated to its use.

From time to time, with the approval of the Governor, the director may create, change or abolish bureaus within the division, and allocate or transfer duties as the public interest may require. Subject to the provisions of the laws relating to civil service he may engage such assistants and employees as are necessary properly to discharge the work of the division. Except as provided in section 11 hereof, whenever hereafter in this code any powers, duties or functions of an administra-

tive character are conferred upon the commission, the word "commission" shall be construed to mean and shall be read as "Director of the Department of Natural Resources"."

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 18 to 21, inclusive, and insert in lieu thereof the following:

"11. General policies and rules and regulations covering the various activities of the director, for the guidance of the director in the administration of laws relating to fish and game shall be established by a commission consisting of five members who shall be appointed by and hold office at the pleasure of the Governor The terms of the members of the Fish and Game Commission in office upon the effective date of this section shall thereupon terminate but said members shall hold over until their successors are appointed. The commissioners shall receive no compensation, but shall be paid the amount of actual and necessary expenses incurred by them in the performance of their duties. The commissioners shall elect one of their number chairman.

SEC. 3. Section 12 of said code is hereby repealed

SEC. 4. Section 46 of said code is hereby amended to read as follows:

46 The money in the fish and game preservation fund shall be expended by the Director of Natural Resources in accordance with law for the payment of all necessary expenses incurred in carrying out the provisions of this code and of any other law for the protection and preservation of birds, animals, fish, mollusks, and crustaceans."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 588—An act to amend sections 4251 and 4256 of the Business and Professions Code, relating to the renewal of certificates of registration to practice pharmacy and the fees connected with such practice.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 340—An act to amend section 220 of the Penal Code, relating to the crime of assault with intent to commit rape, etc.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 349—An act to amend section 193 of the Penal Code, relating to the penalty for the crime of manslaughter.

Bill read second time, and ordered on third reading calendar:

Senate Bill No. 629—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject." approved June 13, 1923, and relating to penalties for violations of this act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 424—An act to add two new sections to the School Code, to be numbered 4194 and 4252, relating to instruction in the public schools.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 172—An act to validate the existence of water conservation districts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1124—An act to amend sections 737u and 4252 of the Political Code, relating to compensation of public officers.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 83—An act to amend section 4.102 of the School Code, relating to an appropriation for vocational rehabilitation.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 483—An act making an appropriation to provide land for the Sonoma State Home.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1111—An act making an appropriation for the dredging of certain portions of San Diego Bay.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 69—An act making an appropriation to reimburse the San Diego Harbor improvement fund for the moneys transferred from that fund to the general fund pursuant to Chapter 217, Statutes of 1931.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 504—An act to amend section 890 of the Military and Veterans Code, relating to veterans, and making an appropriation for aid to veterans' dependents.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 223—An act to amend section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price from the sale of jute bags.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 253—An act to add sections 111, 112, 113, 157 and 158 to the Business and Professions Code, relating to the Department of Professional and Vocational Standards and the boards and commissions comprising the department or subject to its jurisdiction.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 254—An act to amend sections 377h, 377i, and 377j of the Political Code, relating to the Department of Professional and Vocational Standards and the boards and commissions comprising the department or subject to its jurisdiction.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 884—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 557—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 278—An act to add section 28.5 to the Agricultural Code, relating to refunds.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 942—An act to add a new chapter to Division VI of the Agricultural Code to be numbered 10, relating to marketing of agricultural products.

Committee Amendment to Senate Bill No. 942.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 14 of the printed bill, as amended, strike out lines 10 to 13, inclusive, and insert in lieu thereof the following: "regulating the marketing of such commodity in interstate or foreign commerce, issued by the Secretary of Agriculture of the United States pursuant to the provisions of any law or laws of the United States. In selecting the members of any".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 182—An act to add section 21.2 to the Fish and Game Code, relating to fish and game wardens.

Committee Amendment to Senate Bill No. 182.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, strike out "The minimum salary of sergeants in the fish and", and all of lines 10, 11, 12, 13, and in line 14, the words "has been reached".

Amendment adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 807—An act to amend the Fish and Game Code by the addition thereto of a new section designated 1069, relating to and regulating the granting of fish canning and fish reduction permits or licenses to plants not engaged in such business and lawfully processing fish resources of the State heretofore.

Committee Amendments to Senate Bill No. 807.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the words "fish canning".

Amendment No. 2.

On page 1, line 6, of the printed bill, following the first word "to", strike out the words "a fish cannery or operator thereof or to".

Amendment No. 3.

On page 1 of the printed bill, beginning in line 8, strike out the comma following the word "business", and the remainder of said line, and that part of line 9 before the semicolon as follows, to wit: ", and lawfully processing fish caught within the jurisdiction of the State," and insert in lieu thereof the following words: "within the State or on the waters of the Pacific Ocean off the coast of this State,".

Amendment No. 4.

On page 1, line 13, of the printed bill, after the word "public", insert the words "welfare or".

Amendment No. 5.

On page 1, line 15, of the printed bill, after the word "deplete", insert a comma and the following words: "or prevent the efficient utilization of,".

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 203—An act to amend section 651.6 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 322—An act to amend section 1027 of the Political Code, relating to the Great Seal of the State of California.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 59—An act to amend sections 1c and 5 of, and to add sections 1.5, 1e, and 9 5 to, the State Narcotic Act, relating to habit forming, narcotic and other dangerous drugs and substances.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 134—An act to add Chapter 4, comprising sections 1600 to 1752, inclusive, to Division II and to add section 30002 to Division XXX of the Business and Professions Code, relating to the practice of dentistry and dental hygiene and repealing acts and parts of acts specified herein.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 291—An act to add Article 3, comprising sections 550 to 558, inclusive, to Chapter 1 in Division II and to add section 30001 to Division XXX of the Business and Professions Code, relating to blindness at childbirth and repealing acts and parts of acts specified therein.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 290—An act to add Article 2, comprising sections 525 to 534, inclusive, to Chapter 1 in Division II and to add section 30009 to Division XXX of the Business and Professions Code, relating to the State Medical Library and repealing acts and parts of acts specified herein.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 289—An act to add Chapter 10, comprising sections 4500 to 4551, inclusive, to Division II and to add section 30007 to Division XXX of the Business and Professions Code, relating to the care of the sick or afflicted by trained attendants and repealing acts and parts of acts specified herein.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 288—An act to add Chapter 6, comprising sections 2700 to 2784, inclusive, to Division II and to add section 30004 to Division XXX of the Business and Professions Code, relating to the practice of nursing the sick or afflicted and repealing acts and parts of acts specified herein.

Bill read second time, and ordered on third reading calendar

Resolutions.

The following resolution was offered:

By the Committee on Attaches:

House Resolution No. 167.

Resolved, That the following named persons be, and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, Sundays excepted, and the Controller is hereby

directed to draw his warrants in favor of the said persons for the said amounts, and the Treasurer is hereby directed to pay the same:

Commencing May 10, 1937 *Per day*
Minna Laughlin, Assistant Journal Clerk.....$5 00
Commencing May 12, 1937
W. E. Babcock, Assistant Sergeant-at-Arms..... 5 00

Resolved, Further, That the following named person be stricken from the list of Assembly attaches, and his name be stricken from the payroll of the Assembly, as follows:

Beginning, and including, May 10, 1937 *Per day*
Walter W. Feeley, Assistant Journal Clerk.....$5 00

VOIGT, Chairman.

House Resolution No 167 read, and adopted by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced:

Assembly Concurrent Resolution No. 51: By Messrs. Boyle, Cunningham, Flint, Gilbert, Hawkins, Hunt, King, Laughlin, Lore, Lyon, Morgan, Pelletier, Reaves, Redwine, Rosenthal, Tenney, Voigt, Waters, Welsh, and Yorty—Relative to approving a certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a certain special election held therein on the fourth day of May, 1937.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 51, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 51.

Assembly Concurrent Resolution No. 51—Relative to approving a certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a certain special election held therein on the fourth day of May, 1937.

Assembly Concurrent Resolution No. 51 read, and adopted by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Concurrent Resolution No. 52: By Mr. Clark—Relative to approving four certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of May, 1937.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 52, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 52.

Assembly Concurrent Resolution No. 52—Relative to approving four certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of May, 1937.

Assembly Concurrent Resolution No. 52 read, and adopted by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60

NOES—None.

Title read and approved. Bill ordered to print and transmitted to the Senate

Assembly Concurrent Resolution No. 53: By Mr. Kuchel—Relative to the approval of the charter of the city of Huntington Beach, a municipal corporation, in the county of Orange, State of California, as voted for and ratified by the electors of the city of Huntington Beach, at an election held therein on the twenty-ninth day of April, 1937.

Request for Unanimous Consent.

Mr. Kuchel asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 53, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 53.

Assembly Concurrent Resolution No. 53—Relative to the approval of the charter of the city of Huntington Beach, a municipal corporation, in the county of Orange, State of California, as voted for and ratified by the electors of the city of Huntington Beach, at an election held therein on the twenty-ninth day of April, 1937.

Assembly Concurrent Resolution No. 53 adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty and Mr Speaker—62.

NOES—None

Title read and approved. Bill ordered to print, and transmitted to the Senate

Consideration of Senate Amendments to Assembly Bill No. 2057.

Assembly Bill No. 2057—An act to amend sections 794, 804, 823, 827, 828 and 829 of, and to add section 829.5 to the Agricultural Code, relating to the standardization of containers for fruit.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2057?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "794," insert the following: "804, 823, 827,".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out "cherries", and insert in lieu thereof the following: "fruit".

Amendment No. 3.

On page 2 of the printed bill, between lines 14 and 15, insert the following:

"SEC. 2. Section 804 of the Agricultural Code is hereby amended to read as follows:

804. Fresh pears shall be mature but not overripe, free from codlin moth larvae, mold, decay, black end, unsealed cuts, and skin breaks; and free from serious damage, due to hail, scab or other diseases, hard end, bruises, limb rubs, frost, codlin moth larvae or other insects

Damage to any one pear is not serious when it is caused by:

(a) Scab, unless the spots cover an aggregate area of more than one-half of an inch in diameter;

(b) Hail damage, unless it affects an aggregate area of more than one-half inch in diameter or is more than one-fourth of an inch in depth;

(c) Codlin moth larvae, unless it causes unhealed stings or holes, however superficial, well healed codlin moth stings are not serious;

(d) Thrip mark, blister mite or other superficial blemishes caused by insects, unless more than ten per cent of the surface of the fruit is affected or they cause a depression of more than one-fourth of an inch in depth;

(e) Other diseases, limb rubs, frost, bruises, or hard end, unless such defects cause a waste of more than ten per cent, by weight, of the individual pear.

Not more than ten per cent, by count, of the pears in any one container or bulk lot may be below these requirements, but not to exceed one-half this tolerance shall be allowed for any one cause. Pears which fail to meet these requirements only because of serious damage caused by hail, shall be considered as complying with this standard, if the container in which they are packed or placed is plainly marked, on the outside of one end thereof, in letters not less than one-half inch in height, with the words "hail marked."

Packed pears in any container shall be uniform in size which means in the case of pears which are two and three-fourths inches in diameter or larger, a variation of not more than one-half of one inch in diameter, when measured through the widest portion of the cross-section, between the fruits in any one container and in the case of pears which are smaller than two and three-fourths inches in diameter, a variation of not more than three-eighths of one inch when so measured.

Bartlett pears shall not be considered mature unless at the time of picking the average pressure test of not less than ten representative pears of the lot does not exceed twenty-three pounds. However, pears which at the time of picking show a yellowish green color, as indicated by the color chart prepared by the department, shall be considered mature regardless of the pressure test. The pressure test shall be determined by means of a fruit pressure tester measuring in pounds the force required to push a rounded plunger five-sixteenths of an inch in diameter into the flesh of the fruit to a depth of five-sixteenths of an inch, after the skin from the areas tested, but little of the underlying flesh, has been removed. Two such determinations are to be made on each specimen selected as a sample and the average of all individual readings from the sample shall be considered as the pressure test of the lot. Pressure test readings shall be made on opposite sides, and approximately at the widest portion of the cross-section of the fruit at right angles to the core. Sunburned or very highly colored areas shall be avoided in making pressure tests.

All containers of pears shall bear upon them in plain sight and in plain letters on one outside end the name of the person who first authorized the packing of the pears, or the name under which such packer is engaged in business, together with a sufficiently explicit address to permit ready location of such packer; the name of the variety, if known, and when not known the words "unknown variety"; the size description when the pears are packed in the four basket crate, or the count when wrapped and packed throughout, in straight side containers in uniform layers and rows.

In the case of the four basket crate the numerical description of the pack in the top layer of the baskets shall be used to designate size. When the count is used

to designate the contents of the container a variation of four pears more or less than the number stated shall be allowed.

Pears, when packed, shall be in standard containers numbers 1A, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 26, 27 or 29A. Other size containers may be used if conspicuously marked on the outside of the end which bears any marks intended to describe the contents of such container, in letters not less than one-half inch in height, "irregular container."

SEC. 3. Section 823 of the Agricultural Code is hereby amended to read as follows:

823. All wrapped apples shall be in one of the following containers: Standard wooden apple box, depth inside, ten and one-half inches; width inside, eleven and one-half inches; length inside, eighteen inches. Standard fibreboard apple box, depth inside, eleven and three-eighth inches; width inside, eleven and one-half inches; length inside, eighteen inches, with a tolerance of one-fourth inch in all dimensions. Half wooden apple box, depth inside, five and one-fourth inches; width inside, eleven and one-half inches; length inside, eighteen inches. Half fibreboard apple box, depth inside, five and eleven-sixteenth inches; width inside, eleven and one-half inches; length inside, eighteen inches, with a tolerance of one-fourth inch in all dimensions. Packed or loose unwrapped apples may be in other size containers, and wrapped apples may be in containers smaller than the half apple box, if these are conspicuously marked, in letters not less than one-half inch in height, "irregular container." Such marking is not required on open containers of apples which are not packed.

SEC. 4. Section 827 of the Agricultural Code is hereby amended to read as follows:

827. As used with reference to apples in this chapter:

(a) "Hand picked" means apples which do not show evidence of having been on the ground.

(b) "Clean" means free from dust or dirt and free from visible spray residue.

(c) "Well packed" means packed in regular, compact, diagonal arrangement of all of the fruit in any container, the fruit being compacted, at the time of packing, with sufficient solidity so that it will not move in the container when lidded, the top and bottom of the standard wooden box, when lidded, having a bulge of not less than one-half inch, and, where wrappers are used, all of the apples in the box being properly wrapped, with the exception of the bottom layer, which may be flagged.

(d) "Flagged" means incompletely covered by the use of wrappers which are not closed.

(e) "Uniform in size" means in boxes containing one hundred twenty-five apples, or less, a variation of not more than one-half of one inch in diameter, when measured through the widest portion of the cross section between the fruits in any one container; in boxes containing one hundred thirty-eight apples, or more, a variation of not more than three-eighths of one inch when so measured.

(f) "Cross section" means that section of the apple taken at a right angle to a straight line drawn from the stem end to the blossom end thereof.

(g) "Properly matured" means that the apples to which it refers, at the time they were taken or fell from the tree, had reached that stage of development necessary to insure the proper completion of the ripening process. Apples of the varieties Alexander, Red Astrachan, White Astrachan, Beitigheimer, White Winter Pearmain, Gleening, and Fall Pippin need not be properly matured in order to meet the requirements of any grade except extra fancy. Apples of the Gravenstein variety, which are of a size that will not pass through a ring two and three-fourths inches in diameter, need not be properly matured to meet the requirements of C grade loose. Apples of the Gravenstein variety shall be properly matured to meet the requirements of the C grade loose when in the combination fancy and C grade loose grade.

(h) "Insect pests" include San Jose scale, codlin moth and other insects or the larvae, nymphs or pupae thereof, and any apple which has been infested with codlin moth and bears evidence of such infestation, with the exception of superficial, well healed codlin moth stings."

Amendment No. 4.

On page 2, line 15, of the printed bill, strike out "SEC. 2" and insert in lieu thereof the following: "SEC. 5".

Amendment No. 5.

On page 3 of the printed bill, between lines 38 and 39, insert the following sentence:

"29A Special lug box----------6½ 13½ 20-5/8".

Amendment No. 6.

On page 5, line 5, of the printed bill, strike out "SEC. 3", and insert in lieu thereof the following: "SEC. 6".

Amendment No. 7.

On page 5, line 35, of the printed bill, strike out "26, or 27.", and insert in lieu thereof the following: "26, 27 or 29A."

Amendment No. 8.

On page 1, line 1 of the title of the printed bill, as amended, at the end of the line, after the word "of", insert a comma and the following "and to add section 29.5 to".

Amendment No. 9.

On page 9 of the printed bill, as amended, following line 26, insert the following

"SEC. 7. Section 829.5 is hereby added to the Agricultural Code to read as follows:

829.5. Nothing in this chapter prohibits the preparation, packing, shipment or sale of fruits, nuts or vegetables in any experimental type of containers not conforming to the standards prescribed in this chapter, if

(a) Each such container is conspicuously marked, in letters not less than one-half inch in height, "Experimental Container"; and

(b) Notice of intention to use such containers, stating the quantity intended to be shipped, is given to the director by the person intending to use the same at least fifteen days before shipment; and

(c) The quantity of any particular fruit, nut or vegetable shipped in any such experimental type of container in any one calendar year does not exceed one per cent of the total car lot quantity of such fruit, nut or vegetable shipped in all types of containers in the preceding calendar year.

Any type of container which is uniformly marked as provided in paragraph (a) of this section and which is not used for shipping fruits, nuts and vegetables in excess of the quantities permitted by paragraph (c) of this section shall be deemed an experimental type of container within the meaning of this section."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2057 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Webel, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 2057 ordered to enrollment.

Notice of Motion to Reconsider Assembly Bill No. 692 Waived.

Mr. Desmond waived his notice of motion to reconsider the vote whereby Assembly Bill No. 692 was refused passage.

Reconsideration of Assembly Bill No. 187.

In compliance with a notice given on a previous day, Mr. Yorty moved that the vote whereby Assembly Bill No. 187 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 187 reconsidered by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 187 ordered on third reading calendar.

Re-reference of Bill.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 187 re-referred to Committee on Unemployment.

Reconsideration of Assembly Bill No. 1474.

In compliance with a notice given on a previous day, Mr. Johnson moved that the vote whereby Assembly Bill No. 1474 was refused passage be reconsidered.

Demand for Previous Question.

Messrs. Morgan, Kepple, Baynham, Lyon and Turner demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 1474.

The roll was called, and Assembly Bill No. 1474 refused reconsideration by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Cottrell, Dannenbrink, Dilworth, Field, Gilbert, Heisinger, Johnson, Kepple, Kuchel, Lore, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Reaves, Scudder, Voigt, Walker, Watson, and Yorty—27.

NOES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Donihue, Fulcher, Gannon, Glick, Hawkins, Hornblower, King, Latham, Leonard, Levey, Lyon, Maloney, McMurray, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Welsh, Williamson, and Mr. Speaker—38.

Motion to Set Reconsideration of Assembly Bill No. 2422 as Special Order.

Mr. Yorty moved that the reconsideration of Assembly Bill No. 2422 be made a special order of business for Thursday, May 13, 1937, at two o'clock p.m.

The roll was called, and the motion to set as a special order lost by the following vote:

AYES—Burns, Michael J., Cunningham, Dawson, Gilbert, Hawkins, Heisinger, Hunt, King, Lore, Meehan, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Voigt, Watson, Weber, Yorty, and Mr. Speaker—21.

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cottrell, Cronin, Crowley, Dannenbrink, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Sheehan, Stream, Thorp, Turner, Walker, and Williamson—42.

Reconsideration of Assembly Bill No. 2422.

In compliance with a notice given on a previous day, Messrs. Beene and Yorty moved that the vote whereby Assembly Bill No. 2422 was passed be reconsidered.

The roll was called, and Assembly Bill No 2422 refused reconsideration by the following vote:

AYES—Burns, Michael J., Clark, Cronin, Cunningham, Dawson, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Lore, Millington, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Scudder, Tenney, Watson, Weber, Williamson, and Yorty—24

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Glick, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Morgan, Muldoon, Redwine, Robertson, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Walker, and Mr. Speaker—42.

Assembly Bill No. 2422 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1583.

In compliance with a notice given on a previous day, Mr. Kepple moved that the vote whereby Assembly Bill No. 1583 was passed be reconsidered.

Point of Order.

Mr Latham rose to the following point of order: That Assembly Bill No 1583 had never been considered by the Committee on Ways and Means, and therefore should be re-referred to that committee.

Ruling on Point of Order.

The Speaker ruled that the point of order was not well taken for the reason that the bill could not be re-referred until after it had been reconsidered

The question being on the reconsideration of Assembly Bill No. 1583.

The roll was called, and Assembly Bill No. 1583 reconsidered by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M. Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Field, Gannon Gilbert, Glick, Heisinger, Hunt, Johnson, Kepple, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Morgan, Peyser, Redwine, Robertson, Sheehan, Stream, Turner, Voigt, Watson, and Mr Speaker—41.

NOES—Clark, Donihue, Garibaldi, Hawkins, Hornblower, Kuchel, McMurray, Pelletier, Reaves, Richie, Rosenthal, Tenney, Walker, Williamson, and Yorty—15

Re-reference of Assembly Bill No. 1583.

On motion of Mr. Kepple, Assembly Bill No. 1583 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Notice of Motion to Reconsider Assembly Bill No. 293 Waived.

Mr. Desmond waived his notice of motion to reconsider the vote whereby Assembly Bill No. 293 was passed

Assembly Bill No 293 ordered transmitted to the Senate

Notice of Motion to Withdraw Assembly Bill No. 514 from Committee Waived.

Mr. Heisinger waived his notice of motion to withdraw Assembly Bill No. 514 from the Committee on Elections.

Motion to Withdraw Assembly Bill No. 1028 from Committee.

In compliance with a notice given on a previous day, Mr. Tenney moved to withdraw Assembly Bill No. 1028 from the Committee on Judiciary Codes and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Morgan, Baynham, Laughlin, Watson and Turner demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the motion to withdraw Assembly Bill No. 1028 from the Committee on Judiciary Codes.

The roll was called, and the motion to withdraw lost by the following vote:

AYES—Boyle, Burns, Michael J., Call, Clark, Donihue, Glick, Hawkins, Hunt, Johnson, King, Lore, Meehan, Morgan, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Voigt, Welsh, and Mr. Speaker—24

NOES—Baynham, Beene, Breed, Burns, Hugh M., Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Fulcher, Gannon, Garibaldi, Hornblower, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, Miller, Eleanor; Peyser, Redwine, Sheehan, Stream, Thorp, Walker, Watson, and Williamson—36.

Motion to Withdraw Assembly Bill No. 2463 from Committee.

In compliance with a notice given on a previous day, Mr. King moved to withdraw Assembly Bill No 2463 from the Committee on Public Utilities, and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Johnson, Beene, Andreas, Cottrell and Kepple demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Bill No. 2463 from the Committee on Public Utilities.

The roll was called, and the motion to withdraw lost by the following vote:

AYES—Gilbert, Hawkins, Heisinger, King, Pelletier, Reaves, Sawallisch, Tenney, and Yorty—9.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Fulcher, Gannon, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Peek, Peyser, Redwine, Robertson, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—53.

Motion to Set Motion to Withdraw Senate Bill No. 519 from Committee as Special Order.

Mr. Sawallisch moved that the consideration of the motion to withdraw Senate Bill No. 519 from committee be made a special order of business for Friday, May 14, 1937, at two o'clock p.m.

The roll was called, and the motion to withdraw Senate Bill No. 519 made a special order of business by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, Peek, Pelletier, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—56.

NOES—Andreas, Donihue, Glick, Miller, Eleanor; Reaves, Richie, and Sheehan—7.

Hon. Harrison W. Call in the Chair.

At four o'clock and ten minutes p.m. Hon. Harrison W. Call, member of the Assembly from the Twenty-Ninth District, in the chair.

Notices of Motion to Withdraw Bills from Committee.

Mr Robertson gave notice, in compliance with Rule 58, that he would move to withdraw Senate Bill No. 57 from the Committee on Fish and Game, and have it placed upon the calendar.

Mr. King gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Constitutional Amendment No. 49 from the Committee on Constitutional Amendments, and have it placed upon the calendar.

Third Reading of Assembly Bills.

Assembly Bill No. 1247—An act to add a new chapter to Part I of Division IV of the School Code to be known as Chapter IV, to add to Chapter II of Part IV of Division IV of said code a new article to be known as Article IIa and to add to said code two new sections to be numbered 2.1224 and 4.766-1, all relating to the creation of a State kindergarten fund, the apportionment thereof and the use of apportionments therefrom.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson,

Kepple, King, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—55.

NOES—Breed, Burns, Michael J., Call, Fulcher, Latham, Mayo, Stream, Thorp, and Turner—9.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1448—An act to amend sections 143, 185, 215, 377, and 378 of the Vehicle Code, relating to the registration of vehicles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, and Williamson—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2841—An act to amend section 4 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved July 31, 1921, relating to the creation of cemetery districts.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Walker, and Weber—51.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 693—An act to amend section 1147 of the Probate Code, relating to the handling of decedent's money by the public administrator.

Bill read third time, and refused passage by the following vote

AYES—Beene, Boyle, Burns, Hugh M., Cassidy, Daley, Desmond, Donihue, Fulcher, Gannon, Garibaldi, Lyon, Meehan, Miller, George P., Muldoon, Pelletier, Redwine, Robertson, Sawallisch, Stream, and Turner—20.

NOES—Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray Miller, Eleanor; Millington, Morgan, Peyser, Reaves, Richie, Scudder, Sheehan, Tenney, Voigt, Walker, Watson, Williamson, and Yorty—40

Assembly Bill No. 2309—An act to amend section 1298 of the Penal Code, relating to bail.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Yorty, and Mr. Speaker—58.

NOES—Dilworth—1.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At four o'clock and fifty-five minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 2086—An act to add a new section to the Penal Code to be known as section 537i, relating to the defrauding of garage keepers.

Bill read third time, and refused passage by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Donnelly, Field, Garibaldi, Hornblower, Latham, Levey, Lore, Lyon, and Walker—15.

NOES—Beene, Boyle, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Reaves, Redwine, Richie, Sawallisch, Sheehan, Voigt, Watson, Weber, Yorty, and Mr Speaker—43.

Assembly Bill No. 1870—An act for the relief of certain assessment districts and for that purpose empowering incorporated cities to render financial aid to such districts and to declare the urgency of this act, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No 1870 read third time, and passed by the following vote.

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2343—An act authorizing the erection, maintenance and operation of churches and schools in any part of a city or city and county, forbidding all cities and cities and counties from prohibiting the erection, maintenance or operation of churches or schools in any residential or other district established by a zoning or other ordinance thereof, and declaring invalid and void any provision of any zoning or other ordinance of any city or city and county which prohibits the erection, maintenance or operation of a church or school in any part of such city or city and county.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58.

NOES—Lore—1.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 21—An act to repeal sections 273, 274, 275, 276, 277, 278, 279, 280, 281, 282 and 283, of the Political Code, relating to the contesting of elections for members of the Legislature

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 52—Proposed amendment to Article XI, section 5, of the Constitution, relative to the appointment and compensation of deputies of certain county officers.

Motion to Amend Assembly Constitutional Amendment No. 52.

Mr. Dilworth moved to amend Assembly Constitutionl Amendment No. 52 as follows:

Amendment No. 1.

On page 2, line 9, of the printed measure, as amended, after the word "effective", add a comma and the following: "save and except as such code section and such act are inconsistent with this section. Any ordinance heretofore enacted prescribing the salary of any deputy, assistant or employee, the salaries of which under this section are to be provided by the Legislature, shall continue to be valid and effective ordinances until superseded by an act of the Legislature"

Amendment adopted.

Assembly Constitutional Amendment No. 52 ordered to reprint, and re-engrossment.

Assembly Bill No. 2178—An act to amend section 632 of the Agricultural Code, relating to records.

Motion to Amend Assembly Bill No. 2178.

Mr Thorp moved to amend Assembly Bill No 2178 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "records", and insert in lieu thereof the following: "dairy products"

Amendment adopted.

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to take up Assembly Bill No 2178, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2178, as Amended.

Assembly Bill No. 2178—An act to amend section 632 of the Agricultural Code, relating to records.

Assembly Bill No. 2178, as amended, read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1261—An act to amend sections 1650, 1651, 1654, and 1655, and repealing sections 1656 and 1657, of the Business and

Professions Code, relating to registration of licenses with county clerks.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1258—An act to amend section 1748 of the Business and Professions Code, relating to the suspension and revocation of dental licenses.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1707—An act to amend section 670 of the Code of Civil Procedure, relating to the judgment roll.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Yorty, and Mr. Speaker—56.

NOES—Cunningham, King, and Tenney—3

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2350—An act to amend sections 3024, 3027, 3040, 3090, 3091, 3098, 3102, 3103 and 3149, and to repeal section 3093 of the Business and Professions Code, relating to the practice of optometry.

Motion to Amend Assembly Bill No. 2350.

Mr. Reaves moved to amend Assembly Bill No. 2350 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "of", add a comma and the following: "and to add sections 3056 and 3130 to,".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 28 and 29, insert the following:

"SEC. 2. Section 3056 is hereby added to the Business and Professions Code to read as follows:

3056. The practice of optometry is limited to those persons who are qualified to make application for and who have satisfactorily passed the regular examination prescribed by the State Board of Optometry for license to practice optometry in this State. The State Board of Optometry shall be the sole judge as to the qualifications of the applicant for such examination."

Amendment No. 3.

On page 2, line 29, of the printed bill, as amended, strike out the first "2", and insert in lieu thereof the following: "3".

Amendment No. 4.

On page 3, line 5, of the printed bill, as amended, strike out the first "3", and insert in lieu thereof the following: "4".

Amendment No. 5.

On page 3 of the printed bill, as amended, following line 10, add the following:

"SEC. 5. Section 3130 is hereby added to the Business and Professions Code to read as follows:

3130 In addition to the other proceedings provided in this chapter, the superior court of any county, on application of the board, shall issue an injunction in the name of the people to restrain any licensed or unlicensed person from continuing to commit any act which constitutes any one of the following: A cause to revoke or suspend a certificate of registration; an act of unprofessional conduct; or a violation of any of the provisions of this chapter."

Amendments adopted.

Assembly Bill No. 2350 ordered to reprint, and re-engrossment.

Assembly Bill No. 2677—An act to add a new section to be numbered 4041.29 to the Political Code, relating to powers of boards of supervisors.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1004—An act to amend section 2380 of the Business and Professions Code, relating to unprofessional conduct within the chapter on medicine.

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1005—An act to amend section 581 of the Business and Professions Code, relating to the unlawful use of any diploma, certificate or transcript necessary for the practice of a healing art.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1260—An act to amend sections 1626 and 1635 of the Business and Professions Code, relating to the practice of dentistry.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor;

Miller, George P., Millington, Morgan, Muldoon, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1259—An act to amend section 1748 of the Business and Professions Code, relating to dental hygienists.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. O'Donnell:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to certain lands of the State of California, situated in the county of Los Angeles, providing for the determination of and quieting title to said lands and for leasing for the production of oil, gas, and other hydrocarbons therefrom, creating the State Oil Development Board, and prescribing its powers and duties with reference to the leasing and protection of the interest of the State in and to said lands

Referred to *Committee on Introduction of Bills*

By Mr. Donihue.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 906, 908, 914, 916 and 989 of the Insurance Code, and to add sections 923.5 and 1153 thereto, all relating to insurance

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the *authors be permitted to introduce them.*

By Mr. Donihue:

An act to amend sections 906, 908, 914, 916 and 989 of the Insurance Code, and to add sections 923.5 and 1153 thereto, all relating to insurance.

By Mr. O'Donnell:

An act relating to certain lands of the State of California, situate in the county of Los Angeles, providing for the determination of and quieting title to said lands and for leasing for the production of oil, gas, and other hydrocarbons therefrom, creating the State Oil Development Board, and prescribing its powers and duties with reference to the leasing and protection of the interest of the State in and to said lands.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon,

Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2898: By Mr. Donihue—An act to amend sections 906, 908, 914, 916 and 989 of the Insurance Code, and to add sections 923.5 and 1153 thereto, all relating to insurance.

Bill read first time, and referred to Committee on Insurance.

Assembly Bill No. 2899: By Mr. O'Donnell—An act relating to certain lands of the State of California, situate in the county of Los Angeles, providing for the determination of and quieting title to said lands and for leasing for the production of oil, gas, and other hydrocarbons therefrom, creating the State Oil Development Board, and prescribing its powers and duties with reference to the leasing and protection of the interest of the State in and to said lands.

Bill read first time, and refered to Committee on Oil Industries.

Assembly Concurrent Resolution No. 54: By Messrs. Boyle, Cunningham, Flint, Gilbert, Hawkins, Hunt, King, Laughlin, Lore, Lyon, Morgan, Pelletier, Reaves, Redwine, Rosenthal, Tenney, Voigt, Waters, Welsh, and Yorty—Relative to approving a certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a certain special election held therein on the fourth day of May, 1937.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 54, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 54.

Assembly Concurrent Resolution No. 54—Relative to approving a certain amendment to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a certain election held therein on the fourth day of May, 1937.

Assembly Concurrent Resolution No. 54 read, and adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Resolutions.

The following resolutions were offered:

By Mr. Levey:

House Resolution No. 168.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of James G.

Smyth, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office.

Request for Unanimous Consent.

Mr. Levey asked for, and was granted, unanimous consent to take up House Resolution No 168, at this time, without reference to committee or calendar.

House Resolution No. 168 read, and adopted by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Call, Cassidy, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

By Mr Mayo:

House Resolution No. 169.

WHEREAS, More than 70 years ago there was held in Angels Camp, California, a Jumping Frog Contest which later was chronicled by Mark Twain, world famous humorist, and

WHEREAS, Nine years ago the Angels Booster Club, a nonprofit organization, revived and rejuvenated this historical episode in California history, and

WHEREAS, On May 14, 15 and 16, 1937, there is scheduled to be held in Angels Camp, California, the Ninth Annual International Jumping Frog Contest, now therefore be it

Resolved, That an Interim Committee, consisting of 80 members, of which the Speaker shall act as chairman, is hereby created for the purpose of making an investigation of said Jumping Frog Jubilee and '49 Celebration at Angels Camp for the purpose of enjoying the hospitality of the people of Calaveras County, and be it further

Resolved, That the committee is hereby instructed to attend the said Jumping Frog Jubilee at Angels Camp on the above dates with their wives, sweethearts and friends in order to partake of the hospitality of the people of Calaveras County

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up House Resolution No 169, at this time, without reference to committee or calendar.

House Resolution No. 169 read, and unanimously adopted

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, May 12, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 2799**, the same being:

"An act to amend section 737s, as amended, of the Political Code of the State of California to provide an annual salary for each of the judges of the superior court in and for the county of Los Angeles of $10,000"

This action is prompted by the same considerations as set forth in previous messages, and in harmony with a policy of economy in every branch of government.

That there shall be no approval of expenditures necessitating increased taxes, seems to justify withholding my approval of Assembly Bill No. 2799.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 2799 ordered on unfinished business calendar.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Joint Resolution No. 44.
Assembly Bill No. 13.
Assembly Bill No. 285.
Assembly Bill No. 399.
Assembly Bill No. 483.
Assembly Bill No. 669.
Assembly Bill No. 810.
Assembly Bill No. 841.
Assembly Bill No. 890.
Assembly Bill No. 930.
Assembly Bill No. 1151.
Assembly Bill No. 1224.
Assembly Bill No. 1231.
Assembly Bill No. 1232.
Assembly Bill No. 1263.

And reports the same correctly enrolled, and presented to the Governor on this twelfth day of May, 1937, at two o'clock p m

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 174.
Assembly Bill No. 189.
Assembly Bill No. 587.
Assembly Bill No. 588.
Assembly Bill No. 1070.
Assembly Bill No. 1071.
Assembly Bill No. 1284.
Assembly Bill No. 1617.
Assembly Bill No. 2046.
Assembly Bill No. 2407.
Assembly Bill No. 2699.
Assembly Bill No. 2802.
Assembly Bill No. 2859.
Assembly Bill No. 2862.
Assembly Bill No. 2874.
Assembly Bill No. 2876.
Assembly Bill No. 2881.
Assembly Bill No. 2883.
Assembly Bill No. 2887.
Assembly Bill No. 2792.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 2352.
Assembly Bill No. 2499.
Assembly Bill No. 2790.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Senate Bill No. 637.

Respectfully reports the same back with the recommendation. Do pass.

MULDOON, Chairman

The above reported bill ordered on second reading calendar

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 12 1937

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 863.

Respectfully reports the same back with the recommendation: Do pass as amended

DONNELLY, Chairman

The above reported bill ordered on second reading calendar

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 586.
Assembly Bill No. 1876.
Assembly Bill No. 2084.

Respectfully reports the same back with the recommendation: Do pass as amended.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
Assembly Bill No. 366.
Assembly Bill No. 1296.
Respectfully reports the same back without recommendation, as amended.

MEEHAN, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
Assembly Bill No. 2124.
Respectfully reports the same back with the recommendation: Do pass as amended

MEEHAN, Chairman.

The above reported bill ordered on second reading calendar

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:
Senate Bill No. 166.
Senate Bill No. 241.
Respectfully reports the same back without recommendation, as amended.

FLINT, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred:
Assembly Bill No. 1427.
Respectfully reports the same back with the recommendation: Do pass as amended.

FLINT, Chairman.

The above reported bill ordered on second reading calendar.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:
Assembly Bill No. 1855.
Respectfully reports the same back with the recommendation: Do pass as amended.

HAWKINS, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: Your Committee on Unemployment, to which was referred:
Assembly Bill No. 2895.
Respectfully reports the same back with the recommendation: Do pass.

HAWKINS, Chairman.

The above reported bill ordered on second reading calendar

Re-reference of Assembly Bill No. 2792.

On motion of Mr Lyon, Assembly Bill No. 2792 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 1296—An act to add section 612 to the Streets and Highways Code, relating to the establishment of a secondary State highway

Committee Amendment to Assembly Bill No. 1296.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out line 5, and insert in lieu thereof the following: "San Antonio Estuary via Twenty-third Avenue for the entire distance and also via Twenty-third Avenue Place and Twenty-third Avenue in the".

Amendment adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 366—An act to amend sections _____ of the Streets and Highways Code, relating to public ways.

Committee Amendments to Assembly Bill No. 366.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend sections ------ of", and insert in lieu thereof the following: "add section 644 to".

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following "Section 644 is hereby added to the Streets and Highways Code to read as follows.

644. There is hereby added to the State highway system a new route or portion of a route comprising Laurel Canyon Boulevard from Route 2, Ventura Boulevard, to Route 158, Sepulveda Boulevard."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 999—An act to amend section 1142 of the Political Code to authorize precinct election boards consisting of four members only where not more than one tally book is used at the elections.

Motion to Amend Assembly Bill No. 999.

Mr. Gilbert moved to amend Assembly Bill No. 999 as follows

Amendment No. 1.

On page 3 of the printed bill, strike out lines 36 and 37

Amendment No. 2.

On page 4 of the printed bill strike out lines 22 to 28, inclusive

Amendments adopted

Assembly Bill No. 999 ordered to reprint, and re-engrossment.

Notice of Motion to Reconsider Assembly Bill No. 1779 Waived.

Mr. Field waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1779 was passed

Assembly Bill No. 1779 ordered transmitted to the Senate.

Notices of Motion to Reconsider Continued.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1472 was refused passage was continued until the next legislative day

On motion of Mr. Patterson, the consideration of his notice of motion to reconsider the vote whereby House Resolution No. 131 was refused passage was continued until the next legislative day.

On motion of Mr. Fulcher, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 987 was passed was continued until the next legislative day

On motion of Mr. Levey, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1821 was passed was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No. 888 was refused passage was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2844 was passed was continued until the next legislative day.

On motion of Mr. Latham, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 47 was passed was continued until the next legislative day

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1283 was refused passage was continued until the next legislative day.

Withdrawal and Re-reference of Senate Bill No. 1144.

On motion of Mr. Desmond, Senate Bill No 1144 was withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Roads and Highways.

Re-reference of Bills.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2352 re-referred to Committee on Social Service and Welfare.

Adjournment.

At five o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Thursday, May 12, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIRST LEGISLATIVE DAY
ONE HUNDRED THIRTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 13, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Bayuham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Upon invitation of Rev. William F. Ehmann, Chaplain of the Assembly, prayer was offered by Rev. E. S Anderson of Montebello.

Motion to Print Prayer in Journal.

On motion of Mr. Meehan, the following prayer delivered by Rev E S. Anderson was ordered printed in the Journal:

Let us invoke the Divine blessing.

Eternal God, grant Thy blessing upon this Assembly. May wisdom be given for each and every deliberation. May they bring blessing and helpfulness to the men, women and children of our beloved State. Because our State is an integral part of our Nation, we pray that guidance shall be given to the end that the thinking and living of our citizens may reach the highest possible level of experience. These blessings we ask in the name of that Man whose leadership among the Nations for many centuries has contributed to the enrichment of the men, women and children of the whole world. Amen

Reading of the Journal Dispensed With.

On motion of Mr. Thorp, the further reading of the Journal of Wednesday, May 12, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Boyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. C Hoodenpyle, realtor, of Los Angeles.

On request of the Alameda County Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J E Talmage, Mrs. Anna Dean, Mrs. N. E. Duryea, Mrs. Irene DeMont, Oakland delegates to Grand Lodge of Rebecca.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lena Lane, Mrs Horner Wiser, and Mrs. Iva Kalrick, delegates to Rebecca Assembly.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. S. Anderson of Montebello.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Frank Vitale of Los Angeles.

On request of Mr. Dannenbrink, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mary Harley Jenks, principal; Mrs Louise de Fremery, and Mrs. Charles Mel, mothers, and the following students from Bentley School; Elizabeth Worthington, Barbara Mel, Betty Hyde, Christine Hjul, Florence Deuprey, Mary Sutherland, Patty Hodkins, Phyllis Kennedy, Robin Ann Parker, Lorraine Gottschall, Katherine de Fremery, Suzanne Agnew, Allison Hudnut, Roberta Wynne, and Jane Gray.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs. Harry Dinsmore, and Mr Louis Labrie of Martinez

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Peter Hanson of Glendale, Past President of the C. R E A

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Tom McHugh, of Martinez, W E. Crump of Capitola, and Judge C R. Taylor of Watsonville.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Faye Hadley

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs. A R. D'Arcy of Sacramento.

On request of Mr. Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Charles Morton, Mrs. Hilda R. Fine, Mrs. Kathleen C. Miller of Fresno, and Mrs. Katherine E. Kenney, Mrs. Reta M. Cotching, and Mrs. Lois M. Hartwell of Madera.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Faye Hadley, Mrs. Ida Nelk of Inglewood, Mrs. Lura Williams of Covina, Mrs Ruth Meyerand of Los Angeles.

Assistant Chief Clerk Greenburg Reading.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 12, 1937.

To the Honorable Members of the Assembly

I am returning herewith, without my approval, **Assembly Bill No. 1938,** the same being:

"An act to amend section 1 of an act entitled 'An act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof,' approved April 10, 1925, relating to the sale of certain of said lands by the city of South San Francisco."

The grant of the property to which reference is made in Assembly Bill No. 1938, was made to South San Francisco by an act approved April 10, 1925 This act granted to the city of South San Francisco certain property located within the city limits of the city of South San Francisco, which is salt marsh, tide and submerged land The act provides that the land shall be used by the city solely for the establishment, improvement and conduct of a harbor and for the construction, maintenance and operation thereof of wharves, docks, etc., necessary or convenient for the promotion of commerce and navigation and shall not at any time grant or convey the land or any part thereof to any individual, etc., providing, however, that it may grant franchises for the use of the wharves, piers, etc., not exceeding 25 years, and provides for necessary utilities and setting of tolls, rates, etc.

The bill amends this section by specifically stating that certain described land included in the grant is useless for the promotion or accommodation of commerce or navigation or for the conducting of a harbor or the maintenance of wharves, piers, etc The bill describes such land, by metes and bounds in two separate parcels, and specifically would authorize the city of South San Francisco to sell, grant, and convey such land.

Believing it against the policy and the best interests of the State of California to sell any public tidelands, under the terms proposed in this bill, I am returning Assembly Bill No. 1938 without my approval

Respectfully submitted.

FRANK F MERRIAM, Governor of California

Assembly Bill No 1938 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 12, 1937

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 2474,** the same being.

"An act to amend section 537 of the Code of Civil Procedure, relating to attachments."

In 1933 the California Legislature amended section 537 of the Code of Civil Procedure, by including the words 'deed of trust", and thereby providing that no attachment could be issued where the obligation was secured by deed of trust

Assembly Bill No 2474 would remove that provision from section 537 of the Code of Civil Procedure, and this I am informed by a number of attorneys, in whose opinion I concur, would be unwise.

For the above reason, I am returning Assembly Bill No. 2474 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 2474 ordered on unfinished business calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 12, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 455.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, May 12, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 842—An act to amend section 4140 of the Political Code, relating to the duties and rights of county recorders;

Senate Bill No. 1135—An act to add section 433.6 to the Political Code, to authorize the State Controller to make rules and regulations governing pay roll deductions from the salary or wage of certain State employees for the purpose of paying premiums on a policy or certificate of insurance issued to such State employees insured under an insurance plan approved by the Director of Finance;

Senate Bill No. 326—An act to regulate the distribution of moneys received from the United States Government under the provisions of the act of Congress of June 28, 1934, known as the Taylor Grazing Act and any act amendatory thereof;

Senate Bill No. 578—An act to amend sections 1, 2, and 4 of, and to add two new sections to be numbered 5 and 6 to "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, and making an appropriation therefor;

Senate Bill No. 446—An act to add section 1872 to the Code of Civil Procedure, relating to compensation for expert testimony.

Senate Concurrent Resolution No. 43—Relative to the appointment of a Conservation Committee.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 842 read first time, and referred to Committee on County Government.

Senate Bill No. 1135 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 326 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 578 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 446 read first time, and referred to Committee on Judiciary Codes.

Senate Concurrent Resolution No. 43 read, and referred to Committee on Conservation.

SENATE CHAMBER, SACRAMENTO, May 10, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 252.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Second Reading of Assembly Bills.

Assembly Bill No. 863—An act to amend section 482 of the Agricultural Code, relating to market milk.

Committee Amendment to Assembly Bill No. 863.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"482. Pasteurized market milk shall be bottled only in the plant where it is pasteurized. Raw market milk shall be bottled on the premises where produced but may be bottled in a plant where market milk is bottled or pasteurized if all market milk received by such plant complies with the standards and requirements established by this division for the highest grade or class of market milk received and handled in such plant excluding certified milk. The provisions of this section do not apply to market cream."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 586—An act to provide additional land and buildings for the use of the San Francisco State College and making an appropriation therefor.

Committee Amendments to Assembly Bill No. 586.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, lines 1 and 2, of the printed bill, strike out the words and figures "two million three hundred eighty thousand dollars ($2,380,000)", and insert in lieu thereof the following: "nine hundred fifty thousand dollars ($950,000)".

Amendment No. 2.

On page 1, line 5, of the printed bill, after the word "College", insert the following: "on or adjacent to its present site".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1876—An act to create a California Building Authority, to give such authority extraordinary authority for allocation of funds for building purposes, supplementing the Public Works Administration program, making an appropriation therefor, and providing for the allocation of said appropriation.

Committee Amendment to Assembly Bill No. 1876.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 3, line 46, of the printed bill, as amended, strike out the word "such", and insert in lieu thereof the following: "the same security as is required of contractors under the provisions of an act entitled "An act to secure the payment of claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as now or hereafter amended, which act is hereby expressly made applicable to all contracts provided for by this act, and such other".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2084—An act to amend section 7 of an act entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas.

Committee Amendment to Assembly Bill No. 2084.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 10 and 11, insert the following:

"Not more than one-half of the moneys deposited in the State park contingent fund out of the royalties from oil and gas or other mineral leases, and from the sale of oil, gas or other hydrocarbons or other minerals by the State, shall be used for the purchase of lands for the State park system. The remainder of such moneys shall be used solely for the improvement, maintenance and administration of the State park system."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2124—An act relating to the acquisition or construction of a bridge connecting the State highway system across Carquinez Straits at or near Crockett, California, defining the powers and duties of the California Toll Bridge Authority and of the State Department of Public Works in relation thereto, and making moneys available therefor.

Committee Amendments to Assembly Bill No. 2124.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, at the end of line 1 of the title, add the following: "or bridges".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out "at or near Crockett, California," and insert in lieu thereof the following: ", and across the San Joaquin River connecting the counties of Sacramento and Contra Costa, and".

Amendment No. 3.

On page 1, line 5 of the title of the printed bill, strike out the comma, and strike out all of line 6 and insert in lieu thereof a period.

Amendment No. 4.

On page 1, line 5, of the printed bill, strike out the period, and insert in lieu thereof the following: ", and that certain privately owned toll bridge across the San Joaquin River connecting the counties of Sacramento and Contra Costa, commonly known as the Antioch Bridge, or either of them."

Amendment No. 5.

On page 1, line 8, of the printed bill, after "bridge", insert the following: "or bridges".

Amendment No. 6.

On page 1, line 10, of the printed bill, after "bridge", insert the following "or bridges".

Amendment No. 7.

On page 1, line 11, of the printed bill, strike out the period, and insert in lieu thereof the following: "or to acquire in any manner authorized by law the existing franchise rights on such bridges, or either of them, and all other private property, if any, necessary for full public ownership and operation thereof."

Amendment No. 8.

On page 1 of the printed bill, strike out lines 12 to 14, inclusive, and insert in lieu thereof the following:

"SEC. 3. *No provision of law providing that State highways shall be free highways* shall affect the power or duty of the California Toll Bridge Authority to fix rates of toll for the use of said bridges, or either of them, or the power and duty of the Department of Public Works to collect the tolls so fixed by the California Toll Bridge Authority."

Amendment No. 9.

On page 1, line 18, of the printed bill, after "bridge", insert the following "or bridges, or either of them".

Amendment No. 10.

On page 1 of the printed bill, strike out lines 20 to 23, inclusive, and insert in lieu thereof the following: "quinez Straits and a bridge crossing the Sacramento River, between the counties of Contra Costa and Sacramento, or either of said bridges. Said bridge or bridges shall be State highways.

SEC. 5. Said bridges, or either of them, if acquired or constructed, shall be acquired or constructed under the provisions of the California Toll Bridge Authority Act. Upon the acquisition or construction of said bridges, or either of them, the Department of Public Works shall maintain and operate said toll bridges as State highways in such manner that the physical condition and operating efficiency thereof shall be of the highest character, and while any bonds which may be issued by the California Toll Bridge Authority for the acquisition or construction of such bridge or bridges may be outstanding, shall cause said bridge or bridges to be at all times insured against all risks to the full insurable value thereof, the proceeds of such insurance to be applied to the restoration of the bridge or bridges.

The Department of Public Works shall at all times cause said bridge or bridges to comply with all lawful orders of the United States Secretary of War, the Chief of Engineers of the United States Army, and of any other governmental agency or authority having jurisdiction in the premises.

SEC. 6. The cost of maintaining and operating said bridge or bridges, including the cost of insurance and the cost of complying with any order of any governmental agency, shall be paid by the Department of Public Works out of funds available to it for the maintenance of State highways."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1427—An act to add section 135.8 to the Vehicle Code, relating to the California Highway Patrol.

Committee Amendments to Assembly Bill No. 1427.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "have no".

Amendment No. 2.

On page 1, line 21, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", but shall have the power to keep the highways clear and unobstructed at all times."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1855—An act to amend sections 7, 13, 45, 46, 47, 48, 51, 54, 56, 58, 60, 71 and 101; and to add sections 56a and 72, and to repeal sections 44 and 55, of Statutes 1935, Chapter 532, entitled "An act to establish a system of unemployment reserves for this State and making an appropriation therefor," approved June 25, 1935, relating to unemployment reserves.

Committee Amendments to Assembly Bill No. 1855.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", strike out "sections 7, 13," and insert in lieu thereof the following "section".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, strike out "46, 47, 48, 51, 54, 56," and strike out lines 2 and 3, and insert in lieu thereof the following "of an act"

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive and on page 2, strike out lines 1 to 19, inclusive.

Amendment No. 4.

On page 2, line 20, of the printed bill, strike out "defaults in", and insert in lieu thereof the following "fails to make".

Amendment No. 5.

On page 2 line 21, of the printed bill, strike out "under this act", and insert in lieu thereof the following: "or fails to deduct and pay to the commission the contributions of his workers, in accordance with the provisions of this act and of the rules and regulations adopted by the commission."

Amendment No. 6.

On page 2, line 26, of the printed bill, strike out "fund", and insert in lieu thereof the following "commission"

Amendment No. 7.

On page 2, between lines 27 and 28, of the printed bill, insert the following

"If an employer fails or refuses to pay any contributions required to be paid by him as provided for in this act, or fails or refuses to file a contribution report for any period in which the same is required by general commission rule or if such report when filed is incorrect or insufficient, or otherwise fails or refuses to indicate the amount of contributions properly due and owing for such period, and the employer fails to file a corrected or sufficient copy within twenty days after the commission requires the same by written notice, the commission shall determine the amount of contributions due from such employer on the basis of such information as it may be able to obtain, and it shall give written notice of such determination to the employer.

Such determination shall finally and irrevocably fix the amount of contributions due and payable for such period unless the employer shall within twenty days after the giving of such notice of such determination apply to the commission for a hearing upon such determination. At any hearing held by the commission as herein provided, evidence may be offered to support such determination or to prove that it is incorrect. After such hearing, the commission shall give written notice of its decision to the employer

The written notices above provided for may be served personally upon the employer, or service may be made by mail in the manner prescribed by section 1013 of the Code of Civil Procedure

In any case in which any contribution, or any portion thereof, or interest imposed under this act, is not paid when due the commission may file in the office of the

county clerk of Sacramento County, or any other county in this State, a certificate specifying the amount of contributions and interest due, the name and last known address of the employer liable for the same, that the commission has complied with all the provisions of this act in relation to the determination of the contributions due from such employer, as in this section provided, and a request that judgment be entered against the employer in the amount of the contributions and interest due as set forth in the certificate. The county clerk, immediately upon the filing of such certificate, shall enter a judgment for the Unemployment Reserves Commission against the employer in the amount of contributions and interest due, as set forth in the certificate. The judgment may be filed by the county clerk in a loose-leaf book entitled "Unemployment Contributions Judgments".

An abstract of such judgment, or a copy thereof, may be recorded with the county recorder of any county, and from the time of such recording the amount of the contribution and interest therein set forth shall constitute a lien upon all property of the employer in such county, owned by him or which he may afterwards and before the lien expires acquire, which lien shall have the force, effect, and priority of a judgment lien. Execution shall issue upon such a judgment upon request of the commission in the same manner as execution may issue upon other judgments, and sales shall be held under such execution as prescribed in the Code of Civil Procedure.

The foregoing remedy shall be cumulative and no action taken by the commission shall be construed to be an election to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act."

Amendment No. 8.

On page 2 of the printed bill, strike out lines 28 to 50, inclusive, and strike out pages 3, 4, 5 and 6, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2895—An act to add section 38.5 to, and to amend sections 6, 10, 11, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 45, 51, 52, 62, 95, 97, and 101 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read second time, and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 637—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 166—An act to establish a California Agricultural Labor Relations Board for the mediation and arbitration of agricultural labor disputes and for ancillary purposes, and to prescribe its powers and duties.

Committee Amendments to Senate Bill No. 166.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, insert the designation "(a)" between the period following the word "policy", and the word "labor".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out the sentence beginning with the word "The", and ending with the period following the word "objectives."

Amendment No. 3.

On page 1, line 12, of the printed bill, strike out the words "Sec 2. General Duties. (a)", and insert in lieu thereof and immediately before the word "All", the following:

"(b) It is a matter of common knowledge that protection by law of the right of employees to organize and bargain collectively, by eliminating or mitigating certain recognized sources of labor disputes and by encouraging amicable adjustment of

grievances between employers and employees has tended to promote harmonious employer-employee relations. One of the purposes of this act is to stimulate and encourage the practice of collective bargaining between employers and employees and to protect the exercise by workers of full freedom of association, self organization, and designation of representatives of their own choosing, in connection with negotiations concerning the terms and conditions of their employment, or other mutual aid or protection."

Amendment No. 4.

On page 1, line 20, of the printed bill, strike out the designation "(b)" before the word "Representatives", and insert in lieu thereof the following: "(c)".

Amendment No. 5.

On page 1, line 21, of the printed bill, strike out the phrase beginning with the ward "any", and ending with the period following the word "kind." in line 22, and insert in lieu thereof the following: "interference or coercion by either party over the designation of representatives by the other.

Sec. 2. When used in this act—

(1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of an employer, directly or indirectly, but shall not include the United States, or any State or political subdivision thereof, or any person subject to the Railway Labor Act as amended from time to time, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

(3) The term "employee" shall include any employee, and shall not be limited to the employees of a particular employer, unless the act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include an employee engaged in interstate commerce, or in the domestice service of any family or person at his home, or any individual employed by his parent or spouse.

(4) The term "representatives" includes any individual or labor organization.

(5) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor, disputes, wages, rates of pay, hours of employment, or conditions of work.

(6) The term "unfair labor practice" means any unfair labor practice listed in section 8

(7) The term "labor dispute" includes any controversy concerning terms, tenure or conditions, of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee."

Amendment No. 6.

On page 2, line 27, of the printed bill, strike out the figures "1939", and insert in lieu thereof the following: "1938."

Amendment No. 7.

On page 2, line 29, of the printed bill, strike out the figures "1940.", and insert in lieu thereof the following: "1939."

Amendment No. 8.

On page 2, line 31, of the printed bill, strike out the figures "1941.", and insert in lieu thereof the following: "1940."

Amendment No. 9.

On page 2, line 41, of the printed bill, strike out the figures "$15", following the word "of", and insert in lieu thereof the following: "$20".

Amendment No. 10.

On page 2, line 44, of the printed bill, strike out the figures "$6,000", following the word "of", and insert in lieu thereof the following: "$7500".

Amendment No. 11.

On page 3, line 7, of the printed bill, strike out the sentence beginning with the word "The", and ending with the period following the word "provided", in line 9.

Amendment No. 12.

On page 3 of the printed bill, insert between the words "make", and "such", in line 19, the following: ", amend and publish".

Amendment No. 13.

On page 3, line 21, of the printed bill, add the following as subdivisions "(i)" and "(j)" of section 3 to follow subdivision "(h)" of section 3, which ends with the period following the word "act"

"(i) For the purpose of all hearings and investigations which, in the opinion of the board, are necessary and proper for the exercise of the powers vested in it by this act, the board, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the board shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the board, its member, agent, or agency conducting the hearing or investigation. Any member of the board, or any agent or agency designated by the board for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence.

(j) Complaints, orders, and other process and papers of the board, its member, agent or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses subpenaed before the board, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of record in this State, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of record in this State."

Amendment No. 14.

On page 5, line 43, of the printed bill, strike the paragraph beginning with the words "Sec. 7.", and ending with the word "labor." in line 47.

Amendment No. 15.

Strike out all of page 6 of the printed bill, beginning with the words "Sec. 8", in line 3, and ending with the word "between", in line 52.

Amendment No. 16.

Strike out everything on page 7 of the printed bill, beginning with the word "the", in line 1, and ending with the period following the word "same", in line 11.

Amendment No. 17.

On page 7 of the printed bill, between lines 11 and 12, insert the following:

"SEC. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

SEC. 8. It shall be an unfair labor practice for an employer—

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it; provided, that subject to rules and regulations made and published by the board pursuant to section 3 (h) an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay.

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment, to encourage or discourage membership in any labor organization. Nothing in this act or in any statute of the State of California shall preclude an employer from making an agreement with a labor organization (not established, maintained or assisted by any action defined in this act as an unfair labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employees, as provided in section 8 in the appropriate collective bargaining unit covered by such agreement when made.

(4) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this act

(5) To refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 8.

SEC. 9. Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment; provided, that any individual employee or a group of employees shall have the right at any time to present grievances to their employer.

SEC. 10. The board shall decide in each case whether, in order to insure to employees their right to self-organization and to collective bargaining, and otherwise to effectuate the policies of this act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof.

SEC. 11. Whenever a question arises concerning the representation of employees, the board may investigate such controversy and certify to the parties, in writing, the name or names of the representatives that have been designated or selected. In any such investigation, the board shall provide for an appropriate hearing upon due notice, either in conjunction with a proceeding authorized by this act or otherwise, and may take a secret ballot of employees, or utilize any other suitable method to ascertain such representatives.

SEC 12. Whenever an order of the board made pursuant to section 15 is based in whole or in part upon facts certified following an investigation pursuant to section 11, and there is a petition for the enforcement of or hearing on such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under section 19, and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the board shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript

SEC. 13. The board is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice (listed in section 8) This power shall be exclusive, and shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, code, law, or otherwise.

SEC. 14. Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the board, or any agent or agency designated by the board for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect, and containing a notice of hearing before the board or a member thereof, or before a designated agent or agency, at a place therein fixed, not less than five days after the serving of said complaint Any such complaint may be amended by the member, agent, or agency conducting the hearing or the board in its discretion at any time prior to the issuance of an order based thereon The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint In the discretion of the member, agent or agency conducting the hearing or the board, any other person may be allowed to intervene in the said proceeding and to present testimony. In any such proceeding the rules of evidence prevailing in courts of law or equity shall not be controlling

SEC. 15 The testimony taken by such member, agent or agency, or the board, shall be reduced to writing and filed with the board Thereafter, in its discretion, the board upon notice may take further testimony or hear argument. If upon all the testimony taken, the board shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the board shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action including reinstatement of employees with or without back pay, as will effectuate the policies of this act. Such order may further require such person to make reports from time to time showing the extent to which it has complied with the order If upon all the testimony taken the board shall be of the opinion that no person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the board shall state its findings of fact and shall issue an order dismissing the said complaint.

SEC 16 Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the board may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

SEC. 17. In case of contumacy or refusal to obey a subpena issued to any person, any superior court of the State of California, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the board shall have jurisdiction to issue to such person an order requiring such person to appear before the board, its member, agent, or agency, there to produce evidence if so ordered or there to give testimony touching the matter under investigation or in question, and any failure to obey such order of the court may be punished by said court as a contempt thereof

SEC. 18. No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or

on account of transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

SEC. 19. The board may, after a hearing and decision on any complaint, bring an action to enjoin the violation or a threatened violation of any of its orders in the superior court in any county wherein the unfair labor practice in question has occurred, or is about to occur, or wherein any person charged with such unfair labor practice in the complaint resides or transacts business, for the enforcement of its orders and for appropriate temporary relief. Upon the filing of the complaint in any such action, the court shall cause notices thereof to be served upon such person, and thereupon shall have jurisdiction of the action and of the question determined therein In any such action the board shall certify and file in the court a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and order of the board.

SEC. 20. In any action brought to enjoin the violation, or threatened violation, of any order of the board, the court may, upon compliance with section 526 of the Code of Civil Procedure of the State of California, issue a temporary restraining order and preliminary injunction, as in other cases for injunctive relief, and upon the trial of such action, if judgment be in favor of the plaintiff, the court shall permanently enjoin defendant from further violations or threatened violations of the board's orders. Nothing in section 526 of the Code of Civil Procedure or in sections 3422 and 3423 of the Civil Code, or in any similar law or statute, shall limit the right of the board to an injunction under this act.

SEC. 21. No objection that has not been raised or urged before the board, its member, agent or agency, shall be considered by any court, unless the failure or neglect to raise or urge such objection shall be excused because of extraordinary circumstances. The findings of the board as to the facts shall be prima facie evidence of the truth thereof.

SEC. 22. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to appeal as in other cases provided

SEC. 23. Any person aggrieved by a final order of the board shall have the right to petition the superior court of the State of California in the county wherein such order was made for a hearing or appropriate temporary relief or restraining order and shall certify and file in the court a transcript of the entire record in the proceeding including the pleadings and testimony upon which such order was entered and the findings and order of the board Upon such filing the court shall cause notice thereof to be served upon the board and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power to grant such temporary relief or restraining order as it deems just and proper.

SEC. 24. The commencement of proceedings under sections 19 to 23, inclusive, shall not, unless specifically ordered by the court, operate as a stay of the board's order.

SEC. 25. Nothing in this act shall be construed so as to interfere with or impede or diminish in any way the right to strike

SEC. 26. Any person who shall wilfully resist, prevent, impede or interfere with, or who shall conspire to resist, prevent, impede or interfere with any member of this board or any of its agents or agencies in the performance of duties pursuant to this act shall be guilty of a misdemeanor."

Amendment No. 18.

On page 7, line 12, of the printed bill, strike out the words "Sec. 13." preceding the word "Emergency", and insert in lieu thereof the following: "Sec 26"

Amendment No. 19.

On page 7, line 19, of the printed bill, strike out the words "Sec. 14.", preceding the word "Cooperation", and insert in lieu thereof the following: "Sec. 27."

Amendment No. 20.

On page 7, line 33, of the printed bill, strike out the words "Sec. 15.", preceding the word "If", and insert in lieu thereof the following: "Sec. 28."

Amendment No. 21.

On page 7 of the printed bill, following line 36, insert the following:

"SEC. 29. This act may be known and cited as the California Labor Relations Act."

Amendments adopted

Bill read second time, ordered to reprint and third reading

Senate Bill No. 241—An act to provide for the organization of an industrial court, to define its powers and duties and the rights, remedies, powers, and duties of employers, and the rights, remedies and duties of employees, and providing penalties for the violation thereof.

Committee Amendments to Senate Bill No. 241.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 17, of the printed bill, as amended, strike out "seven", and insert in lieu thereof the following: "nine".

Amendment No. 2.

On page 2, line 23, of the printed bill, as amended, after "State", insert the following: ", other than farm laborers".

Amendment No. 3.

On page 2, line 25, of the printed bill, as amended, after "State", insert the following: ", other than farmers".

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 27 and 28, insert the following:

"(d) Two commisisoners shall be appointed as representatives of farm laborers within the State."

Amendment No. 5.

On page 2, line 28, of the printed bill, as amended strike out "(d)", and insert in lieu thereof the following: "(e)".

Amendment No. 6.

On page 2, line 42, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "three".

Amendment No. 7.

On page 2, line 43, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "three".

Amendment No. 8.

On page 3 of the printed bill, as amended, following line 24, insert the following:

"SEC. 21. Agricultural Labor Hearings. All labor disputes arising on farms or concerning the production or harvesting of farm products before same have entered the channels of trade, shall be heard before the chairman of the commission and those members of the commission chosen to represent farm employees and farm employers. The procedure in dealing with a labor dispute mentioned in this section shall be the same as hereinafter set forth.

SEC. 22. Industrial Labor Hearings. All labor disputes, other than those dealing with the production or harvesting of farm produce, shall be heard before the chairman of the commission, and those members of the commission appointed to represent employees and employers other than farmers and farm employees.

SEC. 23. Agricultural and Industrial Labor Hearings. In any case where a labor dispute arises on a farm, or concerns the production or harvesting of farm products before same have entered the channels of trade, and at the same time concerns labor not so employed, the hearing shall be held before the entire commission.

SEC. 24. Employees shall have the right to self organization and to bargain collectively through representatives of their own choosing. Such representatives shall be chosen by secret ballot held in the presence of the commission or such members thereof as the chairman shall determine. The commission shall have power to determine who may participate in the election and to establish the rules governing any such election. The one chosen at such election shall be the exclusive representative of all the employees in such unit for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment or other conditions of employment."

Amendment No. 9.

On page 7 of the printed bill, as amended, between lines 3 and 4, insert the following:

"SEC. 37.5. Retroactive Wage Increase. Any recommendations issued under section 36 by which an increase in wages is recommended, may specify that said wage increase shall be retroactive to the date of the beginning of the truce interval."

Amendment No. 10.

On page 9, line 48, of the printed bill, as amended, after "acts", insert the following: ", issue subpenas for the attendance of witnesses and the production of such evidence as the commission deems pertinent to the hearing"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Consideration of Senate Amendments to Assembly Bill No. 1834.

Assembly Bill No. 1834—An act to amend section 2167b of the Political Code or to amend sections 5028, 5029, 5076 and 5077 of the Welfare and Institutions Code, relating to persons mentally disordered and bordering on insanity but not dangerously insane.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1834?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the comma, and insert in lieu thereof the following: "or to amend sections 5028, 5029 5076 and 5077 of the Welfare and Institutions Code,".

Amendment No. 2.

On page 4 of the printed bill, as amended, after line 5, insert the following:

"SEC. 2. Section 5028 of the Welfare and Institutions Code is hereby amended to read as follows:

5028. In any county in which psychopathic probation officers have been appointed, the clerk of the court shall, before any mentally disordered or insane person or any person subject to dipsomania or inebriety or to the intemperate use of stimulants to the extent of loss of self-control is brought before the court under the provisions of this chapter, notify one of the psychopathic probation officers of the court.

SEC. 3. Section 5029 of the Welfare and Institutions Code is hereby amended to read as follows:

5029. The psychopathic probation officer shall inquire into the antecedents, character, family history, environment, and superinducing cause of the mental disorder or insanity or use of alcohol or stimulants of every alleged mentally disordered or insane person or person addicted to the intemperate use of alcohol or stimulants brought before the court and shall make his report to the judge thereof in writing or verbally, in open court or in chambers, as directed by the judge of the court. Every psychopathic probation officer, assistant psychopathic probation officer, and deputy psychopathic probation officer shall have the powers of a peace officer. At any time, at his discretion, such officer may bring any mentally disordered or insane person or person addicted to the intemperate use of alcohol or stimulants committed to his care before the court for such further other action as the court deems proper.

SEC. 4. Section 5076 of the Welfare and Institutions Code is hereby amended to read as follows:

5076. If, on the examination as provided by law, the court finds a person to be mentally disordered and bordering on insanity, but not dangerously insane, or subject to dipsomania or inebriety, or so addicted to the intemperate use of stimulants as to have lost the power of self-control, the court may commit him to the care and custody of the psychopathic probation officer and may allow him to remain in his home subject to the visitation of a probation officer and subject to return to the court for further proceedings whenever such action appears necessary or desirable; or the court may commit him to be placed in a suitable home, sanitarium, or rest haven home, subject to the supervision of the psychopathic probation officer and further order of the court.

SEC. 5. Section 5077 of the Welfare and Institutions Code is hereby amended to read as follows:

5077. The reasonable cost of maintenance of a person committed under the provisions of section 5076, in a sum to be fixed by the court at the time of the commitment, shall be defrayed out of the estate of the patient so committed or shall be a charge upon his relatives liable for his maintenance.

If, however, the patient is found to be an indigent resident of the county, in accordance with the definition of such residence prescribed in Chapter 2 of Division IV of this code, and without funds or relatives responsible for his maintenance able to pay such charge, then the expense of his maintenance shall be a charge upon the county in which the court has jurisdiction and shall be paid out of the county treasury upon a written order of the judge of the superior court of the county, directing the county auditor to draw his warrant upon the county treasurer specifying the amount of such expense.

If the indigent patient is a nonresident of the county or if a relative or a friend of the patient is found outside the county, of whose ability and willingness to assume the responsibility and the expense of the proper care of the patient the court is satisfied, the court may release the patient to the custody of such relative or friend and the cost and expense of transporting the patient to the home of the relative or friend or to the county or State where the patient has a legal residence shall be a charge upon the county in which the court has jurisdiction and shall be paid in the manner prescribed in this section for the payment of other expenses for the care of such patients.

The provisions of this section for the payment of expenses out of county funds shall not apply to persons addicted to the intemperate use of alcohol or stimulants.

SEC. 6. Section 1 of this act shall take effect only if a Welfare and Institutions Code is not enacted by the fifty-second Legislature.

SEC. 7. Sections 2 to 5, inclusive, of this act shall take effect only if a Welfare and Institutions Code is enacted by the fifty-second Legislature."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1834 by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Sawallisch, Sheehan, Thorp, Watson, Weber, Welsh, Williamson, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 1834 ordered to enrollment.

Reconsideration of House Resolution No. 131.

In compliance with a notice given on a previous day, Mr. Patterson moved that the vote whereby House Resolution No. 131 was refused adoption be reconsidered.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Patterson moved a call of the Assembly.

Request for Roll Call.

On request of Messrs. Beene, Johnson, and Morgan, the Speaker ordered a roll call taken on the motion for a call of the Assembly.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Burns, Michael J., Clark, Cronin, Crowley, Donnelly, Flint, Fulcher, Garland, Gilbert, Hawkins, Heisinger, Hunt, King, Lore, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Watson, and Mr. Speaker—31.

NOES—Baynham, Beene, Boyle, Breed, Call, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Gannon, Garibaldi, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Sawallisch, Sheehan, Walker, Weber, Welsh, and Williamson—36.

The roll was called, and House Resolution No. 131 refused reconsideration by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, King, Lore, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Thorp, Turner, Walker, and Mr. Speaker—38.

NOES—Baynham, Beene, Boyle, Breed, Call, Cottrell, Cunningham, Daley, Dilworth, Glick, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Robertson, Scudder, Watson, Weber, Welsh, and Williamson—30.

Reconsideration of Assembly Bill No. 987.

In compliance with a notice given on a previous day, Mr. Fulcher moved that the vote whereby Assembly Bill No. 987 was passed be reconsidered.

The roll was called, and Assembly Bill No. 987 refused reconsideration by the following vote:

AYES—Burns, Michael J., Crowley, Dannenbrink, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Hornblower, Leonard, Mayo, Meehan, Miller, George P., O'Donnell, Patterson, Pelletier, Reaves, and Thorp—18.

NOES—Beene, Boyle, Breed, Call, Clark, Cottrell, Cronin, Cunningham, Daley, Dawson, Donihue, Garibaldi, Gilbert, Glick, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Miller,

Eleanor; Millington, Morgan, Peek, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—45.

Assembly Bill No. 987 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 2844.

In compliance with a notice given on a previous day, Mr. Desmond moved that the vote whereby Assembly Bill No. 2844 was passed be reconsidered.

The roll was called, and Assembly Bill No. 2844 reconsidered by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Consideration of Assembly Bill No. 2844.

Assembly Bill No. 2844—An act to authorize municipal corporations to abandon parks and sell and convey the land embraced therein.

Bill read third time.

Motion to Amend Assembly Bill No. 2844.

Mr. Desmond moved to amend Assembly Bill No 2844 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 14 and 15, insert the following: "If the land comprising any such park, or portion thereof, has been purchased, in part or in whole, from funds realized from the sale of bonds of a bond issue, or bond issues, authorized for the purpose of acquiring such land for such park purpose, the question of abandonment and discontinuance of such park, or portion thereof, and the sale or conveyance of the land therein shall first be submitted to, and approved by, the voters of such city at the next municipal election or at a special election called for such purpose."

Amendment adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 2844, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2844, as Amended.

Assembly Bill No. 2844—An act to authorize municipal corporations to abandon parks and sell and convey the land embraced therein.

Assembly Bill No. 2844, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the Chair.

Senate Messages.

The following message from the Senate was taken up and read.

SENATE CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 51.
Assembly Concurrent Resolution No. 54.
Assembly Concurrent Resolution No. 52.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

Third Reading of Assembly Bills.

Assembly Bill No. 430—An act to amend section 6.750 of the School Code, relating to the use of school buildings as civic centers

Demand for Previous Question.

Messrs Hunt, Martin, Morgan, Meehan and Cunningham demanded the previous question.

The question being put, Shall the main question be now put?

Demand for previous question sustained

The question being on the passage of Assembly Bill No 430.

The roll was called, and Assembly Bill No 430 refused passage by the following vote

AYES—**Burns, Michael J., Clark, Dannenbrink, Flint, Gilbert, Glick, Hawkins,** Hunt, King, Lore, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, **Rosenthal, Tenney, Voigt, Welsh, and Mr. Speaker—21.**

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Domlue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—55.

Reconsideration of Assembly Bill No. 47.

In compliance with a notice given on a previous day, Mr. Latham moved that the vote whereby Assembly Bill No 47 was passed be reconsidered.

The roll was called, and Assembly Bill No 47 refused reconsideration by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cunningham, Daley, Dawson, Dilworth, Donnelly, Field Glick, Heisinger, Kepple, Kuchel, Latham, Laughlin, Lyon, Martin, McMurray, Miller, Eleanor; Morgan, Reaves, Redwine, Richie, Robertson, Scudder Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr Speaker—37

NOES—**Beene, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Desmond, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins,** Hornblower, Johnson, King, Leonard, Levey, Lore, Maloney, Mayo, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Sheehan, Tenney, and Williamson—37

Motion to Expunge Record and Rescind Action on Assembly Bill No. 47.

Mr Latham moved that the record be expunged and the action rescinded whereby Assembly Bill No. 47 was this day refused reconsideration.

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr. Latham moved a call of the Assembly.

Request for Roll Call.

On request of Messrs. Latham, Lyon, and Field, the Speaker ordered a roll call taken on the motion for a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Burns, Hugh M., Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Glick, Heisinger, Kepple, King, Latham, Laughlin, Leonard, Levey, Lyon, Martin, Meehan, Miller, Eleanor; Patterson, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Thorp, Walker, Weber, Welsh, Yorty, and Mr Speaker—37.

NOES—Beene, Call, Cronin, Crowley, Dannenbrink, Desmond, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kuchel, Maloney, Mayo, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Rosenthal, Sheehan, and Tenney—24.

Time, three o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Beene, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Welsh, Yorty, and Mr. Speaker—63.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1120—An act to amend section 552 of the Labor Code, relating to days of rest.

Bill read third time, and refused passage by the following vote.

AYES—Burns, Michael J., Clark, Donihue, Flint, Gannon, Gilbert, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, and Mr. Speaker—26

NOES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Peyser, Redwine, Scudder, Thorp, Turner, Watson, Welsh, and Williamson—44.

Unanimous Consent Withheld.

Mr. Rosenthal withheld his consent for the further consideration of Assembly business under the call of the Assembly by unanimous consent.

Motion for Temporary Suspension of the Rules.

Mr. Field moved that the Rules be temporarily suspended for the further consideration of Assembly business under the call of the Assembly.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Burns, Hugh M., Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Glick, Heisinger, Kepple, King, Latham, Laughlin, Leonard, Levey, Lyon, Martin, Meehan, Miller, Eleanor; Patterson, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Stream, Thorp, Walker, Weber, Welsh, Yorty, and Mr. Speaker—37.

NOES—Beene, Call, Cronin, Crowley, Dannenbrink, Desmond, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kuchel, Maloney, Mayo, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Rosenthal, Sheehan, and Tenney—24

Further Proceedings Under Call of the Assembly Dispensed With.

At three o'clock and forty minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Rosenthal.

The roll of absentees was called, and the motion to expunge the record whereby Assembly Bill No. 47 was refused reconsideration carried by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Glick, Hawkins, Heisinger, King, Latham, Laughlin, Leonard, Lyon, Martin, McMurray, Miller, Eleanor; Miller, George P., Patterson, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—41.

NOES—Beene, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Desmond, Gannon, Garibaldi, Garland, Gilbert, Hornblower, Hunt, Johnson, Kepple, Kuchel, Levey, Lore, Maloney, Mayo, Meehan, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Sheehan, Voigt, and Williamson—35.

Reconsideration of Assembly Bill No. 47.

In compliance with a notice given on a previous day, Mr. Latham moved that the vote whereby Assembly Bill No. 47 was passed be reconsidered.

The roll was called, and Assembly Bill No 47 reconsidered by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Glick, Hawkins, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Pelletier, Reaves, Redwine, Richie, Robertson, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Welsh, and Mr. Speaker—42.

NOES—Beene, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Flint, Gannon, Garibaldi, Garland, Hornblower, Johnson, Levey, Martin, Mayo, O'Donnell, Patterson, Peek, Peyser, Rosenthal, and Sawallisch—24.

Consideration of Assembly Bill No. 47.

Assembly Bill No. 47—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Bill read third time, and refused passage by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Desmond, Flint, Fulcher, Gannon, Garibaldi, Garland, Hornblower, Johnson, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Muldoon, Patterson, Peek, Peyser, Rosenthal, Sawallisch, and Williamson—32.

NOES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Glick, Hawkins, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Miller, Eleanor; Morgan, O'Donnell, Pelletier, Reaves, Redwine, Richie, Robertson, Scudder, Tenney, Thorp, Turner, Voigt, Watson, Welsh, and Mr. Speaker—38

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 13, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed as a case of urgency, the following:

Senate Bill No. 186—An act relating to and imposing limitations on expenditure by counties, cities and counties, municipalities, districts, and other political subdivisions under authority of section 20 of Article XI of the Constitution of the State.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 186 read first time, and referred to Committee on Governmental Revenues and Expenditures.

SENATE CHAMBER, SACRAMENTO, May 13, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended:

Assembly Constitutional Amendment No. 4.

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of Senate.
By F ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on unfinished business calendar.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 48.

Assembly Bill No. 386.	**Assembly Bill No. 1737.**
Assembly Bill No. 444.	**Assembly Bill No. 1907.**
Assembly Bill No. 1078.	**Assembly Bill No. 1918.**
Assembly Bill No. 1086.	**Assembly Bill No. 2688.**
Assembly Bill No. 1268.	**Assembly Bill No. 2689.**
Assembly Bill No. 1335.	**Assembly Bill No. 2690.**
Assembly Bill No. 1341.	**Assembly Bill No. 2694.**
Assembly Bill No. 1364.	**Assembly Bill No. 2723.**
Assembly Bill No. 1409.	**Assembly Bill No. 2730.**
Assembly Bill No. 1446.	**Assembly Bill No. 2789.**
Assembly Bill No. 1616.	**Assembly Bill No. 2808.**
Assembly Bill No. 1719.	**Assembly Bill No. 2815.**
Assembly Bill No. 1734.	**Assembly Bill No. 2834.**
Assembly Bill No. 1736.	**Assembly Bill No. 2845.**

And reports the same correctly enrolled, and presented to the Governor on this thirteenth day of May, 1937, at three o'clock p.m.

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 621.	**Assembly Bill No. 2702.**
Assembly Bill No. 1184.	**Assembly Bill No. 2852.**
Assembly Bill No. 1490.	

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1924.
Assembly Bill No. 2888.
Assembly Bill No. 2895.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937

MR. SPEAKER Your Committee on Municipal Corporations, to which was referred:

Senate Bill No. 966.

Respectfully reports the same back signed out by the committee: Do pass.

KEPPLE, Vice Chairman.	WELSH
GLICK.	KUCHEL
LATHAM.	BREED
KING	HUNT.

The above reported bill ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR SPEAKER: Your Committee on Federal Relations, to which was referred:
Senate Joint Resolution No. 6.
Senate Joint Resolution No. 7.
Senate Joint Resolution No. 14.
Senate Joint Resolution No. 18.
Assembly Joint Resolution No. 43.
Respectfully reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman.

The above reported bills ordered on third reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR SPEAKER: Your Committee on Judiciary General, to which was referred:
Senate Bill No. 638.
Senate Bill No. 1138.
Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 238.
Assembly Bill No. 851.
Assembly Bill No. 1491.
Assembly Bill No. 2179.
Assembly Bill No. 2888.
Senate Bill No. 502.
Senate Bill No. 704.
Senate Bill No. 951.
Senate Bill No. 1145.
Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred:
Assembly Bill No. 2710.
Respectfully reports the same back with the recommendation: Do pass as amended.

CASSIDY, Chairman

The above reported bill ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1937.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:
Senate Bill No. 133.
Senate Bill No. 372.
Respectfully reports the same back with the recommendation Do pass as amended.

CRONIN, Chairman.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 1612.
Senate Bill No. 222.
Senate Bill No. 321.
Respectfully reports the same back with the recommendation: Do pass as amended.

ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 354.
Respectfully reports the same back with the recommendation: Do pass as amended

BOYLE, Chairman

The above reported bill ordered on second reading calendar.

On Universities.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Universities, to which was referred,

Assembly Bill No. 2893.

Respectfully reports the same back with the recommendation: Do pass

DANNENBRINK, Chairman

The above reported bill ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937

MR. SPEAKER: Your Committee on Federal Relations, to which was referred

Assembly Joint Resolution No. 45.

Assembly Joint Resolution No. 46.

Respectfully reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman

The above reported bills ordered to engrossment.

Motion to Withdraw Assembly Bill No. 2231 from Committee.

In compliance with a notice given on a previous day, Mr. Watson moved to withdraw Assembly Bill No. 2231 from the Committee on Fish and Game and have it placed upon the calendar

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Watson moved a call of the Assembly.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the Assembly.

The roll was called, and the motion for a call of the Assembly carried by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—51.

NOES—Gilbert, King, McMurray, and Reaves—4.

Time, four o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Hon. Samuel W. Yorty in the Chair.

At four o'clock and sixteen minutes p.m., Hon. Samuel W. Yorty, member of the Assembly from the Sixty-Fourth District, in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1828—An act to add section 1396.5 to the Labor Code, relating to the sale of goods made or manufactured with child labor

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 1490—An act to amend section 1 of an act entitled "An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control," approved July 20, 1935, relating to structural pest control

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hunt, Johnson, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, and Williamson—58.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1648—An act to provide for and to regulate the certification of librarians.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Williamson, and Yorty—58.

NOES—BURNS, Michael J., Daley, Dilworth, Donnelly, Garland, Lore, Muldoon and Voigt—8.

Title read and approved Bill ordered transmitted to the Senate

Further Proceedings Under Call of the Assembly Dispensed With.

At four o'clock and twenty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Watson

The roll of absentees was called, and the motion to withdraw Assembly Bill No. 2231 from committee carried by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garland, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Martin, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, and Mr. Speaker—41.

NOES—Andreas, Boyle, Burns, Hugh M., Call, Cronin, Crowley, Dawson, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Levey, Lyon, Maloney, McMurray, Meehan, O'Donnell, Patterson, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Williamson, and Yorty—33

Assembly Bill No. 2231 ordered on second reading calendar.

Re-reference of Bills.

On motion of Mr. Laughlin, Assembly Bill No. 1755 was withdrawn from the calendar, and re-referred to the Committee on Public Morals.

On motion of Mr. Donnelly, Senate Bill No. 203 was withdrawn from the calendar, and re-referred to the Committee on Fish and Game.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2790—An act relating to the care and control of venereal diseases, granting other and further powers in relation thereto to the State Board of Public Health and its subordinate agencies, authorizing the acceptance of Federal Social Security funds and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M. Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1721—An act relating to the sale, disposition of, advertising, and control through licensing and otherwise, of prophylactics.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—60.

NOES—Cassidy, Crowley, McMurray, Meehan, O'Donnell, Tenney, and Williamson—7.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2180—An act to amend section 3804 of the Political Code and to add to said code a new section to be numbered 3804c relating to the refund of taxes erroneously or illegally collected and to credit by offset of erroneously or illegally collected taxes against current taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2847—An act to define cemetery brokers and cemetery salesmen; to provide for the regulation, supervision, examination and licensing thereof by the State Real Estate Division and Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof, and making an appropriation therefor.

Motion to Amend Assembly Bill No. 2847.

Mr. Cunningham moved to amend Assembly Bill No. 2847 as follows:

Amendment No. 1.

On page 9, line 47, of the printed bill, as amended, strike out "28", and insert in lieu thereof the following: "150".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 2847, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2847, as Amended.

Assembly Bill No. 2847—An act to define cemetery brokers and cemetery salesmen; to provide for the regulation, supervision, examination and licensing thereof by the State Real Estate Division and Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof, and making an appropriation therefor.

Assembly Bill No. 2847, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—Robertson—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1606—An act to abolish the licensed surveyors fund and to transfer the money remaining to the civil engineers fund.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1608—An act making an appropriation to meet a deficiency in the appropriation for printing constitutional amendments, Secretary of State's office, for the eighty-seventh and eighty-eighth fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bavnham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan,

Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1608 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At four o'clock and fifty-five minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 37.

Respectfully reports the same back with the recommendation: Be adopted as amended.

PEEK, Chairman.

Request for Unanimous Consent.

Mr. Peek asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 37, at this time, without reference to calendar.

Consideration of Senate Concurrent Resolution No. 37.

Senate Concurrent Resolution No. 37—Relative to adjournment sine die of the fifty-second session of the Legislature of the State of California.

Committee Amendment to Senate Concurrent Resolution No. 37.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed measure, strike out "14", and insert in lieu thereof "28".

Amendment read.

Demand for Previous Question.

Messrs. Burns, Michael J., Turner, Call, Dannenbrink and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—66.

NOES—Pelletier, and Williamson—2.

Request for Unanimous Consent.

Mr. Peek asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 37, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Concurrent Resolution No. 37, as Amended.

Senate Concurrent Resolution No. 37—Relative to adjournment sine die of the fifty-second session of the Legislature of the State of California.

Senate Concurrent Resolution No. 37, as amended, read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—Pelletier—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1609—An act to add section 37.5 to the Alcoholic Beverage Control Act, relating to moneys heretofore appropriated for administration and enforcement.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1780—An act making appropriation of money to be used by the Attorney General in the payment of expenses in the proceedings brought by the Attorney General in the Court of Claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, Chapter 643.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2753—An act relating to the development and improvement of plants, disease resistant and superior in quality, authorizing the State Director of Agriculture to enter into and perform agreements with qualified persons in respect thereto, and making the appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 513—An act making an appropriation for river bank protection.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—Daley—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1577—An act authorizing the State Treasurer to pay certain coupons of bonds issued by the State of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Daley, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Pelletier, Peyser, Reaves, Sawallisch, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, and Williamson—49.

NOES—Dannenbrink, Dilworth, Gilbert, Rosenthal, Yorty, and Mr. Speaker—6.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1826—An act making an appropriation for the eradication of bovine tuberculosis.

Motion to Amend Assembly Bill No. 1826.

Mr Heisinger moved to amend Assembly Bill No. 1826 as follows:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, after "indemnities", insert the following: ", declaring the urgency of this act, to take effect immediately".

Amendment No. 2.

On page 1 of the printed bill, as amended, after line 24, insert the following:

"SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and therefore shall take effect immediately. The following is a statement of the facts constituting such necessity:

In some areas of the State when bovine animals are slaughtered under bovine tuberculosis eradication projects the owners thereof are compensated. In other areas such owners are not compensated by the State For this reason in the areas where no State compensation is provided violence has been threatened, and consequently, in order to avoid any possibility of violence and to treat all owners of tubercular cattle on the same basis, it is necessary that this act take immediate effect."

Amendment No. 3.

On page 1, line 6, of the printed bill, as amended, after the period, insert the following: "This appropriation is in addition to any other appropriation for the eradication of bovine tuberculosis"

Amendments adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1826, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1826, as Amended.

Assembly Bill No. 1826—An act making an appropriation for the eradication of bovine tuberculosis

Urgency clause read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—Daley, and Latham—2.

Assembly Bill No. 1826, as amended read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—71.

NOES—Daley—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Explanation of Vote and Action on Assembly Bill No. 1826.

This bill originally provided $2,500,000 indemnity to operate under the present law with only part of the counties included in the controlled zones, and a maximum State indemnity of $12.50 per condemned animal. My amendments, which were credited to the committee through error, raised the indemnity to $15 per animal and to put all the counties under the act, and my amendments today make the act effective as soon as approved by the Governor

S. L. HEISINGER

Assembly Bill No. 1826 was presented as a health measure; that the great dairy industry of California was in jeopardy unless this appropriation was granted.

I raised the question in committee that the citrus industry was more vital to this State, and that the citrus fruits today are recognized to be as beneficial to health as milk, so why not an appropriation of an equal amount to repay citrus growers in part for their great loss sustained in the recent freeze. Why tax the entire State of California to pay the loss suffered by any one business? This is class legislation.

JEANETTE E. DALEY

Assembly Bill No. 614—An act to authorize the purchase of certain real property for Fresno State College and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Yorty, and Mr. Speaker—63.

NOES—Field, Kepple, and Latham—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 123—An act to make an appropriation for the construction of a dam in Napa County.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1575—An act making an appropriation to meet a deficiency in the appropriation for support of the Veterans' Home of California for the eighty-seventh and eighty-eighth fiscal years and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Assembly Bill No 1575 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2584—An act appropriating money for the repairs, improvements, equipment and furnishing of Sutter's Fort in Sacramento.

Motion to Amend Assembly Bill No. 2584.

Mr Gannon moved to amend Assembly Bill No. 2584 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "and providing for the use thereof."

Amendment No. 2.

On page 1 of the printed bill, following line 6, insert the following:

"SEC. 2. The Department of Finance may permit Sutter's Fort to be used for community social activities."

Amendments adopted.

Assembly Bill No. 2584 ordered to reprint, and re-engrossment.

Assembly Bill No. 2548—An act to provide for the acquisition of the Muir Wood Toll Road by the State and the inclusion thereof in the State highway system, and making an appropriation therefor

Motion to Amend Assembly Bill No. 2548.

Mr. Scudder moved to amend Assembly Bill No 2548 as follows:

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, strike out "in the State highway system", and insert in lieu thereof the following: "in the county road system of the county of Marin".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 10 to 21, inclusive, and insert in lieu thereof the following

"SEC 2. The acquisition of said road shall be subject to the following terms and conditions:

(1) The total cost of acquisition shall not exceed the sum of fifty thousand dollars

(2) The State of California shall pay one-half of such cost

(3) The balance of the cost of acquisition shall be paid by the county of Marin and the City and County of San Francisco

(4) Upon the acquisition of said road it shall be transferred to and become a part of the county road system of the county of Marin

SEC 3 The sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of the State highway fund to carry out the provisions of this act."

Amendments adopted

Assembly Bill No 2548 ordered to reprint, and re-engrossment

Third Reading of Senate Bills.

Senate Bill No. 1037—An act to repeal and add Chapter 5, comprising sections 11910 to 12023, inclusive, of Part 3 of Division 2 of Insurance Code, relating to mutual workmen's compensation insurers

Motion to Amend Senate Bill No. 1037.

Mr Scudder moved to amend Senate Bill No 1037 as follows:

Amendment No. 1.

On page 4, line 49, of the printed bill, as amended, after the period, insert the following

"The total of such administrative expenses including expenses incurred for the prevention of injuries shall not exceed the total expense factor employed by the commissioner in computation of workmen's compensation insurance rates unless permission therefor is first obtained in writing from the commissioner for additional expense prior to such expense being incurred"

Amendment adopted

Senate Bill No 1037 ordered to reprint, and third reading calendar.

Senate Bill No. 453—An act to amend section 100 of the Insurance Code, to repeal sections 119 and 12660 to 12741, inclusive, thereof, and to add sections 12660 and 12661 thereto, all relative to land value insurance.

Motion to Amend Senate Bill No. 453.

Mr. Scudder moved to amend Senate Bill No 453 as follows:

Amendment No. 1.

On page 1, line 24, of the printed bill, as amended, before "are", insert the following: "of the Insurance Code".

Amendment adopted.

Senate Bill No 453 ordered to reprint, and third reading calendar.

Senate Bill No. 953—An act to amend sections 1, 2, 3, 4 and 11 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to add sections 5, 6, 7, 8, 9, 10, 12, 15 and 21 to said act; to renumber and amend sections 5, 6, 7, 8, 9, 12, 13, 14, 16 and 17 of said act; to repeal sections 10 and 15 of said act; relating to the taxing of operators

engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Motion to Amend Senate Bill No. 953.

Mr Hornblower moved to amend Senate Bill No. 953 as follows.

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out all of line 2, and insert in lieu thereof the following: "fee, the board shall issue to the applicant a license to trans-".

Amendment No. 2.

On page 3, line 16, of the printed bill, as amended, strike out "required fee", and insert in lieu thereof the following: "license fee of five dollars".

Amendments adopted.

Senate Bill No 953 ordered to reprint, and third reading calendar.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Fulcher:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for additional support of the Adjutant General and the California National Guard, including allowances to organizations, rental of armories, and maintenance of high school Cadets, for the eighty-ninth and ninetieth fiscal years, and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Hornblower:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 321.5 of the Agricultural Code, relating to cold storage meat.

Referred to Committee on Introduction of Bills.

By Mr. Pelletier:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide a self-liquidating system to provide for the economic security of the aged.

Referred to Committee on Introduction of Bills.

By Mr. Cronin:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add Title IA, comprising sections 1110.1 to 1110.7, inclusive, to Part III of the Code of Civil Procedure, relating to a judicial examination of administrative determinations.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Hornblower:

An act to amend section 321.5 of the Agricultural Code, relating to cold storage meat.

By Mr Fulcher:

An act making an appropriation for additional support of The Adjutant General and the California National Guard, including allowances to organizations, rental of

armories, and maintenance of high school Cadets, for the eighty-ninth and ninetieth fiscal years, and providing that this act shall take effect immediately.

By Mr Pelletier:

An act to provide a self-liquidating system to provide for the economic security of the aged.

By Mr. Cronin:

An act to add Title Ia, comprising sections 1110.1 to 1110.7, inclusive, to Part III of the Code of Civil Procedure, relating to a judicial examination of administrative determinations.

CALL, Chairman

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2900: By Mr. Hornblower—An act to amend section 321.5 of the Agricultural Code, relating to cold storage meat.

Bill read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 2901: By Mr. Fulcher—An act making an appropriation for additional support of the Adjutant General and the California National Guard, including allowances to organizations, rental of armories, and maintenance of high school Cadets, for the eighty-ninth and ninetieth fiscal years, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means

Assembly Bill No. 2902: By Mr. Pelletier—An act to provide a self-liquidating system to provide for the economic security of the aged.

Bill read first time, and referred to Committee on Labor and Capital

Assembly Bill No. 2903: By Mr. Cronin—An act to add Title Ia, comprising sections 1110.1 to 1110.7, inclusive, to Part III of the Code of Civil Procedure, relating to a judicial examination of administrative determinations.

Bill read first time, and referred to Committee on Judiciary General

Assembly Constitutional Amendment No. 66: By Mr. Gilbert—Proposed amendment to Article IV, section 16, of the Constitution, relative to the passage of bills.

Introduced, and referred to Committee on Constitutional amendments.

Assembly Concurrent Resolution No. 55: By Mr. Robertson—Relative to a coordinated State building plan.

Introduced, and referred to Committee on Ways and Means.

Assembly Concurrent Resolution No. 56: By Mr. Heisinger—Relative to imposing upon the Legislative Counsel the duty of preparing for and reporting to the fifty-third session of the Legislature a suggested draft of a revision of the Constitution of California

Request for Unanimous Consent.

Mr. Heisinger asked for unanimous consent to take up Assembly Concurrent Resolution No. 56, at this time, without reference to print, committee or calendar, and that the same be considered engrossed

Mr. Welsh withheld his consent.

Assembly Concurrent Resolution No. 56 referred to Committee on Constitutional Amendments.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred **Assembly Bill No. 2897.**

Respectfully reports the same back with the recommendation: Do pass as amended

ROSENTHAL, Chairman

The above reported bill ordered on second reading calendar.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred:

Senate Bill No. 186.

Respectfully reports the same back with the recommendation: Do pass.

SHEEHAN, Chairman

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937

MR. SPEAKER: Your Committee on County Government, to which was referred **Assembly Bill No. 2877.**

Respectfully reports the same back without recommendation, as amended

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

Recess.

At five o'clock and forty minutes p.m., on motion of Mr King, the Assembly was declared at recess until the hour of eight o'clock p m.

Reassembled.

At eight o'clock p m., the Assembly reconvened.

Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 52.

Assembly Bill No. 322.	**Assembly Bill No. 2350.**
Assembly Bill No. 999.	**Assembly Bill No. 2425.**
Assembly Bill No. 1455.	**Assembly Bill No. 2751.**
Assembly Bill No. 1677.	**Assembly Bill No. 2756.**
Assembly Bill No. 1750.	**Assembly Bill No. 2848.**

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 50.
Assembly Constitutional Amendment No. 60.
Assembly Joint Resolution No. 45.
Assembly Joint Resolution No. 46.
Assembly Bill No. 366.
Assembly Bill No. 432.
Assembly Bill No. 445.
Assembly Bill No. 1296.
Assembly Bill No. 1658.
Assembly Bill No. 1788.
Assembly Bill No. 2358.
Assembly Bill No. 2503.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 228.
Senate Bill No. 930.

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Senate Bill No. 73.
Senate Bill No. 969.

Respectfully reports the same back with the recommendation: Do pass.

MALONEY, Chairman.

The above reported bills ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 892—An act making an appropriation to pay the claim of Anthony Caminetti, Jr., against the State of California;

Senate Bill No. 935—An act to amend sections 4 and 5 and to add a new section 4 (b) to an act entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses, and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, as amended;

Senate Bill No. 1029—An act making an appropriation to the State Printing Plant;

Senate Bill No. 1105—An act to amend an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, by amending section 1 thereof, amending and renumbering sections 2, 3 and 4, and adding new sections 2, 4, 6, 7, 8 and 9 to said act, relating to fees payable by such persons, corporations and forwarders, including motor transportation brokers, and the collection and disposition of such fees;

Senate Bill No. 1141—An act to amend sections 2, 3, 4, 5, 7, 8, 10, 12, 13, and 17 and to repeal sections 17a and 18a of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to State lands;

Senate Bill No. 1148—An act to amend sections 4239d, 4239h and 4239l of the Political Code, relating to salaries of county officers of counties of the tenth class, San Joaquin County;

Senate Bill No. 1149—An act to amend section 3700 of the Political Code, relating to the salaries of the members of the State Board of Equalization;

Senate Bill No. 891—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor

Senate Bill No. 426—An act making an appropriation to pay the claim of the disbursing officer of the Fish and Game Commission against the State of California;

Senate Bill No. 672—An act making an appropriation for office accommodations for the Division of Real Estate Department of Investment;

Senate Bill No. 673—An act making an appropriation for office accommodations for the Bureau of Registration of Nurses;

Senate Bill No. 674—An act making an appropriation for office accommodations for the Detective License Bureau, Division of Prisons and Paroles, Department of Penology;

Senate Bill No. 675—An act making an appropriation for office accommodations for the Division of Corporations, Department of Investments;

Senate Bill No. 676—An act making an appropriation for office accommodations for the Superintendent of Collection Agencies;

Senate Bill No. 681—An act to authorize and direct the Division of Water Resources of the Department of Public Works to prosecute efforts, on behalf of the Water Project Authority of the State of California, in aid of the construction of the Central Valley Project, and making an appropriation therefor;

Senate Bill No. 684—An act to amend the title of the Central Valley Project Act of 1933 and to add to said act a new section to be numbered 15a, relating to the power of the Water Project Authority of the State of California to contract with the United States of America for the construction, maintenance and operation of said project, to perform duties as may be prescribed by acts of Congress now in effect or hereafter adopted, and to otherwise cooperate with the United States of America relative to said project and to further amend the title of said act relating to payment of expenses resulting from interference with State property or State activities;

Senate Bill No. 755—An act to add Article 1a to Chapter 1 of Division III of the Agricultural Code, relating to establishments slaughtering animals or preparing meat food products for animals of the canine or feline species.

Senate Bill No. 892 read first time, and referred to Committee on Ways and Means

Senate Bill No. 935 read first time, and referred to Committee on Building and Construction

Senate Bill No. 1029 read first time, and referred to Committee on Ways and Means

Senate Bill No. 1105 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 1141 read first time, and referred to Committee on Oil Industries.

Senate Bill No. 1148 read first time, and referred to Committee on County Government.

Senate Bill No. 1149 read first time, and referred to Committee on Ways and Means

Senate Bill No. 891 read first time, and referred to Committee on Public Morals

Senate Bill No. 426 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 672 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 673 read first time, and referred to Committee on Ways and Means

Senate Bill No. 674 read first time, and referred to Committee on Ways and Means

Senate Bill No. 675 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 676 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 681 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 684 read first time, and referred to Committee on Conservation.

Senate Bill No. 755 read first time, and referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, May 13, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 50.
Assembly Concurrent Resolution No. 53.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1520—An act to amend section 41 of, and to repeal section 59 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote.

AYES—Beene, Boyle, Breed, Burns, Hugh M., Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Johnson, King, Latham, Levey, Maloney, Martin, Mayo McMurray, Miller, George P., Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Weber, Welsh, Yorty, and Mr Speaker—42.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2499—An act to amend sections 57 and 58 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Flint, Fulgher, Gannon, Garibaldi, Gilbert, Hawkins, Johnson, King, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Peek, Pelletier Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Weber, Welsh, Yorty, and Mr. Speaker—43.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Out of Order).

Senate Concurrent Resolution No. 22—Relative to the participation by the State of California in the Swedish-American Tercentenary Celebration of 1938.

Senate Concurrent Resolution No. 22 read, and adopted by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, King, Laughlin, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—46.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 473—An act to amend section 658 of the Fish and Game Code, relating to salmon

Bill read third time, and passed by the following vote.

AYES—Breed, Burns, Hugh M., Cassidy, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, King, Latham, Laughlin, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Weber, Williamson, Yorty, and Mr. Speaker—42

NOES—Dilworth, and Robertson—2.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2136—An act to add section 240 to the Fish and Game Code providing for and establishing a game refuge.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, King, Latham, Laughlin, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1402—An act to amend sections 1101, 1102, 1103, 1104 and 1106 of the Insurance Code, relating to transactions between an insurer and its officers, directors, trustees and other persons.

Motion to Amend Assembly Bill No. 1402.

Mr. Welsh moved to amend Assembly Bill No. 1402 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 12 and 13, insert the following:

"(c) Directly or indirectly purchase, or be interested in the purchase of, any of the assets of the insurer"

Amendment adopted.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Bill No. 1402, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1402, as Amended.

Assembly Bill No. 1402—An act to amend sections 1101, 1102, 1103, 1104 and 1106 of the Insurance Code, relating to transactions between an insurer and its officers, directors, trustees and other persons.

Assembly Bill No. 1402, as amended, read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—53.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2358—An act to amend sections 1, 2, 3, 4, and 5 of an act originally entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising

from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, the title of which as amended by act approved July 20, 1935, reads as follows: "An act to authorize municipal corporations to issue bonds for the purpose of acquiring other general obligation bonds of the municipal corporation, or bonds issued by or for districts therein or bonds issued for street work or other public improvements, and providing for acquiring such bonds, and the levy or collection of taxes and assessments to pay principal and interest of bonds acquired, the use of funds derived from bonds issued under this act or acquired under this act and the payment of bonds issued under this act," as amended.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 986—An act to amend section 4.360 of the School Code, relating to the preparation and submission of school district budgets.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—51

NOES—None

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2391—An act to add a new section to the School Code to be numbered 4.152, relating to transfers of funds by county superintendents of schools.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—52

NOES—None

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 672—An act to amend section 1626 of the Streets and Highways Code

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Peek, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Weber, Welsh, Williamson, and Mr. Speaker—50

NOES—Pelletier, Stream, and Yorty—3.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1725—An act to amend sections 1, 2, 3, 4, 5, 6, 7, and 8, of an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of Federal Bankruptcy Courts therein," approved June 5, 1933.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—55.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 641—An act providing for and requiring that a record be made of the ownership of street improvement bonds, fixing the time within which such recording should be made, and providing for the effect of failure to so record.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Welsh, Williamson, Yorty, and Mr. Speaker—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2878—An act providing ways and means for liquidating, refinancing and readjusting defaulted bonds and warrants secured by, or payable out of proceeds derived from, special assessments and special taxes; for judicial proceedings to carry out such purpose; for the confirmation of plans for liquidation, refinancing and readjustment; authorizing the exercise of the police power and the power of eminent domain; for the acquisition and cancellation of such obligations of such bonds and warrants held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bayham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 213 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2882—An act making an appropriation for the support of the State Board of Prison Directors and the divisions and agencies comprising it, to take effect immediately

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2882 read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller George P., Millington, Morgan, Muldoon, O'Donnell, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2863—An act making an appropriation to the Division of Fish and Game, Department of Natural Resources.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2868—An act to amend "An act providing for the incorporation, government, and management of regional park districts including therein city and county territory, for the purpose of acquiring, improving, and maintaining parks, playgrounds, beaches, parkways, scenic drives, boulevards and other facilities for public recreation; providing for the management and government of such districts; authorizing such districts to incur bonded indebtedness and to levy and collect taxes to pay the principal and interest on bonds and for carrying

out the purposes of this act; and providing for the powers of such districts; and imposing certain duties and functions in connection with such districts upon certain county officers; and providing that this act shall take effect immediately," approved August 7, 1933, by amending section 11 relating to the borrowing of money and the levy and collection of taxes to repay the same, and section 21 relating to the levy and collection of taxes, and to declare the urgency hereof.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 2868 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2872—An act making an appropriation for the support of the Railroad Commission of the State of California, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2872 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1577.

Mr. Donihue moved to expunge the record and rescind the action whereby the Assembly, on this day, passed Assembly Bill No. 1577.

The roll was called, and the record expunged and the action rescinded by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field Fulcher, Gannon Garibaldi, Garland Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Consideration of Assembly Bill No. 1577.

Assembly Bill No. 1577—An act authorizing the State Treasurer to pay certain coupons of bonds issued by the State of California

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene Boyle, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson Rosenthal, Sawallisch Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 116—An act making an appropriation for the enforcement of standards, quality and identity, in the manufacture and sale of California wines and brandy.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Domhue, Donnelly, Field Fulcher, Gannon, Garibaldi, Garland, Glick Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—62.

NOES—Dilworth, Kepple, Latham, Miller, Eleanor; and Stream—5

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 272—An act to appropriate $800,000 for flood control, including conservation and the relief of unemployment, in San Bernardino County and the Santa Ana River Basin

Demand for Previous Question.

Messrs Morgan, Lyon, Dannenbrink, Meehan and Flint demanded the previous question

The question being put Shall the main question be now put?

Demand for previous question sustained

The question being on the passage of Assembly Bill No. 272

The roll was called, and Assembly Bill No 272 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor; Miller George P., Millington, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—Breed, Kepple, Kuchel, and Watson—4.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 2502—An act making an appropriation for the support of a Division of State Employment Agencies in the State Department of Employment.

Motion to Amend Assembly Bill No. 2502.

Mr. McMurray moved to amend Assembly Bill No. 2502 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "act", insert the following: "regulating employment in and".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 13 and 14, insert the following:

"SEC. 2 Each person who enters, or heretofore entered, the State service in the Division of State Employment Agencies in the Department of Employment, and who on the date of such entrance is or was (and for six months immediately preceding said date was) an employee of the Federal Government performing services in the United States Employment Service, holds in the Division of State Employment Agencies in the Department of Employment a position the same as or comparable to the position held by him in the United States Employment Service immediately prior to said date, without change in classification or compensation, and shall continue to hold such position in said division subject to the provisions of Article XXIV of the Constitution and to such probationary term, to commence on said date, of not less than two months nor more than eight months, as the State Personnel Board may fix."

Amendment No. 3.

On page 1, line 14, of the printed bill, strike out "2", and insert in lieu thereof the following "3".

Motion to Lay Amendments on the Table.

Mr. Flint moved that the amendments be laid on the table

The roll was called, and the amendments tabled by the following vote

AYES—Beene, Corwin, Cottrell, Cunningham, Dilworth, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Pelletier, Reaves, Redwine, Richie, Scudder, Stream, Turner, Walker, Watson, Welsh, and Yorty—37.

NOES—Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Crowley, Dannenbrink, Dawson, Desmond, Donnelly, Gilbert, Hornblower, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Muldoon, Patterson, Peek, Peyser, Robertson, Rosenthal, Sawallisch, Sheehan, Thorp, Voigt, Weber, Williamson, and Mr. Speaker—32.

Motion to Expunge Record and Rescind Action on Motion to Table Amendments.

Mr. Crowley moved to expunge the record and rescind the action whereby the Assembly, on this day, tabled the above amendments to Assembly Bill No. 2502.

The roll was called, and the motion to expunge the record lost by the following vote:

AYES—Baynham, Burns, Hugh M., Call, Cassidy, Crowley, Dawson, Desmond, Donihue, Donnelly, Gilbert, Heisinger, Hornblower, King, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Peyser, Robertson, Sawallisch, Sheehan, Tenney, Turner, Voigt, Weber, Williamson, and Mr. Speaker—34.

NOES—Andreas, Beene, Boyle, Breed, Clark, Corwin, Cottrell, Cunningham, Dannenbrink, Dilworth, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lyon, Martin, Miller, Eleanor; Morgan, Pelletier, Reaves, Redwine, Richie, Scudder, Stream, Walker, Watson, Welsh, and Yorty—37.

Assembly Bill No. 2502 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Corwin, Cottrell, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Field,

Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, and Yorty—58.

NOES—Cassidy, Crowley, Dawson, Donnelly, Garland, Levey, McMurray, Meehan, Miller, George P., Sawallisch, Voigt, Weber, and Mr. Speaker—13

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2502.

Mr. Miller gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2502 was this day passed.

Explanation of Vote.

In regard to Assembly Bill No. 2502, I am recorded as voting against this bill. I intended to vote for this good bill but a mistake was made in pushing the wrong voting button.

HENRY P. MEEHAN.

Motion for Temporary Suspension of the Rules.

Mr. Flint moved to suspend the Rules temporarily for the purpose of reconsidering Assembly Bill No. 2502, at this time.

The roll was called, and the motion to suspend the Rules lost by the following vote:

AYES—Corwin, Cunningham, Field, Flint, Glick, Hawkins, Hunt, Johnson, King, Laughlin, Martin Morgan, Pelletier, Reaves, Redwine, Sheehan, Stream, Tenney, Walker, and Yorty—20.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Garibaldi, Garland, Gilbert, Heisinger, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Patterson, Peek, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, and Mr. Speaker—46.

Assembly Bill No. 1184—An act to provide for the permanent relief and rehabilitation of the indigent and unemployed families of the State of California by the removal of such families to new rural communities to be located upon large tracts of good agricultural land, and providing for loans by the State Department of Social Welfare to a nonprofit, cooperative agricultural association created to carry out such purpose, and to make an appropriation therefor.

Demand for Previous Question.

Messrs Johnson, Dannenbrink, Morgan, Pelletier and Reaves demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1184.

The roll was called, and Assembly Bill No. 1184 was passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion for Temporary Suspension of the Rules.

Mr. Welsh moved that the Rules be temporarily suspended to allow the consideration of Assembly Bill No. 1455, at this time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Welsh moved a call of the Assembly.

Motion carried by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Cassidy, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Field, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Mayo, Meehan, Miller, Eleanor; Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—51.

NOES—Baynham, Boyle, Dilworth, Donnelly, Gilbert, Heisinger, Lore, Martin, McMurray, Morgan, Peek, Reaves, Voigt, and Yorty—14.

Time, eleven o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1605—An act to amend the title and section 1 of an act entitled "An act appropriating money to create a revolving fund for the State Purchasing Department and repealing an act entitled 'An act appropriating money to create a revolving fund for the State Purchasing Department,' approved May 15, 1917," approved May 22, 1919, relating to the revolving fund for State purchases.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At eleven o'clock and forty minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Welsh

The roll of absentees was called, and the motion for temporary suspension of the Rules to allow consideration of Assembly Bill No 1455 lost by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Corwin, Cottrell, Crowley, Dawson, Desmond, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Mayo, Muldoon, Peyser, Redwine Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—43.

NOES—Baynham, Clark, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Gilbert, Hawkins, Heisinger, Johnson, Lore, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sheean, Tenney, Voigt, Watson, and Yorty—30.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1250—An act to establish a Department of Unemployed Cooperative Reciprocal Economy.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt Johnson, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal Sawallisch, Scudder, Sheehan, Stream Tenney, Thorp, Turner, Voigt, Weber, Williamson, Yorty, and Mr. Speaker—58

NOES—None

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 870—An act to amend section 11½ and section 11 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relative to limitations on fees charged, and to the provisions of receipts or contracts issued by such agencies.

Motion to Re-refer Assembly Bill No. 870.

Mr. Beene moved that Assembly Bill No 870 be withdrawn from the calendar, and re-referred to the Committee on Labor and Capital

Substitute Motion to Lay Assembly Bill No. 870 on the Table.

Mr. Lyon moved, as a substitute motion, that Assembly Bill No. 870 be laid on the table.

The roll was called, and the substitute motion to lay Assembly Bill No 870 on the table lost by the following vote:

AYES—Baynham, Beene, Breed, Call, Corwin, Cunningham Daley, Dannenbrink Dawson, Dilworth, Field, Fulcher, Gannon, Johnson, Kepple, King, Kuchel, Latham Leonard, Levey, Lyon, Martin, Millington Morgan, Peyser, Redwine, Scudder, Stream, Walker, and Watson—30

NOES—Boyle, Burns, Hugh M., Cassidy, Clark, Crowley, Desmond, Donihue Donnelly, Garibaldi, Garland, Gilbert Glick, Hawkins, Heisinger, Hornblower Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Sheehan, Tenney, Turner, Voigt, Weber, Williamson, Yorty, and Mr Speaker—36.

The question being on the motion to re-refer Assembly Bill No 870 to the Committee on Labor and Capital

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Baynham, Beene, Breed, Corwin, Cottrell, Cunningham, Dawson, Desmond, Field, Heisinger, Kepple, King, Kuchel, Latham, Leonard, Lyon, Martin, Miller, Eleanor; Morgan, Muldoon, Peyser, Redwine, Rosenthal, Scudder, Stream, Walker, and Watson—27.

NOES—Burns, Hugh M., Call, Cassidy, Clark, Crowley, Dannenbrink, Dilworth, Donihue, Donnelly, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Laughlin, Levey, Lore, Maloney, Mayo, Meehan, Miller, George P., Millington, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Williamson, Yorty, and Mr. Speaker—40.

Assembly Bill No. 870 read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Call, Cassidy, Clark, Crowley, Dawson, Desmond, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Laughlin, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Sheehan, Tenney, Turner, Voigt, Weber, Williamson, Yorty, and Mr. Speaker—41

NOES—Baynham, Beene, Breed, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dilworth, Field, Fulcher, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Martin, Miller, Eleanor; Morgan, Muldoon, Peyser, Redwine, Scudder, Stream, Thorp, Walker, and Watson—29.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 870.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 870 was this day passed.

Assembly Bill No. 2140—An act to amend section 2 of an act entitled "An act to provide for the proper sanitary conditions of factories and workshops, and for the preservation of the health of employees," approved February 6, 1889, relating to sanitation of work places

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Weber, Williamson, Yorty, and Mr. Speaker—54.

NOES—Cunningham, Kepple, Lyon, Martin, Stream, and Walker—6

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 353—An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the District Courts of Appeal and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Weber, Williamson, Yorty, and Mr. Speaker—55

NOES—Dilworth, Donnelly, Field, Garland, Heisinger, Latham, Lore, and Thorp—8

Title read and approved. Bill ordered transmitted to the Senate.

Notices of Motion to Reconsider Continued.

On motion of Mr. Reaves, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1472 was refused passage was continued until the next legislative day.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No. 888 was refused passage was continued until the next legislative day

Notice of Motion to Reconsider Assembly Bill No. 1821 Waived.

Mr. Peek waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1821 was passed.

Assembly Bill No 1821 ordered transmitted to the Senate

Re-reference of Assembly Bill No. 1827.

On motion of Mr O'Donnell, Assembly Bill No 1827 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Senate Bill No. 475.
Senate Bill No. 720.
Respectfully reports the same back with the recommendation: Do pass as amended.

DONNELLY, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Senate Bill No. 473.
Senate Bill No. 1078.
Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman.

The above reported bills ordered on second reading calendar.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 2877—An act to amend section 4013 of, repeal Article II of Chapter VIII Title II, Part IV of, and to add a new article, comprising sections 4222, 4222.2, 4222 4, 4222 6, 4222.7, 4222 8 and 4222 9, to Chapter VIII, Title II, Part IV, of the Political Code, relating to county engineers and county surveyors

Committee Amendments to Assembly Bill No. 2877.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 16, of the printed bill, strike out the letters "pro-", and all of lines 17, 18 and 19.

Amendment No. 2.

On page 2, line 22, of the printed bill, following the word "prescribed.", insert the following:

"The provisions of this section, relative to experience in highway construction, shall have no application to any county operating under freeholders charter."

Amendment No. 3.

On page 2, line 37, of the printed bill, strike out the period following the word "direct", and insert a semicolon and the following:

"Provided, that in counties operating under a freeholders charter and having a population in excess of 900,000 the engineer shall not perform mechanical, electrical or architectural engineering work, or structural engineering work other than the design, supervision, inspection and construction of sewers and drainage systems, or any engineering work pertaining to the construction, improvement, maintenance and repair of roads, highways, bridges, waterworks, water distributing systems or highway lighting systems, other than surveying in connection therewith."

Amendment No. 4.

On page 3 of the printed bill, strike out all of lines 27, 28 and 29, and insert in lieu thereof the following:

"4222.9. No provision of this article, in conflict with the provisions of any county charter, shall apply to such county."

Amendment No. 5.

On page 1, line 16, of the printed bill, strike out "and ex officio surveyor; pro-", and strike out lines 17, 18 and 19, and insert in lieu thereof the following: "who shall be ex officio surveyor;".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Richie:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 291.4 to the Civil Code, relating to corporations.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Richie:

An act to add section 291.4 to the Civil Code, relating to corporations.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2904: By Mr. Richie—An act to add section 291 4 to the Civil Code, relating to corporations.

Bill read first time, and referred to Committee on Judiciary General.

Senate Message.

The following message from the Senate was taken upon and read:

SENATE CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 45—Approving a certain amendment to the charter of the city of Pacific Grove, a municipal corporation in the county of Monterey, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1937.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 45, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 45.

Senate Concurrent Resolution No. 45—Approving a certain amendment to the charter of the city of Pacific Grove, a municipal cor-

poration in the county of Monterey, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1937.

Senate Concurrent Resolution No. 45 read, and adopted by the following vote

AYES—Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By Mr. Clark:

House Resolution No. 170.

WHEREAS, The Legislature in 1927 created the California School Code Commission for the purpose of codifying all existing laws relating to the public schools; and

WHEREAS, The said commission was not empowered to revise said laws, but was required to codify all said laws as they existed; and

WHEREAS, Said commission did prepare and submit to the Legislature in 1929 a School Code which was adopted by the Legislature and enacted into law; and

WHEREAS, The School Code contained a number of defects which the said commission because of the limitations upon its authority was unable to prevent, which seriously impair an understanding and the proper application of the provisions of the School Code, and which have become intensified since the enactment of the School Code; and

WHEREAS, It now appears that a revision of the School Code is imperative for the purpose of making the laws of the State relating to the public schools more readily understood and accessible; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby authorized and directed to prepare a revision of the School Code which shall be presented in bill form, to the Legislature at its fifty-third session in 1939; and be it further

Resolved, That when the proposed revision is completed not exceeding 1,500 copies thereof shall be printed, together with such explanatory notes, tables and indices as the Code Commission believes desirable, the printing to be done on the order of the Secretary of the Senate or the Chief Clerk of the Assembly, or both, and the cost thereof to be paid from the legislative printing appropriation

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up House Resolution No. 170, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

House Resolution No. 170 read and unanimously adopted.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2671—An act to amend sections 1, 2 and 4 of, and to add two new sections to be numbered 5 and 6 to "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, and making an appropriation therefor.

Motion to Amend Assembly Bill No. 2671.

Mr. Turner moved to amend Assembly Bill No. 2671 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of lines 43 to 45, inclusive, and insert in lieu thereof the following: "The remaining $40,000 to be expended upon executive order of the Director of Finance in the event that"

Amendment adopted.

Assembly Bill No. 2671 ordered to reprint, and re-engrossment.

Assembly Bill No. 2407—An act to amend section 4041.16 of the Political Code, relating to county care of indigents.

Motion to Amend Assembly Bill No. 2407.

Mr. Garland moved to amend Assembly Bill No. 2407 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, between "Code," and "relating", insert the following: "or to amend section 202 of the Welfare and Institutions Code,".

Amendment No. 2.

On page 2 of the printed bill, as amended, after line 19, insert the following:

"SEC. 2. Section 202 of the Welfare and Institutions Code is hereby amended to read as follows:

202. The board shall not let the care, maintenance, or attendance of such indigent sick or dependent poor by contract to any person. However, in cases of unusual difficulty or which require treatment or the use of facilities not immediately available in the county, and in cases of emergency, or when there is lack of adequate facilities in county institutions, the board may secure by agreement, for the needy sick and dependent and partially dependent persons, hospital care within or without the county, including medical, surgical, X-ray, laboratory, nursing, and general hospital service, at cost from any hospital, convalescent home, rest home, clinic, lying-in hospital, emergency hospital, laboratory or sanitarium maintained and operated in the State of California. Such agreements shall be made only with those hospitals, homes, clinics, laboratories, and sanitariums which are qualified to render and are actually rendering services to the sick, economically and efficiently, and the books of which reflect accurately in monthly statements the per diem cost of medical, surgical, X-ray, laboratory, nursing, and general hospital service to patients.

SEC. 3. Section 1 of this act shall take effect only if a Welfare and Institutions Code is *not* enacted by the Legislature at its fifty-second session.

SEC. 4. Section 2 of this act shall take effect only if a Welfare and Institutions Code is enacted by the Legislature at its fifty-second session."

Amendments adopted.

Assembly Bill No. 2407 ordered to reprint, and re-engrossment.

Assembly Bill No. 174—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Motion to Amend Assembly Bill No. 174.

Mr. Reaves moved to amend Assembly Bill No. 174 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 18 to 22, inclusive.

Amendment No. 2.

On page 2, line 3, of the printed bill, after the word "held", insert the following: "on the first Tuesday".

Amendment No. 3.

On page 2, line 21, of the printed bill, strike out "if the convention has not com-", and strike out lines 22 to 25, inclusive.

Amendment No. 4.

On page 3, line 10, of the printed bill, strike out the blank, and insert in lieu thereof the following: "500".

Amendment No. 5.

On page 4 of the printed bill, strike out lines 20 to 36, inclusive, and insert in lieu thereof the following:

"SEC. 17. The question of the ratification or rejection of the proposed Constitution shall be submitted to the voters at the general election held in November, 1938. The returns as to the question of adoption or rejection of the proposed Constitution of such".

Amendment No. 6.

On page 4, line 43, of the printed bill, strike out "special".

Amendments adopted.

Assembly Bill No. 174 ordered to reprint, and re-engrossment.

Assembly Bill No. 2699—An act authorizing a county to use persons confined in county jail for road and other work; providing for the payment of compensation for such work to the dependents of the persons performing such work.

Motion to Amend Assembly Bill No. 2699.

Mr. Richie moved to amend Assembly Bill No. 2699 as follows:

Amendment No. 1.

On page 1, line 13, of the printed bill, after "including", insert the following: ", but not restricted to,".

Amendment No. 2.

On page 1, line 14, of the printed bill, before "which", insert the following: "and incidentals,".

Amendments adopted.

Assembly Bill No. 2699 ordered to reprint, and re-engrossment.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2425 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2751 re-referred to Committee on Fish and Game.

Assembly Bill No. 2503 re-referred to Committee on Oil Industries.

Assembly Bill No. 366 re-referred to Committee on Roads and Highways.

Assembly Bill No. 1296 re-referred to Committee on Roads and Highways.

Assembly Bill No. 1677 re-referred to Committee on Judiciary General.

Assembly Constitutional Amendment No. 50 re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 621 re-referred to Committee on County Government.

Motion to Expunge Record and Rescind Action on House Resolution No. 131.

Mr. Patterson moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused reconsideration to House Resolution No. 131

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Beene, Boyle, Burns, Hugh M., Call, Clark, Cottrell, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Fulcher, Gannon, Garland, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Leonard, Levey, Lore, Mayo, McMurray Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Scudder, Sheehan, Tenney, Turner, Weber, and Mr. Speaker—42.

NOES—Breed, Corwin, Cunningham, Dilworth, Field, Johnson, Kepple, Latham, Maloney, Martin, Morgan, Peyser, Redwine, Stream, Walker, and Williamson—16

House Resolution No. 131 ordered on unfinished business calendar

Adjournment.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. Patterson, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Friday, May 14, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SECOND LEGISLATIVE DAY
ONE HUNDRED THIRTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 14, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Assistant Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Thorp, the further reading of the Journal of Thursday, May 13, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day. Mr Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Walker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs. Alvin W. Pruett, of San Francisco.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. P. O'Mara, Dean of Pasadena Junior College, and Harold P. Huls, City Attorney of Pasadena.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Gordon F. Herbert.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs Dave Mass of Hollywood and Milton Goldberg of Los Angeles.

On request of Mr. Sawallisch, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Frances McCann and Mrs. Victoria Leggett of Martinez.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Master Russell Deterding.

On request of Mr. Fulcher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. L. J. Fulcher.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. William A. Neal of Los Angeles.

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ted Stannard and Mr. Ercell Hart of Davis.

On request of Mr. Muldoon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edgar J. Hinkel.

On request of Mr. King, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Hubert Carel, of Santa Monica.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following:

Senate Bill No. 389.
Senate Bill No. 390.
Senate Bill No. 391.
Senate Bill No. 392.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Senate Bill No. 122.
Assembly Bill No. 2199.
Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman.

The above reported bills ordered on second reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Assembly Bill No. 2899.
Respectfully reports the same back with the recommendation: Do pass.

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:
Senate Bill No. 144.
Respectfully reports the same back with the recommendation: Do pass.

YORTY, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 2892.
Assembly Bill No. 2896.
Senate Bill No. 443.
Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
Assembly Bill No. 828.
Respectfully reports the same back with the recommendation: Do pass.

MEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:
Senate Bill No. 1116.
Senate Bill No. 1146.
Respectfully reports the same back with the recommendation: Do pass.

BAYNHAM, Chairman.

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:
Assembly Bill No. 1511.
Respectfully reports the same back without recommendation, as amended.

KING, Chairman.

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Assembly Bill No. 1555.
Respectfully reports the same back with the recommendation: Do pass as amended

HORNBLOWER, Chairman.

The above reported bill ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER: Your Committee on Public Morals, to which was referred:
Assembly Bill No. 1178.
Respectfully reports the same back without recommendation, as amended.

TURNER, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:
Senate Bill No. 425.
Respectfully reports the same back with the recommendation: Do pass as amended

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:
Senate Bill No. 313.
Respectfully reports the same back with the recommendation: Do pass as amended

YORTY, Chairman.

The above reported bill ordered on second reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Senate Bill No. 553.
Respectfully reports the same back with the recommendation: Do pass as amended

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 1491—An act to add Chapter 11B to Part 2 of Division 2 of the Insurance Code, authorizing the creation, organization and government, and providing for the regulation of public associations to be known as medical service associations, defining medical service contracts, providing standard provisions for such contracts, providing for the deposit of security by medical service associations, providing for certificates of authority for associations entering into medical service contracts, and rendering through members medical services and providing for the powers and liabilities of medical service associations.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 238—An act to amend section 1032 of the Military and Veterans Code, relating to the Veterans Home of California.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 851—An act making an appropriation for the purchase of real property for the San Jose State College

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2179—An act to provide for the payment of Conciliation Commissioners.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2888—An act making an appropriation to carry out the provisions of the Public Welfare Act.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2710—An act to add section 6625 to the Welfare and Institutions Code, relating to uniforms of patients in State hospitals for the insane.

Committee Amendment to Assembly Bill No. 2710.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 5 and 6, and insert in lieu thereof the following: "hospitals for the insane in accordance with the following provisions.

The uniform for the female inmates shall be patterned in accordance with Pictorial Review Pattern of 1937, No 8591, View 2, and shall be made of navy blue cotton, pre-shrunk suiting, with a white collar of the same material.

The uniforms for the male inmates shall be made of the following material shirts of light blue cotton and trousers of dark blue wool.

The uniforms for both male and female inmates shall be made by the inmates of State institutions."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1612—An act to amend sections 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, and 3091 of the Labor Code, relating to master and apprentice.

Committee Amendments to Assembly Bill No. 1612.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "3079,"

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, as amended, strike out "and 3094", and insert in lieu thereof the following: "3094, and 3095"

Amendment No. 3.

On page 4 of the printed bill, as amended, strike out lines 15 to 21, inclusive.

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out lines 8 to 12, inclusive, and insert in lieu thereof the following: "education."

Amendment No. 5.

On page 8 of the printed bill, as amended, between lines 31 and 32, insert the following:

"SEC. 25.5. Section 3095 is hereby added to the Labor Code to read as follows:

3095. This chapter does not apply to employers who, with their employees, are subject to the Railway Labor Act of Congress or any act amendatory thereof."

Amendment No. 6.

On page 6, line 10, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following "of".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 354—An act to amend section 18 of the Inheritance Tax Act of 1935, relating to the levying of inheritance taxes.

Committee Amendments to Assembly Bill No. 354.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, after the period, insert the following: "the State Controller may at any time after two years from the date of decedent's death, have a writ of execution issued for the endorsement of said judgment. The writ must be executed against the property of the decedent's estate, but in the execution of said writ resort must be had to the assets of the estate in the same order as for the payment of decedent's debts. The endorsement of any judgment under this section against the property of decedent's estate shall not in any way affect the duties of the administrator or executor under section 9 of this act. No fees shall be exacted from the State Controller for the issuance or execution of said writ."

Amendment No. 2.

On page 1, lines 13 and 14, of the printed bill, following the word "time", in line 13, strike out "prior to the distribution of an estate", and insert in lieu thereof the following: "within eight months of the date of the appointment of the executor or administrator".

Amendment No. 3.

On page 1, lines 22 and 23, of the printed bill, following the word "which", in line 23, strike out "has been, or".

Amendment No. 4.

On page 1, lines 23 and 24, of the printed bill, following the word "distribution", in line 23, strike out the following: "or otherwise".

Amendment No. 5.

On page 1, line 24, of the printed bill, following the comma after word "if", strike out "prior to such distribution,' and insert in lieu thereof the following "within eight months of the appointment of the executor or administrator, it appears that".

Amendment No. 6.

On page 2, line 1, of the printed bill, following the word "administrator", insert the following: ", State Controller".

Amendment No. 7.

On page 2, line 4, of the printed bill, strike out: "If the tax be not fixed prior", and all of lines 5, 6, and 7.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2893—An act remising, releasing and quitclaiming to the Regents of the University of California certain real property in the county of Humboldt.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2231—An act to add section 98 and to amend sections 87, 290, 799, 800, 802, 812, 844. 846, 847, 958, 970, 971, 972, 973, 974, 1343 of the Fish and Game Code, relating to the creation of a new fish and game district.

Motion to Amend Assembly Bill No. 2231.

Mr Watson moved to amend Assembly Bill No 2231 as follows:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "two miles", and insert in lieu thereof the following: "one mile".

Amendment adopted.

Assembly Bill No. 2231 ordered to reprint and engrossment.

Assembly Bill No. 2892—An act to provide a unified and centralized program of construction, repair and improvement of State buildings, and making an appropriation for the purposes of this act.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2897—An act to define escrow companies and regulate them and their organization, business, and operation; to license escrow companies and provide for the revocation of licenses and provide for a license fee; to define and regulate the manner of doing business, regulate their officers, directors and employees; to prescribe their rights, powers, duties and liabilities; to require accounts, reports, audits, statements and to regulate their advertising; to provide for and define the duties of the Commissioner of Corporations, his assistants and employees, in respect thereto.

Committee Amendments to Assembly Bill No. 2897.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 9 of the title of the printed bill, after the words "of the", strike out "Commissioner of Corporations, his assis-", and insert in lieu thereof the following: "Real Estate Commissioner and the Division of Real Estate, and any employees thereof,".

Amendment No. 2.

On page 1, line 10 of the title of the printed bill, strike out the following: "tants and employees,".

Amendment No. 3.

On page 1, line 1, of the printed bill, after the word "known", insert the words "and cited", and after "as the", insert "California".

Amendment No. 4.

On page 1, line 19, of the printed bill, after the word "means", strike out the words "Commissioner of", and insert in lieu thereof the words "Real Estate Commissioner".

Amendment No. 5.

On page 1, line 20, of the printed bill, strike out "Corporations"; and after the word "any", insert the words "person employed by him"; and strike out "deputy, investi-".

Amendment No. 6.

On page 1 of the printed bill, strike out line 21

Amendment No. 7.

On page 1, line 24, of the printed bill, after the word "also", strike out the word "oral".

Amendment No. 8.

On page 2 of the printed bill, strike out lines 7 to 12, inclusive, and insert in lieu thereof the following:

"SEC. 3. No company as herein defined shall engage in business in this State without a license then in effect as in this act required."

Amendment No. 9.

On page 2, line 15, of the printed bill, after the word "Every", strike out the word "escrow".

Amendment No. 10.

On page 2, line 17, of the printed bill, after the word "bonds", insert "in form".

Amendment No. 11.

On page 2, line 18, of the printed bill, after "commissioner", strike out "; said bond or bonds to be".

Amendment No. 12.

On page 2, line 19, of the printed bill, after "($5,000)", insert "for business conducted".

Amendment No. 13.

On page 2, line 21, of the printed bill, after "($1,000)", insert "for business conducted", and after the word "any", insert the word "other"; after the word "shall", strike out the word "run", and insert in lieu thereof "be made payable".

Amendment No. 14.

On page 2, line 22, of the printed bill, after the word "shall", strike out the word "furthermore".

Amendment No. 15 and 16.

On page 2, line 23, of the printed bill, after "obligor", strike out "will faithfully conform to and abide".

Amendment No. 17.

On page 2 of the printed bill, strike out line 24.

Amendment No. 18.

On page 2, line 25, of the printed bill, strike out the words, "made by the commissioner therein, and".

Amendment No. 19.

On page 2, line 41, of the printed bill, strike out the comma, at the end of the line, and insert in lieu thereof a period.

Amendment No. 20.

On page 2 of the printed bill, strike out lines 42 to 44, inclusive, and insert in lieu thereof the following new paragraph:

"The fee for all licenses at all periods of the year is the same as herein provided. Such license fees are payable in advance of issuing the licenses. Licenses shall be issued for the fiscal year and shall expire on June 30 of each fiscal year at midnight."

Amendment No. 21.

On page 2, line 48, of the printed bill, strike out the word "either", at the beginning of the line, and after the word "motion", strike out "or upon application of the licensee".

Amendment No. 22.

On page 2, line 50, of the printed bill, after the word "commissioner", strike out the word "shall", and insert in lieu thereof the word "may"

Amendment No. 23.

On page 2, line 51, of the printed bill, after the word "as", strike out the word "he", and after the word "may", strike out the word "deem", and insert in lieu thereof the word "be".

Amendment No. 24.

On page 3, line 3, of the printed bill, after the word "license", strike out "twenty-five dollars ($25)", and insert in lieu thereof "fifty dollars ($50)".

Amendment No. 25.

On page 3, line 6, of the printed bill, before the word "duplicate", insert "an amended or", and before the word "license", strike out the word "of", and insert in lieu thereof the word "or".

Amendment No. 26.

On page 3, line 11, of the printed bill, before the word "fund", strike out the words "corporation commission", and insert in lieu thereof the words "Real Estate Commissioner's".

Amendment No. 27.

On page 3 of the printed bill, strike out lines 23 to 37, inclusive, and insert in lieu thereof the following:

"SEC. 6. Any company who is engaged in business within the contemplation of

this act shall within ninety (90) days from the effective date hereof apply for and obtain a license as in this act required.

Copartnerships shall file with the Division of Real Estate certified copies of their articles of agreement and all amendments thereof, and shall immediately notify the Real Estate Commissioner when a change in membership is made. Failure to notify the Real Estate Commissioner of change in membership of a copartnership shall be deemed a misdemeanor."

Amendment No. 28.

On page 3, line 43, of the printed bill, after the word "the", strike out the word "Corporation", and insert in lieu thereof the words "Real Estate".

Amendment No. 29.

On page 3, line 44, of the printed bill, after the word "such", strike out the word "Corporation", and insert in lieu thereof the words "Real Estate".

Amendment No. 30.

On page 3, line 51, of the printed bill, after the word "The", strike out the word "Corporation", and insert in lieu thereof the words "Real Estate".

Amendment No. 31.

On page 4, line 5, of the printed bill, strike out "Corpo-", at the end of the line, and insert in lieu thereof "Real Estate Commissioner".

Amendment No. 32.

On page 4, line 6, of the printed bill, strike out "ration Commissioner", at the beginning of the line, also strike out "Corpora-", at the end of the line.

Amendment No. 33.

On page 4, line 7, of the printed bill, strike out "tion Commissioner", at the beginning of the line, and insert in lieu thereof "Real Estate Commissioner".

Amendment No. 34.

On page 4, line 12, of the printed bill, strike out "Corporation", at the end of the line, and insert in lieu thereof "Real Estate".

Amendment No. 35.

On page 4, line 30, of the printed bill, after "No", strike out "escrow", and after "any", strike out "officer", and insert in lieu thereof "employee"

Amendment No. 36.

On page 4, line 33, of the printed bill, after "surplus.", strike out "Any company or any officer or".

Amendment No. 37.

On page 4 of the printed bill, strike out lines 34 and 35, and insert in lieu thereof the following: "No company or any employee thereof shall, after receipt of notice from the commissioner of his objection thereto, publish any statement concerning the financial condition of the company that in the opinion of the commissioner is false or misleading. Any company or employee advertising in any manner contrary to this section shall be guilty of a misdemeanor."

Amendment No. 38.

On page 4 of the printed bill, strike out lines 48 and 49.

Amendment No. 39.

On page 4, line 51, of the printed bill, strike out "Corporation Department", at the beginning of the line, and insert in lieu thereof "Division of Real Estate".

Amendment No. 40.

On page 5, line 1, of the printed bill, before the word "approved", insert the word "first"

Amendment No. 41.

On page 5, line 2, of the printed bill, strike out "Corporation Department", and insert in lieu thereof "Division of Real Estate".

Amendment No. 42.

On page 5, line 10, of the printed bill, strike out the word "accountant", and insert in lieu thereof "company", and after the word "render", insert "to the Commissioner".

Amendment No. 43.

On page 5, line 11, of the printed bill, strike out "his", at the beginning of the line, and insert in lieu thereof "the".

Amendment No. 44.

On page 5, line 13, of the printed bill, before the word "shall", strike out the word "He", and insert in lieu thereof "The licensee".

Amendment No. 45.

On page 5, line 17, of the printed bill, strike out "Corporation", and insert in lieu thereof "Real Estate".

Amendment No. 46.

On page 5, line 18, of the printed bill, strike out "all trans-", at the end of the line.

Amendment No. 47.

On page 5, line 19, of the printed bill, strike out "actions during", at the beginning of the line.

Amendment No. 48.

On page 5, line 24, of the printed bill, strike out "Corporation", and insert in lieu thereof "Real Estate".

Amendment No. 49.

On page 5, line 27, of the printed bill, strike out "Cor-", at the end of the line, and insert in lieu thereof "Real Estate Commissioner.".

Amendment No. 50.

On page 5, line 28, of the printed bill, strike out "poration Commissioner, every such delinquent company shall", and insert in lieu thereof the following new sentence: "The Commissioner shall forthwith revoke the license of such company."

Amendment No. 51.

On page 5 of the printed bill, strike out lines 29 to 31, inclusive.

Amendment No. 52.

On page 5, line 32, of the printed bill, strike out "omitted matter.", at the beginning of the line.

Amendment No. 53.

On page 5, line 34, of the printed bill, strike out "Corporation", and insert in lieu thereof "Real Estate".

Amendment No. 54.

On page 5, line 36, of the printed bill, strike out the "period", after the word "examined", and insert the following: "at the cost of such company, upon demand of the commissioner"

Amendment No. 55.

On page 5, line 44, of the printed bill, strike out "Corporation", and insert in lieu thereof "Real Estate".

Amendment No. 56.

On page 5, line 49, of the printed bill, strike out "Corporation", and insert in lieu thereof "Real Estate".

Amendment No. 57.

On page 6, line 1, of the printed bill, strike out "Corporation", and insert in lieu thereof "Real Estate".

Amendment No. 58.

On page 6, line 3, of the printed bill, strike out "Cor-", at the end of the line, and insert in lieu thereof "Real Estate Commissioner".

Amendment No. 59.

On page 6, line 4, of the printed bill, strike out "poration Commissioner".

Amendment No. 60.

On page 6, line 5, of the printed bill, after "unsafe", strike out "and", and insert in lieu thereof "or", and after the word "manner", insert a comma and strike out "or is violating its".

Amendment No. 61.

On page 6, line 6, of the printed bill, strike out "articles of incorporation or any law of this State,".

Amendment No. 62.

On page 6, line 7, of the printed bill, strike out "Corporation", and insert in lieu thereof "Real Estate".

Amendment No. 63.

On page 6, line 9, of the printed bill, strike out "Corporation", and insert in lieu thereof "Real Estate".

Amendment No. 64.

On page 6, line 16, of the printed bill, strike out "Corporation" and insert in lieu thereof "Real Estate".

Amendment No. 65.

On page 6 of the printed bill, strike out lines 18 to 21, inclusive.

Amendment No. 66.

On page 6, line 22, of the printed bill, strike out "and all civil penalties provided by this act.", and insert in lieu thereof the following new paragraph:

"The Attorney General shall render to the Real Estate Commissioner opinions upon all questions of law relating to the construction or interpretation of this act or arising in the administration thereof that may be submitted to him by the

commissioner, and shall act as the attorney for the commissioner in all actions and proceedings brought by or against him under or pursuant to any of the provisions of this act."

Amendment No. 67.

On page 6, line 23, of the printed bill, strike out "of Corporations"

Amendment No. 68.

On page 6, line 25, of the printed bill, after "any", strike out "deputy, investigator or", and insert in lieu thereof "person employed".

Amendment No. 69.

On page 6, line 26, of the printed bill, strike out "auditor designated".

Amendment No. 70.

On page 6, line 49, of the printed bill, strike out "deputy, investigator or auditor appointed", and insert in lieu thereof "person employed".

Amendment No. 71.

On page 7, line 1, of the printed bill, strike out "deputy investigator or auditor", and insert in lieu thereof "employee".

Amendment No. 72.

On page 7, line 3, of the printed bill, after the word "Every", insert "person aggrieved by any".

Amendment No. 73.

On page 7, line 4, of the printed bill, after the word "be", strike out "subject to review, in accordance with", and insert the following: "entitled to petition the commissioner for a rehearing thereof. The petition shall specify wherein the petitioner claims the commissioner erred. Upon the filing of such petition the commissioner shall set a time for rehearing thereon which shall be not more than ninety (90) days or less than thirty (30) days after the filing thereof.

The commissioner shall, not less than thirty (30) days prior to the date set for the rehearing, notify the petitioner in writing of the time and place said rehearing shall be held. Said notice shall be effected by personal service or by mailing notice of the time and place of such rehearing by United States registered mail, in a sealed envelope, postage fully prepaid, to the petitioner at his last known address of record in the Real Estate Division. Upon the rehearing of the said petition a competent stenographic reporter shall record the evidence produced and the proceedings had at said rehearing. The parties at the rehearing may appear in person or by counsel.

The commissioner shall, within sixty (60) days after the conclusion of the petition for rehearing, render a decision thereon in writing and shall forthwith mail a copy thereof to the petitioner or his counsel.

Upon filing a petition for rehearing said petitioner shall deposit an amount estimated by the Real Estate Commissioner to defray the actual and necessary expenses in conducting said rehearing, and the transcribing of stenographic notes thereof. The amount of said deposit shall be estimated by the Real Estate Commissioner *prior to such hearing, and the petitioner shall forthwith deposit said estimated* amount with the commissioner. Within thirty (30) days after the conclusion of the rehearing and prior to the Real Estate Commissioner's decision, any additional amount of expenses incurred in connection therewith shall be paid by the petitioner."

Amendment No. 74.

On page 7 of the printed bill, strike out lines 5 to 13, inclusive.

Amendment No. 75.

On page 7 of the printed bill, between lines 13 and 14, insert the following new paragraph:

"Any party aggrieved by such decision of the commissioner may make a demand in writing for a certified transcript of all the papers on file in his office affecting or relating to such decision and all the evidence taken on the hearing and paying ten cents for each folio of the transcript and one dollar for the certification thereof. Thereupon the commissioner shall, within thirty (30) days, make and certify such transcript. In suspending or revoking any license, or in denying any application for license issued in accordance with this act, the decision of the commissioner shall not take effect until ten days after its date."

Amendment No. 76.

On page 7 of the printed bill, before line 14, add the following new section:

"SEC. 15. The Real Estate Commissioner shall have power to administer oaths, certify to all official acts, and to issue subpenas for the attendance of witnesses and the production of books and papers. In any hearing in any part of the State the process issued by the commissioner shall extend to all parts of the State and may be served by any person authorized to serve process of courts of record or by any person designated for that purpose by the commissioner. The person serving

any such process shall receive such compensation as may be allowed by the commissioner, not to exceed the fees prescribed by law for similar service, and such fees shall be paid in the same manner as provided herein for the payment of the fees of witnesses. Each witness who shall appear by order of the commissioner shall receive for his attendance the same fees and mileage allowed by law to a witness in civil cases, which amount shall be paid by the party at whose request such witness is subpenaed. When any witness who has not been required to attend at the request of any party shall be subpenaed by the commissioner his fees and mileage shall be paid from the funds appropriated for the use of the said Real Estate Department in the same manner as other expenses of said department are paid.

The superior court in and for the county in which any hearing may be held by the commissioner shall have the power to compel the attendance of witnesses, the giving of testimony and the production of books and papers as required by any subpena issued by the commissioner. In case of the refusal of any witness to attend or testify or produce any papers required by such subpena the commissioner may report to the superior court in and for the county in which the hearing is pending by petition, setting forth that due notice has been given of the time and place of attendance of said witness or the production of said papers, and that the witness has been summoned in the manner prescribed in this act, and that the witness has failed and refused to attend or produce the papers required by subpena before the commissioner in the cause or proceeding named in the subpena or has refused to answer questions propounded to him in the course of such hearing, and ask an order of said court compelling the witness to attend and testify or produce said papers before the commissioner. The court upon petition of the commissioner shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in such order, the time to be not more than ten days from the date of the order, and then and there show cause why he has not attended or testified or produced said papers before the commissioner. A copy of said order shall be served upon said witness. If it shall appear to the court that said subpena was regularly issued by the commissioner, the court shall thereupon enter an order that said witness appear before the commissioner at the time and place fixed in said order and testify or produce the required papers, and upon failure to obey said order, said witness shall be dealt with as for contempt of court.

The commissioner may in any hearing before him cause the deposition of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in the superior courts of this State, and to that end may compel the attendance of witnesses and the production of books and papers.

Any party to any hearing before the commissioner shall have the right to the attendance of witnesses in his behalf at such hearing or upon deposition as set forth in this section upon making request therefor to the commissioner and designating the person or persons sought to be subpenaed."

Amendment No. 77.

On page 7, line 14, of the printed bill, after "SEC.", strike out "15" and insert in lieu thereof "16."

Amendment No. 78.

On page 7, line 16, of the printed bill, after the word "bank", insert the following: "authorized to do business under the laws of this State or of the United States".

Amendment No. 79.

On page 7, line 31, of the printed bill, after "SEC.", strike out "16", and insert in lieu thereof "17."

Amendment No. 80.

On page 7, line 42, of the printed bill, before "payment", strike out the word "unauthorized", and insert in lieu thereof "fraudulent or wrongful".

Amendment No. 81.

On page 7, line 46, of the printed bill, after "bond", strike out "on each individual employee or officer".

Amendment No. 82.

On page 7, line 47, of the printed bill, after "run", insert a period, and strike out "and the suffi-".

Amendment No. 83.

On page 7 of the printed bill, strike out lines 48 and 49.

Amendment No. 84.

On page 7 of the printed bill, strike out line 50.

Amendment No. 85.

On page 7, line 51, of the printed bill, strike out "upon the expiration of its term."

Amendment No. 86.

On page 8 of the printed bill, strike out lines 3 to 20, inclusive.

Amendment No. 87.

On page 8, line 25, of the printed bill, after "receiving", insert "and having in effect".

Amendment No. 88.

On page 8, line 33, of the printed bill, after "misdemeanor", insert a period, and strike out "unless by the pro-".

Amendment No. 89.

On page 8 of the printed bill, strike out line 34.

Amendment No. 90.

On page 8, line 37, of the printed bill, after "any", insert "association or".

Amendment No. 91.

On page 8 of the printed bill, strike out line 43, and insert in lieu thereof, "company that renders such service without compensation."

Amendment No. 92.

On page 8 of the printed bill, strike out line 44.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 966—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such district, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and application of revenues, rates and charges for the use of the sewage works or improvements.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1138—An act to add section 66a to the Code of Civil Procedure, relating to the number of superior court judges in and for the county of Ventura, and providing for the appointment thereof.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 638—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1145—An act to amend section 1 of an act entitled "An act to create a revolving fund for the manufacturing departments of the State Prison at San Quentin and to appropriate money therefor," approved June 12, 1915, relating to the balance in the San Quentin Prison manufacturing revolving fund.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 951—An act making an appropriation for the purchase of property for State College at Chico.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 704—An act to add section 76 to the Agricultural Code and to repeal section 694da of the Political Code, relating to the State Agricultural Society contingent fund.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 502—An act to provide for leasing adequate facilities and service for the establishment and operation of a telephone-typewriter system of communication between counties and cities and counties of this State, to authorize the connection of this system with that of any adjacent State, and to make an appropriation therefor

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 372—An act to amend sections 3 and 9 of the Pharmacy Law of the State of California.

Committee Amendments to Senate Bill No. 372.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, as amended, after "4092", insert a comma and the following: "4132".

Amendment No. 2.

On page 2, line 41, of the printed bill, as amended, strike out "who shall have", and strike out all of line 42, and in line 43, strike out "a period of not less than one year".

Amendment No. 3.

On page 3, line 30, of the printed bill, as amended, strike out "the act cited in the title hereof", and insert in lieu thereof the following: "an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905,".

Amendment No. 4.

On page 4 of the printed bill, as amended, between lines 17 and 18, insert the following:

"SEC. 3.5. Section 4132 of the Business and Professions Code is hereby amended to read as follows:

4132. Registration as a licentiate in pharmacy, class one, shall be granted to any person, at least twenty-one years of age, who:

(a) Has passed a written examination before the board and to its satisfaction.

(b) Has had four years of pharmaceutical experience.

(c) Has graduated from a school or college of pharmacy or department of pharmacy of a university recognized by the board."

Amendment No. 5.

On page 5, line 3, of the printed bill, as amended, after "3", insert a comma and the following: "3.5".

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 133—An act to add Chapter 5, comprising sections 2000 to 2496, inclusive, to Division II and to add section 30003 to Division XXX of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted and repealing acts and parts of acts specified herein.

Committee Amendments to Senate Bill No. 133.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 27 to 32, inclusive, and insert in lieu thereof the following:

"2004. There is a Board of Osteopathic Examiners of the State of California, established by the Osteopathic Act, which enforces the provisions of this chapter relating to persons holding or applying for certificates issued by the Board of Osteopathic Examiners under the Osteopathic Act."

Amendment No. 2.

On page 29 of the printed bill, strike out lines 45 to 52, inclusive, and on page 30, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"Article 16. Provisions Inapplicable to the Board of Medical Examiners.

2490. The foregoing provisions of this chapter apply to the Board of Medical Examiners, and, so far as consistent with the Osteopathic Act, to the Board of Osteopathic Examiners. The provisions of this article are administered solely by the Board of Osteopathic Examiners."

Amendment No. 3.

On page 30, line 46, of the printed bill, after "certificate.", insert the folowing: "An applicant for a physician's and surgeon's certificate under the provisions of this section is exempt from the provisions of section 2325."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 186—An act relating to and imposing limitations on expenditures by counties, cities and counties, municipalities, dis-

tricts, and other political subdivisions under authority of section 20 of Article XI of the Constitution of the State.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 228—An act to amend section 788 of the Fish and Game Code, relating to crabs.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 930—An act to add section 461 to the Fish and Game Code, relating to prizes for game.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 321—An act to amend sections 15, 16, 43, 51, 52, 63, 65, 65b, 65c, 65d, 67, 76, 79, 95, 101, 108, and 109 of and to add sections 23a, 23b, and 113 to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System.

Committee Amendments to Senate Bill No. 321.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, after line 6, insert the following: "and, for the purpose of this act, any person in the employ of the university whose compensation, or at least that portion of such compensation which is provided by the university, is paid out of funds directly controlled by the university,".

Amendment No. 2.

On page 1, line 7, of the printed bill, as amended, after "all", insert the following: "other".

Amendment No. 3.

On page 2, line 41, of the printed bill, as amended, after "section", strike out "73", and insert in lieu thereof the following. "75".

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out lines 23 to 26, both inclusive, and insert in lieu thereof the following: "head of each office or department of the State and to the comptroller of the university the normal rate of contribution as provided in this act for each member in such office, department, or the university respectively. The head of each office or department of the State shall apply such rate of contribution to so much of the compensation of each member."

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out line 33, and insert in lieu thereof the following: "remitted to the board. The comptroller of the university shall apply the rate of contribution certified to him by the board to so much of the compensation of each member employed by the university as does not exceed four hundred sixteen dollars and sixty-six cents per month, and the contributions so determined shall be deducted by the comptroller of the university from the compensation of each such member; each such amount shall be remitted to the board and the comptroller of the university shall furnish to the board a copy of each and every salary roll and pay roll from which such amounts have been deducted. Each contribution deducted and remitted to the board shall be credited by the board,".

Amendment No. 6.

On page 8, line 20, of the printed bill, as amended, after "Education," insert the following: "and compensation paid from the funds of the university to members of the retirement system as employees of the university,".

Amendment No. 7.

On page 8, line 21, of the printed bill, as amended, after "fund", insert the following: "of the State".

Amendment No. 8.

On page 8, line 36, of the printed bill, as amended, after "under", strike out "sections 83 and 84", and insert in lieu thereof the following: "sections 83 to 84, inclusive".

Amendment No. 9.

On page 9, line 19, of the printed bill, as amended, strike out "chapter", and insert in lieu thereof the following: "act".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 222—An act to amend section 1 of an act entitled "An act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, relating to the revolving fund from the manufacture and sale of jute.

Committee Amendment to Senate Bill No. 222.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 13 to 24, inclusive, and insert in lieu thereof the following "and unfinished products inventory at cost, or both. Money received from the sale of jute products in San Quentin Prison shall be paid to the State Treasurer monthly and shall be credited to said revolving fund At such time as the State Board of Prison Directors or the Director of Finance decide that the balance in said revolving fund is greater than is necessary to carry out the purposes of this act, they, or he, shall so inform the State Controller and request a transfer of the unneeded balance from the said revolving fund to the general fund of the State of California. The Controller is authorized to transfer such balances upon the request of the Director of Finance or State Board of Prison Directors."

Amendment adopted

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 969—An act to amend an act of the Legislature of the State of California entitled "An act providing for the formation, government and operation of harbor districts, for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such district," approved April 20, 1927, as amended, by amending section 20 of said act, relating to the management and control of harbors created, developed and improved under the provisions of said act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 73—An act to amend section 3559 of the Harbors and Navigation Code, relating to the powers of the State Board of Harbor Commissioners for the bay of San Diego

Bill read second time, and ordered on third reading calendar

Senate Bill No. 1078—An act to add section 737.5a to the Agricultural Code, relating to persons purchasing milk.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 473—An act to amend sections 380.51, 380.52, 380.55 and 380.59 of the Agricultural Code, relating to live stock marks and brands

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 475—An act to amend sections 332, 336, 338, 341, 343, 350, 354, 362, 366, 367 and 377 of the Agricultural Code and to add sections 363.1, 363.2 and 363.3 thereto, relating to live stock marks and brands.

Committee Amendments to Senate Bill No. 475.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "354," and in line 3, after "362.2", strike out the comma, insert the word "and", and strike out "and 378.5".

Amendment No. 2.

On page 5, line 37, of the printed bill, after "shipment", insert a comma and the following: "must before slaughter, have such cattle reinspected by an inspector of the department, and ".

Amendment No. 3.

On page 6 of the printed bill, strike out lines 13 to 20, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 720—An act to amend sections 305 and 307 of the Agricultural Code, relating to slaughtering establishments and meat inspection.

Committee Amendments to Senate Bill No. 720.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", and making an appropriation"

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of line 12, following the period.

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out all of lines 13 and 14.

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out all of lines 21 to 26, inclusive.

Amendment No. 5.

On page 2, line 27, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "(c)".

Amendment No. 6.

On page 2 of the printed bill, as amended, immediately following line 46, insert the following:

"SEC. 3. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, and in addition to existing appropriations, the sum of $1,130,000 to be expended under the supervision of the Director of Agriculture in carrying out the provisions of Article 1, Chapter 1, Division III of the Agricultural Code. No portion of the sum appropriated by this act shall be expended in any county, city and county or city where approved meat inspection is now maintained, except for supervision by the director, unless an establishment shall elect in writing to the Director of Agriculture on or before January 1, 1938, to discontinue such municipal or county approved inspection service and assume State inspection service. If an establishment does not elect to assume State inspection on or before January 1, 1938, then it may not so elect to assume State inspection service until further money shall have been appropriated by the Legislature from the general fund to provide State inspection service in said establishment. State meat inspection service may be instituted in such an establishment requesting it, when such moneys have been made available to the Department of Agriculture to provide such State inspection service in said establishment. During the period that moneys are available for the conduct of State meat inspection service under the direction of the Director of Agriculture out of the moneys herein appropriated the provisions of section 312 of the Agricultural Code shall not apply"

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2229.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 851.
Assembly Bill No. 2179.
Assembly Bill No. 2809.
Assembly Bill No. 2835.
Assembly Bill No. 2893.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 51.
Assembly Concurrent Resolution No. 52.
Assembly Concurrent Resolution No. 54.
And reports the same correctly enrolled, and presented to the Governor on this fourteenth day of May, 1937, at twelve o'clock m.

CUNNINGHAM, Chairman.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred
Assembly Bill No. 1361.
Assembly Bill No. 1801.
Respectfully reports the same back with the recommendation: Do pass as amended.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 1801—An act making an appropriation to pay the claim of the General Accounting Officer of the Department of Finance against the State of California.

Committee Amendments to Assembly Bill No. 1801.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act making an appropriation to pay the claim of the Chief Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 24, inclusive, and insert in lieu thereof the following:

"SECTION 1. The sum of two hundred seventy-seven thousand three hundred four and 21/100 dollars ($277,304.21) is hereby appropriated to be paid as hereinafter described, to pay the claim of the Chief Accounting Officer of the Department of Finance against the State of California.

SEC. 2. The sum of two hundred seventy-seven thousand three hundred four and 21/100 dollars ($277,304.21) shall be paid as follows. $195.514 out of any money in the State Treasury not otherwise appropriated $18,753 09 out of any money in the alcohol beverage control fund in the State Treasury, $1.20 out of any money in the Barber Examiners' fund in the State Treasury; $125 out of any money in the clinical laboratory fund in the State Treasury; $8,180 out of any money in the Compensation Insurance Fund in the State Treasury, $9 out of any money in the contractors' license fund in the State Treasury; $1.25 out of any money in the Board of Cosmetology contingent fund in the State Treasury; $237.50 out of any money in the fair and exposition fund in the State Treasury; $3,293 65 out of any money in the fish and game preservation fund in the State Treasury; $7,975.76 out of any money in the motor vehicle fund in the State Treasury, $14,851 33 out of any money in the motor vehicle fuel fund in the State Treasury; $291 36 out of any money in the petroleum and gas fund in the State Treasury; $2,843 out of any money in the real estate fund in the State Treasury; $9,124 56 out of any money in the retail sales tax fund in the State Treasury, $753 84 out of any money in the San Francisco Harbor improvement fund in the State Treasury, $520.01 out of any money in the State Agricultural Society contingent fund in the State Treasury; $10,779 94 out of any money in the State highway fund in the State Treasury; $1,226 73 out of any money in the State park maintenance fund in the State Treasury; $605 42 out of any money in the State printing fund in the State Treasury; $66.07 out of any money in the State purchasing revolving fund in the State Treasury; $600 out of any money in the transportation rate fund in the State Treasury $520 out of any money in the

unemployment administration fund, employment service account, in the State Treasury, $1,031 50 out of any money in the unemployment fund in the State Treasury.

SEC. 3. Inasmuch as this act makes an appropriation for the usual current expenses of the State, it shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Motion to Set Assembly Bill No. 1455 as Special Order.

Mr Welsh moved that the consideration of Assembly Bill No. 1455 be made a special order of business for Friday, May 14, 1937, at two o'clock and thirty minutes p.m.

The roll was called, and Assembly Bill No. 1455 made a special order of business by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Flint, Gannon, Garibaldi, Garland, Gilbert, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Turner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—50.

NOES—Clark, Dilworth, Donnelly, Heisinger, Morgan, Peek, and Watson—7

Notice of Motion to Withdraw Senate Bill No. 5 from Committee.

Mr. Mayo gave notice, in compliance with Rule 58, that he would move to withdraw Senate Bill No. 5 from the Committee on Elections, and have it placed upon the calendar.

Consideration of Governor's Veto to Assembly Bill No. 1406.

Assembly Bill No. 1406—An act to amend sections 1 and 2 of an act entitled "An act establishing and standardizing the weight of loaves of bread and regulating the sale thereof," approved June 3, 1921, relating to weights of bread.

The question being put: Shall Assembly Bill No. 1406 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Dilworth, Hunt, Patterson, Pelletier, Reaves, and Richie—6

NOES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Peek, Peyser, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, Walker, Watson, Williamson, and Mr. Speaker—51

Consideration of Senate Amendments to Assembly Bills.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 9 of Article XIII of said Constitution, relating to State and county boards of equalization

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No 4?

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, after "Sec 9 (a)", insert the following:

"A State Board of Equalization, consisting of one member from each of the five Equalization Districts in this State, as said districts are defined in this section or may be redefined pursuant to this section, shall be elected by the qualified electors of their respective districts, as hereinafter provided

(b) The boards of supervisors of the several counties of the State shall constitute boards of equalization for their respective counties, and it shall be the duty of said boards of equalization to equalize the valuation of the taxable property in their respective counties for purposes of taxation. The county boards of equalization are hereby authorized and empowered, under such rules of notice as may be prescribed by law, to increase or lower the valuation of any property contained in the assessment rolls of their respective counties except such property as is assessed by the State Board of Equalization.

(c) The State Board of Equalization is hereby authorized and empowered, under such rules of notice as may be prescribed by law, to increase or lower the entire assessment roll of any county, except such property contained therein as is assessed by said board, so as to equalize the valuation of the taxable property assessed by county assessors with that assessed by the said board.

(d)".

Amendment No. 2.

On page 1, lines 9 and 10, of the printed bill, as amended, after "districts", insert "defined and constituted".

Amendment No. 3.

On page 1, line 11, of the printed bill, as amended, strike out "San Luis Obispo,".

Amendment No. 4.

On page 1, line 17, of the printed bill, as amended, after "Kern," insert San Luis Obispo,".

Amendment No. 5.

On page 2, line 1, of the printed bill, as amended, strike out "4".

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out all of lines 8 to 17, both inclusive, and insert in lieu thereof "(e)".

Amendment No. 7.

On page 2, line 38, of the printed bill, as amended, insert at the beginning of said line "(f)".

Amendment No. 8.

On page 2, line 41, of the printed bill, as amended, strike out the period after "herein", and add the following: ", may change the terms of office of the members of the State Board of Equalization and may provide for the staggering of such terms of office."

Amendment No. 9.

On page 2 of the printed bill, as amended, strike out all of lines 42 to 52, both inclusive, and on page 3, strike out all of lines 1 to 7, both inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Constitutional Amendment No. 4 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Assembly Constitutional Amendment No. 4 ordered to enrollment.

Assembly Constitutional Amendment No. 4.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 9 of Article XIII of said Constitution, relating to State and county boards of equalization.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its Fifty-second Regular Session, commencing on the fourth day of January, 1937, two-thirds of all the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 9 of Article XIII of the Constitution of said State be amended to read as follows:

Sec. 9. (a) A State Board of Equalization, consisting of one member from each of the five equalization districts in this State, as said districts are defined in this section or may be redefined pursuant to this section, shall be elected by the qualified electors of their respective districts, as hereinafter provided.

(b) The boards of supervisors of the several counties of the State shall constitute boards of equalization for their respective counties, and it shall be the duty of said boards of equalization to equalize the valuation of the taxable property in

their respective counties for purposes of taxation. The county boards of equalization are hereby authorized and empowered, under such rules of notice as may be prescribed by law, to increase or lower the valuation of any property contained in the assessment rolls of their respective counties except such property as is assessed by the State Board of Equalization.

(c) The State Board of Equalization is hereby authorized and empowered, under such rules of notice as may be prescribed by law, to increase or lower the entire assessment roll of any county, except such property contained therein as is assessed by said board, so as to equalize the valuation of the taxable property assessed by county assessors with that assessed by the said board.

(d) The State is divided into five equalization districts defined and constituted as follows:

(1) The counties of San Mateo, Santa Cruz, Santa Clara, San Benito, Monterey, and the City and County of San Francisco constitute the First Equalization District.

(2) The counties of Alameda, Contra Costa, San Joaquin, Sacramento, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, Kern, San Luis Obispo, Ventura, Santa Barbara, Inyo, Mono, Mariposa, Tuolumne, Calaveras, Amador, and Alpine constitute the Second Equalization District.

(3) The counties of Del Norte, Siskiyou, Modoc, Lassen, Shasta, Trinity, Humboldt, Mendocino, Tehama, Plumas, Sierra, Butte, Glenn, Lake, Colusa, Sutter, Yuba, Nevada, Placer, El Dorado, Yolo, Solano, Napa, Sonoma, and Marin constitute the Third Equalization District.

(4) The county of Los Angeles constitutes the Fourth Equalization District.

(5) The counties of San Diego, Imperial, Riverside, Orange and San Bernardino counties constitute the Fifth Equalization District.

(e) The terms of office of the members of the State Board of Equalization shall be for four years, commencing on the first Monday after the first day of January following their election, and shall continue until their successors have qualified. The members of the State Board of Equalization representing the present equalization districts shall continue in office until the end of their terms. The Governor shall appoint a board member from the fifth district who shall hold office until the next election by the people. In the event a vacancy occurs in the State Board of Equalization, the Governor shall appoint a board member from the equalization district in which the vacancy occurs. Any member so appointed shall hold office for the remainder of the unexpired term as prescribed herein.

(f) All of the provisions of this section are self-executing. The Legislature, two-thirds of all of the members elected to each of the two houses voting in favor thereof, may redefine the five equalization districts defined herein, may change the terms of office of the members of the State Board of Equalization, and may provide for the staggering of such terms of office.

Assembly Bill No. 455—An act to amend section 92 of the Agricultural Code, relating to county and district agricultural fairs.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 455?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 19 to 21, inclusive, and insert in lieu thereof the following: "one year in any county or district. The fact that a county or district contracts one with the other or with a county fair association, to".

Amendment No. 2.

On page 1, line 23, of the printed bill, as amended, after the word "appropriated", insert a comma and the following: "except that no county or district may hold a joint or combined fair and receive an allotment of money under the provision of this section."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 455 by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 455 ordered to enrollment.

Reconsideration of Assembly Bill No. 1472.

In compliance with a notice given on a previous day, Mr. Reaves moved that the vote whereby Assembly Bill No. 1472 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 1472 refused reconsideration by the following vote:

AYES—Burns, Michael J., Clark, Crowley, Dannenbrink, Garland, Kuchel, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Watson, Welsh, Yorty, and Mr. Speaker—19.

NOES—Baynham, Beene, Breed, Call, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donnelly, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—40.

Reconsideration of House Resolution No. 131.

In compliance with a notice given on a previous day, Mr. Patterson moved that the vote whereby House Resolution No. 131 was refused passage be reconsidered.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Patterson moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Burns, Michael J., Clark, Crowley, Cunningham, Donnelly, Gannon, Garland, Gilbert, Hawkins, Heisinger, King, Latham, Laughlin, Lyon, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Tenney, Thorp, Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—32.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Field, Garibaldi, Glick, Hornblower, Johnson, Kuchel, Maloney, Martin, Millington, Morgan, Muldoon, Peyser, Sawallisch, Sheehan, Stream, Walker, and Williamson—27.

Time, eleven o'clock and fifty-eight minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Temporary Suspension of the Rules by Unanimous Consent.

Mr. Lyon asked for and was granted unanimous consent to have the Rules temporarily suspended for the purpose of placing more than one bill on a call of the Assembly for the balance of the legislative day.

Motion to Withdraw Assembly Bill No. 248 from Committee.

In compliance with a notice given on a previous day, Mr. Patterson moved to withdraw Assembly Bill No. 248 from the Committee on Revenue and Taxation, and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Morgan, Dannenbrink, Cottrell, Dawson and Lyon demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Bill No. 248 from the Committee on Revenue and Taxation.

The roll was called, and the motion to withdraw lost by the following vote:

AYES—Donnelly, Gilbert, Heisinger, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Yorty—11.

NOES—Baynham, Beene, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Gannon, Garibaldi, Glick, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—46

Explanation of Vote.

At the time the motion to withdraw Assembly Bill No. 248 from Committee on Revenue and Taxation was being considered by the Assembly, I was present in the office of the Director of Public Works, Earl Lee Kelly, in company with supervisors from my district—conferring on matters affecting my district—and was unable to cast a vote upon this bill; had I been present in the Assembly Chamber I would have voted "No" on the motion.

CLINTON J. FULCHER.

Special Order Set for Consideration of Motion to Withdraw Senate Bill No. 57 from Committee.

On motion of Mr. Hornblower, the consideration of the motion to withdraw Senate Bill No. 57 from the Committee on Fish and Game was made a special order of business for Friday, May 14, 1937, at three o'clock and thirty minutes p.m.

Third Reading of Assembly Bills.

Assembly Constitutional Amendment No. 52—Proposed amendment to Article XI, section 5, of the Constitution, relative to the appointment and compensation of deputies of certain county officers.

Assembly Constitutional Amendment No. 52 read, and refused adoption by the following vote:

AYES—Beene, Burns, Michael J., Cottrell, Dilworth, Donnelly, Field, Hawkins, Kepple, Lyon, Miller, Eleanor; Patterson, Pelletier, Redwine, Robertson, Sawallisch, Stream, Walker, Weber, and Yorty—19.

NOES—Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Leonard, Maloney, Martin, Meehan, Miller, George P., Millington, Peek, Reaves, Richie, Rosenthal, Scudder, Sheehan, Thorp, Turner, Voigt, Watson, Williamson, and Mr. Speaker—39.

Motion to Withdraw Assembly Bill No. 2792 from Committee.

On motion of Mr. Lyon, Assembly Bill No. 2792 was withdrawn from the Committee on Ways and Means, and placed upon the calendar, by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—65

NOES—None.

Further Proceedings Under Call of the Assembly Dispensed With.

At twelve o'clock and thirty minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Patterson.

The roll of absentees was called, and House Resolution No. 131 refused reconsideration by the following vote:

AYES—Burns, Michael J., Clark, Crowley, Dannenbrink, Dawson, Donnelly, Flint, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hunt, King, McMurray, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Weber, Welsh, Yorty, and Mr. Speaker—31.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Cunningham, Daley, Desmond, Dilworth, Field, Garibaldi, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Lyon, Maloney, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Scudder, Sheehan, Stream, Walker, Watson, and Williamson—35.

Recess.

At twelve o'clock and thirty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p. m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 2861.
Assembly Bill No. 252.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Consideration of Senate Amendment to Assembly Bill No. 252.

Assembly Bill No. 252—An act to provide for the acquisition of land and the construction and equipment of buildings, offices and facilities for officers, boards, commissions and State agencies supported from sources other than the general fund, declaring the urgency thereof and providing that it shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 252?

Amendment No. 1.

On page 2, line 32, of the printed bill, as amended, after the word "guests", strike out the comma and the balance of said line 32, and the words "school children" in line 33, and insert in lieu thereof the words "and others"

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr. Levey moved a call of the Assembly.

Motion carried.

Time, two o'clock and ten minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Garibaldi, Glick, Hornblower, Hunt, Johnson, Kepple, King, Levey, Maloney, Martin, McMurray, Meehan, Miller,

George P., Millington, Morgan, Patterson, Peek, Reaves, Redwine, Robertson, Sawallisch, Stream, Tenney, Turner, Walker, Watson, Welsh, and Mr. Speaker—39

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Consideration of Senate Amendments to Assembly Bill No. 2861.

Assembly Bill No. 2861—An act providing for the acquisition of lands for, and the construction, maintenance and operation of buildings at the Pacific Exposition and Mercado to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition and Mercado, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2861?

Amendment No. 1.

On page 1, line 2, of the printed bill, strike out the word "five", and insert "twenty-one".

Amendment No. 2.

On page 1, lines 6 and 7, of the printed bill, strike out the comma and the words "and the remainder from residents of Los Angeles County"

Amendment No. 3.

On page 2, line 27, of the printed bill, following the period, insert the following sentence: "The Director of Finance is authorized to make an audit of the transactions of the commission as in his judgment seems desirable."

Amendment No. 4.

On page 2, line 38, of the printed bill, following the word "act", strike out the comma and the words "including the acquisition of lands for".

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Boyle moved a call of the Assembly.

Motion carried.

Time, two o'clock and fifteen minutes p.m.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Flint, Gannon, Garibaldi, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Levey, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Reaves, Redwine, Sawallisch, Stream, Tenney, Turner, Walker, Watson, Yorty, and Mr. Speaker—45

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following.

Senate Concurrent Resolution No. 37.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Joint Resolution No. 22—Relative to memorializing the President and the Congress of the United States to acquire the Petrified Redwood Forest in Sonoma County, as a permanent National monument.

J. A BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 22, at this time, without reference to committee or calendar.

Consideration of Senate Joint Resolution No. 22.

Senate Joint Resolution No. 22—Relative to memorializing the President and the Congress of the United States to acquire the Petrified Redwood Forest in Sonoma County, as a permanent National monument.

Senate Joint Resolution No 22 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Gannon, Garibaldi, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Reaves, Redwine, Robertson, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Watson, Yorty, and Mr. Speaker—47.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2150—An act to add a new article to Chapter 1, Part 1, Division II, of the Labor Code to be known as Article 3, relating to farm labor contractors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Senate Amendment to Assembly Bill No. 252 Dispensed With.

At two o'clock and twenty minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Levey

The roll of absentees was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 252 by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 252 ordered to enrollment.

Further Proceedings Under Call of the Assembly on Senate Amendments to Assembly Bill No. 2861 Dispensed With.

At two o'clock and twenty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Boyle.

The roll of absentees was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2861 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—69.

NOES—None.

Assembly Bill No 2861 ordered to enrollment.

Leaves of Absence.

Mr. Peyser was granted leave of absence for the balance of this legislative day, on motion of Mr. Cronin.

Mr. Beene was granted leave of absence for the balance of this legislative day, on motion of Mr. Cottrell.

Special Order.

The hour of two o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Motion to Withdraw Senate Bill No. 519 from Committee.

In compliance with a notice given on a previous day, Mr. Redwine moved to withdraw Senate Bill No. 519 from the Committee on Fish and Game, and have it placed upon the calendar.

Demand for Previous Question.

Messrs Garibaldi, Glick, Muldoon, Morgan and Reaves demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Senate Bill No. 519.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Redwine moved a call of the Assembly.

Motion carried by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Cassidy, Clark, Daley, Dilworth, Domhue, Donnelly, Field, Fulcher, Garland, Johnson, Kepple, Kuchel, Latham, Martin, McMurray, Miller, Eleanor; Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Robertson, Sawallisch, Scudder, Tenney, Thorp, Walker, Watson, and Mr. Speaker—33.

NOES—Andreas, Baynham, Burns, Hugh M., Call, Cronin, Crowley, Dannenbrink, Dawson, Flint, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Lyon, Maloney, Meehan, Miller, George P., Millington, Morgan, Reaves, Richie, Rosenthal, Sheehan, Stream, Turner, Voigt, Weber, and Yorty—32

Time, four o'clock and eleven minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty and Mr Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Hon. Thomas A. Maloney in the Chair.

At four o'clock and twenty minutes p m, Hon. Thomas A. Maloney, Member of the Assembly from the Twentieth District, in the chair.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Concurrent Resolution No. 57: By Messrs. Weber, and Clark—Relative to labor relations legislation.

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 57, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 57.

Assembly Concurrent Resolution No. 57—Relative to labor relations legislation.

The Speaker in the Chair.

At four o'clock and twenty-five minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Demand for Previous Question.

Messrs. Hunt, Dannenbrink, Cottrell, Morgan and Sawallisch demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 57.

The roll was called, and Assembly Concurrent Resolution No. 57 adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—Pelletier—1.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At four o'clock and thirty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Redwine.

The roll of absentees was called, and the motion to withdraw Senate Bill No 519 from committee lost by the following vote.

AYES—Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cunningham, Daley, Dilworth, Donnelly, Field, Garland, Kepple, Kuchel, Latham, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Robertson, Sawallisch, Scudder, Turner, Walker, Watson, and Mr. Speaker—31.

NOES—Andreas, Baynham, Boyle, Breed, Call, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donahue, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Laughlin, Levey, Lyon, Maloney, Meehan, Miller, George P., O'Donnell, Reaves, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Voigt, Weber, Welsh, Williamson, and Yorty—41

Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up for consideration

Consideration of Assembly Bill No. 1455.

Assembly Bill No. 1455—An act authorizing the Director of Finance, upon behalf of the State, to prospect for, drill for, develop, extract, take and remove or dispose of, and to grant leases and easements for taking or extraction of, oil, gas or other hydrocarbons, or other minerals, of whatsoever kind, within and from certain lands belonging to the State; to acquire by purchase, eminent domain or otherwise, real property or interests therein necessary for the purposes of this act; providing for the disposition of all funds received pursuant to the provisions hereof; repealing all acts or parts of acts inconsistent or in conflict with this act, and making an appropriation for the purpose of carrying out the provisions of this act.

Bill read third time.

Motion to Amend Assembly Bill No. 1455.

Mr. Yorty moved to amend Assembly Bill No. 1455 as follows:

Amendment No. 1.

On page 2 of the printed bill, strike out all of lines 6 to 32, inclusive, and strike out all of pages 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, and insert in lieu thereof the following:

"SEC. 2. Said lands are hereby granted to the Standard Oil Company of California for their development and the production of the oil and gas contained therein in such manner as said company shall determine shall be for its best interests

SEC. 3 The Director of Finance is authorized to accept from said Standard Oil Company of California such part of the production of oil, gas and other hydrocarbon substances from said land that said company deem advisable and for the best interests of its stockholders."

Amendment withdrawn

Demand for Previous Question.

Messrs Burns, Hugh M., Dannenbrink, Call, Morgan and Cottrell demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the passage of Assembly Bill No 1455

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr Welsh moved a call of the Assembly

Motion carried by the following vote

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Field, Fulcher, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Patterson, Reaves, Richie, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—48.

NOES—Daley, Donnelly, Garland, Heisinger, Pelletier, Tenney, and Voigt—7.

Time, five o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Special Order Set for Assembly Bill No. 50.

On motion of Mr. Heisinger, the consideration of Assembly Bill No. 50 was made a special order of business for Friday, May 14, 1937, at ten o'clock p.m.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 14, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 602**, the same being:

"An act to amend the Political Code by adding thereto a new section to be numbered 4049.5, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes."

Assembly Bill No. 602 permits advertising by newspapers, radio, billboards and otherwise, for promoting the prompt payment of taxes. This would add another expense, of doubtful value, to the taxpayers' burden. What the taxpayer needs is a reduction of public expenses which would insure a reduction in taxes, and a way to secure funds for the payment of taxes, rather than further information regarding their collection.

For the above reasons, I am returning Assembly Bill No. 602 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 602 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 14, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 2547**, the same being:

"An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn."

In 1935 the Legislature passed a bill which was approved, and which prohibited the use of "fresh" trout roe or spawn for the taking of any fish. Some anglers have been able to avoid this provision, enacted in 1935, by treating the roe or spawn and then claiming it was not "fresh".

Assembly Bill No. 2547 was originally introduced to eliminate the word "fresh" However, the bill was amended opening Districts 1½, 2, 2½ and 3 to the use of trout roe or spawn.

Believing the law should apply alike to all districts in the State, and that the exemption of certain districts from the prohibition of the present law would make much more difficult the enforcement of the law, I am withholding approval of Assembly Bill No. 2547.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 2547 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 14, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval **Assembly Bill No. 481,** the same being:

"An act to amend section 17 of the Inheritance Tax Act of 1935, relating to inheritance taxation."

Under the present law whenever an Inheritance Tax Appraiser is called upon to appraise an estate, and finds there is no taxable estate, the law provides for only a nominal fee for the appraiser. The proposed law would require the payment of a regular statutory fee to the appraiser, even though there is no tax to be paid.

This is, in my opinion, unfair, as the appraiser should determine first whether there is to be a tax paid, and if none is to be paid no appraisal should be necessary The present law provides for the fixing of such fee as a court deems reasonable, and this in my opinion is as it should be.

For the above reasons, I am refusing approval of Assembly Bill No. 481.

Respectfully submitted

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 481 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 14, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 906,** the same being:

"An act to amend section 23 of the District Investigation Act of 1933 so as to exclude sanitary districts, county sanitation districts, fire protection, local health, garbage disposal and county fire protection districts from the operation of said act."

Assembly Bill No 906 would exclude from the District Investigation Act of 1933, fire protection, sanitary, local health, county fire protection, county sanitation and garbage disposal districts. The present law provides for a preliminary investigation and report and hearing, and also provides certain restrictions and limitations, together with opportunity for protest by the owners of a majority of the property subject to assessment.

Believing that the District Investigation Act, the same being Chapter 806 of the statutes enacted by the Legislature of 1933 offers a proper and uniform procedure, and a protection against hasty and ill advised formation of such organizations, I am returning Assembly Bill No. 906 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 906 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 14, 1937.

To the Honorable Members of the Assembly

I am returning herewith without my approval, **Assembly Bill No. 2398,** the same being.

"An act to amend the title of, and to add sections 2.2, 2.3, 2.4, 2.5 and 4 to, an act entitled "An act authorizing any city, city and county, county, town, municipality or political subdivision to acquire certain liens on property offered for sale for the nonpayment of certain assessments," approved June 4, 1915, relating to authorizing cities, counties, cities and counties and other political subdivisions to sell and otherwise dispose of real property acquired on tax sales."

The present law relates to disposal by political subdivisions of liens or property offered for sale for the nonpayment of certain assessments. The present law provides for the sale of such liens or property only for the full amount of the lien, except after notice has been given and no sale can be made, then the legislative body of the political subdivision may sell the property for the best price obtainable

Assembly Bill No. 2398 would permit each legislative body of a political subdivision to provide its own method of procedure and conditions and terms of sale, with no right to redeem the property from its delinquency after the consummation

of the sale The present law provides uniformity of procedure, and offers a certain protection which this bill would delete

It is my belief that the present law provides ample authority whereby the legislative body may dispose of liens or property, and the proposed law is unnecessary and inadvisable.

For the above reasons, I am returning Assembly Bill No. 2398 without my approval.

Respectfully submitted

FRANK F MERRIAM, Governor of California.

Assembly Bill No 2398 ordered on unfinished business calendar.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 586.
Assembly Bill No. 2124.
Assembly Bill No. 2877.
Assembly Bill No. 2892.

And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 174.
Assembly Bill No. 863.
Assembly Bill No. 1427.
Assembly Bill No. 1670.
Assembly Bill No. 1876.
Assembly Bill No. 2084.
Assembly Bill No. 2407.
Assembly Bill No. 2548.
Assembly Bill No. 2584.
Assembly Bill No. 2671.
Assembly Bill No. 2699.

And reports the same correctly re-engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER. Your Committee on Medical and Dental Laws, to which was referred:

Senate Bill No. 118.

Respectfully reports the same back with the recommendation: Do pass

CRONIN, Chairman.

The above reported bill ordered on second reading calendar

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR SPEAKER Your Committee on Civil Service, to which was referred.

Assembly Bill No. 2365.

Respectfully reports the same back with the recommendation. Do pass as amended.

CROWLEY, Chairman.

The above reported bill ordered on second reading calendar

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER Your Committee on Elections, to which was referred:

Assembly Bill No. 316.

Respectfully reports the same back with the recommendation Do pass as amended

GILBERT, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 1924.

Respectfully reports the same back with the recommendation: Do pass as amended

MORGAN, Chairman pro tem

The above reported bill ordered on second reading calendar.

On Elections

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER: Your Committee on Elections, to which was referred:

Senate Bill No. 633.

Respectfully reports the same back with the recommendation: Do pass.

GILBERT, Chairman.

The above reported bill ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR SPEAKER: Your Committee on Insurance, to which was referred:

Senate Bill No. 456.

Senate Bill No. 466.

Respectfully reports the same back with the recommendation: Do pass.

SAWALLISCH, Chairman

The above reported bills ordered on second reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 880.

Assembly Bill No. 1859.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 802—An act to amend section 373g of and to add sections 373g1 and 373g2 to the Political Code, relating to the Department of Natural Resources;

Senate Bill No. 304—An act to repeal an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935, relating to highway carriers;

Senate Bill No. 461—An act to amend section 1640 of the Insurance Code and to add Chapter 7, comprising sections 1800 to 1815, to Part 2, Division 1, of said code, all relating to bail licenses;

Senate Bill No. 585—An act to amend section 1 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years," etc., approved June 5, 1915, Statutes 1915, p. 1225, being also known as Act 5966 of Title 290, pages 2074-5, Volume Two, General Laws of 1931, and known as the "Juvenile Court Law;"

Senate Bill No. 607—An act to amend section 4041d of the Political Code, relating to the care, treatment, transportation, and physical rehabilitation of physically defective and handicapped persons.

Senate Bill No. 682—An act to amend the Central Valley Project Act of 1933, by amending section 3, relating to the construction of said act and section 4, relating to project units;

Senate Bill No. 683—An act to amend the Central Valley Project Act of 1933, by amending section 20, relating to use of money appropriated by said act and to registration of bonds, and section 21, relating to use of money appropriated by said act;

Senate Bill No. 685—An act to amend section 12 of the Central Valley Project Act of 1933, relating to acquisition of property by eminent domain and sale or lease of property no longer needed for the purposes of said act;

Senate Bill No. 880—An act making an appropriation for the support of the Agricultural Prorate Commission, and declaring the urgency thereof

Senate Bill No. 972—An act to amend sections 1, 3, 4, 6, 7, 8, 10, 12, 13, 14 and 15 to add sections 11½, 13½, 13¾, 14½, 14¾, 20½, 20⅝ and 21½, and to repeal section 9 of the Highway Carriers' Act, relative to the use of public highways for commercial purposes by motor vehicles;

Senate Bill No. 1068—An act to amend sections 5, 6, 7, 8, 9, 11, 12, 13 and 14 of, and to add sections 9½, 12¾, 13½, 13.15, 13¾ and 19¼ to the City Carriers' Act.

Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding thereto a new article to be numbered XXVI, embracing sections 1 to 4, inclusive, relating to motor vehicle taxation and revenues.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bill No. 802 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 304 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 461 read first time and referred to Committee on Insurance.

Senate Bill No. 585 read first time, and referred to Committee on Judiciary General.

Senate Bill No. 607 read first time, and referred to Committee on Social Service and Welfare.

Senate Bill No. 682 read first time, and referred to Committee on Conservation.

Senate Bill No. 683 read first time, and referred to Committee on Conservation.

Senate Bill No. 685 read first time, and referred to Committee on Conservation.

Senate Bill No. 880 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 972 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 1068 read first time, and referred to Committee on Motor Vehicles.

Senate Constitutional Amendment No. 28 referred to Committee on Constitutional Amendments.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 53—An act to amend section 1195a of, and to add a new section to be numbered 1195c to, the Political Code, relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors.

Motion to Amend Assembly Bill No. 53.

Mr. King moved to amend Assembly Bill No. 53 as follows:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "section 1195a of, and to add a new section to be numbered 1195c", and insert in lieu thereof the following: "sections 1195a and 1197 of, and to add sections 1195c, 1197.01, and 1197.25".

Amendment No. 2.

On page 2 of the printed bill, following line 43, add the following:

SEC. 3. Section 1197 of the Political Code is hereby amended to read as follows:

1197. 1. There shall be provided at each polling place, at each election at which public officers are voted for, but one form of ballot for all the candidates for public office, and every ballot shall contain the names of all the candidates, whose nominations for any office specified on the ballot have been duly made and not withdrawn, except those candidates for electors for President and Vice President of the United States who have either been nominated by the respective State conventions of their political parties or who have designated the names of those candidates for President and Vice President of the United States for whom they pledged themselves to vote in conformity with section 1188.5 of this code, as provided by law together with the title of the office arranged to conform as nearly as practicable to the plan hereinafter set forth.

2. The order in which the list of offices shall appear on the ballot shall, as to State offices and district offices, when the district includes more than one county, be determined by the Secretary of State, and shall as nearly as may be practicable be the same for all counties. The order in which the list of county offices or district offices embracing one county or less, shall appear on the ballot, shall be determined by the county clerk.

The order in which the list of candidates for any office shall appear upon the ballot shall be determined as follows:

The name of the incumbent shall appear first upon a list of all candidates for any office and if two or more positions are to be filled at the same time and more than one incumbent is running, the name of each of the incumbents shall appear in alphabetical order for that Assembly District which is lowest in numerical order of any Assembly Districts in which such candidates are to be voted on; and thereafter for each succeeding Assembly District in which such candidates are to be voted on the name appearing first for such office in the last preceding district shall be placed last, the order of the other names remaining unchanged.

The names of all other candidates for election for any office shall appear subsequent to the names of all incumbents and shall be determined in the following manner:

(a) If the office is an office the candidates for which are to be voted on throughout the entire State, including United States Senator in Congress, the Secretary of State shall arrange the names of all candidates for such office in alphabetical order for the First Assembly District; and thereafter for each succeeding Assembly District, the name appearing first for each office in the last preceding district shall be placed last, the order of the other names remaining unchanged; provided, however, that the names of those candidates for the office of Electors for President and Vice President who have either been nominated by the State conventions of their respective political parties or who have designated the names of the candidates for whom they pledged themselves to vote in accordance with section 1188-5 of this code, shall not appear upon the ballot. In lieu thereof, the names of the candidates of their respective parties for President and Vice President of the United States shall be printed together in pairs upon the ballot under the title, "Presidential Electors." The Secretary of State shall arrange such pairs for the First Assembly District in the alphabetical order of the names of the candidates for President and, thereafter for each succeeding Assembly District, the other pair appearing first shall be placed last, the order of the pairs remaining unchanged.

At the right of the names of the candidates for President and Vice President of each party shall be printed their party name or political appellation. At the right of such party name or appellation there shall be a square of sufficient size for the stamping of a cross (+). Every (+) stamped within such square shall be counted as a vote for each candidate for Presidential Electors of such party.

If the office is that of Representative in Congress, or is an office the candidates for nomination to which are to be voted on in more than one county or city and county, but not throughout the entire State, except the office of State Senator or Assemblyman, the Secretary of State shall arrange the names of all candidates for such office in alphabetical order for that Assembly District which is lowest in numerical order of any Assembly District in which such candidates are to be voted on; and thereafter for each succeeding Assembly District in which such candidates are to be voted on the name appearing first for such office in the last preceding district shall be placed last, the order of the other names remaining unchanged.

In certifying to each county clerk or registrar of voters the list of names as required in section 23 of the Primary Election Law, the Secretary of State shall certify and transmit the list of candidates for each office according to Assembly Districts, in the order of arrangement as determined by the above provisions; and in the case of each county or city and county containing more than one Assembly District, he shall transmit separate lists for each Assembly District. Except for the office of State Senator or Assemblyman, the order in which the names so certified shall appear upon the ballot, shall be for each Assembly District the order as determined by the Secretary of State in accordance with the above provisions, and as certified and transmitted by him to each county clerk or registrar of voters.

(b) If the office is an office to be voted on wholly within one county or city and county, except the office of Representative in Congress or State Senator or Assemblyman, the county clerk of such county or the registrar of voters of such city and county, shall arrange the names of all candidates for such office in alphabetical order, which order shall be the order of names upon the ballots; provided, there is no more than one Assembly District in such county or city and county. If there is more than one Assembly District in such county or city and county, the county clerk or registrar of voters shall so arrange on the ballot the order of names of all candidates for such office that they shall appear in alphabetical order for that Assembly District in such county, or city and county, which is lowest in numerical order, and thereafter for each succeeding Assembly District in such county, or city

and county, the name appearing first for each office in the last preceding Assembly District shall be placed last, the order of the other names remaining unchanged

(c) If the office is that of State Senator or Assemblyman, the names of all candidates for such office shall be placed upon the ballot in alphabetical order

(d) If the office is a municipal office in any city or town whose charter does not provide for the order in which names shall appear on the ballot, the names of candidates for such office shall be placed upon the ballot in alphabetical order.

If the nomination of a candidate for any office shall be made by petition, filed within the time and manner provided by law, but subsequent to the determination of the order in which names of candidates shall appear on the ballot, the name of such candidates with the word "Independent" printed to the right thereof, shall be placed on the ballot next below the names of the other candidates for the same office; provided, however, that in the case of judicial officers and school officers the word "Independent" shall be omitted.

3. The order in which all questions and propositions (including proposed laws and constitutional amendments), which are to be submitted to the vote of the electors, shall appear upon the ballot shall be determined by the Secretary of State The Attorney General shall provide and return to the Secretary of State a ballot title or designation by which all such questions, propositions, proposed laws and constitutional amendments shall be designated upon the ballot, provided, however, any person who is interested in any question, proposition, proposed law or constitutional amendment, the petition as to which is being circulated for the purpose of having the same submitted under an initiative petition, as provided in section 1 of Article IV of the Constitution, to a vote of the electors, or any proposed constitutional amendment to be submitted to a vote of the electors, may at any time prior to one hundred thirty days before the election at which such question, proposition, proposed law or constitutional amendment is to be submitted to a vote of the electors, file a copy of said question, proposition, proposed law or proposed constitutional amendment with the Secretary of State, together with a request that a ballot title be prepared for the same, such request shall be accompanied with the address of the person or association of persons proposing such measure. The Secretary of State shall forthwith transmit a copy of said question, proposition, proposed law or constitutional amendment to the Attorney General. Within ten days after the same is filed with him, said Attorney General shall provide and return to the Secretary of State a ballot title for said measure. The ballot title may be distinguished from the legislative or other title of the measure and shall express in not exceeding one hundred words, the purpose of the measure. In making such ballot title, the Attorney General shall give a true and impartial statement of the purpose of the measure and in such language that the ballot title shall not be an argument or likely to create prejudice either for or against the measure. Immediately upon receipt of the ballot title as prepared by the Attorney General, the Secretary of State shall mail to any and all persons who may have requested the preparation of such ballot title, a notice addressed to such person or persons at the address accompanying such request, stating that the Attorney General has made and returned such ballot title, which notice shall also contain a copy of the ballot title as prepared by the Attorney General. Any person who is dissatisfied with the ballot title prepared by the Attorney General for any such question, proposition, proposed law or constitutional amendment may, after the same has been returned to the Secretary of State, as hereinbefore provided, and within ten days after said notice shall have been mailed by the Secretary of State, as above provided, file in writing with the Secretary of State his objections, who shall forthwith file a copy of such question, proposition, proposed law or constitutional amendment, together with the title thereof as so prepared by the Attorney General and the said objections thereto, with the Board of Title Commissioners, which board shall consist of the three justices of the District Court of Appeal of the State of California, in and for the Third Appellate District, who shall be ex officio Title Commissioners for the purposes of this act and which board is hereby created; said board shall fix a time at which any person may be heard either for or against the objection so made and shall notify all persons of the time so set and thereupon said Board of Title Commissioners shall proceed to consider the said title prepared by the Attorney General and the objections filed thereto, and shall prepare a title by which such question, proposition, proposed law or constitutional amendment shall be designated upon the ballot. Said title commissioners shall certify the said designation to the Secretary of State within ten days after said written objections have been received by them. The determination by the said Board of Title Commissioners shall be final and conclusive. Such questions, propositions, proposed law and constitutional amendments shall be designated on the ballot by the said ballot title certified to the Secretary of State by the said Attorney General, or in case a different title has been prepared, certified and filed by the said Board of Title Commissioners, then such title shall be the title and designation by which any such question, proposition, proposed law or constitutional amendment shall be designated upon the ballot.

4. All ballots shall be not to exceed twenty-four inches in length, and shall be three inches in width, and as many times such width as may be necessary to contain all of the names which are to be printed upon the ballots, with proper blank spaces to allow the voter to write in names not printed on the ballot, and also a separate column or columns of sufficient width for statements of all questions, propositions or constitutional amendments submitted to vote of the electors. Each group of candidates to be voted on shall be headed by the designation of the office and the words "Vote for One" or "Vote for Two" or more, according to the number to be elected to such office; such designation of the office and of the number of candidates to be voted for shall be printed in heavy-faced gothic type not smaller than ten-point. The word or words designating the office shall be printed flush with the left-hand margin and the words "Vote for One" or "Vote for Two" or more, as the case may be, shall extend to the extreme right of the column and over the voting square. The designation of the office and the directions for voting shall be separated from the names of the candidates by a light line. The names of the candidates for such office shall be printed in eight-point roman type (capitals) in proper order below the designation of the office, and in the same line in which the name of the candidate is printed and at the right of the name, or immediately below the name if there shall not be sufficient space to the right thereof, shall be printed in eight-point roman type (lower-case) the designation of the political party or parties, which shall not be abbreviated, by or on behalf of which such candidate has been nominated, the first political party so designated being the party with which such candidate was affiliated on the date his nomination papers were filed as ascertained by the Secretary of State from the affidavit of registration of such candidate in the office of the county clerk in the county in which such candidate resides; provided, that when a candidate has been nominated by petition, the word "Independent," shall be printed to the right of his name; and provided also that as to candidates for judicial offices, and school offices the designation of the political party or parties, or the word "Independent," if there be an independent candidate, shall be omitted. The name of the candidate and the designation of the political party or parties by which he has been nominated shall be printed in a space three-eighths of an inch in depth, and shall be defined by light horizontal ruled lines, with a blank space on the right thereof three-eighths of an inch square, which blank space (called the voting square) shall be made use of by the voter to designate, by stamping a cross (+) therein and after the name of the candidate, his choice of particular candidates.

All of the provisions of this section relating to the form and size of ballot including the size of the type thereon, are mandatory. Any officer whose duty it is to supply such ballots who fails to supply ballots in compliance with such provisions shall be guilty of a misdemeanor.

5. The names of the candidates for an office shall not be separated from each other on the ballot by names of candidates for any other office, and the list of candidates for each office shall be separated from the lists of candidates for other offices by a double rule, above and below such list. Each series of the lists of candidates for the several offices shall be headed by the word "State," "Congressional," "Legislative," "County," or "Municipal" or other proper general classification, as the case may be, printed in heavy-faced gothic capital type, not smaller than twelve-point, each such word being separated from the names of the candidates beneath by a three-point line.

Immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designations:

a. Words designating the city, county, district or State office which the candidate then holds.

b. If the candidate be a candidate for the same office which he then holds, the word "incumbent."

c. The word designating the profession, vocation or occupation of the candidate. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of such candidate, provided, however, the word "incumbent" shall be used only under subsection b hereof.

In all cases words so used shall be printed in eight-point roman bold-face capitals and lower-case type.

6. The left-hand side of each column of names on the ballot, and also the right-hand side of each column of voting squares, shall be bordered by a broad printed line one-twelfth of an inch wide. The ballot shall be so printed as to give each voter a clear opportunity to designate, by stamping a cross (+) in a blank enclosed space hereinbefore designated as the voting square on the right of and after the name of each candidate whose name is printed on the ballot his choice of particular candidates, or his choice of each and all of a group of candidates as provided in subdivision 2 of this section. The binding or stitching of each package of ballots shall be on the left side thereof. The ballot shall be printed on the same leaf with a stub not over one and one-half inches in width and separated therefrom by a perforated line from top to bottom, one-half inch to the left of the broad

printed line along the left border of the ballot. Upon this stub shall be printed the number of the ballot only. On each ballot a perforated line shall extend across the top of the ballot one inch from the top thereof. The same number as appears on the stub shall be printed above said perforated line within two inches of the perforated line on the left-hand side of the ballot, and above this number shall be printed in parenthesis, in small type, as follows: (This number is to be torn off by inspector); and one-half inch to the right of this ballot number there shall be a short perforated line extended from the perforated line along the top of the ballot to the top edge of the ballot. Immediately above said perforated line shall be printed in black-face lower-case type at least twelve-point in size, and enclosed in a parenthesis, the following, ("Fold ballot to this perforated line, leaving top margin exposed.") Above this printed direction, and midway between it and the top edge of the ballot, shall be printed in black-face capital type at least twelve-point in size, and, with the four middle words underlined or otherwise made prominent, the following: "MARK CROSSES (+) ON BALLOT ONLY WITH RUBBER STAMP; NEVER WITH PEN OR PENCIL." The number on each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county. All ballots printed by county clerks or registrars of voters other than the separate ballots containing the names only of candidates for city and county offices, printed by the county clerks or registrars of voters of consolidated cities and counties, shall have printed immediately below the perforated line along the top of the ballot, and above the instructions to voters, the words in capital type at least twelve-point in size the words "GENERAL TICKET," followed by the respective number of the Congressional, Senatorial, and Assembly District in which the ballot is to be voted; and all ballots printed by county clerks or registrars of voters of consolidated cities and counties containing the names of city and county offices, and also all ballots printed by the clerk, registrar of voters, or secretary of a legislative body of any incorporated city or town, shall have printed in the same manner below the perforated line the words "MUNICIPAL TICKET." All municipal ballots shall be printed upon paper of a different tint from that of the general ballot.

7. All of the ballots of the same sort prepared by any county clerk or registrar of voters, or clerk or secretary of a legislative body, or other person having charge of the preparing of such ballots, for the same polling place, shall be precisely the same size, arrangement, quality and tint of paper, and kind of type, and shall be printed with black ink of the same tint, so that without the numbers on the stubs it shall be impossible to distinguish any one of the ballots from the other ballots of the same sort; and the names of all candidates printed upon the ballot shall be in type of the same size and character.

8. If two or more officers are to be elected for the same office for different terms, the terms for which each candidate for such office is nominated shall be printed on the ballot as a part of the title of the office. If at a general election an office is to be filled for a full term, and also for a vacancy in another term the list of candidates for the full term shall be placed on the ballot under the designation of the office with the words "Full Term" printed immediately thereafter, and the list of candidates to fill the vacancy shall be placed on the ballot under the designation of the office with the words "Short Term" printed immediately thereafter.

9. Whenever any question, proposition or constitutional amendment is to be submitted to the vote of the electors, there shall be printed at the right of the last column of names of candidates, another column, or columns of sufficient width, with voting squares, in which such question, proposition or constitutional amendment shall be designated, which designation shall consist of a statement prepared as herein provided for, and opposite such question, proposition or constitutional amendment to be voted on, in separate lines, the words "Yes" and "No" shall be printed. If an elector shall stamp a cross (+) in the voting square after the printed word "Yes," his vote shall be counted in favor of the adoption of the question, proposition or constitutional amendment; if he shall stamp a cross (+) after the printed word "No," his vote shall be counted against the adoption of the same.

10. On the top of the face of the ballot the following directions shall be printed

INSTRUCTIONS TO VOTERS.

To vote for a candidate of your selection, stamp a cross (+) in the voting square next to the right of the name of such candidate. Where two or more candidates for the same office are to be elected, stamp a cross (+) after the names of all the candidates for that office for whom you desire to vote, not to exceed, however, the number of candidates who are to be elected. To vote for a person not on the ballot, write the name of such person under the title of the office in the blank space left for that purpose.

To vote on any question, proposition or constitutional amendment, stamp a cross (+) in the voting square after the word "Yes" or after the word "No." All marks, except the cross (+) are forbidden. All distinguishing marks or erasures are forbidden and make the ballot void.

In elections when electors of President and Vice President of the United States are to be chosen, there shall be placed upon the ballot in addition to the instructions to voters as above provided, an additional instruction as follows: "To vote for all of the electors of a party, stamp a cross (+) in the square opposite the names of the Presidential and Vice Presidential candidates of that party. A cross (+) stamped in the square opposite the name of a party and its Presidential and Vice Presidential candidate, is a vote for all of the electors of that party, but for no other candidates." this instruction appearing immediately before the words: "To vote for a person not on the ballot."

If you wrongly stamp, tear or deface this ballot, return it to the inspector of election and obtain another.

If a group of candidates for electors has been nominated under the provisions of section 1188 of this code and has under the provisions of section 1188.5 of this code designated the names of the candidates for that President or Vice President of the United States for whom such candidates have pledged themselves to vote, then the instructions to voters shall also contain the following:

To vote for those electors who have pledged themselves to vote for a candidate for President and for Vice President not supported by any particular political party stamp a cross (+) in the square opposite the names of such Presidential and Vice Presidential candidates.

SEC. 4. Section 1197.01 is hereby added to the Political Code to read as follows:

1197.01. In addition to those matters specified in section 1197 on all ballots used at general elections, underneath each question and proposition (including proposed laws and constitutional amendments, which are to be submitted to the vote of the electors), shall appear a copy of the explanation of the result of yes or no votes on such amendments, propositions and measures prepared by the Legislative Council as provided for in section 1195c of this code.

SEC. 5. Section 1197.25 is hereby added to the Political Code to read as follows:

1197.25. Except as to the order of the names of candidates the ballots at general elections shall be printed substantially in the following form

2247

(This number to be torn off by inspector)

2247

Perforated Line

MARK CROSSES (+) ON BALLOT ONLY WITH RUBBER STAMP, NEVER WITH PEN OR PENCIL

(Fold Ballot to this Perforated Line leaving Top Margin exposed)

PERFORATED LINE

GENERAL TICKET—7TH CONGRESSIONAL 35TH SENATORIAL 72ND ASSEMBLY DISTRICT

INSTRUCTIONS TO VOTERS: To vote for a candidate of your selection, stamp a cross (+) in the voting square next to the right of the name of such candidate Where two or more candidates for the same office are to be elected, stamp a cross (+) after the names of all the candidates for that office for whom you desire to vote, not to exceed, however, the number of candidates who are to be elected To vote for all of the electors of a party stamp a cross (+) in the square opposite the names of the Presidential and Vice Presidential candidates of that party A cross (+) stamped in the square opposite the name of a party and its Presidential and Vice Presidential candidate, is a vote for all of the electors of that party, but for no other candidates To vote for a person not on the ballot, write the name of such person under the title of the office in the blank space left for that purpose To vote on any question, proposition or constitutional amendment, stamp a cross (+) in the voting square after the word "Yes" or after the word "No" All marks, except the cross (+) are forbidden All distinguishing marks or erasures are forbidden and make the ballot void

PERFORATED LINE

PRESIDENTIAL ELECTORS

Vote for one pair

FRANKLIN D ROOSEVELT for President JOHN GARNER for Vice President	Democratic
GEORGE P GOLDEN for President THOMAS GIBSON for Vice President	Socialist
EDWARD KING, for President J REED TYLER, for Vice President	Prohibition
ANDREW LEWIS for President JAMES CONNORS for Vice President	Republican

CONGRESSIONAL

UNITED STATES SENATOR — Vote for one

PHILIP BANCROFT Republican Progressive Incumbent

J J SCOTT Democrat Attorney

FRANK WILLARD EMERSON Prohibitionist Governor of California

REPRESENTATIVE IN CONGRESS SEVENTH DISTRICT — Vote for One

A J WALLACE Republican Progressive

E A DENNAS, Democrat Incumbent

LEGISLATIVE

STATE SENATOR THIRTY EIGHTH SENATORIAL DISTRICT — Vote for One

M R HARRIS Republican Progressive Realtor

SAMUEL MURPHY Democrat Incumbent

STEPHEN H TAFT Prohibition Attorney

MEMBER OF THE ASSEMBLY SEVENTY SECOND DISTRICT — Vote for One

R O FERNALD Republican Progressive Democrat Oakland City Councilman

FREDERICK HEAL Prohibition Incumbent

JUDICIAL

JUDGE OF THE SUPERIOR COURT — Vote for One

CHARLES S WHEELER Incumbent

BYRON E PADDOCK Attorney

COUNTY

SUPERVISOR FOURTH DISTRICT — Vote for One

ALBERT E SMITH Incumbent

QUESTIONS AND PROPOSITIONS SUBMITTED TO VOTE OF ELECTORS

Senate Constitutional Amendment Number 4—Relating to the public school system and support of public schools — Yes / No

If you wish to amend section 6 of Article IX of the Constitution as it is proposed by this proposition then vote Yes

If you wish section 6 of Article IX of the Constitution to remain the way it is now then vote No

2 Personal Income Taxes Initiative Amends section 11, Article XIII of Constitution Declares no law imposes net income tax on individual or natural person or his estate or trust shall be valid unless approved by majority of electors after full time proceedings thereon or after submission thereto as provided for constitutional amendments proposed by Legislature at next general election following its passage by two thirds of all members of each house of Legislature Repeals 1935 Personal Income Tax Act Chapter 329 Statutes 1935 and similar personal income tax laws Declares liability for taxes then accrued unaffected by such repeal — Yes / No

If you do not favor an income tax and do not wish the Legislature to have the power to levy such a tax except upon the conditions outlined in the proposed constitutional amendment vote Yes

If you favor an income tax and wish the Legislature to have power to impose such a tax vote No

3347

(This number to be torn off by inspector)

3347

Perforated line

MARK CROSSES (+) ON BALLOT ONLY WITH RUBBER STAMP; NEVER WITH PEN OR PENCIL

PERFORATED LINE (Fold Ballot to this Perforated Line, leaving Top Margin exposed)

PERFORATED LINE

GENERAL TICKET—7TH CONGRESSIONAL, 39TH SENATORIAL, 72ND ASSEMBLY DISTRICT

INSTRUCTIONS TO VOTERS: To vote for a candidate of your selection stamp a cross (+) in the voting square next to the right of the name of such candidate. Where two or more candidates for the same office are to be elected, stamp a cross (+) after the names of all the candidates for that office for whom you desire to vote not to exceed, however, the number of candidates who are to be elected. To vote for a person not on the ballot, write the name of such person under the title of the office in the blank space left for that purpose. To vote on any question, proposition or constitutional amendment, stamp a cross (+) in the voting square after the word "Yes" or after the word "No." All marks except the cross (+) are forbidden. All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly stamp, tear or deface this ballot, return it to the Inspector of Election and obtain another.

STATE

Governor — Vote for One

- JOHN C. KELLY, Republican, Incumbent
- THOMAS G. ADAMS, Democrat, State Lieutenant Governor
- FRANK K. BROWN, Prohibition

Lieutenant Governor — Vote for One

- J. C. Stevens, Republican, Prohibition, State Senator
- H. DEAN, Democrat, Socialist, Legislative Counsel
- S. DUPEY, [illegible]

Chief Justice of the Supreme Court — Vote for One

- JOHN LAW, Incumbent
- HENRY McBRIDE, Superior Judge

Associate Justices of the Supreme Court — Vote for One

- ARTHUR COREY, Incumbent
- JOHN WHITE, Incumbent

Secretary of State — Vote for One

- CLINTON STOLZ, Democrat, Republican, Attorney
- ARCH DENNY, Socialist, Incumbent
- CLAUDE PIERSON, Labor Party

Controller — Vote for One

- HENRY SIMPSON, Democrat
- TOMES JONES, Socialist, Republican
- JOHN MADISON, People's Party, Incumbent

Treasurer — Vote for One

- EDGAR ALLEN, Prohibition, Banker
- FREDERICK LUKENS, Republican, Democrat, Incumbent

Attorney General — Vote for One

- J. T. WILLIAMS, Republican, Democrat, Prohibition, Superior Judge
- JOHN MASTERS, Socialist, Incumbent

Surveyor General — Vote for One

- HENRY SULLIVAN, Democrat, Incumbent
- JOHN BENSON, Republican
- WILLIAM FULLER, Prohibition

Superintendent of Public Instruction — Vote for One

- C. L. THOMPSON, Incumbent
- T. W. MASON
- A. L. SMITH

Member State Board of Equalization, Fourth District — Vote for One

- FRANK MATTHEWS, Republican
- JAMES HANDLEY, Democrat
- FRANK MARK, Socialist, Prohibition

CONGRESSIONAL

United States Senator — Vote for One

- JOHN McCULLOUGH, Republican, Prohibition, Incumbent
- T. H. [illegible], Democrat, [illegible]
- A. T. CURTIS, [illegible]

Representative in Congress, Seventh Congressional District — Vote for One

- ALLAN WHITE, Republican, Incumbent
- GEORGE MURRAY, Democrat
- EDGAR SHANNON, Prohibition

LEGISLATIVE

State Senator, Thirty-eighth Senatorial District — Vote for One

- H. G. CHAPIN, Democrat, Prohibition, Incumbent
- C. S. COLBY, Socialist
- T. K. JONES, Republican, Physician

Member of the Assembly, Seventy-seventh District — Vote for One

- T. L. [illegible]KER, Republican, Prohibition, Incumbent
- A. K. SPALDING, Democrat, Laborer

COUNTY

Judges of the Superior Court — Vote for Two

- LUCIAN EARLE, Incumbent
- SILAS MACKEY, Incumbent

Sheriff — Vote for One

- M. C. CONNELLY, Incumbent
- I. KIND, Democrat

MEASURES

State Constitutional Amendment Number 1—Relating to the public school system and support of public schools.	Yes	
	No	

If you wish to amend section 6 of Article IX of the Constitution as is proposed by this proposition, then vote Yes.

If you wish section 6 of Article IX of the Constitution to remain the way it is now, then vote No.

2 Personal Income Taxes. Initiative. Amends section 11, Article XIII of Constitution. Declares no law imposing income tax on individual or natural person, or his estate or trust, shall be valid unless approved by majority of electors after initiative proceedings therefor, or after submission thereto as provided for constitutional amendments proposed by Legislature at next general election following its passage by two-thirds of all members of each house of Legislature. Repeals 1935 Personal Income Tax Act, Chapter 329, Statutes 1935, and similar personal income tax laws. Declares liability for taxes then accrued unaffected by such repeal.	Yes	
	No	

If you do not favor an income tax and do not wish the Legislature to have the power to levy such a tax except upon the conditions outlined in the proposed constitutional amendment, vote Yes.

If you favor an income tax and wish the Legislature to have power to impose such a tax, vote No.

Amendments adopted

Assembly Bill No. 53 ordered to reprint, and re-engrossment.

Assembly Bill No. 468—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor; providing for the continuation in service of employees and entitling them to the benefits of the civil service provisions of the charter of the City and County of San Francisco; providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire

Motion to Amend Assembly Bill No. 468.

Mr Maloney moved to amend Assembly Bill No 468 as follows:

Amendment No. 1.

On page 18 of the printed bill, as amended, between lines 41 and 42, insert the following:

"SEC. 2 5. For the purpose of developing and advancing the agricultural interests of this State and of the harbor, and so as to provide facilities for the storage of agricultural products, live stock, dairy, viticultural and horticultural products of every kind and description, for the purpose of providing cold storage, and refrigeration facilities for such products, and for the purpose of providing depots for the receipt and transshipment of such products, the City and County of San Francisco may use any of the property of the State hereby granted in trust to the city and county, and it may also acquire by purchase or condemnation, and the right of eminent domain is hereby expressly conferred upon the city and county for the purpose of acquiring any property in the city and county for the providing of such storage, refrigeration and transshipment facilities.

The right of eminent domain may be exercised by the city and county for and in the name of the City and County of San Francisco, and for the estates and rights specified in, and in the manner provided in Part 3, Title 7, of the Code of Civil Procedure.

Such facilities may include, but are not restricted to, warehouses, shipside refrigeration plants, shipside cold storage plants, terminal refrigeration and cold storage plants and receiving and transshipment depots for agricultural, viticultural, horticultural, farm, stock, or dairy products of every kind and description."

Amendment No. 2.

On page 23, line 20, of the printed bill, as amended, strike out "The San Francisco Harbor Commission", and insert in lieu thereof the following: "The harbor commission of the City and County of San Francisco".

Amendment No. 3.

On page 25, line 18, of the printed bill, as amended, strike out "Harbor", and insert in lieu thereof the following: "harbor".

Amendment No. 4.

On page 29 of the printed bill, as amended, between lines 18 and 19, insert the following:

"SEC. 14.5. The harbor commission of the City and County of San Francisco shall be created and shall have a membership in accordance with the provisions of the charter of the City and County of San Francisco. For the purpose of controlling the orderly conduct of the affairs of the State Board of Harbor Commissioners and to the end that there may be no interruption in the conduct of the affairs of said State Board of Harbor Commissioners or of the control of the properties under its jurisdiction, the mayor of the City and County of San Francisco, upon this act becoming effective, shall, pursuant to the authority vested in him by the charter of said city and county, appoint as three of the members of the harbor commission of the City and County of San Francisco the three persons who shall, at said date, be the duly appointed, qualified and acting members of said State Board of Harbor Commissioners. Each commis-

sioner appointed shall be selected on account of his knowledge and experience with the problems involved in the conduct and operation of said water front and harbor and without any political consideration whatsoever. One of said commissioners shall be identified with the agricultural interests of this State and shall be familiar with the problems of agriculture with respect to the use of said water front and harbor.

SEC. 14 6. Title to all property and rights herein granted shall not rest finally in the City and County of San Francisco unless and until said City and County of San Francisco shall by ordinances comply with or make it lawful to comply with each and all of the terms and conditions hereof."

Amendment No. 5.

On page 29, line 22, of the printed bill, as amended, before "all", insert the following: "in trust, as herein elsewhere provided,".

Amendment No. 6.

On page 29, line 23, of the printed bill, as amended, after "therefrom", insert the following: "by the State".

Amendment No. 7.

On page 29, line 24, of the printed bill, as amended, strike out ", provided, however, that nothing", and insert in lieu thereof the following: "except as herein otherwise provided.

Nothing".

Amendments adopted

Assembly Bill No. 468 ordered to reprint, and re-engrossment.

Assembly Constitutional Amendment No. 38—Proposed amendment to Article VI, section 19, of the Constitution, relative to the salaries of the Governor, the Controller and the Treasurer.

Motion to Amend Assembly Constitutional Amendment No. 38.

Mr Dannenbrink moved to amend Assembly Constitutional Amendment No 38 as follows

Amendment No. 1.

On page 1, line 4 of the title of the printed measure, strike out "VI", and insert in lieu thereof the following, "V"

Amendment No. 2.

On page 1, line 6, of the printed measure, strike out "VI", and insert in lieu thereof the following: "V".

Amendment No. 3.

On page 1, line 15, of the printed measure, strike out "twenty-five", and insert in lieu thereof the following, "fifteen".

Amendment No. 4.

On page 1 of the printed measure, strike out all of lines 17, 18, 19, 20 and 21, and insert in lieu thereof the following:

"The Secretary of State and Treasurer $5,000 each per annum The Controller $7,500 per annum and the Attorney General $6,000 per annum, such compensation."

Amendments adopted

Assembly Constitutional Amendment No. 38 ordered to reprint, and engrossment.

Assembly Bill No. 2862—An act to add Article II-A to Chapter I, Part IV, Division II, of the School Code, relating to the State Board of Education

Motion to Amend Assembly Bill No. 2862.

Mr Dannenbrink moved to amend Assembly Bill No 2862 as follows.

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the period after "Education", and insert in lieu thereof the following: ", transferring thereto certain State institutions for the blind and defining the powers and duties of the department in respect to State institutions for the blind."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 9 to 12, inclusive, and insert in lieu thereof the following: "sibilities and jurisdiction of the Department of Institutions in respect to the Industrial Home for the Adult Blind and all salesrooms

and industrial workshops for the instruction of the blind and other physically handicapped persons now or hereafter established."

Amendment No. 3.

On page 6, line 5, of the printed bill, after "Blind", insert the following. ", the California School for the Blind,".

Amendment No. 4.

On page 6, line 29, of the printed bill, strike out the comma after "Code", and insert in lieu thereof the following: "relating to institutions for the blind.".

Amendments adopted.

Assembly Bill No. 2862 ordered to reprint, and re-engrossment.

Assembly Bill No. 1071—An act making an appropriation for major construction and equipment at California School for the Deaf at Berkeley.

Motion to Amend Assembly Bill No. 1071.

Mr. Dannenbrink moved to amend Assembly Bill No. 1071 as follows:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out "450,000", and insert in lieu thereof the following: "$260,000".

Amendments adopted.

Assembly Bill No. 1071 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills—(Out of Order).

Senate Bill No. 572—An act to add a new section to be numbered 4041.29 to the Political Code, relating to powers of boards of supervisors.

Motion to Amend Senate Bill No. 572.

Mr. Dilworth moved to amend Senate Bill No. 572 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "4041.29", and insert in lieu thereof the following: "4041.33".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "4041.29", and insert in lieu thereof the following: "4041.33".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "4041.29", and insert in lieu thereof the following: "4041.33".

Amendments adopted.

Senate Bill No. 572 ordered to reprint, and third reading calendar.

Re-reference of Assembly Concurrent Resolution No. 30.

On motion of Mr. King, Assembly Concurrent Resolution No. 30 was withdrawn from the calendar, and re-referred to the Committee on Rules.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2176—An act defining farm labor contractors, providing for the licensing thereof and for the issuance of permits to such farm labor contractors by the Division of Labor Statistics and Law Enforcement, before such farm labor contractors can contract with any crop owner to cultivate, plant, tend, irrigate, harvest, pack or process crops belonging to or in which such crop owner has any interest and providing that the violation of such act shall be a misdemeanor.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel Laughlin, Leonard, Lyon, Martin, McMurray, Meehan, Miller, Eleanor, Miller,

George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—53

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1180—An act to amend sections 471, 478 and 480 of the Agricultural Code, relating to milk.

Motion to Amend Assembly Bill No. 1180.

Mr Heisinger moved to amend Assembly Bill No. 1180 as follows:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out the word "otherwise".

Amendment No. 2.

On page 2, line 45, of the printed bill, strike out the period, and insert in lieu thereof the following: ", or unless such milk or milk products have been produced in a modified accredited area within the United States, or unless in the case of milk products produced in a foreign country satistactory evidence is presented indicating their origin from nonreacting tuberculin tested animals."

Amendment No. 3.

On page 2 of the printed bill, after line 49, insert the following:

"SEC. 4. This act shall take effect on October 1, 1938, and then only if there is finally passed by the Legislature at the fifty-second session and approved by the Governor an act entitled "An act making an appropriation for the eradication of bovine tuberculosis and to amend section 239 of the Agricultural Code, relating to the payment of indemnities," commonly known, while pending before the Legislature, as Assembly Bill No. 1826"

Amendments adopted

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to take up Assembly Bill No 1180, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 1180, as Amended.

Assembly Bill No. 1180—An act to amend sections 471, 478 and 480 of the Agricultural Code, relating to milk

Assembly Bill No. 1180, as amended, read third time, and passed by the following vote

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Colwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lyon, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Watson, Weber, Williamson, Yorty, and Mr Speaker—56

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to Senate

Assembly Bill No. 1299—An act to add a new article to be numbered Article 6 to Chapter 1 of Division III of the Agricultural Code, relating to the registration of stallions and jacks and the service thereof.

Motion to Amend Assembly Bill No. 1299.

Mr Crowley moved to amend Assembly Bill No. 1299 as follows:

Amendment No. 1.

On page 3, line 20, of the printed bill, strike out "five", and insert in lieu thereof the following: "fifteen".

Amendment No. 2.

On page 3, line 33, of the printed bill, strike out "two dollars and fifty cents", and insert in lieu thereof the following: "five dollars"

Amendments adopted.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Bill No. 1299, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1299, as Amended.

Assembly Bill No. 1299—An act to add a new article to be numbered Article 6 to Chapter 1 of Division III of the Agricultural Code, relating to the registration of stallions and jacks and the service thereof.

Assembly Bill No. 1299, as amended, read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallish, Scudder, Stream, Tenney, Thorp, Turner, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 566—An act to amend the title, and sections 1, 2, 3 and 5, and to repeal section 4, of an act entitled "An act authorizing and providing for suits for the collection of delinquent taxes due upon personal property," approved March 13, 1903, as amended, to provide for suits for the collection of delinquent taxes and assessments due upon all property not a lien on real property, or not a lien on real property sufficient to secure payment thereof, together with all penalties thereon.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2298—An act to amend section 24 of the Direct Primary Law, relating to party conventions, membership and organization of State Central Committees and county central committees.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—66.

NOES—Hunt—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1479—An act to amend section 981a of the Code of Civil Procedure, respecting dismissal of appeals from justice court

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt

Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Richie, Robertson, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker.—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1480—An act to amend section 976 of the Code of Civil Procedure, respecting appeal on questions of fact, or law and fact.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Richie, Robertson, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1481—An act to amend section 975 of the Code of Civil Procedure, respecting appeals from justice's or police courts on questions of law.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Richie, Robertson, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1482—An act to amend section 981 of the Code of Civil Procedure, respecting filing fee on appeal.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Richie, Robertson, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1483—An act to amend section 980 of the Code of Civil Procedure, respecting powers of superior court on appeal.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Richie, Robertson, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1484—An act to amend section 978 of the Code of Civil Procedure, respecting appeal bonds.

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Richie, Robertson, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2250—An act to regulate sales and special sales of goods, wares and merchandise, and the advertising of such sales, and to provide penalties for the violation thereof.

Motion to Amend Assembly Bill No. 2250.

Mr. Flint moved to amend Assembly Bill No. 2250 as follows:

Amendment No. 1.

On page 1, line 19, of the printed bill, as amended, after "sales", add the following: "which".

Amendment No. 2.

On page 2, line 23, of the printed bill, as amended, following the comma which follows "occupancy", add the following: "and".

Amendment No. 3.

On page 2, line 30, of the printed bill, as amended, strike out "any", and insert in lieu thereof the following: "such".

Amendments adopted.

Request for Unanimous Consent.

Mr Flint asked for, and was granted, unanimous consent to take up Assembly Bill No. 2250, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2250, as Amended.

Assembly Bill No. 2250—An act to regulate sales and special sales of goods, wares and merchandise, and the advertising of such sales, and to provide penalties for the violation thereof.

Assembly Bill No. 2250, as amended, read third time, and refused passage by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Donihue, Donnelly, Flint, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Martin, McMurray, Meehan, Muldoon, Peek, Pelletier, Reaves, Rosenthal, Turner, Voigt, Walker, Welsh, and Mr Speaker—34.

NOES—Breed, Call, Cassidy, Corwin, Dannenbrink, Dawson, Desmond, Dilworth, Field, Fulcher, Gannon, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Miller, Eleanor; Millington, Morgan, Redwine, Richie, Robertson, Scudder, Stream, Tenney, Thorp, Watson, Weber, Williamson, and Yorty—34.

Notice of Motion to Reconsider Assembly Bill No. 2250.

Mr. Flint gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2250 was this day refused passage.

Assembly Bill No. 848—An act making an appropriation for the purchase of real property for the San Jose State College.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek,

Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66

NOES—Kepple—1.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At nine o'clock and fifty minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Welsh.

The roll of absentees was called, and Assembly Bill No. 1455 passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Crowley, Dawson, Desmond, Donihue, Field, Flint, Fulcher, Garibaldi, Garland, Glick, Hornblower, Hunt, Kuchel, Laughlin, Leonard, Levey, Lyon, Maloney, Mayo, Miller, Eleanor; Millington, Muldoon, Redwine, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Weber, Welsh, Williamson, and Mr. Speaker—42.

NOES—Boyle, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Gannon, Gilbert, Hawkins, Heisinger, Johnson, Kepple, King, Latham, Martin, McMurray, Meehan, Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sheehan, Tenney, Voigt, Walker, Watson, and Yorty—34.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1455.

Mr. Yorty gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1455 was this day passed.

Explanation of Amendments to Assembly Bill No. 1455.

My amendments were introduced for the purpose of focusing attention upon, and making plain, the real intent of the measure—a gift to the Standard Oil Company.

The reading of the amendments having exposed the subterfuge contained in the measure, they were withdrawn by me.

SAMUEL WM. YORTY.

Special Order.

The special order heretofore set for this hour was taken up for consideration.

Consideration of Motion to Withdraw Senate Bill No. 57.

In compliance with a notice given on a previous day, Mr. Robertson moved to withdraw Senate Bill No. 57 from the Committee on Fish and Game, and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Meehan, Andreas, Morgan, Cunningham and Lyon demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Senate Bill No. 57 from the Committee on Fish and Game.

The roll was called, and the motion to withdraw lost by the following vote:

AYES—Baynham, Clark, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Garland, Hawkins, Kuchel, Miller, Eleanor; Miller, George P., Muldoon, Peek, Pelletier, Redwine, Richie, Robertson, Welsh, and Yorty—20.

NOES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Patterson, Reaves, Rosenthal, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Weber, Williamson, and Mr. Speaker—48.

Special Order.

The hour of ten o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 50.

Assembly Bill No. 50—An act to amend section 451 of the Agricultural Code, relating to dairies and dairy products.

Motion to Amend Assembly Bill No. 50.

Mr Boyle moved to amend Assembly Bill No 50 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, before "the", insert the following: "and to add section 490.4 to,".

Amendment No. 2

On page 1, line 4, of the printed bill, as amended, after "his", insert the following: "general".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out line 20, and insert in lieu thereof the following:

"(f) Establish and enforce rules and regulations setting forth the minimum qualifi-".

Amendment No. 4.

On page 2, line 21, of the printed bill, as amended, strike out "and", and strike out lines 22 to 24, inclusive, and in line 25, strike out "ized".

Amendment No. 5.

On page 2 of the printed bill, as amended, between lines 48 and 49, insert the following:

"SEC. 3.5 Section 490.4 is hereby added to the Agricultural Code to read as follows:

490.4. No provision of this division, except subdivision (e) of section 458, or any rule or regulation of the director, is a limitation on the power of a municipality to provide for additional regulations not in conflict therewith, requiring standards for milk and cream sold within the municipality to be higher than those prescribed in this division or any rule or regulation of the director."

Amendments read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Gannon, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sheehan, Stream, Williamson, Yorty, and Mr. Speaker—46.

NOES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Donnelly, Garibaldi, Garland, Gilbert, Heisinger, O'Donnell, Tenney, Turner, Voigt, Walker, Watson, and Weber—16.

Request for Unanimous Consent.

Mr. Heisinger asked for, and was granted, unanimous consent to take up Assembly Bill No. 50, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 50, as Amended.

Assembly Bill No. 50—An act to amend section 451 of the Agricultural Code, relating to dairies and dairy products.

Assembly Bill No 50, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Kepple, Kuchel, Latham, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—50.

NOES—Andreas, Breed, Cottrell, Crowley, Dannenbrink, Donihue, Johnson, Leonard, Miller, George P, Tenney, and Williamson—11.

Title read and approved Bill ordered to reprint, and transmitted to the Senate

Third Reading of Senate Bills.—(Out of Order).

Senate Bill No. 1119—An act to amend section 737q of the Political Code, relating to the salary of the judge of the superior court in and for the county of Lake.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Senate Amendments to Assembly Bill No. 455.

Mr. Weber moved to expunge the record, and rescind the action whereby the Assembly, on this day, concurred in the Senate Amendments to Assembly Bill No. 455.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 455 ordered on unfinished business calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 646—An act to amend section 1031 of the Code of Civil Procedure, relating to costs in municipal courts and justices courts.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Yorty, and Mr. Speaker—56.

NOES—Dannenbrink—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1635—An act to amend section 602 of the Penal Code, relating to trespass.

Motion to Amend Assembly Bill No. 1635.

Mr. Dannenbrink moved to amend Assembly Bill No. 1635 as follows:

Amendment No. 1.

On page 1, line 39, of the printed bill, following the word "another", insert the following: "provided, however, nothing herein contained shall prohibit any person from entering upon the land of another, for the purpose of legally fishing in said lands, or on lands contiguous thereto."

Amendment adopted.

Request for Unanimous Consent.

Mr. Baynham asked for, and was granted, unanimous consent to take up Assembly Bill No. 1635, as amended, at this time, without

reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1635, as Amended.

Assembly Bill No. 1635—An act to amend section 602 of the Penal Code, relating to trespass.

Assembly Bill No. 1635, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—56

NOES—Glick, King, Reaves, Richie, Tenney, Voigt, and Yorty—7

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1635.

Mr. Richie gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1635 was this day passed.

Assembly Bill No. 1645—An act to amend section 400 of the Civil Code of California, relating to the voluntary winding up and dissolution of corporations.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1646—An act to amend section 404 of the Civil Code, relating to the involuntary winding up and dissolution of corporation and appointment of provisional director thereof.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Hugh, M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Cunningham, Dannenbrink, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—Hunt—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2593—An act to amend sections 5.72, 5 721 and 5.722 of the School Code, relating to leaves of absence of persons employed in school districts requiring certification requirement

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Levey, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—52.

NOES—Cassidy, and Hunt—2.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2593.

Mr Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 2593 was this day passed

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1801.
Assembly Bill No. 2231.
And reports the same correctly engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR SPEAKER. Your Committee on Financial Institutions, to which was referred
Assembly Bill No. 2390.
Respectfully reports the same back with the recommendation Do pass

LYON, Chairman

The above reported bill ordered on second reading calendar

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER Your Committee on Prisons and Reformatories, to which was referred.
Assembly Bill No. 2635. **Assembly Bill No. 2637.**
Assembly Bill No. 2636. **Assembly Bill No. 2638.**
Respectfully reports the same back with the recommendation Do pass

REAVES, Chairman

The above reported bills ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred
Senate Bill No. 509.
Respectfully reports the same back with the recommendation Do pass

BOYLE, Chairman

The above reported bill ordered on second reading calendar

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy to which was referred:
Assembly Bill No. 1347.
Respectfully reports the same back without recommendation, as amended

DONIHUE, Chairman

The above reported bill ordered on second reading calendar.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1801, at this time, without reference to calendar

Consideration of Assembly Bill No. 1801.

Case of Urgency.

The following resolution was offered by Mr Cottrell:

Resolved, That Assembly Bill No. 1801 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read, and adopted by the following vote

AYES—Baynham, Boyle, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—61.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No 1801, at this time.

Third Reading of Assembly Bill No. 1801.

Assembly Bill No. 1801—An act making an appropriation to pay the claim of the Chief Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andrews, Baynham, Boyle, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1801 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Miller, Eleanor Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2853—An act to add section 347 to the Civil Code and to amend section 362 of the Civil Code, all relating to corporations.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2869—An act making an appropriation for the support of the Third District Court of Appeal.

Motion to Amend Assembly Bill No. 2869.

Mr. Garibaldi moved to amend Assembly Bill No 2869 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "to take effect immediately"

Amendment No. 2

On page 1 of the printed bill, after line 7, insert the following:

"SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Assembly Bill No. 2869, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2869, as Amended.

Assembly Bill No. 2869—An act making an appropriation for the support of the Third District Court of Appeal, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Dannenbrink, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—Field—1.

Assembly Bill No. 2869, as amended, read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Garibaldi moved a call of the Assembly.

Motion carried

Time, eleven o'clock and fifteen minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called and the following answered to their names:

Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—63

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 697—An act to amend section 56 of the Labor Code and to add to Division I thereof Chapter 6, consisting of sections 150, 151 and 152, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins Heisinger, Hornblower Hunt, Johnson, Kepple King, Kuchel, Laughlin Leonard,

Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Yorty, and Mr. Speaker—61.

NOES—Cottrell, Dilworth, and Latham—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2671—An act to amend sections 1, 2 and 4 of, and to add two new sections to be numbered 5 and 6 to "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2820—An act to provide for the conduct of investigations to determine in cooperation with the Federal Government suitable methods of beach protection and restoration and to promote and encourage the healthful recreation of the people, and providing an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—54.

NOES—Dilworth, Garibaldi, Kepple, King, O'Donnell, Richie, Tenney, and Yorty—8.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 850—An act making an appropriation for the purchase and improvement of land for Agnews State Hospital in Santa Clara County.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—Daley—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2414—An act to amend sections 736.3 and 737.3 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Motion to Amend Assembly Bill No. 2414.

Mr. Garland moved to amend Assembly Bill No. 2414 as follows:

Amendment No. 1.

On page 2, line 1, of the printed bill, as amended, strike out the following: "the price not".

Amendment No. 2.

On page 2, line 36, of the printed bill, as amended, strike out "areas", and insert in lieu thereof the following: "cream".

Amendments adopted.

Assembly Bill No. 2414 ordered to reprint, and re-engrossment.

Assembly Bill No. 849—An act making an appropriation for the purchase of land for the Agnews State Hospital in Santa Clara County.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—55.

NOES—Daley—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2548—An act to provide for the acquisition of the Muir Wood Toll Road by the State and the inclusion thereof in the State highway system, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Patterson, Peek, Pelletier, Richie, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 580—An act to amend section 44 of the Vehicle Code, relating to emergency vehicles.

Motion to Amend Assembly Bill No. 580.

Mr. Sawallisch moved to amend Assembly Bill No. 580 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend section 44 of", and insert in lieu thereof the following: "add section 44.2 to".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 29, inclusive, and strike out page 2, and insert in lieu thereof the following:

"SECTION 1. Section 44.2 is hereby added to the Vehicle Code to read as follows:

44.2. A motor vehicle owned by the State of California when used by a fish and game warden in actual pursuit of a violator or suspected violator of the Fish and Game Laws of this State is also an authorized emergency vehicle. This section does not limit the liability for negligent operation of such motor vehicle when in actual pursuit of such violator or suspected violator."

Amendments adopted.

Request for Unanimous Consent.

Mr. Sawallisch asked for, and was granted, unanimous consent to take up Assembly Bill No. 580, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 580, as Amended.

Assembly Bill No. 580—An act to add section 44.2 to the Vehicle Code, relating to emergency vehicles.

Assembly Bill No. 580, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly,

Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 383—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors, to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor.

Motion to Amend Assembly Bill No. 383.

Mr. Garland moved to amend Assembly Bill No. 383 as follows:

Amendment No. 1.

On page 2 of the printed bill, following line 37, insert the following:

"SEC. 7. Products of the prison farm can be sold or offered for sale only to tax supported State institutions, and shall not be allowed to enter the usual channels of trade."

Amendment adopted

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Assembly Bill No. 383, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 383, as Amended.

Assembly Bill No. 383—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor.

Assembly Bill No. 383, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Hawkins.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 718c of the Civil Code, empowering municipalities, or departments or boards thereof, to lease property.

Referred to Committee on Introduction of Bills.

By Mr Turner

ASSEMBLY CHAMBER SACRAMENTO May 14, 1937

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for major construction and equipment at the California Institution for Women

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937

MR SPEAKER: Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them

By Mr Hawkins:

An act to amend section 718c of the Civil Code, empowering municipalities, or departments or boards thereof to lease property

By Mr. Turner

An act making an appropriation for major construction and equipment at the California Institution for Women

CALL, Chairman.

The roll was called, and the report adopted by the following vote

AYES—Andreas, Baynham, Breed, Burns, Hugh M. Burns, Michael J Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, **Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.**

NOES—None

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated

Assembly Bill No. 2905: By Mr. Hawkins—An act to amend section 718c of the Civil Code, empowering municipalities or departments or boards thereof, to lease property.

Bill read first time, and referred to Committee on Municipal Corporations

Assembly Bill No. 2906: By Mr. Turner—An act making an appropriation for major construction and equipment at the California Institution for Women

Bill read first time, and referred to Committee on Ways and Means

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2873—An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, prescribing the powers and the duties of said board and commissioner, making an appropriation and authorizing contributions by certain agencies for the purpose of carrying out the provisions of the act, and creating the Colorado River fund.

Motion to Amend Assembly Bill No. 2873.

Mr Walker moved to amend Assembly Bill No 2873 as follows:

Amendment No. 1.

On page 2, line 22, of the printed bill, following the period insert the following "The board shall have power to fix the compensation of the Executive Secretary."

Amendment read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller Eleanor; **Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—61.**

NOES—Tenney—1.

Request for Unanimous Consent.

Mr. Walker asked for, and was granted, unanimous consent to take up Assembly Bill No. 2873, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2873, as Amended.

Assembly Bill No. 2873—An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, prescribing the powers and the duties of said board and commissioner, making an appropriation and authorizing contributions by certain agencies for the purpose of carrying out the provisions of the act and creating the Colorado River fund.

Assembly Bill No. 2873, as amended, read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—King, and Tenney—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2584—An act appropriating money for the repairs, improvements, equipment and furnishing of Sutter's Fort in Sacramento.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan Miller, Eleanor; Miller, George P., Morgan, Muldoon O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2879—An act making an appropriation for the support of the State colleges, to take effect immediately.

Motion to Amend Assembly Bill No. 2879.

Mr. Burns, Hugh M., moved to amend Assembly Bill No. 2879 as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the first "semester", and insert in lieu thereof the following: "quarter".

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out "expend", and insert in lieu thereof the following: "allocate to the several colleges".

Amendments adopted

Request for Unanimous Consent.

Mr. Burns, Hugh M., asked for, and was granted, unanimous consent to take up Assembly Bill No. 2879, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2879, as Amended.

Assembly Bill No. 2879—An act making an appropriation for the support of the State colleges, to take effect immediately.

Urgency clause read, and adopted by the following vote.

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—Dilworth, and Kepple—2.

Assembly Bill No. 2879 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Leonard, Levey, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—59.

NOES—Dilworth, and Kepple—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 702—An act to amend section 19x24 of the Juvenile Court Law, relating to the probation officer.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At eleven o'clock and forty minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Lyon.

The roll of absentees was called, and Assembly Bill No. 2869 passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—Dilworth, Field, and Latham—3.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1265—An act to revise an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, as amended, relating to the practice of veterinary medicine and surgery, and repealing acts and parts of acts specified herein.

Motion to Amend Assembly Bill No. 1265.

Mr. Garibaldi moved to amend Assembly Bill No. 1265 as follows:

Amendment No. 1.

On page 4, line 19, of the printed bill, as amended, after "State", insert the following: ", nor to employees of the University of California while engaged in the performance of duties in connection with the College of Agriculture, the Agricultural Experiment Station or the Agricultural Extension work of the University".

Amendment adopted

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Assembly Bill No. 1265, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 1265, as Amended.

Assembly Bill No. 1265—An act to revise an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, as amended, relating to the practice of veterinary medicine and surgery, and repealing acts and parts of acts specified herein.

Assembly Bill No. 1265, as amended, read third time, and passed by the following vote:

AYES—Andreas, Bayham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan Muldoon Patterson, Peek Pelletier Reaves, Richie, Robertson, Rosenthal,

Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—61

NOES—Daley, Dilworth, and Tenney—3

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 1265.

Mrs. Daley gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 1265 was this day passed.

Assembly Bill No. 1266—An act to revise Chapter 11 of Division II of the Business and Professions Code, relating to the practice of veterinary medicine and surgery.

Motion to Amend Assembly Bill No. 1266.

Mr Garibaldi moved to amend Assembly Bill No. 1266 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "revise Chapter 11 in ", and insert in lieu thereof the following 'repeal Chapter 11, comprising sections 4800 to 4897, inclusive, of"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, after "Code," insert the following: "and to add Chapter 11, comprising sections 4800 to 4905, inclusive, to Division II of the Business and Professions Code,"

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, strike out "in", and insert in lieu thereof a comma and the following "comprising sections 4800 to 4897, inclusive, of".

Amendment No. 4.

On page 1, line 2, of the printed bill, as amended, strike out "revised to read as follows ", and insert in lieu thereof the following: "repealed

SEC. 2. Chapter 11, comprising sections 4800 to 4905, inclusive, is hereby added to Division II of the Business and Professions Code to read as follows ".

Amendment No. 5.

On page 4 of the printed bill, as amended, between lines 6 and 7, insert the following:

"(d) Employees of the University of California while engaged in the performance of duties in connection with the College of Agriculture the Agricultural Experiment Station, or the Agricultural Extension work of the University "

Amendments adopted

Request for Unanimous Consent.

Mr Garibaldi asked for, and was granted, unanimous consent to take up Assembly Bill No. 1266, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1266, as Amended.

Assembly Bill No. 1266—An act to revise Chapter 11 of Division II of the Business and Professions Code, relating to the practice of veterinary medicine and surgery.

Assembly Bill No. 1266, as amended, read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Donihue, Donnelly, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—51.

NOES—Daley, Dilworth, Heisinger, Hunt, Richie, and Tenney—6

Title read and approved

Notice of Motion to Reconsider Assembly Bill No. 1266.

Mrs. Daley gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 1266 was this day passed.

Assembly Bill No. 1266 ordered to reprint, and placed upon the unfinished business calendar.

Assembly Bill No. 2747—An act requiring marine architects to be certified as such, specifying qualifications, rules and regulations therefor, creating a board, establishing a fund, and providing penalties.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Danaenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, *Williamson, Yorty, and Mr. Speaker*—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1824—An act to amend an act entitled "An act to conserve the agricultural wealth of California, and to prevent economic waste in marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof, providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purpose of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, as amended, by amending sections 2, 8, 9, 10, 13, 18, 19.1, 22 and 22.5, all relating to the institution and enforcement of agricultural proration programs.

Motion to Amend Assembly Bill No. 1824.

Mr O'Donnell moved to amend Assembly Bill No. 1824 as follows.

Amendment No. 1.

On page 1 of the printed bill, as amended April 1, 1937, strike out the period, and insert in lieu thereof the following: "; and to declare the urgency of this act, and that this act shall take effect immediately."

Amendment No. 2.

On page 9 of the printed bill, as amended April 1, 1937, after line 30, insert the following:

"SEC. 10. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of this State and shall, therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The economic conditions confronting many agricultural producers throughout the State are such as to require immediate remedy if their purchasing power and tax paying ability are to be improved and maintained and their standards of living and of citizenship are not to be undermined. Legislative remedies affecting the marketing of agricultural commodities must take effect immediately if they are to be of benefit during the current year."

Amendments adopted.

Request for Unanimous Consent.

Mr O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1824, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1824, as Amended.

Assembly Bill No. 1824—An act to amend an act entitled "An act to conserve the agricultural wealth of California, and to prevent economic waste in marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purpose of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, as amended, by amending sections 2, 8, 9, 10, 13, 18, 19.1, 22 and 22.5, all relating to the institution and enforcement of agricultural proration programs.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 1824 read third time and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2621—An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. McMurray moved a call of the Assembly.

Motion carried.

Time, eleven o'clock and forty-two minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 175—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

Motion to Amend Assembly Bill No. 175.

Mr. Clark moved to amend Assembly Bill No. 175 as follows:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out ", except in certain cases,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 22, inclusive, and insert in lieu thereof the following:

"SECTION 1. In every case where by the provisions of the Penal Code or by the provisions of any other statute of this State a crime is now punishable by death, the punishment for such crime henceforth shall be life imprisonment in the State prison, unless the jury shall, at the time of the rendition of the verdict, recommend that the death penalty shall be imposed as punishment for the commission of any such crime."

Amendments adopted.

Assembly Bill No. 175 ordered to reprint, and re-engrossment.

Hon. Rodney L. Turner in the Chair.

At eleven o'clock and forty-six minutes p.m., Hon. Rodney L. Turner, member of the Assembly from the Forty-First District, in the chair.

The Speaker in the Chair.

At eleven o'clock and forty-eight minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Request for Unanimous Consent to Continue All Notices of Motions to Reconsider.

Mr. Desmond requested unanimous consent to have notices of motions to reconsider continued until the next legislative day.

Mr. Johnson withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Welsh moved that the Rules be temporarily suspended for the purpose of continuing all notices of motions to reconsider until the next legislative day.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Crowley, Desmond, Donihue, Field, Flint, Garibaldi, Garland, Glick, Hornblower, Hunt, Kuchel, Latham, Laughlin, Leonard, Maloney, Meehan, Miller,

Eleanor; Reaves, Sawallisch, Scudder, Stream, Turner, Walker, Weber, Welsh, and Williamson—33.

NOES—Andreas, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Gilbert, Hawkins, Heisinger, Johnson, King, Martin, Miller, George P., Morgan, Patterson, Peek, Pelletier, Richie, Rosenthal, Sheehan, Tenney, Voigt, Watson, and Yorty—26.

Further Proceedings Under Call of the Assembly Dispensed With.

At eleven o'clock and forty-nine minutes p m., Mr. Morgan moved that further proceedings under the call of the Assembly be dispensed with

The roll was called, and further proceedings under call of the Assembly were dispensed with by the following vote

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, **Cassidy, Cottrell, Cunningham, Dannenbrink, Desmond, Donihue, Donnelly, Flint,** Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Voigt, Walker, Welsh, and Yorty—45.

NOES—Clark, Cronin, Daley, Dilworth, Garland, Gilbert, Heisinger, Hunt, McMurray, Patterson, Peek, Pelletier, Reaves, Rosenthal, Turner, Watson, Williamson, and Mr Speaker—18

The roll of absentees was called, and Assembly Bill No 2621 passed by the following vote

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J, Call, Cassidy, **Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Donihue,** Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, **Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin,** Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60

NOES—Dilworth, Heisinger, and Robertson—3

Title read and approved. Bill ordered transmitted to the Senate

Motion for Temporary Suspension of the Rules.

Mr King moved that the Rules be temporarily suspended for the purpose of continuing all notices of motions to reconsider until the next legislative day.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin **Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson,** Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Notices of Motion to Reconsider Continued Under Temporary Suspension of the Rules.

Mr Desmond's notice of motion to reconsider the vote whereby Senate Bill No 888 was refused passage was continued until the next legislative day

Mr Welsh's notice of motion to reconsider the vote whereby Assembly Bill No 1283 was refused passage was continued until the next legislative day

Mr Miller's notice of motion to reconsider the vote whereby Assembly Bill No 2502 was passed was continued until the next legislative day.

Mr. Lyon's notice of motion to reconsider the vote whereby Assembly Bill No. 870 was passed was continued until the next legislative day.

Motion to Adjourn.

Mr. King moved that the Assembly do now adjourn until the hour of ten o'clock a.m., Saturday, May 15, 1937.

The roll was called, and the motion to adjourn lost by the following vote:

AYES—Baynham, Boyle, Burns, Michael J., Cassidy, Crowley, Donihue, Flint, Gilbert, Glick, Heisinger, Kuchel, Morgan, Muldoon, Reaves, Robertson, Scudder, Stream, Turner, Walker, Weber, Welsh, and Mr. Speaker—22.

NOES—Andreas, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Watson, Williamson, and Yorty—42.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2451.

Respectfully reports the same back without recommendation, as amended.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 2835 re-referred to Committee on Agriculture.

Assembly Bill No. 2229 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2877 re-referred to Committee on County Government.

Assembly Bill No 1670 re-referred to Committee on County Government.

Motion to Adjourn.

Mr. Breed moved that the Assembly do now adjourn until the hour of ten o'clock a.m., Monday, May 17, 1937.

The roll was called, and the motion to adjourn carried by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Field, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Lyon, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Patterson, Peek, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—42.

NOES—Burns, Michael J., Cunningham, Dilworth, Flint, Garibaldi, Garland, Glick, Pelletier, Reaves, Richie, Robertson, Turner, Walker, Weber, and Welsh—15.

Adjournment.

At eleven o'clock and fifty-nine minutes p.m., the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, May 17, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-THIRD LEGISLATIVE DAY
ONE HUNDRED THIRTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 17, 1937.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—76.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Baynham, the further reading of the Journal of Friday, May 14, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Cottrell, on motion of Mr. Breed.

Mr. Beene, on motion of Mr. Breed.

Mr. Dawson, on motion of Mr. Levey.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Harry G. Meehan and Mrs. Margaret Stevens of Oakland.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Donald A. Breed, Miss Virginia Breed, and Mrs. Charles Haseltine of San Francisco.

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. L. S. Cooke, Secretary, Santa Monica Chamber of Commerce.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. Hogan, Mrs. Robert Miles, Mrs. George Ryder, and Mrs. J. Buckley, of San Francisco.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was extended to John Kuler, teacher and the following seventh and eighth grade students of Isleton Oriental Grammar School: Masako Aduchi, Raymond Chow, Charlie Fryikawa, Hikeko Fujimoto, Rutsu Hirano, Imako Iida, Fumiko Inoreye, Samije Kawanishi, Fusaye Kuranayo, Woodward Lee, Iwao Matsumatoo, Itsuko Matsune, Yukiye Nakanishi, Kinji Nakayama, Yoshio Okamoto, Hiroyuki Oshima, Thomas Owyan, Tomikiro Sawado, Katsushi Sugimoto, Noriko Tamura, Makoto Yoshida, Myrtle Akune, Gladys Chan, Edward Chew, Moran Himoto, Sayoko Kuranaga, George Keikoan, Jessie Leong, Ging Lee, Hideko Matsushita, Henry Owyang, Lonnie San, Joji Sugimoto, Takashi Tamura, Mikio Tagota, Tsugio Toyota, Nirio Tausaki, Michikiko Yoshida, Narumi Yoshikawa, Tamotsu Yoshikawa, Tomiko Tomita, Hawako Ike, Nobuko Murakami, and Harry Lee.

Assistant Clerk Berry Reading.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 50.
Assembly Concurrent Resolution No. 53.
Assembly Bill No 252
Assembly Bill No. 2057.
Assembly Bill No. 2861.

And reports the same correctly enrolled, and presented to the Governor on this fifteenth day of May, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 38.
Assembly Bill No. 53.
Assembly Bill No. 175.
Assembly Bill No. 468.
Assembly Bill No. 1071.
Assembly Bill No. 1612.
Assembly Bill No. 2414.
Assembly Bill No. 2862.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 354.
Assembly Bill No. 2710.
Assembly Bill No. 2897.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1647.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to your request and to a motion adopted in the Senate in connection therewith, the Assembly bill listed hereunder is returned herewith:

Assembly Bill No. 2857.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 2857 ordered on third reading calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 2199—An act to add a new section to the School Code, to be numbered 4.375-a, relating to refunds of taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2899—An act relating to certain lands of the State of California, situate in the county of Los Angeles, providing for the determination of and quieting title to said lands and for leasing for the production of oil, gas, and other hydrocarbons therefrom, creating the State Oil Development Board, and prescribing its powers and duties with reference to the leasing and protection of the interest of the State in and to said lands.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2896—An act to provide for the participation by the State in the Golden Jubilee Celebration of the Tournament of Roses, and making an appropriation therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 828—An act to amend section 642 of the Streets and Highways Code, relating to State highways.

Bill read second time, and ordered to engrossment

Assembly Bill No. 1511—An act to repeal an act entitled "An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness," approved April 26, 1935, relating to bonded indebtedness reports to the State Department of Finance.

Committee Amendments to Assembly Bill No. 1511.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out all after "An act to", and strike out all of lines 2 to 5, inclusive, of the title, and insert in lieu thereof the following: "require the Director of Finance to purchase bonds of the State of California under certain conditions herein prescribed, relating to the use of surplus moneys"

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 1, after the period, and all of line 2, and insert in lieu thereof the following: "The Director of Finance is authorized and directed, whenever the surplus in the State Treasury exceeds the sum of ten million dollars, to use the excess over such sum to purchase in the open market

or at private sale bonds of the State of California at a price of not more than one hundred and five ($105) dollars for each one hundred ($100) dollars in par value of such bonds."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1555—An act to amend section 777 of the Vehicle Code, relating to the appropriation for the maintenance of the Department of Motor Vehicles.

Committee Amendments to Assembly Bill No. 1555.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 777", and insert in lieu thereof the following "sections 776, 777, 779 and 781 and to repeal section 778".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 2 and 3 of the title, and insert in lieu thereof the following "funds."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 28, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 776 of the Vehicle Code is hereby amended to read as follows:

776. Report and Deposit of Money. The department shall file weekly with the State Controller a report of all money received by the department and at the same time deposit all such money with the State Treasurer. Of such moneys so reported and deposited, the Treasurer shall place to the credit of the "Motor vehicle support fund", which fund is hereby created, (a) thirty-six and one-half per cent (36½%) of all fees received as registration and weight fees and penalties thereon, and fees for special plates, (b) all other moneys received by the department and not otherwise appropriated.

The balance of the money so received and reported as registration and weight fees and penalties thereon, and fees for special plates, shall be placed to the credit of the "Motor vehicle fund", which fund is hereby created in the State Treasury.

All salaries and expenses of the department, including deductions for retirement pay, shall be paid from the motor vehicle support fund.

SEC. 2. Section 777 of this code is hereby amended to read as follows:

777. Appropriation for Maintenance of Department. All moneys in the motor vehicle support fund are hereby appropriated for the maintenance of the department to be expended by the department in carrying out the provisions of this code and in enforcing any other laws relating to vehicles or the use of the highways. The department may draw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate one hundred thousand dollars, said sums so drawn to be used as a revolving fund where cash advances are necessary. At the close of each fiscal year the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the Department of Finance and by the State Controller.

SEC. 3. Section 779 of said code is hereby amended to read as follows:

779. Apportionment to Counties. (a) One-half of the moneys in the motor vehicle fund is hereby appropriated and shall be paid to the counties of this State and the State Controller shall in the months of February and August of each year draw his warrants upon said motor vehicle fund in favor of the county treasurer of each county for the amount to which each said county is entitled hereunder. Said payments shall be made to the counties in proportion to the number of vehicles registered in such counties as determined by the places of residence of the owners to whom the registration cards are issued.

(b) In the event the actual domicile, residence or place of abode of an owner of any vehicle registered hereunder is in a county other than the county which the owner has designated as his place of residence in his application for registration and as shown by the records of the department, then the county auditor of the county receiving such funds from the State as hereinabove provided may draw his warrant in favor of the county wherein is located the actual domicile, residence or place of abode of such owner. Such warrant when so drawn shall be in such total sum as to cover all such vehicles as may properly be attributed to the latter county hereunder in order to secure payment to each county of sums in proportion to registration of vehicles therein according to the actual residences of the owners thereof.

SEC. 4. Section 781 of said code is hereby amended to read as follows:

781. Remainder of Motor Vehicle Fund Deposited in the State Highway Fund. All moneys remaining in the motor vehicle fund after the expenditures and deductions hereinbefore authorized, shall be paid into the "State highway fund", to be expended in accordance with law.

SEC. 5. Section 778 of said code is hereby repealed.

SEC. 6. Upon the date this act shall take effect, the State Controller and State Treasurer shall forthwith transfer to the motor vehicle support fund all balances in the motor vehicle fund available for the maintenance of the department, from whatever source derived.

Any appropriations heretofore made from the motor vehicle fund for the support of the Department of Motor Vehicles shall become payable from the motor vehicle support fund."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1178—An act to add a new section to "An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately."

Committee Amendments to Assembly Bill No. 1178.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "to "An act to license, regulate and", and strike out lines 2 to 8, inclusive, of the title, and insert in lieu thereof the following "numbered 7 7 to the Alcoholic Beverage Control Act, relating to licenses."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "18a", and insert in lieu thereof the following: "7.7".

Amendment No. 3.

On page 1, strike out lines 3 to 7, inclusive, of the printed bill, and insert in lieu thereof the following:

"Sec. 7.7. No on-sale distilled spirits license other than a renewal of an already existing on-sale distilled spirits license shall be issued by the board in any incorporated city, or city and county, or town wherever the already existing on-sale distilled spirits licenses have been issued in a greater number in proportion to population than at the rate of one such license to each thousand population or fraction of a thousand as shown by the latest Federal census except as provided elsewhere in this section.

The above limitation shall not be construed to require the issuance of less than two on-sale distilled spirits licenses in any incorporated city and town.

As to that portion of any county outside incorporated cities or towns, no on-sale distilled spirits license, other than a renewal of an already existing on-sale distilled spirits license shall be issued by the board whenever the already existing on-sale distilled spirits licenses have been issued in a greater number in proportion to population than at the rate of two to each thousand population or fraction of each thousand

Provided further, that the limitations in this section on the issuance of on-sale distilled spirits licenses shall not apply to those on-sale distilled spirits licenses issued for seasonal business only.

Nothing in this section shall be deemed to limit the transfer of any such license from person to person or from location to location within the same incorporated city or town or city and county, or from location to location within the unincorporated area of such county, as provided elsewhere in this act after permission has been granted at the discretion of the board, and in accordance with the rules and regulations adopted by the board."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1361—An act to furnish financial assistance to the needy youth of this State, and to provide educational and vocational opportunities for such youth, setting forth the powers and duties of

the California Youth Commission in regard thereto, and making an appropriation for the purposes thereof.

Committee Amendment to Assembly Bill No. 1361.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 5, line 14, of the printed bill, as amended, strike out "_____", and insert in lieu thereof the following: "one million".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 316—An act to amend section 1197a of, and to add a new section, to be numbered 1197d, to the Political Code, relating to initiative and referendum measures.

Committee Amendments to Assembly Bill No. 316.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "amend section 1197a of, and to add a new section to be numbered 1197d, "and insert in lieu thereof the following: "add sections 1197d and 1197e".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and on page 2, strike out lines 1 to 11, inclusive.

Amendment No. 3.

On page 2, line 12, of the printed bill, strike out "Sec. 2", and insert in lieu thereof the following: "Section 1".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 14 to 22, inclusive, and insert in lieu thereof the following:

"Sec. 1197d. Every person who shall for any consideration, compensation, gratuity, reward or thing of value or promise thereof sign or decline to sign any initiative or referendum petition; or who shall advertise in any newspaper, magazine or other periodical publication or in any book, pamphlet, circular or letter or by means of any sign, signboard, bill, poster, handbill or card or in any manner whatsoever, that he will either for or without compensation or consideration circulate, or solicit, procure or obtain signatures upon, or influence or induce or attempt to influence or induce persons to sign or not to sign any initiative or referendum petition or vote for or against any initiative or referendum measure, or who shall for pay or any consideration, compensation, gratuity, reward or thing of value or promise thereof, circulate, or solicit, procure or obtain or attempt to procure or obtain signatures upon any initiative or referendum petition; or who shall pay or offer or promise to pay, or give or offer or promise to give any consideration, compensation, gratuity, reward or thing of value to any person to induce him to sign, or not to sign, or to circulate, or solicit, procure or attempt to procure, or obtain signatures upon any initiative or referendum petition or to vote for or against any initiative or referendum measure; or who shall by any other corrupt means or practice or by threats or intimidation interfere with or attempt to interfere with the right of any legal voter to sign or not to sign any initiative or referendum petition or to vote for or against any initiative or referendum measure; or who shall receive, accept, handle, distribute, pay out or give away either directly or indirectly any money, consideration, compensation, gratuity, reward or thing of value contributed by or received from any person, firm, association or corporation having his, their or its residence or principal office outside of the State of California, or corporation the majority of whose stockholders are nonresidents of the State of California, for any service, work or assistance of any kind done or rendered for the purpose of aiding in procuring signatures upon any initiative or referendum petition or the adoption or rejection of any initiative or referendum measure, shall be guilty of a misdemeanor.

SEC. 2. Section 1197e is hereby added to the Political Code to read as follows.

1197e. Every person who circulates either an initiative or referendum petition shall in addition to the affidavit required in section 1 of Article IV of the Constitution, make an affidavit that he has received no compensation whatever either directly or indirectly from any person, firm or corporation for soliciting or obtaining signatures to the petition, and that he has complied in every way with all the requirements of section 1197d of this code

SEC. 3. Section 2 of this act, and section 1197e of the Political Code shall take effect upon the adoption by the People of the State of California of an amendment

to the Constitution of said State validating this act and thereby making such sections fully and completely effective. Section 1 of this act, and section 1197d of the Political Code shall go into effect on the ninety-first day after the adjournment of the fifty-second session of the Legislature."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1924—An act to amend section 1182 of the Labor Code, relating to minimum wages.

Committee Amendments to Assembly Bill No. 1924.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to amend section 61".

Amendment No. 2.

On page 1, line 21, of the printed bill, strike out the word "solely"

Amendment No. 3.

On page 1, line 23, of the printed bill, after the word "thereof", insert the word "shall".

Amendment No. 4.

On page 2, line 2, of the printed bill, strike out lines 2 to 16, inclusive, and insert in lieu thereof the following: "ciation, corporation or individual."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2365—An act to establish civil service in cities with a full paid fire department or with a fire department having paid members.

Committee Amendments to Assembly Bill No. 2365.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after "having", insert the following: "full".

Amendment No. 2.

On page 1, line 2, of the printed bill, after "with", insert the following "full"

Amendment No. 3.

On page 1, line 22, of the printed bill, strike out "six", and insert in lieu thereof the following: "four".

Amendment No. 4.

On page 1, line 23, of the printed bill, strike out "One", and insert in lieu thereof the following: "Two".

Amendment No. 5.

On page 1, line 24, of the printed bill, before "one", insert the following: "and"

Amendment No. 6.

On page 1, line 25, of the printed bill, strike out ", and one to serve for a period of six years".

Amendment No. 7.

On page 2 of the printed bill, strike out line 25, and insert in lieu thereof the following: "with a full paid fire department, or a fire department with full paid"

Amendment No. 8.

On page 4, line 41, of the printed bill, strike out "suspended", and insert in lieu thereof the following: "laid off".

Amendment No. 9.

On page 1, line 10, of the printed bill, after "act", insert the following ", nor shall it operate to create such commission in any city whose fire department is under a civil service system"

Amendment No. 10.

On page 2, line 29, of the printed bill, after "service", insert the following "; but the provisions of this act shall not apply to any city whose fire department is under a civil service system"

Amendments adopted.

Bill read second time, and ordered to reprint and engrossment.

Assembly Bill No. 2451—An act to amend section 112 of the Vehicle Code, relating to the California Highway Patrol.

Committee Amendments to Assembly Bill No. 2451.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "Subject to section 114, such", and insert in lieu thereof the following: "Such".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 15 and 16, and insert in lieu thereof the following: "traffic officer shall be two hundred dollars per month, and shall be increased at the rate of five dollars per year for each consecutive year of service until the maximum salary of two hundred fifteen dollars per month has been reached. The minimum and maximum salary of sergeants shall be two hundred twenty-five dollar per month The minimum salary of captains shall be two hundred thirty dollars per month, and shall be increased at the rate of five dollars per year for each consecutive year of service until the maximum salary of two hundred sixty dollars has been reached.

Each member of the California Highway Patrol holding the position of traffic officer or captain for a period of five consecutive years shall receive the maximum salary as provided by this section for that position."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2390—An act to provide a penalty for the violation of section 22 of Article XX of the Constitution of the State of California, relating to interest.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2635—An act to amend section 23 of the Whittier State School Act, relating to inmates of the Whittier State School.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2636—An act to amend sections 1175 and 1180 of the Welfare and Institutions Code, relating to State reformatory schools.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2637—An act to amend section 18 of the Preston School of Industry Act, relating to inmates of the Preston School of Industry.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2638—An act to add a new section 12a to an act entitled "An act to establish an institution for the confinement, care and reformation of women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929, relating to dismissals and paroles of inmates in the California Institution for Women.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1347—An act to amend sections 658, 658.5, 659, 660, 661½, 663, 664, 664a, 665, 666, 667, 668, 669, 670, 674a, 676, 677, 678, 679, 680, 688 and 695 of the Political Code, relating to and creating a State Board of Control, providing for the organization of such board, defining its powers, duties, accounting and supervising functions, specifying certain positions thereunder and enacting that said sections shall be known as Article XIX of Chapter III of Title I of Part III of the Political Code, and providing a title for said article.

Committee Amendments to Assembly Bill No. 1347.

The following amendments were submitted by the committee:

Amendment No. 1.

Strike out all of the title of the printed bill, and insert in lieu thereof the following

"An act to add section 695.5 to the Political Code relating to the State Board of Control and repealing section 695 of the Political Code as added by Chapter 923 of the Statutes of 1933."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 18, inclusive, and insert in lieu thereof the following.

"SECTION 1. A new section is hereby added to the Political Code to be numbered section 695.5:

695.5. Whenever an agency or officer supported by the general fund of the State render services for, or furnishes materials to, an agency or officer not supported by the general fund, the cost of such services or materials shall be a charge against the fund out of which is derived the support of the agency or officer receiving the services or materials. The State Board of Control shall determine monthly the amounts expended by the State Controller, State Treasurer, Attorney General, the State Personnel Board the Board of Administration of the State Employees Retirement System, and the Department of Finance for the supervision or administration of the State government or service to the various department, division, bureaus, boards, commissions, offices, institutions or other agencies thereof. Each department, division, bureau, board, commission, office, institution or other agency which is supported in whole or in part otherwise than by appropriation from the general fund in the State treasury shall pay monthly to the State Controller, to be by him deposited in the State treasury to the credit of the general fund, that proportion of the amount determined by the Board of Control to have been expended for such supervision, administration or service which the amount expended by such department, division, bureau, board, commission, office, institution or other agency from any funds made available for its use by appropriations from other than the general fund bears to the total expenditures of all State departments, divisions, bureaus, boards, commissions, offices, institutions or other agencies exclusive of amounts expended for such supervision, administration or service.

SEC. 2. Section 695 of the Political Code as added by Chapter 923, Statutes of 1933, is hereby repealed."

Amendment No. 3.

Strike out all of pages 2, 3, 4, 5, 6, 7, 8, 9, and 10, inclusive, of the printed bill

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 122—An act to amend sections 1.71 and 1.81 of the School Code, relating to the transportation of pupils, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 144—An act to amend sections 5, 6, 7, 8, 10 and 11 of, and to add section 13 to, an act entitled "An act providing for the sale of certain State lands." approved May 19, 1915, as amended, relating to State lands, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1116—An act to add sections 51.7 and 55 to, and to amend and renumber sections 51a and 51b as added by Chapter 427 of the Statutes of 1933, of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds, and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties

and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory, including the disincorporation of such districts and the winding up of the affairs of disincorporated districts.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1146—An act to amend section 10 of the "Highway Carriers' Act," relating to highway carriers, including rates chargeable by such carriers.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 425—An act to promote temperance in the use of alcoholic beverages, relating to the manufacture, sale and use of alcoholic beverages, and to amend sections 1, 2, 3, 5, 6, 7, 8, 10, 21, 24, 33, 34, 37, 54 and 60 of the Alcoholic Beverage Control Act, and to add new sections thereto, all relating to the manufacture, sale and use of alcoholic beverages.

Committee Amendments to Senate Bill No. 425.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 2 of the printed bill, as amended May 6, 1937, strike out all of lines 48 to 52, inclusive, and on page 3, strike out all of lines 1 and 2, and in line 3, strike out "anese rice wine", and insert in lieu thereof the following:

"(e) "Wine" means for the purposes of this act the product obtained from normal alcoholic fermentation of the juice of sound ripe grapes or other agricultural products containing natural or added sugar or any such alcoholic beverages fortified with grape brandy, fruit brandy or spirits of wine, which is distilled from the particular agricultural product or products of which the wine is made and other rectified wine products and by whatever name and which does not contain more than 15 per cent added flavoring, coloring and blending material and which contains not more than 24 per cent of alcohol by volume and shall include Vermouth and sake, known as Japanese rice wine".

Amendment No. 2.

On page 4, line 3, of the printed bill, as amended May 6, 1937, after the word "use", insert the words "or sale".

Amendment No. 3.

On page 16 of the printed bill, as amended May 6, 1937, strike out lines 28 to 36, inclusive, and insert in lieu thereof the following: "this State. No distilled spirits manufacturer's or distilled manufacturer's agent's license shall be held by any person or persons, who holds any ownership or interest, directly or indirectly, by stock ownership, interlocking directors, trusteeship, loan, mortgage or lien on any personal or real property or otherwise, in any distilled spirits wholesaler's, rectifier's or retailer's license; provided,".

Amendment No. 4.

On page 19 of the printed bill, as amended May 6, 1937, strike out lines 42 to 44, inclusive, and insert in lieu thereof the following: "to be fixed by the board; or".

Amendment No. 5.

On page 20 of the printed bill, as amended May 6, 1937, strike out lines 8 and 9, and insert in lieu thereof the word "prescribe."

Amendment No. 6.

On page 19, line 49, of the printed bill, as amended May 6, 1937, after the word "State", insert the following: "to any place without the State".

Amendment No. 7.

On page 19, line 51, of the printed bill, as amended May 6, 1937, after the word "State", and before the comma, insert the following: "to any place without the State".

Amendment No. 8.

On page 28, line 46, of the printed bill, as amended May 6, 1937, strike out "; provided, that as soon", and strike out all of lines 47 to 48, and in line 49, strike out "stamps must be serially numbers and", and insert in lieu thereof "and shall be".

Amendment No. 9.

On page 30, line 44, of the printed bill, as amended May 6, 1937, insert a comma after the word "railroad".

Amendment No. 10.

On page 41 of the printed bill, as amended May 6, 1937, strike out lines 50 to 52, inclusive, and insert in lieu thereof the following

"3. Distilled spirits except (a) distilled spirits located upon premises for which licenses authorizing the sale of such distilled spirits have been issued; (b) distilled".

Amendment No. 11.

On page 45, line 31, of the printed bill, as amended May 6, 1937, following "Sec. 53.6", insert the following: "On and after December 31, 1937, wine shall not be packaged or bottled in any flask containers of less than one-half gallon which are of the same or similar type used for the packaging or bottling of distilled spirits."

Amendment No. 12.

On page 46 of the printed bill, as amended May 6, 1937, strike out lines 4 to 7, inclusive, and insert in lieu thereof the following:

"No beer intended for sale in the State of California, except for export, shall be contained in bottles, jugs or cans having a capacity of more than 64 ounces, nor shall beer in bottles, jugs or cans of a capacity in excess of 64 ounces be sold to or purchased by an on-sale or off-sale license in the State of California, provided that nothing in this paragraph shall be con-".

Amendment No. 13.

On page 46 of the printed bill, as amended May 6, 1937, strike out lines 10 and 11, and insert in lieu thereof the following: "of a capacity of three and one-half (3½) gallons or more".

Amendment No. 14.

On page 46, line 18 of the printed bill, as amended May 6, 1937, after the semicolon, add the following: "except that no provision of this section 54 shall be held to apply to a manufacturer of beer with respect to one location only and the on-sale licenses, fixtures and appurtenances necessary to the conduct of such location and the sale of alcoholic beverages thereon when such location is in and upon and to be operated for the duration of the Golden Gate International Exposition to be held in the San Francisco Bay region in 1939, and the manufacturer of beer has in writing notified the board of such single location as to which such manufacturer elects the provisions of this section shall not apply."

Amendment No. 15.

On page 47, line 7, of the printed bill, as amended May 6, 1937, strike out "in any business operating", and strike out all of line 8, and in line 9, strike out "for the premises", and insert in lieu thereof the following: "in the premises or fixtures covered by an off-sale distilled spirits license other than the premises".

Amendment No. 16.

On page 47, line 10, of the printed bill, as amended May 6, 1937, strike out the period following the word "wholesaler", and insert in lieu thereof the following " : except that any stockholder, member, officer or director of a corporation or association, which corporation or association held a wholesaler's distilled spirits license which was in force on May 1, 1937, or any renewal thereof under this act, may hold or own off-sale distilled spirits licenses, or interests therein, for premises other than the premises for which such wholesaler's distilled spirits license was issued For the purpose of this subdivision the issuance of a new wholesaler's license upon the expiration of an existing wholesaler's license shall be deemed a renewal thereof.

The provisions of this subdivision shall not apply to any off-sale distilled spirits license held or to be held by any wholesaler when such off-sale distilled spirits license is necessary to enable said wholesaler to operate or continue to operate any concession or leased retail stand in any hotel, which concession or stand is required to be operated by such wholesaler pursuant to any lease or contract entered into prior to the effective date of this subdivision and such retail off-sale distilled spirits licenses may be issued to any such wholesaler for such premises and purposes."

Amendment No. 17.

On page 48, of the printed bill, as amended May 6 1937, after line 23, and before line 24, insert the following:

"(1) Directly or indirectly, hold the ownership or any interest by stock ownership or otherwise, in any firm, corporation, partnership or business, furnishing, supplying or dealing in any office, store or restaurant furnishings or equipment, other than signs for interior use or supplies authorized to be given under this act to any person engaged in operating, owning or maintaining any on-sale premises, provided that this subdivison shall apply only to manufacturers, bottlers, importers and wholesalers of products of the brewing industry."

Amendment No. 18.

On page 50 of the printed bill, as amended May 6, 1937, strike out lines 3 to 31, inclusive, and insert in lieu thereof the following:

"SEC 55 S. The board may adopt rules and regulations specifying the maximum credit terms which shall be extended to any on-sale or off-sale licensee after notices have been mailed to all manufacturers, rectifiers and wholesalers at least 30 days prior to the adoption of such rules and regulations."

Amendment No. 19.

On page 50, line 46, of the printed bill, as amended May 6, 1937, strike out "p.m.", and insert in lieu thereof "a.m.".

Amendment No. 20.

On page 50 of the printed bill, as amended May 6, 1937, strike out line 51, and insert in lieu thereof the following: "person licensed as a manufacturer, distilled spirits manufacturer's agent, rectifier or wholesaler of any alco-".

Amendment No. 21.

On page 51 of the printed bill, as amended May 6, 1937, strike out lines 3, 4 and 5, and insert in lieu thereof the following "p.m of any day other than Sunday. No delivery of any distilled spirits shall be made nor caused to be made by any licensee in any precinct".

Amendment No. 22.

On page 51, line 7, of the printed bill, as amended May 6, 1937, strike out ", or on", and in line 8, strike out the word "Sunday".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 313—An act to repeal "An act providing for the grant of certain lands to the United States of America for the creation of a national park or monument," approved June 11, 1935 (Chapter 328, Statutes of California, 1935).

Committee Amendments to Senate Bill No. 313.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "add section 1.5 to", and insert in lieu thereof the following, "amend the title and sections 1 and 2 of".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, as amended, after "relating to", insert the following: "State lands, providing for the reservation of certain lands to be exchanged for other lands with the United States and providing for".

Amendment No. 3.

On page 1 of the printed bill, as amended, between lines 1 and 2, insert the following:

"SECTION 1. The title of the act cited in the title hereof is hereby amended to read as follows:

An act relating to State lands, providing for the reservation from sale of certain lands and authorizing the exchange thereof with the United States and providing for the granting of certain lands to the United States for park purposes.

SEC. 2. Section 1 of said act is hereby amended to read as follows:

Section 1. All sixteenth and thirty-sixth sections, except Section 16, Township 1 South, Range 9 East, S. B. M., within the exterior boundaries of that certain tract of land which was withdrawn from sale by Executive Order No. 6361 signed by the President of the United States on October 25, 1933, are hereby withheld and withdrawn from sale by the State and shall be used only as bases for indemnity selections in the manner provided by law. The Department of Finance is prohibited from receiving or filing any application for any such lands in place within the area described in said executive order, except as to the section first hereinabove described. If any application is filed contrary to the provisions hereof, such application shall be null and void.

The Department of Finance is hereby expressly authorized to exchange all or any part of the lands owned by the State within the area described by said executive order for other lands owned by the United States outside of said area in order that said area, or portions thereof, may be used by the United States as a National park or monument."

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 3 and 4, and insert in lieu thereof the following:

"SEC. 3. Section 2 of said act is hereby amended to read as follows:".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out line 5, and in line 6, strike out "of this act, the", and insert in lieu thereof the following: "Sec. 2. The".

Amendment No. 6.

On page 1 of the printed bill, as amended, strike out lines 9 and 10, and insert in lieu thereof the following: "made part of a National park or monument;".

Amendment No. 7.

On page 1, line 11, of the printed bill, as amended, strike out "Lassen", and insert in lieu thereof the following: "Plumas".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 553—An act to amend section 9 of and to add section 9a to an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act." approved May 25, 1921, as amended, relating to the powers of the Surveyor General, now the Chief of the Division of State Lands; for the purpose of taking gold or other minerals from and granting of easements to recover gold or other minerals from the beds of tide and submerged lands, and of navigable rivers and streams.

Committee Amendments to Senate Bill No. 553.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 13 and 14 of the title, and insert in lieu thereof the following: "of the Surveyor General, providing for the taking of gold or other".

Amendment No. 2.

On page 1, line 17 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "and providing for the extraction of minerals other than oil and gas from lands owned by the State which are used for park purposes."

Amendment No. 3.

On page 1 of the printed bill, between lines 9 and 10, insert the following:

"The right to prospect and lease lands containing such other minerals, which lands are owned by the State as part of the State park system, may also be acquired in the manner provided by this section for other State lands, but no permit shall be issued or lease granted for such lands unless such permit or lease is first approved by the State Park Commission."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 443—An act to add section 12.5 and to amend sections 2 and 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20,

1905," approved May 31, 1917, as amended, relating to the organization of said bureau and defining its powers and duties, and making an appropriation.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 633—An act to add section 1083d to the Political Code, relating to the publication of notice of intention to circulate petitions.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 456—An act to amend section 12974 of the Insurance Code, to repeal section 12975 thereof, and to add section 12975 thereto, all relating to the insurance fund in the State Treasury, and providing the same shall take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 466—An act to amend sections 705, 882, 1500, 1590, 1678, 1679, 1713, 1765, 11060 and 11061 of the Insurance Code, and to add section 900.5 thereto, all relating to insurance, and declaring the urgency thereof, the act to take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 118—An act relating to the conduct of clinical laboratories and the licensing of clinical laboratory technologists and clinical laboratory technicians for the purpose of protecting the public health and to provide penalties for the violation of the provisions of this act and to repeal Chapter 638, Statutes of 1935.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 509—An act to amend section 3612 of the Political Code, relating to exemptions under section 1¾ of Article XIII of the Constitution.

Bill read second time, and ordered on third reading calendar

Third Reading of Assembly Bills.

Assembly Bill No. 134—An act to amend section 105 of an act entitled "An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor," approved June 9, 1931, as amended, relating to part time employment of retired employees.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Clark, Daley, Dannenbrink, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Laughlin, Leonard, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Richie, Robertson, Sawallisch, Scudder, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—46

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1750—An act to amend section 5 of, and to add sections 2.1 and 10.1 to, the Personal Income Tax Act of 1935, relating to taxation and providing for the rates of taxation and earned income credits.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cunningham, Dannenbrink, Dilworth, Field, Flint, Gannon, Garland, Glick, Hawkins, Hornblower, Hunt, Kepple, Kuchel, Latham, Laughlin, Levey, Lyon, Martin McMurray Meehan Miller, Eleanor, Miller, George P., Millington,

Morgan, Patterson, Peek, Pelletier, Robertson, Rosenthal, Sawallisch, Tenney, Voigt, Walker, Welsh, and Mr. Speaker—43.

NOES—Daley, Desmond, Donihue, Donnelly, Fulcher, Garibaldi, Gilbert, Heisinger, Johnson, Leonard, Maloney, Muldoon, Reaves, Richie, Scudder, Sheehan, Stream, Turner, and Watson—19.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2892—An act to provide a unified and centralized program of construction, repair and improvement of State buildings, and making an appropriation for the purposes of this act.

Motion to Amend Assembly Bill No. 2892.

Mr. Jones moved to amend Assembly Bill No. 2892 as follows:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, after the word "act", insert the following: "declaring the urgency thereof and providing this act shall take effect immediately".

Amendment No. 2.

On page 2 of the printed bill, immediately following line 30, insert the following:

"SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the Constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation."

Amendments adopted.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2892, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2892, as Amended.

Assembly Bill No. 2892—An act to provide a unified and centralized program of construction, repair and improvement of State buildings, and making an appropriation for the purposes of this act, declaring the urgency thereof, and providing this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2892 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 655—An act to add section 4.5 to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to interest and charges

Motion to Amend Assembly Bill No. 655.

Mr. Tenney moved to amend Assembly Bill No 655 as follows·

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "seven per cent per annum", and insert in lieu thereof the following "one per cent per month".

Amendment read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—62.

NOES—None.

Request for Unanimous Consent.

Mr. Tenney asked for, and was granted, unanimous consent to take up Assembly Bill No. 655, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 655, as Amended.

Assembly Bill No. 655—An act to add section 4.5 to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to interest and charges.

Assembly Bill No. 655, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 658—An act relating to rates of interest.

Motion to Amend Assembly Bill No. 658.

Mr. Tenney moved to amend Assembly Bill No. 658 as follows:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "twelve".

Amendment No. 2.

On page 1, line 18, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "twelve"

Amendments adopted.

Request for Unanimous Consent.

Mr. Tenney asked for, and was granted, unanimous consent to take up Assembly Bill No. 658, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 658, as Amended.

Assembly Bill No. 658—An act relating to rates of interest.

Assembly Bill No. 658, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M, Clark, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, McMurray, Meehan,

Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 827—An act to amend sections 510, 551, 552 and 1810 of the Labor Code and to add a new Chapter 2a, Part 2 of Division II, of the said codes, consisting of sections 620 to 623, inclusive, relating to hours of labor.

Demand for Previous Question.

Messrs. Morgan, Cunningham, Andreas, Baynham and Flint demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 827.

The roll was called, and Assembly Bill No 827 refused passage by the following vote:

AYES—Burns, Michael J., Clark, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Maloney, McMurray, Miller, George P., Patterson, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, and Mr. Speaker—22.

NOES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Robertson, Scudder, Stream, Walker, Watson, and Welsh—37.

Assembly Bill No. 2034—An act to amend section 5.1004½ of the School Code, relating to contributions to pension funds by school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 1928—An act to add a new section, to be numbered 33½, to the Retail Sales Tax Act of 1933, relating to judicial review.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—57

NOES—Muldoon, Pelletier, and Robertson—3.

Title read and approved. Bill ordered transmitted to the Senate

Special Order Set for Assembly Bill No. 1238.

On motion of Mr. Gannon, the consideration of Assembly Bill No. 1238 was made a special order of business for Tuesday, May 18, 1937, at two o'clock and thirty minutes p.m.

Special Order Set for Assembly Bills Nos. 14, 351 and 174.

On motion of Mr. Latham, the consideration of Assembly Bills Nos. 14, 351 and 174 was made a special order of business for Wednesday, May 19, 1937, at two o'clock and thirty minutes p.m.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 828.
Assembly Bill No. 2199.
Assembly Bill No. 2390.
Assembly Bill No. 2635.
Assembly Bill No. 2636.
Assembly Bill No. 2637.
Assembly Bill No. 2638.
Assembly Bill No. 2896.
Assembly Bill No. 2899.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Constitutional Amendment No. 4.

And reports the same correctly enrolled, and presented to the Governor on this seventeenth day of May, 1937, at twelve o'clock m

CUNNINGHAM, Chairman

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred

Senate Bill No. 891.

Respectfully reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

TURNER, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 57.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Concurrent Resolution No. 57 ordered to enrollment.

Recess.

At twelve o'clock and twenty-five minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937

MR. SPEAKER: Your Committee on Oil Industries, to which was referred

Assembly Bill No. 2503.

Respectfully reports the same back with the recommendation: Do pass

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:
Senate Bill No. 684.
Respectfully reports the same back with the recommendation: Do pass
ANDREAS, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:
Senate Concurrent Resolution No. 43.
Respectfully reports the same back with the recommendation: Be adopted.
ANDREAS, Chairman

The above reported bill ordered on third reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:
Assembly Bill No. 2894.
Respectfully reports the same back with the recommendation: Do pass.
TURNER, Chairman.

The above reported bill ordered on second reading calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 717—An act to amend sections 667 and 688 of the Political Code, relating to claims and actions against the State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Fulcher, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—57

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 839—An act to add section 12a to an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purposes, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the furnishing of water to such towns and villages.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Clark, Crowley, Cunningham, Dannenbrink, Desmond, Donihue, Donnelly, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Welsh, Yorty, and Mr. Speaker—52

NOES—Cassidy, Dilworth, Kuchel, Stream, and Watson—5

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2875—An act making an appropriation for the printing, publication, purchasing, and transportation of text books.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, and Mr. Speaker—60

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 175—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Clark moved a call of the Assembly.

Motion carried.

Time, two o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—62

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Re-reference of Assembly Bill No. 2350.

On motion of Mr. Reaves, Assembly Bill No. 2350 was withdrawn from the calendar, and re-referred to the Committee on Medical and Dental Laws.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1937

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to a motion adopted in connection therewith, the Senate requests that the following resolution be returned to the Senate for further action:

Assembly Concurrent Resolution No. 57—Relative to labor relations legislation.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Motion to Concur in Senate Request.

On motion of Mr. Weber, Assembly Concurrent Resolution No. 57 was withdrawn from enrollment, and ordered returned to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2857—An act to amend sections 86, 88 and 89 of the Agricultural Code, relating to agricultural districts and including provision for leasing of property of such districts

Motion to Amend Assembly Bill No. 2857.

Mr. Williamson moved to amend Assembly Bill No. 2857 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of lines 3, 4, 5, 6, 7, 8, 9, and 10, inclusive, and insert in lieu thereof the following

"(e) An agricultural association shall not lease its race track, for running races of horses, to any private person, firm or corporation except to a National or inter-

national exposition or its affiliated corporations or associations for the period of time now permitted by law for fairs."

Amendment adopted.

Assembly Bill No. 2857 ordered to reprint, and re-engrossment.

Assembly Bill No. 2647—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Motion to Amend Assembly Bill No. 2647.

Mr. Maloney moved to amend Assembly Bill No. 2647 as follows:

Amendment No. 1.

On page 2, line 3, of the printed bill, following the word "the", strike out "Commissioner of Cor-", and insert in lieu thereof the words "Director of the Department of Industrial Relations".

Amendment No. 2.

On page 2, line 4, of the printed bill, before the word "Such", strike out "porations."

Amendment No. 3.

On page 2, line 32, of the printed bill, following the word "The", strike out "Commissioner of Corporations", and insert in lieu thereof the words "Director of the Department of Industrial Relations".

Amendments adopted.

Request for Unanimous Consent.

Mr. Patterson asked for unanimous consent to take up Assembly Bill No. 2647, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Mr. Cunningham withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Patterson moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 2647, as amended, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Dannenbrink, Desmond, Donnelly, Gannon, Gilbert, Hawkins, Hornblower, Hunt, King, Laughlin, Levey, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Watson, Welsh, Yorty, and Mr. Speaker—43.

NOES—Boyle, Breed, Call, Cunningham, Dilworth, Donihue, Field, Fulcher, Garibaldi, Garland, Glick, Johnson, Kepple, Kuchel, Leonard, Martin, Morgan, Scudder, Stream, and Walker—20

Consideration of Assembly Bill No. 2647, as Amended

Assembly Bill No. 2647—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Assembly Bill No. 2647, as amended, read third time, and refused passage by the following vote:

AYES—Andreas, Boyne, Burns, Michael J., Clark, Gilbert, Hawkins, Hornblower, Hunt, King, Levey, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Williamson, Yorty, and Mr. Speaker—27

NOES—Baynham, Breed, Burns, Hugh M., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Martin, Miller Eleanor; Millington, Morgan, O'Donnell, Redwine, Robertson, Scudder, Stream, Thorp, Walker, Watson, and Welsh—40.

Assembly Bill No. 838—An act to regulate delivery of uncooked or uncured meat to any establishment for resale at retail, and providing a penalty for the violation thereof.

Motion to Amend Assembly Bill No. 838.

Mr Desmond moved to amend Assembly Bill No. 838 as follows

Amendment No. 1.

On page 1 of the printed bill, between lines 10 and 11, add the following.

"SEC. 1½. If two or more cuts or slices of uncooked or uncured meat are cut from the same carcass, and are all delivered at the same time to the same retail establishment, the stamp of Federal, State, or municipal inspection California-approved on one or more of such slices, or upon two or more slices in juxtaposition, shall be deemed a compliance with this act."

Amendment adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No 838, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 838, as Amended.

Assembly Bill No. 838—An act to regulate delivery of uncooked or uncured meat to any establishment for resale at retail, and providing a penalty for the violation thereof.

Assembly Bill No. 838, as amended, read third time, and passed by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sheehan, Voigt, Welsh, Williamson, Yorty, and Mr. Speaker—51.

NOES—Andreas, Cassidy, Crowley, Fulcher, Garibaldi, Garland, Heisinger, Leonard, Martin, Robertson, Tenney, Walker, and Watson—13.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1944—An act to add a new section to the Fish and Game Code to be known as section 840.5, relating to nets and lines

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—61.

NOES—King, Tenney, and Yorty—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2013—An act to add section 735.5 to the Vehicle Code, relating to procedure upon arrest

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At three o'clock and thirty minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Clark.

The roll of absentees was called, and Assembly Bill No 175 passed by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cunningham, Daley, Dannenbrink, Donihue, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Levey, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Weber, Welsh, Yorty, and Mr Speaker—41.

NOES—Baynham, Breed, Burns, Hugh M., Call, Cronin, Crowley, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kuchel, Latham, Laughlin, Leonard, Lyon, Martin, Mayo, Millington, Muldoon, Peyser, Redwine, Scudder, Stream, Thorp, Walker, Watson, and Williamson—33.

Title read and approved Bill ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1455.

In compliance with a notice given on a previous day, Mr Yorty moved that the vote whereby Assembly Bill No. 1455 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1455 refused reconsideration by the following vote:

AYES—Andreas, Boyle, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Gannon, Gilbert, Hawkins, Heisinger, Johnson, Kepple, King, Martin, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sheehan, Tenney, Voigt, Watson, and Yorty—32.

NOES—Baynham, Breed, Burns, Hugh M., Burns, Michael J, Call, Cassidy, Corwin, Crowley, Donihue, Field, Flint, Garibaldi, Garland, Glick, Hornblower, Hunt, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Mayo, McMurray, Meehan, Millington, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Stream, Thorp, Turner, Walker, Welsh, Williamson, and Mr. Speaker.—39.

Assembly Bill No. 1455 ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1209—An act to amend sections 770 and 777 of the Vehicle Code, relating to the disposition of fees, fines, and forfeitures.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—67.

NOES—Garibaldi—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 189—An act providing for completion of investigation and report by the Division of Water Resources, Department of Public Works on flood control, hydro-electric development and conservation and utilization of water supply of Salinas River Basin.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—64.

NOES—Daley—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2893—An act remising, releasing and quitclaiming to the Regents of the University of California certain real property in the county of Humboldt.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1284—An act to amend section 4.345 of the School Code, relating to the approval of requisitions and orders drawn on school district funds.

Motion to Amend Assembly Bill No. 1284.

Mr. Cunningham moved to amend Assembly Bill No. 1284 as follows.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "4.345", and insert in lieu thereof the following: "4.352".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "4.345", and insert in lieu thereof the following: "4.352".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "4.345", and insert in lieu thereof the following: "4.352".

Amendments adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 1284, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1284, as Amended.

Assembly Bill No. 1284—An act to amend section 4.352 of the School Code, relating to the approval of requisitions and orders drawn on school district funds.

Assembly Bill No. 1284, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1876—An act to create a California Building Authority, to give such authority extraordinary authority for allocation of funds for building purposes, supplementing the Public Works Administration Program, making an appropriation therefor, and providing for the allocation of said appropriation.

Motion to Amend Assembly Bill No. 1876.

Mr. Miller moved to amend Assembly Bill No. 1876 as follows:

Amendment No. 1.

On page 3 of the printed bill, as amended, following line 28, insert the following:

"SEC. 7. The provisions of Chapter 59 of the Statutes of 1933, as the same may have been or may be amended, shall apply to all buildings constructed under the provisions of this act to the extent that said act, as it may have been or may be amended, is not in conflict with, or inconsistent with the provisions of this act. No contract for the construction of any building under the provisions of this act shall be let until the plans therefor have been approved by the Division of Schoolhouse Planning of the Department of Education."

Amendment No. 2.

On page 3, line 29, of the printed bill, as amended, strike out "7", and insert in lieu thereof the figure "8"

Amendments adopted.

Request for Unanimous Consent.

Mr. Miller, George P., asked for, and was granted, unanimous consent to take up Assembly Bill No. 1876, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1876, as Amended.

Assembly Bill No. 1876—An act to create a California Building Authority, to give such authority extraordinary authority for allocation of funds for building purposes, supplementing the Public Works Administration program, making an appropriation therefor, and providing for the allocation of said appropriation.

Assembly Bill No. 1876, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1495—An act to add section 391.5 to the Agricultural Code, relating to straying animals.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1570—An act to amend section 4041.6 of the Political Code, relating to the appropriation and expenditure of funds by boards of supervisors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2414—An act to amend sections 736.3 and 737.3 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None

Title read and approved. Bill order transmitted to the Senate.

Assembly Bill No. 2887—An act making an appropriation to the Department of Finance for construction, reconstruction, repairs, improvements, equipment and furnishings in the State Capitol and the State office buildings in the city of Sacramento.

Motion to Amend Assembly Bill No. 2887.

Mrs. Daley moved to amend Assembly Bill No. 2887 as follows:

Amendment No. 1.

On page 1, line 8, of the printed bill, following the first comma, add the following: "suitable, adequate, clean, and hygienic women's rest rooms,".

Amendment adopted.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to take up Assembly Bill No. 2887, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 2887, as Amended.

Assembly Bill No. 2887—An act making an appropriation to the Department of Finance for construction, reconstruction, repairs, improvements, equipment and furnishings in the State Capitol and the State office buildings in the city of Sacramento.

Assembly Bill No. 2887, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2881—An act to amend section 1030 of the Political Code, relating to office hours.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2792—An act to amend sections 84a and 108 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a Retirement System for Employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol, and making an appropriation therefor.

Motion to Amend Assembly Bill No. 2792.

Mr. Lyon moved to amend Assembly Bill No. 2792 as follows:

Amendment No. 1.

On page 5, line 22, of the printed bill, as amended, after the period, insert the following: "In the event a special fund is created by law from which moneys for the support of the Department of Motor Vehicles are to be paid, all contributions

to the State Employees' Retirement Fund for employees of the Department of Motor Vehicles shall be paid from such special fund."

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 2792, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2792, as Amended.

Assembly Bill No. 2792—An act to amend sections 84a and 108 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a Retirement System for Employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol, and making an appropriation therefor

Assembly Bill No. 2792, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Hon. Charles W. Lyon in the Chair.

At four o'clock and thirty minutes p m., Hon Charles W. Lyon, member of the Assembly from the Fifty-Ninth District, in the chair.

Assembly Bill No. 2895—An act to add section 38.5 to, and to amend sections 6, 10, 11, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 45, 51, 52, 62, 95, 97, and 101 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1065—An act to establish a California Agricultural Labor Relations Board, to provide machinery for the mediation and arbitration of agricultural labor disputes and for ancillary purposes.

Motion to Amend Assembly Bill No. 1065.

Mr. Yorty moved to amend Assembly Bill No. 1065 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "Agricultural Labor Relations", and insert in lieu thereof the following: "Mediation".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the comma, insert the following: "defining its powers and duties,".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, strike out "agricultural."

Amendment No. 4.

On page 1, line 4 of the title of the printed bill, after "purposes", insert the following: ", to encourage the practice of collective bargaining between employers and representative employee groups; to insure to employees the right of self organization, including representation of employees and holding of elections among them; to define and prohibit unfair labor practices; to provide penalties for violation hereof,".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and strike out all of pages 2 to 6, inclusive, and insert in lieu thereof the following:

"Article I. General Provisions.

SECTION 1. This act and each and every part thereof is an expression of the police power of this State under which it is hereby declared to be the policy of the State of California to cooperate with and assist the National Government in its efforts to eliminate some of the sources of labor disputes that have in the past disrupted trade and commerce. The destructive influences that have resulted in this State from contention between employers and their employees have resulted in vast economic waste and have been productive of widespread unemployment and disorganization of trade and industry, injuriously affecting the standards of living of the people of this State. It is a matter of common knowledge that protection by law of the right of employees to organize and bargain collectively, by eliminating or mitigating certain recognized sources of labor disputes and by encouraging amicable adjustment of grievances between employers and employees has tended to promote harmonious employer-employee relations. The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce and tends to aggravate recurrent business depressions by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

Experience had proved that equalization of bargaining power between employers and employees, by removing certain recognized sources of industrial strife and unrest, and by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, would materially raise the standards of living of the people of this State, enabling them to consume more of the tremendous output of modern mass production and lessening the severity of business crises, resulting from a lack of consumer purchasing power. This act is intended to stimulate and encourage the practice of collective bargaining between employers and employees and to protect the exercise by workers of full freedom of association, self organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment, or other mutual aid or protection. The above is an express declaration of the social public policy of this State, binding on all departments of the State Government.

SEC. 2. When used in this act—

(1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of an employer, directly or indirectly, but shall not include the United States, or any State or political subdivision thereof, or any person subject to the Railway Labor Act or National Labor Relations Act, as amended from time to time, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

(3) The term "employee" shall include any employee, and shall not be limited to the employees of a particular employer, unless the act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural

laborer, or an employee engaged in interstate commerce, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse

(4) The term "representatives" includes any individual or labor organization.

(5) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(6) The term "unfair labor practice" means any unfair labor practice listed in section 31.

(7) The term "labor dispute" includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(8) The term "Mediation Board" means the California Mediation Board created by this act.

(9) The term "Representative" means any person or persons, labor union, organization or corporation designated either by an employer or group of employers or by its or their employees, to act for it or for them.

SEC. 3. Unless the particular provision or the context otherwise requires, the definitions set forth in this act shall govern the construction of this act.

SEC 4. The present tense includes the past and future tenses; and the future, the present. The masculine gender includes the feminine and neuter. The singular number includes the plural; and the plural, the singular.

SEC 5 There is hereby created an Administrative Board, to consist of three members, to be appointed by the Governor from the State at large, and which shall be known and designated as the Mediation Board.

The original members shall be appointed for a term extending to January 10, 1939. Thereafter the term of each member of the board shall be three years, except that any individual chosen to fill a vacancy shall serve only for the unexpired term of the member whom he shall succeed. The Governor shall designate one member to serve as chairman of the board. Any member of the board may be removed by the Governor upon notice and hearing for neglect of duty, malfeasance in office, or physical incapacity, but for no other cause. Each member of the board shall, upon entering the duties of his office, take and subscribe the constitutional oath of office and file the same in the office of the Secretary of State.

SEC. 6. A vacancy in the board shall not impair the right of the remaining members to exercise all the powers of the board, and two members of the board shall, at all times, constitute a quorum. The board shall have an official seal which shall be judicially noticed.

SEC 7. The board shall, at the close of each fiscal year, make a report in writing to the Governor, enumerating all cases it has heard and the decisions therein, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the board, and account for all moneys it has disbursed.

SEC. 8. Each member of the board shall receive a salary of seventy-five hundred dollars a year, shall be eligible for reappointment and shall not engage in any other business, vocation or employment. The board shall employ a secretary and such other assistants, attorneys, clerks, and deputies, as it may need to discharge in proper manner the duties imposed upon it by law on either a full, or a part, time basis The board may also employ an attorney to render opinions to it upon all questions of law relating to the construction or interpretation of this act, or arising in the administration thereof, and to represent it in all actions and proceedings brought by or against it under or pursuant to any of the provisions of this act. Such attorney shall receive such compensation as the board shall fix and determine, with the approval of the Department of Finance, but not exceeding the sum of five thousand dollars per annum. Neither the board, nor its secretary, or any of its assistants, attorneys, clerks, or deputies, shall be interested in any person appearing before it as a director, stockholder, officer, member, agent, or employee. The secretary and such attorneys, clerks, and deputies shall perform such duties as the board shall assign to them. The board shall, with the approval of the Department of Finance, fix the compensation of such assistants, clerks, and deputies Each assistant and deputy shall, within fifteen days after his appointment, take and subscribe to the constitutional oath of office, and file the same in the office of the Secretary of State.

SEC 9 The board shall keep its principal offices in the City and County of San Francisco and in the city of Los Angeles. The board shall have power to rent temporary quarters necessary for holding sessions elsewhere, and is authorized to secure any necessary furniture, stationery or other supplies.

SEC. 10. The board may, by one or more of its members, or by such agents or agencies as it may designate, prosecute any inquiries necessary to its functions in any part of the State of California A member who participates in such an

inquiry shall not be disqualified from subsequently participating in a decision of the board in the same case.

SEC. 11. All expenses of the board, including the actual and necessary traveling and subsistence expenses and disbursements of the members thereof, and of their representatives and employees, incurred while on business of the board pursuant to the provisions of this act, shall be paid upon the presentation of itemized vouchers approved by the board or by any individual it designates for that purpose.

SEC. 12. For the purpose of all hearings and investigations, which, in the opinion of the board, are necessary and proper for the exercise of the powers vested in it by this act, the board, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question.

SEC. 13. Any member of the board shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the board, its member, agent, or agency conducting the hearing or investigation. Any member of the board, or any agent or agency designated by the board for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence.

SEC. 14. Complaints, orders, and other process and papers of the board, its member, agent or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post-office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses subpenaed before the board, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of record in this State, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of record in this State.

SEC. 15. The board, its agents and employees, are authorized to confer and cooperate with all agents and representatives of the National Government charged or connected with the administration or enforcement of that certain act of the Congress of the United States entitled "An act to diminish the causes of labor disputes preventing or obstructing interstate and foreign commerce, to create a National Labor Relations Board, and for other purposes," approved July 5, 1935, and commonly known as the National Labor Relations Act. This act shall be interpreted and construed whenever possible with a view to uniformity with the decisions of the National Labor Relations Board interpreting and construing the National Labor Relations Act.

SEC. 16. The several departments and agencies of the State, when directed by the Governor, shall furnish the board, upon its request, all records, papers, and information in their possession relating to any matter before the board.

SEC. 17. The board shall have authority to adopt, publish, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this act.

Such rules and regulations shall be effective upon publication in the manner which the board shall prescribe.

SEC. 18. The provisions of this act shall not apply to disputes, employments, employers or employees subject to or included in the act of Congress known as the Railway Labor Act and the National Labor Relations Act, as the same now stands, or as it may be hereafter amended or supplemented.

SEC. 19. Nothing in this act shall be construed so as to interfere with or impede or diminish in any way the right to strike.

SEC. 20. If any section, sentence, clause or part of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, sentence, clause or part hereof, irrespective of the fact that one or more sections, sentences, clauses or parts hereof be declared unconstitutional.

SEC. 21. Any person who shall wilfully resist, prevent, impede or interfere with, or who shall conspire to resist, prevent, impede or interfere with any member of this board or any of its agents or agencies in the performance of duties pursuant to this act shall be guilty of a misdemeanor.

SEC. 22. This act may be known and cited as the California Mediation Act.

Article II. Labor Relations.

SEC. 30. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

SEC. 31. It shall be an unfair labor practice for an employer—

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 30.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it, provided that subject to rules and regulations made and published by the board pursuant to section 17, an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay.

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment, to encourage or discourage membership in any labor organization. Nothing in this act or in any statute of the State of California shall preclude an employer from making an agreement with a labor organization (not established, maintained or assisted by any action defined in this act as an unfair labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employees, as provided in section 32 in the appropriate collective bargaining unit covered by such agreement when made.

(4) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this act.

(5) To refuse to bargain collectively with the representatives of his employees subject to the provisions of section 60

SEC 32 Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment; provided, that any individual employee or a group of employees shall have the right at any time to present grievances to their employer.

SEC 33 The board shall decide in each case whether, in order to insure to employees their right to self-organization and to collective bargaining, and otherwise to effectuate the policies of this act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof.

SEC 34. Whenever a question arises concerning the representation of employees, the board may investigate such controversy and certify to the parties, in writing, the name or names of the representatives that have been designated or selected. In any such investigation, the board shall provide for an appropriate hearing upon due notice, either in conjunction with a proceeding authorized by this act or otherwise, and may take a secret ballot of employees, or utilize any other suitable method to ascertain such representatives.

SEC. 35 Whenever an order of the board made pursuant to section 38 is based in whole or in part upon facts certified following an investigation pursuant to section 34, and there is a petition for the enforcement of or hearing on such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under section 42, and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the board shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript.

SEC 36. The board is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice (listed in section 31). This power shall be exclusive, and shall not be affected by any other means of adjustment or prevention that has been or may be established by agrement, code, law, or otherwise.

SEC 37. Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the board, or any agent or agency designated by the board for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect, and containing a notice of hearing before the board or a member thereof, or before a designated agent or agency, at a place therein fixed, not less than five days after the serving of said complaint Any such complaint may be amended by the member, agent, or agency conducting the hearing or the board in its discretion at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint In the discretion of the member, agent or agency conducting the hearing, or the board, any other person may be allowed to intervene in the said proceeding and to present testimony In any such proceeding the rules of evidence prevailing in courts of law or equity shall not be controlling.

SEC. 38. The testimony taken by such member, agent or agency, or the board, shall be reduced to writing and filed with the board. Thereafter, in its discretion the board upon notice may take further testimony or hear argument If upon all the testimony taken, the board shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the board shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action, including reinstatement of employees with or without back pay, as will effectuate the policies of this act Such order may further require such person to make reports from time to time showing

the extent to which it has complied with the order If upon all the testimony taken the board shall be of the opinon that no person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the board shall state its findings of fact and shall issue an order dismissing the said complaint

SEC. 39 Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the board may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

SEC. 40. In case of contumacy or refusal to obey a subpena issued to any person, any superior court of the State of California, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the board shall have jurisdiction to issue to such person an order requiring such person to appear before the board, its member, agent, or agency, there to produce evidence if so ordered or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

SEC. 41. No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying

SEC. 42. The board may, after a hearing and decision on any complaint, bring an action to enjoin the violation or a threatened violation of any of its orders in the superior court in any county wherein the unfair labor practice in question has occurred, or is about to occur, or wherein any person charged with such unfair labor practice in the complaint resides or transacts business, for the enforcement of its orders and for appropriate temporary relief Upon the filing of the complaint in any such action, the court shall cause notices thereof to be served upon such person, and thereupon shall have jurisdiction of the action and of the question determined therein. In any such action the board shall certify and file in the court a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and order of the board

SEC. 43 In any action brought to enjoin the violation, or threatened violation, of any order of the board, the court may, upon compliance with section 527 of the Code of Civil Procedure of the State of California, issue a temporary restraining order and preliminary injunction, as in other cases for injunctive relief, and upon the trial of such action, if judgment be in favor of the plaintiff, the court shall permanently enjoin defendant from further violations or threatened violations of the board's orders Nothing in section 526 of the Code of Civil Procedure or in sections 3422 and 3423 of the Civil Code, or in any similar law or statute, shall limit the right of the board to an injunction under this act.

SEC. 44. No objection that has not been raised or urged before the board, its member, agent or agency, shall be considered by any court, unless the failure or neglect to raise or urge such objection shall be excused because of extraordinary circumstances. The findings of the board as to the facts shall be prima facie evidence of the truth thereof.

SEC. 45. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to appeal as in other cases provided.

SEC. 46 Any person aggrieved by a final order of the board shall have the right to petition the superior court of the State of California in the county wherein such order was made for a hearing or appropriate temporary relief or restraining order and shall certify and file in the court a transcript of the entire record in the proceeding including the pleadings and testimony upon which such order was entered and the findings and order of the board. Upon such filing the court shall cause notice thereof to be served upon the board and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power to grant such temporary relief or restraining order as it deems just and proper.

SEC. 47. The commencement of proceedings under sections 42, 43, 44, 45, 46, or 47, shall not, unless specifically ordered by the court, operate as a stay of the board's order.

SEC. 48. Petitions filed under this act shall be heard expeditiously, and if possible, within ten days after they have been docketed.

Article III. Mediation, Adjustment, and Arbitration

SEC. 60. - This article shall apply only where, within a craft, class, or other appropriate unit of employees, there is a labor organization recognized by the Mediation Board as having been organized in conformity with Article II

SEC. 61. The Mediation Board may establish adjustment boards as provided in this article.

SEC. 62 It shall be the duty of all employers, their officers, agents, and employees to exert every reasonable effort to make and maintain agreements concerning rates of pay, rules, and working conditions, and to settle all disputes, whether arising out of the application of such agreements or otherwise.

SEC. 63 Whenever a notice specified by this article is served by employees upon employers, or by employers upon employees, it shall be in writing and a copy shall, within twenty-four hours, be mailed to the Mediation Board

SEC. 64. All disputes between an employer or employers and its or their employees, shall be considered, and, if possible, decided, with all expedition, in conference between representatives designated and authorized so to confer, respectively, by the employer or employers and by the employees thereof interested in the dispute.

SEC. 65. Representatives, for the purposes of this article, shall be designated by the respective parties without interference, influence, or coercion by either party over the designation of representatives by the other; and neither party shall in any way interfere with, influence, or coerce the other in its choice of representatives Representatives of employees for the purposes of this article need not be persons in the employ of the employer, and no employer shall, by interference, influence, or coercion, seek in any manner to prevent the designation by its employees as their representatives, of those who or which are not employees of the employer.

SEC. 66. The majority of any craft, class, or any other appropriate unit of employees designated by the Mediation Board shall have the right to determine who shall be the representative of the craft, class, or unit for the purposes of this article.

SEC. 67. No employer, its officers, or agents, shall require any person seeking employment to sign any contract or agreement, promising to join or not to join a labor organization; and if any such contract has been in force prior to the effective date of this act, then such employer shall notify its employees that such contract has been discarded and is no longer binding on them in any way.

SEC. 68 In case of a dispute between an employer or employers and its or their employees, arising out of grievances or out of the interpretation or application of agreements concerning rates of pay, rules, or working conditions, it shall be the duty of the designated representative or representatives of such employer or employers and of such employees, within five days after the receipt of notice of a desire on the part of either party to confer in respect to such dispute, to specify a time and place at which such conference shall be held; provided, (a) that the place so specified shall be situated in or near the place of employment involved, or as otherwise mutually agreed upon; and (b) that the time so specified shall allow the designated conferees reasonable opportunity to reach such place of conference but shall not exceed five days from the receipt of such notice, and provided further, that nothing in this act shall be construed to supersede the provisions of any agreement (as to conferences) then in effect between the parties.

SEC. 69. No employer, its officers or agents, shall change the rates of pay rules, or working conditions of its employees, as a class, as embodied in agreements, except in the manner prescribed in such agreements or in this article

SEC. 70 Every employer shall notify its employees by printed notices in such form and posted at such times and places as shall be specified by the Mediation Board that all disputes between the employer and its employees will be handled in accordance with the requirements of this article, and in such notices there shall be printed, verbatim, in large type, sections 65, 66, and 67 of this act The provisions of said sections are hereby made a part of the contract of employment between the employer and each employee, and shall be held binding upon the parties regardless of any other express or implied agreements between them

SEC. 71. If any dispute shall arise among an employer's employees as to who are the representatives of such employees designated and authorized in accordance with the requirements of this article, it shall be the duty of the Mediation Board upon request of either party to the dispute, to investigate such dispute and to certify to both parties, in writing, within ten days after the receipt of the invocation of its services, the name or names of the individuals or organizations that have been designated and authorized to represent the employees involved in the dispute, and certify the same to the employer. Upon receipt of such certification the employer shall treat with the representatives so certified as the representatives of the craft or class for the purposes of this article. In making such investigation, the Mediation Board shall be authorized to take a secret ballot of the employees involved, or to utilize any other appropriate method of ascertaining the names of their duly designated and authorized representatives in such manner as shall insure a choice of representatives by the employees without interference, influence, or coercion exercised by the employer. In the conduct of any election for the purposes herein indicated, the Mediation Board shall designate who may participate in the election and establish the rules to govern the election, or may appoint a committee of three neutral persons who after hearing shall within ten days designate the

employees who may participate in the election The Mediation Board shall have access to and have power to make copies of the books and records of the employers to obtain and utilize such information as may be deemed necessary by it to carry out the purposes and provisions of this section

SEC. 72 The wilful failure or refusal of any employer, its officers or agents to comply with the terms of sections 65, 66, 67, 69, or 70 of this act shall be a misdemeanor and upon conviction thereof the employer, officer, or agent offending shall be subject to a fine of not to exceed five hundred dollars or imprisonment for not more than six months, or both fine and imprisonment, for each offense, and each day during which such employer, officer, or agent shall wilfully fail or refuse to comply with the terms of said sections shall constitute a separate offense, provided, that nothing in this act shall be construed to require an individual employee to render labor or service without his consent, nor shall anything in this act be construed to make a quitting of his labor by an individual employee an illegal act; nor shall any court issue any process to compel the performance by an individual employee of such labor or service, without his consent.

SEC. 73. Each adjustment board shall consist of such number of members as may be designated by the Mediation Board, one-half of whom shall be selected by the *employers of the appropriate unit, and one-half by such labor organizations* of such unit as are recognized by the Mediation Board as having been organized in accordance with the provisions of Article II of this act.

SEC. 74. The employers of such unit, acting each through its board of directors or its receiver or receivers, trustee or trustees, or through an officer or officers designated for that purpose by such board, trustee or trustees or receiver or receivers, or individually if such employer be an individual, shall prescribe the rules under which its representatives shall be selected and shall select the representatives of the employers on the adjustment board.

SEC. 75. The recognized labor organizations of the appropriate unit, as defined in this article, acting each through the chief executive or other medium designated by the organization or association thereof, shall prescribe the rules under which the labor members of the adjustment board shall be selected and shall select such members.

SEC. 76. In case of a permanent or temporary vacancy on the adjustment board, the vacancy shall be filled by selection in the same manner as in the original selection.

SEC. 77. If either the employers or the labor organizations of the employees fail to select and designate representatives to the adjustment board, as provided in this article, respectively, within thirty days after authorization by the Mediation Board, in case of any original appointment to office of the member of the adjustment board, or in case of a vacancy in any such board within fifteen days after such vacancy occurs, the Mediation Board shall thereupon directly make the appointment and shall select an individual associated in interest with the employers or the group of labor organizations, whichever he is to represent.

SEC. 78. In the event a dispute arises as to the right of any organization to participate in the selection and designation of the labor members of the adjustment board, the Mediation Board shall investigate the claims of the labor organization and decide whether or not it was organized in accordance with this act and is otherwise properly qualified to participate in the selection of the labor members of the adjustment board, and the findings of such board shall be final and binding

SEC. 79. Each member of the adjustment board shall be compensated by the party or parties he is to represent. Each third or neutral party selected under the provisions of section 77 of this act shall receive from the Mediation Board such compensation as the Mediation Board may fix, together with his necessary traveling expenses, subject to the provisions of law applicable thereto, while serving as such third or neutral party.

SEC. 80. The said adjustment boards shall have jurisdiction over disputes involving employees, as provided in this article.

SEC. 81. The disputes between the employee or group of employees and the employer or employers growing out of grievances or out of the interpretation or application of agreements concerning rates of pay, rules, or working conditions, shall be handled in the usual manner; but, failing to reach an adjustment in this manner, the disputes may be referred by petition of the parties or by either party to the adjustment board with a full statement of the facts and all supporting data bearing upon the dispute.

SEC. 82. The parties may be heard either in person, or by counsel, or by their representatives, as they may respectively elect, and the adjustment board shall give due notice of all hearings to the employee or employees and the employer or employers involved in any dispute submitted to them.

SEC. 83. The adjustment board shall have authority to empower two or more of its members to conduct hearings and make findings upon disputes, when properly submitted, at any place designated by the board; provided, however, that final awards as to any such disputes must be made by the entire board as hereinafter provided.

SEC. 84 Upon failure of the board to agree upon an award because of a deadlock or inability to secure a majority vote of the board members, then such board shall, forthwith, agree upon and select a neutral person, to be known as a "referee," to sit with the board as a member thereof and make an award Should the board fail to agree upon and select a referee within ten days of the date of the deadlock or inability to secure a majority vote, then the board, or any member thereof, or the party or either party to the disputes may certify that fact with the Mediation Board, which board shall, within ten days of the date of receiving such certificate, select and name the referee to sit with the adjustment board as a member thereof and make an award. The Mediation Board shall be bound by the same provisions in the appointment of this neutral referee as are provided elsewhere in this article for the appointment of arbitrators and shall fix the pay and compensation of such referee.

SEC. 85. The awards of the adjustment board shall be stated in writing. A copy of the awards shall be furnished to the respective parties to the controversy, and the awards shall be final and binding upon both parties to the dispute, except in so far as they shall contain a money award. In case a dispute arises involving an interpretation of the award the adjustment board upon request of either party shall interpret the award in the light of the dispute.

SEC. 86. A majority vote of all the members of the adjustment board shall be competent to make an award with respect to any dispute submitted to it.

SEC. 87. In case of an award by the adjustment board in favor of petitioner, the board shall make an order, directed to the employer, to make the award effective and, if the award includes a requirement for the payment of money, to pay to the employee the sum to which he is entitled under the award on or before the day named

SEC 88 If an employer does not comply with the order of the adjustment board within the time limit in such order, the petitioner, or any person for whose benefit such order was made, may file in the superior court in and for the county in which he resides or in which is located the principal operating office of the employer, or in which the employer operates, a petition setting forth briefly the cause for which he claims relief, and the order of the adjustment board in the premises. Such suit in the superior court shall proceed in all respects as other civil suits, except that on the trial of such suit the findings and order of the adjustment board shall be prima facie evidence of the facts therein stated, and except that the petitioner shall not be liable for costs in the superior court nor for costs at any subsequent stage of the proceedings, unless they accrue upon his appeal. If the petitioner shall finally prevail he shall be allowed a reasonable attorneys' fee, to be taxed and collected as a part of the costs of the suit. The superior court is empowered, under the rules of the court governing actions at law, to make such order and enter such judgment, by writ of mandamus or otherwise, as may be appropriate to enforce or set aside the order of the adjustment board

SEC. 89. All actions at law based upon provisions of this act shall be begun within two years from the time the cause of action accrues under the award of the adjustment board, and not after

SEC. 90. The adjustment board shall meet regularly, and continue in session so long as there is pending before it any matter within its jurisdiction which has been submitted for its consideration and which has not been disposed of

SEC. 91. Whenever practicable the adjustment board shall be supplied with suitable quarters in any State building located at its place of meeting

SEC. 92 The adjustment board may, subject to the approval of the Mediation Board, employ and fix the compensations of such assistants as it deems necessary in carrying on its proceedings

SEC. 93. The adjustment board shall meet within ten days after designation of its members and adopt such rules as it deems necessary to control proceedings before it and not in conflict with the provisions of this article

SEC. 94. Each adjustment board shall file such reports as the Mediation Board may require.

SEC. 95. The parties, or either party, to a dispute between an employee or group of employees and an employer may invoke the services of the Mediation Board in any of the following cases.

(a) A dispute concerning changes in rates of pay, rules, or working conditions not adjusted by the parties in conference.

(b) Any other dispute not referable to the proper adjustment board and not adjusted in conference between the parties or where conferences are refused.

SEC. 96 The Mediation Board may proffer its services in case any labor emergency is found to exist by it at any time.

In either event the said Mediation Board shall promptly put itself in communication with the parties to such controversy and shall use its best efforts, by mediation, to bring them to agreement It such efforts to bring about an amicable settlement through mediation shall be unsuccessful, the said board shall at once endeavor to induce the parties to submit their controversy to arbitration, in accordance with the provisions of this article

SEC. 97. If arbitration at the request of the Mediation Board shall be refused by one or both parties, the board shall at once notify both parties in writing that its mediatory efforts have failed, and for ten days thereafter, unless in the intervening period the parties agree to arbitration, or an emergency board shall be created under this article, no change shall be made in the rates of pay, rules, or working conditions or established practices in effect prior to the time the dispute arose.

SEC. 98. In any case in which a controversy arises over the meaning of the application of any agreement reached through mediation under the provisions of this article, either party to the said agreement, or both, may apply to the Mediation Board for an interpretation of the meaning or application of such agreement. The said board shall, upon receipt of such request, notify the parties to the controversy, and after a hearing of both sides, give its interpretation within ten days.

SEC. 99. The Mediation Board shall have the duties hereinafter set out with respect to the arbitration of disputes under this article.

SEC. 100. On failure of the arbitrators named by the parties to agree on the remaining arbitrator or arbitrators within the time set by this article, it shall be the duty of the Mediation Board to name such remaining arbitrator or arbitrators. It shall be the duty of the boad in naming such arbitrator or arbitrators to appoint only those whom the board shall deem wholly disinterested in the controversy to be arbitrated and impartial and without bias as between the parties to such arbitration. Should, however, the board name an arbitrator or arbitrators not so disinterested and impartial, then, upon proper investigation and presentation of the facts, the board shall promptly remove such arbitrator.

SEC. 101. If an arbitrator named by the Mediation Board in accordance with the provisions of this article, shall be removed by such board as provided by this article, or if such an arbitrator refuses or is unable to serve, it shall be the duty of the Mediation Board, promptly, to select another arbitrator in the same manner as provided in this article for the original appointment by the Mediation Board.

SEC. 102. Any member of the Mediation Board is authorized to take the acknowledgment of an agreement to arbitrate under this article. When so acknowledged, or when acknowledged by the parties before a notary public or the clerk of a court of record, such agreement to arbitrate shall be delivered to a member of said board or transmitted to said board, to be filed in its office.

SEC. 103. When an agreement to arbitrate has been filed with the Mediation Board, or with one of its members, as provided by this article, and when the said board has been furnished the names of the arbitrators chosen by the parties to the controversy, it shall be the duty of the board to cause a notice in writing to be served upon said arbitrators, notifying them of their appointment, requesting them to meet promptly to name the remaining arbitrator or arbitrators necessary to complete the board of arbitration, and advising them of the period within which, as provided by the agreement to arbitrate, they are empowered to name such arbitrator or arbitrators.

SEC. 104. Either party of an arbitration desiring the reconvening of a board of arbitrators to pass upon any controversy arising over the meaning or application of an award, may so notify the Mediation Board in writing, stating in such notice the question or questions to be submitted to such reconvening board. The Mediation Board shall thereupon promptly communicate with the members of the board of arbitration, who are a subcommittee of such board appointed for such purpose pursuant to such provision in the agreement to arbitrate, and arrange for the reconvening of said board of arbitration or subcommittee, and shall notify the respective parties to the controversy of the time and place at which the board, or the subcommittee, will meet for hearings upon the matters in controversy to be submitted to it. No evidence other than that contained in the record filed with the original award shall be received or considered by such reconvened board or subcommittee, except such evidence as may be necessary to illustrate the interpretations suggested by the parties. If any member of the original board is unable or unwilling to serve on such reconvened board or subcommittee thereof, another arbitrator shall be named in the same manner and with the same powers and duties as such original arbitrator.

SEC. 105. Employers and representatives of employees shall give at least ten days' by written notice of an intended change in agreements affecting rates of pay, rules or working conditions, and the time and place for the beginning of the conference between the representatives of the parties interested in such intended changes, shall be agreed upon within five days after the receipt of said notice, and said time shall be within the ten days provided in the notice. In every case where such notice of intended change has been given, or conferences are being held with reference thereto, or the services of the Mediation Board have been requested by either party, or said board has proffered its services, the rates of pay, rules, or working conditions shall not be altered by the employer until the controversy has been finally acted upon as required by this act, by the Mediation Board, unless a period of ten days has elapsed after the termination of the conferences without request for or proffer of the services of the Mediation Board.

SEC. 106. Whenever a controversy shall arise between an employer or employers and its or their employees which is not settled either in conference between repre-

sentatives of the parties or by the adjustment board or other mediation, in the manner provided in the preceding sections, such controversy may, by agreement of the parties to such controversy, be submitted to the arbitration of a board of three (or if the parties to the controversy so stipulate, of six) persons; provided, however, that the failure or refusal of either party to submit a controversy to arbitration shall not be construed as a violation of any legal obligation imposed upon such party by the terms of this act or otherwise.

SEC 107. Such board of arbitration may be chosen in the following manner:

(a) In the case of a board of three, the employer or employers and the representatives of the employees, parties respectively to the agreement to arbitrate, shall each name one arbitrator; the two arbitrators thus chosen shall select a third arbitrator. If the arbitrators chosen by the parties shall fail to name the third arbitrator within five days after their first meeting, such third arbitator shall be named by the Mediation Boad

SEC. 108. In the case of a board of six, the employer or employers and the representatives of the employees, parties respectively to the agreement to arbitrate, shall each name two arbitrators; the four arbitrators thus chosen shall, by a majority vote, select the remaining two arbitrators. If the arbitrators chosen by the parties shall fail to name the two arbitrators within fifteen days after their first meeting, the said two arbitrators, or as many of them as have not been named, shall be named by the Mediation Board.

SEC. 109 When the arbitrators selected by the respective parties shall agree upon the remaining arbitrator or arbitrators, they shall notify the Mediation Board; and, in the event of their failure to agree upon any or upon all of the necessary arbitrators within the period fixed by this article, they shall at the expiration of such period notify the Mediation Board of the arbitrators selected, if any, or of their failure to make or to complete such selection.

SEC. 110 The board of arbitration shall organize and select its own chairman and make all necessary rules for conducting its hearings; provided, however, that the board of arbitration shall be bound to give the parties to the controversy a full and fair hearing, which shall include an opportunity to present evidence in support of their claims, and an opportunity to present their case in person, by counsel, or by other representatives as they may respectively elect.

SEC. 111. Upon notice from the Mediation Board that the parties, or either party, to an arbitration desire the reconvening of the board of arbitration (or a subcommittee of such board of arbitration appointed for such purpose pursuant to the agreement to arbitrate), to pass upon any controversy over the meaning or application of their award, the board, or its subcommittee, shall at once reconvene. No question other than, or in addition to, a question relating to the meaning or application of the award, submitted by the party or parties in writing, shall be considered by the reconvened board of arbitrators or its subcommittee.

SEC. 112. Such rulings shall be acknowledged by such board or subcommittee thereof in the same manner, and filed in the same county clerk's office, as the original award and become a part thereof.

SEC. 113 No arbitrator, except those chosen by the Mediatoin Board, shall be incompetent to act as an arbitrator because of his interest in the controversy to be arbitrated, or because of his connection with or partiality to either of the parties to the arbitration

SEC. 114. Each member of any board of arbitration created under the provisions of this article named by either party to the arbitration shall be compensated by the party naming him Each arbitrator selected by the arbitrators or named by the Mediation Board shall receive from the Mediation Board such compensation as the Mediation Board may fix, together with his necessary traveling expenses

SEC. 115. The board of arbitrators shall furnish a certified copy of its award to the respective parties to the controversy, and shall transmit the original, together with the papers and proceedings and a transcript of the evidence taken at the hearings, certified under the hands of at least a majority of the arbitrators, to the county clerk of the county wherein the controversy arose or the arbitration is entered into, to be filed in said clerk's office as hereinafter provided. The said board shall also furnish a certified copy of its award, and the papers and proceedings, including testimony relating thereto, to the Mediation Board, to be filed in its office; and in addition a certified copy of its award shall be filed in the office of the Governor .

SEC 116. The board of arbitration may, subject to the approval of the Mediation Board, employ and fix the compensation of such assistants as it deems necessary in carrying on the arbitration proceedings. The compensation of such employees, together with their necessary traveling expenses, and the necessary expenses of boards of arbitration, shall be paid by the Mediation Board.

SEC. 117 Whenever practicable, the board of arbitration shall be supplied with suitable quarters in any State building located at its place of meeting or at any place where the board may conduct its proceedings or deliberations.

SEC. 118 All testimony before the board of arbitration shall be given under oath or affirmation, and any member of the board shall have the power to administer oaths or affirmations The board of arbitration, or any member thereof, shall have the power to require the attendance of witnesses and the production of

such books, papers, contracts, agreements, and documents as may be deemed by the board of arbitration material to a just determination of the matters submitted to its arbitration and may for that purpose request the clerk of the superior court in and for the county wherein such arbitration is being conducted, to issue the necessary subpenas, and upon such request said clerk or his duly authorized deputy shall be, and he hereby is, authorized, and it shall be his duty, to issue such subpenas. In the event of the failure of any person to comply with any such subpena, or in the event of the contumacy of any witness appearing before the board of arbitration, the board may invoke the aid of said superior court to compel witnesses to attend and testify and to produce such books, papers, contracts, agreements, and documents.

SEC. 119. Any witness appearing before a board of arbitration shall receive the same fees and mileage as witnesses in superior courts, to be paid by the parties securing the subpenas.

SEC. 120. Agreement to Arbitrate. All agreements to arbitrate under this article shall:

(a) Be in writing.

(b) Stipulate that the arbitration is had under the provision of this article.

(c) State whether the board of arbitration is to consist of three or of six members.

(d) Be signed by the duly accredited representatives of the employer or employers and the employees, parties respectively to the agreement to arbitrate, and be acknowledged by the parties before a notary public or before a member of the Mediation Board, and, when so acknowledged, be filed in the office of the Mediation Board.

(e) State specifically the questions to be submitted to the said board of arbitration for decision.

(f) Provide that the questions, or any one or more of them, submitted by the parties to the board of arbitration may be withdrawn from arbitration on notice to that effect signed by the duly accredited representatives of all parties and served on the board of arbitration.

(g) Stipulate that the signatures of a majority of the board of arbitration affixed to its award shall be competent to constitute a valid and binding award.

(h) Fix a period from the date of the appointment of the arbitrator or arbitrators necessary to complete the board within which the board of arbitration shall commence its hearings.

(i) Fix a period from the beginning of the hearings within which the board of arbitration shall make and file its award; however, the parties may agree at any time upon an extension of this period.

(j) Provide for the date from which the award shall become effective and shall fix the period during which the award shall continue in force.

(k) Provide that the award, when certified by a majority of the members of the board of arbitration, be filed in the office of the county clerk of a county designated.

(l) That when so filed it shall be final and conclusive upon the parties as to the facts determined by it and as to the merits of the controversy decided.

(m) Provide that any difference arising as to the meaning, or the application of the provisions, of an award made by a board of arbitration, shall be referred back for a ruling to the same board, or, by agreement, to a subcommittee of such board; and that such ruling, when acknowledged in the same manner, and filed in the office of the Mediation Board, shall be a part of and shall have the same force and effect as the original award.

(n) Provide that the respective parties to the award shall each faithfully execute it.

SEC. 121. The said agreement to arbitrate, when properly signed and acknowledged as herein provided, shall not be revoked by a party to such agreement; provided, however, that such agreement to arbitrate may at any time be revoked and canceled by the written agreement of both parties, signed by their duly accredited representatives, and (if no board of arbitration has yet been constituted under the agreement) delivered to the Mediation Board or any member thereof; or, if the board of arbitration has been constituted as provided by this article, delivered to such board of arbitration.

SEC. 122. The award of a board of arbitration, having been acknowledged as herein provided, shall be filed in the said county clerk's office designated in the agreement to arbitrate.

SEC. 123. An award acknowledged and filed as herein provided shall be conclusive on the parties as to the merits and facts of the controversy submitted to arbitration, and unless, within ten days after the filing of the award, a petition to impeach the award, in the grounds hereinafter set forth, shall be filed in the clerk's office of the court in which the award has been filed, the court shall enter judgment on the award, which judgment shall be final and conclusive on the parties.

SEC. 124. If a dispute between an employer and its employees be not adjusted under the foregoing provisions of this act, and should, in the judgment of the Mediation Board, it threaten substantially to interrupt industry to a degree such as

to deprive any section of the State of essential industrial services or commodities, the Mediation Board shall notify the Governor, who may thereupon, in his discretion, create a board to investigate and report respecting such dispute. Such board shall be composed of such number of persons as to the Governor may seem desirable; provided, however, that no member appointed shall be pecuniarily or otherwise interested in any organization of employees or any employer. Such board shall be created separately in each instance, and it shall investigate promptly the facts as to the dispute and make a report thereon to the Governor within ten days from the date of its creation.

After the creation of such board, and for ten days after such board has made its report to the Governor, no change, except by agreement, shall be made by the parties to the controversy, in the conditions out of which the dispute arose."

Amendments adopted.

Assembly Bill No 1065 ordered to reprint, and re-engrossment.

Re-reference of Assembly Bill No. 1417.

On motion of Mr. Flint, Assembly Bill No. 1417 was withdrawn from the calendar, and re-referred to the Committee on Elections.

Special Order Set for Assembly Bill No. 1065.

On motion of Mr Yorty, the consideration of Assembly Bill No. 1065 was made a special order of business for Tuesday, May 18, 1937, at three o'clock p m

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1899—An act to add sections 154.1 to 154 8, inclusive, to the Agricultural Code, relating to the control of weed pests

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 1012—An act to amend an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to the pension of county and township peace officers.

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 46—Relative to memorializing the President and Congress of the United States to enact legislation to relieve California champagne makers from discriminatory regulations of the Federal Alcohol Administration

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1788—An act to amend section 45 of the California Irrigation District Act, relating to certificates of sale.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1280—An act to add section 139.5 to the Agricultural Code, relating to the suppression of rodents, and to make an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2046—An act to amend sections 4307 and 4308 of the Political Code, relating to county charges and the district attorney's special fund.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 60—Proposed amendment to Article IV of the Constitution, by amending section 23 and adding sections 7 2 and 15.3, relating to the legislative department of the State Government.

Motion to Amend Assembly Constitutional Amendment No. 60.

Mr. Heisinger moved to amend Assembly Constitutional Amendment No. 60 as follows

Amendment No. 1.

On page 1, line 16, of the printed measure, as amended, strike out "every person, firm, cor-", strike out lines 17 to 20, inclusive, on page 2, strike out lines 1 to 9, inclusive, and in line 10, strike out "lars or more", and insert in lieu thereof the following: "in the following form the answer to the following questions.

My name is_____
My present residence is_____
My present occupation is_____
My present business address is_____
The name of my employer (if any) is _____
The address of my employer (if any) is_____
My occupation for the past three years has been as follows.
_____
_____
The duration of my residence in California is _____ years.
I have been a citizen of the United States for _____ years
My address for the past five years has been as follows:
_____
_____
I am at present an incumbent of the following public office (if any) _____
I have held the following public offices (if any).
_____ for _____ years
_____ for _____ years
I am registered as affiliated with the_____ party. (The candidate may here insert, at his option, in not over fifty words a statement of what he considers to be his special fitness, training or experience in the line of work which he will be called upon to perform in case of his election.)

If nominated, I will accept such nomination and not withdraw and will qualify as such officer if nominated and elected.

_____
_____
Signature of Candidate

State of California, } ss.
County of _____ }
Subscribed and sworn to before me this _____ day of _____, 19____.

_____
Notary Public (or other official)

Examined and certified by me this _____ day of _____, 19____

_____
Registrar of Voters—County Clerk"

Amendment No. 2.

On page 2, line 19, of the printed measure, as amended, strike out "three fourths", and insert in lieu thereof the following: "two-thirds"

Amendment No. 3.

On page 2, line 20, of the printed measure, as amended, strike out "three-fourths", and insert in lieu thereof the following: "two-thirds"

Amendment No. 4.

On page 4 of the printed measure, as amended, between lines 10 and 11, add the following:

"All ordinances by boards of supervisors regulating compensation, shall be subject to referendum by the people as to each salary fixed thereby."

Amendments adopted.

Assembly Constitutional Amendment No. 60 ordered to reprint, and re-engrossment.

The Speaker in the Chair.

At four o'clock and forty minutes p.m. Hon. William Moseley Jones, Speaker of the Assembly, in the chair

Assembly Bill No. 1908—An act to amend sections 1, 3, 7 and 11 of the Motor Vehicle Fuel License Tax Act, relating to the definition of terms used in said act, the imposition of a license tax thereunder, the determination of taxable distributions of motor vehicle fuel, and the refund of said license tax under certain conditions

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2407—An act to amend section 4041.16 of the Political Code, relating to county care of indigents

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2859—An act to amend sections 303, 304 and 312 of the Civil Code, relating to directors of corporations.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—72.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 863—An act to amend section 482 of the Agricultural Code, relating to market milk.

Motion to Amend Assembly Bill No. 863.

Mr. Thorp moved to amend Assembly Bill No. 863 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "market milk", and insert in lieu thereof the following: "dairies and dairy products"

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 15 and 16, insert the following:

"SEC. 2. Section 630 of said code is hereby amended to read as follows:".

Amendment No. 3.

On page 2 of the printed bill, as amended, between lines 9 and 10, insert the following:

"SEC. 3 Section 631 of said code is hereby amended to read as follows:".

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 24 and 25, insert the following:

"SEC. 4 Section 691 of said code is hereby amended to read as follows:".

Amendments adopted

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to take up Assembly Bill No. 863, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 863, as Amended.

Assembly Bill No. 863—An act to amend section 482 of the Agricultural Code, relating to dairies and dairy products.

Assembly Bill No. 863, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1617—An act to amend sections 595, 596 and 605e of the Civil Code, relating to nonprofit corporations.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1179—An act to amend section 432.5 of the Fish and Game Code, relating to fee for boat owners transporting fishermen.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1658—An act to amend sections 4.347 and 4.349 of the School Code, and to add a new section to said code to be numbered 4.348, all relating to the manner of disbursing funds of school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal,

Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Joint Resolution No. 47: By Messrs. Boyle, and Morgan—Relative to memorializing the President of the United States to extend to the governments and dominions of the world invitations to participate in the Pacific Exposition and Mercado at Los Angeles in 1940.

Request for Unanimous Consent.

Messrs. Boyle and Morgan asked for, and were granted, unanimous consent to take up Assembly Joint Resolution No. 47, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 47.

Assembly Joint Resolution No. 47—Relative to memorializing the President of the United States to extend to the governments and dominions of the world invitations to participate in the Pacific Exposition and Mercado at Los Angeles in 1940

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2770—An act to add section 607ff to the Civil Code, relating to prevention of cruelty to animals.

Motion to Amend Assembly Bill No. 2770.

Mr. Dannenbrink moved to amend Assembly Bill No. 2770 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, after line 9, insert the following:

"The provisions of this section shall not apply to any peace officer or any officer of any humane society who operates entirely within an incorporated city."

Amendment adopted.

Request for Unanimous Consent.

Mr. Dannenbrink asked for, and was granted, unanimous consent to take up Assembly Bill No. 2770, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2770, as Amended.

Assembly Bill No. 2770—An act to add section 607ff to the Civil Code, relating to prevention of cruelty to animals.

Assembly Bill No. 2770, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon,

Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Motion to Expunge Record and Rescind Action on House Resolution No. 170.

Mr. Clark moved to expunge the record and rescind the action whereby the Assembly on May 13, 1937, adopted House Resolution No. 170.

The roll was called and the record expunged, and the action rescinded by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—72.

NOES—None

Consideration of House Resolution No. 170.

House Resolution No. 170—Requesting the Code Commission to revise the School Code.

The roll was called, and House Resolution No. 170 adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 119—An act to amend section 5 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the collection of taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2888—An act making an appropriation to carry out the provisions of the Public Welfare Act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 925—An act to provide armory facilities for the National Guard and making an appropriation therefor.

Senate Bill No. 460—An act to amend sections 10112, 10113, 10204, 10209, 10213, 10241 and 10511 of the Insurance Code, to add section 10203.5 thereto, and to add Article 4, comprising sections 10490 to 10496, inclusive, to Chapter 5, Part 2, Division 2 of said code, all relating to insurance;

Senate Bill No. 689—An act to repeal section 13½, to amend section 32 and to repeal section 32½ of the Public Utilities Act, relating to public utility rates;

Senate Bill No. 747—An act to amend section 841 of the Military and Veterans' Code, relating to veterans' farm and home purchase funds;

Senate Bill No. 1021—An act to add section 13a to the Dental Practice Act, relating to places of practice;

Senate Bill No. 1150—An act to add section 2461 to the Code of Civil Procedure, relating to verified statements by jurors;

Senate Bill No. 1142—An act making an appropriation to be expended by the Department of Public Works for the purpose of operating and maintaining certain units or portions of the flood control work within the Sacramento and San Joaquin Drainage District as provided for in Chapter 774, Statutes of 1927, as amended.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 925 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 460 read first time, and referred to Committee on Insurance.

Senate Bill No. 689 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 747 read first time, and referred to Committee on Soldiers and Sailors Affairs.

Senate Bill No. 1021 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No 1150 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 1142 read first time, and referred to Committee on Ways and Means.

SENATE CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Concurrent Resolution No. 45.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on unfinished business calendar

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1855.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Assembly Bill No. 621.
Respectfully reports the same back with the recommendation: Do pass as amended

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937

MR SPEAKER. Your Committee on Medical and Dental Laws, to which was referred:
Assembly Bill No. 1981.
Respectfully reports the same back without recommendation, as amended

CRONIN, Chairman

The above reported bill ordered on second reading calendar

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 17 1937

MR. SPEAKER Your Committee on Judiciary Codes, to which was referred
Assembly Bill No. 619.
Respectfully reports the same back with the recommendation Do pass as amended

DESMOND, Chairman

The above reported bill ordered on second reading calendar

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented.

By Mr. Gilbert

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the support of the State Board of Equalization, to take effect immediately.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937

MR SPEAKER Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Gilbert.

An act making an appropriation for the support of the State Board of Equalization, to take effect immediately.

CALL, Chairman

The roll was called, and the report adopted by the following vote

AYES—Andreas, Bayham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr Speaker—72.

NOES—None

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated

Assembly Bill No. 2907: By Mr. Gilbert—An act making an appropriation for the support of the State Board of Equalization, to take effect immediately.

Bill read first time and referred to Committee on Ways and Means.

Recess.

At five o'clock and twenty minutes p.m., on motion of Mr. McMurray, the Assembly was declared at recess until eight o'clock and thirty minutes p.m

Reassembled.

At eight o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:
Assembly Bill No. 136.
Assembly Bill No. 1898.
Respectfully reports the same back with the recommendation: Do pass.

O'DONNELL, Chairman.

The above reported bills ordered on second reading calendar:

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:
Assembly Bill No. 2116.
Senate Bill No. 243.
Respectfully reports the same back with the recommendation Do pass.

CRONIN, Chairman.

The above reported bills ordered on second reading calendar:

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 1981—An act to amend sections 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045 and 4046 of, and to add sections 4047, 4048 and 4049 to, Chapter 9 in Division II of the Business ad Professions Code, relating to the application of the chapter to persons and drugs.

Committee Amendments to Assembly Bill No. 1981.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1, 2 and 3 of the title, and insert in lieu thereof the following:
"An act to amend sections 4010, 4030, 4035, 4036, 4042 and 4044, to repeal section 4045 of, and to add section 4033.5 to,".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, after "persons", insert a comma and the following "persons".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "4030", and insert in lieu thereof the following: "4010".

Amendment No. 4.

On page 1 of the printed bill, after line 2, insert the following:
"4010. The board may regulate:
(a) The practice of pharmacy.

(b) The sale of poisons except economic poisons which are within the terms of Article 3 of Chapter 7 of Division V of the Agricultural Code.

(c) The sale of drugs and medicines by or through any mechanical device.

SEC 2 Section 4030 of the Business and Professions Code is hereby amended to read as follows:

4030. Except as otherwise provided in this chapter, it is unlawful for any person to manufacture, compound, sell or dispense any drug, poison, medicine or medicinal chemical, or to dispense or compound any prescription of a medical practitioner, unless he is a registered pharmacist or a registered assistant pharmacist under the provisions of this chapter.

SEC. 3 Section 4033.5 is hereby added to the Business and Professions Code to read as follows:

4033.5. This chapter does not apply to materials described in Article 3 of Chapter 7 of Division V of the Agricultural Code.

SEC. 4. Section 4035 of the Business and Professions Code is hereby amended to read as follows:

4035. As used in this chapter, pharmacy means and includes every store or shop where drugs, medicines or medicinal chemicals are dispensed or sold at retail, or displayed for sale at retail, or where prescriptions are compounded, which has upon it or in it as a sign, the words "pharmacist," "pharmaceutical chemist," "apothecary," "druggist," "pharmacy," "drug store," "drugs," or any of these words

SEC. 5 Section 4036 of the Business and Professions Code is hereby amended to read as follows:

4036. Every store, dispensary, pharmacy, laboratory or office for the sale, dispensing or compounding of drugs, medicines or medicinal chemicals, or for the dispensing of prescriptions of medical practitioners, shall be in charge of a registered pharmacist or a licentiate in pharmacy. No registered assistant shall conduct a pharmacy.

SEC. 6. Section 4042 of the Business and Professions Code is hereby amended to read as follows:

4042. The permit to general dealers in rural districts issued under the provisions of section 4041 shall authorize the persons or firm named therein to sell in such locality, but not elsewhere, and under such regulations and restrictions as the board may from time to time adopt, the following simple household remedies and drugs, in such manner and form as may be authorized by the board:

Tincture of arnica, spirits of camphor almond oil, distilled extract witch hazel, syrup of ipecac, syrup of rhubarb, hive syrup, sweet spirits of nitre, tincture of iron, epsom salts, rochelle salts, senna leaves, carbonate of magnesia, seidlitz powders, quinine, cathartic pills, chamomile flowers, caraway seed, chlorate of potash, plasters salves, ointments, peroxide of hydrogen, gum camphor, blue ointment, asafoetida, saffron, anise seed and saltpeter, and such other remedies or drugs as the board may from time to time designate

SEC. 7 Section 4044 of the Business and Professions Code is hereby amended to read as follows:

4044. The following drugs, medicines and chemicals may be sold by grocers and dealers generally without restriction:

Glauber salts, petroleum jellies, liquid petrolatum, turpentine, condition powders, cream of tartar, carbonate of soda, bay rum, essence of peppermint, ammonia water of a concentration of not more than 5 per cent ammonia, alum, castor oil, bicarbonate of soda, glycerine, witch hazel, borax and flax seed.

SEC 8 Section 4045 of the Business and Professions Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 999—An act to amend section 1142 of the Political Code to authorize precinct election boards consisting of four members only where not more than one tally book is used at the elections.

Bill read third time and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Clark, Cronin, Cunningham, Daley, Donihue, Flint, Gannon, Garibaldi, Garland, Gilbert Glick, Hawkins, Heisinger, Hunt, King, Kuchel, Lore, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Watson, Yorty, and Mr. Speaker—41.

NOES—Baynham, Breed, Burns Michael J., Cassidy, Corwin, Crowley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Hornblower, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Muldoon, Peyser, Redwine, Richie, Sheehan, Walker, and Williamson—26.

Title read and approved Bill ordered transmitted to the Senate

Assembly Bill No. 2702—An act to add section 37 to the Fish and Game Code, relating to the preservation of fish and game.

Motion to Amend Assembly Bill No. 2702.

Mrs. Daley moved to amend Assembly Bill No. 2702 as follows.

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "Salmon", insert the following: ", striped bass".

Amendment adopted.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to take up Assembly Bill No. 2702, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2702, as Amended.

Assembly Bill No. 2702—An act to add section 37 to the Fish and Game Code, relating to the preservation of fish and game.

Assembly Bill No. 2702, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Corwin, Cottrell, Cunningham, Daley, Donihue, Field, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Yorty, and Mr. Speaker—45.

NOES—Breed, Crowley, Dannenbrink, Dilworth, Donnelly, Garland, Gilbert, Heisinger, Hunt, Leonard, Mayo, and Patterson—12.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Constitutional Amendment No. 31—Proposed amendment to Article XIII, section 1¼ of the Constitution, relative to exemptions of property on account of military service.

Assembly Constitutional Amendment No. 31 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2622—An act to define business opportunity brokers and salesmen; to provide for the regulation, supervision and licensing thereof by the State Real Estate Division and the Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—58.

NOES—Dannenbrink, Field, Johnson, Latham, Lyon, and Morgan—6.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1778—An act to amend The Personal Income Tax Act of 1935, relating to taxes.

Motion to Amend Assembly Bill No. 1778.

Mr. Robertson moved to amend Assembly Bill No 1778 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "section 5 of".

Amendment No. 2.

On page 2, strike out lines 28 to 52, inclusive, of the printed bill, and strike out all of pages 3 to 6, inclusive.

Amendments adopted.

Request for Unanimous Consent.

Mr. Robertson asked for unanimous consent to take up Assembly Bill No 1778, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Mr Morgan withheld his consent.

Assembly Bill No. 1778 ordered to reprint, and re-engrossment.

Assembly Bill No. 53—An act to amend section 1195a of, and to add a new section to be numbered 1195c to, the Political Code, relating to the printing of constitutional amendments and propositions, to be submitted to the vote of the electors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donahue Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Notice of Motion to Withdraw Assembly Bill No. 2032 from Committee.

Mr Hunt gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 2032 from the Committee on Judiciary Codes, and have it placed upon the calendar.

Withdrawal and Re-reference of Senate Bill No. 1021.

On motion of Mr. Muldoon, Senate Bill No. 1021 was withdrawn from the Committee on Medical and Dental Laws, and re-referred to the Committee on Public Health and Quarantine.

Re-reference of Assembly Bill No. 831.

On motion of Mr Johnson, Assembly Bill No. 831 was withdrawn from the calendar, and re-referred to the Committee on Judiciary Codes

Leave of Absence.

Mr. Stream was granted leave of absence for the balance of this legislative day, on motion of Mr Reaves

Mr Breed was granted leave of absence for the balance of this legislative day, on motion of Mr. Miller.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1320—An act to add section 14.5 to the State Medical Practice Act, relating to unprofessional conduct

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, **Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin,** Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Scudder, Sheehan, Turner, Voigt, Watson, Weber **Williamson, Yorty, and Mr. Speaker—54.**

NOES—King, and Tenney—2

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1908.

Mr Robertson moved to expunge the record and rescind the action whereby the Assembly, on this day, passed Assembly Bill No 1908

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor **Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves,** Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None

Consideration of Assembly Bill No. 1908.

Assembly Bill No 1908—An act to amend sections 1, 3, 7 and 11 of the Motor Vehicle Fuel License Tax Act, relating to the definition of terms used in said act, the imposition of a license tax thereunder, the determination of taxable distributions of motor vehicle fuel, and the refund of said license tax under certain conditions.

Motion to Amend Assembly Bill No. 1908.

Mr Latham moved to amend Assembly Bill No. 1908 as follows

Amendment No. 1.

On page 3, line 34, of the printed bill, as amended, after "exclusively", insert the following ", whether as a mounted city carrier or in any other capacity,".

Amendment read, and adopted by the following vote

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Daley, Dilworth, Donihue, Donnelly, Flint, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Levey, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Patterson, Pelletier, Peyser, Reaves, Richie, Sawallisch, Sheehan, Tenney, Turner, Voigt, Weber, Yorty, and Mr. Speaker—39.

NOES—Baynham, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Field, Johnson, Kuchel, Lore, Martin, Morgan, Robertson, and Watson—14.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1908, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1908, as Amended.

Assembly Bill No. 1908—An act to amend sections 1, 3, 7 and 11 of the Motor Vehicle Fuel License Tax Act, relating to the definition of terms used in said act, the imposition of a license tax thereunder, the determination of taxable distributions of motor vehicle fuel, and the refund of said license tax under certain conditions.

Assembly Bill No. 1908, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi

Hawkins, Heisinger, Hornblower, Hunt, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal Sawallisch, Scudder, Thorp, Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—51.

NOES—Cottrell, Crowley, Dannenbrink, Field, Johnson, King, Morgan, Sheehan, and Tenney—9.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2304—An act to amend section 1308 of the Penal Code, relating to bail.

Bill read third time, and refused passage by the following vote:

AYES—Daley, Garibaldi, and King—3.

NOES—Andreas, Baynham, Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth Donihue, Donnelly, Field, Gannon, Garland, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Voigt, Watson, Weber, Williamson, and Mr. Speaker—48.

Assembly Bill No. 2713—An act to amend section 4185a of the Political Code, relating to qualifications and eligibility for the office of justice of the peace.

Demand for Previous Question.

Messrs. Morgan, Andreas, Lyon, Johnson and Cunningham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2713.

The roll was called, and Assembly Bill No. 2713 refused passage by the following vote:

AYES—Clark, Crowley, Daley, King, Latham, Patterson, Peek, Peyser, Richie, Rosenthal, Tenney, and Yorty—12.

NOES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Pelletier, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Watson, Weber, and Mr. Speaker—54.

Notices of Motion to Reconsider Assembly Bills Nos. 1265 and 1266 Waived.

Mrs. Daley waived her notices of motion to reconsider the vote whereby Assembly Bills Nos. 1265 and 1266 were passed.

Assembly Bills Nos. 1265 and 1266 ordered transmitted to the Senate.

Consideration of Governor's Veto to Assembly Bills.

Assembly Bill No. 906—An act to amend section 23 of the District Investigation Act of 1933 so as to exclude sanitary districts from the operation of said act.

The question being put: Shall Assembly Bill No. 906 become a law notwithstanding the veto of the Governor?

The roll was called and the veto of the Governor sustained by the following vote:

AYES—Boyle, Hunt, and Patterson—3.

NOES—Andreas, Baynham, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Mayo,

McMurray, Meehan, Miller, George P. Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58.

Assembly Bill No. 425—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by amending section 12 thereof, relating to flood control bonds.

The question being put, Shall Assembly Bill No. 425 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt, and Voigt—2.

NOES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

Re-reference of Assembly Bill No. 2862.

On motion of Mr. Dannenbrink, Assembly Bill No. 2862 was withdrawn from the calendar, and re-referred to the Committee on Education.

Consideration of Senate Amendments to Assembly Bill No. 455.

Assembly Bill No. 455—An act to amend section 92 of the Agricultural Code, relating to county and district agricultural fairs.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 455?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 19 to 21, inclusive, and insert in lieu thereof the following "one year in any county or district. The fact that a county or district contracts one with the other or with a county fair association, to".

Amendment No. 2.

On page 1, line 23, of the printed bill, as amended, after the word "appropriated", insert a comma and the following: "except that no county or district may hold a joint or combined fair and receive an allotment of money under the provisions of this section."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 455 by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—Dannenbrink, King, and Tenney—3.

Assembly Bill No. 455 ordered to enrollment.

Third Reading of Senate Bills.

Senate Bill No. 134—An act to add Chapter 4, comprising sections 1600 to 1752, inclusive, to Division II and to add section 30002 to Division XXX of the Business and Profession Code, relating to the practice of dentistry and dental hygiene and repealing acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 291—An act to add Article 3, comprising sections 550 to 558, inclusive, to Chapter 1 in Division II and to add section 30001 to Division XXX of the Business and Professions Code, relating to blindness at childbirth and repealing acts and parts of acts specified therein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 290—An act to add Article 2, comprising sections 525 to 534, inclusive, to Chapter 1 in Division II and to add section 30009 to Division XXX of the Business and Professions Code, relating to the State Medical Library and repealing acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 289—An act to add Chapter 10, comprising sections 4500 to 4551, inclusive, to Division II and to add section 30007 to Division XXX of the Business and Professions Code, relating to the care of the sick or afflicted by trained attendants and repealing acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 288—An act to add Chapter 6, comprising sections 2700 to 2784, inclusive, to Division II and to add section 30004 to

Division XXX of the Business and Professions Code, relating to the practice of nursing the sick or afflicted and repealing acts and parts of acts specified herein.

Motion to Amend Senate Bill No. 288.

Mr. Cronin moved to amend Senate Bill No 288 as follows.

Amendment No. 1.

On page 3, line 1, of the printed bill, strike out "An accredited school of nursing is a school", and insert in lieu thereof the following. "A school of nursing and a training school for nurses are defined to be schools"

Amendment No. 2.

On page 3, lines 19, of the printed bill, strike out "school of nursing", and insert in lieu thereof the following: "training school for nurses".

Amendments adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Senate Bill No. 288, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 288, as Amended.

Senate Bill No. 288—An act to add Chapter 6, comprising sections 2700 to 2784, inclusive, to Division II and to add section 30004 to Division XXX of the Business and Professions Code, relating to the practice of nursing the sick or afflicted and repealing acts and parts of acts specified herein.

Senate Bill No 288, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Special Order Set for Senate Bill No. 425.

On motion of Mr. Boyle, the consideration of Senate Bill No 425 was made a special order of business for Monday, May 24, 1937, at two o'clock and thirty minutes p.m

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2063—An act to add Article IIa to Chapter III of Title I of Part III of the Political Code, embracing sections 360 to 360h, inclusive, relating to the creation of a State Department of Highway Safety Engineering, and prescribing its powers and duties.

Motion to Amend Assembly Bill No. 2063.

Mr. Lyon moved to amend Assembly Bill No. 2063 as follows:

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out lines 3 to 6, inclusive

Amendment adopted.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to take up Assembly Bill No 2063, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 2063, as Amended.

Assembly Bill No. 2063—An act to add Article IIa to Chapter III of Title I of Part III of the Political Code, embracing sections 360 to 360h, inclusive, relating to the creation of a State Department of Highway Safety Engineering, and prescribing its powers and duties

Assembly Bill No 2063, as amended read third time, and passed by the following vote

AYES—Andreas, Boyle, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donahue, Donnelly, Flint, Gannon, Gilbert, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Lyon, Martin, Mayo, Meehan, Miller, Eleanor Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson Rosenthal, Scudder, Tenney, Thorp Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—47

NOES—Burns, Michael J., Call, Cronin, Field, Garland, Hornblower, Laughlin Leonard, Levey, Maloney, McMurray, Muldoon, Peyser, Richie, Sawallisch, and Sheehan—16

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2063.

Mr McMurray gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 2063 was this day passed

Assembly Bill No. 587—An act to amend section 125 of the Political Code, relating to the division of the State into equalization districts

Bill read third time, and refused passage by the following vote

AYES—Cunningham, Daley, Donahue, Flint, Hunt, Kepple, Kuchel, Latham, Lore, Morgan, Patterson, Peek, Pelletier, Rosenthal, Voigt, Yorty, and Mr. Speaker—17

NOES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Dannenbrink, Desmond, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Hawkins, Heisinger Hornblower, Johnson, King, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Watson, Weber, and Williamson—45

Assembly Bill No. 432—An act to add a new section to the Penal Code to be numbered 146 1, relating to taking, possession or use of fingerprints or copies thereof, and prescribing penalties for violation of the provisions thereof.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Martin, Muldoon, Cunningham and Boyle demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the passage of Assembly Bill No 432.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote. Mr Richie moved a call of the Assembly.

Motion carried by the following vote

AYES—Andreas, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Flint, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal Sheehan, Tenney, Voigt, Yorty, and Mr. Speaker—31.

NOES—Boyle, Call, Daley, Dannenbrink, Dilworth, Donahue, Field, Gannon, Garland, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Sawallisch, Scudder, Watson, and Weber—25.

Time, eleven o'clock and fifteen minutes p m.

The Speaker directed the Sergeant at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Voigt, Watson, Weber, Yorty, and Mr. Speaker—60.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2874—An act making an appropriation for the support of the State Controller, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Dilworth, Donihue, Field, Flint, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Voigt, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1071 read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Voigt, Watson, Weber, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2802—An act providing for the compilation of, printing, binding, publishing and distribution of a Legislative Manual, State Blue Book, Roster or Register of California State Government, and repealing certain acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Dannenbrink, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Voigt, Watson, Weber, Yorty, and Mr. Speaker—55.

NOES—Daley—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2699—An act authorizing a county to use persons confined in county jail for road and other work; providing for the payment of compensation for such work to the dependents of the persons performing such work.

Bill read third time, and refused passage by the following vote:

AYES—Reaves, and Richie—2.

NOES—Andreas, Boyle, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Dannenbrink, Dilworth, Donihue, Flint, Gannon, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Mar-

tin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Voigt, Watson, Weber, Yorty, and Mr. Speaker—46.

Assembly Bill No. 1845—An act to amend sections 12, 24 and 25 of, and to add two new sections to be numbered 24½ and 24¾ to, the Direct Primary Law, relating to primary elections.

Motion to Amend Assembly Bill No. 1845.

Mr Hawkins moved to amend Assembly Bill No. 1845 as follows:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out the first comma in line 1, and "12, and 24 of, and to add sections 24½ and 24¾ to," and insert in lieu thereof the following: "and 24 of"

Amendment No. 2.

On page 4, line 13, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "24".

Amendment No. 3.

On page 4 of the printed bill, as amended, strike out lines 15 to 51, inclusive, strike out pages 5 to 30, inclusive, and insert in lieu thereof the following:

"SEC 24. 1. Party conventions of delegates chosen as hereinafter provided may be held in this State, for the purpose of promulgating platforms and transacting such other business of the party as is not inconsistent with the provisions of this act.

2 The State convention of each political party shall consist of one delegate for each of the following elective officials and the total number of delegates shall be the aggregate number of the following elective officials

(a) The Governor,
The Lieutenant Governor,
The Treasurer,
The Controller,
The Attorney General,
The Secretary of State,
All members of the State Board of Equalization,
(b) All Senators and Representatives in Congress from California, and
(c) All members of the State Legislature.

The State convention of each political party shall meet at Sacramento at ten o'clock of the morning of the third Thursday in September next following the date upon which the primary election preliminary to the general November election is held and shall be composed of the following delegates:

(a) Each elective official hereinabove named who was nominated and elected as a candidate of such party and whose term of office extends beyond the eighth day of January next following the primary election, or the appointee or successor to fill a vacancy in the office of any such official. Each such delegate shall be known as a "hold-over delegate."

(b) Each candidate of such party in whose behalf nomination papers were filed and who was nominated at the primary election by such political party for the office of each such elective official. Each such delegate shall be known as a "nominee delegate."

(c) One delegate appointed for each of the elective officials hereinabove named, not represented by a "hold-over delegate" nor by a "nominee delegate" of such party. Each such delegate shall be chosen and appointed in the manner hereinafter provided in this section for filling vacancies in the State convention, and shall be known as an "appointive delegate."

Membership in the State convention shall not be granted to any party nominee for a Congressional office, State office, or office of Senator or Assemblyman who has become such by reason of his name having been written on a ballot, and who has not had his name printed on the primary ballot by having had a nomination paper filed in his behalf, as provided in section 5 of this act; nor shall membership in such convention be granted to the nominee of any party if such nominee has not stated his affiliations with such party in his affidavit of registration used at such primary election; and, in every such case, a vacancy in the membership of such convention shall be deemed to exist; and any such vacancy thereby existing, or existing because no nomination for such office has been made, or for any other cause, shall be filled as hereinafter provided. Each candidate who has received the nomination of more than one party for a Congressional, State, or legislative office shall procure from the registrar of voters or clerk of the county in which he resides, a certificate stating the party with which such candidate was affiliated thirty-five days before the date of the primary election, as shown by the affidavit of registration of such candidate in the office of such registrar of voters or clerk

of the county; and this certificate shall be the credential of such candidate to membership in the convention of his party.

In the event that there is no "hold-over delegate" nor "nominee delegate" of the party, as herein defined, for any of the elective offices hereinabove named, or in the event that any nominee is disqualified for membership in the convention for any reason herein stated, or in the event that any delegate dies prior to the convention, then in every such case a vacancy shall be deemed to exist in the membership of the State convention of the party and a delegate shall be chosen and appointed to fill such vacancy as follows:

(a) If the vacancy occurs in a Senatorial or Assembly District situated wholly within the limits of a single county or city and county, by appointment by the newly elected county central committee of such party in such county or city and county

(b) If the vacancy occurs in a Senatorial or Assembly District comprising two or more counties, by appointment by the newly elected county central committee of such party in the county wherein the disqualified or deceased delegate resided, if the vacancy is caused by disqualification or death, or wherein the "hold-over delegate" or "nominee delegate" of the opposing party resides, if the vacancy is due to any other cause.

(c) If such vacancy occurs as to a delegate for a United States Senator from California or as to a delegate for any of the State officials hereinabove named, by appointment by the State Central Committee of such party.

(d) If such vacancy occurs as to a delegate for any Representative in Congress from California, by appointment by the State Central Committee of such party of a qualified registered elector who resides within the Congressional District to be so represented.

Such delegate so appointed shall present to the convention credentials signed by the chairman and the secretary of the committee making the appointment, and he shall file with the Secretary of State not later than two o'clock of the afternoon of the convention, his appointment of three members of the State Central Committee, in writing signed and acknowledged in the form hereinafter prescribed.

As soon as practicable after the primary election the Secretary of State shall prepare a list of the names of all delegates to the convention qualified under the provisions of this act, and the Secretary of State shall thereupon send a notice by mail to each such delegate which shall inform the delegate that he is a delegate to the State convention, that the convention meets at Sacramento on the third Thursday in September of the then current year, that said delegate must appoint three qualified electors to be members of the State Central Committee, and that said appointment of three members of the State Central Committee must be made in writing in the form hereinafter prescribed, signed and acknowledged before a notary public or other officer authorized to administer oaths in this State and must be filed in the office of the Secretary of State not later than two o'clock of the afternoon of the third Thursday in September of the then current year, and the Secretary of State shall inclose with such notice one copy of the following form for appointment of members of the State Central Committee:

APPOINTMENT OF MEMBERS OF THE STATE CENTRAL COMMITTEE MEETING AT SACRAMENTO IN THE YEAR 19___.

I _____, duly qualified as a delegate to the State convention at Sacramento in the year 19___ by virtue of my (appointment by the _____ central committee) (nomination) (election) (to the office of _____) (strike out part inapplicable) on the _____ day of _____ 19___ upon the _____ (party) ticket, do hereby appoint the following three electors residing within the district which I represent, who shall be members of the State Central Committee to meet at Sacramento on the second Saturday following the meeting of the State convention, in the year 19___, to wit

Name	Post-office address
Name	Post-office address
Name	Post-office address

In witness whereof I have hereunto set my hand this _____ day of _____ 19__.

_____
(Delegate)

Signed and acknowledged before me this _____ day of _____.

_____
Notary Public

The new State Central Committee shall consist of all delegates to the State convention, together with such members as are appointed in accordance with the provisions of this act. Each delegate to the State convention shall appoint three qualified electors which appointments when so made shall become absolute. Such appointments shall be made in writing signed and acknowledged by the delegate before a notary public or other officer authorized to administer oaths and delivered to the Secretary of State not later than two o'clock of the afternoon of the third

Thursday in September. The Secretary of State shall deliver said appointments so received by him, to the permanent chairman of the State convention as soon as possible after said hour of two o'clock and he shall require the chairman's receipt therefor.

The convention shall be called to order at ten o'clock of the morning of the third Thursday in September by the retiring Chairman of the State Central Committee and shall at once proceed to the election of a temporary chairman by roll call read from the alphabetical roll submitted by the Secretary of State, and shall likewise elect such other temporary officers as the convention may determine. The temporary chairman shall appoint a committee consisting of one delegate from each Congressional District which shall serve as the committee on credentials of the convention, and shall appoint such other committees as the convention may direct.

The convention shall, upon election of permanent officers, adopt a State platform for its party which said State plateform of each political party shall be adopted at such time that it shall be made public not later than six o'clock in the afternoon of the following day.

In each year of the general November election at which electors of President and Vice President of the United States are to be chosen, the convention shall also nominate as the candidates of its party as many electors of President and Vice President of the United States as the State is then entitled to, and shall certify the name of each elector so nominated, his residence and his business address to the Secretary of State. Such certificates shall be delivered to and filed with the Secretary of State. The Secretary of State shall cause the names of the candidates for President and Vice President of the several political parties to be placed upon the ballot for the ensuing November election. The names of the candidates for electors of President and Vice President shall not be printed upon the ballot. The votes cast for candidates for President and Vice President of each political party shall be counted for the candidates for presidential electors of such political party whose names have been filed with the Secretary of State

Upon receipt by the chairman of the convention from the Secretary of State of the appointments of members of the State Central Committee the convention shall determine the membership of the State Central Committee in accordance with the provisions of this act. In case the convention finds that any delegate to the convention has failed to file his appointment of members of the State Central Committee with the Secretary of State within the time prescribed, the convention shall make such appointments of the requisite number of electors residing within the district represented by each such delinquent delegate. The secretary of the convention shall certify the names and post-office addresses of the members of the State Central Committee, as determined by the convention, to the Secretary of State within thirty-six hours after the convening of the convention and the permanent chairman shall deliver the appointments receipted for by him to the Secretary of State within said thirty-six hours, which appointments shall be kept and filed by the Secretary of State and shall be open to public inspection. Within twenty-four hours after receiving said certified list of names of members and said appointments the Secretary of State shall send a notice by mail to each member of the State Central Committee, as certified by the secretary of the convention, which shall inform him that he is a member of the committee, that the committee will meet at Sacramento on the second Saturday following the meeting of the convention, that the meeting may be attended either in person or by proxy, that every proxy must be filed in the office of the Secretary of State not later than ten o'clock of the morning of the meeting of the committee and that said proxy must be in writing signed and acknowledged before a notary public or other officer authorized to administer oaths and the Secretary of State shall inclose with such notice one copy of the following form of proxy for attendance at the meeting of the State Central Committee

PROXY FOR ATTENDANCE AT THE STATE CENTRAL COMMITTEE MEETING AT SACRAMENTO, IN THE YEAR 19____.

I _____ duly qualified to sit as a member of the State central Committee meeting at Sacramento in the year 19__, by virtue of (being a delegate to the State convention) (my appointment thereto by _____; said appointment having been duly filed in the office of the Secretary of State on the _____ day of _____ 19__) (strike out part inapplicable) do hereby designate _____; _____;
(Name) (Post-office address)
as my proxy with full power to act for me in every respect as a duly qualified member of the State Central Committee at Sacramento on the _____ day of _____ 19__.

_____
(Member)

Signed and acknowledged before me this _____ day of _____ 19__

_____
Notary Public

Every member of the State Central Committee who desires to attend the first meeting of the committee by proxy must designate his proxy in the form hereinbefore prescribed, which must be signed and acknowledged before a notary public or other

officer authorized to administer oaths and he must cause the proxy to be delivered to the Secretary of State not later than ten o'clock of the morning of the first meeting of the committee.

The Secretary of State shall deliver to the retiring chairman of the State Central Committee as soon as possible after ten o'clock of the morning of the first meeting of the new State Central Committee a certified, alphabetical list of the names of the members of the State Central Committee, and a certified alphabetical list of the names of the persons duly designated as proxies by members of the new committee, together with all proxies received by him prior to ten o'clock of said morning; and he shall require the retiring chairman's receipt for said proxies.

The new State central committee shall convene at Sacramento at ten o'clock of the morning of the second Saturday following the meeting of the State convention.

The retiring chairman of the State Central Committee shall call the committee to order at ten o'clock of the morning of the first meeting and as soon as practicable thereafter shall cause the roll to be called from the list of members and proxies hereinbefore provided to be certified by the Secretary of State; whereupon the only business in order shall be the election by roll call of a temporary chairman.

The temporary chairman upon election shall appoint at once a committee on proxies and credentials consisting of *one member from each Congressional District* selected from among the members of the committee certified by the Secretary of State. A quorum of the State Central Committee shall be a majority of the entire membership, represented either in person or by proxy.

Proxies to be recognized by the Secretary of State and by the committee on proxies and credentials appointed as aforesaid must be signed and acknowledged before a notary public or other officer authorized to administer oaths and must be in the form hereinbefore in this act prescribed. Revocation or change of proxies shall be recognized by the committee on proxies and credentials upon a request made by the member in person before said committee and at no other time in any other manner. No proxy shall be recognized prior to election of a permanent chairman unless filed in the office of the Secretary of State not later than ten o'clock of the morning of the State committee meeting.

The chairman of the State Central Committee shall not succeed himself, and the chairmanship shall alternate each biennium between the northern and southern territories.

Robert's Rules of Order, except as may be herein modified, shall govern the proceedings at the convention and at all meetings of the State Central Committee.

3. Each State Central Committee may select from its membership an executive committee, to which executive committee it may grant all or any portion of its powers and duties. It shall choose its officers by a roll call vote and each committee and its officers shall have the power usually exercised by such committees and the officers thereof in so far as may be consistent with this act. The various officers and committees now in existence shall exercise the powers and perform the duties herein prescribed until their successors are chosen in accordance with the provisions of this act. Each State Central Committee may remove any member thereof who during his or her term of membership affiliates with, or registers as a member of another party or who gives support to or avows a preference for a candidate of another party or candidate who is opposed to a candidate nominated by the party which such member represents. Each State Central Committee shall conduct party campaigns for the party to which it belongs and in behalf of the candidates of such party; appoint committees and appoint and employ campaign directors and perfect such campaign organizations as by it may be deemed suitable or desirable and for the best interest of the party.

4. The executive committee of the State Central Committee of each political party shall, in conjunction with each nominee for Congress affiliated with such party, select a congressional committee for the district in which such nominee is a candidate. Such committee shall consist of not less than fifteen nor more than thirty-five members, and shall have charge and conduct of the campaign of such nominee, subject to the supervision of the State Central Committee of such party.

5. At each August primary election there shall be elected in each county or city and county a county central committee for each political party, which shall have charge of the party campaign under general direction of the State Central Committee or of the executive committee selected by such State Central Committee.

In any city and county the county central committee of such party shall be elected by each Assembly District and shall consist of five members from each Assembly District in such city and county. Said county committee in such city and county shall have the power to increase its membership by a majority vote of the committee.

In each county containing twenty or more Assembly Districts the county central committee of such party shall consist of seven members from each Assembly District.

In any county containing more than six and less than fifteen Assembly Districts, the county central committee of each party shall be elected by each Assembly District and shall consist of five members from each Assembly District therein.

In all counties containing not more than six nor less than five Assembly Districts the county central committee of such party shall be elected by Assembly Districts and shall consist of one member for each seven hundred votes or fraction thereof in each such Assembly District cast for such party's candidate for Governor at the last general election at which a Governor was elected.

In all counties containing less than five Assembly Districts the county central committee shall be elected by supervisor districts, and the number to be elected from any supervisor district shall be determined as follows: The number of votes cast in such supervisor district for such party's candidate for Governor at the last general election at which such Governor was elected shall be divided by one-twentieth of the number of votes cast for such Governor in such county; and the integer next larger than the quotient obtained by such division shall constitute the number of members of the county central committee to be elected by such party in said supervisor district.

In each county and city and county the nominee of the party for State Senator or the incumbent State Senator and the nominees of the party for the Assembly shall be ex officio members of the committee.

The county clerk or registrar of voters in each county or city and county shall, between the first Monday and the second Monday of June next preceding the primary election, compute the number of members of the county central committee allotted to each Assembly District or supervisor district, as the case may be, by the provisions of this subdivision.

Each candidate for member of a county central committee shall appear upon the ballot upon the filing of a nomination paper according to the provisions of section 5 of this act, signed in his behalf by the electors of the political subdivision in which he is a candidate, as above provided; and the number of candidates to which each party is entitled, as hereinbefore provided, in each political subdivision, receiving the highest number of votes shall be declared elected; but no candidate for county committeeman shall be declared elected unless he shall have received votes equal in number to the minimum of signatures to the nomination paper which would have been required to place his name on the primary ballot as a candidate for member of the county committee. Each county central committee shall meet in the court house at its county seat on the second Tuesday in September following the August primary election, and shall organize by selecting a chairman, a secretary and such other officers and committees as it shall deem necessary for carrying on the campaign of the party.

6. No person shall be eligible for appointment or election to the State, county or district committee of any party who is not registered as affiliated with such party at the time of such appointment or election. In the event of the appointment or election to any party committee of an ineligible person, or whenever any member of any such committee dies, resigns or becomes incapacitated to act, or removes from the jurisdiction of the committee, or ceases to be a member of such committee's party, a vacancy shall exist, which shall be filled by appointment by the committee in which such ineligibility or vacancy occurs."

Amendments read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Clark, Crowley, Dannenbrink, Desmond, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Lore, Mayo, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Reaves, Richie, Rosenthal, Tenney, Voigt, Williamson, Yorty, and Mr Speaker—38

NOES—Burns, Michael J., Corwin, Cottrell, Cronin, Cunningham, Daley, Dilworth, Donahue, Field, Heisinger, Kepple, Latham, Levey, Lyon, Maloney, Martin, Miller, Eleanor, Muldoon, Peyser, Redwine, Scudder, Sheehan, Walker, Watson, and Weber—25.

Assembly Bill No. 1845 ordered to reprint, and re-engrossment.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2699.

Mr. Muldoon moved to expunge the record and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 2699.

The roll was called, and the record expunged by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Dilworth, Field, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Levey, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Watson, Weber, Yorty, and Mr. Speaker—48.

NOES—Garland, and Maloney—2.

Consideration of Assembly Bill No. 2699.

Assembly Bill No. 2699—An act authorizing a county to use persons confined in county jail for road and other work; providing for the payment of compensation for such work to the dependents of the persons performing such work.

Bill read third time, and refused passage by the following vote:

AYES—Clark, Cronin, Daley, Gilbert, Johnson, King, Lore, Patterson, Pelletier, Richie, Rosenthal, Tenney, and Weber—13.

NOES—Andreas, Boyle, Burns, Michael J., Call, Cassidy, Corwin, Dannenbrink, Dilworth, Donihue, Field, Flint, Garland, Hawkins, Hornblower, Hunt, Kepple, Kuchel, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peyser, Sawallisch, Scudder, Sheehan, Watson, Yorty, and Mr. Speaker—37.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 588—An act to amend sections 4251 and 4256 of the Business and Professions Code, relating to the renewal of certificates of registration to practice pharmacy and the fees connected with such practice.

Bill read third time, and refused passage by the following vote:

AYES—Burns, Michael J., Cassidy, Clark, Flint, Gilbert, Heisinger, King, Lore, Miller, George P., Patterson, Pelletier, Richie, Rosenthal, Tenney, Watson, and Yorty—16.

NOES—Andreas, Boyle, Call, Corwin, Cronin, Daley, Dannenbrink, Dilworth, Donihue, Field, Gannon, Garland, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peyser, Sawallisch, Scudder, Sheehan, Weber, and Mr. Speaker—37.

Assembly Joint Resolution No. 45—Relative to memorializing the President and Congress to enact such legislation as shall be necessary to acquire the petrified redwood forest in Sonoma County, California, for the purpose of establishing it as a National park and monument.

Assembly Joint Resolution No. 45 read, and adopted by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Dilworth, Donihue, Field, Flint, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Tenney, Voigt, Watson, Weber, Yorty, and Mr. Speaker—48.

NOES—Pelletier—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2084—An act to amend section 7 of an act entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to fees for the use of State park areas.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Voigt, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2084.

Mr. Weber gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2084 was this day passed.

Assembly Bill No. 2124—An act relating to the acquisition or construction of a bridge connecting the State highway system across Carquinez Straits at or near Crockett, California, defining the powers and duties of the California Toll Bridge Authority and of the State Department of Public Works in relation thereto, and making moneys available therefor.

Motion to Amend Assembly Bill No. 2124.

Mr. Dannenbrink moved to amend Assembly Bill No. 2124 as follows.

Amendment No. 1.

On page 2, line 39, of the printed bill, strike out the words "maintaining and".

Amendment No. 2.

On page 2, line 42, of the printed bill, after the words "out of", insert the following: "tolls received from operations of such bridge or bridges and the cost of the physical maintenance of such bridge or bridges shall be paid out of".

Amendments adopted.

Assembly Bill No. 2124 ordered to reprint, and re-engrossment.

Assembly Bill No. 1855—An act to amend sections 7, 13, 45, 46, 47, 48, 51, 54, 56, 58, 60, 71 and 101; and to add sections 56a and 72, and to repeal sections 44 and 55, of Statutes 1935, Chapter 532, entitled "An act to establish a system of unemployment reserves for this State and making an appropriation therefor," approved June 25, 1935, relating to unemployment reserves

Motion to Amend Assembly Bill No. 1855.

Mr. Hawkins moved to amend Assembly Bill No. 1855 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 23 and 24, insert the following:

"SECTION 1. Section 45 of the act cited in the title hereof is hereby amended to read as follows:"

Amendment adopted.

Request for Unanimous Consent.

Mr. Hawkins asked for, and was granted, unanimous consent to take up Assembly Bill No. 1855, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1855, as Amended.

Assembly Bill No. 1855—An act to amend sections 7, 13, 45, 46, 47, 48, 51, 54, 56, 58, 60, 71 and 101; and to add sections 56a and 72, and to repeal sections 44 and 55, of Statutes 1935, Chapter 532, entitled "An act to establish a system of unemployment reserves for this State and making an appropriation therefor," approved June 25, 1935, relating to unemployment reserves.

Assembly Bill No. 1855, as amended, read third time, and passed by the following vote:

AYES—Boyle, Call, Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Donihue, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Watson, Weber, Yorty, and Mr. Speaker—50.

NOES—Dilworth—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 354—An act to amend section 18 of the Inheritance Tax Act of 1935, relating to the levying of inheritance taxes.

Bill read third time, and passed by the following vote.

AYES—Andreas, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Dilworth, Donihue, Field, Flint, Gannon, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Voigt, Watson, Weber, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 354.

Mr. Levey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 354 was this day passed.

Assembly Bill No. 2897—An act to define escrow companies and regulate them and their organization, business, and operation; to license escrow companies and provide for the revocation of licenses and provide for a license fee; to define and regulate the manner of doing business, regulate their officers, directors and employees; to prescribe their rights, powers, duties and liabilities; to require accounts, reports, audits, statements and to regulate their advertising; to provide for and define the duties of the Commissioner of Corporations, his assistants and employees, in respect thereto.

Motion to Amend Assembly Bill No. 2897.

Mr. Peek moved to amend Assembly Bill No. 2897 as follows

Amendment No. 1.

On page 6, line 17, of the printed bill, strike out the period after the word "Commissioner", and insert in lieu thereof a comma.

Amendment No. 2.

On page 6, line 17, of the printed bill, strike out the word "The", and insert in lieu thereof the following: "the".

Amendment No. 3.

On page 8, line 2, of the printed bill, strike out the words "subject to".

Amendments adopted.

Request for Unanimous Consent.

Mr. Peek asked for, and was granted, unanimous consent to take up Assembly Bill No. 2897, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2897, as Amended.

Assembly Bill No. 2897—An act to define escrow companies and regulate them and their organization, business, and operation; to license escrow companies and provide for the revocation of licenses and provide for a license fee; to define and regulate the manner of doing business, regulate their officers, directors and employees; to prescribe their rights, powers, duties and liabilities; to require accounts, reports, audits, statements and to regulate their advertising; to provide for and define the duties of the Commissioner of Corporations, his assistants and employees, in respect thereto.

Assembly Bill No. 2897, as amended, read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Donihue, Field, Flint, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham,

Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peck, Pelletier,, Peyser, Redwine, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Watson, Weber, and Mr. Speaker—52.

NOES—Dilworth, and Scudder—2.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2384—An act to amend sections 721 and 722 of the Fish and Game Code and to repeal section 724 thereof, relating to fish.

Bill read third time.

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr. Pelletier moved a call of the Assembly.

Motion carried.

Time, eleven o'clock and fifty-one minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Desmond, Dilworth, Donohue, Field, Flint, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peck, Pelletier, **Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Tenney, Voigt, Watson,** Weber, Yorty, and Mr Speaker—56

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Re-reference of Assembly Bill No. 2255.

On motion of Mr. Hunt, Assembly Bill No. 2255 was withdrawn from the calendar, and re-referred to the Committee on Fish and Game.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 432 Dispensed With.

At eleven o'clock and fifty-three minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 432 were dispensed with on motion of Mr. Hornblower.

The roll of absentees was called, and Assembly Bill No. 432 passed by the following vote:

AYES—Boyle, Burns, Michael J., Call, Cassidy, Clark, Cronin, Donohue, Flint, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Voigt, Weber, Yorty, and Mr Speaker—41.

NOES—Andreas, Baynham, Corwin, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Gannon, Johnson, Kepple, Kuchel, Laughlin, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Redwine, Scudder, Sheehan, and Watson—24.

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 432.

Mr. Morgan gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 432 was this day passed.

Notices of Motion to Withdraw Bills from Committee.

Mr. Patterson gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Constitutional Amendment No 56 from the Committee on Constitutional Amendments, and have it placed upon the calendar.

Mr. Richie gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Constitutional Amendment No. 64 from the Committee on Constitutional Amendments, and have it placed upon the calendar.

Mr. Weber gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No 2877 from the Committee on County Government, and have it placed upon the calendar.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 2384 Dispensed With.

At eleven o'clock and fifty-seven minutes p m., further proceedings under the call of the Assembly on Assembly Bill No 2384 were dispensed with on motion of Mr Mayo

The roll of absentees was called, and Assembly Bill No. 2384 refused passage by the following vote:

AYES—Andreas, Boyle, Cassidy, Clark, Flint, Gilbert, Hawkins, Hornblower, King, Lyon, Maloney, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Sheehan, Tenney, Voigt, Yorty, and Mr. Speaker—22.

NOES—Baynham, Burns, Michael J., Call, Corwin, Cronin, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Field, Gannon, Garland, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Redwine, Sawallisch, Scudder, Thorp, Watson, and Weber—36.

Motion for Temporary Suspension of the Rules.

Mr. Richie moved that the Rules be temporarily suspended for the consideration of Assembly Bill No. 2384, at this time

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Call, Clark, Daley, Flint, Gilbert, Hawkins, Heisinger, Hornblower, King, Lore, Maloney, Meehan, Miller, George P., Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Tenney, and Mr. Speaker—26.

NOES—Corwin, Cronin, Dannenbrink, Desmond, Dilworth, Donihue, Field, Gannon, Garland, Johnson, Kepple, Kuchel, Latham, Levey, Lyon, Martin, Miller, Eleanor; Millington, Morgan, O'Donnell, Redwine, Scudder, Sheehan, Thorp, Watson, Weber, and Yorty—27.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Richie:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 359 and 362 of the Code of Civil Procedure, relating to limitation of actions.

Referred to Committee on Introduction of Bills.

By Mr. Garland:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Richie:

An act to amend sections 359 and 362 of the Code of Civil Procedure, relating to limitation of actions.

By Mr. Garland:

An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peck, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2908: By Mr. Richie—An act to amend sections 359 and 362 of the Code of Civil Procedure, relating to limitation of actions.

Bill read first time, and referred to Committee on Judiciary Codes.

Assembly Bill No. 2909: By Mr. Garland—An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

Bill read first time, and referred to Committee on Insurance.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 766—An act to amend sections 545, 637, 656, 675.5 and 676 of the Vehicle Code, relating to motor vehicles.

Motion to Amend Assembly Bill No. 766.

Messrs. Sawallisch, and King moved to amend Assembly Bill No 766 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "656,", insert the following: "662,".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 7 and 8, insert the following:

"SEC. 3. Section 662 of the Vehicle Code is hereby amended to read as follows:

662. Use of Upper and Lower Beams. It shall be permissible for headlamps to be so equipped as to permit a driver by operating a switch to depress the beams of light projected therefrom or in place of the upper beams temporarily to substitute lower beams but in no event shall such depressed or lower beams be more than two and one-half degrees of arc below the level otherwise required under this code. When any vehicle with headlamps which are so equipped approaches within five hundred feet of an oncoming vehicle, the driver shall depress or deflect the beams of such headlamps and keep the beams so depressed or deflected until the vehicles have passed each other."

Amendment No. 3.

On page 2, line 8, of the printed bill, as amended, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 4".

Amendment No. 4.

On page 2, line 38, of the printed bill, as amended, strike out "Sec. 4", and insert in lieu thereof the following: "Sec. 5".

Amendment No. 5.

On page 1, line 8, of the printed bill, as amended, strike out "twenty-four", and insert in lieu thereof the following: "thirty-two".

Amendments adopted.

Assembly Bill No. 766 ordered to reprint, and re-engrossment.

Assembly Bill No. 2848—An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation.

Motion to Amend Assembly Bill No. 2848.

Mr. Rosenthal moved to amend Assembly Bill No. 2848 as follows

Amendment No. 1.

On page 3, line 40, of the printed bill, as amended, after "department", insert the following: "or approved municipal inspection"

Amendment No. 2.

On page 4, line 7, of the printed bill, as amended, strike out "Inspection", and insert in lieu thereof the following: "Inspected".

Amendment No. 3.

On page 4, line 9, of the printed bill, as amended, strike out "or State inspection", and insert in lieu thereof the following: ", State inspection, or approved municipal inspection".

Amendments adopted

Assembly Bill No. 2848 ordered to reprint, and re-engrossment.

Assembly Bill No. 90—An act providing for payment by the State for park property acquired for highway purposes in the Arroyo Seco in Los Angeles County.

Motion to Amend Assembly Bill No. 90.

Mr. Gilbert moved to amend Assembly Bill No. 90 as follows

Amendment No. 1.

On page 1, line 18, of the printed bill, as amended, strike out "or proper".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 18 and 19, add the following: "Any property owner, however, may intervene in such action."

Amendment No. 3.

On page 4 of the printed bill, as amended, strike out lines 19 to 29, inclusive, and insert in lieu thereof the following:

"The cost of any such reassessment shall be paid entirely from the general funds of such city."

Amendments adopted.

Assembly Bill No. 90 ordered to reprint, and re-engrossment

Resolution.

The following resolution was offered:

By Messrs. Jones, and Meehan.

House Resolution No. 171.

WHEREAS, The fifty-second session of the Legislature will shortly adjourn sine die; and

WHEREAS, The Assembly heretofore has adopted resolutions creating certain interim committees and authorizing these committees during the interim to study and investigate various problems of public concern for purposes of legislation; and

WHEREAS, It is desirable that there be created certain additional committees of this Assembly to function during the interim for the purpose of studying matters of governmental concern and investigating various problems and conditions, to the end that these committees may determine upon desirable changes in or additions to the statutory law of California for recommendation to the fifty-third session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That there are hereby created certain Assembly committees to function during the interim between the

fifty-second and fifty-third sessions of the Legislature, with the membership, powers and duties as hereinafter set forth, to wit:

(1) Assembly Interim Committee on Judiciary to consist of nine (9) members, which committee is authorized and directed to make a thorough and complete study and investigation of all matters and things pertaining to

(a) The revision, amendment, rearrangement and codification of the Constitution and laws of the State.

(b) The administration of courts of justice, to the end that they may function efficiently, economically and justly.

(c) The regulation of attorneys at law and the practice of the law

(d) Deficiencies and defects in both the civil and criminal law whereby frauds or injustices are perpetuated or permitted to exist.

The committee may cooperate with the California Code Commission, Judicial Council, and any other State agencies and commissions, the State Bar of California, and the local bar associations, and similar organizations, in their studies and investigations.

(2) Assembly Interim Committee on Revenue and Taxation, to consist of seven (7) members, which committee is authorized and directed to make a thorough and complete study of and investigation into all matters and things relating to existing or proposed laws of this State and its political subdivisions, with reference to revenue and taxation and the administration of existing laws relating thereto and the expenditure of public funds

(3) Assembly Interim Committee on Fish and Game to consist of seven (7) members, which committee is authorized and directed to study and investigate all matters and things pertaining to existing or proposed laws of this State and its political subdivisions, with reference to fish and game and the administration of existing laws

(4) Assembly Interim Committee on Motor Vehicles, to consist of seven (7) members, which committee is authorized and directed to study and investigate all matters and things pertaining to existing or proposed laws of this State and its political subdivisions, with reference to motor vehicles, highway safety, and the administration of existing laws relating thereto

(5) Assembly Interim Committee on Labor and Capital, to consist of seven (7) members, which committee is authorized and directed to study and investigate all matters pertaining to existing or proposed laws of this State or its political subdivisions, pertaining to labor and capital, the relationship of each to the other, and the administration of all such laws, including those pertaining to employers and employees, to investigate and inquire into labor disputes and wherever possible to assist in the settlement thereof.

(6) Assembly Interim Committee on Civil Service and Personnel to consist of seven (7) members, which committee is authorized and directed to study and investigate all matters and things pertaining to existing or proposed laws of this State and its political subdivisions, with reference to civil service, personnel and the administration of existing laws with reference thereto

(7) Assembly Interim Committee on Social Welfare and Institutions, to consist of seven (7) members, which committee is authorized and directed to study and investigate all matters and things pertaining to existing or proposed laws of this State or its political subdivisions, with reference to social welfare and public institutions, including relief to the aged, unemployed, physically or mentally handicapped citizens of the State, social insurance of all kinds and all matters relating to social security, the hospitals, asylums, prisons, jails, reformatories, homes and similar institutions maintained from public funds.

(8) Assembly Interim Committee on Public Morals, to consist of seven (7) members, which committee is authorized and directed to study and investigate all matters and things pertaining to existing or proposed laws of this State and its political subdivisions, with reference to all matters of public morality, including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar nature, and the administration of such existing laws.

(9) Assembly Interim Committee on Governmental Efficiency and Economy, to consist of nine (9) members, which committee is authorized and directed to study completely and investigate accurately and in detail the organization, functions and administration of the State Government and of any department, agency or subdivision thereof, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and the removal of duplication, and to do all other acts necessary and proper to increase the efficiency and effectiveness of State Government and the agencies and subdivisions thereof.

(10) Assembly Interim Committee on Agriculture, to consist of nine (9) members which committee is authorized and directed to study and investigate all matters pertaining to existing or proposed laws of this State or its political subdivisions, with reference to agriculture, dairying, animal husbandry, meat packing, water resources and allied industries, and the administration of existing laws with reference thereto.

(11) Assembly Interim Coordinating Committee, to consist of the Speaker, the Speaker pro tem and one other member to be appointed by the Speaker, which Coordinating Committee is authorized and directed to coordinate and direct the activities of the committees above mentioned, to the end that these committees may funcion more effectively and without hindrance to one another and without duplication of work, and to the further end that these committees may function more economically and the money herein appropriated be used to the greatest advantage.

The Coordinating Committee is authorized and directed to allocate and apportion from time to time to the committees herein created, including itself, out of the moneys hereby appropriated by this resolution for these committees, such amounts as, in the judgment of the Coordinating Committee shall from time to time be needed by such committees and the Coordinating Committee shall inform the State Controller as to the allocation of the funds made by it, and no warrants shall be issued by the Controller out of the moneys hereby appropriated except upon the authority of the Coordinating Committee; and be it further

Resolved, That all of said committees and the chairman thereof shall be appointed by the Speaker; and be it further

Resolved, That the sum of twenty-five thousand dollars ($25,000) is hereby appropriated and set aside from the contingent fund of the Assembly for the purpose of paying expenses of the committees created by this resolution, including costs of any records and transcripts, and an allowance of $8 per day (in lieu of expenses for living accommodations and meals) and 5½ cents per mile each way, incurred in connection with the powers granted and duties imposed by this resolution and for the paying of the expenses of the necessary assistants of said committees, the said money, as to each committee respectively, to be disbursed upon certification of the chairman of the committee and the Chairman of the Coordinating Committee and as to the Coordinating Committee, of its chairman only, upon warrants drawn by the Controller upon the Treasurer; and be it further

Resolved, That each of such committees upon the appointment of its members, shall organize, appoint a secretary and, subject to the restrictions herein contained, may employ such clerical, legal and technical assistance and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this resolution; and be it further

Resolved, That each of such committees is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; and be it further

Resolved, That the members of such committees are, and each of them is, hereby authorized and empowered to administer oaths, and that all of the provisions of Article VIII, Chapter II, Title I, Part III of the Political Code relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to the committees authorized under this resolution; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly, or other person designated by him, is hereby directed to serve any and all subpenas, orders and other processes that may be issued by such committees when directed to do so upon a vote of the majority of the membership of the said committee; and be it further

Resolved, That the said committees shall perform the duties herein set forth during the interim between the fifty-second and fifty-third Legislatures, at such times and places as the committees may determine; and be it further

Resolved, That all officers of this State and the heads of each and every department, agency and subdivision thereof and all employees of such departments agencies and subdivisions and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each was created; and be it further

Resolved, That each committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto and to do any and all things necessary or proper in connection therewith and to do and perform each and all of the things necessary or convenient to enable it to exercise the powers and perform the duties heretofore granted to it or imposed upon it; and be it further

Resolved, That each committee is authorized and empowered to make a final report of the results of its work and of its recommendations for proposed legislation to the Legislature during the January part of the fifty-third session thereof and be it further

Resolved, That all Assembly House resolutions establishing special investigating committees or authorizing investigations by any standing committee are hereby repealed, any committee established thereunder discharged, any authority granted thereby revoked, and the unexpended balance of any appropriation therefor transferred to the contingent fund of the Assembly except that such transfer shall not

affect any outstanding claims against any appropriation and such outstanding claims shall be payable in the same manner and to the same extent from the contingent fund of the Assembly, as if the transfer had not been made, the committee not discharged or authority not revoked, and the resolution not repealed, but no more; the Assembly House resolutions and committees established thereby, and appropriations made therefor, expressly intended to be included in such repeal discharge, revocation and transfer heretofore mentioned, in addition to any others, are the following:

(a) No. 25, relating to the investigation of the conviction of the "Modesto Defendants," adopted January 21, 1937.

(b) No. 38, relating to the investigation of the dairy industry, adopted January 18, 1937.

(c) No. 39, establishing the Assembly Committee on State Governmental Organization, adopted January 20, 1937.

(d) No. 55, relating to the advising of persons interested in the subdivision of real estate and the filing and recordation of maps thereof, adopted January 22, 1937

(e) No. 62, establishing the Special Assembly Committee on Horse Racing Rules and Regulations, adopted January 22, 1937.

(f) No. 69, establishing the Special Assembly Committee on State Institutions adopted January 22, 1937.

(g) No 71, establishing the Assembly Foreign Corporation Committee, adopted January 22, 1937.

(h) No. 90, relating to the investigation of the dismissal of S E R A clients, adopted March 5, 1937.

(i) No. 120, relating to the safe operation of vehicles upon the public highways, adopted April 9, 1937.

(j) No. 135, relating to the investigation of salary increases for State employees adopted April 16, 1937.

(k) No 138, establishing the Special Assembly Committee on Civil Service, adopted May 3, 1937.

(l) No. 146, establishing the Special Assembly Committee on Labor Relations, adopted April 23, 1937.

(m) No. 161, relating to a deficiency appropriation for the investigation of the conviction of "Modesto Defendants", adopted May 7, 1937.

House Resolution No 171 read, and referred to the Committee on Rules.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937

MR SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Senate Bill No. 446.

Respectfully reports the same back without recommendation, as amended

DESMOND, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred

Assembly Bill No. 2552.
Senate Bill No. 820.
Senate Bill No. 824.
Senate Bill No. 827.
Senate Bill No. 844.

Respectfully reports the same back with the recommendation: Do pass

DESMOND, Chairman

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 17 1937

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred

Assembly Bill No. 2905.

Respectfully reports the same back with the recommendation Do pass as amended

KING, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 1114.

Respectfully reports the same back with the recommendation: Do pass as amended

LORE, Chairman.

The above reported bill ordered on second reading calendar.

Notices of Motion to Reconsider Continued.

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No. 888 was refused passage was continued until the next legislative day.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1283 was refused passage was continued until the next legislative day.

On motion of Mr. Miller, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2502 was passed was continued until the next legislative day.

On motion of Mr. Lyon, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 870 was passed was continued until the next legislative day.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2250 was refused passage was continued until the next legislative day.

On motion of Mr. Hunt, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2593 was passed was continued until the next legislative day.

On motion of Mr. Richie, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1635 was passed was continued until the next legislative day.

Adjournment.

At eleven o'clock and fifty-nine minutes p m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p m., Tuesday, May 18, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FOURTH LEGISLATIVE DAY
ONE HUNDRED THIRTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 18, 1937.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr Latham, the further reading of the Journal of Monday, May 17, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day: Mr. Waters, on motion of Mr Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fred Brooks of Oakland

On request of Mr. McMurray and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Ed Murphy.

On request of Mr O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. O. Talbott, principal of Los Molinos High School, and O C. Talbott and the chemistry and civics classes of the high school as follows: E. E. Beach, Dorothy Beach, Isoldo Allmendinger, Josephine Irigoyen, Karen Han

sen, Dorothy Pitkin, Florence Austin, Dalton Austin, Ernest Simmons, Gordon Blair, Bill Clawson, James McDaniels, Mrs G. W. Roney, Elwin Roney, Clifford Brown, Donald Spiers, Wilma Hammilton, Edith Zaeliuski, Leila Conway, Maxine Beaumont, Ivan Bennett.

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Robert H Lane, Assistant Superintendent of Schools, Los Angeles, and Mrs. Lane.

On request of Mr. Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Roy L. Driggers, H W Kelly, D. J. Wilson, and Mr. and Mrs Neil Creegan.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John W. Whitten.

Assistant Clerk Berry Reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER: I am directed to inform your hornorable body that the Senate on this day passed the following:

Assembly Bill No. 1267.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bill ordered to enrollment

SENATE CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 46—Relative to the appointment of a Joint Legislative Committee to attend the dedicatory ceremonies in connection with the opening of the "Carmel-San Simeon Highway."

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 46, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 46.

Senate Concurrent Resolution No. 46—Relative to the appointment of a Joint Legislative Committee to attend the dedicatory ceremonies in connection with the opening of the "Carmel-San Simeon Highway."

Senate Concurrent Resolution No 46 read, and adopted by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Yorty, and Mr Speaker—60.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Flint:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to authorize cities and counties to convey and transfer to flood control districts storm drain improvements, drainage improvements and drainage systems in such cities or counties, including storm drain improvements, drainage improvements and drainage systems constructed by drainage improvement districts organized pursuant to an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie," approved March 21, 1903, and amended, or organized pursuant to the Drainage District Improvement Act of 1919, and prescribing the terms and conditions and the effect of such conveyance and transfer, providing for the operation, maintenance, repair and improvement of such storm drain improvements, drainage improvements and drainage systems, and fixing liabilities with respect to obligations of such drainage districts.

Referred to Committee on Introduction of Bills.

By Mr. Jones:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section, to be numbered 13½, relating to the conveyance and transfer to such district of storm drain improvements, drainage improvements and drainage systems, for the assumption of liability for the payment of bonds of drainage districts issued for the construction of storm drain improvements, drainage improvements and drainage systems so conveyed and transferred, for the operation, maintenance, repair and improvement of such storm drain improvements, drainage improvements and drainage systems and the levy of a special tax therefor

Referred to Committee on Introduction of Bills.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Flint:

An act to authorize cities and counties to convey and transfer to flood control districts storm drain improvements, drainage improvements and drainage systems in such cities or counties, including storm drain improvements, drainage improvements and drainage systems constructed by ddainage improvement districts organized pursuant to an act entitled "An act to promote the dramage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie," approved March 21, 1903, as amended, or organized pursuant to the Dramage District Improvement Act of 1919, and prescribing the terms and conditions and the effect of such conveyance and transfer, providing for the operation, maintenance, repair and improvement of such storm drain improvements, dramage improvements and dramage systems, and fixing liabilities with respect to obligations of such drainage districts.

By Mr Jones:

An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section, to be numbered 13½, relating to the conveyance and transfer to such district of storm drain improvements, drainage improvements and drainage systems, for the assumption of liability for the payment of bonds of drainage districts issued for the construction of storm drain improvements, drainage improvements and drainage systems so conveyed and transferred, for the operation, maintenance, repair and improvement of such storm drain improvements, drainage improvements and drainage systems and the levy of a special tax therefor

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Daw-

son, Dilworth, Donahue, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, and Mr. Speaker—64.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2910: By Mr. Flint—An act to authorize cities and counties to convey and transfer to flood control districts storm drain improvements, drainage improvements and drainage systems in such cities or counties, including storm drain improvements, drainage improvements and drainage systems constructed by drainage improvement districts organized pursuant to an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie," approved March 21, 1903, as amended, or organized pursuant to the Drainage District Improvement Act of 1919, and prescribing the terms and conditions and the effect of such conveyance and transfer, providing for the operation, maintenance, repair and improvement of such storm drain improvements, drainage improvements and drainage systems, and fixing liabilities with respect to obligations of such drainage districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 2911: By Mr Jones—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section, to be numbered 13½, relating to the conveyance and transfer to such district of storm drain improvements, drainage improvements and drainage systems, for the assumption of liability for the payment of bonds of drainage districts issued for the construction of storm drain improvements, drainage improvements and drainage systems so conveyed and transferred, for the operation, maintenance, repair and improvement of such storm drain improvements, drainage improvements and drainage systems and the levy of a special tax therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

Second Reading of Assembly Bills.

Assembly Bill No. 2503—An act to add section 25a to "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the powers of the Surveyor General.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 2894—An act to amend sections 2, 3 and 11 of an act entitled "An act to authorize boxing and wrestling contests for

prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling

Bill read second time, and ordered to engrossment

Assembly Bill No. 621—An act to amend section 5 of an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray expenses thereof," approved May 23, 1923, relating to county fire protection districts.

Committee Amendments to Assembly Bill No. 621.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 2, line 19, of the printed bill, as amended, after the word "its", insert the word "existing".

Amendment No. 2.

On page 2, line 27, of the printed bill, as amended, strike out the word "designated", and insert in lieu thereof the following: "mutually agreed upon"; and after the word "board", insert the following: "and said water district or company".

Amendment No. 3.

On page 2, line 30, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "but nothing herein contained shall require any water district or company herein named to install any new or additional mains or the extension of any existing mains for the purpose of supplying water as herein provided"

Amendment No. 4.

On page 2, line 32, of the printed bill, as amended, strike out "any and all", and insert in lieu thereof "through said fire hydrants"

Amendment No. 5.

On page 2, line 33, of the printed bill, as amended, strike out "to protect", and insert in lieu thereof the following: "to be used in the protection of"

Amendment No. 6.

On page 2, line 35, of the printed bill, as amended, strike out "domestic"

Amendment No. 7.

On page 2, line 37, of the printed bill, after the word "of", insert the following "installing,".

Amendment No. 8.

On page 3, line 6, of the printed bill, as amended, strike out "permit the", and strike out "of water through".

Amendment No. 9

On page 3, line 7, of the printed bill, as amended, after the word "district" insert the following: "or grant the use of said facilities to any consumer of said district or company".

Amendment No. 10.

On page 3, line 13, of the printed bill, as amended, strike out "and", and insert in lieu thereof ", maintenance or".

Amendment No. 11.

On page 3 of the printed bill, as amended, after line 13, insert the following

"Devices for measuring the amount of water used by any fire protection district as herein provided, such as are mutally agreed upon by said district and the water district or company, shall be installed; and any fire hydrants or appurtenances

required to be installed hereunder shall be furnished to the water district or company by the fire protection district."

Amendments adopted

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 619—An act to add a new section to the Political Code of the State of California to be designated section 2168a, relating to the arrest and detention of persons believed to be insane, for a period of not exceeding 48 hours, without warrant of the court.

Committee Amendments to Assembly Bill No. 619.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out the following: "said fact shall constitute reasonable cause for".

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out "for believ-", and insert in lieu thereof the following: "shall accept".

Amendment No. 3.

On page 1, line 14, of the printed bill, strike out "ing that said person is insane", and insert in lieu thereof the following: "such said person and detain the same as an insane person for not to exceed twenty-four hours unless before the expiration of said time a warrant for the arrest of said person shall be delivered to the officer or employee of any hospital or asylum detaining such person".

Amendment No. 4.

On page 1, line 15, of the printed bill, strike out the following: "unnecessary line, and insert in lieu thereof the following. "within twenty-four hours after such arrest".

Amendment No. 5.

On page 1, line 16, of the printed bill, strike out the following. "unnecessary delay".

Amendment No. 6.

On page 1, line 18, of the printed bill, strike out "Said delay shall", and strike out all of lines 19 to 23, both inclusive.

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 136—An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1898—An act to amend section 50 of the Agricultural Code, relating to county agricultural commissioner.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2116—An act to add section 1872 to the Code of Civil Procedure, relating to blood grouping tests.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2905—An act to amend section 718c of the Civil Code, empowering municipalities, or departments or boards thereof, to lease property.

Committee Amendments to Assembly Bill No. 2905.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, after the word "lease", insert the following: "or sublease".

Amendment No. 2.

On page 1, line 16, of the printed bill, strike out the word "and", and insert in lieu thereof the following: ", exposition, celebration, or"

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2552—An act to amend section 36 of the Civil Code, relating to disaffirmance by minors of contract.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1114—An act to provide for the protection, welfare and assistance of needy persons who are permanently incapable of earning a living by reason of physical disability, providing the method therefor, making an appropriation therefor, and prescribing penalties for the violation of the provisions of this act

Committee Amendments to Assembly Bill No. 1114.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to add Part 2, comprising Chapter 1, sections 4000 to 4083, inclusive, to Division V of the Welfare and Institutions Code, relating to aid for needy disabled persons."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and strike out pages 2 to 8, inclusive, and insert in lieu thereof the following:

"Section 1. Part 2, comprising Chapter 1, sections 4000 to 4084, inclusive, is hereby added to Division V of the Welfare and Institutions Code, to read as follows:

Part 2. Disabled Persons

Chapter 1. Aid to Needy Disabled

Article 1. General Provisions

4000. As used in this chapter "disabled person" means a person who by reason of physical defect or impairment of the body, other than the mind, is totally and permanently disabled.

4001. A permanent total disability exists where there is present any impairment of body which is sufficient to render it impossible for the average person to follow a substantially gainful occupation and when it is reasonably certain that the impairment will continue throughout the life of the disabled person.

4002. As used in this chapter "aid" means financial assistance given under the act.

4003. No person receiving aid under the provisions of this chapter shall be deemed a pauper by reason thereof. No warrant drawn in payment of aid given under the provisions of this chapter shall contain any reference to indigency or pauperism.

Article 2. State and County Aid

4010. The amount of aid to which any applicant shall be entitled shall be, when added to the income of the applicant from all other sources, thirty-five dollars per month. The value of the use and occupancy of premises owned and occupied by applicants shall not be deemed income. Income from any of the following sources of a combined total value not exceeding fifteen dollars per month shall not be considered for any purpose:

(a) Rent from the premises owned and occupied by applicants;

(b) The value of foodstuffs, firewood or water produced on the premises of the applicant or given to him by another;

(c) The value of gifts other than regular contributions by relatives legally responsible under this chapter.

4011. There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated to every county maintaining or supporting disabled persons who come within the provisions of this chapter aid, not in excess of two hundred ten dollars per annum for each such disabled person maintained or supported by such county. There is hereby further appropriated to every county within this State for the purpose of maintaining or supporting disabled persons who come within the provisions of this chapter and who have no county residence as provided in this chapter, aid not in excess of four hundred twenty dollars per annum for each such disabled person.

4012. The board of supervisors of every county, in addition to its other powers and duties in relation to the care and support of the poor, as provided by law, shall receive and act upon applications for aid under and in accordance with this chapter, and shall provide funds in its county treasury, and shall do

all other acts and things necessary for the purpose of carrying out the provisions of this chapter in so far as such provisions relate to such county.

4013. No county shall receive any apportionment of funds from the State under the provisions of this chapter unless it is complying with all of the requirements of this chapter.

4014. During such times as grants in aid are provided or made available to the States by the United States Government as assistance to disabled persons, the Governor of the State of California is hereby authorized and empowered to enter into and execute on behalf of this State all necessary agreements in connection therewith which may be required by the United States Government. Any money refunded under the provisions of section 4082 or 4083 of this code shall be repaid to county, to the State, and to the United States Government in proportion to their respective contributions.

Article 3. Administration

4020. The State Department of Social Welfare shall have the power to and shall prescribe the form of application, the manner and form of all reports and such additional rules and regulations as are necessary for the carrying out of the provisions of this chapter, and not inconsistent therewith. Such rules and regulations shall be binding upon the boards of supervisors of the various counties.

4021. There is in the State Department of Social Welfare a division known as the Division of State Aid to the Disabled. The division shall supervise and pass upon the measures taken by the county boards of supervisors for the care of needy disabled citizens, to the end that they shall receive suitable care and that there shall be throughout the State a uniform standard of records and method of treatment of disabled persons based upon their individual needs and circumstances.

4022. The Division of State Aid to the Disabled shall be administered by a chief. The Director of Social Welfare, with the approval of the Governor and the members of the Social Welfare Board of the State Department of Social Welfare, shall appoint and fix the compensation of the Chief of the Division of State Aid to the Disabled, who shall be a person with training and experience in relief work and familiar with the social and economic conditions in California. The chief of the division shall be responsible for the investigation, determination, and supervision of State aid given under this chapter and for the performance of such other duties as may be assigned to the division by the Director of Social Welfare.

Article 4. Persons Eligible for Aid

4030. Aid shall be granted under this chapter to any person who comes within all of the following descriptions:

(a) Who is totally and permanently disabled and has attained the age of eighteen years.

(b) Who is a citizen of the United States, registration as a voter shall be accepted as prima facie evidence of citizenship.

(c) Who resides in the State and has so resided continuously for at least fifteen years immediately preceding the date of application, but continuous residence in the State shall not be deemed to have been interrupted by any period of absence therefrom if the total of such periods does not exceed three years; or who has so resided for a period of forty years at least five of which have immediately preceded this application. During such time as grants in aid are provided by the United States Government for such aid in this State and accepted by this State, however, aid may be granted under this chapter to any person who resides in the State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of application.

(d) Who resides in the county in which the application is made and has so resided continuously for at least one year immediately preceding the date of application; any person otherwise qualified who has resided in the State for the required period and who has no county residence may file his application in the county in which he resides, and the aid, if granted to him, shall be paid entirely by the State until he gains such county residence.

(e) Who is not, at the time of receiving such aid, an inmate of any public home for the disabled, or any public home, or any public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a hospital not exceeding thirty days in duration. Any such inmate, however, may make an application for aid under this chapter and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon, while he is such an inmate, and, if he is otherwise qualified under the terms of this chapter, such application shall be approved. Payment of the aid granted shall commence within one month following such approval and the applicant may remain an inmate until he receives his first monthly payment, whereupon he shall cease to be such inmate. Persons who are inmates of a boarding home or other institution not supported in whole or in part by public funds shall be granted aid but no such aid shall be granted if such persons are

cared for under a contract for a period of time exceeding one month, or requiring the payment of any sum of money other than for room or board.

(f) Who is not receiving adequate support from a husband, wife, or child, able and responsible under the law of this State to furnish such support.

(g) Who has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid.

4031. The county board of supervisors shall not grant any certificate of qualification for aid under the provisions of this chapter until it has been satisfied that the applicant is entitled to such aid by the evidence of a duly licensed and practicing physician that the applicant is permanently totally disabled. The evidence of each person shall be in writing, signed by him, and he shall be subject to cross-examination by the county board of supervisors or any other person appointed by the board of supervisors to conduct such investigation.

4032. No aid shall be granted or paid to any person who owns personal property the value of which exceeds five hundred dollars.

The term personal property shall not include a policy or policies of insurance which has or have been in effect at least five years prior to the date of application, if the value of the policy or policies at maturity is in an amount not exceeding one thousand dollars.

4033. No aid shall be granted or paid to any person who owns real property the assessed value of which, as assessed by the county assessor, exceeds three thousand dollars at the time such person makes application for aid.

4034. No aid shall be granted or paid to any married person, if the assessed value of the combined real property of the husband and wife, as assessed by the county assessor, exceeds three thousand dollars at the time such person makes application for aid

4035. No aid shall be granted or paid to any person who is eligible and feasible for service under any State Rehabilitation Act and for whom a rehabilitation plan can be prepared and executed by the Bureau of Vocational Rehabilitation, of the State Department of Education, which may reasonably be expected to render him fit to follow a substantially gainful occupation, but aid may be granted to such person for the period of necessary preparation for employment under the jurisdiction of the Bureau of Vocational Rehabilitation

4036. No aid shall be granted to any person who engages in a gainful occupation.

Article 5. Procedure

4050. Every applicant for aid under this chapter shall file written application therefor with the board of supervisors of the county in which he resides This application shall be in the form prescribed by the State Department of Social Welfare, and shall be filed in the manner so prescribed All statements in the application shall be verified, under oath, by the applicant.

4051. The board of supervisors, directly or through an authorized investigator, shall upon receipt of an application for aid, promptly, without any unnecessary delay, and with all diligence, make the necessary investigation Such investigation shall be completed within ninety days after receipt of the application unless for good cause an extension of time for investigation is declared necessary by the board of supervisors Said extension shall be subject to the approval of the State Department of Social Welfare.

The board shall, upon receipt of the report of the investigation, decide upon the amount of aid, if any.

4052. If any applicant or recipient is dissatisfied with the action of the board of supervisors with respect to his application or receipt of aid, he shall upon filing a petition with the State Department of Social Welfare have the right of appeal and shall be accorded an opportunity for a fair hearing The Chief of the Division for the Disabled in the State Department of Social Welfare shall set such appeal for hearing before the State Social Welfare Board and shall give all parties concerned written notice of the time and place of such hearing. At such hearing the applicant or recipient may appear in person, with counsel of his own choosing, or in person and with such counsel

The State Social Welfare Board shall consider the appeal, and shall dismiss the appeal or award aid as prescribed in this chapter. The county board of supervisors shall then pay to such disabled person the sum awarded, if any, by the State Social Welfare Board Payments of aid shall be commenced as of the first day of the month in which the application is granted, but in no event shall the aid commence prior to the date of application.

An applicant whose application for aid under this chapter has been rejected may not again apply for such aid until the expiration of one year from the date of the previous application, except with the consent of the county.

4053. If the application for aid is granted, the clerk of the board of supervisors shall report the fact to the auditor of the county. All payments of aid under this chapter shall be made monthly in advance by the treasurer of the county. Such payments shall be paid by warrant and shall be delivered to the applicant at his residence if he so requests If the recipient is, on the testimony

of reputable witnesses, found incapable of taking care of himself or his money, upon recommendation of the board of supervisors and with the approval of the Department of Social Welfare the aid authorized in this chapter may be paid to any responsible person acceptable to the recipient for the benefit of the recipient of this aid, but it shall be unlawful for the board of supervisors to order any part of the aid granted under this chapter to be paid in the form of merchandise orders for food, rent or otherwise.

4054. All aid under this chapter shall be renewed annually on verified applications and after such further investigation as the board deems necessary. The amount of aid may be changed if the board finds that the recipient's circumstances have changed.

4055. All necessary expense incurred by county boards of supervisors in carrying out the provisions of this chapter shall be paid by the county in the same manner as other expenses of the county are paid.

4056. Payments of the amount appropriated in section 4011 shall be made quarterly. The method of computing and paying such amount for each quarter of the calendar year shall be as follows:

(a) The State Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount to be paid for such quarter to each county under the provisions of section 4011, such estimate to be based on a report filed by each county containing (1) its estimate of the total sums to be expended in such quarter in accordance with the provisions of this chapter, and stating the amount appropriated or made available by the county for such expenditures in such quarter, and if such amount is less than that portion of the total sum of such estimated expenditures which is required under the provisions of this chapter to be paid by each such county, the source or sources from which the difference is expected to be derived, (2) records of the number of disabled individuals receiving aid under the authority of this chapter in the county, and (3) such other information and investigation as the State Department of Social Welfare may find necessary.

(b) The State Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county, reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county under this chapter for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the State Department of Social Welfare for such prior quarter.

(c) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by the State Department of Social Welfare, and the State Controller, the State Treasurer shall pay to the treasurer of each county the amount so certified.

4057. (1) Reports of aid to the disabled paid out under this chapter shall be presented by the respective counties at times and in the form prescribed by the State Department of Social Welfare. (2) Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to the county as a credit to apply against advances made under the terms of section 4056. (3) The clerk of the board of supervisors of each county shall report monthly to the said State department in such manner and form as the latter may prescribe, the number of applications granted and the grants of aid changed, revoked, or suspended under this chapter by the board of supervisors, during the preceding calendar month, together with copies of all applications received and a statement of the action of the board thereon.

4058. During such time as grants in aid are provided or made available by the United States Government for aid to the disabled in this State and accepted by this State, the State shall reimburse each county in addition to the sums provided in section 4011, to the extent of its proportionate share of one half of the total amounts of payment made to the State by the United States Government for or in respect to aid for disabled citizens who receive aid under the provisions of this chapter.

4059. The State Social Welfare Board and the Director of the State Department of Social Welfare may cooperate with any public agency, Federal or State, which has as its purpose the retraining and rehabilitation of disabled persons.

Article 6. Change of Residence.

4070. Any recipient of aid under this chapter who removes from one county to another county in this State shall be entitled to aid, after residence of one year in the county to which he has so removed; and the removal of any person receiving aid hereunder from one county to another within this State shall not work a forfeiture during such one year period of the aid previously awarded under this chapter. The county to which such person has removed shall provide the necessary medical or hospital, or both, care if needed during the one year period of establishment of residence under this section. The county providing such medical or hospital or both, care may demand payment of the county granting the aid in an amount not in excess of the cost thereof and it shall be a proper charge and the duty of the

county granting the aid under the provisions of this section to pay such medical or hospital charges, or both.

Article 7. Suspension, Revocation and Repayment of Aid.

4080. The board of supervisors may, for cause, and upon instruction so to do by the State Department of Social Welfare, shall cancel, suspend, or revoke aid.

4081. If at any time, the State department has reason to believe that aid to the disabled has been obtained improperly, it shall cause special inquiry to be made and may suspend payment of any installment pending the inquiry. It shall notify the board of supervisors of such suspension. If it appears upon inquiry that the aid was obtained improperly, it shall be canceled by the State department, but if it appears that aid was obtained properly, the suspended payments shall be payable

4082. If, at any time during the continuance of aid, the recipient thereof or the husband or wife of the recipient becomes possessed of any property or income in excess of the amount allowed under the provisions of this chapter, the recipient shall immediately notify the board of supervisors of the receipt and possession of such property or income The board may, on inquiry and with the approval of the State Department of Social Welfare, either cancel the aid or vary the amount thereof in accordance with circumstances. Any excess aid theretofore paid shall be returned, in equal proportions to the State and the county participating in the granting of such aid and shall be recoverable as a debt due proportionately to the State and such county.

4083. If, on the death of a recipient of aid under this chapter, it is found that he was possessed of property or income in excess of the amount allowed under the provisions of this chapter and that he has not disclosed the same to the board of supervisors, double the amount of the aid paid him in excess of that to which he was legally entitled may be recovered by the Department of Social Welfare as a preferred claim from his estate and upon recovery shall be paid in equal proportions into the treasury of the State and the treasury of the county participating in the granting of such aid.

4084. If the person receiving aid has within the State a spouse or adult child pecuniarily able to support said person, the board of supervisors shall request the district attorney or other civil legal officer of the county granting such aid to proceed against the kindred in the order of their responsibility to support Upon such demand the district attorney or other civil legal officer of the county granting aid shall, on behalf of said county, maintain an action, in the superior court of the county granting such aid, against said relatives, in the order named, to recover for said county such portion of the aid granted as said relative is able to pay. Any sum so recovered shall be credited by the county to the county and to the State in proportion to the contributions of the county and the State respectively."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Second Reading of Senate Bills.

Senate Bill No. 684—An act to amend the title of the Central Valley Project Act of 1933, and to add to said act a new section to be numbered 15a, relating to the power of the Water Project Authority of the State of California to contract with the United States of America for the construction, maintenance and operation of said project, to perform duties as may be prescribed by acts of Congress now in effect or hereafter adopted, and to otherwise cooperate with the United States of America relative to said project and to further amend the title of said act relating to payment of expenses resulting from interference with State property or State activities.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 243—An act to amend sections 6 and 7 of the Dental Practice Act, relating to the qualifications and examination of applicants

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 820—An act to amend section 4300i of the Political Code, relating to public administrator's fees.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 824—An act to amend section 755 of the Probate Code, relating to sales of property of the estates of decedents

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 827—An act to amend section 762 of the Probate Code of the State of California, relating to the sale of property belonging to an estate which is subject to any lien.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 844—An act to add section 690.11 to the Political Code, relating to the disposition of fees received under the provisions of section 690 10 of the Political Code.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 446—An act to add section 1872 to the Code of Civil Procedure, relating to compensation for expert testimony.

Committee Amendments to Senate Bill No. 446.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 1872", and insert in lieu thereof the following: "sections 1872 and 1873".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "compensation for".

Amendment No. 3.

On page 2 of the printed bill, following line 11, add the following language

"SEC. 2 Section 1873 is hereby added to the Code of Civil Procedure, to read as follows:

1873 Whenever an expert witness gives his opinion, he may, upon direct examination, be asked to state the reasons for such opinion, and he may be fully cross-examined thereon by opposing counsel."

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Reports of Standing Committees—(Resumed).

The following reports of standing committtes were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1924.
Assembly Bill No. 2857.
And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 18 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 316.
Assembly Bill No. 1178.
Assembly Bill No. 1511.
Assembly Bill No. 1555.
Assembly Bill No. 1981.
Assembly Bill No. 2451.
Assembly Bill No. 136.
Assembly Bill No. 1898.
Assembly Bill No. 2116.
Assembly Bill No. 2552.
Assembly Bill No. 2894.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred
Assembly Bill No. 2374.
Respectfully reports the same back with the recommendation: Do pass as amended

DESMOND, Chairman

The above reported bill ordered on second reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 18 1937

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred
Senate Bill No. 665.
Respectfully reports the same back with the recommendation: Do pass as amended

HORNBLOWER Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred,
Senate Bill No. 373.
Senate Bill No. 472.
Respectfully reports the same back with the recommendation: Do pass
HORNBLOWER, Chairman

The above reported bills ordered on second reading calendar

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER: Your Committee on County Government, to which was referred
Senate Bill No. 842.
Senate Bill No. 1044.
Respectfully reports the same back with the recommendation: Do pass
LAUGHLIN, Chairman

The above reported bills ordered on second reading calendar.

Notice of Motion to Reconsider Assembly Bill No. 2502 Waived.

Mr. Miller waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2502 was passed.

Assembly Bill No. 2502 ordered transmitted to the Senate

Reconsideration of Assembly Bill No. 1635.

In compliance with a notice given on a previous day, Mr. Richie moved that the vote whereby Assembly Bill No. 1635 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1635 refused reconsideration by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Clark, Crowley, Dawson, Flint, Fulcher, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Weber, Yorty, and Mr. Speaker—33.

NOES—Andreas, Baynham, Boyle, Breed, Call, Cassidy, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Martin, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, and Watson—38.

Assembly Bill No. 1635 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 870.

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 870 was passed be reconsidered.

The roll was called, and Assembly Bill No. 870 reconsidered by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—66

NOES—None.

Re-reference of Assembly Bill No. 870.

On motion of Mr. Lyon, Assembly Bill No. 870 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital

Hon. Gordon H. Garland in the Chair.

At three o'clock and fifteen minutes p.m., Hon. Gordon H. Garland, member of the Assembly from the Thirty-Eighth District, in the chair

Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1238.

Assembly Bill No. 1238—An act to amend sections 5.10, 5.42, 5.60 and 5.84 of the School Code of the State of California, relating to the establishment of R. O. T. C. units in State colleges and the teaching of courses in military science and tactics in connection therewith.

Motion to Amend Assembly Bill No. 1238.

Mr. Clark moved to amend Assembly Bill No. 1238 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "and 5.84", and insert in lieu thereof a comma and the following: "5.84, and 5.101".

Amendment No. 2.

On page 2, following line 36, of the printed bill, add the following

"SEC. 5. Section 5.101 of the School Code is hereby amended to read as follows

5.101. The determination of the time and standards for graduation from the State colleges. No student shall be required as a condition to graduation or otherwise to enroll in any course in military science or tactics. No student who is not a candidate for a teaching credential shall be required as a condition to graduation or otherwise to enroll in more than six units of pedagogy."

Demand for Previous Question.

Messrs. Dawson, Latham, Garibaldi, Meehan and Cottrell demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Johnson, King, Kuchel, Latham, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Muldoon, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, and Weber—47.

NOES—Burns, Michael J., Clark, Crowley, Flint, Hawkins, Hornblower, Hunt, Lore, Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Rosenthal, Voigt and Watson—16.

The question being on the adoption of the amendments by Mr. Clark.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Burns, Michael J., Clark, Cronin, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Levey, Lore, Maloney, McMurray, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, and Yorty—31.

NOES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Johnson, Kuchel Latham, Laughlin, Leonard, Martin, Mayo, Meehan, Muldoon, Peyser, Redwine, Robertson, Scudder, Sheehan, Stream, Thorp, Walker, and Weber—40.

Assembly Bill No. 1238 read third time.

Motion to Amend Assembly Bill No. 1238.

Mr. Hawkins moved to amend Assembly Bill No. 1238 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "of", add a comma and the following: "and to add section 5.11 to,".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, after "tactics", add a comma and the following "and courses in the avoidance of war and physical combat."

Amendment No. 3.

On page 2 of the printed bill, following line 36 add the following

"SEC. 5 Section 5.11 is hereby added to the School Code to read as follows.

5.11 Where courses in military science and tactics are offered in any State college, an equal number of hours of instruction shall be given by nonmilitary instructors involving a basic examination of the causes of war and solutions which will obviate settlement by actual physical combat.

No student shall enroll or participate in any course in military science or tactics unless he also enrolls in and participates for an equal or greater number of hours in a course involving a basic examination of the causes of war and solutions as described in this section."

Amendments adopted.

Request for Unanimous Consent.

Mr. Gannon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1238, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 1238, as Amended.

Assembly Bill No. 1238—An act to amend sections 5.10, 5.42, 5.60 and 5.84 of the School Code of the State of California, relating to the establishment of R. O. T. C. units in State colleges and the teaching of courses in military science and tactics in connection therewith

The Speaker in the Chair.

At three o'clock and forty minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Motion to Amend Assembly Bill No. 1238.

Mr King moved to amend Assembly Bill No 1238 as follows

Amendment No. 1.

On page 1 of the printed bill, after line 13, insert a new paragraph as follows:

"5.11 Teachers in all State colleges shall wear at all times a scabbard, sidearms and metal hats, spurs and shoes equipped with iron heels. They shall salute and click said iron heels upon approaching and passing any and all persons whether upon the campus or elsewhere They shall likewise sing military airs and wave flags regularly three times each day, the time to be set by popular vote of the entire student body."

Amendment read, and refused adoption by the following vote

AYES—Andreas, Clark, Flint, King, Lore, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, and Voigt—14.

NOES—Raynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Martin, Mayo, Meehan, Miller, Eleanor, Muldoon, Peyser, Redwine, Robertson, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Weber—45.

Motion to Amend Assembly Bill No. 1238.

Mr Tenney moved to amend Assembly Bill No. 1238 as follows

Amendment No. 1.

On page 1 of the printed bill, after line 13, insert the following.

"5.11. All State colleges shall simulate a state of war Passports shall be issued to all students and patrols shall be posted twenty-four hours per day. All conscientious objectors shall be imprisoned in the college brig on bread and water until starved into submission All Quakers shall be court martialed and shot."

Amendment read, and refused adoption by the following vote

AYES—Lore, Miller, George P., O'Donnell, Peek, Pelletier, Reaves, and Richie—7

NOES—Andreas, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Martin, Mayo, Meehan, Miller Eleanor, Morgan, Muldoon, Patterson, Peyser, Redwine, Robertson, Scudder Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, and Weber—50

Motion to Amend Assembly Bill No. 1238.

Mr. Richie moved to amend Assembly Bill No. 1238 as follows.

Amendment No. 1.

On page 1 of the printed bill, after line 13, insert the following:

"5.11. All students found guilty of subversive activities by R. O. T. C. court martial shall be summarily shot by R. O. T. C. firing squad All students shall be drawn up at attention for said executions and the public invited"

Amendment refused adoption.

Motion to Amend Assembly Bill No. 1238.

Mr. Patterson moved to amend Assembly Bill No. 1238 as follows:

Amendment No. 1.

On page 1 of the printed bill, after line 13, insert the following paragraph:

"5.11. All State colleges shall be equipped with trench mortars and U. S. Army regulation field guns. It shall be the duty of all students to patrol the campus at stipulated periods with fixed bayonets."

Amendment read, and refused adoption by the following vote.

AYES—Hawkins, King, Lore, Patterson, Peek, Pelletier, Reaves, Richie, Tenney, Voigt, and Yorty—11.

NOES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Mr. Speaker—55.

Assembly Bill No. 1238 read third time.

Demand for Previous Question.

Messrs. Lyon, Latham, Stream, Dannenbrink and Kepple demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1238.

The roll was called, and Assembly Bill No. 1238 passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Johnson, Kuchel, Latham, Laughlin, Leonard Levey, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor: Miller, George P., Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Scudder, Sheehan, Stream, Thorp, Walker, and Weber—44.

NOES—Andreas, Burns, Michael J., Clark, Cronin, Flint, Gilbert, Hawkins, Heisinger, Hunt, Kepple, King, Lore, Maloney, Patterson, Peek, Pelletier, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Yorty, and Mr. Speaker—25.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Explanation of Vote on Assembly Bill No. 1238.

During the debate on Assembly Bill No. 1238 I was unavoidably absent from the Assembly Chamber participating in a conference on Assembly Bill No. 1177 which had been vetoed by the Governor and of which I was one of the co-authors. During the vote on Assembly Bill No. 1238 I returned to the Assembly Chamber and voted "No," under the impression that I was voting against amendments to the bill. Had I not been under this misapprehension I certainly should have voted "Aye," as I am heartily in favor of this truly American and highly meritorious bill.

GODFREY A. ANDREAS

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1937

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, the following:

Assembly Bill No. 98.
Assembly Bill No. 524.
Assembly Bill No. 1875.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 51.
Assembly Constitutional Amendment No. 58.
Assembly Constitutional Amendment No. 62.

Respectfully reports the same back with the recommendation Be adopted

HUNT, Chairman

The above reported bills ordered to engrossment.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 2909.
Senate Bill No. 460.

Respectfully reports the same back with the recommendation: Do pass

SAWALLISCH, Chairman

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 820.
Assembly Bill No. 2904.

Respectfully reports the same back with the recommendation. Do pass

ROSENTHAL, Chairman

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1874.
Assembly Bill No. 2906.
Senate Bill No. 292.
Senate Bill No. 333.
Senate Bill No. 774.
Senate Bill No. 892.
Senate Bill No. 1140.
Senate Bill No. 1149.

Respectfully reports the same back with the recommendation: Do pass

ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 253.
Assembly Bill No. 1592.
Assembly Bill No. 2409.
Assembly Bill No. 2889.
Senate Bill No. 393.
Senate Bill No. 681.
Senate Bill No. 891.

Respectfully reports the same back with the recommendation: Do pass as amended.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER. Your Committee on Insurance, to which was referred.

Senate Bill No. 461.

Respectfully reports the same back with the recommendation: Do pass as amended

SAWALLISCH, Chairman.

The above reported bill ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 27.

Respectfully reports the same back with recommendation: Be adopted as amended.

HUNT, Chairman.

The above reported bill ordered on second reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 28.

Respectfully reports the same back without recommendation, as amended

HUNT, Chairman

The above reported bill ordered on second reading calendar

Special Order.

The hour of three o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration

Consideration of Assembly Bill No. 1065.

Assembly Bill No. 1065—An act to establish a California Agricultural Labor Relations Board, to provide machinery for the mediation and arbitration of agricultural labor disputes and for ancillary purposes.

Point of Order.

Mr Cottrell arose to the following point of order That Assembly Bill No 1065 was signed out from the Committee on Labor and Capital, and that the Committee on Labor and Capital had not failed to meet on two consecutive meeting dates

Ruling on Point of Order.

The Speaker ruled that the point of order was not well taken

Motion to Set Assembly Bill No. 1065 as Special Order.

Mr. Kepple moved that the further consideration of Assembly Bill No. 1065 be made a special order of business for Wednesday, May 19, 1937, at three o'clock and thirty minutes p.m

Amendment to Motion to Set Special Order.

Mr McMurray moved to amend the motion by Mr Kepple as follows That the further consideration of Assembly Bill No. 1065 be made a special order of business for Tuesday, May 18, 1937, at eight o'clock and thirty minutes p.m.

The roll was called, and the amendment to the motion adopted by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Daley, Dawson, Desmond, Donihue, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Leonard, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Voigt, Welsh, Yorty, and Mr. Speaker—46.

NOES—Breed, Cottrell, Cunningham, Dilworth, Field, Gannon, Johnson, Kepple, Kuchel, Latham, Maloney, Muldoon, Redwine, Robertson, Scudder, Sheehan, and Walker—17.

The question being on the amended motion to set Assembly Bill No 1065 as a special order of business.

Special Order Set for Assembly Bill No. 1065.

The roll was called, and the further consideration of Assembly Bill No. 1065 was made a special order of business for Tuesday, May 18, 1937, at eight o'clock and thirty minutes p.m., by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—54.

NOES—Breed, Cunningham, Dilworth, Field, Kuchel, Robertson, and Walker—7.

Notice of Motion to Reconsider Assembly Bill No. 2084 Waived.

Mr. Weber waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2084 was passed.

Assembly Bill No. 2084 ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 7—An act to amend section 4 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Limit Consideration of Bills.

Mr. Cottrell moved that no new bills be taken up for consideration after eleven o'clock and thirty minutes p.m. of this day.

Motion carried.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 17, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 1177**, the same being:

"An act to amend the title of and sections 1 and 10, of, and to add sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under said act"

Assembly Bill No 1177 proposes to change the plan which now obtains in the State respecting care and aid to the "needy" in one group, and the "unemployed" in the other. Heretofore it has been the county's obligation to provide for the needy not included in old age aid and similar groups.

This bill proposes that the two groups above mentioned, needy and unemployed, shall be consolidated into one, and that the county and the State shall both contribute to the support, the county paying the bill up to five one-hundredths of one

per cent of the assessed value, the county and the State paying on a 50-50 basis up to twenty-seven one-hundredths of one per cent, and the State paying the entire cost above the twenty-seven one-hundredths of one per cent of the assessed valuation in the counties.

While such an arrangement might be equitable for the first year, it would undoubtedly result in the State assuming an additional burden in the years to come. Since the State now pays more than 52 per cent of all the taxes its collects to the counties and cities, it does not seem reasonable that the State should pay for any additional functions of the counties. Of the $446,466,507 recommended in the budget to this Legislature, more than $233,570,720 will be paid to the counties and cities, the counties receiving most of the amount, $216,341,375.

Legislation this session has already slightly increased the allocations to counties and cities. I believe there should be no additions to this amount, and that the counties should continue to care for the needy, and the State, aided by the Federal Government, should provide for the unemployed.

This position is emphasized by the further efforts of the State to relieve unemployment. Unemployment insurance, designated as the Unemployment Reserves, will commence payment for unemployment on January 1, 1938. The four weeks "waiting period" provided before payments shall begin will make the actual date for first payments February 1, 1938. On May 1, 1937, the State had collected $23,648,056.60 in this fund, and it is estimated the payments to the State for unemployment will have reached $65,000,000 by January 1, 1938.

With the prospect of reducing this unemployment cost through the Unemployment Reserves, under Assembly Bill No. 1177, the State would assume a portion of the load now carried by the counties and the attendant possible increase of costs.

In case the Federal Government should fail to continue aid or withdraw its support as at present extended, a heavy burden will come to the State in caring for all the unemployment. This bill, however, does not give the State any relief in such a case since it is provided the State shall carry all the obligations above the specified twenty-seven one-hundredths of one per cent of the assessed value of the counties.

In a number of particulars the bill would prohibit the State from carrying on and assisting in certain present activities formerly operated in conjunction with the Federal Government. One such activity is the self-help cooperative program. More than 2,000 families are now partially self-supporting with the aid of the State-wide self-help program. This effort would be stopped by this bill and there are no other measures pending which would satisfactorily save the program which a substantial number of people have been developing for four years.

Believing the counties should continue to carry their obligations, and that the State should continue, with what aid may be available from the Federal Government, to provide for unemployment, I am returning Assembly Bill No. 1177 without my approval.

Respectfully submitted,

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1177 ordered on unfinished business calendar.

Motion to Withdraw Assembly Constitutional Amendment No. 64 from Committee.

In compliance with a notice given on a previous day, Mr. Richie moved to withdraw Assembly Constitutional Amendment No. 64 from the Committee on Constitutional Amendments, and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Johnson, Dannenbrink, Cottrell, Breed and Cunningham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Constitutional Amendment No. 64 from Committee on Constitutional Amendments.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Hunt moved a call of the Assembly.

Motion lost.

The question being on the motion to withdraw Assembly Constitutional Amendment No 64 from the Committee on Constitutional Amendments.

The roll was called, and the motion to withdraw lost by the following vote.

AYES—Andreas, Burns, Michael J., Cassidy, Clark, Cronin, Donihue, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Laughlin, Levey, Maloney, McMurray, Meehan, Miller, George P., Patterson, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Yorty, and Mr. Speaker—30

NOES—Baynham, Breed, Burns, Hugh M., Cottrell, Crowley, Cunningham, Daley, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Martin, Mayo, Miller, Eleanor; O'Donnell, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Walker, and Watson—34

Notice of Motion to Withdraw Assembly Constitutional Amendment No. 64 from Committee.

Mr. Hunt gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Constitutional Amendment No. 64 from the Committee on Constitutional Amendments, and have it placed upon the calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1287—An act to add section 736.3a to the Agricultural Code, relating to retail prices for fluid milk.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1642—An act to amend the Political Code by adding thereto a new section, to be numbered 4041n, relating to the leasing of public parks acquired by special assessment, for the production of oil and gas and for the application of royalty payments to the retirement of bonds issued to acquire such parks and for the other disposition of such royalty.

Bill read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Pelletier, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—56.

NOES—Field—1.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2809—An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof.

Motion to Amend Assembly Bill No. 2809.

Mr. Fulcher moved to amend Assembly Bill No. 2809 as follows

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended, strike out "other than", and insert in lieu thereof the following: "or".

Amendment read, and refused adoption by the following vote.

AYES—Burns, Michael J., Crowley, Dilworth, Fulcher, Gilbert, Heisinger, Hunt, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Redwine, Rosenthal, Sawallisch, Thorp, Turner, and Weber—20.

NOES—Andreas, Baynham, Breed, Cassidy, Cottrell, Cunningham, Daley, Desmond, Donnelly, Field, Flint, Gannon, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Latham, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Robertson, Tenney, Voigt, Walker, Welsh, Williamson, Yorty, and Mr. Speaker—34.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh, M. Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2809 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2883—An act to make an appropriation for construction and improvements at Santa Barbara State College.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Daley, Dawson, Desmond, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Peek, Pelletier, Redwine, Robertson, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—55.

NOES—Breed, Cunningham, Kepple, and Morgan—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 851—An act making an appropriation for the purchase of real property for the San Jose State College.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Michael J., Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64

NOES—Breed, and Kepple—2

Title read and approved. Bill ordered transmitted to the Senate.

Leaves of Absence.

Mr. Richie was granted leave of absence for the balance of this legislative day, on motion of Mr. Tenney.

Mr. Beene was granted leave of absence for the balance of this legislative day, on motion of Mr. Boyle.

Mr. Patterson was granted leave of absence for the balance of this legislative day, on motion of Mr. Donnelly.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Patterson:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act creating the office of Assistant Highway Engineer in the State Department of Public Works, and relating to the powers and duties thereof and the qualifications, compensation and tenure of appointees thereto

Referred to Committee on Introduction of Bills.

By Mr Donnelly:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 234 of the Agricultural Code, relating to bovine tuberculosis.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Patterson

An act creating the office of Assistant Highway Engineer in the State Department of Public Works, and relating to the powers and duties thereof and the qualifications, compensation and tenure of appointees thereto.

By Mr. Donnelly:

An act to amend section 234 of the Agricultural Code, relating to bovine tuberculosis

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Bayhham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey Lore, Maloney, Martin, Mayo, Meehan Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2912: By Mr. Patterson—An act creating the office of Assistant Highway Engineer in the State Department of Public Works, and relating to the powers and duties thereof and the qualifications, compensation and tenure of appointees thereto.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2913: By Mr. Donnelly—An act to amend section 234 of the Agricultural Code, relating to bovine tuberculosis.

Bill read first time, and referred to Committee on Agriculture.

Resolutions.

The following resolutions were offered:

By Mr. Williamson:

House Resolution No. 172.

WHEREAS, The members of the California Legislature recently had the pleasure of viewing an exhibition of the water colors painted by Doris Miller Johnson, and

WHEREAS, The said Doris Johnson is the wife of our able associate, and Assemblyman from the Nineteenth District, Gardner Johnson, and

WHEREAS, This exhibition sponsored by the Pals Club afforded the members of the Assembly and their families an opportunity to view many water colors which have been shown in leading art shows throughout the United States; and

WHEREAS, The members of this Assembly are convinced of not only Doris Miller Johnson's unusual artistic style and ability, but also that she is no less successful in the role of a loyal and devoted helpmate; now, therefore, be it

Resolved by the Assembly of the State of California, That all the members thereof do hereby congratulate Doris Miller Johnson on such gratifying evidence of her artistic genius and skill; and be it further

Resolved, That we express to the Pals Club our grateful appreciation for their thoughtful courtesy in inviting the members of this Assembly to share in the pleasure of attending the exhibition sponsored by them; and be it further

Resolved, That the State Printer be directed to prepare an engrossed copy of this resolution in such form that it will not show to disadvantage among said water colors, the said engrossed copy to be presented to Doris Miller Johnson

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up House Resolution No. 172, at this time, without reference to committee or calendar.

House Resolution No. 172 read, and unanimously adopted

By Mr. Clark.

House Resolution No. 173.

WHEREAS, The report of the Assembly Interim Committee on Assessments and Appraisals of Real Property is this day being submitted to the Assembly; and

WHEREAS, This report contains much valuable and important information of general interest to the public at large; and

WHEREAS, There are many people in this State who are desirous of copies of this report; now, therefore, be it

Resolved by the Assembly of the State of California, That 300 copies of this report be printed for general circulation by the members of this Assembly, and that the costs of such printing be paid out of the contingent fund of the Assembly

House Resolution No. 173 read, and referred to Committee on Rules.

Motion to Print Report in Journal.

On motion of Mr. Clark, the following report of the Assembly Interim Committee on Assessments and Appraisals of Real Property, was ordered printed in the Journal:

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON ASSESSMENTS AND APPRAISALS OF REAL PROPERTY.

JOHN GEE CLARK.
HENRY MEEHAN.
ELEANOR MILLER.
FRANK WRIGHT.
H. DEWEY ANDERSON, Chairman.

To the Assembly of the State of California.

Your committee, appointed pursuant to the resolution adopted May 16, 1935, and printed in the Journal of the Assembly, page 3374, has held meetings, taken testimony, made investigations, and herewith submits its findings for your information and decision concerning the methods used in assessing real property for taxation purposes in the counties and cities of California.

The resolution which created this committee, as introduced by Assemblyman H. Dewey Anderson, clearly sets forth the need for such an investigation and the purposes it sought to accomplish, to wit:

WHEREAS, It is universally recognized that all forms of taxes should bear some equitable relationship to the ability of the person taxed, to pay the tax, and

WHEREAS, All taxes if paid at all, must be paid from income of some character or else constitute confiscation, and

WHEREAS, The tremendous number of sales of real property for delinquent taxes would seem to indicate that the taxes levied thereon have exceeded the net return to the owners of such real estate; and

WHEREAS, It has often and authoritatively been asserted that real property taxes, being based upon appraisals determined largely upon original purchase price, prospective sales price or both, frequently bear no relationship whatever to the actual or warranted return upon the property to the owner either in the form of rentals or usefulness; and

WHEREAS, It has been stated that the burden of real estate taxes, even though not further reduced in total amount, could be borne more easily by property owners if the amount of taxes levied thereon, was based, in some degree, upon the earning power of the particular property taxed; and

WHEREAS, It is contended that it is possible to cause real property taxes to bear a more equitable relationship to the earning power of the particular property taxed by modifications in the methods of assessment and in the methods of appraisals for assessment purposes now employed, be it

Resolved, by the Assembly of the State of California, That a committee of five members of the Assembly be appointed by the Speaker of the Assembly, to meet from time to time following the adjournment of the fifty-first session of the Legislature, for the purpose of thoroughly and adequately examining and investigating the methods of assessment and of appraisal for assessment purposes now employed, for the purpose of levying real property taxes and to study any and all methods for changes in the method of assessment which may come to its attention and to report thereon together with its recommendations, to the Assembly upon the convening of the fifty-second session; and be it further

Resolved, That the committee shall proceed to organize by the election of one of its members as chairman and by the selection of a secretary and shall thereon proceed with the study and investigation herein authorized in such manner as it is pertinent to the purposes herein stated; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpenas to compel the attendance of witnesses and secure testimony, and as far as practicable to have material testimony reported so the same may be available for use by the Assembly; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII, Chapter II of Title I of Part III of the Political Code, relating to the attendance of witnesses before the Legislature and committees thereof shall supply to the committee appointed under this resolution and it shall be the duty of all public officials to furnish such reports, information and evidence upon request of the committee as may be pertinent to the purposes herein stated; and be it further

Resolved, That the sum of $1,000 or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Treasurer is hereby authorized and directed to pay the same

Testimony of Witnesses.

One meeting was held at the State Building in Los Angeles on March 21, 1936. A second took place in San Francisco on May 2 of the same year. At both of these public hearings, interested citizens and specialists in the field of property appraisal and taxation appeared, were heard and questioned, and a record was made of their testimony. Much of that testimony was so important that it is herewith presented as recorded.

MR. HERBERT NELSON, SECRETARY OF THE NATIONAL REAL ESTATE BOARD, CHICAGO, ILLINOIS:

"Nationally we have two important plans with respect to the tax question. The first has to do with a fixed limitation on real estate taxes under which taxes in any one year are limited to certain percentages of the full value of the property. That has gone over in seven States, partially in an eighth State, and is being pressed in 22 other States. If there is to be a limitation on the

taxation of real estate, proportional to its full and true value, it becomes important to the taxing authority, that there be some accepted method of finding the full and true value.

As long as we could count on rapid city growth, the increment in land values was sufficient to care for the mistakes in improvement and in management. But as city growth slows down, that increment tends to disappear, and real property becomes valuable to those who own it, more and more on a basis of what it will be able to produce, instead of what they can sell it for to a buyer.

Today the appraisal processes are predicated to a much greater extent than they have been before in American history, on the annual production value of real estate, measured in terms of either utility or money income. We are at present engaged in collecting from all of the assessors in the larger cities of the United States the present forms which they use in appraising real estate and it is our hope that we can suggest to them a standard form which will hit more closely to the mark, by setting up the criteria for assembling information about real estate so that utility can become the primary value in assessing. Certainly government should be realistic. It should not ask anybody to pay taxes on an assumed value which may some day be realized or again may never be realized.

That method of taxation has had serious effects in your own community, as it has in practically every American city. It tends to enforce premature usage of land. In Cook County, surrounding Chicago, the farm lands were assessed and valued at four times their value for agricultural purposes by the assessors. The effect of that type of taxation is to force the land on the market as subdivision property long before the community can absorb it. I know that happened here in Los Angeles and in every big community. So the present system of taxing an assumed sales value—often highly speculative—forces sales of land prematurely, and when you engage in premature land development in subdivisions, there goes with it, premature spending for streets, sidewalks, public service and utilities, which sooner or later fall back on the community.

Mr. Bartholomew, one of the principal city planning engineers from St. Louis, said that there are 600,000 vacant lots in Los Angeles, with improvements which have carrying charges of $10,000,000 a year.

So your program, Mr. Chairman, is most fundamental . . . the most fundamental you can attack, because if you solve it correctly, and tax land on the basis it should be taxed on, and do not force it into premature use, you will to some extent obviate the future problem of waste such as we have now. My suggestion would be that your committee consider the point of view that for tax purposes, land should be valued at its annual rental value, either in money or if that does not exist, the annual rental value should be fairly and properly appraised."

MR. CHASE B. SHATTOCK, PRESIDENT OF THE CALIFORNIA REAL ESTATE ASSOCIATION:

"I am very happy to be here this afternoon representing the realty profession of California, because we believe that while our present system perhaps may not be perfect, nevertheless it is functioning fairly well. There may be some things we might suggest which would tend to bring about more equitable assessments of real estate. I think in the main we agree in most particulars with our National Secretary, Mr. Nelson.

There is one thing I would like to point out, and that is this. In the valuation of real estate, usually grave error creeps in through the valuators—the assessors or deputies for instance. They approach the problem of assigning value to real estate from one point of view or method so long that they wind up in error.

The chief difficulty of the present method for taxation purposes, in my opinion, lies in the fact that in the vast majority of cases those who assess real estate consider it only from the physical angle, the standpoint of the physical location of the property, plus the cost of improvements, less the depreciation, which does not consider such matters as functional obsolescence. When approaching the problem from that angle, in many cases judgment is in error.

You will note in his remarks to you, Mr. Nelson said he thought the reasonable rental value of land should be considered as a major item in assessment levying. That is true. In other words, after having analyzed what a property would cost to reproduce physically, the next phase is whether or not that cost is justified in an economic sense. Nothing has any economic value unless it possesses utility, with benefit to those who use it, or money income.

We may take buildings in Los Angeles for instance. The Richfield Oil Building cost in excess of $2,000,000. Hundreds of thousands of dollars were spent for gold leaf and other decorations. The building was colored black—and the crepe was hung on that building. It never produced enough to warrant the spending of so much money in building it. Today, as our assessment system stands, the assessor assesses it on the basis of what it cost, without consideration of how much should be assessed in fairness.

If the assessors had to consider the cost of physical reproduction and also replacement and the economic possibilities of the property, from the standpoint of producing income, I think we would have made a long step forward in equalizing many problems which exist.

One thing we must all realize in taxation—the source of revenue. I think it fundamental that there is only one source of revenue, and that is the people: the question is what method we shall follow in tapping the source. It has been pointed out to you that real estate has paid more than its share in local, State and National Governments. For a long time the California Real Estate Association has been in the front line insisting upon an adjustment which we were fairly entitled to. We realized that real estate is the basic form on which other forms of wealth are predicated. We wish to make individual ownership of real estate more secure and attractive to our citizens, because we believe as ownership is improved and becomes more widespread, our characteristics as Americans will improve.

You must consider this problem in a practical light. First the assessment of real estate in large blocks, because of the area of the State and communities presents a practical problem. Obviously an assessor might be the finest expert in the country but his deputies are low-rate men for special work."

MR. WRIGHT: "In your opinion would it be practical for the Legislature to enact a law providing for a unified system of appraisals throughout the State with any set of rules or practical economic basis for such a law?"

MR. SHATTOCK: "Yes, I think it possible to lay down such a plan or principal of fundamental valuation conceptions and requirements that the assessors must follow so far as is humanly possible through proper attention to the education of those who compose the personnel of the various assessors' offices, to materially change the situation and change the understanding of those in the field."

MR. WRIGHT: "Should that be in terms of rental value?"

MR. SHATTOCK: "I think that should be one of the major factors. Some assessors do. Others do not, and I think in many cases they fail to when they should. I think the assessor should be in the position where if it could be shown by the property owner that he failed to take it into consideration, he could be forced to do so."

MR WRIGHT: "Could you suggest a legislative measure to do it?"

MR SHATTOCK: "We have discussed that at various times in the State association. As yet we have not a bill to present. However, I assure you the California Real Estate Association is interested in arriving at the proper solution. However, we do not wish to suggest anything until we are confident we have the right thing."

MR. ANDERSON: "In a certain county in this State the appraiser is an excellent man, capable and well respected, but he has to depend for appraisals upon 20 men, put in the field for four months, paid $140 a month. This must be considered; here is a part-time employed group doing a supposed expert's job. Can that be corrected?"

MR. SHATTOCK: "Yes, I think so. I see no reason why assessors in large communities like Los Angeles, where you have a great number of men who have actually been engaged in real estate for many years, should not be used as temporary employees as assessors, even though such fees might not be of interest to them. I think it is to the interest of the profession as a whole that they take part in it. I think something along that line should be worked out.

It was my privilege three or four years ago to sit in on behalf of the Civil Service Committee of Los Angeles, to hear the men who made application for the position of deputy assessor. You would be surprised to know the great number of people applying for the job, and few had mental knowledge of the phases of the business conditions and economics in general, that would affect real estate; nor had they practical experience. They came from other lines of business and were unfamiliar with real estate values."

MR. ANDERSON: "So you think one reason for friction between taxpayers and assessors is this haphazard appraising?"

MR. SHATTOCK: "Yes."

MR. ANDERSON: "How could we arrive at a state-wide program that would give to Alpine and Placer counties, with their difficult physical characteristics and small tax base—how could we give them a decent service like Los Angeles County?"

MR. SHATTOCK: "Your problem in those counties is more simple than in Los Angeles, or counties rich in agricultural resources, or heavily populated, with complex and various types of property, from hovel to skyscraper, harbors and so forth."

MR. CLARK: "I would like your organization's attitude on the exemption of homes from taxation. First, any exemption at all, or second, should it be on real estate, or should it be on improvements only. Has your organization taken a position on that?"

MR. SHATTOCK: "Our position in the matter of tax exemption is that no one, regardless of his position should be exempt from taxation. We believe that everybody who partakes of benefit should pay a just proportion in the cost of government. Only thus can you promote and make secure our free American institutions as we known them."

MR. JAMES O. STEVENSON, Executive Secretary, Bureau of Municipal Research, Los Angeles:

"The League and I are in hearty accord with the principles proposed by Mr. Nelson and Mr. Shattock on the point of rental value as the basis for estimating the value of land. I call your attention to the fact that it is the British system. England from the time of Elizabeth, has taxed land on the basis of rental value, and taxed the occupier, whether he was the owner or not. If you will read the laws and history of that tax, it is set forth clearly that it represents the best method of real estate taxation which we have, for the reason that it does not penalize capital invested in real estate which is high or unwise, but takes from real estate income a certain proportion of that income. In that system of taxation the toll you pay or tax you pay is in proportion to the annual rental value after deducting the cost of maintaining the property in a condition to command rent. That system is supported by our own Supreme Court."

MR. LOUIS BURKE, Legal Counsel, California League of Municipalities:

"It was interesting to listen to several assessors on the stand before the State Board of Equalization. They were asked about the assessing methods they employed. One employed the rule of thumb method, of cost basis for all buildings. They asked him, suppose he had a large building for a sugar refinery entirely removed from town; a beautiful building, earning nothing. Would he appraise it on the basis of cost? He admitted that he would not; he had to consider the earning power.

They placed Mr. Hartman on the stand. He cited a number of incidents where Los Angeles does not work on a cost basis. They consider whether the property is devoted to business. There is some progress being made in improving the technique of assessing value. It is my opinion that we will be able to improve the assessing of property. I want to say that if any of our experts in the various cities can be of help to you in making suggestions, we will be glad to do it."

MR. WRIGHT: "In your opinion, would it be a practicable thing for this committee to recommend to the State Legislature a law proposing a unified system of appraisals throughout the subdivisions of the State? Even if it were handled by the State Board of Equalization?"

MR. BURKE: "I think our present tax system is better than anything I have heard suggested yet. If we find ways of improving the administration of that system it is better than a new system. I can imagine confusion in the minds of ordinary assessors in assessing on rental value. The costs of government will increase in educating them."

MR. ANDERSON: "Do you believe we have come to the point where we can take the assessors job out of politics, making it appointive, not elective? Make it subject to civil service? Are we ready for that?"

MR BURKE: "I don't think I am qualified to answer."

MR. ANDERSON: "You know the history of public office. We have developed to a point where we are going to have to make political things technical and professional."

MR. BURKE: "Yes, I think that's right."

MR. FRANCIS V. KEESLING, CHAIRMAN, GOVERNOR MERRIAM'S CITIZENS COMMITTEE ON TAXATION:

"In the first instance I think that so far as saying anything constructive to this committee is concerned, I feel that would be far beyond any factual information I possess. I think this committee should know the attitude of the Committee of Twenty-Five.

That committee is merely attempting to perform a public service It is working in the interest of the State and eventually hopes the agencies which are competent will present something to the Legislature which will be supported by such added factual information as we can assemble, with recommendations of the committee. I may say the members of the committee are interested in the general problems which involve the physical set-up, and the essential taxes to fit in.

I don't know just what the committee may develop which will be of interest to your committee. If there is anything, it will be transmitted to this committee; but quite likely it will be the other way around. and this committee will develop information of importance to the Committee of Twenty-Five. The committee realizes its position. Each individual is merely serving in the capacity of attempting to do a job for his State.

There is a great deal of information available: there are some records apparently lost, which cost the State a great deal of money. Information gathered by many agencies in an effort to determine what should be done should be available The committee hopes to obtain the services of experts whose

reputations are unquestionable, who have the essential qualifications, and who serve public institutions and not private individuals.

If we do this, it will be necessary to the government to extend the invitation to the agencies selected. We have nothing except what we get by contributions for funds. A Committee of Five is deciding what agencies are available, whether they shall be engaged, and what it will cost. We will report back in committee in a short time, week after next possibly. Then the entire Committee of Twenty-Five will determine the method of procedure.

I think this gives you a picture of the Committee of Twenty-Five, and particularly of the fact that they realize they are not an official but merely a cooperating body."

MR HAYDEN PITMAN, ASSESSOR, SANTA CLARA COUNTY:

"I am happy to say a few words in regard to what the average assessor has to face. It would seem to me that, going back to the Tax Commission of 1917, one important fact that all of the various committees have overlooked is the actual mechanics within the office of the county assessors where actual appraisals are made. I think the laws we now have will take care of any eventuality of any appraisal we might make.

I make no criticism of the bill introduced in the last session The Legislature does not prevent them—and the existing laws do not prevent the assessors from using the essentials of that bill, presented in the 1935 session of the Legislature.

The problem is this: Our county is composed of a large amount of unimproved land, and of land with improvements. We are allowed a few deputies to cover a vast territory. They work for a few months of the year at a low compensation. The average man in the past few years has been of a higher type than heretofore because so many people are out of work and we were able to pick them up. We do all we can to prepare them for the proper appraisal of property. It is simply impossible to educate a man for four months of the year at the compensation of $125 or $135 a month, to properly appraise property. The average taxpayer knows more about it than the man in the field. He sits back therefore and smiles to himself, at the assessor and all the forms, etc. Thus the system breaks down in the minds of the average taxpayer.

Now possibly instead of trying to change the engine, we should repair it, and we could get by. Assessors need experts to guide them. They need men in the office all year, knowing conditions as they change and break down. I have visited a number of assessors in the counties of this State and they could not show me the actual conditions of property in the county They have not the funds necessary to get this information.

Assessments are often made 'by guess or by God' This is not due to the fault of the laws now written, nor to the men in charge of the offices, probably. It is due to the fact that the assessor has had no assistance whatever. He could not get that through the county board of supervisors providing proper equipment for him, and individuals to work with him.

It would seem to me, before you go into new theories to try to revamp the whole structure of the existing laws, better that this system we have could be patched up.

I think we can work the system out nicely if we are given the proper equipment in the office, and enough money to employ the proper individuals, and if the assessor himself is qualified to hold his job. In other words I think it can be done.

The State Board of Equalization covers the entire State in a short time, dealing with a different class of property appraisals. I think they do a remarkable job in that short time, but if they had the handicaps we have, they would not have completed their appraisal in one third of the time."

MR. WRIGHT: "In your judgment, as a rule that is at all general, are the assessors throughout the State observing the laws that are on the statutes, and are they being encouraged by the State Board of Equalization in the observance of such laws?"

MR. PITMAN: "Yes In past years. We have an assessors' association which in the past years has gone thoroughly into assessments, forms, procedure, and practices of all kinds. We have a standing committee and we are working it out in detail, in order to give to our sister counties who have not had the fortunate office force or equipment that we have had, various forms of procedure. There should be certain procedures which would be mandatory on all assessors. There are certain lines they might follow out if this situation were in effect There is an accumulation of data so when they revamp their offices they will not make mistakes."

MR. WRIGHT: "Have you a suggestion regarding an amendment to the existing laws regarding the responsibility of the taxpayers?"

MR. PITMAN: "I believe that the taxpayer has regarded his obligation to the city, county and State in regard to taxation, in such a way that it is one of the main difficulties in the situation today. The average taxpayer probably

knows more about the taxing of property than the individual calling on him. If he has that attitude you never accomplish anything.

When the Federal Government sends the income tax blanks out, you make them out and turn them back right away. When the county assessment form comes, you throw it away. At least that is what the average taxpayer does, and we are out on the end of a limb. If there would be some sort of act incorporated into the law making it mandatory for every taxpayer to cooperate with the assessors, and not tell them to call back five or six times, but give real cooperation, it would cut the cost of assessments and make a much better equalized system."

MR. WRIGHT: "Do you recommend the appointment of assessors instead of election?"

MR. PITMAN: "In some counties yes, and in others it is a question. Whenever you have appointments, you have to go beyond the mere appointment, to the organization making it."

MR. WRIGHT: "Do you recommend a law with reference to the responsibility of the taxpayer, and enforcement of the existing laws as pertaining to assessing—in other words, a greater efficiency in office; with a few experts serving all the time, and not a few slip-shod ones in for a few months?"

MR. PITMAN: "Yes. And I would recommend a tax code to be adopted throughout the State, including every law pertaining to a certain type of procedure; such as the Agricultural Code, the Civil Code, etc."

MR. WRIGHT: "I want to ask if that is included, or going to be contemplated by our codification of all laws?"

MR. PITMAN: "No."

MR. ANDERSON: "Why not?"

MR. PITMAN: "I don't know."

MR. ANDERSON: "How far do you have to go to get complete information on this?"

MR PITMAN: "We have in the State Board a book with the various laws pertaining to the subject. However, we think there are a number of sections which are conflicting, and a number are ambiguous. I believe that if a code could be revised thoroughly, all conflicting sections eliminated, and the assessors in the State given the code as brought up to date, simplified, etc., it would be of great benefit."

MR. ANDERSON: "Upon what basis do you now assess property in Santa Clara County? You say you can include the principle of the proposal introduced in the Legislature, under the existing law. What do you use as a method to ascertain the value of property?"

MR. PITMAN: "Cost does not indicate value. We attempt to get value. That is not necessarily cash value. For instance take the St. Clair Hotel. We maintain it is worth more where it is than it would be out in the middle of the bay. A lot of assessors would say we are wrong, but we say we are right."

MR. ANDERSON: "How do you determine what assessment to put on that property?"

MR. PITMAN "We have to take off as many of the sales as possible surrounding that particular property. We consult real estate men for the asking price. We ask them also as to what the property would bring within that year, and how much it could earn over a period of years. We have to call for a financial statement, which goes back to whether the individual is a good manager or a poor one We go back to the capital invested in the property, because if a certain amount is invested, the rate of income should be governed accordingly. After you get this all together, it has to be equalized."

MR. ANDERSON: "You have a good example of the way in which a far-sighted assessor could keep the community moving in the right direction; will you give us that now?"

MR. PITMAN: "We have a market in San Jose. It is misplaced, in that it is on the wrong side of Alameda Boulevard, so that the traffic passes it going into town—going to work, but when coming home, it is on the other side of the street, and they won't get out and cross the street.

It was built at a large cost; it folded up; reopened; and folded up again. Then a large San Francisco concern tried to make a go of it but it would not go. Here we knew the actual cost, but was there any value to it? No. So we reduced the assessments considerably.

A few years went by and the market was reopened by a chain store in San Jose, which has built up a remarkable reputation for its merchandise there, selling in the city, and the market from the moment of its opening has gone like hot cakes. What causes it to go? There your personality enters into it.

As the years go by and that market continues to flourish and is making money, we can incorporate the personality of the individual into the actual value of that property, because the chances are that if the market is sold and is continued to be run right, people will still go there."

MR. WRIGHT. "In your judgment then, the appraisal of property centers around existing conditions at the time in reference to each piece of property, making it flexible, with no fixed rule."

MR. PITMAN: "Yes, that's right. We have a large brewery in San Jose. It was putting out hundreds of carloads each day before prohibition and we had it assessed for a large amount of money. Prohibition came, and we fooled around a couple of years; no one knew what would happen. There was no beer made; the machinery sat there. We had to end by assessing the machinery for what it was worth in scrap.

When prohibition was repealed, the plant started up with the same old machinery, etc. The first year we took it easy because of not knowing the reaction as to what the brewing business would work into By the second year we knew. Now we have all that equipment plus more, and the assessments are back to what they were in 1914."

MR ANDERSON: "Do you take into account the principle of net income?"

MR. PITMAN. "You can't always do that."

MR ANDERSON "Suppose you deal with agricultural lands where the income power fluctuates; do you have any way of moving the assessments to be levied in keeping with economic conditions?"

MR. PITMAN: "Yes. It reflects back to the value of the land. Our curve on a graph would be less pronounced than the actual economic trend, however"

MR. ANDERSON "You are either over assessing, or under assessing?"

MR. WRIGHT: "Your idea is that you would have the appraiser on the job all the time, following the various conditions, and when the time came to assess, you would have a true picture."

MR CLARK. "This element of personal management. You first establish a general norm for that class of business, and then in individual cases, you make a variation to meet the particular condition. That can not however, universally apply. How are farms assessed at the norm established? One is badly managed, and one is not You can not make a difference in the assessment there, can you?"

MR PITMAN "No. Suppose an individual goes out and has vegetable land, but puts it all into prune trees, not adapted. We are assessing prune trees, but at a different rate than the prune trees properly planted in the proper place. The trees themselves will tell you how to determine that."

MR. ANDERSON: "As the forms are now, are they complicated for those poorly equipped to be assessors?"

MR PITMAN. "Yes, because their minds are poorly trained, and because they work only four months of the year That practice is general in the State Sometimes the assessor is tax collector as well, and has no assistants at all."

MR RICHARD GRAVES, EXECUTIVE SECRETARY CALIFORNIA LEAGUE OF MUNICIPALITIES.

"In the over all tax limitation you take away from the local governments the right or ability to raise the money to perform their essential functions of government Most men say it is not sound in municipal, county and State government, financially It is significant that in no State where an over all tax limitation has been demanded has there been any provision for supplementary revenue Cleveland is financing her operations by short term bonds The bonded indebtedness goes up almost in direct proportion to the cut enforced by the limitation.

Or you get situations where the municipal police are dismissed, and local business men, in lieu of taxation are operating a private police department. The fire department is out, and fire insurance rates go up It is a very short sighted way to deal with the problem Any reasonable man must believe that real estate taxes must be raised for the carrying on of municipal governments

It is a fact that real estate pays more than other comparable forms of wealth, but that does not necessarily prove it is too much It may prove that But if I own a house and lot with no income because I live in it should I receive services from the city and pay nothing? When we talk about income property, we talk about a peculiar type of property with improvements. But those who own property and use it themselves, are not reflected in that type. The total of all residential property used by the owners should be added to the 20 per cent of income property."

MR. ANDERSON: "Mr. Graves, assuming that expanding, or not greatly curtailed government expenses must be met; and assuming that there is an over all limitation on real estate due to the fact it is bearing a disproportionate load, where will you go for the money?"

MR. GRAVES. "To a consumers' tax, until we get to the point where the people who demand government service are also the ones who pay for it. We have a certain democracy, saying that all people when they reach a certain

age can vote, regardless of whether they are taxpayers or not. As long as that is true you can not avoid the fact that government expenses will go up. Nothing will change the fact that people want more and more services from the government. Where will they get the money so far as local government is concerned? There is no local inheritance, income or anything but property tax, so how else are you going to pay for local government; how can you do it with a limitation on the tax? People can not live together in this century in cities without services, and I believe that a tax limitation will defeat itself."

MR. IVAN THORSON, EXECUTIVE SECRETARY, TAX AUXILIARY COMMITTEE, LOS ANGELES, CALIFORNIA:

"You have been kind enough to consider the bill which I wrote, and which was presented in the Legislature. When I say I wrote it, it is not quite fair, for many tax experts were consulted. It has been submitted and resubmitted to over 3,000 of the ablest tax administrators, large manufacturers, and big taxpayers in the Nation. It has been made possible by a tax committee formed in Los Angeles, by certain large taxpayers. This bill is the outcome. May I give you just a little background?

While I was vice president and chairman of the executive committee in a bank in the East, I made a remark in the directors' meeting that I was getting sick of buying properties on which we were lending money. I was asked if there were anything I could do about it. I said there was, but I needed a year's absence to study all methods of taxation and loaning money. I spent a year in studying the English, French, German, and Danish systems. I came back convinced we could not use a foreign system.

Take England for instance. There you have a real estate income tax. We have a real estate capital tax. In England you take it from the rent paid by the tenant. If there is a two or three months' vacancy, you don't pay. In England they don't build unless they need to. Here we do. In this country we have too much property not paying taxes which should. My research was for the bank, and I was not interested in general real estate business, but wanted a system to protect the bank.

When I came here 12 years ago, I went into the land valuation business. I went up to Tom Ingersoll's office—he is secretary of the board—and said I had a million dollars to invest for other people. He advised me on real estate and said it would double in value by the next year. It didn't, but I hadn't invested the money, and had sent it back to the people. But when it didn't, I decided to devote myself to this subject of land valuation and taxation. I spent two years in which I sold nothing, but rode around and asked questions. I studied and checked up, and I knew the system we had put in our bank was correct. I started teaching at U. S. C. and later had a regular position with U. C. L. A. I was in charge of real estate economics and real estate law. I started to promulgate my idea, got other professors interested and wrote a book on it, for the university.

Herbert Nelson, secretary of the National Realty Board urged me to write a bill to set forth tax plan number one of the association. The National Board has devoted much time to cleaning up the business; reform has been through effort on their part.

I agree thoroughly with Mr. Pitman that we have the laws on hand that will do the business if properly interpreted. But our statutory laws are vague, and permit almost any interpretation. There are more than 57 varieties of value. The two uppermost with real estate men is market value and use value. Capital goods have no market value. The minute you install a big machine, you depend on how much it can turn out. In order to have a market for anything you must have many of the same kind. In real estate it is the same.

The tax I proposed, only tries to define what value is. It does not change anything. It lays down an interpretation of a constitutional provision. It has nothing to do with tax limitation.

I have a chart here which I have shown various business men. There are three oil wells, one yields a thousand barrels a day, one a hundred and one nothing, but they are all on the same kind of land, and have the same equipment, so they are all worth the same and should pay the same taxes. Immediately there was a howl from all the business men. So I said I had another chart, and showed them one with three office buildings, one with an income of a hundred thousand, one ten thousand and one nothing, and pointed out they all pay the same taxes. Oil flow makes a well profitable, and income from rent makes a building profitable, what's the difference? They had never thought of it that way.

The single tax idea is that wherever there is labor applied to capital it makes wealth—wealth has been produced. But suppose you build an office building in the desert. There has been labor applied to capital, but there is no wealth produced.

Now real estate has no market value any more than a piece of furniture or a machine has. You have to start with research, find your premise, then reason to your conclusions. When the assessor takes cubic feet, or square feet without reference to value, that is a specific tax, not an ad valorum tax which the constitution calls for.

In Los Angeles for instance, starting at the Plaza and going south, I would make those owners of stores turn in a sworn statement showing the gross income for three years, with all expenses. I am not going to let the individual determine the net income, and give himself a $10,000 salary for instance. Here is a fellow who earned so much, and the next fellow earned more, making one of them $20 a front foot, and one $50. One is a good manager and the other is sloppy. But he is not going to get out of paying, he has to pay a penalty. Both are equalized to $40 a front foot.

Then take the 600 block. Here there is uniform earning power. And you can determine what the equalized base will be."

MR. PITMAN: "As you know, the assessors have a difficult time in getting a true statement from anyone. Last week we saw three reports. One was to the Federal government, one was to the State and one to the county assessor. All three were different. So how do you know when you have a true report.'

MR. THORSON: "You require a statement under oath, covering three years. Perjury carries a penalty you know. You find the statements in a block which are uniform, and it will be $50 a front foot in one block and $20 in another, which makes an equalized tax base It's very simple, and is like we use all the time for inheritance taxes.

Cost must be eliminated and value substituted. Now you know, all the large cities have had their growth. You know too, that chain stores are five times as efficient as a one man store; the one man store is permanently vacant. The chain stores go where the people are. Why should people go down town and trade when they can go to a better place in their own neighborhood.

In Los Angeles, take the district south of 10th Street between Figueroa and Main Street. That is blighted territory; it's through, unless we get taxes down to a point commensurate with the earning power there. It will then revive. They could build two-story apartments where clerks could live cheaply and well. Now, hundreds have defaulted for taxes, but if you assess it on a value basis, you will never take a property because if the person who has it now doesn't continue, somebody else will. That is the case when you assess it on income. During the past five years our tax delinquency has trebled in California."

MR. ANDERSON: "How could a banker place a loan on a piece of real estate on appraisal value."

MR. THORSON: "That is the only way they do it now. I do more appraising for banks and large properties than anyone in the city. I get the difficult cases. An insurance company had a large estate including a laundry. They had the matter of whether to lend half a million dollars on it. We made a thorough inspection of the laundry and secured from them a statement for five years, as to their operations, the type of laundry, etc. We then found their warranted income—what it should be and we showed it would be entirely out of line to lend $500,000 on it—at the utmost it would be safe to loan $300,000."

MR. WRIGHT: "Do you recommend the method used by the Federal Housing Administration?"

MR. THORSON: "They did not follow through. They should have had local people give financial information. This system on a rising market is okay, but let there be a deflation—and the government will rake those properties in."

MR. WRIGHT: "Will you give us a definition between inflation and deflation."

MR. THORSON: "Inflation means deflation of money, and inflation of prices, causing more money to be needed. Prices go up and money goes down in value. We have not had an inflation recently, because the dollar is now at a value of 121.2, just where it was a year ago. But the government never pays its debt. They get rid of debts either through inflation or devaluation or some other way.

For instance, there is no sense in taxing unused land before it is put into use It piles up and becomes so high it is out of all proportion for a prospective home owner. We provide that subdivided land that has not more than a certain amount of occupants be taxed as unused or unsubdivided land, until it is actually used. It saves money for the future home owner"

MR. ANDERSON: "Would that force subdivisions into use and occupancy or not?"

MR. THORSON: "It would encourage their building up. If our population came to a standstill in 10 or 20 years; if they had no further children—well let me put it this way, you will find that the increase in our population recently has been only 15 per cent, while there was an increase in families

of 23 per cent. There will always be a need for human housing. The reverse is true in other housing. The efficiency there, is getting greater all the time. We reduce the space we need all the time—as with the chain stores doing five times the work of our little one-man stores. The amount of frontage shown for commercial usage would require 125,000,000 to use it—that is to occupy it. For warehouses, it would require 300,000,000 plus to occupy it. Why build more? Force these owners to put something on it. But we are way behind in human housing, particularly in single residential property."

DR VON T ELLSWORTH, DIRECTOR OF RESEARCH OF THE FARM BUREAU FEDERATION

Dr Ellsworth has specialized in rural land values and assessments. His knowledge of California tax problems made his testimony of great value. In addition to his oral presentation, he submitted an extensive and comprehensive report to the committee, from which the following has been taken:

Summary and Conclusions.

1 Annual assessment of all taxable tangible property at its full cash value is required by law.

2 In practice the general assessment rate (relationship of assessed value to full cash value) is far lower than that required by law and varies materially from county to county.

3 The practice of assessors arbitrarily adopting assessment rates other than those required by law and which are not uniform from one county to another.

(a) Gives assessors dictatorial powers as to amount of revenue to be raised;

(b) Tends to retain high relative inequalities in assessments;

(c) Makes possible a greater degree of flexibility in yield of property tax;

(d) Tends to encourage duplication of assessment by county and city governments;

(e) Alters the effect of property tax exemption provisions, and,

(f) Alters the effect of laws not relating to taxation.

4 Similar properties within a given taxing unit are assessed at vastly different rates.

5 In 1929 and 1930 a reasonably uniform assessment rate was applied to farm, residence, business, and apartment properties in the counties studied. The data at hand, however, are of little value in determining this relationship today.

6 The assessment rate applied to different forms of property, such as land, improvements, and personal property, varied materially from one to another, and the nature of the variation differed between counties, indicating the possibility that policy rather than nature of property was the guiding factor.

7. Some property of all kinds escapes the assessment rolls; that most common, however, seems to be subsurface property rights.

8 Legal provisions for the utilization of county assessed values by municipalities are not taken advantage of and, as a result, needless costs are incurred with no noticeable improvement in the quality of assessments.

Recommendations.

1 That suitable laws be enacted providing greater centralized control over county assessors.

2. That assessors be encouraged to exercise their powers of arbitrary assessments in cases where property owners fail to abide by the law in making a complete declaration of their property holdings.

3 That assessors be penalized for according preferential treatment to certain forms of property.

4. That all municipalities be required to take advantage of the law authorizing the use of county assessed values as a tax base.

5. That an adequate research program be initiated and maintained to make possible improvement in theory and method of assessment and to assure that assessed values are reasonably equitable at all times.

Introduction.

The importance of the assessment problem can be more fully understood when it is realized

First: That over half of all our tax revenue—Federal, State, and local—come from the property tax;

Second: That an amount equal to about 65 per cent of the tax revenues collected by California governments—State, county, city, and district—comes from the property tax;

Third: That the property tax is the only tax levied by local units—counties, cities, and districts—of California government;

Fourth: That the property tax is probably better suited than any other to the use of small local units of government whose jurisdictions are very limited in area;

Fifth: That the assessed value constitutes the base upon which this tax is levied;

Sixth: That value is an ever changing psychic phenomenon very difficult of determination under the conditions under which the assessor must work;

Seventh: That the valuations reported by the assessor would increase in usefulness with increase in accuracy;

Eighth: That, as a rule, any departure from an accurate determination of value of taxable properties creates inequalities in taxation and the "alleviation to the one is not, on the average, so great a good to him, as the increased pressure upon the other is an evil," in the words of Mill;

Ninth: That governmental costs are now unduly high and the services of government inexcusably inefficient due to needless duplication in the assessment of properties for tax purposes by county and city governments.

Legal Provisions for Assessment: The California Constitution provides that all property within the State not specifically exempted "shall be assessed for taxation at its full cash value" In carrying out the mandates of the Constitution, the Legislature has provided for assessment of all taxable property at its "full cash value" The exception to this is intangible personal property including both solvent credits and shares of capital stock. The law provides that in the assessment of solvent credits deduction be made for debts owed, and in the assessment of stocks and bonds of a corporation a deduction be made of the value of the corporate property within the State The term "full cash value" is defined as the "amount at which the property would be taken in payment of a just debt from a solvent debtor." The assessor, in determining the "actual value" of intangible personalty, is directed to disregard any "custom or method" under which he assesses other classes of property at less than full cash value.

All common property in California is assessed annually for county and district taxation by the county assessor, an officer who is elected by the people for a term of four years. Assessments are also made by city assessors in most of the incorporated cities of the State Provision is made in the general laws, however, whereby cities may have this function performed for them by the county assessor, but relatively few have taken advantage of this.

Public utility and certain other properties are assessed annually by a State Board of Equalization, a body consisting of four members elected from as many districts within the State and of the State Controller who is ex officio a member.

Legal Provisions for Equalization: The boards of supervisors of the several counties of the State constitute boards of equalization for their respective counties and are charged with the duty of equalizing the valuation of the taxable property in the county for the purpose of taxation. Provision is also made in the Constitution for equalization of the value of taxable property by the State Board of Equalization mentioned above. This board was established for the purpose of equalizing the assessment of property between the several counties in order that valuations might approximate as nearly as possible the equality and uniformity enjoined by the Constitution. It was apparent that if the value of property for purposes of State taxation was ascertained and finally determined by local assessors and county boards of equalization, inequalities would frequently exist between valuations in different counties, so that although a uniform State tax rate were applied, the constitutional requirement of uniformity of taxation would be practically abrogated In view of the above stated reason for establishing the State Board of Equalization it was early held by the State Supreme Court that the board could increase or lower the entire assessment roll of any county, but could not change individual assessments. Following amendment of the Constitution in 1910 providing for separation of sources of State and local tax revenue this State board ceased to exercise this function of equalization because it appeared that in the absence of the levy of a State ad valorem tax an equalization as between counties was unnecessary. However, with the repeal of the separation system effective January 1, 1935, and with the creation of numerous special tax districts that include the whole or parts of two or more counties, the need for a State equalization in the interest of uniformity has been renewed and this board now performs such an equalization function

General Assessment Rates Applied to Real Estate.

Ample evidence is readily available to justify the statement that the general assessment rate is far lower than that required by law, as previously cited, and, prior to equalization by the State Board of Equalization, varies materially from county to county It is quite general knowledge that the assessed value commonly represents but a fraction of the full cash value of the property assessed.

Table 1 presents the percentage relationship of county assessed value to full value of real estate in the various counties for each even-numbered year from 1926 to 1934, inclusive, as reported by the State Board of Equalization. It will be noted that in 1926 assessment rates ranged from 22.40 per cent for inside property in San Diego County to 66 23 per cent for similar property in Tulare County In 1928 these percentages ranged from 24.24 per cent for rural property in San Bernardino County to 58.11 per cent in Tehama County. The percentages for 1930 ranged from 25.19 per cent in rural Ventura County to 65.86 per cent for rural Glenn County. In 1932 the range was greater than for any other year for which

data are available. It ranged from 21.63 per cent for rural property in Tuolumne County to 76.59 per cent for urban Inyo County. The 1934 data show a spread of from 26.24 per cent in Modoc County to 58.69 per cent in Mono County.

These data indicate with reasonable certainty that county assessors have endeavored to keep assessments down and that the assessment rate applied has varied materially from one county to another. The word "indicate" is used advisedly because the data presented contain an element of error due to the inability of the appraisers to determine accurately full value against which assessed value in each case was compared.

The prevalence of these low assessments seems to be attributable to the possibility of the levy of a State ad valorem tax, coupled with the hope that no equalization from one county to another would be effected.

Effects of Arbitrarily Adopted Assessment Rates.

The effects of assessors arbitrarily adopting assessment rates, as shown in Table 1, are varied and numerous. Some are beneficial, others harmful. The latter seem to outweigh the former and justify abandonment of the practice and the adoption of uniform methods and policies. The following seem to be some of the *more important effects of the practice*:

First: It gives the assessor dictatorial powers, within certain limitations, in permitting him to determine the amount of revenue to be raised. The reluctance and, in some cases, the legal limitations imposed upon local legislative bodies to raise the tax rates, largely places within the hands of the assessor the power to determine the amount to be raised and thus to be spent. This might be illustrated by reference to school taxes. In many instances part of the school district funds are raised by a tax levied upon property within the district. The tax rate, set by the county board of supervisors, must be sufficient, not to exceed $1 per $100 of assessed valuation for elementary schools and 75 cents per $100 of assessed valuation for high schools, to meet the demands of the governing board of the school district as approved by the county superintendent of schools. To say that such a tax rate shall apply upon a 20, a 30, or a 100 per cent valuation should not come within the jurisdiction of an official whose only express duty is to assess property at its full cash value. Yet in practice this is the effect of the arbitrary adoption by the assessor of the assessment rate.

Second: It discourages taxpayers in protesting against inequalities. It appears that the practice of assessors in adopting low assessment rates is due in part to expediency. It is the writer's observation that the disgruntled taxpayer is more easily pacified if he knows his property is assessed at a fraction of its full value than he is if he knows it to be assessed for an amount in excess of the price at which he would sell it. This seems to be true even though the percentage applied to his property is higher than that applied to adjacent property.

In addition to providing protection for the assessor as here indicated, it minimizes the apparent effect of existing inequalities and, as a result, society tolerates relative inequalities which it would not otherwise permit to exist. That is, society might countenance an average deviation from uniformity of 50 per cent on a low assessment rate when it would not tolerate a similar relative deviation from a full assessment.

Third: It makes possible a greater degree of flexibility in the yield of the property tax. That is, the ability of the assessor to vary the aggregate tax base upward or downward, depending upon local demands for revenue, increases the flexibility of the tax as a source of revenue. This feature is particularly significant in instances where a legal limitation makes it impossible for the legislative body to increase the rate. It must be recognized that in such instances, one official, the assessor, is over-riding the will of the Legislature, or even of the people in case of constitutional or charter tax rate limitations.

According to the testimony of several assessors, this discretionary power is occasionally exercised in varying the property valuations to conform to the owner's economic status. This again is not within the purpose of the law and the assessor, in doing so, is usurping powers not accorded him.

Fourth: It complicates the processes by which different taxing units, such as counties, cities, and joint county districts, utilize a single set of values for tax purposes.

For several reasons the tax base, instead of the tax rate, has often become the varying factor in producing the amount of tax revenue needed. Municipalities, for example, that have reached their tax rate limits, meet their growing demands for funds by increasing the percentage relationship of assessed value to full value. Having done so they commonly object to the acceptance of the county assessor's valuations of the properties within their borders even though a multiple of such an assessment might be used.

The difficulties encountered by the Golden Gate Bridge District at the time of its inception illustrate the difficulties encountered by different taxing units in attempting to utilize county assessed values due to the prevailing policy of assessors in arbitrarily adopting assessment rates which vary materially from one jurisdiction to another. The assessment rates applied by the various assessors of the counties within the Golden Gate Bridge District in 1931, as reported by the State

Table 1—Assessment Rate, by Counties and by Years.

County	1934 Inside and Outside	1932 Inside	1932 Outside	1930 Inside	1930 Outside	1928 Inside	1928 Outside	1926 Inside	1926 Outside
Alameda	50.45	51.20	33 82	41 37	45.29	38.45	33 35	40 24	38.36
Alpine	56.80		55.07	58 00		65.00		70.00	
Amador	48.21	65.35	55 60	50 00		50.00		50 00	
Butte	43 53	46.79	64 21	46 04	49 88	48.33	46 25	48 58	42 82
Calaveras	52 31	**41.69**	**42.91**	**50.00**		**60.00**		**55.00**	
Colusa	51.89	47.48	48 32	47 48	45 60	47.48	46 33	47.56	45 88
Contra Costa	**39.28**	34 26	36.03	31 20	34.51	29 89	44 97	38.32	38 57
Del Norte	45 79	32 19	41 81	40 00		40 00		55.00	
El Dorado	46 74	56.86	33 64	40.00		50.00		50.00	
Fresno	50.24	44 85	49 61	42 80	50.75	41 83	50 96	44 26	56.36
Glenn	49 30	57 87	60 83	52.76	65 86	52.43	52.72	38 13	50 76
Humboldt	46.29	47 95	51 77	46.39	46 81	47 50	47.48	47.83	47 39
Imperial	50 96	50 53	51.62	50.19	48.79	49 26	49 94	47 18	42.61
Inyo	27 99	76 59	42 76	40 00		50 00		50 00	
Kern	36.84	32 60	37 91	28.98	38.75	36 28	37 67	51.18	59.01
Kings	48 96	42.60	40 64	42 48	38 33	42 36	39 39	29 91	34.93
Lake	39.12	50.56	51 25	50 00		45.00		40.00	
Lassen	52 54	50.62	48 16	40 00		40 00		45 00	
Los Angeles	**50.20**	46 28	39.94	40.96	38 96	47 39	46 84	45 49	28.95
Madera	51 69	57 66	54 64	50.27	50.10	37.77	37.06	**40.00**	
Marin	37 02	36 52	39.98	44 62	32 09	32.03	29 53	45.10	44.16
Mariposa	55.02		44 85	50 00		50.00		50.00	
Mendocino	37 04	46 48	50 07	41 95	48.86	46.22	41.48	38 32	37 42
Merced	34.83	29.57	29 95	28 23	25 96	27 26	29 96	35 00	
Modoc	26 24	31 50	31 78	40 00		35 00		40 00	
Mono	58 69		54 32	50.00		45.00		50 00	
Monterey	38.41	35 12	29 66	30.00	35 87	32 01	35.07	37.36	36.53
Napa	49 64	50 21	44 80	48.84	41 57	47 33	40.80	56 59	44.44
Nevada	38 10	44 41	22 19	50.00		50.00		60 00	
Orange	35 85	29 93	28 74	28.87	29 25	28 81	30 66	31.71	33.56

Table 1—Assessment Rate, by Counties and by Years—Continued.

	1934	1932		1930		1928		1926	
	Inside and Outside	Inside	Outside	Inside	Outside	Inside	Outside	Inside	Outside
Placer	53.42	50.81	61.27	52.09	54 00	50.46	54.54	40 00	
Plumas	57.09		53.17	65.00		50.00		51 00	
Riverside	31.88	25.79	30.46	27.57	29.67	33 53	29.29	33 59	29.40
Sacramento	56.27	54.01	62 84	45.18	55.69	48.44	48.02	51.06	49.41
San Benito	50.25	42.25	53.11	40.00		40.00		40 00	
San Bernardino	31.18	30.06	28.69	28.87	25.81	28 15	24 24	32.10	26.63
San Diego	44.21	44 55	37.34	46.60	51.43	27.39	28.92	22.40	23 61
San Francisco	52 34	44 38		44.88		44.83		48.06	
San Joaquin	43 11	48 31	58.21	39.83	49.18	33 67	37.24	36.91	38.12
San Luis Obispo	49.26	42 21	43.65	31.57	30 26	30.99	33.23	32.31	37.89
San Mateo	26.92	32 12	41.81	33 49	38.99	31.18	37.58	47.34	36 26
Santa Barbara	43 33	37 03	29 46	32 35	31.17	32.93	26.54	35 00	
Santa Clara	44.28	47 89	52 23	38 63	35 28	35.41	38.40	36 27	36.56
Santa Cruz	35 48	36 01	40.30	35 52	40.66	39.67	41.16	41.77	45 92
Shasta	32 19	39 91	39.18	36 67	31 50	39.23	30.78	44.70	39.32
Sierra	42.68	26 37	32.04	40.00		60.00		50 00	
Siskiyou	52.61	44 39	52 99	40 25	46 45	40.59	52.60	43.55	45 31
Solano	49.00	55 57	41 61	43.02	41.03	41.04	43.75	40.67	46 22
Sonoma	35.26	41 46	39.90	27 32	29 21	26 51	28.96	29.27	29.04
Stanislaus	39 78	35 08	37 63	31.68	38.88	31.57	42 49	33.43	37 61
Sutter	37 21	45 43	49.94	44.52	57.74	41 07	63.16	50.00	
Tehama	48 02	42 67	48.65	42.38	57.99	36 97	58.11	50.63	58 90
Trinity	39 59		44 76	50 00		50.00		60.00	
Tulare	41.09	43 88	35.58	42.48	31.36	38 49	39.92	66.23	65.07
Tuolumne	31.48	31 91	21.63	50.00		45.00		50 00	
Ventura	43 45	33 83	37.46	29.04	25 19	27.76	28.40	32.72	40 20
Yolo	45 18	39 81	38 38	40.86	37.20	48.11	34.94	51.89	33 94
Yuba	46.19	55 02	50.51	52.89	55 92	43.56	48.97	44.45	48 23
Total	46.66	45.16	42.27						

Source: State Board of Equalization Reports for corresponding years.

Board of Equalization, appear in Table 2. It is evident from these data that property within the incorporated municipalities of Sonoma County was assessed on the average at the rate of 27.32 per cent, while the corresponding figure for rural property in Mendocino County was 48.86 per cent. The other assessment rates applied by other counties fell within these extremes.

The renewed equalization activities of the State Board of Equalization have materially relieved this situation so far as joint county districts are concerned, but have had no effect in removing the criticisms of municipalities.

Fifth: It alters the effect of property tax exemption provisions. Low assessment rates increase the amount of exempt property and increase the number of property owners enjoying the property tax exemption privilege under existing law.

A case in point is the householder's personal property tax exemption. Relating to this subject, section 10½ of Article XIII of the State Constitution provides as follows:

"The personal property of every householder to the amount of $100, the articles to be selected by each householder, shall be exempt from taxation."

Obviously, a practice of assessing at 25 per cent, 50 per cent, or 100 per cent of full value would influence the amount of property exempted under the foregoing provision. The electorate have stipulated that $100 worth of personal property in the hands of each householder shall be exempt. By arbitrarily assessing at a fraction of full value, the assessor says, in effect, that this exemption shall be $400, $200, or $100, as the case might be.

As it applies to veteran's exemption, this assessment practice has a two-fold effect. First, it increases the amount of property exempted, and second, it increases the number of property owners to whom the property tax exemption privilege is extended.

Table 2—Rate of County Assessment in Golden Gate Bridge District, 1931, by Counties.

County	*Percentage of assessed to market value of property inside municipalities*	*Percentage of assessed to market value of property outside municipalities*
Del Norte	40.00 [1]	40.00 [1]
Marin	44.62	32.09
Mendocino	41.95	48.86
Napa	48.84	41.57
San Francisco	44.88	none
Sonoma	27.32	29.21

[1] Assessment rates for inside and outside properties are not shown separately.

Source: Report of State Board of Equalization, 1929-1930, pages 22 to 24.

Section 1¼ of Article XIII of the State Constitution relating to this subject is in part as follows:

"The property to the amount of $1,000 of every resident of this State who has served * * * shall be exempt from taxation; provided, this exemption shall not apply to any person named herein owning property of the value of $5,000 or more * * *".

The effect of the low assessment rate practice in increasing the amount of property exempted under the provisions of the act is similar to that discussed above in relation to householders' exemptions. However, the provision of the law limiting the property holdings of those to whom the privilege shall apply introduces a new problem. That is, by assessing at a fraction of full value, assessors increase, in effect, the size of this limitation and, in doing so, increase the number of persons qualifying for exemption.

This aspect of the problem is further complicated by the practice of some assessors of considering separately the assessed value of the different forms of the applicant's property. As a result, if the assessed value of the applicant's real estate (land) or of his improvements (house) is less than $5,000, he is considered as being eligible for exemption even though the combined assessed value of his land and improvement is far in excess of $5,000.

The ultimate effects of these practices are illustrated more clearly by a hypothetical case. For illustrative purposes, three interpretations of the law are applied to the figures presented in Table 3.

Table 3—Illustrations of Practices Frequently Followed in Assessing and Applying Veteran's Exemption Provisions.

	A	B	C
Assumed full value of property in question	30,000	30,000	30,000
Assessed value of land	8,000	4,000	4,000
Assessed value of improvements	22,000	11,000	11,000
Veteran's exemption allowed	none	none	1,000
Total assessed value after deducting exemption allowed	30,000	15,000	14,000

In the practice illustrated by Column A, property was assessed at full value. The question of veteran's exemption did not arise because under all interpretations, the applicant would have failed to qualify due to the possession of property equal to or in excess of $5,000

In the practice illustrated by Column B, property was assessed at 50 per cent of its assumed full value. Application for veteran's exemption was denied because the assessor contended that the applicant did own "property of the value of $5,000 or more" In this case, obviously the assessor grouped the value of land and improvements, or felt that the holdings in improvements disqualified the applicant for exemption.

In the practice illustrated by Column C, the property was assessed at 50 per cent of full value, as in the case of practice B, but the application for veteran's exemption was allowed because the assessor had assessed the applicant's land at less than $5,000, and he did not interpret improvements as being property under the meaning of the law previously quoted.

The law, Constitution and statutes, clearly directs that property shall be assessed at full cash value. Obviously, this mandate was not followed in the case in question and, as has been pointed out, is not followed in practice. The law, both the Constitution previously quoted and section 3612 of the Political Code enacted pursuant thereto, is less clear as to whether or not the veteran's exemption should have been allowed in the case at hand. In any event, however, in fairness to all, a uniform practice should be adopted

Sixth It alters the effect of other statutes.

The substitution of assessed value for full value in the Old Age Security Act of the State of California by action of the 1935 Legislature, for example, increased the number of applicants who could qualify for aid under the act The original form of the act is as follows.

> "Aid under this act shall not be granted or paid to any person *the value* of whose real property, or, if married, *the value* of the combined real property of husband and wife, at the time of such application exceeds three thousand dollars." (Deering Act 5846, sec. 4; Cal. Stats 1929, p. 914, underscore added) The 1935 Legislature amended the foregoing section to read as follows
>
> Aid under this act shall not be granted or paid to any person *the assessed value* of whose real property, as *assessed by the assessor* of the county or city and county, or, if married, *the assessed value* of the combined real property of the husband and wife, as *assessed by the assessor* of the county or city and county, at the time such person makes application for aid exceeds $3,000, nor shall any such aid be granted or paid to any person the value of whose personal property exceeds $500." (Cal. Stats., 1935, p 1769, underscore added)

Comparison of County Assessment Rates Applied to Different Properties Within the County.

The inquiring mind next logically asks, does the same relationship of assessed value to full value prevail from property to property within the same county? In other words, is a uniform assessment rate applied to all similar forms of property within a given county or city, high or low though that rate may be?

Unfortunately, due to lack of data, this question can be answered with less certainty for the State as a whole than the one previously discussed In an endeavor to answer it, however, some 821 parcels of property in Alameda County and 615 parcels in Santa Barbara County were studied in detail The more essential features of that analysis are here presented.*

According to these data, on the average, county assessed value represents about 32 69 per cent of computed full value when based upon all properties studied, and about 34 45 per cent when based upon the smaller number of properties which exclude those holdings of extremely high computed full value.

It is evident, however, that much disparity exists between the assessed value and computed full value of adjacent properties, so the answer to the question expressed in the opening paragraph of this part of the discussion must be negative That is, some properties are assessed a great deal higher than they should be and some are assessed a great deal lower.

In more general terms, this quality of assessment might be compared to lack of fit in dress Let us take shoes for illustrative purposes. Supposing your foot required a shoe size 10, but instead of wearing that size you place a size 5 on one foot and a size 15 on the other. Surely the inconsistency is apparent and yet this situation is little less ridiculous than conditions found to prevail, as best they can be measured, in assessments.

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* For detailed presentation, see Ellsworth, The Property Tax in California with Emphasis on its Relation to Agriculture. Assessed values are there compared with different estimates of full value.

Comparison of Assessment Rates Applied to Farm, Residence, Business, and Apartment Properties.

The preceding discussion has been devoted to analysis of the relationship of assessed value to estimated full value of different parcels of property generally. In the study to which reference was previously made, the properties were carefully classified on the basis of use That is, they were classified under the headings farm, residence, business and apartment

It was found that a reasonably uniform average relationship existed between the assessed value and the estimated full values of these different kinds of property In fact, inequalities which did appear might have been due to inability to accurately measure full value of the properties against which assessed value was compared

While some variations were found, it is probably correct to say that no appreciable differences existed at that time in the counties studied, and that there seemed to be no conscious effort on the part of assessors to discriminate against or extend preferential treatment to any one classification.

In this connection, however, the reader should bear in mind that values are ever-changing. Some classes are moving in opposite directions while still others change in the same upward or downward direction but at varying rates of speed Therefore, eternal vigilance is imperative and an ever-changing assessment roll is necessary to maintain a balance which seemed to prevail at the time this study was made.

Relationship of County Assessed Value to Full Value of Different Forms of Property.

In addition to the provision that all property be uniformly assessed at its full cash value, the law requires separate assessment of land and improvements and equal assessment of cultivated and uncultivated land of the same quality and similarly situated. This separate assessment of land and improvements, as well as of different forms of personal property, permits comparison of the assessment rate applied to one with that applied to another.

Reliance for a measure of full value for comparative purposes must be placed upon the estimate thereof made by the property owner This is true in the case of land, improvements, and most forms of tangible personal property because the other estimates or indicators of full value, namely, purchase price and commercial appraisal, used in calculations of computed full value in the case of Alameda County real estate, are not available for these forms of property separately That is, in purchasing a home or a farm, transactions are not consummated for the land and for the improvements separately. However, in the case of motor vehicles, the blue book value was used in obtaining full value. In the case of intangible forms of personal property, more definite data were procured. In the case of solvent credits, the actual net amount appearing on the books of the interested party was used, while in the case of certificates of ownership, the taxable value was determined from market reports and from sundry records of corporation holdings.

Land and Improvements: The more important characteristics of the percentage relationships between the county assessed value and the owner's estimate of full value of the parcels of land and the improvements studied in Alameda County and Santa Barbara County appear in Table 4 The average (mg) of the individual percentage ratios of county assessed value to estimated full value, the probable error of the arithmetic mean, the range of probability of a value at the geometric mean, the coefficient of variation (V), and the skewness appear in Columns 3 to 8, inclusive, of Table 4. The relationship of total county assessed value to total estimated full value of the properties studied and the range of probability appear in Columns 9 to 11, inclusive.

It will be noted, from Column 3 of the table, that the average (mg) percentage relationship of county assessed value to estimated full value of the properties studied varied from one form of property to another. This variance, with the exception of personal property in Alameda County, no similar values being available for Santa Barbara County was less in amount, however, than the ranges of probability of values at the means as presented in the table by Columns 5 and 6 The classes of property in Alameda County, presented in order of magnitude of this relationship, are as follows improved land, 32 83 per cent; bare land, such as vacant city lots and uncultivated rural land, 29 80 per cent, and improvements, 28.85 per cent In contrast to this, the average (mg) assessment rate for tangible personal property is 15.96 per cent. Corresponding values for Santa Barbara County are as follows improvements, 22.07 per cent; bare land, 19.11 per cent; and improved land, 19 07 per cent.

Table 4—Average (MG) Percentage Relationship of County Assessed Value to Estimated Full Value of Real Estate, Bare Land, Improved Land, Improvements and Tangible Personal Property in Alameda County, 1929, and Santa Barbara County, 1930, and Corresponding Ratios of Total Values.

County and Classification	*Number*	*Geometric mean*	*Probable error of mean*	*Range of Probability of a single ratio at the geometric mean*[1] *Lower limit*	*Upper limit*	*Co-efficient of Variation*	*Skewness*	*Ratio of totals*	*Range of Probability of a single ratio at the ratio of totals*[2] *Lower limit*	*Upper limit*
1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*
Alameda County—										
Bare land	58	29.80	1.44	26.90	33 27	47.45	.28	28.89	26.16	32.25
Improved land	822	32.83	.43	29.73	36.65	50.12	.50	30.56	27.68	34.11
Improvements	816	28.85	.43	26.13	32.21	55.19	.43	30.84	27.93	34.43
Real estate	835	29.89	.28	27.07	33 37	37.77	.25	30.71	27.81	34.28
Tangible personal property	279	15.96	93	14 45	17 82	96.31	.95	11.06	10.02	12.35
Santa Barbara County—										
Bare land	147	19.11	91	17.31	21 33	70.14	.68	20.80	18.84	23.22
Improved land	617	19.07	.38	17.27	21.29	61 50	.75	22.25	20 15	24.84
Improvements	596	22.07	.52	19.99	24 64	67.50	.46	19.54	17.70	21.81
Real estate	621	21.87	.35	19.81	24 41	51 94	.31	21.28	19.27	23 76
Tangible personal property	372	[3]								

[1] Range of probability of a single ratio of county assessed value to estimated full value, equal in magnitude to the geometric mean ratio.
[2] Range of probability of a single ratio of county assessed value to estimated full value, equal in magnitude to the ratio of the total of county assessed values to the total of estimated full values. See the footnotes to appendix tables 7, 8, and 9 for the formulas used in calculating these.
[3] Basis for ratio of totals only.

It should be noted that the average (mg) of the assessment rates applied to different forms of property were comparatively reversed in the two counties. That is, improved lands were assessed highest in Alameda County and lowest in Santa Barbara County, while improvements were assessed lowest, except personalties, in Alameda County and highest in Santa Barbara County.

The average assessment rate, as indicated by the percentage relationship of total county assessed value to total estimated full value, for each kind of the properties studied, as presented in Columns 9, 10, and 11 of Table 4, is of interest in comparison with the foregoing. The properties studied in Alameda County indicated that the average assessment rate, as thus measured by the ratio of totals, is practically uniform as applied to improved land and the improvements thereon. Bare land, however, appears to have been favored, and personal property was assessed at less than half the rate applied generally to the other forms of property. These average assessment rates are as follows: improvements, 30.84 per cent, improved land 30.56 per cent; bare land, 28.89 per cent, and tangible personal property, 11.06 per cent. In each case the range of probability appears in Columns 10 and 11 of the table.

The comparative order of rates at which different forms of property were assessed as indicated by ratio of totals is almost the reverse in Santa Barbara County from that found to prevail in Alameda County. The average assessment rates, as indicated by the ratio of totals in the order of magnitude in Santa Barbara County, are as follows: tangible personal property, 24.65 per cent, improved land, 22.25 per cent; bare land, 20.80 per cent, and improvements, 19.54 per cent. The rate for real estate, as previously pointed out, is 21.28 per cent.

If analysis of assessment rates in Alameda County were limited to the averages (mg) of the series of percentage relationships of county assessed value to estimated full value, as presented in Columns 3 to 8 of Table 4, the conclusions would be drawn that the rate applied to improved land, 32.83 per cent, was slightly higher than that applied to improvements, 28.85 per cent. As has been pointed out, however, the opposite conditions are reflected when the ratio of totals is used, as shown in Columns 9 to 11 of the table. Likewise in the case of Santa Barbara County, the average (mg) assessment rate was found to be higher for improvements than for improved land. Whereas, the ratio of totals indicates the opposite. While the amounts of these differences are less than the corresponding ranges of probability, their existence does shed light on the assessment rates applied to holdings of varying sizes. They indicate that in Alameda County large parcels of bare land were under-assessed; large parcels of improved land were also under-assessed, large improvements were over-assessed; and large holdings of tangible personal property were under-assessed. Following the same type of analysis in Santa Barbara County, the data indicate that the opposite conditions prevail. That is, large parcels of bare and improved land were over-assessed, and large improvements and parcels of realty were under-assessed.

Personal Property: As is the case with land and improvements when evaluated separately, reliance must be placed upon the owner's estimate for an expression of full value of most kinds of tangible personal property. Owners experienced more difficulty in evaluating certain forms of household goods than they did in evaluating their real estate, while, on the other hand, automobiles had a known resale value and numerous forms of farm produce had a known market value which were used to the greatest possible degree as a basis for comparison to assessed value.

The pertinent values appearing in Table 4 were discussed above in comparison with similar data for other forms of property.

The assessment of most forms of intangible property is a matter of past history in California due to legislation enacted by the 1935 Legislature in accordance with a constitutional provision adopted June 27, 1933. The dissertation from which most of these data are taken contains considerable interesting information indicating the extent to which the mill tax was applied.

Property Tax Evasion.

Any report on the subject at hand would be incomplete if it did not bring to the reader's attention the fact that there is a great deal of evasion in the property tax.

Data are not available to definitely show the extent of this, but the student soon finds property of every description that has escaped the assessor's eye. It includes land, improvements, and various forms of tangible and intangible property.

Probably the most general omission on the assessment rolls today is subsurface, or mineral rights. The practice is now common in the sale of land for the seller to retain mineral rights. This is particularly true of large land holders. Yet, strange as it might seem, in many of the counties the assessors do not follow the practice of assessing them.

Probably tax evasion is not the greatest undesirable result of retaining subsurface property rights. The procedure is clouding the titles and making it impossible for surface owners to use their holdings as security for bank loans. Several loaning institutions have adopted the policy of refusing loans on surface rights unless the owner of subsurface rights will subordinate his claim to that of the creditor.

Duplication of Assessment by Cities and Counties.

Sensing the need, in the interest of economy, for the elimination of unnecessary duplication of functions and officials in county and city governments, the Legislature, in 1895, provided for the consolidation of certain municipal and county offices. The office of the assessor was among those for which provision for consolidation was made. According to State law, the city council, or comparable body, may, by ordinance, eliminate the office of city assessor and use for tax purposes the values determined by the corresponding county officer. In the four decades that have elapsed since its enactment, comparatively few municipalities have seen fit to take advantage of this provision. The city of Oakland is the only municipality within the counties of Alameda and Santa Barbara that does not maintain a city assessor's office.

Cause of Duplication of Assessments. The continued existence of city assessors is most frequently justified on the ground that cities must apply an assessment rate higher than that commonly set by the county assessors for county tax purposes. It is argued that the tax rate and the bonding limitations imposed upon municipalities by State law necessitate a larger tax base than would be established by the county assessor.

It is doubtful, however, if this is really the basic reason for this repetition of work. As a matter of fact, some municipalities in the State avoid these limitations by applying a common multiple to the values established by the county assessors. It would seem, therefore, that the causes must be other than the limitations imposed by law. Instead, this remnant of the past is probably retained due to the reluctance of society to alter the structure of government, and the tendency for one jurisdiction to copy the provisions and practices of another.

Effect of Duplication of Assessments. It is reasonable to expect that two assessors evaluating identical properties for similar purposes would confer with each other in an effort to improve the quality of their work, and to thereby make such duplication a good investment of public funds. From analysis of the data procured, it is apparent, however, that such a practice is not followed. The county and city assessors make no pretense at collaboration. They apparently seldom agree as to the full value of property assessed because a comparison of the assessed values set by each on identical properties indicates a great disparity. This is illustrated by the data presented in Table 5, comparing actual county assessed values to city assessed values of the Piedmont homes included in the survey.

Table 5—Comparison of County Assessed Value to City Assessed Value of Sixteen Homes in Piedmont.

County assessed value—1929	*City assessed value—1929*	*Relationship in per cent city assessment 100 per cent*
$3,600 00	$3,830 00	93.99
2,150 00	3,030 00	70 96
5,050 00	6,260 00	80 67
2,200 00	3,100 00	70 97
2,450 00	2,280 00	—6.94
2,400 00	2,320 00	—3 53
5,250 00	4,900 00	—6.67
3,750 00	3,950 00	94 94
5,550 00	7,840 00	70.79
2,950 00	3,600 00	81.94
3,650 00	5,000 00	73 00
1,650 00	2,550 00	64.71
4,050 00	3,720 00	—8.15
2,200 00	3,300 00	66 67
3,250 00	3,280 00	99.09
2,200 00	2,180 00	— 91

A comparison of county and city assessed values of all of the properties studied which are located inside municipalities are summarized in Table 6. The data presented in Table 6 do not include samples in the city of Oakland because county values are there used for city purposes. It will be noted that with the exceptions of San Leandro in 1928, and Emeryville in both 1928 and 1929, the evaluation placed upon properties by the assessors of the county and of the city was scarcely ever the same. While the rate of assessment purposely adopted by the city assessor is, as a rule, higher than that of the county assessor, the variations are not uniform and fluctuate widely from property to property.

Table 6—Relationship Between Assessed Values Set by County and City Assessors on Identical Properties, by County, City and Year. (Taken from Table IX A 1).

Location of properties	*Per cent of assessments same*	*Per cent of assessments different*	*Per cent of assessments same*	*Per cent of assessments different*
a	b	c	d	e
Alameda County—	*1928*		*1929*	
Alameda City	4 2	95.8	1 9	98.1
Albany	0 0	100.0	0.0	100 0
Berkeley	.9	99.1	0.0	100 0
Emeryville	100.0	0 0	100.0	0.0
Hayward	0 0	100.0	0.0	100.0
Livermore	0.0	100.0	0 0	100 0
Piedmont	0 0	100 0	0.0	100.0
Pleasanton	60.0	40 0	66.7	33 3
San Leandro	100.0	0 0	10 7	89.3
Santa Barbara County—	*1929*		*1930*	
Lompoc	0 0	100.0	4 5	95.5
Santa Barbara	.5	99.5	.4	99.6
Santa Maria	10 0	90 0	3 0	97.0

While it is evident from the foregoing tables that there is less discrepancy in the total tax paid by urban taxpayers due to compensating tendencies of the county and city assessments, it is doubtful that the expense involved is justified, and it is reasonable to expect that greater uniformity could be effected by improving the quality of the county assessment and making that serve for the levy of both city and county taxes.

Conclusions of the Committee.

Your committee sincerly believes that it has spent time on the problems discussed in this report to good advantage, that its findings should assist in resolving the complicated issue herein treated It feels, however, that the lack of widespread knowledge and understanding of the present situation concerning the appraisal and assessment of real property, and the unknown effect of proposed fundamental changes in assessment procedure, urge gradual changes through reforms rather than radical alterations in present methods

1. Specifically, the committee feels that the present statutes concerning real property appraisals and assessments should be clarified so that assessors are required to levy tax assessments "according to value" of property in which "warranted net income" is taken into account in determining that value.

2. The Code Commission should be instructed to proceed at once with the codifying of all laws pertaining to real property appraisal and assessments, with a view to eliminating all conflicting sections, clarifying ambiguities, and revising these laws so that they may be presented in simplified, understandable language in order to be made available to county and city assessors, and property owners

3. Municipalities should be required to use county assessed values as their tax base, with legal provision for review in doubtful or disputed cases

4. Annual publication should be required of all property allowed tax exemptions for any cause, said publication giving a description of such property, its location, character, size and use, ownership, value and amount of tax exemption allowed

5 The practice of hiring part-time nonprofessional property appraisers in county assessors' offices is not economic, and is responsible in large measure for improper assessment levies, the loss of considerable tax moneys, probable favoritism to some citizens—all of which contributes toward the discrediting of government offices The committee therefore urges upon counties the employment of competent staffs of full-time appraisers, and suggests to the Legislature the desirability of enacting this provision into law.

Respectfully submitted

H. DEWEY ANDERSON, Chairman
JOHN GEE CLARK
ELEANOR MILLER
HENRY MEEHAN.
FRANK WRIGHT

Recess.

At five o'clock and thirty minutes p m , on motion of Mr. King, the Assembly was declared at recess until eight o'clock p.m

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 1264.
Assembly Bill No. 2028.
Assembly Bill No. 2840.
Assembly Joint Resolution No. 45.
Assembly Joint Resolution No. 46.
Assembly Joint Resolution No. 47.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 338.
Assembly Bill No. 1290.
Assembly Bill No. 1615.
Assembly Bill No. 1864.
Assembly Bill No. 2055.
Assembly Bill No. 2215.
Assembly Bill No. 2378.
Assembly Constitutional Amendment No. 6.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on unfinished business calendar

Special Order.

The hour of eight o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up for consideration

Consideration of Assembly Bill No. 1065.

Assembly Bill No. 1065—An act to establish a California Agricultural Labor Relations Board, to provide machinery for the mediation and arbitration of agricultural labor disputes and for ancillary purposes

Motion to Amend Assembly Bill No. 1065.

Mr. Yorty moved to amend Assembly Bill No. 1065 as follows:

Amendment No. 1.

On page 15, lines 16 and 17, of the printed bill, as amended, strike out "establish adjustment boards as provided in this article", and insert in lieu thereof the following: ", upon the joint petition of the parties, authorize the establishment of adjustment boards, and authorize the parties to proceed under this article".

Amendment No. 2.

On page 26 of the printed bill, as amended, between lines 33 and 34, insert the following:

"SEC. 123.5. An arbitration award may be impeached by the court on any of the following grounds:

(a) That the award plainly does not conform to the substantive requirements laid down by this act for such awards, or that the proceedings were not substantially in conformity with this act.

(b) That the award does not conform, nor confine itself, to the stipulations of the agreement to arbitrate.

(c) That a member of the board of arbitration rendering the award was guilty of fraud or corruption; or that a party to the arbitration practiced fraud or corruption which fraud or corruption affected the result of the arbitration."

Amendments adopted.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to take up Assembly Bill No. 1065, as amended, at this time without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1065, as Amended.

Assembly Bill No. 1065—An act to establish a California Agricultural Labor Relations Board, to provide machinery for the mediation and arbitration of agricultural labor disputes and for ancillary purposes.

Motion to Amend Assembly Bill No. 1065.

Mr. Robertson moved to amend Assembly Bill No. 1065 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended May 17, 1937, strike out lines 2 to 12 of the title, and insert in lieu thereof the following: "Labor Relations Board for the mediation and arbitration of labor disputes and for ancillary purposes, and to prescribe its powers and duties."

Amendment No. 2.

Strike out all of pages 1 to 27, inclusive, of the printed bill, as amended May 17, 1937, and insert in lieu thereof the following:

SECTION 1. Policy. Labor disputes in California, resulting in strikes and lockouts, have caused great economic loss, not only to the workers and employers directly involved, but to the general public of the State of California and have resulted in bitterness and bloodshed. In the interest of the stabilization of labor conditions and of the general prosperity of the citizenry of the State some machinery should be established capable of effecting the speedy, amicable, and fair adjustment of labor disputes as soon as they arise. The provisions of this act are enacted for the accomplishment of the above objectives.

SEC. 2. General Duties. (a) All disputes between an employer or employers and an employee or employees concerning grievances, rates of pay, hours of work, rules, or working conditions, or arising out of agreements concerning such, shall be considered and decided, if possible, in conference between the parties themselves or their representatives designated and authorized so to confer in order to avoid any interruption to production or commerce.

(b) Representatives for the purposes of this act shall be designated by the parties without any interference or coercion of any kind.

SEC. 3. California Labor Relations Board. There is hereby established a California Labor Relations Board composed of five persons to be appointed by the Governor by and with the advice and consent of the Senate.

(a) Appointment. The offices of the five board members shall be designated as follows: Board member number one, board member number two, board member number three, board member number four, and the chairman of the board. Board member number one shall be appointed to represent industrial employees. Board member number two shall be appointed to represent agricultural employees. Board member number three shall be appointed to represent industrial employers and board member number four shall be appointed to represent agricultural employers.

The chairman of the board shall be appointed to represent the interest of the State and general public. The chairman of the board shall not be an employee of or financially interested in any business subject to the provisions of this act, nor shall he be an employee of any labor organization or association, the members of which are subject to the terms of this act. The chairman of the board shall be the executive officer thereof.

(b) Tenure. Except as herein provided, the term of office of each member of the board shall be four years, and until the appointment and qualification of his successor. For the purpose of determining the date of expiration of any term, the period during which the predecessor holds over shall be computed as part of the successor's term. Vacancies shall be filled for the unexpired portion of the current term.

The first term of office of board member number one and of board member number three shall expire February 1, 1939.

The first term of office of board member number two and of board member number four shall expire February 1, 1940.

The first term of office of the chairman of the board shall expire February 1, 1941.

In making apointments the Governor shall designate the position to be filled.

(c) Expenses. The board may appoint a secretary, experts, referees, attorneys, assistants and such other personnel as seem necessary to it for the administration of this act, subject to the provisions of the Civil Service Laws. The board may make expenditures for necessary rent, books, periodicals and research.

(d) Compensation. Board members numbers one, two, three, and four shall receive the sum of $15 per day as compensation for each and every day devoted to

the actual performance of their duties under the provisions of this act. The chairman of the board shall receive an annual salary of $6,000. Each member of the board shall receive his actual and necessary traveling expenses incurred in the business of the board. The compensation of employees of the board and other expenses shall be paid monthly from the funds appropriated for the use of the board after being approved by the board.

(e) Quorum. A majority of the members of the board shall constitute a quorum Any action concurred in or approved by a majority of the entire board shall be the act of the board; provided, however, that in making and rendering findings, conclusions or recommendations, as hereinafter provided, there may be a majority report and a minority report. The board may authorize its representative or representatives to arrange for, call, hold and conduct the meetings of employees as hereinafter provided

(f) Annual Report. The board shall make and submit to the Governor on or before the first day of December of each year a report containing a full and complete account of its proceedings during the previous twelve-month period and setting forth such suggestions and recommendations as it deems of value.

(g) Oath of Office. Each member of the board shall, before entering upon the duties of his office, take and subscribe to the constitutional oath of office.

(h) The board shall have the power to make such rules and regulations as may be necessary for the administration of this act

SEC. 4. Duties of the Board.

(a) The parties, or either party, to a dispute between an employee or employees and an employer or employers subject to the terms of this act may invoke the services of the board, or the board may proffer its services in the case of any dispute between said persons concerning grievances, rates of pay, hours of work, rules, or working conditions, or arising out of agreement concerning such. In either event the board shall promptly put itself in communication with the parties to such controversy, and shall use its best efforts, by mediation, to bring them to agreement. If such efforts to bring about an amicable adjustment through mediation shall be unsuccessful, the board shall at once endeavor to induce the parties to submit their controversy to arbitration in accordance with the provisions of this act.

(b) The board shall also have certain other duties as set forth, in other sections of this act.

SEC. 5. Arbitration. Whenever a controversy is not settled in conference or through mediation, the controversy may, by agreement of the parties, be submitted to the arbitration of a board of arbitration composed of three, or if the parties so stipulate, of six persons

(a) Composition of Board of Arbitration. In the case of a board of arbitration of three members, each party to the dispute shall name one member, and these two shall choose the third. If, after their first meeting they fail to do so within five days, the Labor Relations Board shall name the third. In the case of a board of arbitration of six members, each party shall name two members, and these four shall name the other two. If they fail to do so within five days after their first meeting, the Labor Relations Board shall name the two remaining members.

(b) Notice to Board. When the arbitrators selected by the respective parties have agreed upon the remaining arbitrator or arbitrators, they shall notify the Labor Relations Board, and in the event of their failure to agree upon any or all of the necessary arbitrators within the period fixed by this act, they shall, at the expiration of such period, so notify the Labor Relations Board.

(c) Hearings. The board of arbitration shall organize, and select its own chairman, and make all necessary rules for the conduct of its hearings; provided, however, that the board of arbitration shall be bound to give the parties to the controversy a full and fair hearing, which shall include an opportunity to present evidence in support of their claims, and an opportunity to present their case, in person, by counsel, or by other representatives as they may respectively elect.

(d) Qualifications. No arbitrator, chosen by the Labor Relations Board, shall be interested in the controversy or connected with the parties thereto.

(e) Compensation. Each member of any board of arbitration, created under the provisions of this act, named by either party to the arbitration shall be compensated by the party naming him. Each arbitrator selected by the arbitrators or by the Labor Relations Board shall receive from the said board such compensation as the Labor Relations Board may fix, together with his necessary traveling expenses incurred while serving as an arbitrator.

(f) Copy of Award The board of arbitration shall furnish a certified copy of its award to the respective parties to the controversy. It shall transmit the original together with the papers, proceedings, and transcript of the evidence taken at the hearings certified by at least a majority of the members of the board of arbitration to the Labor Relations Board.

(g) Employment of Assistants. A board of arbitration may, subject to the approval of the Labor Relations Board, employ and fix the compensation of such assistants as it deems necessary to carry on the arbitration proceedings. The compensation of such employees and the necessary expenses of boards of arbitration shall be paid by the Labor Relations Board from its funds.

(b) Power to Administer Oaths. All testimony before a board of arbitration shall be given under oath or affirmation, and any member of a board of arbitration shall have the power to administer oaths or affirmations.

SEC. 6. Agreement to Arbitrate. All agreements to arbitrate under this act shall.

(a) Be in writing.

(b) Stipulate that the arbitration is had under the provision of this act.

(c) State whether the board of arbitration is to consist of three or of six members.

(d) Be signed by the duly accredited representatives of the employer or employers and the employees, parties respectively to the agreement to arbitrate, and be acknowledged by the parties before a notary public or before a member of the Labor Relations Board, and, when so acknowledged, be filed in the office of the Labor Relations Board.

(e) State specifically the questions to be submitted to the said board of arbitration for decision.

(f) Provide that the questions, or any one or more of them, submitted by the parties to the board of arbitration may be withdrawn from arbitration on notice to that effect signed by the duly accredited representatives of all parties and served on the board of arbitration.

(g) Stipulate that the signatures of a majority of the board of arbitration affixed to its award shall be competent to constitute a valid and binding award.

(h) Fix a period from the date of the appointment of the arbitrator or arbitrators necessary to complete the board within which the board of arbitration shall commence its hearings.

(i) Fix a period from the beginning of the hearings within which the board of arbitration shall make and file its award; however, the parties may agree at any time upon an extension of this period.

(j) Provide for the date from which the award shall become effective and shall fix the period during which the award shall continue in force.

(k) Provide that the award, when certified by a majority of the members of the board of arbitration, be filed in the office of the Labor Relations Board, and that when so filed it shall be final and conclusive upon the parties as to the facts determined by it and as to the merits of the controversy decided.

(l) Provide that any difference arising as to the meaning, or the application of the provisions, of an award made by a board of arbitration, shall be referred back for a ruling to the same board, or, by agreement, to a subcommittee of such board; and that such ruling, when acknowledged in the same manner, and filed in the office of the Labor Relations Board, shall be a part of and shall have the same force and effect as the original award.

(m) Provide that the respective parties to the award shall each faithfully execute it.

SEC. 7. Limitation on Act. The provisions of this act shall not be construed so as to limit or curtail in any way the right of employees to strike, nor shall anything in this act be construed as directly or indirectly advocating or encouraging the unionization of agricultural or other labor.

SEC. 8. The Labor Relations Board or its authorized representative shall, upon receiving a written request from any employer involved in or affected by a labor dispute, or from a representative of any group of employees involved in or affected by a labor dispute, forthwith proceed to arrange for, call, hold and conduct a meeting of the employees involved in, or affected by such labor dispute, or may at any time on its own motion arrange for, call, hold and conduct such a meeting. The Labor Relations Board shall cause reasonable notice of the place where and the time when—not exceeding five days—such meeting shall be held.

At such meeting the board or its representative may present to such employees such information, advice or recommendation as it may deem fit and proper, and, in its discretion, the board or its representative may permit the employer or a representative of the employer and a representative of such employees to make such statements, offers or arguments to such employees as to the board may seem fit and proper.

SEC. 9. At such meeting, the board shall be empowered to hold and conduct a vote of the employees affected or involved in such labor dispute on any or all of such questions, disputes or offers by secret ballot, and it is provided that any election held at such meeting shall be by secret ballot; provided, however, that a ballot by acclamation or otherwise may be held if, in the discretion of the Labor Relations Board, a secret ballot is unduly cumbersome and unnecessary to accomplish the purposes of this act. For such purpose the board may determine the proper unit, group or class of employees who shall vote upon such questions, disputes or offers.

SEC. 10. The vote of a majority of the employees at any such meeting at which a majority of the employees in any group, unit or class of employees involved in, or affected by such labor dispute, shall be present, shall be final, conclusive and binding upon all of such employees, provided, that no employee shall thereby be required to render labor or service without his consent or against his will or to become a member of any labor organization against his will or without his consent.

SEC. 11. The term "labor dispute," as used in this act, means any question or dispute, whether presently existing or reasonably likely to occur, between employees and their employer concerning wages, hours, terms and conditions of employment or

the interpretation of, or compliance with any contract, agreement or understanding, oral or written, between the employees and their employer and shall also include all questions or disputes concerning the proper representatives of such employees for the purposes of collective bargaining.

SEC. 12. It shall be unlawful to interfere with or obstruct the calling or holding of any meeting or election herein provided for, or to interfere with, obstruct or prevent the performance of any contract, understanding or agreement made or entered into pursuant to, or in accordance with, the provisions of this act, or to attempt to persuade, induce or compel any of the parties thereto, or working thereunder, to violate the same.

SEC. 13. Emergency Powers of the Labor Relations Board. If a dispute is not adjusted under the foregoing provisions of this act and should, in the judgment of the board, threaten substantially to disrupt the planting, harvesting, packing, or shipping of agricultural products, the board shall promptly investigate the facts as to the dispute and make a report thereon to the Governor.

SEC. 14. Cooperation With Other Federal and State Agencies, Research to Collect Statistics, etc.

The board shall investigate the underlying agricultural conditions which produce labor disturbances and recommend to the Governor legislation or other procedures designed to improve such conditions. The board shall collect and publish such information and data concerning the supply and demand of transient workers for specific industries as the board finds necessary or desirable to correlate the supply with the demand. In any of the aforesaid activities the board is authorized to confer and cooperate with the United States Department of Agriculture, the Resettlement Administration, or any other duly constituted department or agency of the United States or of the State of California.

SEC. 15. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act or the application of such provision to other persons or circumstances shall not be affected thereby."

Motion to Table Amendments.

Mr. Hunt moved that the amendments be tabled.

The roll was called, and the motion to table lost by the following vote:

AYES—Flint, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, King, Lore, McMurray, Miller, George P., Pelletier, Rosenthal, Sawallisch, Tenney, Yorty, and Mr. Speaker—16.

NOES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Gannon, Garland, Glick, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Scudder, Sheehan, Thorp, Walker, Watson, and Weber—43.

Motion to Set Assembly Bill No. 1065 as Special Order.

Mr. Flint moved that the further consideration of Assembly Bill No. 1065 be made a special order of business for Wednesday, May 19, 1937, at three o'clock p.m.

Demand for Previous Question.

Messrs. Morgan, Dawson, Turner, Dannenbrink and Johnson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to set Assembly Bill No. 1065 as a special order of business.

The roll was called, and the further consideration of Assembly Bill No. 1065 made a special order of business by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—63.

NOES—Gilbert, Hunt, King, Kuchel, Rosenthal, Tenney, and Yorty—7.

Assembly Bill No. 1065 ordered to reprint and re-engrossment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 468—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds, fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor; providing for the continuation in service of employees and entitling them to the benefits of the civil service provisions of the charter of the City and County of San Francisco, providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire.

Bill read third time, and refused passage by the following vote:

AYES—Colwin, Cottrell, Cronin, Dannenbrink, Dawson, Flint, Fulcher, Glick, Hawkins, Heisinger, Hornblower, Leonard, Levey, Maloney, McMurray, Miller, Eleanor, Peyser, Reaves, Sawallisch, Sheehan, Stream, Voigt, Weber, Welsh, Williamson, and Mr. Speaker—26

NOES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Cunningham, Daley, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Martin, Meehan, Miller, George P., Morgan, Muldoon, Pelletier, Redwine, Robertson, Rosenthal, Scudder, Tenney, Thorp, Turner, Walker, Watson, and Yorty—40.

Notice of Motion to Reconsider Assembly Bill No. 468.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 468 was this day refused passage.

Leave of Absence.

Mr. O'Donnell was granted leave of absence for the balance of this legislative day, on motion of Mr Turner

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 98—An act to amend section 2283, and to repeal sections 2284, 2287 and 2288 of, and to add sections 2284 and 2284a to, of the Political Code, or to amend sections 1503, 1518, 1519 and 1520 of and to add sections 1520.1 and 1520.2 to the Welfare and Institutions Code," relating to minor orphans, half-orphans and abandoned children, declaring the urgency thereof and providing that it shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 98?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, after "Code," insert the following: "or to amend sections 1503, 1518, 1519, and 1520 of and to add sections 1520.1 and 1520.2 to the Welfare and Institutions Code,".

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out line 32, and insert in lieu thereof the following: "section 2284a of the Political Code or section 1520 of the Welfare and Institutions Code.

SEC. 6. Section 1503 of the Welfare and Institutions Code is hereby amended to read as follows:

1503 In addition to the amount paid by the State for each needy child maintained in a private home or in an institution, the county, city, or town may pay for the support of such needy child an amount equal to the sum paid by the State

SEC. 7. Section 1518 of the Welfare and Institutions Code is hereby amended to read as follows:

1518. When and during such time as grants in aid are provided or made available by the United States Government for aid to dependent children in this State, the State Treasurer shall, from the sums so granted pay to each county (a) an amount which shall be used exclusively as aid to dependent children who come within the definition of dependent children under Title IV of the Federal Social Security Act, equal to one-third of the total sums expended as aid to such dependent children under this chapter, not counting so much of such expenditure with respect to any child for any month as exceeds the maximum provided in said Title IV, and (b) an additional amount equal to one-third of the total of the sums expended as administrative costs for aid to such dependent children.

SEC. 8. Section 1519 of the Welfare and Institutions Code is hereby amended to read as follows:

1519. From the sums appropriated therefor by the State of California in section 1501 of this code, the State Treasurer shall pay to each county an additional amount which shall be used exclusively as aid to needy children eligible under this code, equal to the amount provided to be paid by the State as aid for each child under said section after deducting therefrom that portion of the amount, if any, allowed under subdivision (a) of section 1518 of this code which such State aid bears to the total amount of aid granted under this code to each child.

From the sums appropriated therefor by the State of California in section 1501 of this code, the State Treasurer shall pay to each institution entitled thereto under this chapter aid in the amount provided in section 1501.

SEC. 9. Section 1520 of the Welfare and Institutions Code is hereby amended to read as follows:

1520. The method of computing and paying the amount provided for in sections 1501, 1518 and 1519 of this code for each quarter, beginning with the quarter commencing April 1, 1937, shall be as follows:

(a) The State Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount to be paid for such quarter to each county under the provisions of sections 1501, 1518 and 1519 of this code, such estimate to be based on a report filed by each county containing (1) its estimate of the total sum to be expended in such quarter in accordance with the provisions of this chapter, and stating the amount appropriated or made available by the county for such expenditure in such quarter, (2) records showing the number of needy children receiving aid under the authority of this chapter in the county, and (3) such other information and investigation as the State Department of Social Welfare may find necessary.

(b) The State Department of Social Welfare shall then certify to the State Controller the amount so estimated by it, reduced or increased as the case may be by any sum by which it finds that its estimate for any prior quarter was greater or less, than the amount which should have been paid to the county under this chapter for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the State Department of Social Welfare for such prior quarter.

(c) The State Controller shall thereupon draw the necessary warrants, and prior to the audit or settlement by the State Department of Social Welfare, and the State Controller, the State Treasurer shall pay to the treasurer of each county the amount so certified.

SEC. 10. Section 1520.1 is hereby added to the Welfare and Institutions Code to read as follows:

1520.1. Reports of aid to needy children paid out under this chapter shall be presented by the respective counties at times and in the form prescribed by the State Department of Social Welfare. Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to said county as a credit to apply against advances made under subdivision (a) of section 1520.

SEC. 11. Section 1520.2 is hereby added to the Welfare and Institutions Code to read as follows:

1520.2. Claims for aid to needy children in institutions eligible under section 1501 of this code shall be presented by the institutions at times and in the form prescribed by the State Department of Social Welfare. Such claims shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, the State Controller shall draw the necessary warrants for the amount allowed in favor of the institution, and the State Treasurer shall pay the same on presentation.

SEC. 12. Sections 1 to 4, inclusive, of this amendatory act shall take effect only if a Welfare and Institutions Code is not enacted by the fifty-second Legislature of California.

SEC. 13. Sections 6 to 11, inclusive, of this amendatory act shall take effect only if a Welfare and Institutions Code is enacted by the fifty-second Legislature of California."

Amendment No. 3.

On page 4, line 33, of the printed bill, as amended, strike out "Sec. 6", and insert in lieu thereof the following: "Sec. 14".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 98 by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68

NOES—None.

Assembly Bill No. 98 ordered to enrollment

Assembly Bill No. 1875—An act to amend section 9 of "An act to provide for needy blind persons, not inmates of any institutions supported in whole or in part by this State or any of its political subdivisions, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, or to amend section 3087 of, and to add sections 3087.1, 3087.2 and 3087.3 to the Welfare and Institutions Code, relating to aid to the needy blind, this act to take effect immediately

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1875?

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, as amended, after "1929," insert the following: "or to amend section 3087 of, and to add sections 3087.1, 3087.2 and 3087.3 to the Welfare and Institutions Code,".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out line 19, and insert in lieu thereof the following: "or in section 3087.2 of the Welfare and Institutions Code.".

Amendment No. 3.

On page 3 of the printed bill, as amended, after line 19, insert the following:

"SEC. 3. Section 3087 of the Welfare and Institutions Code is hereby amended to read as follows:

3087. During such time as grants in aid are made available by the United States Government under the provisions of Title X of the Federal Social Security Act for aid to the needy blind in this State, the State Treasurer, shall, from the sums so granted, pay to each county an amount, which shall be used exclusively as aid to the needy blind under this chapter, equal to one-half of the total sums expended as aid to the blind under this chapter, not counting so much of such expenditure with respect to any individual for any month as exceeds $30.

SEC. 4. Section 3087.1 is hereby added to the Welfare and Institutions Code to read as follows:

3087.1. From the sums appropriated in section 3025 of this code the State Treasurer shall pay to each county an additional amount, which shall be used exclusively for aid to the needy blind under this chapter, equal to one-half of the amount paid by such county after deducting one-half of the amount paid to the county under section 3087 of this code, except that the State shall pay the county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence, after deducting one-half of the amount paid under section 3087.

SEC. 5. Section 3087.2 is hereby added to the Welfare and Institutions Code to read as follows:

3087.2. The method of computing and paying the amounts provided for in sections 3087 and 3087.1 for each quarter shall be as follows:

(a) The State Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount to be paid for such quarter to each county under sections 3087 and 3087.1. This estimate shall be based on a report which shall be filed by each county containing (1) its estimate of the total sum to be expended in such quarter in accordance with the provisions of this chapter, and stating the amount appropriated or made available by the county for such expenditure in such quarter, and if the amount is less than that portion of the total sum of such estimated expenditures which is required under this chapter to be paid by

each such county, the source or sources from which the difference is expected to be derived, (2) records showing the number of blind individuals receiving aid under the authority of this chapter in the county, and (3) such other information and investigation as the State Department of Social Welfare may find necessary

(b) The State Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county, reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county under this chapter for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the State Department of Social Welfare for such prior quarter

(c) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by the State Department of Social Welfare, and the State Controller, the State Treasurer shall pay to the treasurer of each county the amount so certified.

SEC. 6. Section 3087.3 is hereby added to the Welfare and Institutions Code to read as follows:

3087.3 Reports of aid to blind paid out under this chapter shall be presented by the respective counties at times and in the form prescribed by the State Department of Social Welfare. Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to said county or city and county as a credit to apply against advances made under the terms of section 3087.2

SEC. 7. Section 1 of this amendatory act shall take effect only if a Welfare and Institutions Code is not enacted by the fifty-second Legislature of California

SEC. 8. Sections 3 to 6, inclusive, of this amendatory act shall take effect only if a Welfare and Institutions Code is enacted by the fifty-second Legislature of California."

Amendment No. 4.

On page 3, line 42, of the printed bill, as amended, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 9".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1875 by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67

NOES—None.

Assembly Bill No. 1875 ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1305—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof

Motion to Amend Assembly Bill No. 1305.

Mr. Fulcher moved to amend Assembly Bill No. 1305 as follows:

Amendment No. 1.

On page 4, line 40, of the printed bill, as amended, strike out "At the end of", and strike out lines 40 to 45, inclusive.

Amendment No. 2.

On page 5, line 46, of the printed bill, as amended, strike out "Political", and insert in lieu thereof the following: "Business and Professions"

Amendments adopted.

Assembly Bill No. 1305 ordered to reprint, and re-engrossment.

Assembly Bill No. 1924—An act to amend section 1182 of the Labor Code, relating to minimum wages.

Motion to Amend Assembly Bill No. 1924.

Mr. Johnson moved to amend Assembly Bill No. 1924 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the figures "61", strike out the following: ", 1353 and 1356".

Amendment adopted.

Assembly Bill No. 1924 ordered to reprint, and re-engrossment.

Assembly Bill No. 2756—An act to amend sections 10 and 11 of the Fish and Game Code, relating to the Fish and Game Commission.

Motion to Amend Assembly Bill No. 2756.

Mr Robertson moved to amend Assembly Bill No. 2756 as follows.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "11", insert a comma and the following: "12".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "20".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 17 to 26, inclusive, and on page 2, strike out lines 1 to 36, inclusive, and insert in lieu thereof the following: "edge of birds, mammals, fish, mollusks, crustaceans and other forms of aquatic animals and plants, and who shall be appointed by the Governor upon the recommendation of the commission The Director of Natural Resources shall direct and be responsible for the enforcement of laws relating to fish and game by such division and enforcement of the general policies, rules and regulations and orders of the commission, and for the expenditure of moneys heretofore or hereafter appropriated to its use.

SEC. 2. Section 11 of said code is hereby amended to read as follows:

11. General policies and rules and regulations for the guidance of the director in the administration of the division shall be prescribed by a commission consisting of five members who shall be appointed by and hold office at the pleasure of the Governor. The terms of the members of the Fish and Game Commission in office upon the effective date of this section shall thereupon terminate, but said members shall hold over until their successors are appointed. The commissioners shall receive no compensation, but shall be paid the amount of actual and necessary expenses incurred by them in the performance of their duties The commissioners shall elect one of their number chairman.

SEC 3. Section 12 of said code is hereby amended to read as follows

12 The duties, powers, jurisdiction and responsibilities hereinafter by this code vested in the commission shall be exercised and performed by the commission through the Division of Fish and Game.

SEC 4. Section 20 of said code is hereby repealed.

SEC 5. Section 46 of said code is hereby amended to read as follows:

46 The money in the fish and game preservation fund is appropriated to the division to be expended by the Director of Natural Resources in accordance with law and subject to the general policies and rules and regulations of the commission for the payment of all necessary expenses incurred in carrying out the orders of the commission, the provisions of this code, and of any other law for the protection and preservation of birds, mammals and fish, and for the payment of the actual and necessary expenses of the commission."

Amendments adopted.

Assembly Bill No. 2756 ordered to reprint, and re-engrossment

Third Reading of Senate Bills—(Out of Order).

Senate Bill No. 186—An act relating to and imposing limitations on expenditure by counties, cities and counties, municipalities, districts, and other political subdivisions under authority of section 20 of Article XI of the Constitution of the State.

Motion to Amend Senate Bill No. 186.

Mr Muldoon moved to amend Senate Bill No 186 as follows

Amendment No. 1.

On page 3, line 41, of the printed bill, as amended before "Any tax levy", insert "That part of".

Amendment adopted.

Senate Bill No 186 ordered to reprint, and third reading calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1612—An act to amend sections 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, and 3091 of the Labor Code, relating to master and apprentice.

Motion to Amend Assembly Bill No. 1612.

Mr. McMurray moved to amend Assembly Bill No. 1612 as follows

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, as amended, strike out "and 3078", and insert in lieu thereof a comma and the following: "3078 and 3079".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "and 3078", and insert in lieu thereof a comma and the following: "3078 and 3079".

Amendments adopted.

Request for Unanimous Consent.

Mr. McMurray asked for, and was granted, unanimous consent to take up Assembly Bill No. 1612, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1612, as Amended.

Assembly Bill No. 1612—An act to amend sections 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, and 3091 of the Labor Code, relating to master and apprentice.

Assembly Bill No. 1612, as amended, read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr Speaker—55

NOES—Field—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 586—An act to provide additional land and buildings for the use of the San Francisco State College and making an appropriation therefor.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Welsh, Dannenbrink, Turner and Weber demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 586.

The roll was called, and Assembly Bill No 586 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr Speaker—62

NOES—Dilworth, Field, Kepple, and Redwine—4.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2179—An act to provide for the payment of conciliation commissioners.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1071—An act making an appropriation for major construction and equipment at California School for the Deaf at Berkeley.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1070—An act to amend section 2237 of the Political Code, relating to the establishment of an advanced vocational school in conjunction with the California School for the Deaf at Berkeley and making an appropriation therefor.

Bill read third time, and passed by the following vote

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 238—An act to amend section 1032 of the Military and Veterans Code, relating to the Veterans Home of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—Cottrell, Kepple, and Mayo—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2880—An act making an appropriation for additional support of the Department of Natural Resources, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower Hunt, Johnson, King Kuchel, Latham,

Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 2880 read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Out of Order).

Senate Bill No. 133—An act to add Chapter 5, comprising sections 2000 to 2496, inclusive, to Division II and to add section 30003 to Division XXX of the Business and Professions Code, relating to the practice of medicine and surgery and other modes of treating the sick or afflicted and repealing acts and parts of acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Consideration of Senate Amendments to Assembly Bill No. 524.

Assembly Bill No. 524—An act to amend section 15 of the Old Age Security Act of the State of California, approved May 28, 1929, or sections 2186, 2187, 2188 and 2189 of the Welfare and Institutions Code, relating to aid of the aged, this act to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 524?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "1929," insert the following: "or sections 2186, 2187, 2188 and 2189 of the Welfare Institutions Code,".

Amendment No. 2.

On page 3, line 25, of the printed bill, after the comma, insert the following: "or in section 2188 of the Welfare and Institutions Code,".

Amendment No. 3.

On page 3 of the printed bill, as amended, between lines 25 and 26, insert the following:

"SEC. 3. Section 2186 of the Welfare and Institutions Code is hereby amended to read as follows:

2186. *When and during such time as grants in aid are provided or made available* by the United States Government for aid to the needy aged in this State, the State Treasurer shall pay to each county from the sums granted by the United States Government to the State of California for old age assistance, (1) an amount which shall be used exclusively as old age assistance equal to one-half of the total of the sums expended as old age assistance under this chapter, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (2) two and one-half per centum of said amount which shall be used for paying the costs of administering this chapter and for no other purpose.

SEC. 4. Section 2187 of the Welfare and Institutions Code is hereby amended to read as follows:

2187. From the sums appropriated therefor by the State of California in section 2021 of this chapter, the State Treasurer shall pay to each county an additional amount which shall be used exclusively for aid to needy aged equal to one-half of the amount paid by each county after deducting the amount paid to said county under subsection (1) of section 2186 of this code, except that the State shall pay the county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence, after deducting the amount paid under subdivision (1) of section 2186 of this code

SEC. 5. Section 2188 of the Welfare and Institutions Code is hereby amended to read as follows:

2188. The method of computing and paying the amounts provided for in sections 2187 and 2188 for each quarter shall be as follows:

(a) The State Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount to be paid for such quarter to each county under the provisions of sections 2186 and 2187, such estimate to be based on a report filed by each county containing (1) its estimate of the total sum to be expended in such quarter in accordance with the provisions of this chapter, and stating the amount appropriated or made available by the county for such expenditures in such quarter, and if such amount is less than that portion of the total sum of such estimated expenditures which is required under this chapter to be paid by each such county, the source or sources from which the difference is expected to be derived, (2) records showing the number of aged individuals receiving aid under the authority of this chapter in the county, and (3) such other information and investigation as the State Department of Social Welfare may find necessary.

(b) The State Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county, reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county under this chapter for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the State Department of Social Welfare for such prior quarter

(c) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by the State Department of Social Welfare, and the State Controller, the State Treasurer shall pay the treasurer of each county the amount so certified.

SEC. 6. Section 2189 of the Welfare and Institutions Code is hereby amended to read as follows:

2189. (1) Reports of aid to aged paid out under this chapter shall be presented by the respective counties at times and in the form prescribed by the State Department of Social Welfare. (2) Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to the county as a credit to apply against advances made under the terms of section 2188. (3) The clerk of the board of supervisors of each county shall report monthly to the said State department in such manner and form as the latter may prescribe, the number of applications granted, and the grants of aid changed, revoked, or suspended under this chapter by the board of supervisors, during the preceding calendar month, together with copies of all applications received and a statement of the action of the board thereon.

SEC. 7. Section 1 of this amendatory act shall take effect only if a Welfare and Institutions Code is not enacted by the fifty-second Legislature of California.

SEC. 8. Sections 3 to 6, inclusive, of this amendatory act shall take effect only if a Welfare and Institutions Code is enacted by the fifty-second Legislature of California."

Amendment No. 4.

On page 3, line 26, of the printed bill, as amended, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 9".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 524 by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 524 ordered to enrollment.

Re-reference of Assembly Bill No. 1929.

On motion of Mr Garibaldi, Assembly Bill No 1929 was withdrawn from the calendar, and re-referred to the Committee on Medical and Dental Laws.

Resolution.

The following resolution was offered:

By Mr. Morgan:

House Resolution No. 174.

WHEREAS, The State Capitol Building of California is situated in grounds of *surpassing beauty*; and

WHEREAS, The loveliness of trees and lawns and the perfection of the flowers is largely due to the unceasing industry of those who are entrusted with the planting and care of this matchless public park, now, therefore, be it

Resolved by the Assembly of the State of California, That we hereby record our grateful appreciation for the everchanging beauty which is afforded by the planting and maintenance of the Capitol Grounds; and be it further

Resolved, That we hereby approve and commend the faithful diligence of the various workers who are responsible for the upkeep of Capitol Park, whose names and offices are recorded herewith; and be it further

Resolved, That the Chief Clerk be, and he hereby is, directed, as a concrete expression of our admiration and appreciation for their energy and skill, to furnish a copy of the Journal containing this resolution to each of the workers listed

Frank N. Killam, Chief, Bureau Building and Grounds; Head Gardener, John Tofft; Tree Surgeons, J. W. Beard, Jr., Leslie Toy; Floral Gardener, W. J. D. Trousdale; Groundsmen and Flower Gardeners, A. J. Beattie, L. W. Burbank, Ivan M Dunlap, Lewis H. Larkin, George Lorimer, Andrew Lutterbein, William McCarthy, Joe Nevis, Ford O'Brien, Jerry J. Olrich, J. W Pfiefer, Marius Simonsen, W. G. Thomasson, F. N. Tofft, John R. Walker; Mechanical Handyman, Richard M Cowell; Power Lawn Mower Operator, Frank Prary; Light Power Equipment Operator, George W. Prary.

Request for Unanimous Consent.

Mr. Morgan asked for, and was granted, unanimous consent to take up House Resolution No. 174, at this time, without reference to committee or calendar.

House Resolution No. 174 read, and unanimously adopted.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER: Your Committee on Rules, to which was referred

House Resolution No. 171.

Respectfully reports the same back with the recommendation: That the resolution be amended as follows

Amendment No. 1.

In the paragraph numbered (1), line 1, strike out the word "nine", and the numeral "(9)", and insert in lieu thereof the word "seven", and the numeral "(7)"

Amendment No. 2.

In the paragraph numbered (3), line 1, strike out the word "Seven", and the numeral "(7)", and insert in lieu thereof the word "five", and the numeral "(5)".

Amendment No. 3.

In the paragraph numbered (4), line 1, strike out the word "seven", and the numeral "(7)", and insert in lieu thereof the word "five", and the numeral "(5)"

Amendment No. 4.

In the paragraph numbered (6), line 2, strike out the word "seven", and the numeral "(7)", and insert in lieu thereof the word "five", and the numeral "(5)".

Amendment No. 5.

In the paragraph numbered (8), line 1, strike out the word "seven", and the numeral "(7)", and insert in lieu thereof the word "five", and the numeral "(5)"

Amendment No. 6.

In the paragraph numbered (9), line 2, strike out the word "nine" and the numeral "(9)", and insert in lieu thereof the word "seven", and the numeral "(7)".

Amendment No. 7.

In the paragraph numbered (10), line 1, strike out the word "nine", and the numeral "(9)", and insert in lieu thereof the word "five", and the numeral "(5)"

Amendment No. 8.

In the paragraph numbered (11), line 2, strike out the word "which", and strike out all of lines 3, 4, 5, 6, 7 and 8.

PEEK, Chairman

The above reported resolution ordered on third reading calendar.

Resolution.

The following resolution was offered:

By Mr. Flint:

House Resolution No. 175.

Resolved by the Assembly of the State of California, That the Speaker appoint a Committee of Five to attend a labor conference to be held in the city of Sacramento on May 19, 1937, for the purpose of discussing the enacting of an act to create a Labor Relations Board for the State of California; and be it further

Resolved, That this committee make such report and recommendations as it may deem proper as a result of the discussions of such labor conference

Request for Unanimous Consent.

Mr Flint asked for unanimous consent to take up House Resolution No. 175, at this time, without reference to committee or calendar

Mr. Field withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Flint moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 175, at this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Clark, Flint, Garibaldi, Hawkins, Heisinger, King, Martin, Miller, Eleanor; Miller, George P., Morgan, Pelletier, and Tenney—12

NOES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Garland, Gilbert, Hornblower, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Muldoon, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—48

House Resolution No 175 referred to Committee on Labor and Capital.

Motion for Temporary Suspension of the Rules.

Mr McMurray moved that the Rules be temporarily suspended to allow the continuance of his notice of motion to reconsider Assembly Bill No. 2063 until the next legislative day

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt Kepple, Kuchel, Latham, Laughlin, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—53.

NOES—Cunningham, Dilworth, Flint, Johnson, King, Tenney, Turner, and Yorty—8

Mr. McMurray's notice of motion to reconsider the vote whereby Assembly Bill No 2063 was passed was continued until the next legislative day.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

Assembly Constitutional Amendment No. 67: By Mr. Turner—Proposed amendment to Article IV, section 1 of the Constitution, relative

to the number of signatures required on initiative and referendum petitions.

Bill read first time, and referred to Committee on Constitutional Amendments.

Motion to Correct Journal of May 14, 1937.

On motion of Mr. Lyon, page 22 of the Assembly Journal of May 14, 1937, was corrected as follows:

"(a) Strike out all of Amendments Nos. 3 to 5, inclusive

(b) Correct the numbering of Amendments Nos. 6 to 12, inclusive, so that they will read Amendments Nos. 3 to 9, inclusive."

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1178 re-referred to Committee on Public Morals.

Assembly Bill No 1511 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 2451 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1347 re-referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1981 re-referred to Committee on Medical and Dental Laws.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 18, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 40—An act to add section 319 to the Agricultural Code, relating to the sale of meat:

Senate Bill No. 240—An act to amend sections 2, 3, 3½, 4, 5, 6, 7, 8, 9, 9a and 12 of an act entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses, and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the business of contracting and the registration and licensing of contractors

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding section 29 to Article IV of the Constitution, relating to State money.

J. A. BEEK, Secretary of Senate.

By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 40 read first time, and referred to Committee on Agriculture.

Senate Bill No. 240 read first time, and referred to Committee on Building and Construction.

Senate Constitutional Amendment No. 31 referred to Committee on Constitutional Amendments.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Constitutional Amendment No. 60.
Assembly Bill No. 1361.
Assembly Bill No. 2848.
Assembly Bill No. 1778.

And reports the same correctly re-engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Constitutional Amendment No. 51.
Assembly Constitutional Amendment No. 58.
Assembly Constitutional Amendment No. 62.
Assembly Bill No. 1347.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred
Assembly Bill No. 1581.
Assembly Bill No. 1889.
Assembly Bill No. 2451.
Respectfully reports the same back with the recommendation: Do pass as amended

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Senate Bill No. 1135.
Assembly Bill No. 1347.
Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Senate Bill No. 802.
Respectfully reports the same back without recommendation, as amended.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred:
Assembly Bill No. 2007.
Respectfully reports the same back with the recommendation: Do pass as amended.

MILLER, GEORGE P., Chairman

The above reported bill ordered on second reading calendar.

Notices of Motion to Reconsider Continued.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1283 was refused passage was continued until the next legislative day.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 2250 was refused passage was continued until the next legislative day.

On motion of Mr. Hunt, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2593 was passed was continued until the next legislative day.

On motion of Mr. Levey, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No 354 was passed was continued until the next legislative day

On motion of Mr. Desmond, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No 888 was refused passage was continued until the next legislative day.

Re-reference of Bills.

By order of the Speaker, the following bills were withdrawn from the calendar, and re-referred as follows:

Senate Bill No. 166 re-referred to Committee on Labor and Capital.

Senate Bill No 241 re-referred to Committee on Labor and Capital

Adjournment.

At eleven o'clock and forty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Wednesday, May 19, 1937.

DAVID V. OLIVER, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIFTH LEGISLATIVE DAY
ONE HUNDRED THIRTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 19, 1937.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Lore, the further reading of the Journal of Tuesday, May 18, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Beene, on motion of Mr. Cottrell.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Gus B. Risso and Jerome F. Macdonald of Redwood City.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Barthe, teacher; and the following students of the senior civics class, Livermore High School: Annamae Altamirano, Pauline Athey, Bertram Christensen, Delma Bisordi, Mary Frances Degnan, Tom Foxworthy, Joe Genoni, Dorothy Hock, Arthur Isensee, Vera Jensen, George Martel, Julius Mello, Hiram Meyers, Anna Murillo, Ralph Peterson, Gladys Regan, Malvern

Sweet, Celestine Tuccoli, and Elsie Jane Wilson; accompanied by Mrs. Wilson, and Mrs. Sweet.

On request of Mr. Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Thomas McDonough, Don O'Shea, Glenn Forward, Henry Anderson and Sherman Kemp.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Evelyn Russell of San Francisco.

On request of Mr. Garibaldi, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Chum Oliver of Modesto.

Assistant Clerk Berry Reading.

Second Reading of Assembly Bills.

Assembly Bill No. 2909—An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 820—An act regulating the practice of architecture, civil engineering, and land surveying by officers, or employees, of the State of California, or of any county, city and county, city, town, school district, road district, drainage district, levee district, bridge district, sanitary district, water district, irrigation district, utility district, or other improvement district of any kind thereof, or any other political division thereof, or of any public corporation thereof which has the right to levy taxes, or assessments which may be collected as taxes, or of any public corporation thereof whose revenue is derived either in whole or in part from public funds which have been collected as taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2904—An act to add section 291.4 to the Civil Code, relating to corporations

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1874—An act to appropriate $45,000 of the moneys in the fish reduction privilege tax fund created by section 1019 of the Fish and Game Code, for the purpose of instituting and carrying on laboratory and scientific investigations relating to the keeping and transportation of fish without spoiling.

Bill read second time, and ordered on third reading calendar

Assembly Bill No. 2906—An act making an appropriation for major construction and equipment at the California Institution for Women.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2889—An act making an appropriation to be expended by the Department of Public Works for the purpose of operating and maintaining certain units or portions of the flood control work within the Sacramento and San Joaquin Drainage District, as provided for in Chapter 774, Statutes of 1927, as amended.

Committee Amendments to Assembly Bill No. 2889.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, following the word "maintenance", insert the following: "during the eighty-ninth and ninetieth fiscal years".

Amendment No. 2.

On page 1 of the printed bill, following line 15, insert the following:
"SEC. 2. The expenditure herein authorized of the moneys appropriated by this act shall be subject to all of the provisions of Chapter 157 of the Statutes of 1937."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 253—An act to amend an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering of the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, by adding a new section thereto to be known as section 131 thereof relating to appropriations out of the fair and exposition fund to supplement other appropriations for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939.

Committee Amendment to Assembly Bill No. 253.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 3, line 29, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that twenty-five per cent of such funds is hereby appropriated, allocated and apportioned to the California Polytechnic School."

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2409—An act to make an appropriation for the support of the Railroad Commission of the State of California.

Committee Amendments to Assembly Bill No. 2409.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "for the support of the Rail-", and strike out all of line 2 of the title, and insert in lieu thereof the following: "to the Department of Agriculture for Market News Service."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:
"SECTION 1. There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of eight thousand, eight hundred dollars, to be expended by the Department of Agriculture for conducting a Market News Service. The sum hereby appropriated shall be in addition to any other sum appropriated or otherwise made available for such service."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1592—An act making appropriation for auditing of the State Relief Administration accounts, declaring the urgency thereof, and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1592.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the word "Administration" insert the following: "California Toll Bridge Authority".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "$150,000", and insert in lieu thereof the following: "$175,000".

Amendment No. 3.

On page 1, lines 5 and 6, of the printed bill, strike out "from both Federal contributions and State appropriations.", and insert in lieu thereof the following: "from July 1, 1935 and expenditures of the California Toll Bridge Authority in connection with the construction of the San Francisco-Oakland Bay Bridge."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2374—An act to add section 663.5 to the Political Code, relating to the liability of the State Treasurer for the estates of deceased persons.

Committee Amendments to Assembly Bill No. 2374.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, as amended, strike out the figure "663 5", and insert in lieu thereof the following: "663.6".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out the figure "663.5", and insert in lieu thereof the following: "663.6".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out the figure "663.5", and insert in lieu thereof the following: "663.6".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2007—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs.

Committee Amendments to Assembly Bill No. 2007.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after the word "horticultural", insert the following: "mineral".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 9, 10, 11 and 12, and insert in lieu thereof the following: "shall be paid to the several counties and district agricultural associations as soon as such apportionment is determined. The county or district agricultural association shall deposit such money in a separate bank account approved by the Director of Finance in accordance with the provisions of section 10 of an act entitled, "An act to authorize and control the deposit in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act", approved April 12, 1933, as amended Such money shall be expended only for the encouragement of county or district agricultural association fairs pursuant to a budget submitted to, and approved by, the Department of Finance subject to the provisions of section 677.5 of the Political Code.

All sums expended from such moneys for construction and improvements by counties shall be subject to the provisions of section 4041.8 of the Political Code. All moneys expended by district agricultural associations for construction and improvements shall be subject to the provisions of "The State Contract Act". The county auditor or secre-"

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out all of lines 17 and 18, and insert in lieu thereof the following: "year. No allotment from the appropriation"

Amendment No. 4.

On page 1, line 24, of the printed bill, as amended, after the word "one", insert the following: "county or".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1889—An act to further amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended, entitled, known and cited as "California Toll Bridge Authority Act," by adding thereto a new section numbered $22\frac{3}{4}$, relating to the powers of the California Toll Bridge Authority.

Committee Amendments to Assembly Bill No. 1889.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the figures "22 5", and insert in lieu thereof "$22\frac{3}{4}$".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 6 to 24, inclusive, and insert in lieu thereof the following:

"SEC. $22\frac{3}{4}$. The power and authority granted to the California Toll Bridge Authority and certain officials thereof and of this State by section $22\frac{1}{2}$ shall include the right to acquire any transportation lines or facilities, including bridges, railways, ferries, and other instrumentalities of commerce and the franchises equipment and goodwill thereof, which do or might compete, or provide arteries of commerce in connection with any toll bridge erected and maintained under this act, whenever in its or their judgment, such acquisition is necessary or advisable to protect or augment the revenues of such toll bridge Such power and authority shall include the right to maintain or operate all or part of the transportation facilities so acquired, and to make and enter into and carry into effect contracts for such acquisition, maintenance or operation, and to make the necessary financial arrangements therefor, in each case on such terms and conditions as may be approved by the California Toll Bridge Authority, by unanimous vote thereof and to exercise with respect thereto all the authority and powers which by law may be exercised with respect to any toll bridges or transportation facilities referred to in this act"

Amendment No. 3.

On page 2 of the printed bill, strike out lines 1 to 18, inclusive

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 2451—An act to amend section 112 of the Vehicle Code, relating to the California Highway Patrol

Committee Amendments to Assembly Bill No. 2451.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 18, of the printed bill, as amended strike out "year" and insert in lieu thereof the following: "month".

Amendment No. 2.

On page 1, line 24, of the printed bill, as amended strike out "year", and insert in lieu thereof the following: "month".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1581—An act to add a new section to the Political Code to be numbered 696, relating to a Fact Finding Bureau in the Department of Finance.

Committee Amendments to Assembly Bill No. 1581.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 22, of the printed bill, as amended, strike out the word "bureau" and insert in lieu thereof the word "department".

Amendment No. 2

On page 1, line 25, of the printed bill, as amended, after the word "Governor", insert the following: "and the Legislature".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment

Assembly Bill No. 1347—An act to amend sections 658, 658.5, 659, 660, 661½, 663, 664, 664a, 665, 666, 667, 668, 669, 670, 674a, 676, 677, 678, 679, 680, 688, and 695 of the Political Code, relating to and creating a State Board of Control providing for the organization of such board, defining its powers, duties, accounting and supervising functions, specifying certain positions thereunder and enacting that said sections shall be known as Article XIX of Chapter III of Title I of Part III of the Political Code, and providing a title for said article.

Bill read second time, and ordered on third reading calendar

Second reading of Senate Bills.

Senate Bill No. 460—An act to amend sections 10112, 10113, 10204, 10209, and 10213 of the Insurance Code, to repeal section 10241 thereof, to add section 10203.5 thereto, and to add Article 4, comprising sections 10490 to 10496, inclusive, to Chapter 5, Part 2, Division 2 of said code, all relating to insurance.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 292—An act making an appropriation for the purchase and removal of the James W. Marshall Pioneer Museum Collection and the James W. Marshall blacksmith shop.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 774—An act to add a new section to the Agricultural Code, to be numbered 1079, relating to the disposal of funds received under the provisions of Chapter 7 of Division V of said code, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 892—An act making an appropriation to pay the claim of Anthony Camminetti, Jr., against the State of California.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1140—An act to provide for the reimbursement of the general fund for expense of collecting bonds and bond coupons for special funds.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 333—An act authorizing the use, for major construction and equipment of plant quarantine border inspection stations, of moneys already appropriated; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1149—An act to amend section 3700 of the Political Code, relating to the salaries of the members of the State Board of Equalization.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 393—An act to add section 159a to the Agricultural Code, relating to the elimination of Austrian field cress, and to make an appropriation therefor.

Committee Amendments to Senate Bill No. 393.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "add section 159a to", and insert in lieu thereof the following: "amend section 159a of".

Amendment No. 2.

On page 1 of the printed bill, strike out line 9, and insert in lieu thereof the following "not more than one-third by the State, to be".

Amendment No. 3.

On page 1 of the printed bill, strike out line 11, and insert in lieu thereof the following: "than one-third by the county in which the land is located on"

Amendment No. 4.

On page 1, line 12, of the printed bill, strike out "or", and strike out line 13, and insert in lieu thereof the following: "owning or controlling lands infested by said Austrian field cress shall contribute the remaining one-third of the expense either in money or its equivalent in labor,".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 15 to 24, inclusive, and insert in lieu thereof the following "visors shall allow and pay the share of the county and may allow and pay the share of the owner of the land out of the general fund of the county. The share of the owner of the land so paid shall be, from the date of payment, a lien on the land on which the work of eradication was done. The board of supervisors shall cause a notice of such lien to be filed and recorded as provided in sections 137 and 138 in regard to the liens therein described, and the provisions of those sections relating to such liens shall apply so far as pertinent to any lien created under the provisions of this section. Only so much of the land on which the work of eradication was done may be sold as may be necessary to secure a sum sufficient to satisfy the lien."

Amendment No. 6.

On page 2, line 3, of the printed bill, after "appropriated", insert the following ", in addition to existing appropriations,".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 681—An act to authorize and direct the Division of Water Resources of the Department of Public Works to prosecute efforts, on behalf of the Water Project Authority of the State of California, in aid of the construction of the Central Valley Project.

Committee Amendments to Senate Bill No. 681.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 19 and 20, insert the following:

"SEC. 3. The expenditure herein authorized of the moneys appropriated by this act shall be subject to all of the provisions of Chapter 157 of the Statutes of 1937."

Amendment No. 2.

On page 1, line 20, of the printed bill, as amended, strike out "3", and insert in lieu thereof the figure "4".

Amendment No. 3.

On page 1, line 15, of the printed bill, as amended, after the word "act", insert the following: "during the eighty-ninth and ninetieth fiscal years"

Amendments adopted.

Bill read second time ordered to reprint and third reading

Senate Bill No. 891—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Committee Amendments to Senate Bill No. 891.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 7 of the printed bill, as amended, strike out lines 49 to 52, inclusive, and insert in lieu thereof the following: "tion fund." There is hereby appropriated

annually out of said fund the sum of twenty thousand dollars to the board to defray the expenses of the officers and employees provided for herein.

As to the balance of the moneys so deposited in said fund it is the policy of the State that such moneys shall from time to time be allocated and appropriated as follows:

One-sixth of the balance of such moneys to".

Amendment No. 2.

On page 8, line 27, of the printed bill, as amended, after the period, insert the following: "Except as to the aforesaid sum of twenty thousand dollars to be paid annually to the board, no appropriation is hereby made and none of such moneys shall by the provisions hereof be available for expenditure or use, the making of an appropriation or appropriations of such moneys or any thereof being left to subsequent action by the Legislature"

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 461—An act to amend section 1640 of the Insurance Code and to add Chapter 7, comprising sections 1800 to 1815, to Part 2, Division 1, of said code, all relating to bail licenses.

Committee Amendment to Senate Bill No. 461.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, strike out "bail licenses", and in lieu thereof insert the following: "insurance".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding section 4d to Article VI, relating to advisory opinions of the Supreme Court.

Committee Amendment to Senate Constitutional Amendment No. 27.

The following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 16, of the printed measure, as amended, strike out "and shall be final upon the constitutional ques-", and strike out line 17, and insert in lieu thereof a period.

Amendment adopted.

Senate Constitutional Amendment No. 27, ordered to reprint and on third reading calendar.

Senate Constitutional Amendment No. 28—Proposed amendment to the Constitution, by adding Article XXVI thereto, relative to motor vehicle taxation and revenues

Committee Amendments to Senate Constitutional Amendment No. 28.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed measure, as amended, after "fuel", insert the following: "for use in motor vehicles upon the public streets and highways".

Amendment No. 2.

On page 1, line 18, of the printed measure, as amended, strike out "the following purposes", and insert in lieu thereof the following: "highway purposes, as follows".

Amendment No. 3.

On page 3 of the printed measure, as amended, strike out lines 21 to 23, inclusive, and insert in lieu thereof the following: "or the "Use Tax Act of 1935," as amended; nor shall it affect or repeal any pro-".

Amendments adopted.

Senate Constitutional Amendment No. 28 ordered to reprint and on third reading calendar.

Senate Bill No. 665—An act to amend sections 128 and 129 of the Vehicle Code, relating to the Department of Motor Vehicles.

Committee Amendments to Senate Bill No. 665.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after "enforce", insert the following: "such".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, after "tions", insert the following. "as may be necessary".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 472—An act to amend sections 44 and 130 of the Vehicle Code, relating to motor vehicles.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 373—An act to amend section 488 of the Vehicle Code, relating to accident reports.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 842—An act to amend section 4140 of the Political Code, relating to the duties and rights of county recorders.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1044—An act to amend section 4260 of the Political Code, relating to compensation of officers, officials and deputies in counties of the thirty-first class.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 802—An act to amend section 373g of the Political Code, relating to the development of natural resources.

Committee Amendment to Senate Bill No. 802.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 3 of the printed bill, as amended, after line 31, add the following: "SEC. 4. Nothing in this act or in the provisions of sections 373g1 or 373g2 shall be interpreted or construed as depriving the Department of Natural Resources of any of the duties, powers, purposes, responsibilities, and jurisdiction which were vested in the department prior to the enactment hereof, and the provisions of sections 373a and 373i shall be applicable to the Division of Mines and the Division of Oil and Gas with the same force and effect as if sections 373g1 and 373g2 had not been enacted."

Senate Bill No. 1135—An act to add section 433.6 to the Political Code, to authorize the State Controller to make pay roll deductions from the salary or wage of certain State employees for the purpose of paying premiums on a policy or certificate of insurance issued to such State employees insured under an insurance plan approved by the Director of Finance.

Bill read second time, and ordered on third reading calendar.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1647—An act to amend section 135d of an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended.

The question being put Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1647?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the period, and insert in lieu thereof the following, ", relating to bank stock and the retirement thereof."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1647 by the following vote.

AYES—Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr Speaker—59.

NOES—None.

Assembly Bill No 1647 ordered to enrollment.

Assembly Concurrent Resolution No. 45—Relative to the appointment of a Joint Legislative Committee to attend the dedicatory ceremonies in connection with the opening of the "Feather River Highway."

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 45?

Amendment No. 1.

On page 2 of the measure, in the fifth paragraph beginning "WHEREAS", after the word "ceremonies", strike out "inaugurating its opening and dedication to public use", and insert in lieu thereof the following: "planned to be held at the city of Oroville, Butte County, and at the city of Quincy, Plumas County, which ceremonies will inaugurate the opening and dedication of this highway to public use"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Concurrent Resolution No. 45 by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—60.

NOES—None.

Assembly Concurrent Resolution No. 45 ordered to enrollment.

Assembly Bill No. 338—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus.

The question being put: Shall the Assembly concur in the following Senate Amendment to Assembly Bill No. 338?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 4 to 6, inclusive, and insert in lieu thereof the following:

"1682. In carrying out the provisions of this code, the Division of State Employment Agencies is authorized and directed to provide for the giving of notice to applicants, of strikes or lockouts, before they are referred to employment."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 338 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—None.

Assembly Bill No 338 ordered to enrollment.

Assembly Bill No. 1615—An act to amend sections 10 and 12 of an act entitled "An act establishing a State Mining Bureau, creating the

office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, as amended.

The question being put: Shall the Assembly concur in the following Senate Amendments to Assembly Bill No. 1615?

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, after "amended", strike out the period, and insert the following: ", relating to the State Mining Bureau".

Amendment No. 2.

On page 2, line 6, of the printed bill, after "information", insert the following: ", relating exclusively to mining,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1615 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1615 ordered to enrollment.

Assembly Bill No. 1864—An act to amend section 1357 of the Political Code, relating to absentee voters.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1864?

Amendment No. 1.

On page 2, line 27, of the printed bill, as amended, strike out "or for", strike out lines 28, 29 and 30, and in line 31, strike out "cinct,".

Amendment No. 2.

On page 4, lines 30 and 31, of the printed bill, as amended, strike out "in either instance on account of physical disability", and insert in lieu thereof the following: "by reason of disability as provided by law".

Amendment No. 3.

On page 4 of the printed bill, as amended, between lines 40 and 41, add the following: "by making a cross (+),".

Amendment No. 4.

On page 2, line 27, of the printed bill, as amended, after "disability", insert the following: "or for any other reason, found by the officer herein mentioned to exist, and in the judgment of such officer to constitute good cause for delivering to such voter a ballot of his election precinct,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1864 by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1864 ordered to enrollment.

Assembly Bill No. 2055—An act relating to the making of real estate subdivisions and the making and recording of maps, and empowering cities, cities and counties, and counties in connection therewith, making certain acts misdemeanors, prescribing penalties therefor, and repealing all acts or portions of acts in conflict herewith.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2055?

Amendment No. 1.

On page 1, line 15, of the printed bill, as amended, strike out the word "and", following the word "tentative", and in line 16, strike out the word "record", and insert ", record of survey and final".

Amendment No. 2.

On page 3, line 16, of the printed bill, as amended, after "any", insert "parcel or parcels of a"; and after "subdivision", insert "of land (1)".

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 20 to 23, inclusive, and in line 24, strike out "division of land", and insert "of 1929, or (2) made prior to the effective date of this act and which complied with or was exempt from the provisions of Chapter 837, Statutes of 1919, or (3)".

Amendment No. 4.

On page 3, line 25, of the printed bill, as amended, strike out "had", and insert "have".

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out line 26, and in line 27, strike out "Statutes 1929; and provided further", and insert "1937, provided however,".

Amendment No. 6.

On page 3, line 28, of the printed bill, as amended, after the word "showing", insert "the".

Amendment No. 7.

On page 3, line 30, of the printed bill, as amended, strike out "adoption", and insert "effective date".

Amendment No. 8.

On page 3, line 31, of the printed bill, as amended, strike out "sale or contract of sale", and insert "conveyance thereof.", and in line 32, strike out "of the whole or part thereof."

Amendment No. 9.

On page 3, line 52, of the printed bill, as amended, strike out "by the governing body".

Amendment No. 10.

On page 4 of the printed bill, as amended, strike out lines 6 to 16, inclusive, and insert the following:

"SEC. 7. If there is no advisory agency the clerk of the governing body shall submit the tentative map to said body at its next regular meeting which shall act thereon within forty days thereafter. If there is an advisory agency it shall report on the map or maps of any subdivision submitted to it within thirty days after the tentative map has been filed and said report shall approve, conditionally approve or disapprove the map or maps of the subdivision. The governing body may delegate to said advisory agency the power to report such action direct to the subdivider. If the governing body does not desire to delegate such power to the advisory agency said advisory agency shall make such report to the governing body which shall act upon said report within ten days or at its next succeeding regular meeting after receipt of said report. If the subdivider is dissatisfied with any action of the advisory agency he may, within fifteen days after such action appeal from said

action to the governing body which must hear the same, unless the subdivider consents to a continuance, within ten days or at its next succeeding regular meeting. Said governing body, may by a majority vote of its members, overrule any ruling of the advisory agency in regard to said tentative map and make such findings as are not inconsistent with the provisions of this act or local ordinance adopted pursuant hereto."

Amendment No. 11.

On page 7, line 35, of the printed bill, as amended, strike out "and acknowledgments".

Amendment No. 12.

On page 7, line 36, of the printed bill, as amended, strike out "and may be combined when appropriate".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2055 by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, **Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey,** Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Sawallisch, Stream, Tenney, Thorp, Voigt, Walker, Weber, Welsh, and Mr Speaker—60.

NOES—None.

Assembly Bill No 2055 ordered to enrollment

Assembly Bill No. 2215—An act to authorize the Department of Finance to acquire, upon behalf and in the name of the State of California, by contract to purchase or otherwise, certain real property in the city of Sacramento, and to make the same available to agencies of the State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2215?

Amendment No. 1.

On page 1, line 4 of the printed bill, following "wise," strike out "that certain real property," and insert in lieu thereof the following: "those certain parcels of real property"

Amendment No. 2.

Add a new paragraph to section 1 of the printed bill, to read as follows:
"The south 20 feet of Lot 1, Block J-K-2-3"

Amendment No. 3.

Strike out all of section 2 of the printed bill, and insert in lieu thereof the following:

"SEC. 2. **Upon acquisition of the hereinbefore described real properties or either** of them, the Department of Finance is authorized and empowered to make said real properties or either of them available to agencies of the State upon such terms and conditions as may be in the interest of the State. In the event that the hereinbefore described real properties or either of them is acquired under contract to purchase, **any and all moneys remaining after payment of interest, maintenance, repairs, alterations** and other necessary expenditures, shall be paid or credited to the balance due upon the respective purchase price"

Amendment No. 4.

On page 2, line 1, of the printed bill, as amended, after the word "agencies", strike out the word "to", and insert in lieu thereof the word "of".

Amendment No. 5.

On page 1, line 4, of the printed bill, as amended, strike out the following "those certain parcels of real property", and insert in lieu thereof the following "that certain real property".

Amendment No. 6.

On page 1 of the printed bill, as amended, strike out all of lines 10 to 21, inclusive, and insert in lieu thereof the following

"SEC. 2. Upon acquisition of the real property described in section 1 hereof, the Department of Finance is authorized and empowered to make the structure thereon available to agencies of the State upon such terms and conditions as may appear proper. In the event the hereinbefore described real property is acquired under a contract to purchase, any and all moneys remaining after payment of interest, maintenance, repairs, alterations and other necessary expenditures, shall be paid or credited to the balance due upon the purchase price"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2215 by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2215 ordered to enrollment.

Assembly Bill No. 2378—An act to add section 212a to the Labor Code, relating to deductions from wages or salary of employee.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2378.

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, following the word "deduction", strike out the period, and insert a comma and the following: "provided that deductions of fixed amounts, deducted monthly and made at the request of and for the benefit of employees, need not be shown."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2378 by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2378 ordered to enrollment.

Assembly Constitutional Amendment No. 6—Proposed amendment to Article VI, section 1a of the Constitution, relative to the Judicial Council.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 6?

Amendment No. 1.

On page 1, line 28, of the printed bill, strike out "Judiciary", where it appears at the end of said line, and insert in lieu thereof the following: "Judicial".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Constitutional Amendment No. 6 by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

Assembly Constitutional Amendment No. 6 ordered to enrollment.

Assembly Constitutional Amendment No. 6.

A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending section 1a of Article VI, relating to the Judicial Council.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its fifty-second regular session, commencing on the third day of January, 1937, two-thirds of all the members elected to each of the houses

thereof voting in favor hereof, hereby proposes to the people of the State of California that the Constitution of said State be amended as follows.

First—That section 1a of Article VI of the Constitution of the State of California be amended to read as follows:

Section 1a There shall be a Judicial Council. It shall consist of the Chief Justice or acting Chief Justice, and of two Associate Justices of the Supreme Court, two Justices of District Courts of Appeal, three judges of trial courts, one of whom shall be a judge of an inferior court, assigned by the Chief Justice to sit thereon for terms of two years, provided, that if any judge so assigned shall cease to be a judge of the court from which he is assigned, his term shall forthwith terminate, three members of the State Bar of California appointed by the Board of Governors of the State Bar to sit thereon for terms of two years; two lay members appointed by the Governor of this State to sit thereon for terms of two years, the chairman then in office of the Judiciary Committee of the Senate, and the chairman then in office of the Judiciary Committee of the Assembly, provided that whenever there shall be more than one Judiciary Committee in either the Senate or the Assembly, the president of the Senate and the Speaker of the Assembly respectively shall designate the chairman of a Judiciary Committee who shall be a member of the Judicial Council The Chief Justice or acting Chief Justice shall be chairman. No act of the council shall be valid unless concurred in by eight members.

The Judicial Council shall from time to time

(1) Meet at the call of the chairman or as otherwise provided by it

(2) Survey the condition of business in the several courts with a view to simplifying and improving the administration of justice

(3) Submit such suggestions to the several courts as may seem in the interest of uniformity and the expedition of business

(4) Report to the Governor and Legislature at the commencement of each regular session with such recommendations as it may deem proper

(5) Adopt or amend rules of practice and procedure for the several courts not inconsistent with laws that are now or that may hereafter be in force and the council shall submit to the Legislature, at each regular session thereof its recommendations with reference to amendments of, or changes in, existing laws relating to practice and procedure

(6) Adopt or amend rules of judicial conduct governing all judges in this State

(7) Exercise such other functions as may be provided by law

The chairman shall seek to expedite judicial business and to equalize the work of the judges and shall provide for the assignment of any judge to another court of a like or higher jurisdiction to assist a court or judge whose calendar is congested, to act for a judge who is disqualified or unable to act, or to sit and hold court where a vacancy in the office of judge has occurred

The clerk of the Supreme Court shall act as secretary of the council

The several judges shall cooperate with the council, shall sit and hold court as assigned, and shall report to the chairman at such times and in such manner as he shall request respecting the condition, and manner of disposal, of judicial business in their respective courts

No member of the council shall receive any compensation for his services as such but shall be allowed his necessary expenses for travel, board and lodging incurred in the performance of his duties as such Any judge assigned to a court wherein a judge's compensation is greater than his own shall receive while sitting therein the compensation of a judge thereof The extra compensation shall be paid in such manner as may be provided by law Any judge assigned to a court in a county other than that in which he regularly sits shall be allowed his necessary expenses for travel board and lodging incurred in the discharge of the assignment

Reconsideration of Assembly Bill No. 354.

In compliance with a notice given on a previous day, Mr. Levey moved that the vote whereby Assembly Bill No 354 was passed be reconsidered.

The roll was called, and Assembly Bill No 354 refused reconsideration by the following vote:

AYES—Andreas, Baynham, Burns, Michael J Call, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond Dilworth, Field Gannon, Hornblower, Johnson, Kepple, Latham, Leonard, Levey Maloney, Martin, Mayo, Miller, Eleanor; Muldoon, O'Donnell, Peyser, Redwine Stream Thorp, Walker, Weber, and Williamson—32.

NOES—Boyle, Burns, Hugh M. Clark, Cunningham, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Lore, McMurray, Meehan, Miller, George P. Millington Morgan, Patterson, Peek, Pelletier, Reaves Robertson, Rosenthal Sawyllisch, Tenney, Turner Voigt, Watson, Welsh, and Mr Speaker—31

Assembly Bill No 354 ordered transmitted to the Senate

Withdrawal and Re-reference of Assembly Bill No. 2913.

On motion of Mr. Donnelly, Assembly Bill No. 2913 was withdrawn from the Committee on Agriculture, and re-referred to the Committee on Live Stock and Dairies.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 2365.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred: Assembly Bill No. 2044.
Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman.

The above reported bill ordered on second reading calendar.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred: Senate Bill No. 987.
Respectfully reports the same back with the recommendation: Do pass.

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred: Assembly Bill No. 1755.
Respectfully reports the same back with the recommendation: Do pass as amended.

TURNER, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Assembly Bill No. 2901.
Respectfully reports the same back with the recommendation: Do pass as amended.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred: Senate Bill No. 1144.
Respectfully reports the same back with the recommendation: Do pass as amended.

MEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred: Assembly Bill No. 1296.
Respectfully reports the same back without recommendation.

MEEHAN, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred: Assembly Bill No. 1684.
Respectfully reports the same back with the recommendation: Do pass.

MEEHAN, Chairman

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937

MR. SPEAKER: Your Committee on Agriculture, to which was referred **Assembly Bill No. 2835.** Respectfully reports the same back with the recommendation: Do pass as amended.

O'DONNELL, Chairman

The above reported bill ordered on second reading calendar.

Reconsideration of Assembly Bill No. 468.

In compliance with a notice given on a previous day, Mr. Williamson moved that the vote whereby Assembly Bill No. 468 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 468 reconsidered by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Fulcher, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Peyser, Reaves, Rosenthal, Sawallisch, Stream, Tenney, Voigt, Watson, Weber, Welsh, Williamson, and Mr. Speaker—41.

NOES—Burns, Michael J., Cunningham, Daley, Desmond, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Kepple, Latham, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Robertson, Thorp, and Walker—20

Assembly Bill No. 468 ordered on third reading calendar

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 60—Proposed amendment to Article IV of the Constitution, by amending section 23 and adding sections 7.2 and 15.3, relating to the legislative department of the State Government.

Motion to Amend Assembly Constitutional Amendment No. 60.

Mr. Williamson moved to amend Assembly Constitutional Amendment No. 60 as follows:

Amendment No. 1.

On page 3, line 15, of the printed bill, strike out the balance of the bill.

Amendment read, and refused adoption by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Cassidy, Clark, Cottrell, Daley, Donahue, Glick, Hunt, Johnson, Lore, Meehan, Peek, Stream, Welsh, Williamson, Yorty, and Mr. Speaker—20

NOES—Burns, Hugh M., Cronin, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Kepple, King, Latham, Leonard, Maloney, Martin, Mayo, Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Watson, and Weber—37.

Assembly Constitutional Amendment No. 60 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donahue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hunt, Kepple, King, Latham, Leonard, Levey, Lore, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Yorty, and Mr. Speaker—57.

NOES—Daley, Dilworth, Donnelly, Glick, Hornblower, Johnson, Maloney, Mayo, Richie, Sheehan, and Walker—11.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Defer Special Orders.

Mr. Welsh moved that the special orders heretofore set for this hour be deferred until Assembly Bill No 1177 had been considered.

The roll was called, and the motion carried by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Kepple, King, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Muldoon, Peek, Pelletier, Reaves, Robertson, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—52.

NOES—Call, Corwin, Cottrell, Cunningham, Dilworth, Gilbert, Heisinger, Hunt, Johnson, Latham, Leonard, Lyon, Mayo, Morgan, O'Donnell, Patterson, Redwine, Richie, Rosenthal, and Stream—20.

Consideration of Governor's Veto to Assembly Bill No. 1177.

Assembly Bill No. 1177—An act to amend the title of and sections 1, 2, 3, 4, 7, 9 and 10 and to add sections 7a, 7b, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents, the recovery of reimbursement therefor, and the punishment of persons falsely obtaining or attempting to obtain such aid or relief or who misappropriate or assist in misappropriating the same, and providing for aid by the State of California to the counties and cities and counties charged with the duty of providing aid and relief under this act.

The question being put: Shall Assembly Bill No 1177 become a law notwithstanding the veto of the Governor?

Demand for Previous Question.

Messrs Flint, Glick, Laughlin, Andreas and Hunt demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being: Shall Assembly Bill No 1177 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Andreas, Boyle, Cassidy, Clark, Corwin, Dannenbrink, Desmond, Donnelly, Flint, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hunt, Kepple, King, Lore, Meehan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Scudder, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—31.

NOES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Dawson, Donihue, Gannon, Hawkins, Hornblower, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, Patterson, Pevser, Redwine, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Walker, Weber, and Williamson—39.

Notice of Motion to Reconsider the Vote Whereby the Governor's Veto to Assembly Bill No. 1177 Was Sustained.

Mr. Welsh gave notice that on the next legislative day he would move to reconsider the vote whereby the Governor's veto to Assembly Bill No. 1177 was sustained.

Reconsideration of Senate Bill No. 888.

In compliance with a notice given on a previous day, Mr. Desmond moved that the vote whereby Senate Bill No 888 was refused passage be reconsidered.

Call of the Assembly.

Pending the announcement of the vote, Mr Desmond moved a call of the Assembly.

Motion carried by the following vote.

AYES—Boyle, Breed, Clark, Corwin, Crowley, Cunningham, Dannenbrink, Desmond, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Johnson, **Leonard, Lore, Lyon, Maloney, Mayo, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Thorp, Walker, Weber, Welsh, Williamson, and Yorty—40.**

NOES—Baynham, Call, Cassidy, Dawson, Field, Flint, Garland, Gilbert, Glick, Hunt, Kepple, King, Kuchel, Laughlin, McMurray, Stream, Voigt, and Mr. Speaker—18.

Time, three o'clock and twenty-nine minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor **Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.**

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Hon. Fred P. Glick in the Chair.

At three o'clock and thirty-five minutes p.m., Hon Fred P Glick, member of the Assembly from the Sixty-Ninth District, in the chair.

Special Order.

The special order heretofore set for this hour was taken up for consideration

Consideration of Assembly Bill No. 14.

Assembly Bill No. 14—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto and making an appropriation therefor.

Motion to Amend Assembly Bill No. 14.

Mr Latham moved to amend Assembly Bill No 14 as follows

Amendment No. 1.

On page 3, line 3, of the printed bill, as amended, strike out "_____ copies", and insert in lieu thereof the following: "10,000 copies"

Amendment No. 2.

On page 4, line 44, of the printed bill, as amended, strike out "_____ thousand", and insert in lieu thereof the following: "two hundred thousand"

Amendments adopted.

Request for Unanimous Consent.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Bill No. 14, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 14, as Amended.

Assembly Bill No. 14—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto and making an appropriation therefor

Assembly Bill No. 14, as amended, read third time, and refused passage by the following vote

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peyser, Redwine, Richie, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, and Yorty—42.

NOES—Cassidy, Clark, Crowley, Dawson, Desmond, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Leonard, Lore, Mayo, McMurray, Meehan, Millington, Muldoon, O'Donnell, Peek, Reaves, Robertson, Rosenthal, Sawallisch, Voigt, Watson, Williamson, and Mr. Speaker—31

Notice of Motion to Reconsider Assembly Bill No. 14.

Mr. Latham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 14 was this day refused passage

Special Order.

The special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 351.

Assembly Bill No. 351—An act relating to and providing for the calling and holding of a convention to revise the Constitution of this State, including the election of delegates, the proceedings, powers, and duties of the convention and the delegates, and the submission to the people of the Constitution that may be agreed upon by the convention, and making an appropriation therefor.

Bill read third time, and refused passage by the following vote

AYES—Baynham, Boyle, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Donihue, Flint, Gilbert, Hawkins, Heisinger, Hunt, King, Latham, Laughlin, Lore, Lyon, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—41

NOES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, Millington, Muldoon, Peyser, Reaves, Robertson, Scudder, Sheehan, Stream, Walker and Williamson—35.

Notice of Motion to Reconsider Assembly Bill No. 351.

Mr. Latham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 351 was this day refused passage.

Special Order.

The special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 174.

Assembly Bill No. 174—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Demand for Previous Question.

Messrs. Jones, Muldoon, Flint, Daley and Dawson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 174.

The roll was called, and Assembly Bill No. 174 refused passage by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Donohue, Flint, Gilbert, Glick, Heisinger, Hunt, King, Latham, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—45.

NOES—Breed, Burns, Michael J., Call, Cottrell, Cronin, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hornblower, Johnson, Kepple, Kuchel, Leonard, Levey, Maloney, Mayo, Millington, Muldoon, Scudder, Sheehan, Walker, and Williamson—28

Notice of Motion to Reconsider Assembly Bill No. 174.

Mr Latham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 174 was this day refused passage.

The Speaker in the Chair.

At four o'clock and forty-five minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Notice of Motion to Withdraw Assembly Concurrent Resolution No. 56 from Committee.

Mr Heisinger gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Concurrent Resolution No. 56 from the Committee on Constitutional Amendments, and have it placed upon the calendar.

Further Proceedings Under Call of the Assembly Dispensed With.

At four o'clock and forty-seven minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Desmond.

The roll of absentees was called, and Senate Bill No. 888 refused reconsideration by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Dannenbrink, Desmond, Donnelly, Gannon, Garibaldi, Hawkins, Heisinger, Johnson, Leonard, Lore, Mayo, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Sheehan, Thorp, Weber, and Yorty—29

NOES—Baynham, Boyle, Breed, Call, Cassidy, Corwin, Cottrell, Cunningham, Daley, Dawson, Dilworth, Donohue, Field, Flint, Fulcher, Garland, Gilbert, Glick, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—45.

Appointment of Special Committee.

Pursuant to Senate Concurrent Resolution No. 46, the Speaker announced the appointment of Messrs Patterson, Leonard, Robertson, Call, and Miller, as a Special Committee to attend the opening of the San Simeon-Carmel Highway.

Special Order.

The special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1065.

Assembly Bill No. 1065—An act to establish a California Agricultural Labor Relations Board, to provide machinery for the mediation and arbitration of agricultural labor disputes and for ancillary purposes.

Motion to Re-refer Assembly Bill No. 1065.

Mr. Yorty moved that Assembly Bill No. 1065 be withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

Demand for Previous Question.

Messrs. Hunt, Cunningham, Reaves, Tenney and Miller demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to re-refer Assembly Bill No. 1065 to Committee on Labor and Capital.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Donihue, Donnelly, Gilbert, Hawkins, Hornblower, Hunt, King, Levey, Maloney, Mayo, Miller, George P., O'Donnell, Pelletier, Reaves, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Weber, Williamson, and Mr. Speaker—30.

NOES—Baynham, Breed, Clark, Corwin, Cottrell, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Field, Gannon, Garibaldi, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Redwine, Richie, Robertson, Sheehan, Thorp, Voigt, Walker, Watson, and Yorty—41.

Recess.

At five o'clock and twenty minutes p.m., on motion of Mr. Hunt, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 17, 1937.

To the Honorable Members of the Assembly

I am returning herewith, without my approval, **Assembly Bill No. 2794**, the same being:

"An act relating to alcoholic beverages, prohibiting licensees under the Alcoholic Beverage Control Act from transporting or importing into this State, purchasing, receiving, possessing, or selling alcoholic beverages manufactured in any State, the laws, rules, or regulations of which discriminate against alcoholic beverages manufactured in this State or against persons selling or dealing therein, defining discriminatory laws, and providing for the enforcement of the provisions hereof."

The primary objects sought in this bill are described by its proponents as seeking protection for certain California industries and as encouraging cooperation in interstate commerce.

The effects that usually follow legislation of this kind are generally contrary to the purposes and expectations of its supporters. Not only will retaliatory and discriminatory legislation in other States be invited, but the basic reciprocal relationship that should exist between the States may be seriously jeopardized.

While it is true that certain States do have discriminatory laws and regulations, the better way to meet and overcome such obstacles to the free flow of trade between the States would be to eliminate discrimination where it exists rather than set up legislative reprisals in our own State.

I am of the opinion that any benefits to be derived under this bill by individuals or groups would be wholly offset by penalties and laws which California industries as

a whole would suffer with its enactment. Communications which I have received from the Governors of other States, together with information furnished me concerning the probable effects upon general interstate commerce, definitely indicate that this measure would prove most harmful to many industries within California, and would eventually result in loss of business by California industries selling their products outside of the State.

I am of the opinion that most State Legislatures will remove such discriminatory laws as exist, if called to their attention. May I suggest that by resolution or bill, the Legislature indicate its course if such changes are not made and that a commission be authorized to bring about reciprocal trade relations between California and the various States.

Indicating the feeling of the Governors of at least two of the States affected, telegrams received from them are presented herewith:

From Governor Charles H. Martin of Oregon:

"Am advised Assembly Bill No. 2794 has passed California Legislature. This will prevent importation into California of Oregon-produced beer, wine and brandy. Last session of Oregon Legislature at my request defeated all proposals for discrimination of this character. I urge you veto the bill."

From Governor Clarence D. Martin of Washington:

"I am advised by the Washington State Liquor Control Board, probably the largest single purchaser of California wine, that Assembly Bill No. 2794, or so-called Antidiscrimination Bill, has passed your Legislature and now waits your action, and that enactment of this measure may jeopardize present friendly commercial relations between our States. I am constrained to join our board in protesting this measure, which is regarded both unwise and unfair. Therefore, I trust you will consider this bill as an unfriendly barrier toward the neighborly State of Washington. Asking our board to give you further information."

In addition to protests from sources outside of California, I am in receipt of a large number of letters and telegrams supporting a veto from individuals and organizations representing business, agriculture, industry, retailers and wholesalers, chambers of commerce, shipping interests and allied interests.

The bill provides that it shall become effective on September 1, 1938. It is also contended this feature of the measure would work a hardship on a number of States, since States in which the Legislatures met in 1937 and will not meet again in regular session until 1939, will not have an opportunity to adjust their laws to our demands. If the imposing of the proposed penalties are delayed one year, the 1939 Legislature can enact the necessary legislation after due notice to all the offending States.

The representatives of the grape growers and wine producing organizations of the State have requested me to veto it. The author of this bill has consented to this action on my part.

For the reasons above set forth, I am returning Assembly Bill No. 2794 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2794 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 17, 1937.

To the Honorable Members of the Assembly.

I am returning herewith without my approval **Assembly Bill No. 406**, the same being:

"An act to amend sections 3, 5, 6 of the Alcoholic Beverage Control Act. relating to licenses, declaring the urgency hereof, and providing that this act shall take effect immediately."

Assembly Bill No. 406 is a companion bill to Assembly Bill No. 2794. Assembly Bill No 406 amends certain sections of the Alcoholic Beverage Control Act, relating to licenses.

Since these bills are related and both should be signed, or neither of them, I am returning herewith without my approval Assembly Bill No. 406.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 406 ordered on unfinished business calendar.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1178.

Respectfully reports the same back without recommendation.

TURNER, Chairman

The above reported bill ordered on second reading calendar.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Senate Bill No. 1021.

Respectfully reports the same back with the recommendation: Do pass.

MULDOON, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1104.

Respectfully reports the same back: Signed out by the committee.

DONIHUE, Chairman.

MILLER, ELEANOR.	DALEY.
CLARK.	MARTIN.
KEPPLE.	WATSON.
CROWLEY.	ROBERTSON.

The above reported bill ordered on second reading calendar.

Motion to Print Speech in Journal.

On motion of Mr. Boyle, the following speech, in support of Assembly Joint Resolution No. 47 was ordered printed in the Journal:

Speech by Mr. Geoffrey Morgan, Assemblyman, Sixtieth District, California State Legislature, Delivered on Floor of the Assembly Chamber, State Capitol, Sacramento, California, on May 17, 1937.

Mr. Speaker and Members of the Assembly.

In rising to support this resolution by Mr. Boyle and myself, I will begin by directing your attention to the fact that the resolution refers to all of the republics in Central and South America

The Countries of the Western World have much in common, and perhaps the most important attribute they all possess, is that of a republican form of government. No sceptered monarch exerts his sway within the confines either of these great United States, or those of our sister republics to the south When Thomas Jefferson enunciated the great principle that governments are instituted among men in order to preserve their inalienable rights, he laid just emphasis upon the fact that such governments must derive their powers from the consent of the governed. Here in the Western Hemisphere, the people of both North and South America are well persuaded that the doctrine is a sound one and each and all of us stand equally committed to the theory of democracy in our governmental forms.

In the second place, not only North and South America, but the areas between, have been abundantly blessed by the Creator with every form of wealth. The teeming wheat fields of the prairie States find their counterpart in the vast areas of the Argentine; the mighty forests of the western slopes are duplicated in the rich valley of the Amazon, and the boundless store of mineral wealth which we derive from the Rocky Mountains are only exceeded by the rich stores of the Andes and the mines of Montezuma.

In viewing the mighty resources of these mighty Nations, however, it would appear that the Divine Providence has designed that South America shall serve chiefly as a storehouse of vast natural wealth and great resources, while North America shall devote at least a portion of her strength to the creation of finished products. Thus, we find the rubber of the Amazon imported for our automobile tires; the rich woods of the tropic belt are here employed to make the finest furniture; the countless hides of South American herds are here transformed into a vast variety of leather products.

Thus, while our sister republics in the south find an abundant market for their vast resources in the factories of the United States, it is equally essential that we in North America must find an outlet for our finished products somewhere in all that vast area below the Rio Grande; and it is this very need for trade and commerce which has given rise to the project which is noted in these resolutions—that

of establishing an Exposition of the World in Southern California and of maintaining a permanent Pacific Mercado where all the Nations of the Western World may meet for barter and for trade.

Mr. Speaker, there is something peculiarly appropriate in the fact that this mighty exposition is to be situated not only in California, but in Los Angeles.

We in California have more in common with the people of Latin America than any other State in these United States The very name of our great southern metropolis betokens its Spanish origin and every foot of this great Golden State is rich with the heritage and tradition handed down to us from the days of the Dons Not only is our climate almost identical with that of Spain, but our architecture, our manners and customs and the nomenclature of our cities, rivers, mountain peaks and valleys, all bear significant witness of our indebtedness to the mother countries of Spain and Portugal from whom have sprung the industry, the commerce, and the culture of the Western World

Our Honored President, Franklin D. Roosevelt, has never tired of preaching the gospel of the "Good Neighbor." The historic occasion of his visit to our sister republics of the south served more than any other thing, to emphasize the value and importance of peace and good will toward those with whom we have so much in common and from whose associations we can derive so much of mutual benefit. The present proposal to promote a vast commercial and cultural exposition here within the borders of this State affords gratifying evidence of the fact that the President's words have fallen on attentive ears, and that the people of California are well disposed to give practical evidence of their appreciation and affection for their friends and neighbors in Central and South America.

Within the confines of Los Angeles, our Pacific Mercado is destined to be the market place and cross roads of the world. Here shall come argosies from north and south for barter and for trade and here shall men exchange food for clothing and gold for bread. Here shall there be at the same time that meeting of minds, that community of interest, and that cooperation in fellowship and good will which shall build a nobler and a finer civilization for the future than the past has ever known Then will the Republics of the north and south alike be able to join with Catherine Lee Bates in a hymn of aspiration:

"America, America,
God shed his Grace on thee.
And crown our good with brotherhood,
From sea to shining sea."

Withdrawal and Re-reference of Assembly Bill No. 2804.

On motion of Mr. Morgan, Assembly Bill No. 2804 was withdrawn from the Committee on Ways and Means, and re-referred to the Committee on State Grounds and Parks.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Assembly Bill No. 2913.

Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Assembly Bill No. 1017.

Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 619.
Assembly Bill No. 2905.
Assembly Bill No. 820.
Assembly Bill No. 1104.
Assembly Bill No. 1684.
Assembly Bill No. 2904.
Assembly Bill No. 2906.
Assembly Bill No. 1114.

And reports the same correctly engrossed

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 90.
Assembly Bill No. 621.
Assembly Bill No. 1305.
Assembly Bill No. 1755.
Assembly Bill No. 1845.
Assembly Bill No. 1924.
Assembly Bill No. 2124.
Assembly Bill No. 2756.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 2804.

Respectfully reports the same back signed out by the committee.

YORTY, Chairman.
MILLER, ELEANOR.
WALKER.
STREAM.
WEBER.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 2885.
Assembly Bill No. 2903.
Senate Bill No. 585.

Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bills ordered on second reading calendar.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred:

Senate Bill No. 240.
Senate Bill No. 935.

Respectfully reports the same back with the recommendation: Do pass.

TENNEY, Chairman.

The above reported bills ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred.

Assembly Bill No. 2877.

Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

Re-reference of Assembly Bill No. 1581.

On motion of Mr. Levey, Assembly Bill No. 1581 was withdrawn from the calendar, and re-referred to the Committee on Governmental Efficiency and Economy.

Third Reading of Assembly Bills—(Out of Order).

Assembly Constitutional Amendment No. 38—Proposed amendment to Article VI, section 19, of the Constitution, relative to the salaries of the Governor, the Controller and the Treasurer.

Motion to Amend Assembly Constitutional Amendment No. 38.

Mr. Dannenbrink moved to amend Assembly Constitutional Amendment No. 38 as follows

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, after the word "Governor,", strike out the comma and insert the word "and".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, after the word "Controller", insert a period, and strike out the words "and the Treasurer."

Amendment No. 3.

On page 1, line 9, of the printed bill, after the word "Controller," strike out the comma and insert the word "and".

Amendment No. 4.

On page 1, line 9, of the printed bill, after the word "Treasurer," strike out the words "Attorney General and".

Amendment No. 5.

On page 1, line 10, of the printed bill, strike out the words "Surveyor General".

Amendment No. 6.

On page 1, line 22, of the printed bill, after the word "annum," strike out the comma and insert the word "and".

Amendment No. 7.

On page 1, line 23, of the printed bill, after the word "annum", strike out the words "and the Attorney General six".

Amendment No. 8.

On page 1, line 24, of the printed bill, strike out the words "thousand dollars per annum".

Amendment No. 9.

On page 2, line 2, of the printed bill, strike out the words "No salary shall be".

Amendment No. 10.

On page 2 of the printed bill, strike out all of lines 3, 4, and 5.

Amendment No. 11.

On page 2, line 6, of the printed bill, strike out "discretion, abolish the office of Surveyor General, and none", and insert in lieu thereof the word "None".

Amendments adopted.

Request for Unanimous Consent.

Mr. Dannenbrink asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 38, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Constitutional Amendment No. 38, as Amended.

Assembly Constitutional Amendment No. 38—Proposed amendment to Article VI, section 19, of the Constitution, relative to the salaries of the Governor, the Controller and the Treasurer.

Assembly Constitutional Amendment No. 38, as amended, read.

Call of the Assembly.

Pending the announcement of the vote, Mr. Dannenbrink moved a call of the Assembly.

Motion carried.

Time, nine o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Garland, Gilbert, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Mee-

han, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Yorty, and Mr. Speaker—57.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Withdrawal and Re-reference of Assembly Bill No. 2908.

On motion of Mr. Tenney, Assembly Bill No. 2908 was withdrawn from the Committee on Judiciary Codes, and re-referred to the Committee on Judiciary General.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2848—An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation.

Motion to Amend Assembly Bill No. 2848.

Mr. Rosenthal moved to amend Assembly Bill No 2848 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, immediately following "sections", strike out the balance of the line, and insert in lieu thereof the following: "305 and 307 of the Agricul-".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of line 2 of the title.

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 17, inclusive.

Amendment No. 4.

On page 1, line 18, of the printed bill, as amended, strike out "SEC. 2", and insert in lieu thereof "SECTION 1".

Amendment No. 5.

On page 1, line 23, of the printed bill, as amended, strike out "or State inspection", and insert in lieu thereof the following: ", State inspection or approved municipal inspection".

Amendment No. 6.

On page 2, line 2, of the printed bill, as amended, immediately following "sold", insert the following "or transported".

Amendment No. 7.

On page 2, line 5, of the printed bill, as amended, immediately preceding "State", insert a comma.

Amendment No. 8.

On page 2 of the printed bill, as amended, strike out lines 7 to 32, inclusive.

Amendment No. 9.

On page 2, line 33, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "2".

Amendment No. 10.

On page 3, line 1, of the printed bill, as amended, strike out "eight", and insert in lieu thereof "three".

Amendment No. 11.

On page 3, line 8, of the printed bill, as amended, strike out "any", and insert in lieu thereof "an".

Amendment No. 12.

On page 3 of the printed bill, as amended, strike out lines 22 to 52, inclusive.

Amendment No. 13.

On page 4 of the printed bill, as amended, strike out lines 1 to 27, inclusive.

Amendment No. 14.

On page 4, line 28, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "3".

Amendment No. 15.

On page 4, line 29, of the printed bill, as amended, immediately following the comma, insert the following: "and in addition to existing appropriations,".

Amendment No. 16.

On page 4, line 31, of the printed bill, as amended, strike out "this act", and insert in lieu thereof the following: "Article 1, Chapter 1, Division III of the Agricultural Code".

Amendment No. 17.

On page 4, lines 34 and 35, of the printed bill, as amended, strike out "in slaughtering establishments", and insert in lieu thereof the following. ", except for supervision by the director"

Amendment No. 18.

On page 4, line 47, of the printed bill, as amended, immediately following the period add the following: "During the period that moneys are available for the conduct of State meat inspection service out of the moneys herein appropriated, the provisions of section 312 of the Agricultural Code shall not apply in so far as said section pertains to the payment of inspection fees to the Director of Agriculture."

Amendments adopted.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 2848, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2848, as Amended.

Assembly Bill No. 2848—An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation.

Assembly Bill No. 2848, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—Robertson—1

Title read and approved.

Notice of Motion to Reconsider Assembly Bill No. 2848.

Mr. O'Donnell gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2848 was this day passed.

Assembly Bill No. 2710—An act to add section 6625 to the Welfare and Institutions Code, relating to uniforms of patients in State hospitals for the insane.

Bill read third time, and refused passage by the following vote:

AYES—Call, Crowley, Daley, Dawson, Garibaldi, Garland, Glick, Lore, Meehan, Miller, Eleanor; Millington, Morgan, Pelletier, Reaves, Sheehan, Stream, Turner, Walker, Yorty, and Mr. Speaker—20.

NOES—Andreas, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dilworth, Donihue, Donnelly, Field, Gilbert, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Levey, Maloney, Martin, Mayo, McMurray, Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Peyser, Richie, Rosenthal, Scudder, Tenney, Voigt, and Watson—38.

Assembly Bill No. 317—An act to amend sections 7, 23, 24 and 25 of, and to add a new section to be numbered 5 6 to, the Direct Primary Law, relating to candidates.

Bill read third time, and refused passage by the following vote:

AYES—Andreas, Boyle, Clark, Daley, Field, Garland, Gilbert, Hawkins, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, Miller, George P., Millington, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Tenney, Turner, Voigt, Watson, Yorty, and Mr. Speaker—33.

NOES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Garibaldi, Hornblower, Johnson, Leonard, Levey, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peyser, Sawallisch, Scudder, Sheehan, Thorp, Walker, Weber, and Williamson—39.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 317.

Mr. Lore moved to expunge the record and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 317.

Demand for Previous Question.

Messrs. Garland, Cottrell, Robertson, Andreas and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to expunge the record and rescind the action on Assembly Bill No. 317.

The roll was called, and the record expunged by the following vote:

AYES—Andreas, Baynham, Boyle, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—56.

NOES—Breed, Burns, Hugh M., Call, Dilworth, Donihue, Fulcher, Hornblower, Johnson, Millington, Sawallisch, Sheehan, and Williamson—12.

Assembly Bill No. 317 ordered on third reading calendar.

Assembly Bill No. 322—An act granting to the city of Los Angeles and the city of Long Beach the right to adjust and straighten, and to survey, locate and establish dividing lines and property lines between tidelands and submerged lands heretofore granted to said cities and the lands abutting thereon, and to release certain lands from all tideland trusts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2830—An act to amend sections 2.1370 and 2.1371 of the School Code, relating to the State Board of Education.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie,

Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 2800—An act to amend section 369 of the Civil Code, relating to the compensation of dissenting shareholders upon merger or consolidation of corporations.

Bill read third time, and refused passage by the following vote.

AYES—Andreas, Baynham, Burns, Hugh M., Cassidy, Clark, Daley, Donahue, Garibaldi, Gilbert, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Watson, Yorty, and Mr. Speaker—35.

NOES—Boyle, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Mayo, Millington, Muldoon, Peyser, Redwine, Scudder, Sheehan, Stream, Voigt, Walker, Weber, and Williamson—39.

Notice of Motion to Reconsider Assembly Bill No. 2800.

Mr. Tenney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2800 was this day refused passage.

Assembly Bill No. 2642—An act to amend section 640 of the Probate Code, relating to estates.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Crowley, Daley, Dannenbrink, Desmond, Donahue, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, and Mr. Speaker—52.

NOES—Call, Cottrell, Cronin, Dawson, Dilworth, Fulcher, Johnson, Levey, Peyser, Redwine, Robertson, Scudder, Williamson, and Yorty—14

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2027—An act relating to the establishment and maintenance of a Bureau of Safety in the Railroad Commission of this State.

Motion to Amend Assembly Bill No. 2027.

Mr. Watson moved to amend Assembly Bill No. 2027 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 9 to 21, inclusive, and insert in lieu thereof the following: "appointed and whose salaries shall be fixed by the Railroad Commission".

Amendment No. 2.

On page 2, line 3, of the printed bill, as amended, strike out "on railroads and of railroad employees"

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 6 to 10, inclusive.

Demand for Previous Question.

Messrs. Lore, Andreas, Peek, Morgan and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendments by Mr. Watson.

The roll was called, and the amendments adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Cunningham, Dawson, Desmond, Dilworth, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Tenney, Walker, Watson, Weber, and Mr. Speaker—47.

NOES—Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Donihue, Fulcher, Heisinger, Hornblower, Levey, Lore, Maloney, Mayo, Miller, George P., O'Donnell, Patterson, Peek, Peyser, Sawallisch, Sheehan, Turner, Williamson, and Yorty—25.

Request for Unanimous Consent.

Mr Donihue asked for, and was granted, unanimous consent to take up Assembly Bill No. 2027, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2027, as Amended.

Assembly Bill No. 2027—An act relating to the establishment and maintenance of a Bureau of Safety in the Railroad Commission of this State.

Re-reference of Assembly Bill No. 2027.

On motion of Mr. Donihue, Assembly Bill No. 2027 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means

Notice of Motion to Reconsider Assembly Bill No. 2063 Waived.

Mr McMurray waived his notice of motion to reconsider the vote whereby Assembly Bill No 2063 was passed

Assembly Bill No. 2063 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 432.

In compliance with a notice given on a previous day, Mr Morgan moved that the vote whereby Assembly Bill No. 432 was passed be reconsidered.

The roll was called, and Assembly Bill No 432 refused reconsideration by the following vote:

AYES—Baynham, Boyle, Breed, Corwin, Cottrell, Cunningham, Dannenbrink, Dilworth, Field, Fulcher, Garland, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Redwine, Scudder, Sheehan, Stream, Thorp, Turner, Walker, and Watson—32

NOES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Levy, Lore, Lyon, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Tenney, Voigt, Weber, Williamson, Yorty, and Mr Speaker—41

Assembly Bill No 432 ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At ten o'clock and fifty-five minutes p m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Kepple.

The roll of absentees was called, and Assembly Constitutional Amendment No 38 adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Donihue, Fulcher, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Watson, Weber, Yorty, and Mr Speaker—56.

NOES—Dawson, Dilworth, Donnelly, Field, Garland, Hunt, Leonard, Levey, Mayo, O'Donnell Pelletier, Redwine, Turner, Walker, and Williamson—15

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Leave of Absence.

Mr. Flint was granted leave of absence for the balance of this legislative day, on motion of Mr. Hunt.

Hon. Jack B. Tenney in the Chair.

At eleven o'clock and ten minutes p m., Hon. Jack B Tenney, member of the Assembly from the Forty-Sixth District, in the chair.

Further Consideration of Assembly Bill No. 1065.

Assembly Bill No. 1065—An act to establish a California Agricultural Labor Relations Board, to provide machinery for the mediation and arbitration of agricultural labor disputes and for ancillary purposes.

Motion to Amend Assembly Bill No. 1065.

Mr. Robertson moved to amend Assembly Bill No. 1065 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended in the Assembly May 18, 1937, strike out "Mediation Board, defining its", and strike out all of lines 2 to 9, inclusive, and insert in lieu thereof, the following: "Labor Relations Board for the mediation and arbitration of labor disputes and for ancillary purposes, and to prescribe its powers and duties".

Amendment No. 2

On page 1 of the printed bill, as amended in the Assembly on May 18, 1937, strike out lines 1 to 20, inclusive, and all of pages 2 to 22, inclusive, and insert in lieu thereof, the following:

SECTION 1. Policy Labor disputes in California, resulting in strikes and lockouts, have caused great economic loss, not only to the workers and employers directly involved, but to the general public of the State of California and have resulted in bitterness and bloodshed. In the interest of the stabilization of labor conditions and of the general prosperity of the citizenry of the State some machinery should be established capable of effecting the speedy, amicable, and fair adjustment of labor disputes as soon as they arise. The provisions of this act are enacted for the accomplishment of the above objectives.

SEC. 2. General Duties. (a) All disputes between an employer or employers and an employee or employees concerning grievances, rates of pay, hours of work, rules, or working conditions, or arising out of agreements concerning such, shall be considered and decided, if possible, in conference between the parties themselves or their representatives designated and authorized so to confer in order to avoid any interruption to production or commerce.

(b) Representatives for the purposes of this act shall be designated by the parties without any interference or coercion of any kind.

SEC. 3. California Labor Relations Board There is hereby established a California Labor Relations Board composed of five persons to be appointed by the Governor by and with the advice and consent of the Senate

(a) Appointment. The offices of the five board members shall be designated as follows: Board member number one, board member number two, board member number three, board member number four, and the chairman of the board. Board member number one shall be appointed to represent industrial employees. Board member number two shall be appointed to represent agricultural employees Board member number three shall be appointed to represent industrial employers, and board member number four shall be appointed to represent agricultural employers

The chairman of the board shall be appointed to represent the interest of the State and general public. The chairman of the board shall not be an employee of or financially interested in any business subject to the provisions of this act, nor shall he be an employee of any labor organization or association, the members of which are subject to the terms of this act. The chairman of the board shall be the executive officer thereof.

(b) Tenure. Except as herein provided, the term of office of each member of the board shall be four years, and until the appointment and qualification of his successor. For the purpose of determining the date of expiration of any term, the period during which the predecessor holds over shall be computed as part of the successor's term. Vacancies shall be filled for the unexpired portion of the current term.

The first term of office of board member number one and of board member number three shall expire February 1, 1939

The first term of office of board member number two and of board member number four shall expire February 1, 1940.

The first term of office of the chairman of the board shall expire February 1, 1941.

In making appointments the Governor shall designate the position to be filled.

(c) Expenses. The board may appoint a secretary, experts, referees, attorneys, assistants and such other personnel as seem necessary to it for the administration of this act, subject to the provisions of the Civil Service Laws The board may make expenditures for necessary rent, books, periodicals and research.

(d) Compensation. Board members numbers one, two, three, and four shall receive the sum of $15 per day as compensation for each and every day devoted to the actual performance of their duties under the provisions of this act. The chairman of the board shall receive an annual salary of $6,000. Each member of the board shall receive his actual and necessary traveling expenses incurred in the business of the board. The compensation of employees of the board and other expenses shall be paid monthly from the funds appropriated for the use of the board after being approved by the board.

(e) Quorum. A majority of the members of the board shall constitute a quorum. Any action concurred in or approved by a majority of the entire board shall be the act of the board; provided, however, that in making and rendering findings, conclusions or recommendations, as hereinafter provided, there may be a majority report and a minority report. The board may authorize its representative or representatives to arrange for, call, hold and conduct the meetings of employees as hereinafter provided.

(f) Annual Report. The board shall make and submit to the Governor on or before the first day of December of each year a report containing a full and complete account of its proceedings during the previous 12 month period and setting forth such suggestions and recommendations as it deems of value.

(g) Oath of Office. Each member of the board shall, before entering upon the duties of his office, take and subscribe to the constitutional oath of office.

(h) The board shall have the power to make such rules and regulations as may be necessary for the administration of this act.

SEC. 4. Duties of the board.

(a) The parties, or either party, to a dispute between an employee or employees and an employer or employers subject to the terms of this act may invoke the services of the board, or the board may proffer its services in the case of any dispute between said persons concerning grievances, rates of pay, hours of work, rules, or working conditions, or arising out of agreements concerning such. In either event the board shall promptly put itself in communication with the parties to such controversy, and shall use its best efforts, by mediation, to bring them to agreement. If such efforts to bring about an amicable adjustment through mediation shall be unsuccessful, the board shall at once endeavor to induce the parties to submit their controversy to arbitration in accordance with the provisions of this act.

(b) The board shall also have certain other duties as set forth in other sections of this act.

SEC. 5. Arbitration. Whenever a controversy is not settled in conference or through mediation, the controversy may, by agreement of the parties, be submitted to the arbitration of a board of arbitration composed of three, or if the parties so stipulate, of six persons.

(a) Composition of Board of Arbitration. In the case of a board of arbitration of three members, each party to the dispute shall name one member, and these two shall choose the third. If, after their first meeting they fail to do so within five days, the Labor Relations Board shall name the third. In the case of a board of arbitration of six members, each party shall name two members, and these four shall name the other two. If they fail to do so within five days after their first meeting, the Labor Relations Board shall name the two remaining members.

(b) Notice to Board. When the arbitrators selected by the respective parties have agreed upon the remaining arbitrator or arbitrators, they shall notify the Labor Relations Board, and in the event of their failure to agree upon any or all of the necessary arbitrators within the period fixed by this act, they shall, at the expiration of such period, so notify the Labor Relations Board.

(c) Hearings. The board of arbitration shall organize, and select its own chairman, and make all necessary rules for the conduct of its hearings; provided, however, that the board of arbitration shall be bound to give the parties to the controversy a full and fair hearing, which shall include an opportunity to present evidence in support of their claims, and an opportunity to present their case, in person, by counsel, or by other representative as they may respectively elect.

(d) Qualifications. No arbitrator, chosen by the Labor Relations Board, shall be interested in the controversy or connected with the parties thereto.

(e) Compensation. Each member of any board of arbitration, created under the provisions of this act, named by either party to the arbitration shall be compensated by the party naming him. Each arbitrator selected by the arbitrators or by the Labor Relations Board shall receive from the said board such compensa-

tion as the Labor Relations Board may fix, together with his necessary traveling expenses incurred while serving as an arbitrator.

(f) Copy of Award. The board of arbitration shall furnish a certified copy of its award to the respective parties to the controversy. It shall transmit the original together with the papers, proceedings, and transcript of the evidence taken at the hearings, certified by at least a majority of the members of the board of arbitration to the Labor Relations Board.

(g) Employment of Assistants. A board of arbitration may, subject to the approval of the Labor Relations Board, employ and fix the compensation of such assistants as it deems necessary to carry on the arbitration proceedings. The compensation of such employees and the necessary expenses of boards of arbitration shall be paid by the Labor Relations Board from its funds.

(h) Power to Administer Oaths. All testimony before a board of arbitration shall be given under oath or affirmation, and any member of a board of arbitration shall have the power to administer oaths or affirmations.

SEC. 6. Agreement to Arbitrate. All agreements to arbitrate under this act shall:

(a) Be in writing.

(b) Stipulate that the arbitration is had under the provision of this act.

(c) State whether the board of arbitration is to consist of three or of six members.

(d) Be signed by the duly accredited representatives of the employer or employers and the employees, parties respectively to the agreement to arbitrate, and be acknowledged by the parties before a notary public or before a member of the Labor Relations Board, and, when so acknowledged, be filed in the office of the Labor Relations Board.

(e) State specifically the questions to be submitted to the said board of arbitration for decision.

(f) Provide that the questions, or any one or more of them, submitted by the parties to the board of arbitration may be withdrawn from arbitration on notice to that effect signed by the duly accredited representatives of all parties and served on the board of arbitration.

(g) Stipulate that the signatures of a majority of the board of arbitration affixed to its award shall be competent to constitute a valid and binding award.

(h) Fix a period from the date of the appointment of the arbitrator or arbitrators necessary to complete the board within which the board of arbitration shall commence its hearings.

(i) Fix a period from the beginning of the hearings within which the board of arbitration shall made and file its award; however, the parties may agree at any time upon an extension of this period.

(j) Provide for the date from which the award shall become effective and shall fix the period during which the award shall continue in force.

(k) Provide that the award, when certified by a majority of the members of the board of arbitration, be filed in the office of the Labor Relations Board, and that when so filed it shall be final and conclusive upon the parties as to the facts determined by it and as to the merits of the controversy decided.

(l) Provide that any difference arising as to the meaning, or the application of the provisions, of an award made by a board of arbitration, shall be referred back for a ruling to the same board, or, by agreement, to a subcommittee of such board; and that such ruling, when acknowledged in the same manner, and filed in the office of the Labor Relations Board, shall be a part of and shall have the same force and effect as the original award.

(m) Provide that the respective parties to the award shall each faithfully execute it.

SEC. 7. Limitation on Act. The provisions of this act shall not be construed so as to limit or curtail in any way the right of employees to strike, nor shall anything in this act be construed as directly or indirectly advocating or encouraging the unionization of agricultural or other labor.

SEC. 8. The Labor Relations Board or its authorized representative shall, upon receiving a written request from any employer involved in or affected by a labor dispute, or from a representative of any group of employees involved in or affected by a labor dispute, forthwith proceed to arrange for, call, hold and conduct a meeting of the employees involved in, or affected by such labor dispute, or may at any time on its own motion arrange for, call, hold and conduct such a meeting. The Labor Relations Board shall cause reasonable notice of the place where and the time when—not exceeding five days—such meeting shall be held.

At such meeting the board or its representative may present to such employees such information, advice or recommendation as it may deem fit and proper, and, in its discretion, the board or its representative may permit the employer or a representative of the employer and a representative of such employees to make such statements, offers or arguments to such employees as to the board may seem fit and proper.

SEC. 9. At such meeting, the board shall be empowered to hold and conduct a vote of the employees affected or involved in such labor dispute on any or all of

such questions, disputes or offers by secret ballot, and it is provided that any election held at such meeting shall be by secret ballot; provided, however, that a ballot by acclamation or otherwise may be held if, in the discretion of the Labor Relations Board, a secret ballot is unduly cumbersome and unnecessary to accomplish the purposes of this act. For such purpose the board may determine the proper unit, group or class of employees who shall vote upon such questions, disputes or offers.

SEC 10 The vote of a majority of the employees at any such meeting at which a majority of the employees in any group, unit or class of employees involved in, or affected by such labor dispute, shall be present, shall be final, conclusive and binding upon all of such employees, provided, that no employee shall thereby be required to render labor or service without his consent or against his will or to become a member of any labor organization against his will or without his consent

SEC. 11 The term "labor dispute," as used in this act, means any question or dispute, whether presently existing or reasonably likely to occur, between employees and their employer concerning wages, hours, terms and conditions of employment or the interpretation of, or compliance with any contract, agreement or understanding, oral or written, between the employees and their employer and shall also include all questions or disputes concerning the proper representatives of such employees for the purposes of collective bargaining.

SEC. 12. It shall be unlawful to interfere with or obstruct the calling or holding of any meeting or election herein provided for, or to interfere with, obstruct or prevent the performance of any contract, understanding or agreement made or entered into pursuant to, or in accordance with, the provisions of this act, or to attempt to persuade, induce or compel any of the parties thereto, or working thereunder, to violate the same.

SEC. 13 Emergency powers of the Labor Relations Board. If a dispute is not adjusted under the foregoing provisions of this act and should, in the judgment of the board, threaten substantially to disrupt the planting, harvesting, packing, or shipping of agricultural products, the board shall promptly investigate the facts as to the dispute and make a report thereon to the Governor.

SEC. 14. Cooperation with other Federal and State agencies, research to collect statistics, etc.

The board shall investigate the underlying agricultural conditions which produce labor disturbances and recommend to the Governor legislation or other procedures designed to improve such conditions. The board shall collect and publish such information and data concerning the supply and demand of transient workers for specific industries as the board finds necessary or desirable to correlate the supply with the demand. In any of the aforesaid activities the board is authorized to confer and cooperate with the United States Department of Agriculture, the Resettlement Administration, or any other duly constituted department or agency of the United States or of the State of California.

SEC 15. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act or the application of such provision to other persons or circumstances shall not be affected thereby."

Motion to Table Amendments.

Mr. King moved that the amendments be laid on the table.

Point of Order.

Mr. Millington arose to the following point of order That there had been no intervening business, therefore the motion was out of order.

The Speaker ruled the point of order not well taken.

Appeal from Decision of the Chair.

Mr. Millington appealed from the decision of the Chair

Decision of the Chair Sustained.

The roll was called, and the Decision of the Chair sustained by the following vote:

AYES—Andreas, Boyle. Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gilbert, Glick, Hawkins, Heisinger, Hornblower, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Weber, Williamson, and Yorty—53.

NOES—Cunningham, Garibaldi, Garland, Johnson, Kepple, Millington, Robertson, and Walker—8.

The question being on the motion to lay the amendments by Mr. Robertson on the table.

The roll was called, and the amendments tabled by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dawson, Donihue, Donnelly, Fulcher, Gilbert, Glick, Hawkins, Heisinger, Hornblower, King, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Weber, Williamson, and Yorty—42.

NOES—Baynham, Breed, Burns, Hugh M., Corwin, Cottrell, Cunningham, Dannenbrink, Desmond, Dilworth, Field, Garibaldi, Garland, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Mayo, Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Scudder, Stream, and Walker—28.

Motion to Amend Assembly Bill No. 1065.

Messrs. Cunningham, Field, Kepple, Millington, Gannon, Boyle and Muldoon moved to amend Assembly Bill No 1065 as follows:

Amendment No. 1.

On page 6 of the printed bill, as amended, between lines 20 and 21, insert the following:

"SEC. 21a. Nothing in this act is intended to sanction, nor shall the same be construed as sanctioning that form of a strike which is commonly known as the "sit-down" strike, and any person who enters upon real property in the possession of another, or remains thereon without a claim made in good faith of a legal right to possession, and without the permission and against the expressed will of the person or agent of the person entitled to the possession of the premises, is guilty of a misdemeanor."

Motion to Table Amendment.

Mr. Patterson moved that the amendment be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Dannenbrink, Dawson, Donihue, Gilbert, Hawkins, Hornblower, King, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Weber, Williamson, Yorty, and Mr. Speaker—33.

NOES—Andreas, Boyle, Breed, Cassidy, Corwin, Cottrell, Cunningham, Daley, Desmond, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Turner, and Walker—38.

Motion to Postpone Indefinitely.

Mr. Mayo moved that further consideration of Assembly Bill No. 1065 be postponed indefinitely.

Demand for Previous Question.

Messrs. Dawson, Heisinger, O'Donnell, Breed and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to postpone consideration of Assembly Bill No. 1065 indefinitely.

The roll was called, and the motion to postpone indefinitely carried by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland, Hornblower, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, and Williamson—47.

NOES—Boyle, Cassidy, Clark, Donihue, Gilbert, Glick, Hawkins, Heisinger, Johnson, King, Kuchel, Meehan, Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Yorty, and Mr. Speaker—24.

Notice of Motion to Reconsider Motion to Postpone Assembly Bill No. 1065 Indefinitely.

Mr. Tenney gave notice that on the next legislative day he would move to reconsider the vote whereby the motion to postpone consideration of Assembly Bill No. 1065 indefinitely was this day carried.

Reconsideration of Motion to Postpone Assembly Bill No. 1065 Indefinitely.

In compliance with a notice given, Mr. Muldoon moved that the vote whereby the motion to postpone consideration of Assembly Bill No. 1065 indefinitely was carried be reconsidered

The roll was called, and the motion to postpone Assembly Bill No. 1065 indefinitely refused reconsideration by the following vote:

AYES—Boyle, Cassidy, Gilbert, Hawkins, Johnson, King, Kuchel, Lore, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Watson, Yorty, and Mr. Speaker—20

NOES—Baynham, Breed, Burns, Hugh M., Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Glick, Heisinger, Hornblower, Kepple, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, and Williamson—45.

Re-reference of Assembly Bill No. 621.

On motion of Mr. Cassidy, Assembly Bill No. 621 was withdrawn from the calendar, and re-referred to the Committee on County Government.

Notice of Motion to Withdraw Senate Bill No. 241 from Committee.

Mr. Burns, Michael J., gave notice, in compliance with Rule 58, that he would move to withdraw Senate Bill No. 241 from the Committee on Labor and Capital, and have it placed upon the calendar.

Resolution.

The following resolution was offered:

By the Committee on Attaches:

House Resolution No. 175.

Resolved, That the following named person be, and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, Sundays excepted, and the Controller is hereby directed to draw his warrants in favor of the said person for the said amounts, and the Treasurer is hereby directed to pay the same

Commencing May 20, 1937—	*Per day*
James Murphy, Assistant Sergeant-at-Arms	$5 00

Resolved, further, That the following named person be stricken from the list of Assembly Attaches, and his name be stricken from the pay roll of the Assembly, as follows:

Beginning May 20, 1937—	*Per day*
W. E. Babcock, Assistant Sergeant-at-Arms	$5 00

House Resolution No. 175 read, and adopted by the following vote.

AYES—Baynham, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Notices of Motion to Withdraw Bills from Committee.

Mr. Breed gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 1677 from the Committee on Judiciary General, and have it placed upon the calendar.

Mr. Peyser gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 408 from the Committee on Labor and Capital, and have it placed upon the calendar.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Flint:

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 3040, 3102 and 3128 of the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Flint:

An act to amend sections 3040, 3102 and 3128 of the Business and Professions Code, relating to the practice of optometry

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

Assembly Bill No. 2914: By Mr. Flint—An act to amend sections 3040, 3102 and 3128 of the Business and Professions Code, relating to the practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 23—Relative to memorializing the United States Post Office Department to issue a suitable postage stamp commemorating the founding of Fort Sutter.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Joint Resolution No. 23 referred to Committee on Federal Relations.

SENATE CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Constitutional Amendment No. 21.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

Assembly Constitutional Amendment No. 21.

A resolution proposing to the people of the State of California an amendment to the Constitution of said State by amending section 31 of Article IV thereof, relating to gifts to municipal corporations and the apportionment of funds out of the State Treasury for county, city and county, city or other municipal purposes.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its fifty-second regular session commencing on the fourth day of January, 1937, two-thirds of all the members elected to each of the houses voting therefor, hereby proposes to the people of the State of California that section 31 of Article IV, of the Constitution of the State of California be amended to read as follows:

Sec. 31. The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State, or of any county, city and county, city, township or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof, in any manner whatever, for the payment of the liabilities of any individual, association, municipal or other corporation whatever; nor shall it have power to make any gift or authorize the making of any gift, of any public money or thing of value to any individual, or corporation whatever; provided, that nothing in this section shall prevent the Legislature granting aid pursuant to section 22 of this article; and it shall not have power to authorize the State, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever: provided further, that irrigation districts for the purpose of acquiring the control of any entire international water system necessary for its use and purposes, a part of which is situated in the United States, and a part thereof in a foreign country, may in the manner authorized by law, acquire the stock of any foreign corporation which is the owner of, or which holds the title to the part of such system situated in a foreign country, provided further, that irrigation districts for the purpose of acquiring water and water rights and other property necessary for their uses and purposes, may acquire and hold the stock of corporations, domestic or foreign, owning waters, water rights, canals, waterworks, franchises or concessions subject to the same obligations and liabilities as are imposed by law upon all other stockholders in such corporation; and

Provided further, that nothing contained in this Constitution shall prohibit the use of State money or credit, in aiding veterans who served in the military or naval service of the United States during time of war, in the acquisition of, or payments for, farms or homes, or in projects of land settlement or in the development of such farms or homes or land settlement projects for the benefit of such veterans.

The California Veterans' Welfare Bond Act of 1921 (Statutes of 1921, Chapter 578), as enacted at the forty-fourth session of the Legislature of the State of California, authorizing the issuance and sale of State bonds in the sum of ten million dollars, for the purpose of creating a fund to carry out the provisions of the California Veterans' Welfare Act, providing land settlement for veterans (Statutes of 1921, Chapter 580), and the provisions of the "Veterans' Farm and Home Purchase Act," providing farm and home aid for veterans (Statutes of 1921, Chapter 519) is hereby approved, adopted, legalized, validated and made fully and completely effective irrespective of the vote that may be cast upon the proposition of approving or disapproving such Veterans' Welfare Bond Act of 1921 at the general election of November 7, 1922. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action.

And provided, still further, that notwithstanding the restrictions contained in this Constitution, the treasurer of any city, county, or city and county shall have power and it shall be his duty to make such temporary transfers from the funds in his custody as may be necessary to provide funds for meeting the obligations incurred for maintenance purposes by any city, county, city and county, district, or other political subdivision whose funds are in his custody and are paid out solely through his office. Such temporary transfer of funds to any political subdivision shall be made only upon resolution adopted by the governing body of the city, county, or city and county directing the treasurer of such city, county, or city and county to make such temporary transfer. Such temporary transfer of funds to any political subdivision shall not exceed eighty-five per cent of the taxes accruing to such political subdivision, shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year, and shall be replaced from the taxes accruing to such political subdivision before any other obligation of such political subdivision is met from such taxes.

And provided further, that the city of Glendale, of Los Angeles County, may, when authorized so to do, by a majority of the voters thereof voting at an election held for that purpose, pay from the surplus of the public service department of said city the amount of any assessment or assessments levied by said city between the eleventh day of May, 1921, and the ratification of this amendment, for the replacement of water mains, to the person or persons owning the property so assessed at the time said payment is so authorized; and that no statute of limitations shall apply in any manner.

And provided further, that notwithstanding anything contained in this or any other section of this Constitution, the Legislature shall have power by general and uniform laws to provide for the apportionment of funds out of the State Treasury for county, city and county, city or other municipal purposes.

Notice of Motion to Reconsider Assembly Bill No. 2593 Waived.

Mr. Hunt waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2593 was passed.

Assembly Bill No. 2593 ordered transmitted to the Senate.

Notices of Motion to Reconsider Assembly Bills Continued.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1283 was refused passage was continued until the next legislative day.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2250 was refused passage was continued until the next legislative day.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 2044—An act to amend section 2.112 of the School Code, relating to the enlargement of school districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1755—An act to add section 7.2 to the Alcoholic Beverage Control Act, relating to licenses.

Committee Amendment to Assembly Bill No. 1755.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 7 and 8, of the printed bill, as amended, strike out "already in possession of a".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2901—An act making an appropriation for additional support of The Adjutant General and the California National Guard, including allowances to organizations, rental of armories, and maintenance of High School Cadets, for the eighty-ninth and ninetieth fiscal years, and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 2901.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, after "Cadets", insert the following: "and Naval Militia".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "eighty", and insert in lieu thereof the following: "ninety".

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out "87,920", and insert in lieu thereof the following: "97,920".

Amendment No. 4.

On page 1, line 7, of the printed bill, after "Cadets", insert the following "and Naval Militia".

Amendment No. 5.

On page 1 of the printed bill, between lines 7 and 8, insert the following:

"SEC. 2. The expenditure herein authorized of the moneys appropriated by this act shall be subject to all of the provisions of Chapter 157 of the Statutes of 1937."

Amendment No. 6.

On page 1, line 8, of the printed bill, strike out "2", and insert in lieu thereof the following: "3".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1296—An act to add section 612 to the Streets and Highways Code, relating to the establishment of a secondary State highway

Bill read second time, and ordered to third reading

Assembly Bill No. 1684—An act to amend section 607.1 of the Vehicle Code, relating to vehicles liable for toll charges.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2835—An act to provide for the regulation of the marketing, preparing and processing of agricultural foodstuffs, to provide for the administration of such act by the Director of Agriculture, to prescribe standards for the guidance of said director, and to declare the urgency of this act, to take effect immediately.

Committee Amendments to Assembly Bill No. 2835.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 2.

On page 1, line 23, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 3.

On page 2, line 2, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 4.

On page 2, line 6, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 5.

On page 2, line 11, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 6.

On page 2, line 30, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 7.

On page 2, line 35, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 8.

On page 2, line 42, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 9.

On page 3, line 21, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed"; and strike out "beer, wine,".

Amendment No. 10.

On page 3, line 39, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 11.

On page 3, line 42, of the printed bill, as amended, strike out "an agricultural", and insert in lieu thereof the words "a processed".

Amendment No. 12.

On page 3, line 44, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 13.

On page 4, line 4, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 14.

On page 4, line 9, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 15.

On page 4, line 36, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 16.

On page 4, line 40, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 17.

On page 4, line 44, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 18.

On page 5, line 11, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 19.

On page 5, line 14 of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 20.

On page 5, line 19, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed"

Amendment No. 21.

On page 5, line 22 of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 22.

On page 5, line 28, of the printed bill, as amended, strike out "agricultural" and insert in lieu thereof the word "processed".

Amendment No. 23.

On page 5, line 32 of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 24.

On page 5, line 38, of the printed bill, as amended, strike out "processing and".

Amendment No. 25.

On page 6, line 20, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 26.

On page 6 line 22, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 27.

On page 6, line 35, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 28.

On page 7, line 4, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 29.

On page 7, line 7, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 30.

On page 7, line 10, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed"

Amendment No. 31.

On page 7, line 20, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 32.

On page 7, line 26, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 33.

On page 7, line 36, of the printed bill, as amended, strike out "agricultural" and insert in lieu thereof the word "processed".

Amendment No. 34.

On page 7, line 40, of the printed bill, as amended, strike out "agricultural" and insert in lieu thereof the word "processed".

Amendment No. 35.

On page 7, line 46, of the printed bill, as amended, strike out "an agricultural", and insert in lieu thereof the words "a processed".

Amendment No. 36.

On page 8, line 12, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 37.

On page 8, line 48, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 38.

On page 9, line 6, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 39.

On page 9, line 12, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 40.

On page 9, line 23, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 41.

On page 9, line 38, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 42.

On page 9, line 45, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 43.

On page 9, line 48, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 44.

On page 13, line 4, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 45.

On page 13, line 6, of the printed bill, as amended, strike out "agricultural", and insert in lieu thereof the word "processed".

Amendment No. 46.

On page 13, line 16, of the printed bill, as amended, strike out "Agricultural", and insert in lieu thereof the word "Processed".

Amendment No. 47.

On page 13, line 17, of the printed bill, as amended, strike out all of lines 17 to 29 inclusive, that is, all of section 18, and insert in lieu thereof the following:

"SEC. 18. Termination. This act shall terminate and cease to be in effect on and after midnight September 30, 1939".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1017—An act to add a new section numbered 4041.26 to the Political Code, relating to jurisdiction, powers and duties of county boards of supervisors.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2913—An act to amend section 234 of the Agricultural Code, relating to bovine tuberculosis.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1178—An act to add a new section numbered 7.7 to the Alcoholic Beverage Control Act, relating to licenses.

Bill read second time, and ordered on third reading calendar.

Assembly Bill No. 2804—An act authorizing the Department of Natural Resources, acting through the State Park Commission, to enter into lease contracts, with option to purchase, for the use as State parks of ocean beaches and other lands, and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2503—An act to add section 25a to "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the powers of the Surveyor General.

Motion to Amend Assembly Bill No. 2503.

Mr. Hornblower moved to amend Assembly Bill No 2503 as follows:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 35 and 36, and insert in lieu thereof the following: "shall be divided into parcels containing 40 acres, more or less, pro-".

Amendment No. 2.

On page 5 of the printed bill, as amended, strike out lines 26 to 30, inclusive, and insert in lieu thereof the following: "highest per centum in amount and value of the oil, gas, casinghead gasoline or other hydrocarbon substances from said State lands but no bid shall be accepted and no lease shall be made unless the same provides for payment to the State of more than thirty per cent (30%) of the amount or value of the production of oil and gas from any wells drilled thereunder, when the average daily production thereof during a period of thirty consecutive producing days exceeds 200 barrels of oil, and for payment to the State of more than forty per cent (40%) of the value of such production, when the average daily production thereof during a period of 30 consecutive producing days exceeds 1,000 barrels of oil, and for payment to the State of more than 50 per cent (50%) of the value of such production when the average daily production thereof during a period of 30 consecutive producing days exceeds 2,000 barrels of oil."

Amendments adopted.

Assembly Bill No. 2503 ordered to reprint, and re-engrossment.

Third Reading of Senate Bills.

Senate Bill No. 412—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class.

Bill read third time.

Motion to Amend Senate Bill No. 412.

Mr Crowley moved to amend Senate Bill No 412 as follows:

Amendment No. 1.

On page 2, line 26, of the printed bill, as amended, strike out "one thousand eight hundred dollars", and insert in lieu thereof the following: "two thousand dollars".

Amendment No. 2.

On page 2, line 30, of the printed bill, as amended, strike out "eight", and insert in lieu thereof the following: "nine".

Amendment No. 3.

On page 2, line 31, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "twenty".

Amendment No. 4.

On page 2, line 34, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "six".

Amendments adopted.

Senate Bill No. 412 ordered to reprint, and third reading calendar.

Senate Bill No. 466—An act to amend sections 705, 882, 1500, 1590, 1678, 1679, 1713, 1765, 11060 and 11061 of the Insurance Code, and to

add section 900.5 thereto, all relating to insurance, and declaring the urgency thereof, the act to take effect immediately.

Motion to Amend Senate Bill No. 466.

Mr. Scudder moved to amend Senate Bill No. 466 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "and 11061", and insert in lieu thereof a comma and the following: "11061, and 12974".

Amendment adopted.

Senate Bill No. 466 ordered to reprint, and third reading calendar.

Senate Bill No. 1037—An act to repeal Chapter 5 comprising sections 11910 to 12023, inclusive, of Part 3 of Division 2 of Insurance Code, relating to mutual workmen's compensation insurers.

Motion to Amend Senate Bill No. 1037.

Mr. Scudder moved to amend Senate Bill No. 1037 as follows:

Amendment No. 1.

On page 4, lines 45 and 46, of the printed bill, as amended, strike out "but not including expenses incurred for the prevention of injuries".

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out lines 48 to 51, inclusive, and on page 5, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following: "premiums actually received less return premiums during that year, except that such insurer may expend for the prevention of injuries an amount not exceeding eight per cent thereof in addition to such thirty per cent The".

Amendments adopted.

Senate Bill No. 1037 ordered to reprint, and third reading calendar.

Senate Bill No. 458—An act to amend sections 1390, 1391, 1392, and 1399 of the Insurance Code, relating to insurance

Bill read third time.

Motion to Amend Senate Bill No. 458.

Mr. Scudder moved to amend Senate Bill No 458 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the comma insert the following: "and to repeal an act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911,".

Amendment No. 2.

On page 2 of the printed bill, after line 9, insert the following

"SEC. 5 An act entitled "An act defining certain classes of contracts for the exchange of indemnity, prescribing regulations therefor and fixing a license fee," approved December 24, 1911, is hereby repealed."

Amendments adopted.

Senate Bill No. 458 ordered to reprint, and third reading calendar.

Senate Bill No. 1146—An act to amend section 10 of the "Highway Carriers' Act," relating to highway carriers, including rates chargeable by such carriers.

Motion to Amend Senate Bill No. 1146.

Mr Desmond moved to amend Senate Bill No. 1146 as follows:

Amendment No. 1.

On page 1, lines 8 and 9, of the printed bill, strike out "Chapter 213 of the Laws of 1917, and", and insert in lieu thereof the following: "the Public Utilities Act,".

Amendment No. 2

On page 2, line 4, of the printed bill, after "application", insert the following: "and enforcement".

Amendments adopted.

Senate Bill No 1146 ordered to reprint, and third reading calendar.

Senate Bill No. 827—An act to amend section 762 of the Probate Code of the State of California, relating to the sale of property belonging to an estate which is subject to any lien.

Motion to Amend Senate Bill No. 827.

Mr. Burns, Hugh M., moved to amend Senate Bill No. 827 as follows:

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, strike out "our", and insert in lieu thereof the word "or".

Amendment adopted.

Senate Bill No. 827 ordered to reprint, and third reading calendar.

Senate Bill No. 633—An act to add section 1083d to the Political Code, relating to the publication of notice of intention to circulate petitions.

Motion to Amend Senate Bill No. 633.

Mr. Dilworth moved to amend Senate Bill No. 633 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended April 9, 1937, strike out all of lines 3 to 13, both inclusive.

Amendment No. 2.

On page 2, line 19, of the printed bill, as amended April 9, 1937, after the word "statement", insert a period, and strike out the remainder of said line; also strike out all of line 20, and all of line 21 down to the period following the word "statement".

Amendments adopted.

Senate Bill No. 633 ordered to reprint, and third reading calendar.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 2885—An act to amend section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the county of San Joaquin.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2903—An act to add Title Ia, comprising sections 1110.1 to 1110.7, inclusive, to Part III of the Code of Civil Procedure, relating to a judicial examination of administrative determinations.

Bill read second time, and ordered to engrossment.

Third Reading of Senate Bills.

Senate Bill No. 908—An act to amend sections 1299.18, 1300, 1300.3 and 1300.4 of the Agricultural Code, relating to processors of farm products.

Motion to Amend Senate Bill No. 908.

Mr. Scudder moved to amend Senate Bill No. 908 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 49 to 50, and insert in lieu thereof the following:

"(f) Whether or not the applicant intends to process more than one hundred tons of farm products during the license year."

Amendment adopted.

Senate Bill No. 908 ordered to reprint, and third reading calendar.

Adjournment.

At eleven o'clock and fifty-nine minutes p m , on motion of Mr. King, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, May 20, 1937.

GLENN E. COOLIDGE, Assistant Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SIXTH LEGISLATIVE DAY
ONE HUNDRED THIRTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 20, 1937.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Muldoon, the further reading of the Journal of Wednesday, May 19, 1937, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Mr. Beene, on motion of Mr. Cottrell.

Guests Extended Privilege of Assembly Floor.

On request of Messrs. Mayo and Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Haines Gridley and Mrs. C. E. Lewis of Auburn.

On request of Mr. Cottrell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Josephine W. Duveneck, Director; Mrs. Russell Lee, and Mr. Thomas Crosthwaite, teachers; and the following seventh and eighth grade civics class students of Peninsula School, Menlo Park: Jim Allen, Elaine Barrett, Janet Chedester, Bernard Duveneck, Louise Catherine Daggett, Salvador Enriguez, Philip Lee, Henry Needham, Stephen Morrison, Mar-

gene Johnson, Jean Weed, Frank Wheeler, William Silverthorn, Murial Helliwell, and Andre Putcamp.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fred Fegan and Fred E. Fegan, Jr.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Walker, and Miss Schmidt, teachers; and the following students of the Washington School, Perkins, Sacramento County: Dorothy Makishima, Rose Mae Morikawa, Barbara Hayashi, Nancy Matsui, Alice Taricco, Margaret Lee, Gus Kelperis, Jiro Larry Fuji, Koso Okai, Cecil Cayocco, Woodrow Imai, Howard Takao, Jimmie Haruo Namba, Noboru Uyeno, George Hirota, Ben Uda, Angelina Sani, Ema Lorene McDonell, Dolly Lais, and Marion McDonell.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to L. C. Unger and E. L. Daniels of Fresno.

Assistant Clerk Berry Reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 19, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended;

Assembly Bill No. 2053.
Assembly Bill No. 2269.
Assembly Bill No. 2376.
Assembly Bill No. 2714.
Assembly Bill No. 1123.
Assembly Bill No. 1228.
Assembly Bill No. 1500.
Assembly Bill No. 1598.
Assembly Bill No. 1748.
Assembly Bill No. 1879.
Assembly Bill No. 1940.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 812—An act to regulate the use of public highways for commercial purposes by motor carriers of passengers operating thereon for the transportation of persons for hire or compensation; to define motor carriers of passengers and to provide for the regulation and supervision thereof and the issuance of permits thereto; to confer powers upon the Railroad Commission of California with respect to motor carriers of passengers and their agents; to prevent discriminations between various forms of transportation; to confer powers on the Department of Motor Vehicles with respect to the issuance of license plates or emblems to motor carriers of passengers; to foster a fair distribution of traffic between the several highway transportation agencies to the end that the public highways may be relieved of unnecessary commercial traffic and that necessary existing agencies of transportation shall be preserved, and providing penalties for violation of this act.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No 812 read first time, and referred to Committee on Motor Vehicles.

SENATE CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 2801.
Assembly Bill No. 2829.
Assembly Bill No. 2842.
Assembly Bill No. 2183.
Assembly Bill No. 2338.
Assembly Bill No. 2345.
Assembly Bill No. 2405.
Assembly Bill No. 2505.
Assembly Bill No. 2610.
Assembly Bill No. 2612.
Assembly Bill No. 2614.
Assembly Bill No. 2616.
Assembly Bill No. 2662.
Assembly Bill No. 1573.

Assembly Bill No. 1626.
Assembly Bill No. 1628.
Assembly Bill No. 1678.
Assembly Bill No. 1683.
Assembly Bill No. 1858.
Assembly Bill No. 1869.
Assembly Bill No. 2014.
Assembly Bill No. 2052.
Assembly Bill No. 74.
Assembly Bill No. 135.
Assembly Bill No. 303.
Assembly Bill No. 503.
Assembly Bill No. 695.
Assembly Bill No. 1014.
Assembly Bill No. 1021.
Assembly Bill No. 1034.
Assembly Bill No. 1363.
Assembly Bill No. 1501.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

Second Reading of Senate Bills.

Senate Bill No. 987—An act to amend section 412 of the Penal Code prohibiting prize fights and betting on any pugilistic contest, boxing contest or exhibition, but sanctioning amateur boxing contests, sparring matches and exhibitions not to exceed five rounds of duration, prescribing conditions in relation thereto and the issuance of annual licenses to hold such amateur contests by the State Athletic Commission of California.

Bill read second time, and ordered to engrossment.

Senate Bill No. 1021—An act to add section 13a, to the Dental Practice Act, relating to places of practice.

Bill read second time, and ordered to engrossment.

Senate Bill No. 585—An act to amend section 1 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years," etc., approved June 5, 1915, Stats. 1915, p. 1225, being also known as Act 3966 of Title 290, pages 2074-5, Volume two, General Laws of 1931, and known as the "Juvenile Court Law."

Bill read second time, and ordered to engrossment.

Senate Bill No. 240—An act to amend sections 2, 3, 3½, 4, 5, 6, 7, 8, 9, 9a and 12 of an act entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the business of contracting and the registration and licensing of contractors.

Bill read second time, and ordered to engrossment.

Senate Bill No. 935—An act to amend sections 4 and 5 and to add a new section 4 (b) to an act entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, as amended.

Bill read second time, and ordered to engrossment.

Senate Bill No. 1144—An act to amend section 1251 of, and to add sections 1264.1, 1264.2, 1264.3, 1264.4, 1264.5, 1264.6, 1264.7 and 1264.8

to the Code of Civil Procedure, relative to eminent domain proceedings, including those for the condemnation of toll bridge or toll road franchises

Committee Amendments to Senate Bill No. 1144.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 16, of the printed bill, after "expended", insert the following: "or incurred".

Amendment No. 2.

At the end of the printed bill, insert the following:

"SEC. 10. A new section is added to the Code of Civil Procedure to be numbered 1264.9 and to read as follows:

1264.9. In any action for the acquisition hereunder of a toll road or toll bridge or the franchise for the collection of tolls thereon, the court in which such action is pending shall have jurisdiction to determine the liability of the condemning party to any county, city or other public mandatory for taxes, license fees or franchise payments and to determine the reversionary rights of any such county, city or other public mandatory in or to the franchise or property so sought to be acquired, and if, and in the event, any such liability be so determined against said condemning party, then and in that event an award shall be made to such county, city or other public mandatory, pursuant to the provisions of the law."

Amendments adopted

Bill read second time, ordered to reprint and third reading.

Consideration of Governor's Veto to Assembly Bills.

Assembly Bill No. 2398—An act authorizing the State of California, cities, counties, cities and counties and other political subdivisions to sell and otherwise dispose of real property acquired on tax sale and to cancel assessments for delinquent taxes and other levies upon any sale by any other political subdivision and providing for the division of receipts from such sales

The question being put: Shall Assembly Bill No. 2398 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Baynham, Burns, Michael J., Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Walker, Watson, Weber, Welsh, and Mr. Speaker—44.

Assembly Bill No. 406—An act to amend section 5 of the Alcoholic Beverage Control Act, relating to license fees, declaring the urgency hereof, and providing that this act shall take effect immediately.

The question being put: Shall Assembly Bill No. 406 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Baynham, Burns, Hugh M., Burns, Michael J., Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Voigt, Watson, Weber, Welsh, and Mr. Speaker—45.

Assembly Bill No. 2547—An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn.

The question being put: Shall Assembly Bill No. 2547 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Baynham, Burns, Michael J., Call, Cottrell, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Voigt, Watson, Weber, Welsh, and Mr. Speaker—45.

Assembly Bill No. 2794—An act relating to alcoholic beverages, prohibiting licenses under the Alcoholic Beverage Control Act from transporting or importing into this State, purchasing, receiving, possessing, or selling alcoholic beverages manufactured in any State, the laws, rules, or regulations of which discriminate against alcoholic beverages manufactured in this State or against persons selling or dealing therein, defining discriminatory laws, providing for the enforcement of the provisions hereof, and providing that this act shall take effect immediately.

The question being put: Shall Assembly Bill No. 2794 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Burns, Hugh M., Burns, Michael J., Call, Cottrell, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Voigt, Walker, Watson, Weber, Welsh, and Mr Speaker—45.

Notices of Motion to Reconsider Waived.

Mr. Latham waived his notice of motion to reconsider the vote whereby Assembly Bill No. 14 was refused passage.

Mr. Latham waived his notice of motion to reconsider the vote whereby Assembly Bill No. 174 was refused passage.

Hon. Ben Rosenthal in the Chair.

At eleven o'clock and five minutes a.m., Hon. Ben Rosenthal, member of the Assembly from the Fifty-Second District, in the chair.

Motion to Withdraw Assembly Constitutional Amendment No. 56 from Committee.

In compliance with a notice given on a previous day, Mr. Patterson moved to withdraw Assembly Constitutional Amendment No. 56 from the Committee on Constitutional Amendments, and have it placed upon the calendar.

The roll was called, and the motion lost by the following vote:

AYES—Burns, Michael J., Cottrell, Flint, Gilbert, Hawkins, Johnson, King, Levey, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Reaves, Richie, Rosenthal, Tenney, Thorp, and Mr. Speaker—19.

NOES—Boyle, Call, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Garland, Hunt, Kepple, Kuchel, Latham, Leonard, Maloney, Martin, Mayo, Muldoon, Peyser, Redwine, Robertson, Walker, and Watson—27.

Third Reading of Assembly Bills.

Assembly Bill No. 90—An act providing for payment by the State for park property acquired for highway purposes in the Arroyo Seco in Los Angeles County.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Yorty, and Mr. Speaker—55

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At eleven o'clock and twenty-five minutes a.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Motion to Withdraw Assembly Bill No. 1677 from Committee.

In compliance with a notice given on a previous day, Mr. Breed moved to withdraw Assembly Bill No. 1677 from the Committee on Judiciary General, and have it placed upon the calendar.

Demand for Previous Question.

Messrs. Heisinger, Latham, Lyon, Dawson and Muldoon demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to withdraw Assembly Bill No 1677 from Committee on Judiciary General.

The roll was called, and the motion lost by the following vote:

AYES—Breed, Burns, Hugh M., Call, Cottrell, Crowley, Dannenbrink, Desmond, Dilworth, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Latham, Levey, Lyon, Martin, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peyser, Redwine, Stream, Thorp, Walker, and Weber—28

NOES—Andreas, Baynham, Boyle, Burns, Michael J., Cassidy, Cronin, Dawson, Donihue, Donnelly, Flint, Fulcher, Gilbert, Hawkins, Hornblower, Hunt, King, Lore, Maloney, Mayo, McMurray, Muldoon, Peek, Pelletier, Reaves, Richie, Robertson, Scudder, Sheehan, Tenney, Voigt, Watson, Yorty, and Mr. Speaker—33.

Motion to Withdraw Assembly Concurrent Resolution No. 56 from Committee.

In compliance with a notice given on a previous day, Mr. Heisinger moved to withdraw Assembly Concurrent Resolution No. 56 from the Committee on Constitutional Amendments, and have it placed upon the calendar.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Heisinger moved a call of the Assembly.

Motion carried by the following vote.

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Garland, Gilbert, Heisinger, Kepple, Kuchel, Latham, Levey, Lore, McMurray, Miller, Eleanor, Morgan, Patterson, Peek, Pelletier, Peyser, Richie, Watson, and Weber—31.

NOES—Flint, Fulcher, Gannon, Garibaldi, Hawkins, Hornblower, Hunt, Johnson, King, Leonard, Maloney, Martin, Mayo, Meehan, Reaves, Redwine, Robertson, Scudder, Sheehan, Stream, Tenney, Walker, Yorty, and Mr. Speaker—24

Time, twelve o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Don-

nelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Yorty, and Mr. Speaker—58.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Motion to Set House Resolution No. 171 as Special Order.

Mr. Meehan moved that the consideration of House Resolution No. 171 be made a special order of business for Thursday, May 20, 1937, at two o'clock p.m.

The roll was called, and House Resolution No. 171 made a special order of business by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Cronin, Crowley, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Morgan, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sheehan, Stream, Tenney, Turner, Watson, Weber, Yorty, and Mr. Speaker—46.

NOES—Breed, Cottrell, Dawson, Dilworth, Johnson, Mayo, Miller, Eleanor; Redwine, and Scudder—9.

Motion to Withdraw Assembly Bill No. 408 from Committee.

In compliance with a notice given on a previous day, Mr. Peyser moved to withdraw Assembly Bill No. 408 from the Committee on Labor and Capital, and have it placed upon the calendar.

The roll was called, and the motion lost by the following vote:

AYES—Breed, Call, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Gannon, Garland, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lyon, Martin, McMurray, Miller, Eleanor; Morgan, Muldoon, Peyser, Redwine, Robertson, Stream, Thorp, Watson, and Weber—31.

NOES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Flint, Fulcher, Garibaldi, Gilbert, Hawkins, Hornblower, King, Lore, Maloney, Mayo, Meehan, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Scudder, Sheehan, Turner, Yorty, and Mr. Speaker—32.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1473—An act to amend section 330a of the Penal Code, relating to gambling by use of slot machines and other devices.

Bill read third time, and refused passage by the following vote:

AYES—Breed, Burns, Hugh M., Clark, Cottrell, Daley, Dilworth, Donnelly, Flint, Garland, Heisinger, Johnson, Kepple, Kuchel, Latham, Lore, Martin, Mayo, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Redwine, Richie, Watson, and Yorty—27.

NOES—Boyle, Burns, Michael J., Cassidy, Cronin, Crowley, Dannenbrink, Dawson, Donihue, Fulcher, Gannon, Hornblower, Hunt, King, Leonard, Levey, Lyon, Maloney, McMurray, Meehan, Miller, George P., Pelletier, Reaves, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Weber, and Mr. Speaker—33.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Scudder:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Scudder:

An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Bill No. 2915: By Mr. Scudder—An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn.

Bill read first time.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 2915, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 2915.

Case of Urgency.

The following resolution was offered by Mr. Scudder:

Resolved, That Assembly Bill No. 2915 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2915, at this time.

Second Reading of Assembly Bill No. 2915.

Assembly Bill No. 2915—An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn.

Bill read second time.

Third Reading of Assembly Bill No. 2915.

Assembly Bill No. 2915—An act to amend section 487.5 of the Fish and Game Code, relating to use of trout roe or spawn.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At twelve o'clock and thirty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Heisinger.

The roll of absentees was called, and Assembly Concurrent Resolution No. 56 withdrawn from the Committee on Constitutional Amendments by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Levey, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—57

NOES—Clark, Cottrell, Flint, Fulcher, Hornblower, Hunt, King, Leonard, Maloney, Mayo, Peek, Redwine, Richie, and Sheehan—14.

Assembly Concurrent Resolution No. 56 ordered to engrossment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2905—An act to amend section 718c of the Civil Code, empowering municipalities, or departments or boards thereof, to lease property.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Senate Bill No. 802.

On motion of Mr. Welsh, Senate Bill No. 802 was withdrawn from the calendar, and re-referred to the Committee on Oil Industries.

Recess.

At twelve o'clock and forty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following

Senate Bill No. 26—An act making an appropriation to pay the claim of Mrs. G. Field against the State of California;

Senate Bill No. 283—An act to repeal section 685 of the Code of Civil Procedure, relating to the execution of judgments;

Senate Bill No. 1154—An act to add section 454.5 to the Political Code, relating to disbursing officers' accounts;

Senate Bill No. 1139—An act to amend sections 649, 649a, 651a and 651d of the Civil Code, relating to colleges and seminaries of learning;

Senate Bill No. 771—An act to amend section 473a of the Political Code, relating to services of attorneys for various departments, boards, agencies and commissions of this State.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XX thereof a new section to be numbered 23, relative to the investigation and settlement of disputes between employers and employees.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 26 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 283 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 1154 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1139 read first time, and referred to Committee on Education.

Senate Bill No. 771 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Constitutional Amendment No. 11 referred to Committee on Constitutional Amendments.

SENATE CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate bills as follows:

Senate Bill No. 7.
Senate Bill No. 133.
Senate Bill No. 288.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending sections 2, 4, 4a, 4b and 4c of Article VI and by adding a new section 4d to Article VI, relating to the Supreme Court and the District Courts of Appeal

Assembly Constitutional Amendment No 30 read.

Motion to Amend Assembly Constitutional Amendment No. 30.

Mr Clark moved to amend Assembly Constitutional Amendment No. 30 as follows:

Amendment No. 1.

On page 3 of the printed measure, as amended, strike out lines 22 to 25, inclusive, and insert in lieu thereof the following:
"amendment.

After the adoption of this amendment, and after the appointment and the qualification of each of the several justices who have been duly appointed to office herein provided for has taken place, in each of the first and second districts, respectively, on the first Monday in June following, at the hour of ten o'clock a.m., in the court-

room of each of said districts, or at such other time and place in each district at and to which the meeting may be adjourned, one of the justices of each of said districts shall be elected by a majority of all the justices of said court to hold the office of presiding justice for a period of one year from and after July 1, 1939, and thereafter, in each succeeding year, a presiding justice of each of said districts shall in all respects likewise be elected, who likewise shall hold said office for a period of one year beginning on the first day of July thence next ensuing. In case of a vacancy in the office of presiding justice during such period of one year, such vacancy shall be filled by election in the manner hereinbefore provided.

If, in either of said courts, before the first day of July, 1939, or before the first day of July in any succeeding year, or in case of any vacancy in the office of presiding justice, for any reason a presiding justice shall not be so elected, then, within thirty days thereafter, it shall be the duty of the Judicial Council of this State, by a majority vote of its members, to elect a presiding justice for said court from among the justices of said court, who shall serve as such presiding justice until the first day of July thence ensuing or until his successor shall have been elected as herein provided. On and".

Amendment No. 2.

On page 5, line 16, of the printed measure, as amended, after "abridged", add a comma and the following: "except to limit the time of such oral argument,".

Amendment No. 3.

On page 5, line 23, of the printed measure, strike out "oral or", and insert in lieu thereof the following: "printed or type-".

Amendment No. 4.

On page 6, line 32, of the printed measure, as amended, strike out "may be", and insert in lieu thereof the following: "involve the validity or constitutionality of any law, statute, or ordinance or where a review appears necessary because of conflicting decisions, in order to secure a uniformity of decision and such appeal is".

Amendments read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—64.

NOES—None.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 30, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Constitutional Amendment No. 30, as Amended.

Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending sections 2, 4, 4a, 4b and 4c of Article VI and by adding a new section 4d to Article VI, relating to the Supreme Court and the District Courts of Appeal.

Assembly Constitutional Amendment No. 30, as amended, read, and refused adoption by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Johnson, Kepple, Latham, Levey, Lore, Martin, Mayo, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peyser, Reaves, Redwine, Robertson, Scudder, Stream, Thorp, Walker, Weber, Welsh, Yorty, and Mr. Speaker—43.

NOES—Burns, Michael J., Call, Crowley, Dawson, Desmond, Hawkins, Heisinger, Hornblower, King, Kuchel, Leonard, Maloney, McMurray, Meehan, Millington, Peek, Pelletier, Richie, Rosenthal, Sheehan, Tenney, Turner, Watson, and Williamson—24.

Assembly Bill No. 2663—An act to add section 919 to the Fish and Game Code, relating to bait nets.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 565—An act to amend section 3681a, Political Code, relating to the correction of errors in the assessment of real estate or in any subsequent step in the collection of the taxes thereon and for the reassessment of real estate when on account of error a delinquent tax thereon can not be enforced or when an assessment of property may have been adjudged to be invalid for error of assessment, or in the acts therein, or later.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, **Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins,** Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2870—An act making an appropriation for the purchase of certain lands by the State.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—58

NOES—Dilworth, Latham, Mayo, and Robertson—4.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2896—An act to provide for the participation by the State in the Golden Jubilee Celebration of the Tournament of Roses, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. John Gee Clark in the Chair.

At three o'clock and thirty minutes p.m., Hon. John Gee Clark, member of the Assembly from the Seventieth District, in the chair.

Assembly Bill No. 828—An act to amend section 642 of the Streets and Highways Code, relating to State highways.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Field, Andreas, Welsh and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question not sustained.

Demand for Previous Question.

Messrs. Meehan, Johnson, Gilbert, Morgan and Tenney demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 828.

The roll was called, and Assembly Bill No. 828 refused passage by the following vote:

AYES—Andreas, Baynham, Burns, Hugh, M., Burns, Michael J., Call, Clark, Crowley, Desmond, Donnelly, Flint, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, King, Leonard, Lore, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Patterson, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Wilhamson, Yorty, and Mr. Speaker—36.

NOES—Beene, Boyle, Breed, Cassidy, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Glick, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Morgan, Muldoon, Peek, Peyser, Reaves, Redwine, Scudder, Sheehan, Thorp, Walker, Weber, and Welsh—38.

Notice of Motion to Reconsider Assembly Bill No. 828.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 828 was this day refused passage.

Re-reference of Assembly Constitutional Amendment No. 45.

On motion of Mr. Levey, Assembly Constitutional Amendment No. 45 was withdrawn from the calendar, and re-referred to the Committee on Constitutional Amendments.

Special Order.

The special order heretofore set for this hour was taken up for consideration.

Consideration of House Resolution No. 171.

House Resolution No. 171—Appointing ten Assembly interim committees.

Motion to Amend House Resolution No. 171.

Mr. Desmond moved to amend House Resolution No. 171 as follows:

Amendment No. 1.

Strike out the first three paragraphs of the resolution, and insert in lieu thereof the following:

"WHEREAS, At previous sessions of the Legislature of the State of California, the Assembly has adopted resolutions creating interim committees authorized to study and investigate various problems of public concern, and

WHEREAS, The investigations conducted by these interim committees have developed facts and information valuable to the members of the Assembly in proposing legislation for the benefit of the entire State of California, and

WHEREAS, It is apparent that similar resolutions will be introduced in the fifty-second session of the Legislature, and

WHEREAS, It appears to be desirable that such committees be consolidated for better efficiency and for reasons of economy so that they may better study upon a broader scope the various problems of governmental concern to the end that these

committees may determine upon desirable changes in, or additions to, the statutory laws of the State of California, and to recommend such changes and additions to the fifty-third session of the Legislature thereby rendering a valuable legislative service to the people of the State of California; now, therefore, be it".

Amendment adopted.

Motion to Amend House Resolution No. 171.

Mr. Jones moved to amend House Resolution No. 171 as follows, and requested that the amendments be voted upon separately:

Amendment No. 1.

On page 80 of the Journal for said date, in the paragraph numbered (1), line 1, strike out "nine (9)", and insert in lieu thereof the following: "seven (7)".

Amendment No. 2.

On page 80 of the Journal for said date, in the paragraph numbered (3), line 1, strike out "seven (7)", and insert in lieu thereof the following: "five (5)".

Amendment No. 3.

On page 80 of the Journal for said date, in the paragraph numbered (4), line 1, strike out "seven (7)", and insert in lieu thereof the following: "five (5)".

Amendment No. 4.

On page 80 of the Journal for said date, in the paragraph numbered (6), line 2, strike out "seven (7)", and insert in lieu thereof the following: "five (5)".

Amendment No. 5.

On page 80 of the Journal for said date, in the paragraph numbered (8), line 1, strike out "seven (7)", and insert in lieu thereof the following: "five (5).

Amendment No. 6.

On page 81 of the Journal for said date, in the paragraph numbered (9), line 2, strike out "nine (9)", and insert in lieu thereof the following: "seven (7)".

Amendment No. 7.

On page 81 of the Journal for said date, in the paragraph numbered (10), line 1, strike out "nine (9)", and insert in lieu thereof the following: "five (5)".

Amendment No. 8.

On page 81 of the Journal for said date, in the paragraph numbered (11), line 2, strike out "which", and strike out all of lines 3, 4, 5, 6, 7, and 8, and insert a period.

Amendments Nos 1 to 8, inclusive, read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—75.

NOES—None.

Amendment No. 9.

On page 81 of the Journal for said date, in the paragraph following the paragraph numbered (11), line 2, strike out "from time to time to" and insert the following: "the minimum sum of $700 to each of".

Amendment No 9 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—70.

NOES—Cottrell, Dilworth, Donihue, and Johnson—4.

Amendment No. 10.

On page 81 of the Journal for said date, in the paragraph following the paragraph numbered (11), line 3, strike out "such", and insert in lieu thereof the following: "and such additional".

Amendment No. 10 adopted.

Amendment No. 11.

On page 81 of the Journal for said date, in the second resolved clause, lines 9 and 10, strike out "and the Chairman of the Coordinating Committee and as to the Coordinating Committee, of its chairman only"

Amendment No. 11 adopted

Motion to Amend House Resolution No. 171.

Mr. Cottrell moved to amend House Resolution No. 171 as follows:

Amendment No. 1.

After the third paragraph beginning with "Resolved", insert the following:

"*Resolved*, That meetings of any of the committees herein created shall be open to every member of the Assembly including executive sessions thereof.

Any member of the Assembly who shall file with the chairman of any committee herein created a written request to be notified of meetings of the committee shall be so notified by said chairman with substantially the same notice given members of the committee; and be it further".

Amendment adopted.

Motion to Amend House Resolution No. 171.

Mr. Johnson moved to amend House Resolution No. 171 as follows:

Amendment No. 1.

After the second resolved clause in the resolution, insert a new clause to read as follows:

"*Resolved*, That no meeting of any of the committees hereby created shall be held on any Saturday between September 15th and December 31st, nor on any day on which there is held any horse racing or dog racing meet within the State of California. None of the money hereby appropriated shall be spent for the purchase of tickets of admission to any football game, horse race or dog race, nor shall any part of said money be used for wagering, betting or gambling on the results or the score of any such football game, horse race or dog race."

Motion to Table Amendments.

Mr. Patterson moved that the amendments be laid on the table.

The roll was called, and the amendments tabled by the following vote:

AYES—Boyle, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmond, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Lore, Maloney, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—44.

NOES—Andreas, Beene, Breed, Burns, Michael J., Cottrell, Cunningham, Dilworth, Donihue, Field, Johnson, Kepple, Kuchel, Leonard, Levey, Lyon, Mayo, Miller, Eleanor, Morgan, Peyser, Redwine, Stream, Thorp, and Walker—23.

Motion to Amend House Resolution No. 171.

Mr. Maloney moved to amend House Resolution No. 171 as follows:

Amendment No. 1.

On page 80 of said Journal, strike out the paragraph numbered (5).

Amendment read, and refused adoption by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Dilworth, Donihue, Field, Gannon, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Peyser, Redwine, Scudder, Stream, Walker, Weber, and Williamson—32.

NOES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Corwin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—46

Motion to Amend House Resolution No. 171.

Mr. Williamson moved to amend House Resolution No 171 as follows:

Amendment No. 1.

On page 80, line 4 of paragraph (5), strike out the comma after the word "capital", and insert in lieu thereof a period, and strike out the balance of said paragraph

Amendment adopted.

Motion to Amend House Resolution No. 171.

Mr Field moved to amend House Resolution No. 171 as follows:

Amendment No. 1.

On page 81 of the resolution, as printed in the Journal of Monday, May 17th, strike out all of line 22, and insert in lieu thereof "Speaker pro tem and five (5) other members to be appointed by the Speaker, which".

Motion to Table Amendments.

Mr. Tenney moved that the amendments be laid on the table.

The roll was called, and the amendments tabled by the following vote:

AYES—Andreas, Bayuham, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dawson, Desmond, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Lore, Martin, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Turner, Voigt, Watson, Williamson, Yorty, and Mr Speaker—48

NOES—Beene, Breed, Corwin, Cottrell, Cunningham, Dilworth, Donihue, Field, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Mayo, Miller, Eleanor; Morgan, Redwine, and Walker—20.

Motion to Amend House Resolution No. 171.

Mr. Hornblower moved to amend House Resolution No. 171 as follows.

Amendment No. 1.

Strike out those certain three consecutive paragraphs of said resolution which appear on page 81 of the Assembly Daily Journal for May 17, 1937, the first of which said three pragraphs begins with the words "*Resolved*, That each of such committees," the second of which said three paragraphs begins with the words "*Resolved*, That the members of such committees" and the third of which said three paragraphs begins with the words "*Resolved*, That the Sergeant-at-Arms" and ends with the words "membership of the said committee; and be it further".

Motion to Table Amendments.

Mr. King moved that the amendments be laid on the table.

The roll was called, and the amendments tabled by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Levey, Lore, Martin, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Watson, Yorty, and Mr. Speaker—47

NOES—Breed, Corwin, Cottrell, Dawson, Dilworth, Donihue, Field, Hornblower, Johnson, Kepple, Kuchel, Leonard, Lyon, Maloney, Mayo, Miller, Eleanor; Millington, Morgan, Redwine, Stream, Walker, Weber, and Williamson—23.

Demand for Previous Question.

Messrs. Yorty, Richie, King, Hunt and Reaves demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question not sustained by the following vote:

AYES—Baynham, Burns, Hugh M., Cassidy, Crowley, Daley, Donnelly, Flint, Garibaldi, Gilbert, Glick, Heisinger, Hunt, King, Laughlin, McMurray, Meehan, Reaves, Rosenthal, Tenney, Voigt, Watson, and Yorty—22.

NOES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Gannon, Garland, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard,

Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peyser, Redwine, Robertson, Sawallisch, Scudder, Stream, Turner, Walker, Weber, and Williamson—47.

Demand for Previous Question.

Messrs. Burns, Hugh M., Flint, Hunt, Voigt and Andreas demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Call, Clark, Cronin, Crowley, Daley, Desmond, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, Maloney, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—49.

NOES—Boyle, Breed, Burns, Michael J., Cassidy, Corwin, Cottrell, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Redwine, Scudder, Stream, Walker, Weber, and Williamson—29.

The question being on the adoption of House Resolution No. 171, as amended.

The roll was called, and House Resolution No. 171 adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Crowley, Daley, Dannenbrink, Desmond, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—47.

NOES—Beene, Boyle, Breed, Burns, Michael J., Corwin, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Donihue, Field, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Stream, Thorp, Walker, and Weber—31.

House Resolution No. 171, as Amended.

WHEREAS, At previous sessions of the Legislature of the State of California, the Assembly has adopted resolutions creating interim committees authorized to study and investigate various problems of public concern; and

WHEREAS, The investigations conducted by these interim committees have developed facts and information valuable to the members of the Assembly in proposing legislation for the benefit of the entire State of California; and

WHEREAS, It is apparent that similar resolutions will be introduced in the fifty-second session of the Legislature; and

WHEREAS, It appears to be desirable that such committees be consolidated for better efficiency and for reasons of economy so that they may better study upon a broader scope the various problems of governmental concern to the end that these committees may determine upon desirable changes in, or additions to, the statutory laws of the State of California, and to recommend such changes and additions to the fifty-third session of the Legislature thereby rendering a valuable legislative service to the people of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That there are hereby created certain Assembly committees to function during the interim between the fifty-second and fifty-third sessions of the Legislature, with the membership, powers and duties as hereinafter set forth, to wit:

(1) Assembly Interim Committee on Judiciary to consist of seven (7) members, which committee is authorized and directed to make a thorough and complete study and investigation of all matters and things pertaining to

(a) The revision, amendment, rearrangement and codification of the Constitution and laws of the State

(b) The administration of courts of justice, to the end that they may function efficiently, economically and justly.

(c) The regulation of attorneys at law and the practice of the law.

(d) Deficiencies and defects in both the civil and criminal law whereby frauds or injustices are perpetrated or permitted to exist.

The committee may cooperate with the California Code Commission, Judicial Council, and any other State agencies and commissions, the State Bar of California, and the local bar associations, and similar organizations, in their studies and investigations

(2) Assembly Interim Committee on Revenue and Taxation, to consist of seven (7) members, which committee is authorized and directed to make a thorough

and complete study of and investigation into all matters and things relating to existing or proposed laws of this State and its political subdivisions, with reference to revenue and taxation and the administration of existing laws relating thereto and the expenditure of public funds.

(3) Assembly Interim Committee on Fish and Game to consist of five (5) members, which committee is authorized and directed to study and investigate all matters and things pertaining to existing or proposed laws of this State and its political subdivisions, with reference to fish and game and the administration of existing laws.

(4) Assembly Interim Committee on Motor Vehicles, to consist of five (5) members, which committee is authorized and directed to study and investigate all matters and things pertaining to existing or proposed laws of this State and its political subdivisions, with reference to motor vehicles, highway safety, and the administration of existing laws relating thereto

(5) Assembly Interim Committee on Labor and Capital, to consist of seven (7) members, which committee is authorized and directed to study and investigate all matters pertaining to existing or proposed laws of this State or its political subdivisions, pertaining to labor and capital.

(6) Assembly Interim Committee on Civil Service and Personnel, to consist of five (5) members, which committee is authorized and directed to study and investigate all matters and things pertaining to existing or proposed laws of this State and its political subdivisions, with reference to civil service, personnel and the administration of existing laws with reference thereto.

(7) Assembly Interim Committee on Social Welfare and Institutions, to consist of five (5) members, which committee is authorized and directed to study and investigate all matters and things pertaining to existing or proposed laws of this State or its political subdivisions, with reference to social welfare and public institutions, including relief to the aged, unemployed, physically or mentally handicapped citizens of the State, social insurance of all kinds and all matters relating to social security, the hospitals, asylums, prisons, jails, reformatories, homes and similar institutions maintained from public funds

(8) Assembly Interim Committee on Public Morals, to consist of seven (7) members, which committee is authorized and directed to study and investigate all matters and things pertaining to existing or proposed laws of this State and its political subdivisions, with reference to all matters of public morality, including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar nature, and the administration of such existing laws.

(9) Assembly Interim Committee on Governmental Efficiency and Economy, to consist of seven (7) members, which committee is authorized and directed to study completely and investigate accurately and in detail the organization, functions and administration of the State Government and of any department, agency or subdivision thereof, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and the removal of duplication, and to do all other acts necessary and proper to increase the efficiency and effectiveness of State Government and the agencies and subdivisions thereof.

(10) Assembly Interim Committee on Agriculture, to consist of five (5) members which committee is authorized and directed to study and investigate all matters pertaining to existing or proposed laws of this State or its political subdivisions, with reference to agriculture, dairying, animal husbandry, meat packing, water resources and allied industries, and the administration of existing laws with reference thereto.

(11) Assembly Interim Coordinating Committee, to consist of the Speaker, the Speaker pro tem and one other member to be appointed by the Speaker.

The Coordinating Committee is authorized and directed to allocate and apportion the minimum sum of $700 to each of the committees herein created, including itself, out of the moneys hereby appropriated by this resolution for these committees, and such additional amounts as, in the judgment of the Coordinating Committee shall from time to time be needed by such committees and the Coordinating Committee shall inform the State Controller as to the allocation of the funds made by it, and no warrants shall be issued by the Controller out of the moneys hereby appropriated except upon the authority of the Coordinating Committee; and be it further

Resolved, That all of said committees and the chairman thereof be appointed by the Speaker; and be it further

Resolved, That the sum of twenty-five thousand dollars ($25,000) is hereby appropriated and set aside from the contingent fund of the Assembly for the purpose of paying expenses of the committees created by this resolution, including costs of any records and transcripts, and an allowance of $8 per day (in lieu of expenses for living accommodations and meals) and 5½ cents per mile each way, incurred in connection with the powers granted and duties imposed by this resolution and for the paying of the expenses of the necessary assistants of said committees, the said money, as to each committee respectively, to be disbursed upon certification

of the chairman of the committee, upon warrants drawn by the Controller upon the Treasurer; and be it further

Resolved, That each of such committees upon the appointment of its members, shall organize, appoint a secretary and, subject to the restrictions herein contained, may employ such clerical, legal and technical assistance and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this resolution; and be it further

Resolved, That meetings of any of the committees herein created shall be open to every member of the Assembly including executive sessions thereof.

Any member of the Assembly who shall file with the chairman of any committee herein created a written request to be notified of meetings of the committee shall be so notified by said chairman with substantially the same notice given members of the committee; and be it further

Resolved, That each of such committees is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; and be it further

Resolved, That the members of such committees are, and each of them is, hereby authorized and empowered to administer oaths, and that all of the provisions of Article VIII, Chapter II, Title I, Part III of the Political Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to the committees authorized under this resolution; and be it further

Resolved, That the Sergeant-at-Arms of the Assembly, or other person designated by him, is hereby directed to serve any and all subpenas, orders and other processes that may be issued by such committees when directed to do so upon a vote of the majority of the membership of the said committee; and be it further

Resolved, That the said committees shall perform the duties herein set forth during the interim between the fifty-second and fifty-third Legislatures, at such times and places as the committees may determine; and be it further

Resolved, That all officers of this State and the heads of each and every department, agency and subdivision thereof and all employees of such departments, agencies and subdivisions and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each was created; and be it further

Resolved, That each committee is hereby authorized and empowered to make a complete investigation and study of all matters and subjects hereinbefore referred to and relating thereto and to do any and all things necessary or proper in connection therewith and to do and perform each and all of the things necessary or convenient to enable it to exercise the powers and perform the duties heretofore granted to it or imposed upon it; and be it further

Resolved, That each committee is authorized and empowered to make a final report of the results of its work and of its recommendations for proposed legislation to the Legislature during the January part of the fifty-third session thereof; and be it further

Resolved, That all Assembly House resolutions establishing special investigating committees or authorizing investigations by any standing committee are hereby repealed, any committee established thereunder discharged, any authority granted thereby revoked, and the unexpended balance of any appropriation therefor transferred to the contingent fund of the Assembly, except that such transfer shall not affect any outstanding claims against any appropriation and such outstanding claims shall be payable in the same manner and to the same extent from the contingent fund of the Assembly, as if the transfer had not been made, the committee not discharged or authority not revoked, and the resolution not repealed, but no more; the Assembly House resolutions and committees established thereby, and appropriations made therefor, expressly intended to be included in such repeal, discharge, revocation and transfer heretofore mentioned, in addition to any others, are the following:

(a) No. 25, relating to the investigation of the conviction of the "Modesto Defendants," adopted January 21, 1937.

(b) No. 38, relating to the investigation of the dairy industry, adopted January 18, 1937.

(c) No. 39, establishing the Assembly Committee on State Governmental Organization, adopted January 20, 1937.

(d) No. 55, relating to the advising of persons interested in the subdivision of real estate and the filing and recordation of maps thereof, adopted January 22, 1937.

(e) No. 62, establishing the Special Assembly Committee on Horse Racing Rules and Regulations, adopted January 22, 1937.

(f) No. 69, establishing the Special Assembly Committee on State Institutions, adopted January 22, 1937.

(g) No. 71, establishing the Assembly Foreign Corporation Committee, adopted January 22, 1937.

(h) No. 90, relating to the investigation of the dismissal of SERA clients, adopted March 5, 1937.

(i) No. 120, relating to the safe operation of vehicles upon the public highways, adopted April 9, 1937.
(j) No. 135, relating to the investigation of salary increases for State employees, adopted April 16, 1937.
(k) No. 138, establishing the Special Assembly Committee on Civil Service, adopted May 3, 1937.
(l) No. 146, establishing the Special Assembly Committee on Labor Relations, adopted April 23, 1937.
(m) No. 161, relating to a deficiency appropriation for the investigation of the conviction of "Modesto Defendants," adopted May 7, 1937.

The Speaker in the Chair.

At six o'clock p m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Re-reference of Bills.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Senate Bill No. 807 re-referred to Committee on Fish and Game.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Field:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend the Political Code by adding thereto a new section to be numbered 4049.5, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

Referred to Committee on Introduction of Bills.

Report of Standing Committee—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Field:

An act to amend the Political Code by adding thereto a new section to be numbered 4049.5, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Stream, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Introduction and Reference of Bills.

Assembly Bill No. 2916: By Mr. Field—An act to amend the Political Code by adding thereto a new section to be numbered 4049.5, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

Bill read first time, and referred to Committee on County Government.

Recess.

At six o'clock and five minutes p.m., on motion of Mr. Hornblower, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.
Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937

MR. SPEAKER: Your Committee on Ways and Means, to which was referred.

Assembly Bill No. 549.
Assembly Bill No. 2890.
Assembly Bill No. 2907.
Senate Bill No. 326.
Senate Bill No. 578.
Senate Bill No. 880.

Respectfully reports the same back with the recommendation: Do pass as amended.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Senate Bill No. 1137.

Respectfully reports the same back with the recommendation: Do pass as amended.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 400.
Senate Bill No. 46.
Senate Bill No. 925.
Senate Bill No. 1143.

Respectfully reports the same back with the recommendation. Do pass

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred.

Senate Bill No. 304.
Senate Bill No. 689.
Senate Bill No. 773.

Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 1142.

Respectfully reports the same back without recommendation, as amended

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 45.
Assembly Joint Resolution No. 46.
Assembly Joint Resolution No. 47.
Assembly Bill No. 455.
Assembly Bill No. 880.
Assembly Bill No. 1267.
Assembly Bill No. 1859.
Assembly Bill No. 2028.
Assembly Bill No. 2840.

And reports the same correctly enrolled, and presented to the Governor on this twentieth day of May, 1937, at eleven o'clock a m.

CUNNINGHAM, Chairman.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:
Senate Joint Resolution No. 23.
Respectfully reports the same back with the recommendation: Be adopted.

HEISINGER, Chairman.

The above reported bill ordered on third reading calendar.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Senate Bill No. 972.
Senate Bill No. 1068.
Respectfully reports the same back with the recommendation: Do pass as amended.

HORNBLOWER, Chairman.

The above reported bills ordered on second reading calendar.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred
Assembly Bill No. 2900.
Respectfully reports the same back signed out by committee, with amendments.

BOYLE, Chairman.
DAWSON.
LATHAM.
TENNEY.
GILBERT.
ROSENTHAL.
YORTY.
WILLIAMSON.
CUNNINGHAM.

The above reported bill ordered on second reading calendar.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:
Assembly Bill No. 439. **Senate Bill No. 683.**
Senate Bill No. 682. **Senate Bill No. 685.**
Respectfully reports the same back with the recommendation: Do pass.

ANDREAS, Chairman.

The above reported bills ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:
Assembly Bill No. 2206.
Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Assembly Bill No. 2908.
Respectfully reports the same back with the recommendation: Do pass.

ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Senate Bill No. 607.

Respectfully reports the same back with the recommendation: Do pass.

LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2912.

Respectfully reports the same back with the recommendation: Do pass.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2247.

Respectfully reports the same back with the recommendation: Do pass as amended.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2027.

Respectfully reports the same back signed out by the committee, with amendments.

ROBERTSON, Chairman.
TURNER.
BURNS, MICHAEL J.
DALEY.
DONIHUE
LORE.
CROWLEY.
GILBERT.
MILLER, GEORGE P.
MAYO.
BURNS, HUGH M.

The above reported bill ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 951.

Respectfully reports the same back with the recommendation: Do pass as amended.

MALONEY, Chairman.

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 2364.

Respectfully reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

PATTERSON, Chairman.

The above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 1030.

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 62.
Senate Bill No. 203.
Senate Bill No. 233.
Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Senate Bill No. 807.
Respectfully reports the same back without recommendation, as amended.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 590.
Respectfully reports the same back signed out by the committee with amendments.

HORNBLOWER. KING.
HAWKINS. ANDREAS.
CASSIDY. SHEEHAN.
VOIGT. REAVES.
LYON.

The above reported bill ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:
Assembly Bill No. 842.
Respectfully reports the same back with the recommendation: Do pass as amended.

KING, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred.
Senate Bill No. 285.
Respectfully reports the same back without recommendation, as amended.

KING, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred
Assembly Bill No. 1840.
Assembly Bill No. 2910.
Assembly Bill No. 2911.
Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman

The above reported bills ordered on second reading calendar

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Concurrent Resolution No. 55.
Respectfully reports the same back with the recommendation: be adopted.

ROBERTSON, Chairman

The above reported bill ordered to engrossment.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 2364.
Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: **Assembly Bill No. 1743.**

Respectfully reports the same back with the recommendation: Do pass as amended.

ROBERTSON, Chairman.

The above reported bill ordered on second reading calendar

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2390—An act to provide a penalty for the violation of section 22 of Article XX of the Constitution of the State of California, relating to interest.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Cronin moved a call of the Assembly.

Motion carried.

Time, eight o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Beene, Boyle, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Gannon, Garibaldi, Hawkins, Johnson, Kepple, Latham, Levey, Martin, Mayo, Miller, Eleanor; Miller, George P., Morgan, Peek, Pelletier, Rosenthal, Sawallisch, Stream, Turner, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—33.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Re-reference of Assembly Bill No. 2783.

On motion of Mr. Dawson, Assembly Bill No. 2783 was withdrawn from the calendar, and re-referred to the Committee on Fish and Game.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 20—Proposed amendment to Article XIII of the Constitution, by adding a new section numbered 1¼a, relative to taxation.

Motion to Amend Assembly Constitutional Amendment No. 20.

Mr Gilbert moved to amend Assembly Constitutional Amendment No 20 as follows:

Amendment No. 1.

On page 1, line 13, of the printed measure, as amended, after "value", insert the following: ", if the total value of the dwelling house and land does not exceed the assessed value of five thousand dollars,".

Amendment adopted.

Request for Unanimous Consent.

Mr. Gilbert asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 20, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Constitutional Amendment No. 20, as Amended.

Assembly Constitutional Amendment No. 20—Proposed amendment to Article XIII of the Constitution, by adding a new section numbered 1¼a, relative to taxation.

Assembly Constitutional Amendment No. 20, as amended, read

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Gilbert moved a call of the Assembly.

Motion carried.

Time, nine o'clock and three minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Flint, Garibaldi, Gilbert, Hawkins, Hunt, Johnson, Kepple, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Peek, Pelletier, Richie, Rosenthal, Sawallisch, Stream, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—40.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.
Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1822—An act to amend sections 2, 3, 6, 7, 8, 9, 11, 12, 12a, 13, 14, 19, and 24 of the "Act Concerning Cosmetology," relating to the practice of cosmetology and any branch thereof.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Levey moved a call of the Assembly.

Motion carried.

Time, nine o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Beene, Boyle, Breed, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hunt, Johnson, King, Latham, Laughlin, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—52.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.
Third Reading of Assembly Bills—(Resumed).

Asembly Bill No. 1924—An act to amend section 1182 of the Labor Code, relating to minimum wages.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson,

Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1555—An act to amend section 777 of the Vehicle Code, relating to the appropriation for the maintenance of the Department of Motor Vehicles.

Motion to Amend Assembly Bill No. 1555.

Mr. Voigt moved to amend Assembly Bill No. 1555 as follows:

Amendment No. 1.

On page 2, line 18, of the printed bill, as amended, strike out "this", and insert in lieu thereof the following: "said".

Amendment adopted.

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up Assembly Bill No. 1555, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1555, as Amended.

Assembly Bill No. 1555—An act to amend section 777 of the Vehicle Code, relating to the appropriation for the maintenance of the Department of Motor Vehicles.

Assembly Bill No. 1555, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Consideration of Senate Amendment to Assembly Bill No. 1290.

Assembly Bill No. 1290—An act to add three new sections to the Political Code, to be numbered 4041.30, 4041.31 and 4041.32, relating to sale of lands dedicated for public parks.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1290?

Amendment No. 1.

On page 2, line 25, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "nor shall any such abandonment or sale affect or impair any right, easement or interest owned or under the control of any other governmental agency for public use other than park purposes."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1290 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan,

Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1290 ordered to enrollment.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Muldoon:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

Referred to Committee on Introduction of Bills.

By Mr Pelletier:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. King:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act providing for the submission at the next general election to the qualified electors of the State of certain questions herein provided, for the purpose of ascertaining the wish of the people of the State relating to provisions concerning old age security in this State.

Referred to Committee on Introduction of Bills.

By Messrs McMurray and Cassidy:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to make an additional appropriation to the Department of Public Works to carry out the unified and centralized program of construction, repair and improvement of State property, including State buildings, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Pelletier:

An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

By Mr. Muldoon:

An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

By Mr. King:
An act providing for the submission at the next general election to the qualified electors of the State of certain questions herein provided, for the purpose of ascertaining the wish of the people of the State relating to provisions concerning old age security in this State.
By Messrs. McMurray, and Cassidy
An act to make an additional appropriation to the Department of Public Works to carry out the unified and centralized program of construction, repair and improvement of State property, including State buildings, declaring the urgency thereof and providing that this act shall take effect immediately.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:
AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.
NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2917: By Mr. Pelletier—An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on State Colleges.

Assembly Bill No. 2918: By Mr. Muldoon—An act to amend section 4460 of the Political Code, relating to newspapers of general circulation

Bill read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 2919: By Mr. King—An act providing for the submission at the next general election to the qualified electors of the State of certain questions herein provided, for the purpose of ascertaining the wish of the people of the State relating to provisions concerning old age security in this State.

Bill read first time, and referred to Committee on Social Service and Welfare.

Assembly Bill No. 2920: By Messrs. McMurray, and Cassidy—An act to make an additional appropriation to the Department of Public Works to carry out the unified and centralized program of construction, repair and improvement of State property, including State buildings, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2857—An act to amend sections 86, 88 and 89 of the Agricultural Code, relating to agricultural districts and including provision for leasing of property of such districts.

Motion to Amend Assembly Bill No. 2857.

Mr. Williamson moved to amend Assembly Bill No. 2857 as follows.

Amendment No. 1.

On page 1, line 14, of the printed bill, as amended, strike out all of lines 14, 15, 16, and the following words in line 17: "as well as", and insert in lieu thereof the following: "alone or".

Amendment adopted.

Request for Unanimous Consent.

Mr Williamson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2857, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2857, as Amended.

Assembly Bill No. 2857—An act to amend sections 86, 88 and 89 of the Agricultural Code, relating to agricultural districts and including provision for leasing of property of such districts.

Assembly Bill No 2857, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—Dannenbrink—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2353—An act to amend section 13 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle," approved May 15, 1933, relating to the disposition of moneys received under said act.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johson, King, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Patterson, Pelletier, Reaves, Richie, Sawallisch, Sheehan, Tenney, Turner, Voigt, Walker, Welsh, Williamson, Yorty, and Mr Speaker—50.

NOES—Field, Latham, Lyon, Redwine, and Stream—5.

Title read and approved. Bill ordered transmitted to the Senate

Hon. Ray Williamson in the Chair.

At ten o'clock and threee minutes p.m., Hon. Ray Williamson, member of the Assembly from the Twenty-Sixth District, in the chair.

Assembly Bill No. 1776—An act to amend section 2527a of the Political Code, relating to the extension of wharfs and piers to islands under the jurisdiction of the State Board of Harbor Commissioners.

Bill read third time, and refused passage by the following vote:

AYES—Breed, Burns, Michael J., Cottrell, Cronin, Crowley, Cunningham, Dawson, Fulcher, Garibaldi, Heisinger, Hornblower, Hunt, Leonard, Levey, Lore, Maloney, Martin, Mayo, Millington, Pelletier, Sawallisch, Scudder, Sheehan, Welsh, and Williamson—25.

NOES—Andreas, Boyle, Cassidy, Clark, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Gilbert, Glick, Johnson, King, Latham, Laugh-

lin. McMurray, Miller, Eleanor; Miller, George P., Morgan, Peek, Reaves, Redwine, Richie, Rosenthal, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, and Yorty—35.

Assembly Bill No. 153—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

Bill read third time.

Demand for Previous Question.

Messrs. Andreas, Meehan, Cottrell, Turner and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 153.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried.

Time, ten o'clock and twenty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll:

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Re-reference of Assembly Bills.

On motion of Mr. Hornblower, Assembly Bill No 1166 was withdrawn from the calendar, and re-referred to the Committee on Fish and Game.

On motion of Mr. Pelletier, Assembly Bill No. 1731 was withdrawn from the calendar, and re-referred to the Committee on Municipal Corporations.

On motion of Mr. Heisinger, House Resolution No. 32 was withdrawn from the calendar, and re-referred to the Committee on Fish and Game.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1845—An act to amend sections 12, 24 and 25 of, and to add two new sections to be numbered 24½ and 24¾ to, the Direct Primary Law, relating to primary elections.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—48.

NOES—Andreas, Clark, Donnelly, Flint, Gilbert, Glick, Hawkins, Hunt, King, Lore, McMurray, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Voigt, Welsh, and Yorty—20.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 445—An act to amend section 284 of the Code of Civil Procedure, relating to substitution of attorneys and fees of same.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—Dilworth, Donnelly, Gilbert, Miller, George P., and Yorty—5.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 1822 Dispensed With.

At ten o'clock and thirty-five minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 1822 were dispensed with, on motion of Mr. Levey.

The roll of absentees was called, and Assembly Bill No. 1822 passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, and Weber—48.

NOES—Andreas, Baynham, Clark, Cronin, Field, Gilbert, Glick, Hawkins, King, Laughlin, Leonard, Lore, Lyon, Muldoon, O'Donnell, Peek, Richie, Robertson, Watson, Welsh, Yorty, and Mr. Speaker—22.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 2390 Dispensed With.

At ten o'clock and thirty-nine minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 2390 were dispensed with, on motion of Mr. Cronin.

The roll of absentees was called, and Assembly Bill No. 2390 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—64.

NOES—Crowley, Hunt, and Williamson—3

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1591—An act to amend the Military and Veterans Code. (Statutes of 1935, Chapter 389.)

Motion to Amend Assembly Bill No. 1591.

Mr Boyle moved to amend Assembly Bill No. 1591 as follows:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, as amended, after "affairs", insert the following: "and making an appropriation".

Amendment No. 2.

On page 7 of the printed bill as amended, after line 47, insert the following:

"SEC. 27. Out of any moneys in the State Treasury not otherwise appropriated and in addition to any other appropriation, there is hereby appropriated the sum of ten thousand dollars to be expended during the eighty-ninth and ninetieth fiscal years by The Adjutant General for the maintenance and support of the Naval Militia.

SEC. 28. This act inasmuch as it provides an appropriation for the usual current expenses of the State shall under the provisions of section 1 of Article IV of the Constitution take effect immediately."

Amendments adopted.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 1591, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1591, as Amended.

Assembly Bill No. 1591—An act to amend the Military and Veterans Code. (Statutes of 1935, Chapter 389.)

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, and Williamson—56.

NOES—Clark, Gilbert, Hunt, King, Lore, Maloney, Patterson, Pelletier, Richie, Rosenthal, Tenney, Voigt, Yorty, and Mr. Speaker—14.

Assembly Bill No. 1591, as amended, read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Boyle moved a call of the Assembly.

Motion carried.

Time, eleven o'clock and two minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Joint Resolution No. 43—Relative to memorializing the President and the Congress of the United States to negotiate treaties and enact legislation for the preservation of sardines and pilchards in the waters of the Pacific Ocean.

Assembly Joint Resolution No. 43 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—69.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At eleven o'clock and ten minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Withdrawal and Re-reference of Assembly Bill No. 2917.

On motion of Mr. Robertson, Assembly Bill No. 2917 was withdrawn from the Committee on State Colleges, and re-referred to the Committee on Drainage, Swamp and Overflowed Lands.

Consideration of Senate Amendments to Assembly Bill No. 1879.

Assembly Bill No. 1879—An act relating to the Department of Social Welfare, and its organization, powers, duties, and jurisdiction, repealing Chapter 1 of Division I of the Welfare and Institutions Code, embracing sections 100 to 116, inclusive, thereof, and adding a new Chapter 1 to said division, embracing sections 100 to 123, inclusive.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1879?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 10 and 11, and in lieu thereof insert the following: "Each member of the board shall be appointed by the Governor for a term of four years, the terms to rotate in the order established by law. In the case of an appointment to fill a vacancy, the member shall hold only for the remainder of that term. It shall be the duty".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 47 and 48, and in lieu thereof insert the following: "character".

Amendment No. 3.

On page 5 of the printed bill, as amended, after line 46, insert the following: "SEC. 2. The members of the Social Welfare Board other than the Director of Social Welfare, in office at the time this section takes effect, shall continue to serve as members of said board as herein constituted but the expiration of their terms shall take place as follows, in the same relative order as the terms to which they were appointed would have expired: Two terms shall expire on January 15, 1938, one term on January 15, 1939, one term on January 15, 1940, and two terms on January 15, 1941. A seventh member whose term shall expire on January 15, 1940, shall be appointed at the time this act goes into effect."

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out lines 47 to 52, inclusive.

Amendment No. 5.

On page 4, line 1, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "(c)".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1879 by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Clark, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Sawallisch, Scud-

der, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

NOES—Cassidy, Gilbert, Reaves, Richie, and Rosenthal—5.

Assembly Bill No. 1879 ordered to enrollment.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 1152—An act making an appropriation to pay the claim of J. A. Beek against the State of California;

Senate Bill No. 1151—An act making an appropriation for the support of the Railroad Commission of the State of California, to take effect immediately.

Senate Bill No. 604—An act to amend an act entitled "Act granting certain tide lands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, by adding to said act a new section numbered section 5 thereof permitting the City and County of San Francisco, by action of its board of supervisors, to grant to the Government of the United States for the use of the Navy Department certain portions of the tide lands described in the above mentioned act;

Senate Bill No. 770—An act to add section 1915 to the Harbors and Navigation Code, relating to methods of increasing the commerce at the harbor of San Francisco.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Senate Bills Nos. 1152 and 1151 read first time, and referred to Committee on Ways and Means.

Senate Bills Nos. 604 and 770 read first time, and referred to Committee on Commerce and Navigation

SENATE CHAMBER, SACRAMENTO, May 20, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1176.	**Assembly Bill No. 234.**
Assembly Bill No. 2092.	**Assembly Bill No. 955.**
Assembly Bill No. 1365.	**Assembly Bill No. 1245.**
Assembly Bill No. 2079.	**Assembly Bill No. 2596.**
Assembly Bill No. 746.	**Assembly Bill No. 1496.**
Assembly Bill No. 1468.	

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, May 20, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Joint Resolution No. 23.	**Assembly Bill No. 1730.**
Assembly Bill No. 761.	**Assembly Bill No. 2615.**
Assembly Bill No. 762.	**Assembly Bill No. 341.**
Assembly Bill No. 763.	**Assembly Bill No. 1825.**
Assembly Bill No. 1486.	**Assembly Bill No. 1949.**

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 153 Dispensed With.

At eleven o'clock and forty-five minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 153 were dispensed with on motion of Mr. Desmond.

The roll of absentees was called, and Assembly Bill No. 153 passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Corwley, Dannenbrink, Desmond, Donnelly, Flint, Fulcher, Gannon, Gilbert, Glick, Hornblower,

Hunt, King, Leonard, Levey, Lore, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Weber, Welsh, and Mr. Speaker—42.

NOES—Beene, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Donihue, Field, Garibaldi, Garland, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Lyon, Maloney, Martin, Miller, Eleanor; Morgan, O'Donnell, Peek, Redwine, Robertson, Rosenthal, Stream, Walker, Watson, Williamson, and Yorty—34.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 1591 Dispensed With.

At eleven o'clock and forty-six minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 1591 were dispensed with, on motion of Mr. Boyle.

The roll of absentees was called, and Assembly Bill No. 1591 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, and Williamson—55.

NOES—Clark, Cronin, Gilbert, Hawkins, Hornblower, King, Lore, Maloney, Meehan, O'Donnell, Patterson, Peek, Pelletier, Richie, Rosenthal, Sheehan, Tenney, Voigt, and Yorty—19.

Title read and approved. Bill ordered transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 55—An act to add Chapter 2a to Part 3 of Division II of the Labor Code, relating to the enforcement of antipicketing laws, ordinances or regulations

Motion to Amend Assembly Bill No. 55.

Mr. King moved to amend Assembly Bill No. 55 as follows:

Amendment No. 1.

On page 1, lines 12 and 13, of the printed bill, strike out the words "and unobstructed".

Amendment adopted.

Motion to Expunge Record and Rescind Action on Amendment to Assembly Bill No. 55.

Mr. King moved to expunge the record, and rescind the action whereby the Assembly adopted the above amendment to Assembly Bill No. 55

The roll was called, and the record expunged by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Dannenbrink, Donihue, Donnelly, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—41.

NOES—Baynham, Beene, Breed, Call, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Field, Fulcher, Gannon, Garibaldi, Garland, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Walker, and Watson—34.

Motion to Amend Assembly Bill No. 55.

Mr. Kuchel moved to amend Assembly Bill No. 55 as follows:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 17 to 21.

Demand for Previous Question.

Messrs. Dawson, Dannenbrink, Garibaldi, Morgan and Hunt demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Call, Cottrell, Cronin, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Walker, Watson, Weber, and Williamson—38.

NOES—Andreas, Burns, Michael J., Cassidy, Clark, Crowley, Dannenbrink, Donihue, Flint, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, King, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Yorty, and Mr. Speaker—31.

Request for Unanimous Consent.

Mr. King asked for unanimous consent to take up Assembly Bill No 55, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Mr. Field withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. King moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 55, at this time

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Andreas, Boyle, Burns, Michael J, Cassidy, Clark, Cronin, Crowley, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, King, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sheehan, Tenney, Turner, Voigt, Welsh, Williamson, Yorty, and Mr. Speaker—41.

NOES—Beene, Call, Cottrell, Dawson, Dilworth, Field, Gannon, Garibaldi, Garland, Johnson, Kepple, Latham, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Scudder, Stream, Walker, Watson, and Weber—25.

Assembly Bill No. 55 ordered to reprint, and re-engrossment.

Assembly Bill No. 1427—An act to add section 135.8 to the Vehicle Code, relating to the California Highway Patrol.

Bill read third time.

Demand for Previous Question.

Messrs Redwine, Hunt, Lore, Morgan, and Dannenbrink demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1427.

The roll was called, and Assembly Bill No 1427 refused passage by the following vote:

AYES—Burns, Michael J, Cassidy, Clark, Dannenbrink, Dawson, Donihue, Flint, Gilbert, Hawkins, Hornblower, Hunt, King, Laughlin, Levey, Lore, Maloney, Meehan, Miller, George P, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Turner, Voigt, Yorty, and Mr. Speaker—30

NOES—Baynham, Beene, Breed, Call, Cottrell, Cronin, Cunningham, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, and Weber—37.

Hon. Thos. H. Kuchel in the Chair.

At eleven o'clock and fifty minutes p.m., Hon. Thos. H. Kuchel, member of the Assembly from the Seventy-Fifth District, in the chair

Re-reference of Assembly Bill No. 665.

On motion of Mr. Cottrell, Assembly Bill No. 665 was withdrawn from the calendar, and re-referred to the Committee on Crime Problems

Further Proceedings Under Call of the Assembly on Assembly Constitutional Amendment No. 20 Dispensed With.

At eleven o'clock and fifty-six minutes p.m., further proceedings under the call of the Assembly on Assembly Constitutional Amendment No. 20 were dispensed with on motion of Mr. Gilbert.

The roll of absentees was called, and Assembly Constitutional Amendment No. 20 passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Yorty, and Mr. Speaker—55

NOES—Breed, Corwin, Fulcher, Gannon, Garibaldi, Johnson, Kuchel, Leonard, Mayo, Millington, Morgan, Muldoon, O'Donnell, Redwine, Robertson, Scudder, Walker, and Williamson—18.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 934—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes.

Motion to Amend Assembly Bill No. 934.

Mr. Peyser moved to amend Assembly Bill No. 934 as follows:

Amendment No. 1.

On page 2, line 22, of the printed bill, as amended, strike out "and without the aid of any", and, strike out lines 23 to 28, inclusive, and insert in lieu thereof the following "period in any such proceeding the rules of evidence prevailing in courts of law or equity shall not be controlling".

Amendment read, and refused adoption by the following vote:

AYES—Beene, Breed, Call, Cottrell, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Johnson, Kepple, Latham, Leonard, Levey, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Scudder, Thorp, Walker, Watson, and Weber—32

NOES—Andreas, Burns, Michael J., Clark, Cronin, Crowley, Donihue, Flint, Fulcher, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Yorty, and Mr. Speaker—37

Motion to Amend Assembly Bill No. 934.

Mr. Peyser moved to amend Assembly Bill No. 934 as follows

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 29 to 51, inclusive, and on page 3, strike out lines 1 to 29, inclusive, and insert in lieu thereof the following: "In any action brought to issue a temporary or permanent injunction arising or growing out of a labor dispute, the court or any judge thereof shall have jurisdiction to issue a temporary or permanent injunction upon compliance with section 527 of the Code of Civil Procedure of the State of California".

Motion to Table Amendments.

Mr. Patterson moved that the amendments be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Burns, Michael J., Clark, Cronin, Donihue, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Kuchel, Laughlin, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Yorty, and Mr. Speaker—34.

NOES—Andreas, Beene, Boyle, Breed, Call, Cottrell, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Johnson, Kepple, Latham, Leonard, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Walker, Watson, Weber, and Williamson—36.

Demand for Previous Question.

Messrs. Morgan, Turner, Burns, Michael J., Miller and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment by Mr. Peyser.

The roll was called, and the amendment adopted by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Walker, Watson, and Weber—38.

NOES—Andreas, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Donihue, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Levey, Lore, Maloney, McMurray, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Sheehan, Tenney, Turner, Voigt, Williamson, Yorty, and Mr. Speaker—35.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 934, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 934, as Amended.

Assembly Bill No. 934—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes.

Assembly Bill No. 934, as amended, read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Desmond, Donihue, Donnelly, Flint, Fulcher, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Levey, Lore, Maloney, Mayo, McMurray, Miller, George P., O'Donnell, Patterson, Peek, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Williamson, Yorty, and Mr. Speaker—41.

NOES—Beene, Breed, Call, Corwin, Cottrell, Cunningham, Dannenbrink, Dawson, Dilworth, Field, Gannon, Garibaldi, Garland, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Pelletier, Peyser, Redwine, Robertson, Scudder, Stream, Walker, Watson, and Weber—33.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Appointment of Special Committee.

The Speaker announced the appointment of Messrs. Williamson, Millington and McMurray as a Special Committee for the Celebration of Admission Day, in accordance with the provisions of Assembly Concurrent Resolution No. 15.

Reconsideration of Assembly Bill No. 2848.

In compliance with a notice given on a previous day, Mr. O'Donnell moved that the vote whereby Assembly Bill No. 2848 was passed be reconsidered.

The roll was called, and Assembly Bill No. 2848 reconsidered by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Consideration of Assembly Bill No. 2848.

Assembly Bill No. 2848—An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation.

Motion to Amend Assembly Bill No. 2848.

Mr. O'Donnell moved to amend Assembly Bill No. 2848 as follows.

Amendment No. 1.

On page 5, line 6, of the printed bill, as amended, after the period, insert the following: "No establishment as defined in section 301 of the Agricultural Code which is not under State inspection at the time of the effective date of this act shall be subject to the provisions of this act unless State funds are available to care for the payment of such State inspection service."

Amendment adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No. 2848, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2848, as Amended.

Assembly Bill No. 2848—An act to amend sections 301, 305, 306, 307, 311, 312, and 314, and to repeal sections 302, 303, and 304 of the Agricultural Code, relating to meat inspection, and making an appropriation.

Assembly Bill No. 2848, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—70.

NOES—Robertson—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Request to Print Statement in Journal.

On request of Mr. Morgan, there was noted in the Journal that Assemblyman Ray Williamson was this day elected a Grand Trustee of the Native Sons of the Golden West.

Re-reference of Assembly Bill No. 1684.

On motion of Mr Dannenbrink, Assembly Bill No. 1684 was withdrawn from the calendar, and re-referred to the Committee on Roads and Highways.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to the emergency fund specified in Item 189 of section 1 of an act entitled "An act making appropriation for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved May 4, 1937, for the purposes therein specified

Referred to Committee on Introduction of Bills.

By Mr. Peek:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to pay the State's portion of salaries of municipal judges assigned to the superior court.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR SPEAKER: Your Committee on Introduction of Bills to which was referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Maloney:

An act making an appropriation to the emergency fund specified in Item 189 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved May 4, 1937, for the purposes therein specified.

By Mr. Peek:

An act making an appropriation to pay the State's portion of salaries of municipal judges assigned to the superior court.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72.

NOES—None

Introduction and Reference of Bills—(Resumed).

The following bills were introduced:

Assembly Bill No. 2921: By Mr. Maloney—An act making an appropriation to the emergency fund specified in Item 189 of section 1 of an act entitled "An act making appropriation for the support of the

Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved May 4, 1937, for the purposes therein specified.

Bill read first time.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to have Assembly Bill No. 2921, placed upon the second reading calendar, without reference to committee.

Assembly Bill No. 2921 ordered to print

Assembly Bill No. 2922: By Mr. Peek—An act making an appropriation to pay the State's portion of salaries of municipal judges assigned to the superior court.

Request for Unanimous Consent.

Mr. Peek asked for, and was granted, unanimous consent to have Assembly Bill No. 2922 placed upon the second reading calendar, without reference to committee.

Assembly Bill No 2922 ordered to print.

Resolutions.

The following resolutions were offered:

Messrs. Maloney, Garibaldi, and Boyle:

House Resolution No. 176.

WHEREAS, May 20, 1937, marks the tenth anniversary of the transatlantic flight of Colonel Charles Augustus Lindbergh; and

WHEREAS, Said flight is illustrative of the pioneering spirit of American manhood and constitutes a lasting measure of accomplishment in this era of areonautical development and progress; and

WHEREAS, It is the sentiment of this Assembly that this accomplishment should at this time be again recognized for its true worth; now, therefore, be it

Resolved by the Assembly of the State of California, That Colonel Charles Augustus Lindbergh be congratulated on this, the tenth anniversary of his great flight; and be it further

Resolved, That the Chief Clerk of the Assembly be instructed to send to Colonel Lindbergh a copy of this resolution.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 176, at this time, without reference to committee or calendar.

House Resolution No. 176 read, and unanimously adopted.

By the Committee on Attaches:

House Resolution No. 177.

Resolved, That the latter part of House Resolution No. 175B submitted by this committee and adopted under date of May 19, 1937, be amended to read as follows

Resolved, That the following named person be stricken from the list of Assembly Attaches, and his name be striken from the pay roll of the Assembly, as follows:

May 15, 1937, at the completion of the working day— *Per day*

W. E. Babcock, Assistant Sergeant-at-Arms.....$5 00

House Resolution No. 177 read and adopted.

Third Reading of Senate Bills.

Senate Bill No. 309—An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution and providing for reports in regard to personnel by other officers and employees of the State.

Motion to Amend Senate Bill No. 309.

Mr. Crowley moved to amend Senate Bill No. 309 as follows:

Amendment No. 1.

On page 2, line 22, of the printed bill, as amended, strike out "The term "board" ", and insert in lieu thereof the following: " "Board" ".

Amendment No. 2.

On page 4, line 13, of the printed bill, as amended, strike out "agency", and insert in lieu thereof the following: "board".

Amendment No. 3.

On page 4, line 22, of the printed bill, as amended, strike out "an attorney and".

Amendment No. 4.

On page 6, line 4, of the printed bill, as amended, strike out "with the approval of the board".

Amendment No. 5.

On page 6 of the printed bill, as amended, strike out line 26, and insert in lieu thereof the following:

"SEC. 38. The Attorney General shall render such opinions to, and represent, the board or any member thereof, on or in such matters as may be requested by the board or any such member, and the district attorneys and".

Amendment No. 6.

On page 6, line 30, of the printed bill, as amended, after the period, insert the following:

"The board may appoint and fix the compensation of an attorney to advise and represent it in any matter in which any party thereto has been previously advised or represented by the Attorney General."

Amendment No. 7.

On page 9, line 19, of the printed bill, as amended, after "or", insert the following: "its".

Amendment No. 8.

On page 9, line 30, of the printed bill, as amended, after "from", insert the following: "the State".

Amendment No. 9.

On page 10, line 10, of the printed bill, as amended, strike out the comma after the word "allocated".

Amendment No. 10.

On page 11, line 42, of the printed bill, as amended, strike out "budgetry", and insert in lieu thereof the following: "budgetary".

Amendment No. 11.

On page 13, line 45, of the printed bill, as amended, after "examination", insert a comma.

Amendment No. 12.

On page 14 of the printed bill, as amended, strike out lines 46 and 47, and in line 48 strike out "ment", and insert in lieu thereof the following: "board and each officer and employee of this State".

Amendment No. 13.

On page 14, line 52, of the printed bill, as amended, strike out "without restriction or limitation of any", and on page 15, line 1, strike out "kind".

Amendment No. 14.

On page 15, line 2, of the printed bill, as amended, strike out ", and no officer or head of any", and insert in lieu thereof a period.

Amendment No. 15.

On page 15 of the printed bill, as amended, strike out lines 3 to 8, inclusive, and insert in lieu thereof the following: "Any employee who shall feel aggrieved at any action taken by any superior or fellow employee in discouraging or in any manner hindering or preventing such employee from taking any examination or any other action which such employee deems beneficial to himself may appeal to the board in writing and any such".

Amendment No. 16.

On page 16, line 17, of the printed bill, as amended, strike out "for", as it appears the second time in said line, and insert in lieu thereof the following: "to".

Amendment No. 17.

On page 18, line 12, of the printed bill, as amended, strike out "No public officer shall be reimbursed by the", and strike out lines 13 and 14.

Amendment No. 18.

On page 24, line 14, of the printed bill, as amended, after the period, insert the following: "Service by mail shall be deemed complete upon mailing by registered mail, return receipt requested, with postage fully prepaid, to the employee at his last known address. In the case of service by mail, such service shall be proved by an affidavit filed with the board as to the facts of mailing and the filing of the return receipt. In the event the charges are returned unclaimed, the affidavit shall show that reasonable inquiry was made in determining the last known address of the employee."

Amendment No. 19.

On page 29, line 32, of the printed bill, as amended, strike out "an", and insert in lieu thereof the following: "the".

Amendments adopted.

Senate Bill No. 309 ordered to reprint, and third reading calendar.

Senate Bill No. 257—An act to amend section 3612 of the Political Code, relating to the procedure for claiming exemption from taxation under the provisions of section 1¼ of Article XIII of the Constitution.

Motion to Amend Senate Bill No. 257.

Mr Walker moved to amend Senate Bill No. 257 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, after "tax", insert the following: "or license".

Amendment No. 2.

On page 1, line 8, of the printed bill, after "taxation", insert the following: "or license".

Amendments adopted.

Senate Bill No. 257 ordered to reprint, and third reading calendar.

Senate Bill No. 644—An act to repeal Chapter III of Part III of Division IV of the School Code and to add to the School Code a new section to be numbered 4.368, relating to school district budgets.

Motion to Amend Senate Bill No. 644.

Mr Patterson moved to amend Senate Bill No. 644 as follows:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "4.368", and insert in lieu thereof the following: "4.369".

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out "4.368", and insert in lieu thereof the following: "4.369".

Amendment No. 3.

On page 1, line 5 of the printed bill, strike out "4.368", and insert in lieu thereof the following: "4.369".

Amendments adopted.

Senate Bill No. 644 ordered to reprint, and third reading calendar.

Senate Bill No. 223—An act to amend section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price from the sale of jute bags.

Motion to Amend Senate Bill No. 223.

Mr. Thorp moved to amend Senate Bill No. 223 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of line 10, and in line 11, strike out "used for the purchase of", and insert in lieu thereof the following: "set aside and reserved within the permanent revolving fund created by section 1 of an act entitled 'An act making an appropriation for the establishment of a

permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin,' approved March 9, 1885, for use in purchasing".

Amendment adopted.

Senate Bill No. 223 ordered to reprint, and third reading calendar

Senate Bill No. 222—An act to amend section 1 of an act entitled "An act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, relating to the revolving fund from the manufacture and sale of jute.

Motion to Amend Senate Bill No. 222.

Mr. Thorp moved to amend Senate Bill No 222 as follows:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, before the word "equipment" insert the words "plant and".

Amendment adopted

Senate Bill No. 222 ordered to reprint, and third reading calendar.

Senate Bill No. 313—An act to repeal "An act providing for the grant of certain lands to the United States of America for the creation of a National park or monument," approved June 11, 1935 (Chapter 328, Statutes of California, 1935).

Motion to Amend Senate Bill No. 313.

Mr. Yorty moved to amend Senate Bill No 313 as follows:

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, strike out "and providing for the granting"; and in line 9, strike out "to the United States of certain State lands".

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 15 to 19, inclusive.

Amendment No. 3.

On page 2, line 23, of the printed bill, after the last period, insert a comma and add the following: "is hereby withheld and withdrawn from sale by the State and shall be exchanged for United States land of equal value, as provided by an act entitled "An act providing for the exchange of certain lands of the State, situate in a National park, and for the management and control of the lands acquired in exchange", approved May 16, 1927, and as provided by the act of Congress approved May 21, 1928 "(Public No 456, 70th Congress)", provided, however, if the State has not within two (2) years from and after the date this act becomes effective, made application to the United States for the exchange as herein provided, all right, title and interest of the State of California to the said NE¼ of NE¼ of Section 27, T. 30 N., R. 5 E., M. D. M., shall be vested in the United States and made a part of the Lassen Volcanic National Park".

Amendments adopted.

Senate Bill No. 313 ordered to reprint, and third reading calendar.

Senate Bill No. 953—An act to amend sections 1, 2, 3, 4 and 11 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to add sections 5, 6, 7, 8, 9, 10, 12, 15 and 21 to said act; to renumber and amend sections 5, 6, 7, 8, 9, 12, 13, 14, 16 and 17 of said act; to repeal sections 10 and 15 of said act; relating to the taxing of operators engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Motion to Amend Senate Bill No. 953.

Mr Hornblower moved to amend Senate Bill No. 953 as follows.

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out the comma after "persons".

Amendment No. 2.

On page 2, line 2, of the printed bill, as amended, strike out the period after 'indirectly', and insert in lieu thereof a comma, and strike out "The".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out all of lines 3 to 17, inclusive, and insert in lieu thereof the following "but shall not mean nor include the following:

(1) Any person transporting his own property in his own motor vehicle provided, however, that any such person making a specific charge for such transportation shall be deemed to be an "operator" hereunder;

(2) Any farmer, resident of California, who occasionally transports property for other farmers, or who transports his own farm products or who transports laborers to and from farm work as incident in his farming operations;

(3) Any nonprofit agricultural cooperative association, organized and acting within the scope of its powers under Chapter 4 of Division VI of the Agricultural Code, to the extent only that it may be **engaged in the** transporting of its own **property or** the property of its **members**;

(4) Any person whose sole transportation of persons or property for hire or compensation consists of the transportation of children to or from any public school and whose total compensation from all sources for providing such transportation does not exceed fifty dollars in any calendar month.

Nothing contained in paragraph (1) above shall be construed as limiting the exemptions for which provision is made in paragraphs (2), (3) and (4)."

Amendments adopted.

Senate Bill No. 953 ordered to reprint, and third reading calendar

Senate Bill No. 520—An act to amend an act entitled "An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof, to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately," approved June 11, 1935, by amending each section of said act, to add new sections to be numbered 22, 23 and 24, and to repeal sections 3a, 6a, 15a, 16a and 20a of said act and to provide for the execution of marketing agreements and the issuance of licenses by the Director of Agriculture regulating

the handling of agricultural commodities in intrastate commerce, and to declare the urgency of this act, and that this act shall take effect immediately.

Motion to Amend Senate Bill No. 520.

Mr. Garland moved to amend Senate Bill No 520 as follows:

Amendment No. 1.

On page 1, line 31 of the title of the printed bill, as amended, strike out "19.".

Amendment No. 2.

On page 14 of the printed bill, as amended, strike out lines 45 and 46.

Amendment No. 3.

On page 14, line 47, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "20".

Amendment adopted.

Senate Bill No. 520 ordered to reprint, and third reading calendar.

Senate Bill No. 898—An act to amend section 4 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to registered warrants.

Motion to Amend Senate Bill No. 898.

Mr. Johnson moved to amend Senate Bill No. 898 as follows:

Amendment No. 1.

On page 1, line 7 of the title of the printed bill, as amended, strike out "registered warrants", and insert in lieu thereof the following: "securities for such deposits".

Amendment No. 2.

On page 1, line 14 of the printed bill, as amended, before the word "attorney", insert the following: ", as to eligibility, by the".

Amendment No. 3.

On page 2, line 44, of the printed bill, as amended, strike out the following: "and attor-".

Amendment No. 4.

On page 2, line 45, of the printed bill, as amended, strike out the following: "ney".

Amendment No. 5.

On page 2, line 48, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", and as to eligibility of such securities by the attorney of such county, city and county, city, town, municipality, or other public or municipal corporation."

Amendment No. 6.

On page 3 of the printed bill, as amended, after the period in line 8, strike out the remainder of said line and all of lines 9, 10 and 11.

Amendments adopted.

Senate Bill No. 898 ordered to reprint, and third reading calendar.

Re-reference of Assembly Bills.

On motion of Mr. Yorty, Assembly Bill No. 814 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

On motion of Mr. Yorty, Assembly Bill No. 1092 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital

On motion of Mr. O'Donnell, Senate Bill No. 720 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Notice of Motion to Withdraw Assembly Bill No. 2886 from Committee.

Mr. Voigt gave notice, in compliance with Rule 58, that he would move to withdraw Assembly Bill No. 2886 from the Committee on Elections, and have it placed upon the calendar.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 2890—An act making an appropriation for the construction and equipment of a building or buildings at the Humboldt State College.

Committee Amendment to Assembly Bill No. 2890.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "Finance", and insert in lieu thereof the following: "Education, according to law,".

Amendment adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2907—An act making an appropriation for the support of the State Board of Equalization, to take effect immediately.

Committee Amendments to Assembly Bill No. 2907.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, between lines 7 and 8, of the printed bill, insert the following:

"SEC. 2. The expenditure herein authorized of the moneys appropriated by this act shall be subject to all of the provisions of Chapter 157 of the Statutes of 1937."

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out "2", and insert in lieu thereof the figure "3".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 549—An act to add section 13a to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Committee Amendments to Assembly Bill No. 549.

The following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 3 to 5, inclusive, and insert in lieu thereof the following:

"SEC. 13a. Out of any moneys remaining after moneys are allocated for the encouragement of county, district, or combined county and district agricultural fairs during the eighty-ninth fiscal year pursuant to section 13 of this act is apportioned, there shall be allocated to the State Agricultural Society the sum of fifty".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, after the word "the", insert the following: "California".

Amendment No. 3.

On page 1, line 10, of the printed bill, as amended, after the word "the", insert the following: "California".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2900—An act to amend section 321.5 of the Agricultural Code, relating to cold storage meat.

Committee Amendments to Assembly Bill No. 2900.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 321.5", and insert in lieu thereof the following: "repeal Article 2 of Chapter 1 of Division III".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "section 321.5", and insert in lieu thereof the following: "Article 2 of Chapter 1 of Division III".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 2 to 7, inclusive, and insert in lieu thereof the following: "hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2247—An act to amend sections 78 and 79 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol.

Committee Amendments to Assembly Bill No. 2247.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "78 and 79 of", and insert in lieu thereof the following: "28a, 65a, 65d, 78, 79, 83a, and 109 of, to add section 8a to, and to repeal section 84a of".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, after "Patrol", add a comma and the following: "and making an appropriation therefor".

Amendment No. 3.

On page 2 of the printed bill, after line 11, add the following:

"SEC 3. Section 8a is hereby added to the act cited in the title hereof to read as follows:

Sec. 8a "Highway patrol service" shall mean service rendered as a member of the California Highway Patrol, or as a member, on or after September 1, 1923, of the highway patrol of any county For the purpose of this act, a member shall be considered as being in the "highway patrol service" only while he is receiving compensation from the State or county for such service, except as provided in section 47 hereof.

SEC 4 Section 28a of the act cited in the title hereof is hereby amended to read as follows:

Sec. 28a. Persons who are members of the California Highway Patrol become and remain members of the retirement system in the same manner as in the case of other eligible State officers or employees, except that when any such person is disabled or killed by injury or illness arising out of and in the course of such duties, such person, in respect to such disability or death, is deemed a member of the retirement system while in State service prior to the completion of the six months of service referred to in section 27, to the same extent as if such six months of service were completed prior to such disability or death.

"Member of the California Highway Patrol," and "member of the highway patrol of a county," for the purpose of the retirement system, includes persons employed in the Motor Vehicle Department or by a county in connection with its highway patrol function, respectively, whose principal duties consist of active law enforcement service and excludes such persons whose principal duties are those of a telephone operator, clerk, stenographer, machinist, mechanic, or otherwise clearly not falling within the scope of active law enforcement service, even though such person is subject to occasional call, or is occasionally called upon, to perform duties within the scope of active law enforcement service.

SEC. 5. Section 65a of the act cited in the title hereof is hereby amended to read as follows:

Sec 65a The normal rates of contribution of each member, who is also a member of the California Highway Patrol, shall be based on his age at July 1, 1935,

or at his later entrance into the retirement system, and his age when he entered highway patrol service, both ages being taken to the next lower completed quarter year. The age at entrance into the highway patrol service, if said entrance was prior to July 1, 1935, shall be determined by deducting the total of such service credited to the member at July 1, 1935, from his age at that date. The normal rates of contribution of each such member who entered highway patrol service at or below age forty-five shall be such as, on the average for such member, if his service on full salary be uninterrupted and when accumulated with regular interest, added to the equal accumulated contributions of the State and applied according to the tables adopted by the board will provide a retirement allowance upon retirement for service at the age of sixty years, or upon completion of twenty years of service at an age higher than sixty years, equal to one-half of his final compensation, less than part of the retirement allowance set forth in section 83a, which is to be provided by contributions of the State on account of service rendered prior to January 1, 1932, if such member affirmatively exercises the option in section 65d, otherwise, less a pension calculated in the same manner as the pension in section 83a, but on the basis of highway patrol service rendered by him prior to July 1, 1935. If such member entered highway patrol service at an age greater than forty-five years, then his normal rate of contribution shall be such as will provide an average annuity at age sixty-five equal to one-eightieth of his final compensation, according to tables adopted by the board, for each year of service after July 1, 1935, or after entrance into the retirement system if he affirmatively exercises the option in section 65d. The normal rate of contribution of any member who received credit for service rendered as a member of the highway patrol of a county in California, shall be adjusted in such manner as may be necessary to comply with this section.

SEC. 6. Section 65d of the act cited in the title hereof is hereby amended to read as follows:

Sec. 65d. The rates of contribution provided for in section 65c for members of the California Highway Patrol shall apply on and after July 1, 1935. Each of such members, however, shall have the option, to be exercised on or before December 31, 1937, of contributing a sum sufficient to make the amount of the accumulated contributions standing to his credit on that date the same as such amount would have been had he been contributing at the rate, from and after the effective date of his membership in the retirement system, which would have applied to him at such effective date if said rates for the highway patrol had been then in effect. If such option is affirmatively exercised, then the rate of contribution for such member on and after July 1, 1935, shall be based on his age at such effective date and his age at the date of entrance into highway patrol service.

SEC. 7. Section 83a of the act cited in the title hereof is hereby amended to read as follows:

Sec. 83a. An additional pension for members who are also members of the California Highway Patrol, purchased by contributions of the State. Such additional pension shall be the same percentage of his final compensation, regardless of his age at retirement, for each year of highway patrol service rendered by him prior to January 1, 1932, as the contributions of the member and the State are calculated to provide upon retirement for service at sixty years of age or upon completion of twenty years of service at an age higher than sixty years or upon retirement with less than twenty years of service at age sixty-five, for each year of such service after said date.

SEC. 8. Section 84a of the act cited in the title hereof is hereby repealed.

SEC. 9. Section 109 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 109. In addition to such payments from the general fund, there shall be paid monthly, from and after the date this act takes effect, into the State Employees' Retirement Fund out of the motor vehicle fund a sum equal to nine and twenty one-hundredths per centum of the total compensation paid from said fund to members of the retirement system who also are members of the California Highway Patrol and out of said motor vehicle fund and every other fund directly controlled by the State, out of which the compensation of members is paid, a sum equal to three and seventy-five one-hundredths per centum of the total compensation paid members, other than members of the said highway patrol of the retirement system from the said fund. All such payments, whether heretofore or hereafter made are hereby validated and confirmed. The board of administration shall certify to the State Controller at the end of each month the total amount of compensation paid such members of the retirement system from each such fund and the State Controller shall thereupon transfer the percentages as specified in this section, of said total amount from each such fund, respectively, to the "State Employees' Retirement Fund." If any member of the said highway patrol shall affirmatively exercise the option in section 65d, the Controller shall transfer into the said retirement fund from the motor vehicle fund upon certification by the board of administration of the total compensation received by said member for service as a member of the retirement system rendered prior to July 1, 1935, three and ninety one-hundredths per centum of said total compensation. The appropriation made

by Chapter 865, Statutes of 1933, shall no longer be held solely for the benefit of the persons designated therein, but shall be applied on the State's liability for benefits based on prior service of all members of the California Highway Patrol. In the event a special fund is created by law from which moneys for the support of the Department of Motor Vehicles are to be paid, all contributions to the State Employees' Retirement Fund for employees of the Department of Motor Vehicles shall be paid from such special fund."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 2027—An act relating to the establishment and maintenance of a Bureau of Safety in the Railroad Commission of this State.

Committee Amendments to Assembly Bill No. 2027.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 22 and 23, and insert in lieu thereof the following: "appointed by the Railroad Commission and shall hold office at the pleasure thereof. The chief inspector shall receive a salary to be fixed by the commission at an amount not less than $3,900 per annum, and each inspector shall receive a salary to be fixed by the commission at an amount not less than $3,100 per annum. The chief inspector and each inspector shall have had, at the time of his appointment, not less than five years experience as, either, locomotive engineer, conductor, locomotive fireman, brakeman, yardman, signalman or master mechanic. The commission shall, when necessary, appoint additional inspectors who shall receive the compensation herein specified for inspectors. The commission shall furnish all necessary clerical and statistical assistance for the said bureau."

Amendment No. 2.

On page 2, line 4, of the printed bill, as amended, after "public", insert the following: "on railroads and of railroad employees".

Amendment No. 3.

On page 2 of the printed bill, as amended, following line 7, insert the following: "SEC. 4. The chief inspector and the inspectors herein provided for shall be allowed, in addition to salaries, their actual and necessary traveling expenses incurred in the performance of their duties, in the same manner and in the same amounts as other employees of the commission."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 590—An act to amend the Fish and Game Code, relating to fish.

Committee Amendments to Assembly Bill No. 590.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "and 11 of, and to add sections", and strike out lines 3 to 5, inclusive, of the title, and insert in lieu thereof a comma and the following: "11, and 46 and repealing sections 12 and 20 of the Fish and Game Code, relating to the administration of Fish and Game Laws."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 24, inclusive, and strike out all of pages 2 and 3, and insert in lieu thereof the following:

"10. There shall be in the Department of Natural Resources a Division of Fish and Game which shall be administered by the Director of Natural Resources through a chief of the division who shall be a person of proved acquaintance with and knowledge of birds, mammals, fish, mollusks, crustaceans and other forms of aquatic animals and plants, and who shall be appointed by the Governor upon the recommendation of the commission. The Director of Natural Resources shall direct and be responsible for the enforcement of laws relating to fish and game by such division and enforcement of the general policies, rules and regulations and orders of the commission, and for the expenditure of moneys heretofore or hereafter appropriated to its use.

SEC. 2. Section 11 of said code is hereby amended to read as follows:

11. General policies and rules and regulations for the guidance of the director in the administration of the division shall be prescribed by a commission consisting of five members who shall be appointed by and hold office at the pleasure of the Gov-

ernor. The terms of the members of the Fish and Game Commission in office upon the effective date of this section shall thereupon terminate, but said members shall hold over until their successors are appointed. The commissioners shall receive no compensation, but shall be paid the amount of actual and necessary expenses incurred by them in the performance of their duties. The commissioners shall elect one of their number chairman.

SEC. 3. Sections 12 and 20 of said code are hereby repealed.

SEC. 4. Section 46 of said code is hereby amended to read as follows:

46. The money in the fish and game preservation fund is appropriated to the commission, to be expended by the Chief of the Division of Fish and Game in accordance with law and subject to the general policies and rules and regulations of the commission for the payment of all necessary expenses incurred in carrying out the orders of the commission, the provisions of this code, and of any other law for the protection and preservation of birds, mammals and fish, and for the payment of the actual and necessary expenses of the commission."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 842—An act to amend section 23 of an act entitled "An act to provide for a preliminary investigation report and hearing upon the organization of the special tax and assessment districts and providing certain restrictions and limitations upon the organization of same and providing for the termination of proceedings for the organization thereof by protest of the owners of a majority of the property subject to assessment for district purposes," approved June 10, 1933, relating to the districts to which said act applies.

Committee Amendments to Assembly Bill No. 842.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 23 of", and insert in lieu thereof the following: "add section 23.3 to".

Amendment No. 2.

On page 1, line 10 of the title of the printed bill, after "applies", insert the following: ", declaring the urgency hereof, to take effect immediately".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 23.3 is hereby added to the act cited in the title hereof to read as follows:

Sec. 23.3 Anything in this act to the contrary notwithstanding, this act shall not apply to any district organized under the provisions of Chapter 171 of the Statutes of 1923, during the period from January 1, 1937 to July 31, 1937.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public health, peace and safety within the meaning of section 1 of Article IV of the Constitution of this State. The following is a statement of the facts constituting such necessity:

Certain sanitary districts have been organized within this State pursuant to the provisions of Chapter 171 of the Statutes of 1923 and have inadvertently neglected to comply with the provisions of the act which this act amends. The health and welfare of the citizens of this State within the areas so affected are immediately involved and in order to assure such persons necessary and desirable sanitary facilities it is necessary that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 951—An act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, now known as the Embarcadero, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property, and to ratify and confirm action taken by the Board of State Harbor Commissioners in said matters.

Committee Amendments to Assembly Bill No. 951.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, strike out "and to ratify and confirm", and strike out lines 6 and 7 of the title, and insert in lieu thereof a period.

Amendment No. 2.

On page 1 of the printed bill, strike out lines 8 to 10, inclusive, and insert in lieu thereof the following:

"SEC. 2. In rectifying the alignment of said thoroughfare no point on the westerly side thereof shall be located east of the inner line thereof, as now established and defined by law; provided, however, that between the southerly line of Clay Street and the northwesterly line of Market Street no part of the westerly line of said thoroughfare shall be located east of a line described as follows: Beginning at a point on the northwesterly line of Market Street extended northeasterly and located 295 feet southwesterly from the Water Front Line, as said line is delineated on an official map approved by the Board of State Harbor Commissioners, the Governor of the State of California, and the Mayor of the City and County of San Francisco on September 12, 1877, and on file in the office of said board and the office of the Recorder of the City and County of San Francisco, said distance being measured along said northwesterly line of Market Street extended; running thence in a straight line to the intersection of the southerly line of Merchant Street with the westerly line of the Embarcadero, as now located."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 1743—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, as amended, relating to horse racing and the funds derived therefrom.

Committee Amendments to Assembly Bill No. 1743.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, strike out "Fair", and insert in lieu thereof the following: "fair".

Amendment No. 2.

On page 2, line 27, of the printed bill, as amended, strike out "Fair", and insert in lieu thereof "fair".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Assembly Bill No. 439—An act to amend section 690.10 of the Political Code of the State of California, relating to the construction and maintenance of groins.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2206—An act to amend section 273c of the Penal Code, relating to fines.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2908—An act to amend sections 359 and 362 of the Code of Civil Procedure, relating to limitation of actions

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2912—An act creating the office of Assistant Highway Engineer in the State Department of Public Works, and relating

to the powers and duties thereof and the qualifications, compensation and tenure of appointees thereto.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 62—An act to add section 615.2 to the Fish and Game Code, relating to trout.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 400—An act making an appropriation to pay the claim of Dan Campbell against the State of California.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 1840—An act to repeal "An act to provide for the sale of an excess of water when owned by a municipality and repealing an act entitled 'An act to provide for the sale of an excess of water when owned by a municipality,' approved March 27, 1897," approved April 10, 1917, and "An act relating to the acquisition, construction and operation of public utilities by municipal corporations," approved May 1, 1911.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2910—An act to authorize cities and counties to convey and transfer to flood control districts storm drain improvements, drainage improvements and drainage systems in such cities or counties, including storm drain improvements, drainage improvements and drainage systems constructed by drainage improvement districts organized pursuant to an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie." approved March 21, 1903, as amended, or organized pursuant to the Drainage District Improvement Act of 1919, and prescribing the terms and conditions and the effect of such conveyance and transfer, providing for the operation, maintenance, repair and improvement of such storm drain improvements, drainage improvements and drainage systems, and fixing liabilities with respect to obligations of such drainage districts.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2911—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section, to be numbered 13½, relating to the conveyance and transfer to such district of storm drain improvements, drainage improvements and drainage systems, for the assumption of liability for the payment of bonds of drainage districts issued for the construction of storm drain improvements, drainage improvements and drainage systems so conveyed and transferred, for the operation, maintenance, repair and improvement of such storm drain improvements, drainage improvements and drainage systems and the levy of a special tax therefor.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2364—An act making an appropriation for the concreting of fish pond pools of the State trout hatchery at or near Forest Home on Mill Creek, San Bernardino County.

Bill read second time, and ordered to engrossment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1581.	Assembly Bill No. 2503.
Assembly Bill No. 2007.	Assembly Bill No. 253.
Assembly Bill No. 2451.	Assembly Bill No. 2374.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 400.	Assembly Bill No. 1592.
Assembly Bill No. 1017.	Assembly Bill No. 2901.
Assembly Bill No. 1889.	Assembly Bill No. 439.
Assembly Bill No. 2409.	Assembly Bill No. 2206.
Assembly Bill No. 2885.	Assembly Bill No. 2908.
Assembly Bill No. 2889.	Assembly Bill No. 62.
Assembly Bill No. 2903.	Assembly Bill No. 2912.
Assembly Bill No. 2913.	

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred:

Assembly Bill No. 2917.

Respectfully reports the same back, signed out by the committee.

MILLINGTON, Chairman.	SOUDDER.
WEBER.	FULCHER
ROBERTSON.	MARTIN.
VOIGT.	MORGAN.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:

Assembly Bill No. 2916.

Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

Notices of Motion to Reconsider Continued.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 1283 was refused passage was continued until the next legislative day.

On motion of Mr. Flint, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2250 was refused passage was continued until the next legislative day.

On motion of Mr. Welsh, the consideration of his notice of motion to reconsider the vote whereby the Governor's veto to Assembly Bill No. 1177 was sustained, was continued until the next legislative day.

On motion of Mr. Latham, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 351 was refused passage was continued until the next legislative day.

On motion of Mr. Tenney, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2800 was refused passage was continued until the next legislative day.

On motion of Mr. O'Donnell, the consideration of his notice of motion to reconsider the vote whereby Assembly Bill No. 2848 was passed was continued until the next legislative day.

Adjournment.

At eleven o'clock and fifty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, May 21, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SEVENTH LEGISLATIVE DAY
ONE HUNDRED THIRTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 21, 1937.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Bayhham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. William F. Ehmann, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Garibaldi, the further reading of the Journal of Thursday, May 20, 1937, was dispensed with.

Leaves of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. J. J. Moss of Turlock, and Mr. Irving T. Morgan.

On request of Mr. Reaves, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. B. B. Mann.

On request of Mr. Lyon and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. James J. Ryan, Speaker pro tempore in 1917, who served eight years as a member of this Assembly.

On request of Messrs Dannenbrink and Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended

to Mr. Jack Braughman, State President, Democratic Veterans of California.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Richard G. Breeden.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Charles W. Lyon.

Assistant Chief Clerk Greenburg Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Assembly Bill No. 959.
Assembly Bill No. 1553.
Senate Bill No. 1150.
Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO May 20, 1937

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs to which was referred:
Senate Bill No. 747.
Respectfully reports the same back with the recommendation: Do pass.

GANNON, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:
Assembly Bill No. 2919.
Respectfully reports the same back with the recommendation: Do pass.

LORE, Chairman.

The above reported bill ordered on second reading calendar.

Resolutions.

The following resolutions were offered:

By Mr. Gannon:

House Resolution No. 178.

WHEREAS, During the fifty-second session of the California Legislature this Assembly has been honored at the beginning of each legislative day by the presence of the Reverend William F Ehmann, and,

WHEREAS, In his capacity as Chaplain of this fifty-second session of the Assembly, the Reverend Ehmann has given each day a vast measure of courage to the members of this Assembly, not only through the medium of his learned invocation, but through the wisdom and comfort of his counsel to the members of this Assembly, one and all of whom have benefited from his kindly and genuine friendship, and,

WHEREAS, It now becomes necessary for the Reverend William F. Ehmann to journey immediately to the Atlantic Coast prior to the closing days of this session of the Assembly, and,

WHEREAS, His departure and absence during the closing days of this legislative session will be the means of depriving the Assembly not only of his kindly and understanding presence but of the unbounded faith and courage imparted to each and every member of this fifty-second session by his prayers and his understanding friendship to one and all, now, therefore, be it

Resolved, That the deepest thanks and good wishes of this Assembly accompany the Reverend William F. Ehmann on his long journey, and that this Assembly, its officers, its members and attaches, all of whom are better men and women for having enjoyed the great privilege of having known the Reverend William F Ehmann and for having bowed their heads in silent reverence during his prayers for

Divine guidance, wish him Godspeed and a safe return to his home and church in Sacramento at the end of his sojourn in the east, and be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to the Reverend William F. Ehmann, Chaplain of this Assembly, on his return to Sacramento, as a small and all-too-inadequate mark of the high esteem in which this Assembly holds the Reverend Ehmann as an officer of this Assembly during the fifty-second session of the California Legislature.

Request for Unanimous Consent.

Mr. Gannon asked for, and was granted, unanimous consent to take up House Resolution No 178, at this time, without reference to committee or calendar.

House Resolution No. 178 read, and unanimously adopted.

By Mr. Desmond:

House Resolution No. 179.

Resolved, That the prayers offered by the Reverend William F. Ehmann, Chaplain, at the beginning of each legislative day of this fifty-second session of the Assembly, California Legislature, be printed in book form, suitably bound in leather, and, be it

Resolved, That two hundred and fifty (250) copies of said book be prepared and printed, and, be it further

Resolved, That a copy of said book be mailed to each member of this Assembly as soon as printed, and that a portion of the surplus copies of same be presented to the Reverend William F. Ehmann, Chaplain, and author of said prayers, as a memento and token of good will from the members of this fifty-second session of the Assembly.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 179, at this time, without reference to committee or calendar.

House Resolution No. 179 read, and unanimously adopted.

By Mr. Peek:

House Resolution No. 180.

Resolved, That no person shall speak more than once on any one measure, nor for more than five minutes on any such measure during the balance of this legislative day; provided, however, that the proponent shall be allowed five minutes to close; it is further

Resolved, That the Speaker shall strictly enforce this resolution.

Request for Unanimous Consent.

Mr. Peek asked for, and was granted, unanimous consent to take up House Resolution No. 180, at this time, without reference to committee or calendar.

House Resolution No. 180 read, and adopted.

Second Reading of Assembly Bills.

Assembly Bill No. 2916—An act to amend the Political Code by adding thereto a new section to be numbered 4049.5, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2917—An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2921—An act making an appropriation to the emergency fund specified in Item 189 of section 1 of an act entitled "An act making appropriation for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved May 4, 1937, for the purposes therein specified.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2922—An act making an appropriation to pay the State's portion of salaries of municipal judges assigned to the superior court.

Bill read second time and ordered to engrossment.

Second Reading of Senate Bills.

Senate Bill No. 578—An act to amend sections 1, 2 and 4 of, and to add two new sections to be numbered 5 and 6 to "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor." approved July 16, 1935, and making an appropriation therefor

Committee Amendment to Senate Bill No. 578.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out line 24, and insert in lieu thereof the following, "be necessary, shall be expended by the commission for the maintenance of its office and the carrying on of its work during the eighty-ninth and ninetieth fiscal years. The remaining $40,000 to be expended during the eighty-ninth and ninetieth fiscal years upon the executive order of the"

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 326—An act to regulate the distribution of moneys received from the United States Government under the provisions of the Act of Congress of June 28, 1934 known as the Taylor Grazing Act and any act amendatory thereof.

Committee Amendment to Senate Bill No. 326.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 6 to 25, inclusive, and insert in lieu thereof the following "be reported to the State Controller and deposited in the State Treasury. The Division of State Lands, shall, upon receipt of said moneys, apportion the amount thereof to the several counties of the State in which such public lands are located on the basis of the respective amounts received from grazing permits and leased lands located in each such county during the period for which said moneys are received by the State; and if any such grazing district or leased land lies in more than one county of the State each such county shall receive such proportional amount of said sum as the area of such grazing district or leased public lands included within the boundary of such county shall bear to the total area of such grazing district or lease The division shall certify said apportionment to the State Controller who thereupon, in accordance with law, shall draw his warrant in favor of each such county in the amount apportioned thereto, and the State Treasurer shall pay the same. This act shall apply to all moneys now held by the State Treasurer received from the United States Government under said act and all moneys hereafter so received"

Amendment adopted

Bill read second time ordered to reprint and third reading.

Senate Bill No. 880—An act to amend an act entitled "An act to conserve the agricultural wealth of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purpose of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, as amended, by amending sections 2, 8, 9, 10, 13, 18, 19.1, 22 and 22.5, all relating to the institution and enforcement of agricultural proration programs.

Committee Amendments to Senate Bill No. 880.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 9 of the printed bill, as amended, between lines 39 and 40, insert the following:

"SEC. 2. The expenditure herein authorized of the moneys appropriated by this act shall be subject to all of the provisions of Chapter 157 of the Statutes of 1937."

Amendment No. 2.

On page 9, line 40, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figure "3".

Amendment No. 3.

On page 9, line 30, of the printed bill, as amended, following the word "commission", add the following: "for the eighty-ninth and ninetieth fiscal years".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 1137—An act to add section 4237.1 to the Political Code, providing a salary for the court phonographic reporters and for payment thereof and providing for the appointment of one reporter secretary.

Committee Amendments to Senate Bill No. 1137.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out the words "criminal and civil".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out all of line 11, and the words "before the grand jury" in line 12, and insert in lieu thereof the words "for reporting any court or grand jury proceedings and for reporting for any department of the county government."

Amendment No. 3.

On page 1, line 13, of the printed bill, strike out the words "on behalf".

Amendment No. 4.

On page 1, line 14, of the printed bill, strike out the word "of", and insert in lieu thereof the word "to".

Amendment No. 5.

On page 1, line 17, of the printed bill, strike out "a", and insert in lieu thereof "the".

Amendment No. 6.

On page 1, line 21, of the printed bill, after the word "litigant", and before the comma, insert "to the reporters".

Amendment No. 7.

On page 1, line 21, of the printed bill, strike out the word "in", at the end of the line, and strike out all of line 22 to and including the words "juvenile court".

Amendment No. 8.

On page 1, line 23, of the printed bill, strike out the semicolon, and insert a period.

Amendment No. 9.

On page 1 of the printed bill, strike out lines 24 and 25.

Amendment No. 10.

On page 2 of the printed bill, strike out lines 1 to 4, both inclusive.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 46—An act to amend sections 4.51 and 4.52 of the School Code, relating to the distribution of funds received by the State under the act of Congress approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain."

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 925—An act to provide armory facilities for the National Guard and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1143—An act making an appropriation for the support of the University of California.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 304—An act to amend section 1 of an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discrimination between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935, relating to highway carriers.

Committee Amendment to Senate Bill No. 304.

The following amendment was submitted by the committee.

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 5 to 10, inclusive, and insert in lieu thereof the following: "portation service.

In any rate proceeding where more than one type or class of carrier, as defined in this act or in the Public Utilities Act, is involved, the commission shall consider all such types or classes of carriers, and, pursuant to the provisions of this act or the Public Utilities Act, fix as minimum rates applicable to all such types or classes of carriers the lowest of the lawful rates so determined for any such type or class of carrier."

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 689—An act to repeal section 13½, to amend section 32 and to repeal section 32½ of the Public Utilities Act, relating to public utility rates.

Committee Amendment to Senate Bill No. 689.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 33 to 38, inclusive, and insert in lieu thereof the following: "tation service.

In any rate proceeding where more than one type or class of carrier, as defined in this act or in the Public Utilities Act, is involved, the commission shall consider all such types or classes of carriers, and, pursuant to the provisions of this act or the Public Utilities Act, fix as minimum rates applicable to all such types or classes of carriers the lowest of the lawful rates so determined for any such type or class of carrier."

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 773—An act to amend the title and sections 1, 3 and 12 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the taxation of the transportation of persons or property for hire or compensation on the public streets, roads, or highways in the State of California by motor vehicle, to take effect immediately.

Committee Amendments to Senate Bill No. 773.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out, "the title and sections 1, 3 and 12", and insert in lieu thereof, "section 1".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 1 to 7, both inclusive.

Amendment No. 3.

On page 1, line 8, of the printed bill, as amended, strike out "Sec. 2", and insert in lieu thereof, "Section 1".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out all of lines 1 to 12, both inclusive, and insert in lieu thereof the following

"(a) The term "operator" shall include all persons engaging in the transportation of persons or property for hire or compensation by or upon motor vehicles upon any public highway in this State, either directly or indirectly, but shall not mean nor include the following:

(1) Any person transporting his own property in his own motor vehicle; provided, however, that any such person making a specified charge for such transportation shall be deemed to be an "operator" hereunder"

Amendment No. 5.

On page 3 of the printed bill, as amended strike out all of lines 22 to 32 inclusive, and on page 4, strike out all of lines 1 to 19, inclusive.

Amendment No. 6.

On page 4, line 20, of the printed bill, as amended, strike out "5", and insert in lieu thereof "2".

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 1142—An act making an appropriation to be expended by the Department of Public Works for the purpose of operating and maintaining certain units or portions of the flood control work within the Sacramento and San Joaquin Drainage District as provided for in Chapter 774, Statutes of 1927, as amended.

Committee Amendments to Senate Bill No. 1142.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, following the word "Works", insert the following "during the eighty-ninth and ninetieth fiscal years"

Amendment No. 2.

On page 1 of the printed bill, following line 15, insert the following:

"SEC. 2. The expenditure herein authorized of the moneys appropriated by this act shall be subject to all of the provisions of Chapter 157 of the Statutes of 1937."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 1068—An act to amend sections 5, 6, 7, 8, 9, 11, 12, 13 and 14 of, and to add sections 9½, 12¾, 13½, 13.15, 13¾ and 19¼ to the City Carriers' Act.

Committee Amendments to Senate Bill No. 1068.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 15, of the printed bill, as amended, strike out "print and".

Amendment No. 2.

On page 3, lines 19 and 20, of the printed bill, as amended, strike out "and the value of the service thereunder".

Amendment No. 3.

On page 3, line 32, of the printed bill, as amended, strike out "or the value of the service thereunder".

Amendment No. 4.

On page 3, line 40, of the printed bill, as amended, strike out "or the value of the service rendered thereunder".

Amendment No. 5.

On page 4, line 31, of the printed bill, as amended, after the word "carrier", strike out the word "in"; and strike out all of line 32, and insert in lieu thereof a period.

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 972—An act to amend sections 1, 3, 4, 6, 7, 8, 10, 12, 13, 14, and 15, to add sections 11½, 13½, 13¾, 14½, 14¾, 20¼, 20½ and 21½, and to repeal section 9 of the Highway Carriers' Act, relative to the use of public highways for commercial purposes by motor vehicles.

Committee Amendments to Senate Bill No. 972.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "sections", insert the following: "10¼,".

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out lines 43 to 49, inclusive.

Amendment No. 3.

On page 5 of the printed bill, as amended, between lines 10 and 11, insert the following:

"SEC 9. Section 11½ is hereby added to said act, to read as follows:

Sec. 11½. It shall be the duty of every highway carrier other than a highway common carrier to file with the commission and keep open to public inspection, in the form and manner prescribed by the commission, schedules containing the minimum charges of such carrier for the transportation of property between points in the State and all rules, regulations or practices affecting such charges. Provided, however, that such schedules shall not contain minimum charges less than the minimum charges which have theretofore been fixed by the commission under the provisions of this act covering the transportation of property between the same points. No such carrier, unless otherwise provided by this act, shall engage in the transportation of property between points in this State unless the minimum charges for such transportation by said carrier shall have been published, filed, and posted in accordance with the provisions thereof, except as otherwise herein provided. Provided, however, that any such carrier, otherwise complying with this act, may transport perishable products, including agricultural products and live stock, in emergencies without publishing, filing and posting minimum charges, in accordance with the provisions of this section No change shall be made in any such charge either directly or by means of any change in any rule, regulation or practice affecting such charge, except after thirty days' notice of the proposed change filed in the aforesaid form and manner, but the commission may, in its discretion and for good cause shown, allow changes without requiring the thirty days' notice herein provided for by an order specifying the change so to be made and the time when they shall take effect. When any change is proposed in any minimum rate, rule, regulation, charge or practice affecting such charge, attention shall be directed to such change on the schedule filed with the commission, by some character to be designated by the commission, immediately preceding or following the item. Such notice shall plainly state the change proposed to be made and the time when such change will take effect. No such carrier shall demand, charge or collect a less compensation for such transportation or service than the charges filed in accordance with this paragraph, as affected by any rule, regulation or practice so filed, or as may be prescribed by the commission from time to time, and it shall be unlawful for any such carrier, by the furnishing of special service facilities or privileges, or by any other device whatsoever, to charge, accept or receive less than the minimum

charges so filed or prescribed. Whenever there shall be filed with the commission by any such highway carrier other than a highway common carrier any schedule of charges stating a reduced charge directly, or by the means of any rule, regulation, or practice, for the transportation of property between points in this State, the commission is hereby authorized and empowered upon complaint of interested parties or upon its own initiative at once, and if it so orders, without answer or other formal pleading by the interested party, but upon reasonable notice, to enter upon a hearing concerning the lawfulness or reasonableness of such charge, or such rule, regulation, or practice, and pending such hearing and the decision thereof the commission, by filing with such schedule and delivery to the carrier affected thereby a statement in writing of its reason for such suspension, may suspend the operation of such schedule and defer the use of such charge, or such rule, regulation, or practice, for a period of ninety days, and if such hearing has not been concluded and a final order made within such period the commission may, from time to time, extend the period of suspension, but not for a longer period in the aggregate than one hundred eighty days beyond the time when such schedule would otherwise go into effect; and after hearing, whether completed before or after the charge, or rule, regulation, or practice goes into effect, the commission may make such order with reference thereto as would be proper in a proceeding instituted after it had become effective. If such hearing has not been concluded and an order made within the period of suspension, the proposed change in any such schedule or charges, or rule, regulation, or practice shall go into effect at the end of such period: provided that this paragraph shall not apply to any initial schedule filed by any such carrier."

Amendment No. 4.

On page 6 of the printed bill, as amended, between lines 6 and 7, insert the following:

"SEC. 10.6. Section 10¼ is hereby added to said act to read as follows:

10¼. It is hereby declared to be the policy of the State of California, in rate making to be pursued by the Railroad Commission of the State of California, to establish such rates as will promote the freedom of movement by carriers of the products of agriculture, including live stock, at the lowest lawful rates compatible with the maintenance of adequate transportation service."

Amendments adopted.

Bill read second time Ordered to reprint and third reading.

Senate Bill No. 683—An act to amend the Central Valley Project Act of 1933, by amending section 20, relating to use of money appropriated by said act and to registration of bonds, and section 21, relating to use of money appropriated by said act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 682—An act to amend the Central Valley Project Act of 1933, by amending section 3, relating to the construction of said act and section 4, relating to project units.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 685—An act to amend section 12 of the Central Valley Project Act of 1933, relating to acquisition of property by eminent domain and sale or lease of property no longer needed for the purposes of said act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1030—An act to amend section 660 of, and to add section 660.3 to, the Fish and Game Code, relating to salmon.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 203—An act to amend section 651.6 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 233—An act to amend section 421 of the Fish and Game Code, relating to sporting fishing licenses.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 807—An act to amend the Fish and Game Code by addition thereto of a new section designated 1069, relating to and regulating the granting of fish canning and fish reduction permits or licenses to plants not engaged in such business and lawfully processing fish resources of the State heretofore.

Committee Amendments to Senate Bill No. 807.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after "no", insert the following: "fish canning".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, after "to", insert the following: "a fish cannery, or operator thereof, or to".

Amendment No. 3.

On page 1, line 8, of the printed bill, as amended, after "business", insert a comma and the following: "and lawfully processing fish caught within the jurisdiction of the State.".

Amendment No. 4.

On page 1, line 9, of the printed bill, as amended, strike out "within the State".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 285—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to acquire, sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the acquisition, production, transmission or distribution of energy; authorizing such corporations to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect.

Committee Amendments to Senate Bill No. 285.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 5 and 6 of the title of the printed bill, as amended April 2, strike out "consistent with sound economy and the prudent management of the business of such corporations", and insert in lieu thereof the following: "that will provide revenue for the payment of interest upon bonds or other interest bearing indebtedness of the corporation, for creation of sinking or retirement funds to pay the principal thereof as and when the same becomes due, for the operation and maintenance of a system, and for a depreciation fund;".

Amendment No. 2.

On page 1, in the title of the printed bill, as amended, at the end of the next to last line, strike out the semicolon, and insert in lieu thereof a period, and strike out the last line of the title.

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out line 7, and in line 8, strike out the first four words "itants of the State", and insert in lieu thereof the following: "of electric energy, in rural districts, by cooperation among the users of the electric energy to be supplied by the corporation".

Amendment No. 4.

On page 2, line 1, of the printed bill, as amended, strike out the word "county".

Amendment No. 5.

On page 2, line 6, of the printed bill, as amended, strike out the words "and include any and all".

Amendment No. 6.

On page 2, line 25, of the printed bill, as amended, strike out the word "leave".

Amendment No. 7.

On page 2, line 26, of the printed bill, as amended, strike out "or", and insert in lieu thereof the words "within the limitations specified in this act, or by".

Amendment No. 8.

On page 2, line 37, of the printed bill, as amended, preceding the word "energy", insert the word "electric".

Amendment No. 9.

On page 2, line 38, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following words. "in accordance with the terms of *this act.*"

Amendment No. 10.

On page 2 of the printed bill, as amended, following line 38, insert a new paragraph reading as follows:

"(n) "Rural district" shall mean and include such territory as is not included in any municipality and in which electric energy is not available for service to the inhabitants thereof by a publicly or privately owned public utility."

Amendment No. 11.

On page 2 of the printed bill, as amended, strike out lines 45 and 46, and insert in lieu thereof the following:

"(b) A reasonably certain description of the limitations of the territory in which it shall sell electric energy, but such territory shall not include any area that is not within a rural district as defined in section 3 of this act."

Amendment No. 12.

On page 3, line 16, of the printed bill, as amended, following the word "poration", insert the following new matter: "Appended to the certificate of incorporation shall be the names and addresses of those persons who shall have agreed in writing to purchase electrical energy from the corporation for a definitely specified period of time and in quantities of a definitely specified number of kilowatts per year per person."

Amendment No. 13.

On page 3, line 29, of the printed bill, as amended, strike out the word "function", and insert in lieu thereof the word "agency".

Amendment No. 14.

On page 3, line 40, of the printed bill, as amended, following the period, add the following:

"By-laws for the management and regulation of the affairs of the corporation shall be adopted and may be amended from time to time by a majority vote of the members. All votes by the members shall be by ballot and secret and voting may be done by mail if the by-laws so provide. The by-laws of the corporation may make provisions, not inconsistent with law or its certificate of incorporation, regulating the terms on which members shall be admitted, but the terms shall be uniform for all members, making due allowance for all contributions to the capital investment of the corporation, as distinguished from rates for operating costs for the service, that shall have been made by earlier members. Any inhabitant of the territory of the corporation shall be entitled to service on request provided he pays such contribution as shall be required of him by the board of directors in order to equalize such contribution required of him with those made by earlier members and in order to pay such new member's proper share of any additional capital investment that the corporation may have to make in order to bring service to such applicant. The by-laws may provide for the suspension of members, or for their expulsion, or for the suspension of service rendered to them, for non-payment of rates or validly required contribution, and for reasonable penalties for the restoration of suspended members and the resumption of service to them on payment of arrears of rates and contributions; provided, however, that no member shall be suspended or expelled, except for non-payment of service charges, except by a majority vote of the members present at a regular meeting or at a special meeting if due notice of the fact has been given that such action will be proposed at the special meeting The by-laws may provide for the number, times and manner of choosing, qualifications, terms of office, official designations, powers, duties and compensation of officers of the corporation; may define a vacancy in the board or in any office and the manner of filling it; may prescribe the number of members, not less than a majority, to constitute a quorum at meetings,

the date of the annual meeting, and the giving of notice thereof, and the holding of special meetings, and the giving of notice thereof; the terms and conditions on which the corporation is to render service to its members, which terms and conditions shall be uniform for all members except as otherwise in this act provided; the disposition of the revenues and receipts of the corporation; and may provide for regular and special meetings of the board and the giving of notice thereof. In all actions by the members, including elections, a majority of those voting shall prevail except that no revenue bonds or other bonds of the corporation shall be issued, or interest bearing obligations incurred, without the approval of two-thirds of the members of the corporation voting at an election held for that purpose."

Amendment No. 15.

On page 3, line 33, of the printed bill, as amended, strike out all of lines 33 and 34, and line 35 to and including the word "therefor".

Amendment No. 16.

On page 3, line 39, of the printed bill, as amended, strike out the balance of the line, starting with the words "The board", and also strike out all of line 40.

Amendment No. 17.

On page 3, line 43, of the printed bill, as amended, following the word "to", add the words "the power".

Amendment No. 18.

On page 3, line 44, of the printed bill, as amended, strike out lines 44 to 52, inclusive, and on page 4, strike out lines 1 to 11, inclusive.

Amendment No. 19.

On page 4, line 12, of the printed bill, as amended, strike out "(b)", and insert in lieu thereof "(a)".

Amendment No. 20.

On page 4, line 15, of the printed bill, as amended, strike out the word "that", and insert in lieu thereof the word "those"; and on page 4, line 15, following the word "paid", insert the words "for like work", and strike out the final word of line 15, "like".

Amendment No. 21.

On page 4, line 17, of the printed bill, as amended, strike out "and", and insert in lieu thereof the word "or".

Amendment No. 22.

On page 4 of the printed bill, as amended, strike out line 21, and insert in lieu thereof the following:

"(b) To designate the officers of the corporation who shall execute instruments on its behalf."

Amendment No. 23.

On page 4, line 22, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof "(c)".

Amendment No. 24.

On page 4, line 25, of the printed bill, as amended, strike out the word "(e)", and insert in lieu thereof "(d)".

Amendment No. 25.

On page 4 of the printed bill, as amended, following line 26, add the following new paragraph:

"(e) To fix and establish from time to time the rates to be charged for electric energy to be sold by the corporation, provided, however, that such rates shall be of uniform operation as near as may be and shall at all times be sufficient to provide for the payment of interest on all bonds and other interest bearing obligations and to create a sinking or other retirement fund to pay the principal thereof as and when it becomes due, and to provide for the operation and maintenance of the system, and to provide an adequate depreciation fund."

Amendment No. 26.

On page 4, line 43, of the printed bill, as amended, strike out "the corporations", and insert in lieu thereof the words "a corporation".

Amendment No. 27.

On page 4, line 45, of the printed bill, as amended, strike out the words "specific districts", and insert in lieu thereof the words "its specific territory".

Amendment No. 28.

On page 5, line 9, of the printed bill, as amended, following the word "determine", strike out the period, and insert in lieu thereof a semicolon and the following words: "subject however to the other provisions of this act".

Amendment No. 29.

On page 5, line 22, of the printed bill, as amended, following the word "code", strike out the period, and insert in lieu thereof a semicolon and the following words:

"and provided further that as to any other property" owned by this State or any political subdivision thereof a permit to use the same for the purposes stated must be obtained from the public authority, board, officer or commission which has control of such property so to be used."

Amendment No. 30.

On page 5, line 29, of the printed bill, as amended, strike out "To", and insert in lieu thereof the following: "Subject to the other provisions of this, to".

Amendment No. 31.

On page 5, line 44, of the printed bill, as amended, following the word "issue", strike out the period, and insert in lieu thereof a semicolon and the following: "provided further that the board shall not have power to sell or contract for the sale to any person for resale within or without its territory, any electric energy required for the service to its own consumer members in its specific territory."

Amendment No. 32.

On page 5, line 48, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "in accordance with the provisions of this act."

Amendment No. 33.

On page 6, line 1, of the printed bill, following the word "California;", strike out "provided", and strike out all of lines 2 to 26, inclusive, and insert in lieu thereof the following: "provided, however, that no corporation formed under this act shall have the right to acquire by the exercise of the right of eminent domain any properties or rights or franchises owned, or held under lease, by any privately owned public utility corporation, or any municipal corporation, utility district, municipal utility district, irrigation district or other political subdivision or public agency within or without the territory of such corporation formed under this act, if such property or rights or franchises are used or useful by such privately owned public utility corporation or such political subdivision or public agency in respect to any public utility service which such privately owned public utility corporation or such political subdivision or public agency is rendering to the public."

Amendment No. 34.

On page 4, line 46, of the printed bill, as amended, strike out "districts", and insert in lieu thereof "agencies".

Amendment No. 35.

On page 4, line 50, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon, and the following words: "except that no corporation shall sell any electric energy in any territory without first having obtained from the Railroad Commission a ruling that such territory is within a rural district as defined in this act."

Amendment No. 36.

On page 6 of the printed bill, as amended, between lines 30 and 31, insert the following:

"SEC. 11.5. Every person to whom is awarded a contract involving an expenditure in excess of one hundred dollars for the improvement, erection or construction of any system or portion thereof or any building, structure, or other work for any such corporation shall, before entering upon the performance of such contract, file with the board of directors of such corporation a bond complying with the provisions of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, and all rights and remedies upon such bond so furnished shall be as provided in said act and as provided by sections 1184, 1184a, 1184b, 1184c, and 1184d of the Code of Civil Procedure."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 607—An act to amend section 4041d of the Political Code, relating to the care, treatment, transportation, and physical rehabilitation of physically defective and handicapped persons.

Motion to Amend Senate Bill No. 607.

Mr Lore moved to amend Senate Bill No. 607 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 10 and 11, and insert in lieu thereof the following: "if the parents or guardians of such persons, when

they are minors, consent thereto in writing, and if such persons, or their parents or guardians, when they are minors, are not finan-".

Amendment adopted.

Bill read second time, ordered to reprint and third reading

Senate Message.

The following message from the Senate was taken up and read·

SENATE CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER· I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No. 2860.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered to enrollment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER· Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 1981.

Respectfully reports the same back with the recommendation· Do pass.

CRONIN, Chairman

The above reported bill ordered on third reading calendar

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937

MR. SPEAKER· Your Committee on Public Utilities, to which was referred:

Senate Bill No. 1105.

Respectfully reports the same back with the recommendation: Do pass

BAYNHAM, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER· Your Committee on Engrossment and Enrollment has examined·

Assembly Bill No. 55.
Assembly Bill No. 590.
Assembly Bill No. 2835.

And reports the same correctly re-engrossed

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined·

Assembly Bill No. 2890.
Assembly Bill No. 2900.
Assembly Bill No. 2907.
Assembly Bill No. 1553.
Assembly Bill No. 1840.
Assembly Bill No. 2364.
Assembly Bill No. 2910.
Assembly Bill No. 2911.
Assembly Bill No. 2919.
Assembly Bill No. 2909.
Assembly Concurrent Resolution No. 55.
Assembly Concurrent Resolution No. 56.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bills ordered on third reading calendar.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1500—An act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such housing authorities in cities, and cities and counties, having a population of more than 15,000 and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers,

including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for a certification of the bonds by the Attorney General; to confer remedies on obligees of housing authorities; and to declare an emergency.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1500?

Amendment No. 1.

On page 3, line 4, of the printed bill, as amended, strike out "that portion which lies", and insert in lieu thereof the following: "the area".

Amendment No. 2.

On page 3, line 5, of the printed bill, as amended, strike out "as herein defined." and insert in lieu thereof the following: "located in said county for which city an authority has been previously authorized to transact business; provided, that if an authority of a city within a county becomes empowered to transact business and exercise its powers, an authority previously empowered to transact business and exercise its powers in said county shall thereafter have no power to initiate any further project within the territorial boundaries of such city."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1500 by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Garibaldi, Garland, Glick, Hawkins, Johnson, Kepple, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 1500 ordered to enrollment.

Assembly Bill No. 1228—An act to amend sections 510, 511, 512, 513, 515 and 593 of the Agricultural Code, relating to ice cream and similar frozen products.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1228?

Amendment No. 1.

On page 1, line 13, of the printed bill, after the word "manufacturer", insert the words "or retailer".

Amendment No. 2.

On page 1, line 14, of the printed bill, strike out "150,000", and insert in lieu thereof the figure "75,000".

Amendment No. 3.

On page 2, line 1, of the printed bill, after the word "manufacturer", insert the words "or retailer".

Amendment No. 4.

On page 2, line 12, of the printed bill, strike out "150,000", and insert in lieu thereof the figure "75,000".

Amendment No. 5.

On page 2, line 13, of the printed bill, after the word "manufacturer", insert the words "or retailer".

Amendment No. 6.

On page 2, line 51, of the printed bill, strike out "100,000", and insert in lieu thereof the figure "75,000".

Amendment No. 7.

On page 2, line 3, of the printed bill, as amended, strike out "one hundred fifty thousand", and insert in lieu thereof the following: "75,000".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1228 by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Johnson, Kepple, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Welsh, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 1228 ordered to enrollment.

Assembly Bill No. 1598—An act to add section 1154.5 to the Fish and Game Code, relating to trap guns.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1598?

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "firearm", add the following: "loaded with other than blank cartridges and".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1598 by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Johnson, Kepple, Latham, Leonard, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 1598 ordered to enrollment.

Assembly Bill No. 1748—An act to add section 471.5 to the Agricultural Code, relating to definitions of milk.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1748?

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out "amend section 471 of", and insert in lieu thereof the following: "add section 471.5 to".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 25, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. Section 471.5 is hereby added to the Agricultural Code, to read as follows:

471.5. Except as otherwise provided in this code or in the rules and regulations of the director, all of the provisions of this code applying to milk, dairies and cows shall apply to goat's milk, goat dairies and goats."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1748 by the following vote:

AYES—Beene, Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Latham, Leonard, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1748 ordered to enrollment.

Assembly Bill No. 1940—An act to amend section 6d of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon" approved May 23, 1921, and relating to existing utilities therein.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1940?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 1 of the title, and insert in lieu thereof the following

"An act to amend sections 6d, 11, 13, 15, 15c and 21 of, and to add section 11a to, an act entitled "An act to".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 7 and 8 of the title, and insert in lieu thereof the following: "approved May 23, 1921, as amended,

relating to control of publicly owned utilities, appointment and removal of the general manager, the redemption of and signatures to bonds, civil service, and the establishment of a retirement system, all relating to municipal utility districts."

Amendment No. 3.

On page 1 following line 17 of the printed bill, as amended, insert the following:

"SEC. 2 Section 11 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 11. The board of directors shall constitute the legislative body of such district and determine all questions of policy.

The board of directors shall supervise and regulate every utility owned and operated by such district, including the fixing of rates, rentals, charges and classifications, and the making and enforcement of rules, regulations, contracts, practices and schedules, for or in connection with any service, product or commodity owned or controlled by such district.

Said board shall appoint a general manager and may in its discretion, appoint an accountant, a secretary, a treasurer, and an attorney, which appointees except the general manager shall hold office during the pleasure of the said board. The general manager shall hold office for an indefinite term and shall be removable as hereinafter provided. Each appointee shall give such bond and in such amount as the board of directors may require Said board may consolidate any of said offices in one and the same person. Said board may also provide for assistants to any officer of the district which assistants, when appointed by the board shall hold office at the pleasure of the board and may perform any and all acts that their principal may perform, when authorized so to do by the board

The general manager may be removed by the board but only upon the adoption of a resolution by the affirmative vote of not less than three members of the board Before the general manager may be removed, he shall, if he so demand, be given a written statement of the reasons alleged for his removal and shall have the right to be publicly heard thereon at a meeting of the board prior to the final vote on the resolution providing for his removal, but pending and during such hearing the board may suspend him from office Neither may the board reduce the salary of the general manager except upon the adoption of a resolution by a like vote and after a like opportunity to be heard The action of the board in suspending or removing the general manager or reducing has salary, if approved by a majority of the membership of the board, shall be final Provided, however, that until such time as the district shall have operated, controlled or used works or parts of works for the providing of the inhabitants and municipalities within the boundaries of said district with the utility services, or any of them, specified in the fifth paragraph of section 12 hereof for a period of six months, the board, in its discretion, may or may not appoint a general manager, who during such time shall hold office at the pleasure of the majority of the board

The board of directors may from time to time contract for or employ any professional services required by this district, or by the board or any officers of the district

SEC. 3. A new section is hereby added to the above entitled act to be numbered 11a and to read as follows:

Sec. 11a The board of directors may establish a retirement system for the officers and employees of the district and provide for the payment of annuities, pensions, retirement allowances, disability payments and death benefits or any of them; said board of directors may classify and determine the officers and employees who shall be included as members in such retirement system and change such classification from time to time, and membership of all officers and employees so classified and included in such retirement system shall be compulsory; the retirement system herein provided for shall not apply to elective officers; said board of directors may prescribe the terms and conditions upon which the officers and employees of the district or their beneficiaries shall be entitled to benefits and the amounts thereof, and the retirement allowance may be predicated in part upon service rendered the district by a member prior to the establishment of the retirement system, which service is known as "prior service"; said board of directors shall provide that the district and the members shall contribute to the retirement system and the contributions by members shall be so fixed as to provide with accumulated interest at least one-half the value of any retirement allowance granted for service, exclusive of any credits allowed for prior service, and all members of the retirement system shall contribute in the manner and amount fixed by the board of directors of the district and such contributions may be collected by deducting the amounts thereof from the salary, wages or compensation due such members; said district may maintain its own retirement fund or may provide for benefits to eligible officers and employees, or their beneficiaries, by means of group insurance or other insurance, or by such means as in the opinion of the board of directors will satisfactorily provide an adequate and sure method of meeting the payments contemplated by said retirement system; liabilities accruing under the retirement system because of benefits other than such as are the equivalent of contributions by the members, with accumulated interest, shall be met by contributions by the district, provided that such prior service or other liabilities of the district may be met by annual appropriations instead of by one appropriation for

the total of the liabilities; and provided further, that until the present value of regular contributions for current service, together with assets then available, shall equal the present value of all allowances and benefits granted or to be granted under the system, such appropriation for any one year when added to any unused balance of any previous appropriations for such purpose shall not be less than the amount disbursed during that year on account of prior service or other liabilities of the district.

The board of directors shall create a retirement board of not more than five members at least two members of which shall be the elected representatives of the employees to administer the retirement system and define its powers and duties and the tenure of the members; said retirement board shall determine the eligibility of officers, employees and their dependents to participation in the system and shall be the sole authority and judge under such ordinances as may be adopted by the board of directors as to the conditions under which persons may be admitted to and continue to receive benefits of any sort under the retirement system, and may modify allowances for service and disability, and the determination of said retirement board shall be final and conclusive and shall not be modified or set aside except for fraud or abuse of discretion; in the event the district maintains its own retirement fund the retirement board shall have exclusive control of the administration, investment and disbursement of such fund, however the investment of said fund shall be subject to the terms, conditions, limitations and restrictions imposed by the laws of the State of California upon savings banks in the making of investments by savings banks, and cash may be deposited in any licensed National bank or banks in this State or in any bank, banks or corporations authorized or licensed to do a banking business and organized under the laws of this State. All members of said retirement board shall serve without pay.

In the event any member withdraws from the retirement system prior to retirement the total amount contributed by such member with such interest as may be credited thereto shall be returned to him.

All moneys received by any person as an annuity, pension, retirement allowance, disability payment or death benefit from any such retirement system, and all contributions and interest thereon returned to any member of said retirement system, whether the same be in the actual possession of such person or deposited, loaned or invested by him, shall be exempt from execution, garnishment or attachment and shall be unassignable.

Before establishing any retirement system, the board of directors shall secure a report from a qualified actuary, which shall show the cost of the benefits provided by the system, and the prospective assets and liabilities of the system. At least once in each four-year period after the establishment of the system the board of directors shall cause to be made an actuarial valuation of the assets and liabilities of the retirement fund, and upon the basis of such investigation and valuation shall make such revision or change of the rates of contribution, the periods and conditions of service, and amounts of retirement allowances as may be necessary.

Except as herein provided, no member of the board of directors or of the retirement board, nor any member of the retirement system or employee of the district, shall have any interest direct or indirect in the making of any investment or in the gains or profits accruing therefrom, and no such person, directly or indirectly, for himself or as an agent or partner of others, shall borrow any of its funds, nor shall any such person in any manner use the same except to make such current and necessary payments as are authorized by said board, nor shall such person become an indorser or surety as to, or in any manner an obligor for investments of the retirement fund.

The board of directors is authorized and empowered to adopt any and all ordinances and resolutions and to perform any and all acts necessary or convenient to the initiation, maintenance and administration of a retirement system as provided in this section

SEC. 4. Section 13 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 13. The general manager shall have full charge and control of the construction of the works of said district and of their maintenance and operation, also of the administration of the business affairs of said district. He need not be a resident of the State of California at the time of his appointment. His salary shall be fixed by the board of directors The powers of the general manager shall be:

(a) To see that all ordinances of the district are enforced.

(b) To administer the civil service system of the district and, except as otherwise provided herein, to appoint all officials and employees necessary for the administration of the affairs of the district, and to remove the same, in accordance with the provisions of said civil service system;

(c) To attend all meetings of the board of directors and submit a general report of the affairs of the district;

(d) To keep the directors advised as to the needs of the district;

(e) To prepare or cause to be prepared, all plans and specifications for the construction of the works of said district;

(f) To devote his entire time to the business of the district;

(g) To perform such other and additional duties as the board of directors may require.

The general manager shall within sixty days from the end of each fiscal year cause to be published a financial report showing the result of operations for the preceding fiscal year and the financial status of the district on the last day thereof. Said publication shall be made at least once a week for two weeks in some newspaper of general circulation printed and published in the district, or, if there be no such newspaper in the district, then within some newspaper of general circulation printed and published in the county where such district is situated.

All other things being equal, the board of directors shall appoint as general manager some person who has had experience in municipal engineering or in the construction or management of public utilities.

SEC. 5. Section 15 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 15. Any district organized under this act may from time to time, as hereinafter provided, incur a bonded indebtedness to pay the cost of acquiring, constructing or completing the whole or any portion of any utility or works referred to in this act, or for acquiring any works, lands, structures, rights or other property necessary or convenient to carry out the objects, purposes or powers of such district.

Whenever the board of directors of any such district shall, by resolution passed by vote of two-thirds of all its members, determine that the public interest or necessity demands the acquisition, construction or completion by the district of any public utility or utilities referred to in this act, or any part thereof, or any works, lands, structures, rights or other property necessary or convenient to carry out the objects, purposes or powers of such district, the cost of which will be too great to be paid out of the ordinary annual income and revenue of such district, it may at any subsequent meeting of said board of directors provide for the submission of the proposition of incurring a bonded debt for the purpose set forth in said resolution, to the qualified voters of such district, at any election held for that purpose; provided, that propositions for incurring indebtedness for more than one object or purpose may be submitted at the same election. The ordinance calling such election shall recite the objects and purposes for which the indebtedness is proposed to be incurred, the estimated cost of the utility, works, lands, structures, rights or other property proposed to be acquired, constructed or completed, the amount of the principal of the indebtedness to be incurred therefor, and the rate of interest to be paid on said indebtedness, and shall fix the date on which such election will be held, the manner of holding such election, and the voting for or against incurring such indebtedness, and in all particulars not recited in said ordinance, such election shall be held as provided by law for holding general elections in such district; provided, however, that if the rate of interest to be paid on such indebtedness shall not exceed four and one-half per cent per annum, payable semiannually, the rate of interest need not be recited in said ordinance, but in its discretion the board of directors may recite in said ordinance a maximum rate of interest to be paid on such indebtedness, not exceeding six per cent per annum, payable semiannually, which rate, when so recited, shall not be exceeded in the issuance of bonds for such indebtedness.

Said ordinance shall be published once a day for at least seven days in some newspaper published at least six days a week in such district, or once a week for two weeks in some newspaper published less than six days a week in such district; and one insertion each week for two succeeding weeks shall be a sufficient publication in such newspaper published less than six days per week. In districts where no such newspaper is published, said ordinance shall be posted in three public places therein for two succeeding weeks. No other notice of such election need be given. It shall require the votes of two-thirds of all the voters voting at such elections to authorize the issuance of the bonds herein provided; provided, however, should the proposition so submitted at such election fail to receive the requisite number of votes of the qualified voters voting at such election to incur the indebtedness for the purposes specified, the board of directors of such district shall have no power or authority within six months after such election to call or order another election for incurring any indebtedness for the acquisition, construction or completion of improvements or property substantially the same as voted upon at such prior election, unless a petition signed by at least fifteen per cent of the qualified electors of such district computed upon the total number of votes cast therein for all candidates for Governor at the last preceding election at which a Governor was elected be filed with the board of directors of such district, requesting that said proposition, or a proposition substantially the same, be submitted at an election to be called for the submission of such proposition and to be held in accordance with the provisions of this act. The bonds so authorized shall mature serially in amounts to be fixed by the board of directors; provided, that the payment of said bonds shall begin not later than ten years from the date thereof and be completed in not more than fifty years from said date. Said bonds shall be issued in such denominations as the board of directors of the district determine, except that no bonds shall be of a less denomination than one hundred dollars, nor of a greater denomination than one thousand dollars, and shall be payable on the day and at the place or places fixed in said bonds, and with interest at the rate specified therein, which interest shall be payable semiannually. The board

of directors may provide for the call and redemption of any or all of said bonds on any interest payment date prior to their fixed maturity at not exceeding the par value thereof and accrued interest plus a premium of not exceeding five per cent upon the principal amount of said bonds, in which event a statement to that effect shall be set forth in the ordinance calling the election and the call price fixed by the board of directors shall be set forth on the face of the bond. Notice of such redemption shall be published once a week for three successive weeks in a newspaper of general circulation printed and published within the district or if there be no such newspaper printed and published within the district then the publication shall be made in a newspaper of general circulation printed and published within the county in which the said district or any part thereof is situated, the first publication of which shall be at least thirty days prior to the date fixed for such redemption. After the date fixed for such redemption, interest on said bonds thereafter shall cease. Said bonds shall be signed by the president of the board of directors of the district or by such officer thereof as the board of directors shall, by resolution adopted by a two-thirds vote of all its members, authorize and designate for that purpose. They shall also be signed by the treasurer thereof, and be countersigned by the secretary thereof. The coupons of said bonds shall be numbered consecutively and be signed by the treasurer by his lithographed or engraved signature. All such signatures and countersignatures, except that of the treasurer, on said bonds may be printed, lithographed or engraved. In case any of such officers whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of said bonds to the purchaser, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes, the same as if they had remained in office until the delivery of the bonds. Said bonds may be issued and sold by the board of directors of the district as they determine, but for not less than their par value. The proceeds of said bonds shall be placed in the district treasury to the credit of the proper fund, and shall be used exclusively for the objects or purposes for which said bonds were voted.

No municipal utility district shall incur an indebtedness for public works which shall in the aggregate exceed twenty per cent of the assessed value of all the real and personal property of such district; provided, however, any indebtedness which has been incurred for the construction and operation of a public utility, where the revenue from said utility for three years or more next preceding has been sufficient to pay the interest and principal due on any bonds issued for its construction or acquisition, in addition to the cost of operation and maintenance, shall not be counted and included in ascertaining the limit of indebtedness.

The board of directors of such district shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until said bonds are paid, or until there shall be a sum in the treasury of such district set apart for that purpose to meet all claims coming due for principal and interest on said bonds, a tax sufficient to pay the annual interest on said bonds, and also such part of the principal thereof as shall become due before the time for fixing the next general tax levy; provided, however, that if the maturity of the indebtedness created by the issue of bonds be made to begin more than one year after the date of the issuance thereof, said tax shall be levied and collected at the time and in the manner aforesaid annually each year, sufficient to pay the interest on said indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof on or before maturity. The taxes herein required to be levied and collected shall be in addition to all other taxes levied for district purposes, and shall be collected at the time and in the same manner as other district taxes are collected, and be used for no other purpose than the payment of said bonds and accruing interest.

In lieu of a resolution passed as hereinbefore provided by its board of directors, proceedings for the issuance of bonds for the purposes in this section provided may be initiated by petition of the qualified electors of such district.

Whenever any petition or petitions, each signed by electors of the district equal in number to fifteen per cent of the qualified electors of such district, computed upon the total number of votes cast therein for all candidates for Governor at the last preceding election at which a Governor was elected, shall be presented to the board of directors of said district asking for the acquisition, construction or completion of the whole or any portion of any utility, or works referred to in this act, or for acquiring any works, lands, structures, rights, or other property necessary or convenient to carry out the objects, purposes or powers of such district, and also asking that a bonded indebtedness be incurred to pay for the cost thereof, then it shall be the duty of the secretary of the district to immediately proceed to examine and verify the signatures of such petition or petitions, and to certify the result of such examination to the board of directors. If the required number of signatures be found to be genuine, the secretary shall transmit to the board of directors an authentic copy of such petition or petitions without the signatures thereto. Upon receiving the petition or petitions with the certificate of the secretary stating that it or they contain the required number of signatures, the board of directors shall formulate for submission to the electors of the district at a special election called for that purpose the proposition of incurring a bonded debt for the

purposes set forth in said petition, and thereafter the said election and all things and proceedings with reference to the said bonds and the issuance thereof shall be conducted and performed in the same manner as if the proceedings had been initiated by resolution of the board of directors of said district as hereinbefore provided. In its discretion the board of directors may defer the calling of said election until the next general election to be held in the district in order that the same may be consolidated therewith.

Any election called for the submission of any question or proposition under the provisions of this section, may be held separately, or may be consolidated with any other election authorized by law at which the qualified voters of such district are entitled to vote; provided, however, that in the event any such election called pursuant to the provisions of this section is consolidated with any other election, the provisions of this section setting forth the procedure for the calling and holding of the election called pursuant to the provisions of this section, shall be complied with, except that the ordinance calling such election need not set forth the election precincts, polling places and officers of election, but may provide that the precincts, polling places and officers of election shall be the same as those set forth in the ordinance, notice or other proceedings calling the election with which *the election called pursuant to the provisions of this section, is consolidated,* and shall refer to such ordinance, notice or other proceeding by number and title, or by other definite description

SEC. 6. Section 15c of the act cited in the title hereof is hereby amended to read as follows:

Sec. 15 Whenever the board of directors shall by resolution passed by a vote of two-thirds of all its members determine that the refunding of the whole or any portion of its bonded indebtedness will be of advantage to the district, said board may refund such bonded indebtedness or any portion thereof and issue refunding bonds of the district therefor. The refunding bonds shall bear interest at a rate not exceeding the interest rate on the refunded bonds and shall mature serially in amounts to be fixed by the board of directors; provided that the payment of said bonds shall begin not later than one year from the date thereof and be completed in not more than forty years from said date. Said bonds shall be issued in such denominations as the board of directors determine except that no bonds shall be of a less denomination than one hundred dollars nor of a greater denomination than one thousand dollars, and shall be payable on the day and at the place or places fixed in said bonds, with interest at the rate specified therein, which interest shall be payable semiannually The board of directors may provide for the call and redemption of any or all of said bonds on any interest payment date prior to their fixed maturity at not exceeding the par value thereof and accrued interest plus a premium of not exceeding five per cent upon the principal amount of said bonds, and the call price fixed by the board of directors shall be set forth on the face of the bond. Notice of such redemption shall be published once a week for three successive weeks in a newspaper of general circulation printed and published within the district, or if there be no such newspaper printed and published within the district then the publication shall be made in a newspaper of general circulation printed and published within the county in which the said district or any part thereof is situated, which shall be at least thrity days prior to the date fixed for such redemption After the date fixed for such redemption, interest on said bonds thereafter shall cease. Said bonds shall be signed by the president of the board of directors of the district or by such officer thereof as the board of directors shall by resolution adopted by a two-thirds vote of all its members authorize and designate for that purpose. They shall also be signed by the treasurer thereof and be countersigned by the secretary thereof. The coupons of said bonds shall be numbered consecutively and be signed by the treasurer by his lithographed or engraved signature All such signatures and countersignatures, except that of the treasurer, on said bonds may be printed, lithographed or engraved. In case any of such officers whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of said bonds to the purchaser, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until the delivery of the bonds.

Said bonds may be issued and sold by the board of directors of the district as they determine but for not less than their par value.

The proceeds of the sale of such refunding bonds shall be placed in the treasury of the district to the credit of the "Refunding fund" and shall be applied only to the purchase, or retirement at not more than par and accrued interest, or the call price, of the bonded indebtedness for which said refunding bonds shall have been issued. In lieu of selling such refunding bonds and using the proceeds of such sale to purchase or retire the bonds to be refunded, the board of directors of the district may exchange refunding bonds at not less than par and accrued interest for the bonds so refunded.

Whenever such outstanding bonds shall be refunded, they shall be surrendered to the treasurer of the district, who shall proceed to cancel the same by indorsing on the face thereof the manner in which the refunding shall have been effected

(whether by exchange or purchase, and the amount for which so purchased, if any) and by perforating through each bond and each coupon attached thereto, the word "canceled" together with the date of cancellation.

All moneys which shall remain in said "Refunding fund" after all outstanding bonds which were proposed to be refunded therefrom have been taken up and canceled, shall be paid into the sinking fund of such district and become a part thereof.

The issuance of said refunding bonds shall not be construed as the incurring or increase of an indebtedness within the meaning of the provisions of section 12, subdivision 8, or section 15 of this act, or of any other provision of this act.

The board of directors shall provide for the levy and collection of taxes to pay the principal and interest on said bonds and to constitute a sinking fund for the payment of the principal of said bonds on or before maturity in accordance with the provisions of section 15 of this act.

The provisions of section 15b and 16 of this act shall apply to such refunding bonds except that the board of directors may cause refunding bond validation proceedings to be brought within sixty days from the date of the resolution authorizing the issuance of said refunding bonds.

SEC. 7. Section 21 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 21. The general manager shall adopt a civil service system for the selection, examination, employment, classification, advancement, suspension, discharge and retirement of appointive officers and employees

All appointments under such system shall be made for the good of the public service and solely on the basis of integrity, character, merit, fitness and industry as established by appropriate tests, without regard to partisan, political, social, or other considerations, and except as to temporary construction employees shall be filled from lists of eligibles prepared by the general manager; provided, however when no list of eligibles is available for a position in the class requisitioned by the department or division head the general manager may authorize the department or division head to make a noncivil service emergency appointment thereto for a period of not exceeding six months and only until a regular appointment can be made, but no person shall be compensated under a noncivil service emergency appointment or appointments for a period exceeding six months in any fiscal year and no office or employment may be filled by such temporary appointment for more than six months in the aggregate in one fiscal or calendar year.

All tests shall be competitive but persons after qualifying physically may be placed on the eligible list for labor according to the priority of their respective applications. The general manager may require all candidates to pass a physical examination or an athletic test or both such exmination and test as a condition precedent to further consideration.

The general manager may make higher offices and employments exclusively promotional by tests from lower ranks and shall do so whenever practicable.

The incumbents of permanent positions who have held such positions for a period of at least one year continuously next preceding the time that a civil service system shall first be adopted pursuant to the provisions of this act shall be continued in their positions as if appointed thereto after examination and certification from a list of eligibles and shall be governed thereafter by the provisions of this act and the rules and regulations adopted pursuant thereto but shall not be subject to the six months probation period hereinafter set forth.

Every appointee to a permanent office or employment shall be on probation for six months, during which the department or division head may, with the consent of the general manager, terminate the appointment, and if it be not then terminated it shall be permanent, subject to the provisions hereof and the rules and regulations adopted pursuant to the provisions of this act

No person employed under civil service provisions of this act or of any rules and regulations adopted pursuant thereto, in a position defined by this act or said rules as permanent shall be removed or discharged except for cause upon written charges and after an opportunity to be heard in his own defense, nor shall his salary be reduced below the minimum prescribed for his classification until he has had a like opportunity to be heard. Pending such hearing the person so accused may be suspended but such suspension shall not be valid for more than fifteen days unless hearing upon the charge shall be delayed beyond such time by the act of the accused person When charges are made the general manager shall immediately appoint a committee of three heads of departments or divisions, other than the department or division in which the accused person is employed, to hear and determine such charges, and shall notify the person accused in writing of the time and place when the charges will be heard by mailing a notice to his last known address The committee shall examine into the case and make such decision as it deems just and may among other things order the employee discharged, suspended or reinstated and its order or decision shall be final unless the employee within fifteen days after the date of the order requests the general manager to review the same, in which event the general manager may require

any additional evidence he deems material, and his order or decision, with or without such additional evidence, shall be final.

Removal or discharge may be made for any of the following causes: incompetence, habitual intemperance, immoral conduct, insubordination, discourteous treatment of the public, dishonesty, or inattention to duties.

Nothing in this act shall limit or restrict rules adopted by the general manager governing layoffs or reduction in force, or the right to provide for retirement for disability or old age.

The department or division head may for disciplinary purposes suspend a subordinate for a period of not exceeding fifteen days and suspension shall carry with it a loss of salary for the period of suspension but the employee so suspended may have the order of suspension reviewed in the manner provided for the review of charges for removal or discharge.

No director shall in any manner attempt to influence the general manager in the making of any appointment or in the purchase of supplies. A violation of this provision shall work a forfeiture of the office of such director.

The general manager shall adopt rules and regulations to carry out the purposes of this section and may from time to time amend existing rules, and except as otherwise provided herein such rules shall govern applications; examinations, eligibility, duration of eligible lists; certification of eligibles; appointments; promotions; transfers; resignations; layoffs or reductions in force, both permanent and temporary, due to lack of work or funds, retrenchment, or completion of work; the filling of positions, temporary, seasonal and permanent; classification; and such other matters as are not in conflict with the provisions of this act. Said rules and regulations or any proposed amendments thereto shall be in writing and a copy thereof shall be posted in a conspicuous place in the office of the district and shall not become effective until twenty days after the posting thereof. Any person interested may within ten days after such posting file written objections to such proposed rules or amendments, or any part thereof, with the general manager, in which event such rules or amendments shall not become effective until the general manager has given notice of a hearing and heard objections thereto and announced his decision on the objections. Provided, however, that anything herein to the contrary notwithstanding the provisions of this section shall not apply to any district until such time as it has operated, controlled or used works or parts of works for the providing of the inhabitants and municipalities within the boundaries of said district with the utility services, or any of them, specified in the fifth paragraph of section 12 hereof for a period of six months."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1940 by the following vote:

AYES—Beene, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Latham, Leonard, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Thorp, Turner, Walker, Watson, Welsh, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 1940 ordered to enrollment.

Assembly Bill No. 2269—An act to repeal an act entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929; to repeal School Code section 6.470-3; to amend section 6.474 of the School Code; and to add to Chapter VI of Part II of Division VI of the School Code a new article to be known as Article Ia, all relating to the purchase of supplies and equipment for school districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2269?

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, strike out the comma.

Amendment No. 2.

On page 2, line 7, of the printed bill, as amended, strike out the comma.

Amendment No. 3.

On page 3, line 17, of the printed bill, as amended, strike out the word "auditor", and insert in lieu thereof the words "purchasing agent".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2269 by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Call, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Johnson, Kepple, Latham, Leonard, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 2269 ordered to enrollment.

Assembly Bill No. 2053—An act to amend section 4300d of the Political Code.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2053?

Amendment No. 1.

On page 1, line 15, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "five".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 38 and 39, insert the following: "For advertising sale of property and posting notice, exclusive of cost of publication, or furnishing notice of publication, each, 50 cents; for summoning trial jury of 12 or less, $2; and for each additional juror, 10 cents."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2053 by the following vote:

AYES—Baynham, Beene, Burns, Hugh M., Call, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Johnson, Kepple, Latham, Leonard, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 2053 ordered to enrollment.

Assembly Bill No. 2376—An act making bonds issued by California Toll Bride Authority legal investments and security for certain purposes, providing that the Superintendent of Banks shall have power to certify such bonds as a proper investment for savings banks in this State, and providing that this act become effective immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2376?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out the punctuation after the word "purposes", and insert in lieu thereof the following: "; providing that the Superintendent of Banks shall have power to certify such bonds as a proper investment for savings banks in this State;".

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, after "amended," insert the following: "and which shall have been first certified by the Superintendent of Banks as hereinafter provided,".

Amendment No. 3.

On page 1 of the printed bill, as amended, between lines 19 and 20, insert the following: "The Superintendent of Banks shall have power to investigate and ascertain the status or sufficiency as investments for savings banks in this State of any such bonds, and if upon investigation it shall be determined in his opinion that such bonds constitute a proper investment for savings banks in this State, he shall so certify. Any such certificate issued by the Superintendent of Banks may be revoked at any time in his discretion."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2376 by the following vote:

AYES—Andreas, Call, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Johnson, King, Latham, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Rosenthal,

Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 2376 ordered to enrollment.

Assembly Bill No. 2714—An act to require all applicants for construction and improvement permits to prove compliance with the "Workmen's Compensation, Insurance and Safety Act of 1917."

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2714?

Amendment No. 1.

On page 1, lines 17 and 18, of the printed bill, as amended May 3, 1937, strike out "secure the payment of compensation benefits to his employees", and insert in lieu thereof the following: "procure a certificate of insurance from an insurer authorized to write compensation insurance within the State of California or comply with the self-insurance provisions of any workmen's compensation law of this State."

Amendment No. 2.

On page 2, lines 3, 4 and 5, of the printed bill, as amended May 3, 1937, strike out "secure the payment of workmen's compensation benefits to his employees engaged in", and insert in lieu thereof the following: "procure a certificate of insurance from an insurer authorized to write compensation insurance within the State of California or comply with the self-insurance provisions of any workmen's compensation law of this State in connection with".

Amendment No. 3.

On page 2 of the printed bill, as amended May 3, 1937, strike out lines 17 and 18, and insert in lieu thereof the following: "procure a certificate of insurance from an insurer authorized to write compensation insurance within the State of California or comply with the self-insurance provisions of any workmen's compensation law of this State in connection with the performance of any work under said permit."

Amendment No. 4.

On page 2, lines 27 and 28, of the printed bill, as amended May 3, 1937, strike out "secure the payment of compensation benefits to his employees engaged therein," and insert in lieu thereof the following: "procure a certificate of insurance from an insurer authorized to write compensation insurance within the State of California or comply with the self-insurance provisions of any workmen's compensation law of this State in connection with the performance of any work under said permit,".

Amendment No. 5.

On page 2, lines 37 and 38, of the printed bill, as amended May 3, 1937, strike out "secure the payment of compensation benefits," and insert in lieu thereof the following: "procure a certificate of insurance from an insurer authorized to write compensation insurance within the State of California or comply with the self-insurance provisions of any workmen's compensation law of this State in connection with the performance of any work under said permit,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2714 by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Johnson, King, Latham, Leonard, Loie, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Welsh, and Mr Speaker—51.

NOES—None

Assembly Bill No 2714 ordered to enrollment

Assembly Bill No. 1365—An act to amend section 3819a of the Political Code, relating to duties of tax collector in counties of the first and second classes.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1365?

Amendment No. 1.

On page 2, line 20, of the printed bill, strike out all following the word "required", and insert in lieu thereof a comma and the words "by any".

Amendment No. 2.

On page 2, line 21, of the printed bill, strike out the words "any other"

Amendment No. 3.

On page 2, line 23, of the printed bill, insert a period after the word "collector", and strike out the remainder of the line; and strike out all of lines 24 to 28, both inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1365 by the following vote:

AYES—Andreas, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Miller, George P., Millington, Muldoon, O'Donnell, Peek, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—47

NOES—None.

Assembly Bill No. 1365 ordered to enrollment.

Assembly Bill No. 1468—An act to amend section 1058 of the Code of Civil Procedure, relating to bonds when State is a party.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1468?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "State", and insert in lieu thereof the following: "a district".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1468 by the following vote.

AYES—Andreas, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Weber, Welsh, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 1468 ordered to enrollment.

Assembly Bill No. 234—An act to amend section 24 of, and to add sections 24.1 to 24.6, inclusive, to the State Bar Act, relating to admissions to the State Bar.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 234?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "24.5", and insert in lieu thereof the following: "24.6".

Amendment No. 2.

On page 3 of the printed bill, as amended, after line 11, insert the following:

"SEC. 7. Section 24.6 is hereby added to the State Bar Act, to read as follows:

24.6. Nothing contained in subdivisions (5), (6) and (9) of section 24.2 of this act shall apply to any applicant who shall have started the study of law in good faith prior to the first day of July, 1937."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 234 by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Latham, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Weber, Welsh, and Mr. Speaker—45.

NOES—Fulcher—1.

Assembly Bill No. 234 ordered to enrollment.

Assembly Bill No. 746—An act to add section 683 to the Vehicle Code, relating to equipment.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 746?

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"683. On and after January 1, 1938, no person shall sell any new motor vehicle, nor shall any person operate any motor vehicle sold as a new motor vehicle in this State after January 1, 1938, which is equipped with a radiator cap or radiator ornament upon the top thereof which extends or protrudes to the front of the face of the radiator grill of such motor vehicle."

The roll was called, and the Assembly refused concurrence in the Senate amendment to Assembly Bill No 746 by the following vote:

AYES—Rosenthal—1.

NOES—Andreas, Beene, Burns, Hugh M., Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Weber, Welsh, and Mr. Speaker—52.

Assembly Bill No. 746 ordered to enrollment.

Assembly Bill No. 955—An act to amend section 4041.20 of the Political Code, relating to insurance by counties.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 955?

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, strike out the word "duly".

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, strike out the word "admitted", and insert in lieu thereof the word "authorized".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 955 by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 955 ordered to enrollment.

Assembly Bill No. 2079—An act to amend section 73a, Code of Civil Procedure, relating to court expenses.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2079?

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"73a. Whenever, under the provisions of sections 73, 73b or 142, it becomes necessary, in the assignment of the business of the superior court, for a judge, clerk, deputy clerk, or court reporter who is regularly assigned to duty at the county seat or at a city outside of the county seat where a session of the superior court is held, to travel to a city other than that where he is regularly assigned, there temporarily to attend a session or sessions of the superior court, each such judge, clerk, deputy clerk, or court reporter shall be allowed his necessary expenses in going to, returning from and attending temporarily upon the".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2079 by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—55

NOES—None.

Assembly Bill No 2079 ordered to enrollment.

Assembly Bill No. 2596—An act to add a new section to the Code of Civil Procedure to be numbered section 811, relating to actions against usurpers of public offices and franchises.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2596?

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended on March 17, 1937, after the word "county", insert the words: "or city and county".

Amendment No. 2.

On page 1, line 7, of the printed bill, after the word "county", insert a comma and add the following words: "city and county", the same to precede the word "or", as it now appears in said line.

Amendment No. 3.

On page 1, line 12, of the printed bill, after the word "county", insert a comma and add the following words: "city and county", the same to precede the word "or", as it now appears in said line.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2596 by the following vote:

AYES—Andreas, Beene, Burns, Hugh M. Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Weber, Welsh, Williamson, and Mr Speaker—57

NOES—None.

Assembly Bill No. 2596 ordered to enrollment.

Assembly Bill No. 2092—An act to amend sections 2 and 3 of an act entitled: "An act defining henceforth the exterior boundaries of Reclamation District No. 108; situated partly in the counties of Colusa and Yolo, and providing for the continuation in office of the present trustees of said district and for the election and qualification of their successors, and providing that the management and control of the affairs of said Reclamation District No. 108, as defined in this act, are subject to the provisions of the Political Code of the State of California and to all other laws of the State, except as provided in said act, in connection with the issuance and payment of warrants and the payment of assessments, providing that all moneys of the said district shall be paid and deposited with the county treasurer of Colusa County, and conferring jurisdiction upon the board of supervisors of the county of Colusa as to all matters concerning said district; providing also for the management, control and administration of the affairs of said district; also ratifying the incorporation of certain lands in said Reclamation District No. 108, as described in certain notices filed and recorded in the office of the county recorder of the county of Colusa, State of California, and also authorizing the trustees of said Reclamation District No. 108 to make an equitable settlement with the owner of such land so incorporated as to the cost of any work heretofore done by Reclamation District No. 108, or its predecessors in interest, or that may be hereafter done before the going into effect of this act, and also declaring Reclamation District No. 108 as defined in this act, to be the successors in interest of Reclamation District No 108, defined in that certain act approved May 26, 1917, also that certain Reclamation District No. 108, defined in that certain act approved May 18, 1915, and also that certain Reclamation District No. 108, defined in that certain act approved April 23, 1913, and also directing the commissioners of assessment, heretofore appointed by the

board of supervisors of Colusa County, to include the lands in said assessment, as described in this act, in the event that said assessment is not levied before this act shall take effect," approved May 7, 1919.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2092?

Amendment No. 1.

On page 2, line 6 of the title of the printed bill, strike out "effect." ", and insert in lieu thereof the following: "effect," approved May 7, 1919, relating to Reclamation District No. 108"

Amendment No. 2.

On page 2, line 1, of the printed bill, strike out "an act entitled:", and strike out lines 2 to 38, inclusive, and insert in lieu thereof the following: "the act cited in the title hereof is hereby amended to read as follows ".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2092 by the following vote:

AYES—Beene, Boyle, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, King, Latham, Laughlin, Leonard, Levey, Lyon, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 2092 ordered to enrollment.

Assembly Bill No. 1496—An act to amend an act entitled "An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10, of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately," approved June 11, 1935, by amending each section of said act, to add new sections to be numbered 22, 23 and 24, and to repeal sections 3a, 6a, 15a, 16a and 20a of said act and to provide for the execution of marketing agreements and the issuance of licenses by the Director of Agriculture regulating the handling of agricultural commodities in intrastate commerce, and to declare the urgency of this act, and that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1496?

Amendment No. 1.

On page 6, line 39, of the printed bill, as amended, strike out "Such powers", and insert in lieu thereof the following: "The exercise of such powers and duties shall be subject to veto by the director and".

Amendment No. 2.

On page 14 of the printed bill, as amended, strike out all of lines 50 and 51.

Amendment No. 3.

On page 15, line 1, of the printed bill, as amended, strike out the numeral "19", and insert in lieu thereof the following: "20".

Amendment No. 4.

On page 1 of the printed bill as amended, in the last line of the title, strike out the following: "19,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1496 by the following vote.

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1496 ordered to enrollment.

Assembly Bill No. 1123—An act to amend sections 3.330, 3.331, 3.332, 3.334, 3.335, 3.336, 3.337 and 3.338 of the School Code, relating to high school students residing in this State and attending high school in an adjoining State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1123?

Amendment No. 1.

On page 2, line 48, of the printed bill, as amended, strike out the following: "not in excess of", and insert in lieu thereof the following: "which shall be sufficient to raise".

Amendment No. 2.

On page 2, line 52, of the printed bill as amended strike out the following: "nor shall such rate be less than", and insert in lieu thereof a comma and the following: "or the board of supervisors may levy a tax the rate of which shall be"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1123 by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Call, Clark, Cottrell, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 1123 ordered to enrollment.

Reconsideration of Assembly Bill No. 351.

In compliance with a notice given on a previous day Mr. Rosenthal moved that the vote whereby Assembly Bill No. 351 was refused passage be reconsidered.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr Rosenthal moved a call of the Assembly.

Motion carried.

Time, eleven o'clock and fifty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Crowley, Daley, Dawson, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Morgan, O'Donnell, Patterson, Peek, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—53.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Temporary Suspension of the Rules by Unanimous Consent.

Mr. Lyon asked for, and was granted unanimous consent to have the Rules temporarily suspended to allow the placing of a call of the Assembly on more than one bill

Re-reference of Senate Bill No. 1143.

On motion of Mr. Breed, Senate Bill No. 1143 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2917, at this time, without reference to calendar, and that the same be considered engrossed.

Second Reading of Assembly Bill No. 2917.

Assembly Bill No. 2917—An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Case of Urgency.

The following resolution was offered by Mr. Robertson:

Resolved, That Assembly Bill No. 2917 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller,

George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2917, at this time.

Third Reading of Assembly Bill No. 2917.

Assembly Bill No. 2917—An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Muldoon, Patterson, Peek, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2917 read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1300—An act making an appropriation to provide land and water supply for the Napa State Hospital.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2199—An act to add a new section to the School Code, to be numbered 4.375a, relating to refunds of taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon,

Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 351 Dispensed With.

At twelve o'clock and five minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 351 were dispensed with on motion of Mr. Rosenthal.

The roll of absentees was called, and Assembly Bill No. 351 reconsidered by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Clark, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—50.

NOES—Beene, Breed, Call, Cottrell, Cronin, Crowley, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Johnson, Leonard, Mayo, Millington, Peyser, Scudder, and Walker—20.

Motion to Amend Assembly Bill No. 351.

Mr. Rosenthal moved to amend Assembly Bill No. 351 as follows:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "first Monday in March", and insert in lieu thereof the following "fifteenth day of September".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 7 to 22, inclusive, and on page 2, strike out lines 1 to 25, inclusive, and insert in lieu thereof the following:

"SEC. 3. The names of candidates for delegates shall be printed upon the ballot upon compliance with the provisions of sections 5 and 6 of the Direct Primary Law which apply to candidates seeking nomination for the Senate or for the Assembly, but all reference to party candidacy or party affiliation shall be omitted from the nomination papers.

At the August primary election to be held in 1938 there shall be elected to the office of delegate to the constitutional convention one delegate from each district of this State from which a member of the Assembly of this State is elected, and one delegate from each district of this State from which a member of the Senate of this State is elected. In the left hand column of the nonpartisan ballot and in that column immediately to the right of the solid black dividing line on the partisan ballot over the heading "Judicial" shall be printed the designation "Delegate to the Constitutional Convention," to be followed under such heading by the names of the candidates for that office."

Amendment No. 3.

On page 2, lines 28 and 29, of the printed bill, as amended, strike out "first Monday of March", and insert in lieu thereof the following: "fifteenth day of September".

Amendment No. 4.

On page 4, line 43, of the printed bill, as amended, strike out "1938", and insert in lieu thereof the following: "1940".

Amendment No. 5.

On page 4, line 46, of the printed bill, as amended, strike out "1938", and insert in lieu thereof the following: "1940".

Amendments adopted.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 351, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 351, as Amended.

Assembly Bill No. 351—An act relating to and providing for the calling and holding of a convention to revise the Constitution of this State, including the election of delegates, the proceedings, powers, and duties of the convention and the delegates, and the submission to the people of the Constitution that may be agreed upon by the convention, and making an appropriation therefor.

Assembly Bill No. 351, as amended, read third time, and refused passage by the following vote:

AYES—Boyle, Clark, Cronin, Cunningham, Daley, Dannenbrink, Donihue, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Stream, Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—42

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cottrell, Crowley, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Leonard, Maloney, Mayo, Millington, Muldoon, Peyser, Robertson, Scudder, Sheehan, Thorp, Walker, and Williamson—28.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 828.

Mr. Turner moved to expunge the record, and rescind the action whereby the Assembly, on May 20, 1937, refused passage of Assembly Bill No. 828.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Turner moved a call of the Assembly.

Motion carried by the following vote:

AYES—Andreas, Call, Clark, Cronin, Crowley, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, King, Lore, Maloney, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—40

NOES—Beene, Breed, Cottrell, Cunningham, Daley, Dilworth, Hunt, Kepple, Kuchel, Latham, Leonard, Martin, Mayo, Millington, Morgan, Muldoon, Peyser, Redwine, Scudder, and Stream—20.

Time, twelve o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Beene, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Re-reference of Assembly Bills.

On motion of Mr. Patterson, Assembly Bill No. 590 was withdrawn from the calendar, and re-referred to the Committee on Fish and Game.

On motion of Mrs. Daley, Assembly Bill No. 316 was withdrawn from the calendar, and re-referred to the Committee on Elections.

Withdrawal and Re-reference of Assembly Bill No. 1711.

On motion of Mr. Cottrell, Assembly Bill No. 1711 was withdrawn from the Committee on Judiciary General, and re-referred to the Committee on Ways and Means.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage on the following:

Assembly Concurrent Resolution No. 35.
Assembly Bill No 2326.
Assembly Bill No. 1755.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 406—An act to amend section 330.17 of the Civil Code, relating to stock certificates;

Senate Bill No. 1153—An act to amend section 162 of the Fish and Game Code, relating to Fish and Game District 4C;

Senate Bill No. 1159—An act to amend section 3817d of the Political Code, relating to moratorium on tax sales

Senate Bill No. 1155—An act to provide for the prompt disposition of disputes between employers and employees by creating a California Mediation Board, and a California Labor Adjustment Board, by providing for mediation, adjustment and arbitration of labor disputes, providing penalties for violation hereof, making an appropriation, and declaring an urgency.

Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to section 31 of Article IV of the Constitution of said State, relating to the lending of public credit;

Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1¼ of Article XIII, relating to exemptions of property on account of military service;

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending sections 1a, 1¼ and 1¼a of Article XIII, relating to the exemption of certain property from taxation.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 406 read first time, and referred to Committee on Corporations.

Senate Bill No. 1153 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1159 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 1155 read first time, and referred to Committee on Labor and Capital.

Senate Constitutional Amendments Nos 32, 33 and 34 referred to Committee on Constitutional Amendments

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1711.

Respectfully reports the same back, signed out by the committee, with amendments.

ROBERTSON, Chairman.
TURNER.
CROWLEY.
MAYO.
COTTRELL.
GILBERT.
MARTIN.
FLINT.
BURNS, MICHAEL J.
BOYLE.
DALEY.

Second Reading of Assembly Bill No. 1711—(Out of Order).

Assembly Bill No. 1711—An act creating a special fund to be known as the "Judges' retirement fund," providing for disbursements therefrom, and to make appropriations therefor.

Committee Amendments to Assembly Bill No. 1711.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out "in counties in which the pro-".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 12.

Amendment No. 3.

On page 1, line 13, of the printed bill, strike out "have been adopted as applicable to such judge or judges".

Amendment No. 4.

On page 1, line 26, of the printed bill, strike out "in counties in which".

Amendment No. 5.

On page 2 of the printed bill, strike out all of lines 1 and 2.

Amendment No. 6.

On page 2, line 6, of the printed bill, strike out "in which the provisions of said section".

Amendment No. 7.

On page 2 of the printed bill, strike out all of line 7.

Amendment No. 8.

On page 2, line 8, of the printed bill, strike out "the superior court thereof".

Amendment No. 9.

On page 2, line 9, of the printed bill, strike out "month", and insert in lieu thereof the following: "monthly".

Amendment No. 10.

On page 2, line 10, of the printed bill, strike out "such judge", and insert in lieu thereof the following: "judge of the superior court".

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2365—An act to establish civil service in cities with a full paid fire department or with a fire department having paid members.

Motion to Amend Assembly Bill No. 2365.

Mr Maloney moved to amend Assembly Bill No 2365 as follows:

Amendment No. 1.

On page 1, between lines 11 and 12, of the printed bill, as amended, insert the following:

"In lieu of establishing a civil service commission, the legislative body of any city to which this act applies, may contract with the legislative body or governing board of any other city or county or with any State department or with any other competent agency for the exercise of the powers and the performance of the duties which would otherwise be exercised and performed by the civil service commission if one were established under the provisions of this act."

Amendments read, and adopted by the following vote

AYES—Beene, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Donihue, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Levey, Lore, Maloney, Martin, McMurray, Meehan, Muldoon, Patterson, Pelletier, Peyser, Richie, Sawallisch, Sheehan, Stream, and Weber—31.

NOES—Andreas, Breed, Burns, Hugh M., Call, Cottrell, Dannenbrink, Dilworth, Donnelly, Fulcher, Garland, Heisinger, Johnson, Kepple, Kuchel, Leonard, Mayo, Miller, George P., Millington, O'Donnell, Reaves, Redwine, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Watson, Yorty, and Mr. Speaker—30.

Request for Unanimous Consent.

Mr. Glick asked for, and was granted, unanimous consent to take up *Assembly Bill No. 2365, as amended, at this time, without reference to* reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2365, as Amended.

Assembly Bill No. 2365—An act to establish civil service in cities with a full paid fire department or with a fire department having paid members.

Demand for Previous Question.

Messrs. Hunt, Garibaldi, Flint, Baynham and Muldoon demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2365.

The roll was called, and Assembly Bill No. 2365 refused passage by the following vote:

AYES—Burns, Hugh M., Cronin, Crowley, Daley, Dawson, Desmond, Donihue, Flint, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, Maloney, Martin, McMurray, Meehan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Sawallisch, Sheehan, Weber, and Yorty—28.

NOES—Andreas, Baynham, Beene, Breed, Clark, Cottrell, Cunningham, Dilworth, Donnelly, Field, Fulcher, Garibaldi, Garland, Heisinger, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Mayo, Millington, Morgan, O'Donnell, Peek, Redwine, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Watson, and Mr. Speaker—35.

Resolution.

The following resolution was offered:

By Mr. Boyle:

House Resolution No. 181.

WHEREAS, The Honorable Fiorello La Guardia, Mayor of the City of New York, is now present in the State of California; and

WHEREAS, He is one of the outstanding mayors in the United States; and

WHEREAS, It would give much pleasure to the members of this Assembly to meet this distinguished man; now, therefore, be it

Resolved, That the Assembly invites and urges the Honorable Fiorello La Guardia to visit its honorable body on Saturday, May 22, 1937; and be it further

Resolved, That the Honorable Fiorello La Guardia be notified of the action of the California Assembly.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up House Resolution No. 181, at this time, without reference to print, committee or calendar and that the same be considered engrossed.

House Resolution No. 181 read and unanimously adopted.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 828 Dispensed With.

At one o'clock and fifteen minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 828 were dispensed with on motion of Mr. Turner.

The roll of absentees was called, and the record refusing passage by the Assembly expunged, and the action rescinded by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Clark, Cronin, Crowley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Lore, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—45.

NOES—Beene, Breed, Cottrell, Cunningham, Daley, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, Mayo, Miller,

Eleanor; Morgan, Muldoon, Redwine, Scudder, Stream, Thorp, Walker, and Welsh—26.

Assembly Bill No. 828 ordered on third reading calendar.

Recess.

At one o'clock and twenty minutes p.m., on motion of Mr. Turner, the Assembly was declared at recess until two o'clock and fifteen minutes p.m.

Reassembled.

At two o'clock and fifteen minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2876—An act making an appropriation to be expended as may be directed by the Regents of the University of California for the purpose of erecting, furnishing, and equipping buildings and other permanent improvements on the campuses of the University of California at Berkeley, Los Angeles, Davis, La Jolla, Mt. Hamilton, Riverside, and San Francisco.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—Donnelly, Fulcher, Kepple, and Mayo—4.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Bill No. 214—An act to amend section 20 of an act entitled "An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner within the Department of Professional and Vocational Standards; and to provide for the enforcement of said act and penalties for the violation thereof," approved July 20, 1935, relating to the suspension and revocation of licenses

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 215—An act to amend section 1 of an act entitled "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to motor boat regulation

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Mul-

doon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—57.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 55—An act to add Chapter 2a to Part 3 of Division II of the Labor Code, relating to the enforcement of antipicketing laws, ordinances or regulations

Motion to Amend Assembly Bill No. 55.

Mr Peyser moved to amend Assembly Bill No 55 as follows:

Amendment No. 1.

On page 2, line 11, of the printed bill, strike out the comma and " and such right may be exercised in or upon any public" and all of line 12, and insert in lieu thereof a period

Amendment read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Johnson, Kepple, Kuchel, Leonard, Levey, Lyon, Martin, Mayo, Millington, Morgan, Muldoon, Peyser, Redwine, Scudder, Stream, Thorp, Walker, Watson, Weber, and Williamson—37.

NOES—Andreas, Burns, Michael J., Cassidy, Clark, Crowley, Donihue, Gilbert, Hawkins, Hornblower, King, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Peek, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Yorty, and Mr. Speaker—27.

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up Assembly Bill No. 55, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 55, as Amended.

Assembly Bill No. 55—An act to add Chapter 2a to Part 3 of Division II of the Labor Code, relating to the enforcement of antipicketing laws, ordinances or regulations.

Assembly Bill No. 55, as amended, read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. King moved a call of the Assembly.

Motion carried.

Time, three o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—70.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2181—An act to amend section 3804 of the Political Code, relating to time of filing claims for refund of taxes erroneously or illegally collected.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 55 Dispensed With.

At three o'clock and fifteen minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No 55 were dispensed with on motion of Mr. King.

The roll of absentees was called, and Assembly Bill No. 55 passed by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Williamson, Yorty, and Mr. Speaker—42.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Call, Cottrell, Cunningham, Dawson, Dilworth, Garibaldi, Garland, Johnson, Kepple, Kuchel, Leonard, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, Redwine, Scudder, Stream, Thorp, Walker, Watson, Weber, and Welsh—30.

Title read and approved. Bill ordered transmitted to the Senate.

Explanation of Vote.

I have been recorded as voting "Aye" on Assembly Bill No. 55. I intended to vote "No", but inadvertently pressed the wrong button.

JEFFERSON E. PEYSER.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1463—An act to amend the title of and sections 1, 3 and 6 and to add section 7 to, an act entitled, "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation hereof," approved June 19, 1931, relating to motor boat regulation.

Bill read third time.

Demand for Previous Question.

Messrs Garibaldi, Dawson, Turner, Muldoon and Weber demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1463.

The roll was called, and Assembly Bill No. 1463 passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, King, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P.,

Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Richie, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Yorty, and Mr. Speaker—49.

NOES—Burns, Michael J., Crowley, Dilworth, Donnelly, Kepple, Kuchel, Mayo, Redwine, Scudder, Thorp, and Watson—11.

Title read and approved. Bill ordered transmitted to the Senate

Motion to Set Assembly Bill No. 2909 as Special Order.

Mr. Garland moved that the consideration of Assembly Bill No. 2909 be made a special order of business for Friday, May 21, 1937, at four o'clock p.m.

The roll was called, and the motion to set as a special order lost by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Cassidy, Clark, Dawson, Donihue, Donnelly, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Kepple, Laughlin, Leonard, Martin, Mayo, Meehan, Millington, Peek, Pelletier, Richie, Sawallisch, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—31.

NOES—Breed, Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dilworth, Fulcher, Gilbert, Johnson, King, Kuchel, Latham, Lore, Lyon, Maloney, McMurray, Morgan, Patterson, Reaves, Scudder, Sheehan, Stream, Tenney, Weber, Williamson, and Yorty—28.

Motion to Continue Consideration of Calendar.

Mr. Beene moved that the Assembly continue the third reading calendar, and that no bills be taken up out of order.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Redwine, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—57.

NOES—Lore, Pelletier, Voigt, and Yorty—4.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 656—An act to add section 4455.5 to the Labor Code, relating to computation of average weekly earnings.

Bill read third time, and refused passage by the following vote:

AYES—Burns, Michael J., Cassidy, Clark, Dannenbrink, Donihue, Gilbert, Hawkins, Heisinger, Laughlin, Lore, McMurray, Meehan, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sheehan, Tenney, Turner, Voigt, Weber, Yorty, and Mr. Speaker—26.

NOES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cottrell, Crowley, Cunningham, Daley, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Stream, Thorp, Walker, and Williamson—32.

Assembly Bill No. 1911—An act to amend sections 3351 and 3352 of the Labor Code, relating to definition of employee.

Bill read third time, and refused passage by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Clark, Crowley, Donihue, Gilbert, Glick, Hawkins, Hornblower, King, Laughlin, Lore, Maloney, Meehan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Yorty, and Mr. Speaker—26.

NOES—Beene, Breed, Call, Cassidy, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Johnson, Kepple, Kuchel, Latham, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Redwine, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—35.

Assembly Bill No. 2171—An act to forbid the employment and transportation of strikebreakers.

Bill read third time.

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

Motion carried by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Call, Clark, Crowley, Dannenbrink, Desmond, Donihue, Donnelly, Fulcher, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Lore, Maloney, McMurray, Miller, George P., Patterson, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Yorty, and Mr. Speaker—32.

NOES—Baynham, Breed, Cottrell, Cunningham, Dawson, Dilworth, Gannon, Garland, Glick, Kepple, Latham, Laughlin, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, Watson, and Weber—30.

Time, three o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—66.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Motion to Continue Consideration of Assembly Bill No. 1491 Temporarily.

Mr. Welsh moved that the consideration of Assembly Bill No. 1491 be continued temporarily.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Baynham, Boyle, Clark, Cronin, Cunningham, Desmond, Field, Garland, Glick, Hawkins, Heisinger, Hornblower, Kepple, King, Latham, Levey, Lyon, Maloney, Martin, McMurray, Morgan, Pelletier, Reaves, Redwine, Robertson, Tenney, Turner, Walker, Welsh, Williamson, and Yorty—32.

NOES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Crowley, Dannenbrink, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Johnson, Lore, Mayo, Meehan, Miller, George P., Millington, Patterson, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Watson, Weber, and Mr. Speaker—31.

Re-reference of Assembly Bill No. 2720.

On motion of Mr. Tenney, Assembly Bill No. 2720 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 619—An act to add a new section to the Political Code of the State of California to be designated section 216Sa, relating to the arrest and detention of persons believed to be insane, for a period of not exceeding 48 hours, without warrant of the court.

Motion to Amend Assembly Bill No. 619.

Mr. Lyon moved to amend Assembly Bill No. 619 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, between "216Sa." and "relating", insert the following: "or to add section 5051 5 to the Welfare and Institutions Code,".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, strike out "arrest", and insert in lieu thereof the following. "apprehension".

Amendment No. 3.

On page 1, line 4 of the title of the printed bill, as amended, strike out "forty-eight", and insert in lieu thereof the following: "twenty-four".

Amendment No. 4.

On page 1, line 8, of the printed bill, as amended, strike out "arrest", and insert in lieu thereof the following: "apprehend"

Amendment No. 5.

On page 1, line 14, of the printed bill, as amended, strike out "except such said", and insert in lieu thereof the following: "accept such"

Amendment No. 6.

On page 1, line 17, of the printed bill, as amended, strike out "arrest", and insert in lieu thereof the following: "apprehension".

Amendment No. 7.

On page 1, line 19, of the printed bill, as amended, strike out "arrest", and insert in lieu thereof the following: "apprehension".

Amendment No. 8.

On page 1, line 21, of the printed bill, as amended, strike out "arrest", and insert in lieu thereof the following: "apprehension".

Amendment No. 9.

On page 1 of the printed bill, as amended, after line 28, insert the following:

"SEC. 2. A new section is hereby added to the Welfare and Institutions Code, to be numbered 5051.5, and to read as follows:

5051.5. Any peace officer, and any officer or employee of any hospital or asylum caring for insane persons, owned or operated by the State or by any city, county, or other political subdivision of the State, may, without a warrant, apprehend and detain any person as an insane person, when such officer, employee, or peace officer has reasonable cause to believe the person to be insane. Whenever any peace officer brings a person to any such hospital or asylum as an insane person, any officer or employee of such hospital or asylum shall accept the person and detain him as an insane person for a time not longer than twenty-four hours unless before the expiration of such twenty-four hours a warrant for the apprehension of the person is delivered to the officer or employee of the hospital or asylum detaining the person.

Whenever any such apprehension is made by a peace officer without a warrant he shall, within twenty-four hours after the apprehension, present or cause to be presented to the court an affidavit of insanity for the purpose of securing a warrant of apprehension from the court.

SEC. 3. Section 1 of this act shall take effect only if a Welfare and Institutions Code is not enacted by the Legislature at its fifty-second session.

SEC. 4. Section 2 of this act shall take effect only if a Welfare and Institutions Code is enacted by the Legislature at its fifty-second session."

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 619, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 619, as Amended.

Assembly Bill No. 619—An act to add a new section to the Political Code of the State of California to be designated section 2168a, or to add section 5051.5 to the Welfare and Institutions Code, relating to the apprehension and detention of persons believed to be insane, for a period of not exceeding 24 hours, without warrant of the court.

Assembly Bill No. 619, as amended, read third time, and refused passage by the following vote:

AYES—Baynham, Beene, Call, Clark, Cottrell, Cronin, Cunningham, Daley, Dilworth, Donihue, Gannon, Gilbert, Heisinger, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Martin, Miller, Eleanor; Muldoon, Reaves, Redwine, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Mr Speaker—31.

NOES—Burns, Hugh M., Burns, Michael J., Crowley, Dannenbrink, Dawson, Desmond, Donnelly, Field, Fulcher, Garland, Glick Hawkins, Hornblower, Hunt,

King, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Voigt, and Yorty—33.

Assembly Bill No. 136—An act amending section 1 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to investigation of matters affecting the economic welfare of counties and their inhabitants

Motion to Amend Assembly Bill No. 136.

Mr Garland moved to amend Assembly Bill No 136 as follows.

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following.

"An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties, and also for investigating, gathering statistics and maintaining records as to matters affecting the economic welfare of their several counties and their inhabitants."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. Special county tax The board of supervisors of the several counties within the State of California, are hereby authorized, and empowered, by a four-fifths vote, to levy a special tax not to exceed four cents on the one hundred dollars of the assessed valuation of all property within the county to be used under the direction of the board of supervisors for advertising, exploiting, promoting, and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties and thereby to increase and develop the trade and commerce of, and induce immigration to their said counties; and also to be used under the direction of the board of supervisors in investigating, making studies, gathering statistics and maintaining records as to matters affecting the economic welfare of the county and its inhabitants

Additional bonds Such tax when levied according to the provisions of this section shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund to be used as authorized under the provisions of sections 4041.5 and 4056b of the Political Code. Nothing herein contained shall prevent any county from creating a bonded indebtedness under the provisions of section 4088 of the Political Code for the purpose of obtaining funds with which to build, construct or furnish an exposition building or buildings for exhibiting and advertising its resources."

Amendments adopted

Request for Unanimous Consent.

Mr. Garland asked for, and was granted, unanimous consent to take up Assembly Bill No. 136, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 136, as Amended.

Assembly Bill No. 136—An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties, and also for investigating, gathering statistics and maintaining records as to matters affecting the economic welfare of their several counties and their inhabitants.

Assembly Bill No. 136, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Haw-

kins, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Williamson, and Mr. Speaker—55.

NOES—Daley, Heisinger, King, Latham, Lore, Reaves, Richie, Tenney, and Yorty—9.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1898—An act to amend section 50 of the Agricultural Code, relating to county agricultural commissioner.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2116—An act to add section 1872 to the Code of Civil Procedure, relating to blood grouping tests.

Motion to Amend Assembly Bill No. 2116.

Mr. Redwine moved to amend Assembly Bill No. 2116 as follows.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "1872", and insert in lieu thereof the following: "1873".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "1872", and insert in lieu thereof the following: "1873".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "1872", and insert in lieu thereof the following: "1873".

Amendments adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 2116, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2116, as Amended.

Assembly Bill No. 2116—An act to add section 1873 to the Code of Civil Procedure, relating to blood grouping tests.

Assembly Bill No. 2116, as amended, read third time, and passed by the following vote:

AYES—Andreas, Bayham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, and Williamson—61.

NOES—Gannon, Hornblower, Pelletier, Sawallisch, and Yorty—5.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Hon. Seth Millington in the Chair.

At three o'clock and fifty minutes p.m., Hon. Seth Millington, member of the Assembly from the Fourth District, in the chair.

Assembly Bill No. 2552—An act to amend section 36 of the Civil Code, relating to disaffirmance by minors of contract.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Walker, Williamson, and Yorty—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1114—An act to provide for the protection, welfare and assistance of needy persons who are permanently incapable of earning a living by reason of physical disability, providing the method therefor, making an appropriation therefor, and prescribing penalties for the violation of the provisions of this act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Williamson, and Yorty—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 51—Proposed amendment to Article IV, section 23a, of the Constitution, relative to officers, employees and attaches of the Legislature

Assembly Constitutional Amendment No. 51 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Daley, Dawson, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—Cunningham, Dilworth, Donnelly, Heisinger, Mayo, Richie, and Scudder—7.

Title read and approved Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At three o'clock and forty minutes p m. Hon William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Constitutional Amendment No. 58—Proposed amendment to Article II of the Constitution by adding section 2¼ thereto, relative to registration and voting.

Demand for Previous Question.

Messrs. Johnson, Andreas, Cottrell, Richie and Beene demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 58.

The roll was called, and Assembly Constitutional Amendment No. 58 refused adoption by the following vote:

AYES—Breed, Crowley, Dannenbrink, Dawson, Gilbert, Heisinger, Meehan, Miller, George P., Morgan, Pelletier, Reaves, Robertson, Rosenthal, and Voigt—14.

NOES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—55.

Assembly Constitutional Amendment No. 62—Proposed amendment to Article VI of the Constitution, by adding section 5½ thereto, relative to the jurisdiction of superior courts of the State of California.

Assembly Constitutional Amendment No. 62 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Laughlin, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Richie Robertson, Rosenthal, Sawallisch, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—54.

NOES—Cunningham, Field, Kuchel, Latham, Lyon, Scudder, Sheehan, Stream, and Tenney—9.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 2171 Dispensed With.

At three o'clock and forty-two minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 2171 were dispensed with on motion of Mr. Tenney.

The roll of absentees was called, and Assembly Bill No. 2171 refused passage by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Dannenbrink, Dawson, Donihue, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Lore, Maloney, McMurray, Meehan, Miller, George P., Patterson, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Welsh, Williamson, Yorty, and Mr. Speaker—35.

NOES—Andreas, Baynham, Beene, Breed, Call, Cottrell, Crowley, Cunningham, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Johnson, Kepple, Kuchel, Latham, Laughlin, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Redwine, Robertson, Scudder, Stream, Thorp, Walker, Watson, and Weber—36

Re-reference of House Resolution No. 119.

On motion of Mr. Patterson, House Resolution No. 119 was withdrawn from the calendar, and re-referred to the Committee on Drainage, Swamp and Overflowed Lands.

Re-reference of Assembly Bill No. 1509.

On motion of Mr. Morgan, Assembly Bill No. 1509 was withdrawn from the calendar, and re-referred to the Committee on Social Service and Welfare.

Hon. John H. O'Donnell in the Chair.

At three o'clock and forty-four minutes p.m., Hon. John H. O'Donnell, member of the Assembly from the Third District, in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2231—An act to add section 98 and to amend sections 87, 290, 799, 800, 802, 812, 844, 846, 847, 958, 970, 971, 972, 973, 974, 1343 of the Fish and Game Code, relating to the creation of a new fish and game district.

Motion to Amend Assembly Bill No. 2231.

Mr. Watson moved to amend Assembly Bill No. 2231 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "and", insert the following: "812.5 to and".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "812".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, as amended, after "to", insert the following: "fish and".

Amendment No. 4.

On page 2, line 34, of the printed bill, as amended, after "7," insert the following: "10,".

Amendment No. 5.

On page 2, line 38, of the printed bill, as amended, after "districts", insert the following: "6,".

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 49 and 50, inclusive, and insert in lieu thereof the following:

"SEC. 7. Section 812.5 is hereby added to the Fish and Game Code to read as follows:".

Amendment No. 7.

On page 2, line 51, of the printed bill, as amended, strike out "812", and insert in lieu thereof the following: "812.5".

Amendment No. 8.

On page 2 of the printed bill, as amended, strike out line 52, and insert in lieu thereof the following: "time. The bag limit in district 19B and, with".

Amendment No. 9.

On page 3 of the printed bill, as amended, strike out "districts", and insert in lieu thereof the following: "district".

Amendments adopted.

Request for Unanimous Consent.

Mr. Watson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2231, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2231, as Amended.

Assembly Bill No. 2231—An act to add sections 98 and 812.5 to and to amend sections 87, 290, 799, 800, 802, 844, 846, 847, 958, 970, 971, 972, 973, 974, 1343 of the Fish and Game Code, relating to fish and the creation of a new fish and game district

Demand for Previous Question.

Messrs. Morgan, Andreas, Turner, Lyon and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2231.

The roll was called, and Assembly Bill No. 2231 refused passage by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Cunningham, Daley, Dilworth, Donnelly, Field, Gannon, Garland, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Martin, McMurray, Morgan, Muldoon, Pelletier, Redwine, Robertson, Stream, Turner, Walker, Watson, and Mr. Speaker—30.

NOES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donahue, Fulcher, Glick, Hawkins, Hornblower, King, Levey, Lore, Lyon, Maloney, Meehan, Miller, Eleanor; Millington, O'Donnell, Patterson, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Voigt, Weber, Welsh, Williamson, and Yorty—37.

Assembly Bill No. 2909—An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

Motion to Amend Assembly Bill No. 2909.

Mr. Robertson moved to amend Assembly Bill No. 2909 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 10 to 24, inclusive, and insert in lieu thereof the following: "four years, and they shall hold office until the appointment and qualification of their successors. The terms of the three members of the commission in office at the time this code takes effect shall expire on January 15 of that year which for the particular member has heretofore been determined. The first term of the four additional members shall be so designated by the Governor that the term of one additional member shall expire January 15, 1939, the term of two additional members shall expire January 15, 1940, and the term of one additional member shall expire January 15, 1941. Vacancies shall be filled by appointment for the unexpired terms. Each member, except the chairman, shall receive a salary of five thousand dollars per annum."

Amendment adopted.

Request for Unanimous Consent.

Mr. Garland asked for, and was granted, unanimous consent to take up Assembly Bill No. 2909, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2909, as Amended.

Assembly Bill No. 2909—An act to amend sections 111 and 112 of the Labor Code, relating to the Industrial Accident Commission.

Assembly Bill No. 2909, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kepple, King, Kuchel, Latham, Laughlin, Levey, Love, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—61.

NOES—Cassidy, Dannenbrink, Gannon, Hunt, Johnson, McMurray, Meehan, Muldoon, Patterson, Richie, and Mr. Speaker—11.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 820—An act regulating the practice of architecture, civil engineering, and land surveying by officers, or employees, of the State of California, or of any county, city and county, city, town, school district, road district, drainage district, levee district, bridge district, sanitary district, water district, irrigation district, utility district, or other improvement district of any kind thereof, or any other political division thereof, or of any public corporation thereof which has the right to levy taxes, or assessments which may be collected as taxes, or of any public corporation thereof whose revenue is derived either in whole or in part from public funds which have been collected as taxes.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Dannenbrink, Baynham, Yorty and Walker demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 820.

The roll was called, and Assembly Bill No. 820 refused passage by the following vote:

AYES—Crowley, Garibaldi, Gilbert, Heisinger, Hunt, King, Meehan, and Mr. Speaker—8

NOES—Andreas, Baynham, Breed, Burns, Michael J., Cassidy, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field,

Fulcher, Gannon, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P, Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—54.

Assembly Bill No. 2904—An act to add section 291.4 to the Civil Code, relating to corporations.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Field, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Miller George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—55.

NOES—Dilworth, Kepple, Muldoon, Peyser, Robertson, and Welsh—6

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2906—An act making an appropriation for major construction and equipment at the California Institution for Women.

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—62

NOES—Dilworth, Donnelly, and Mayo—3.

Title read and approved Bill ordered transmitted to the Senate.

Recess.

At three o'clock and forty-five minutes p.m., on motion of Mr. King, the Assembly was declared at recess until three o'clock and fifty minutes p m.

Reassembled.

At three o'clock and fifty minutes p m, the Assembly reconvened. Speaker Jones in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2889—An act making an appropriation to be expended by the Department of Public Works for the purpose of operating and maintaining certain units or portions of the flood control work within the Sacramento and San Joaquin Drainage District, as provided for in Chapter 774, Statutes of 1927, as amended.

Bill read third time.

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr. Millington moved a call of the Assembly.

Motion carried.

Time, three o'clock and fifty-two minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Crowley, Daley, Dannenbrink, Dawson, Gannon, Garibaldi, Heisinger, Levey, Martin, Miller, Eleanor; Morgan, Reaves, Richie, Stream, Tenney, Williamson and Mr. Speaker—17.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 253—An act to amend an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering of the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, by adding a new section thereto to be known as section 13.1 thereof relating to appropriations out of the fair and exposition fund to supplement other appropriations for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939.

Urgency clause read.

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr. Williamson moved a call of the Assembly.

Motion carried.

Time, three o'clock and fifty-five minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Breed, Call, Crowley, Daley, Dannenbrink, Dawson, Gannon, Garibaldi, Gilbert, Heisinger, Levey, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Peek, Reaves, Richie, Sawallisch, Sheehan, Stream, Tenney, Weber, Williamson, Yorty, and Mr. Speaker—29.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1889—An act to further amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended, entitled, known and cited as "California Toll Bridge Authority Act," by adding thereto a new section numbered 22¾, relating to the powers of the California Toll Bridge Authority.

Hon. C. Don Field in the Chair.

At three o'clock and fifty-eight minutes p.m., Hon. C. Don Field, member of the Assembly from the Forty-Third District, in the chair.

Motion to Amend Assembly Bill No. 1889.

Mr. Heisinger moved to amend Assembly Bill No. 1889 as follows:

Amendment No. 1.

On page 2 of the printed bill, after line 10, insert the following: "by purchase at a price or prices which shall include not to exceed the actual value or values of the property or properties so acquired, or not to exceed the actual nuisance value thereof or not to exceed the combined values together with the nuisance value thereof".

Amendment read.

Demand for Previous Question.

Messrs. Morgan, Reaves, Yorty, Breed and Beene demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment by Mr. Heisinger.

The roll was called, and the amendment adopted by the following vote:

AYES—Beene, Burns, Hugh M., Clark, Crowley, Dawson, Field, Garibaldi, Garland, Gilbert, Heisinger, Latham, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Pelletier, Reaves, Richie, Sawallisch, Sheehan, Weber, Welsh, and Williamson—30.

NOES—Breed, Cunningham, Daley, Dilworth, Gannon, Glick, Hunt, Johnson, Kepple, King, Robertson, Stream, Tenney, and Yorty—14.

Request for Unanimous Consent.

Mr. Dawson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1889, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1889, as Amended.

Assembly Bill No. 1889—An act to further amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended, entitled, known and cited as "California Toll Bridge Authority Act," by adding thereto a new section numbered 22¾, relating to the powers of the California Toll Bridge Authority.

Assembly Bill No. 1889, as amended, read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Dawson moved a call of the Assembly.

Motion carried.

Time, four o'clock p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—59.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1581—An act to add a new section to the Political Code, to be numbered 696, relating to a Fact Finding Bureau in the Department of Finance.

Motion to Amend Assembly Bill No. 1581.

Mr. Lyon moved to amend Assembly Bill No. 1581 as follows:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, strike out "bureau", and insert in lieu thereof the following: "department".

Amendment No. 2.

On page 1, line 23, of the printed bill, as amended, strike out "bureau", and insert in lieu thereof the following "department".

Amendment No. 3.

On page 1, line 26, of the printed bill, as amended, strike out "bureau", and insert in lieu thereof the following: "department".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1581, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1581, as Amended.

Assembly Bill No. 1581—An act to add a new section to the Political Code to be numbered 696, relating to a Fact Finding Bureau in the Department of Finance

Re-reference of Assembly Bill No. 1581.

Mr. Hornblower moved that Assembly Bill No. 1581 be withdrawn from calendar, and re-referred to the Committee on Governmental Efficiency and Economy

The roll was called, and Assembly Bill No. 1581 re-referred by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Dannenbrink, Dawson, Donnelly, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hornblower, Hunt, Johnson, King, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—45.

NOES—Cunningham, Dilworth, Field, Gannon, Heisinger, Kepple, Latham, Laughlin, Lyon, Martin, Miller, Eleanor; Morgan, and Stream—13

Assembly Bill No. 1347—An act to amend sections 658, 658.5, 659, 660, 661½, 663, 664, 664a, 665, 666, 667, 668, 669, 670, 674a, 676, 677, 678, 679, 680, 688 and 695 of the Political Code, relating to and creating a State Board of Control providing for the organization of such board, defining its powers, duties, accounting and supervising functions, specifying certain positions thereunder and enacting that said sections shall be known as Article XIX of Chapter III of Title I of Part III of the Political Code, and providing a title for said article.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek,

Pelletier, Reaves, Redwine, Sawallisch, Sheehan, Stream, Thorp, Turner, Watson, Yorty, and Mr. Speaker—51.

NOES—Tenney, and Williamson—2.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2451—An act to amend section 112 of the Vehicle Code, relating to the California Highway Patrol.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2044—An act to amend section 2.112 of the School Code, relating to the enlargement of school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 2889 Dispensed With.

At four o'clock and two minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 2889 were dispensed with on motion of Mr. Millington.

The roll of absentees was called, and Assembly Bill No. 2889 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—Robertson, and Rosenthal—2.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 1889 Dispensed With.

At four o'clock and five minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 1889 were dispensed with, on motion of Mr. Dawson.

The roll of absentees was called, and Assembly Bill No. 1889 passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Call, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Field, Fulcher, Garibaldi, Glick, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—52.

NOES—Andreas, Burns, Hugh M., Burns, Michael J., Cassidy, Crowley, Dilworth, Donihue, Donnelly, Gannon, Garland, Gilbert, Hawkins, Heisinger, Peek, Pelletier, Watson, and Yorty—17.

Title read and approved. Bill ordered transmitted to the Senate.

Explanation of Vote.

I am voting "No" on this bill for the reason that I do not think it wise to give the Authority more power when their contract with the Southern Pacific and the Key System virtually gives away $30,000,000 without the payment of a cent to the State.

S. L. HEISINGER.

Further Proceedings Under Call of the Assembly on Urgency Clause to Assembly Bill No. 253 Dispensed With.

At four o'clock and seven minutes p.m., further proceedings under the call of the Assembly on the urgency clause to Assembly Bill No. 253 were dispensed with on motion of Mr. Williamson

The roll of absentees was called, and the urgency clause to Assembly Bill No. 253 adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Kepple, King, Kuchel, Levey, Lore, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—Field, Hunt, Latham, Lyon, and Redwine—5.

Motion to Amend Assembly Bill No. 253.

Mr. Lyon moved to amend Assembly Bill No. 253 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, following line 47, insert the following language: "for the fiscal year 1937-1938, fifty thousand dollars to the Sixth District Agricultural Association of the State of California for the purpose of holding a spring and/or fall flower show in Los Angeles (said sum to be payable to the association on or before March 1, 1938), and annually the net receipts from said flower show, up to the sum of fifty thousand dollars thereof, shall be paid into the State treasury and placed in a fund entitled "Sixth District Agricultural Association Flower Show Fund" and are hereby appropriated to such association annually for and shall constitute a revolving fund for an annual flower show by said association in Los Angeles, (the words "net receipts" as used herein shall mean the difference between all moneys received in any year by said Sixth District Agricultural Association from any source for the flower show of that year and the moneys actually expended in such year for premiums and all other expenses of said flower show)."

Demand for Previous Question.

Messrs Andreas, Reaves, Morgan, Johnson and Dannenbrink demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the adoption of the amendment by Mr. Lyon

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Boyle, Call, Clark, Crowley, Cunningham, Dawson, Field, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Watson, Welsh, Yorty, and Mr. Speaker—39.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cronin, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garland, Heisinger, Johnson, Kuchel, Leonard, Levey, Mayo, Miller, George P., Millington, Patterson, Richie, Robertson, Scudder, Thorp, Walker, Weber, and Williamson—32.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up Assembly Bill No. 253, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 253, as Amended.

Assembly Bill No. 253—An act to amend an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering of the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, by adding a new section thereto to be known as section 13.1 thereof relating to appropriations out of the fair and exposition fund to supplement other appropriations for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939.

Motion to Amend Assembly Bill No. 253.

Mr Miller moved to amend Assembly Bill No. 253 as follows:

Amendment No. 1.

Immediately following the amendment adopted May 20, 1937, add: "for the fiscal year 1937-1938, fifty thousand dollars to the First District Agricultural Association of the State of California for the purpose of holding a spring and/or fall flower show in Oakland (said sum to be payable to the association on or before March 1, 1938, and annually the net receipts from said flower show, up to the sum of fifty thousand dollars thereof, shall be paid into the State Treasury and placed in a fund entitled "First District Agricultural Association flower show fund" and are hereby appropriated to such association annually for and shall constitute a revolving fund for an annual flower show by said association in Oakland."

Amendment No. 2.

On page ———, line ———, of the printed bill, as amended, strike out "said Sixth", and insert in lieu thereof the following: "and such".

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly.

Motion carried.

Time, four o'clock and ten minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J. Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

The Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 549.
Assembly Bill No. 1743.
Assembly Bill No. 2027.

And reports the same correctly re-engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 842.
Assembly Bill No. 951.
Assembly Bill No. 2247.
Assembly Bill No. 2916.
Assembly Bill No. 2921.
Assembly Bill No. 2922.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 6.
Assembly Concurrent Resolution No. 45.

Assembly Bill No. 74.	Assembly Bill No. 1858.
Assembly Bill No. 98.	Assembly Bill No. 1864.
Assembly Bill No. 135.	Assembly Bill No. 1869.
Assembly Bill No. 303.	Assembly Bill No. 1875.
Assembly Bill No. 338.	Assembly Bill No. 2014.
Assembly Bill No. 503.	Assembly Bill No. 2055.
Assembly Bill No. 524.	Assembly Bill No. 2215.
Assembly Bill No. 695.	Assembly Bill No. 2338.
Assembly Bill No. 1014.	Assembly Bill No. 2378.
Assembly Bill No. 1021.	Assembly Bill No. 2505.
Assembly Bill No. 1034.	Assembly Bill No. 2612.
Assembly Bill No. 1264.	Assembly Bill No. 2614.
Assembly Bill No. 1615.	Assembly Bill No. 2616.
Assembly Bill No. 1626.	Assembly Bill No. 2662.
Assembly Bill No. 1647.	Assembly Bill No. 2829.
Assembly Bill No. 1678.	Assembly Bill No. 2842.
Assembly Bill No. 1683.	Assembly Bill No. 2860.

And reports the same correctly enrolled, and presented to the Governor on this twenty-first day of May, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 21, 1937

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 64—An act to amend sections 1 and 3 of the Motor Vehicle Fuel License Tax Act, relating to the taxation of Diesel fuel and fuel of a similar nature;

Senate Bill No. 370—An act providing for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939, providing for the construction of a State Building therefor and the gardening and improvement of its surrounding grounds, creating a California Commission for the Golden Gate International Exposition to have charge and control of said State Exhibit and Building, defining its powers and duties and making an appropriation therefor;

Senate Bill No. 1163—An act to amend sections 5 and 31, and to add sections 2.5 and 12a to the "Reclamation Board Act," approved December 24, 1911, as amended, relating to the name of said board and the number of members thereof, its powers and duties, providing for a short title to said act, and providing an appropriation for the purposes of this act, all relating to reclamation and flood control;

Senate Bill No. 1164—An act to add section 3703 to the Political Code, relating to members of the State Board of Equalization;

Senate Bill No. 947—An act to provide for the permanent relief and rehabilitation of the indigent and unemployed families of the State of California by the removal of such families to new rural communities to be located upon large tracts of good agricultural land, and providing for loans by the State Department of Social Welfare to a

nonprofit, coperative agricultural association created to carry out such purpose and to make an appropriation therefor;

Senate Joint Resolution No. 24—Relative to memorializing the President and Congress to enact legislation relative to the conscription of wealth and industry in war time and the effective barring of war profits;

Senate Joint Resolution No. 25—Relative to memorializing the President and the Congress of the United States to protect the rights of the State of California to its tidelands and the coastal area lying seaward of the State of California;

Senate Bill No. 501—An act to amend section 736.1 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately;

Senate Bill No. 356—An act to amend section 13 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of this act and to provide that this act shall take effect upon the adoption of the constitutional amendment ratifying these provisions," approved June 5, 1933, relating to horse racing, declaring the urgency hereof, to take effect immediately;

Senate Bill No. 24—An act to amend section 2 of the Public Utilities Act, relating to the definition of public utilities, and definitions of other terms used in said act, and including and defining toll bridges and toll bridge corporations as public utilities

Senate Bill No. 117—An act to amend sections 411, 412, and 413 of the Code of Civil Procedure, relating to service of summons;

Senate Bill No. 1058—An act to repeal sections 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2289a and 2290 of the Political Code, and to add sections 2283, 2284, 2285, 2286, 2287, 2287a, 2288, 2289 and 2290 thereto, all relating to aid to children,

Senate Bill No. 1160—An act to amend sections 359 and 362 of the Code of Civil Procedure, relating to limitation of actions

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No. 64 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 370 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1163 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1164 read first time, and referred to Committee on Elections.

Senate Bill No. 947 read first time, and referred to Committee on Unemployment.

Senate Joint Resolution No. 24 read, and referred to Committee on Federal Relations.

Senate Joint Resolution No. 25 read, and referred to Committee on Federal Relations.

Senate Bill No. 501 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 356 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 24 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 117 read first time, and referred to Committee on Judiciary Codes.

Senate Bill No. 1058 read first time, and referred to Committee on Social Service and Welfare.

Senate Bill No. 1160 read first time, and referred to Committee on Judiciary Codes.

Re-reference of Bills.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Senate Constitutional Amendment No. 28 re-referred to Committee on Constitutional Amendments.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 21, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 2825,** the same being:

"An act to amend section 737a of the Political Code, relating to salaries of judges of the superior court in and for the county of Alameda."

This action is prompted by the same considerations as set forth in previous messages, and in harmony with a policy of economy in every branch of the government.

That there shall be no approval of expenditures necessitating increased taxes, seems to justify withholding my approval of Assembly Bill No. 2825.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2825 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 21, 1937.

To the Honorable Members of the Assembly

I am returning herewith, without my approval, **Assembly Bill No. 1698,** the same being:

"An act to amend section 737kk of the Political Code, relating to the salary of judges of the superior court, in and for the county of San Diego."

This action is prompted by the same considerations as set forth in previous messages, and in harmony with a policy of economy in every branch of the government.

That there shall be no approval of expenditures necessitating increased taxes, seems to justify withholding my approval of Assembly Bill No. 1698

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1698 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 21, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 387,** the same being:

"An act to amend section 737g of the Political Code, relating to the compensation of the judges of the superior court in and for the county of Contra Costa."

This action is prompted by the same considerations as set forth in previous messages, and in harmony with a policy of economy in every branch of the government.

That there shall be no approval of expenditures necessitating increased taxes, seems to justify withholding my approval of Assembly Bill No. 387.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 387 ordered on unfinished business calendar.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1755—An act to add section 7.2 to the Alcoholic Beverage Control Act, relating to licenses.

Bill read third time, and refused passage by the following vote:

AYES—Laughlin, Reaves, Redwine, and Robertson—4.

NOES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Morgan, Muldoon, Patterson, Peek, Pelletier, Richie, Sawallisch, Scudder, Sheehan, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—51.

Assembly Bill No. 2901—An act making an appropriation for additional support of The Adjutant General and the California National Guard, including allowances to organizations, rental of armories, and maintenance of high school cadets, for the eighty-ninth and ninetieth fiscal years, and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Thorp, Turner, Walker, Watson, Weber, Williamson, and Yorty—58.

NOES—Heisinger, Hunt, Lore, Mayo, McMurray, Patterson, Richie, Rosenthal, Tenney, Voigt, and Mr. Speaker—11.

Assembly Bill No. 2801 read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—60.

NOES—Flint, Gilbert, Heisinger, Hunt, Lore, McMurray, Patterson, Richie, Tenney, Voigt, and Mr. Speaker—11.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1178—An act to add a new section to "An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act, to take effect immediately."

Bill read third time, and refused passage by the following vote

AYES—Breed, Clark, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Garibaldi, Glick, Johnson, Kepple, King, Latham, Laughlin, Miller, Eleanor; Morgan, Patterson, Pelletier, and Robertson—19

NOES—Baynham, Burns, Michael J., Call, Cassidy, Cronin, Crowley, Daley, Desmond, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Muldoon, Peek, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—37.

Assembly Bill No. 1104—An act to amend section 409 of the Political Code, relating to the fees of the Secretary of State.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2913—An act to amend section 234 of the Agricultural Code, relating to bovine tuberculosis.

Bill read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1017—An act to add a new section numbered 4041.26 to the Political Code, relating to jurisdiction, powers and duties of county boards of supervisors.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—53.

NOES—Crowley, Dilworth, Gannon, Heisinger, Kepple, Muldoon, Walker, and Watson—8.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2804—An act authorizing the Department of Natural Resources, acting through the State Park Commission, to enter into lease contracts, with option to purchase, for the use as State parks of ocean beaches and other lands, and making an appropriation therefor.

Motion to Amend Assembly Bill No. 2804.

Mr Morgan moved to amend Assembly Bill No. 2804 as follows:

Amendment No. 1.

On page 1, lines 4 and 5 of the title of the printed bill, as amended, strike out ", and making an appropriation therefor".

Amendment No. 2.

On page 2, line 49, of the printed bill, as amended, after the period, strike out "The", and on page 3, strike out lines 1 and 2.

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 7 to 10, inclusive.

Amendments adopted.

Request for Unanimous Consent.

Mr. Morgan asked for, and was granted, unanimous consent to take up Assembly Bill No. 2804, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2804, as Amended.

Assembly Bill No. 2804—An act authorizing the Department of Natural Resources, acting through the State Park Commission, to enter into lease contracts, with option to purchase, for the use as State parks of ocean beaches and other lands

Assembly Bill No. 2804, as amended, read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—Garland, and Robertson—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2885—An act to amend section 737mm of the Political Code, relating to the compensation of the judges of the superior court in and for the county of San Joaquin.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue,

Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—52.

NOES—Dilworth, Heisinger, Latham, Lore, and Thorp—5.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2903—An act to add Title Ia, comprising sections 1110.1 to 1110.7, inclusive, to Part III of the Code of Civil Procedure, relating to a judicial examination of administrative determinations.

Motion to Amend Assembly Bill No. 2903.

Mr. Cronin moved to amend Assembly Bill No. 2903 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "1110.7", and insert in lieu thereof the following: "1110.8".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out "disciplinary".

Amendment No. 3.

On page 1, line 13, of the printed bill, strike out "permitted", and insert in lieu thereof the following: "exercised".

Amendment No. 4.

On page 1, line 15, of the printed bill, strike out "The", and insert in lieu thereof the following: "If a hearing has been held and a proper record has been prepared of all the evidence, which has been received by the officer, board or commission, making the administrative determination, including the findings and the order, the".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 16, 17 and 18, and insert in lieu thereof the following: "must be followed by the person claiming to be aggrieved The final judgment issued hereunder is".

Amendment No. 6.

On page 1, line 21, of the printed bill, strike out "party", and insert in lieu thereof the following: "person".

Amendment No. 7.

On page 2 of the printed bill, after line 37, insert the following:

"1110.8. If no hearing has been held, or if the record does not contain all the evidence and the findings and the order, the provisions of this title do not apply and the persons aggrieved are entitled to a trial de novo on all issues in the superior court. In such a trial, if the court finds a failure to abide by the provisions of law under which the officer, board or commission is authorized to act, all proceedings shall likewise be remitted to the officer, board or commission for further hearing and determination not inconsistent with the directions of the court."

Amendments adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 2903, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2903, as Amended.

Assembly Bill No. 2903—An act to add Title Ia, comprising sections 1110.1 to 1110.8, inclusive, to Part III of the Code of Civil Procedure, relating to a judicial examination of administrative determinations.

Assembly Bill No. 2903, as amended, read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Call, Cassidy, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Pelletier, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Walker, Weber, Williamson, Yorty and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1711.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Senate Bill No. 1139.
Respectfully reports the same back with the recommendation: Do pass.

CLARK, Chairman.

The above reported bill ordered on second reading calendar.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:
Assembly Bill No. 950.
Respectfully reports the same back signed out by the committee, with amendments.

LORE, Chairman.	MORGAN.
DONNELLY.	TENNEY.
HORNBLOWER.	WATSON.
THORP.	JOHNSON.
PATTERSON.	

Second Reading of Assembly Bill No. 950—(Out of Order).

Assembly Bill No. 950—An act to amend the title of and sections 2, 3, 4, 7 and 9, and to add sections 14 and 15 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents and the recovery of reimbursement therefor.

Committee Amendments to Assembly Bill No. 950.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following:

"An act to add Chapter 2, comprising sections 2500 to 2615, inclusive, to Division IV of the Welfare and Institutions Code, to amend section 5077 of the Welfare and Institutions Code, and to repeal an act entitled "An act to".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, strike out "and the recovery of reimbursement therefor".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive; strike out all of pages 2, 3, 4, and 5, inclusive; and on page 6, strike out lines 1 to 28, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new chapter, comprising sections 2500 to 2615, inclusive, is hereby added to Division IV of the Welfare and Institutions Code, to be designated Chapter 2, and to read as follows:

CHAPTER 2. COUNTY AID AND RELIEF TO INDIGENTS.

Article 1. Duty and Power of County to Give Aid.

2500. Every county shall aid and relieve all able-bodied indigent persons and all indigents incapacitated by age, disease, or accident, when such indigent persons are residents of the county, and are not supported and relieved by their relatives or friends or by public or private institutions.

2501. Every county may give such emergency relief to dependent nonresidents as the respective boards of supervisors deem necessary.

2502. If no other funds are available for the purpose, a county may incur all necessary expenses in transporting a nonresident indigent to another State or county

when information at hand reasonably tends to show that the person has a legal residence in such State or county.

2503. Whenever the respective boards of supervisors deem it best for the welfare of a family or in the public interest that an indigent remain in a county not responsible for his support, the county responsible for the support of the indigent may agree to support him in the county not so responsible; but no indigent supported in this manner shall be deemed to have acquired a residence in the nonresponsible county. Such agreement shall be made by the responsible county with the nonresponsible county, and a record or copy thereof shall be sent to and filed in the office of the State Department of Social Welfare.

2504. If a dispute occurs between counties as to the responsibility for an indigent, either county may submit the dispute to the State Department of Social Welfare. The decision of the department thereon shall be final.

2505. Work may be required of an able-bodied indigent as a condition of relief. Such work shall be created for the purpose of keeping the indigent from idleness and assisting in his rehabilitation and the preservation of his self-respect.

2506. The board of supervisors of every county as a board, or by committee or by such person or society as it may authorize, shall investigate every application for relief from the funds of the county, shall supervise by periodic visitation every person receiving such relief, shall devise ways and means for bringing persons unable to maintain themselves to self-support and shall keep full and complete records of such investigation, supervision, relief, and rehabilitation as shall be prescribed by the State Department of Social Welfare. Such records shall be confidential and shall not be open to examination or inspection except by the grand jury of the county or by a board or an officer of the State or the county charged with the supervision or direction of such relief or with the control or expenditure of funds applicable to such relief. Any citizen shall be entitled to demand and receive from the board, officer, committee, person, or society having custody of such records a statement of the amount, character, and value of the relief received by any person.

Article 2. Residence.

2550. Except as otherwise provided in this chapter, a person, in order to be entitled to aid, shall be a resident of the State and of the county wherein application is made.

2551. The provisions of this article relating to residence are applicable in determining residence for the purposes of this chapter only.

2552. The residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he returns in seasons of repose.

2553. The residence of an unmarried minor child is the residence of the father, while he has legal custody of the minor, or if he has not such legal custody, the residence of the mother while she remains unmarried and has the legal custody of the minor.

The residence of an orphan is that of the last deceased person who had his legal custody.

The residence of a dependent child who has been declared free from the custody and control of his parent or parents, by order of the juvenile court, is not changed by change of the residence of the parent or parents.

2554. The residence of a married woman is the residence of her husband.

2555. A resident of the State of California is a person who comes within all the following descriptions:

(a) Who has lived continuously in the State for a period of three years with the intent to make it his home.

(b) Who, during the three-year period aforementioned, has not received any public or private relief or support from friends, charitable organizations, or relatives other than legally responsible relatives; but time spent in a public institution or on parole therefrom shall not be counted in determining the matter of residence in this or another State.

(c) Who has not lost his residence by remaining away from this State for an uninterrupted period of one year. Absence from the State for labor or other special or temporary purpose does not occasion loss of residence.

2556. A person who is a resident of California within the meaning of this chapter is a lawful resident of the county wherein he applies for aid if he has resided therein continuously for one year immediately preceding his application for assistance. If the applicant has no such residence, the county wherein he last resided continuously for one year immediately preceding his application shall be responsible for his support. If the applicant has no such year's residence within three years preceding application, that county shall be responsible for his support wherein he was present for the longest time during the three-year period. Time spent in a public institution or on parole therefrom or in a private charitable institution shall not in any case be counted in determining the matter of county residence.

Article 3. Responsibility of Kindred.

2576. If any indigent has living within this State a spouse, parent, or adult child, and such kindred or any of them, or any group of them has sufficient financial ability to support the indigent, he shall not be eligible for aid under this chapter

except such emergency aid as may be extended hereunder pending a determination of responsibility for his support. Upon failure of such kindred to support the indigent, the county may extend aid, and such kindred in the order above named and to the extent of their ability shall reimburse the county for the support of the indigent by paying to the county the sums per month or per day fixed by the board of supervisors for such aid. In any case where such kindred are unable to pay the entire charge for such support, they shall reimburse the county to such an extent as may be determined under the provisions of this section.

The board of supervisors shall, in the case of aid granted by institutional care, fix a reasonable charge therefor, which shall be the measure of reimbursement to the county, and the existence of the order fixing the charge shall constitute prima facie evidence of its reasonableness.

2577. Upon failure of the kindred, referred to in section 2576, to perform their duty to support the indigent, the board of supervisors shall request the district attorney of the county to proceed against such kindred in the order of their responsibility for support. Upon such request the district attorney shall promptly commence and prosecute proceedings for the ascertainment and enforcement of the liability and responsibility of the kindred.

2578. Such proceedings shall be begun by filing in the name of the county a petition verified in the manner of a complaint praying that the responsibility and liability of the named kindred be ascertained, and that an order be made accordingly. The provisions of Titles I to IX, inclusive, of Part II of the Code of Civil Procedure shall apply to the proceedings in such action and the court shall therein determine the liability, if any, of each of the kindred for such support. The court shall, in such action, ascertain the financial ability of the defendants and each of them, and unless it finds that a defendant is unable to pay any sum for support, either because of lack of sufficient funds or because such payment would result in the probability of the defendant becoming at some future time a public charge, the court shall order each defendant to pay to the county a proper proportion, if any, of his liability for the support of the indigent.

If any relative or group of relatives has sufficient financial ability to support the indigent no relative beyond him or them in the order named in section 2576 shall be ordered to pay any portion of the support. The order of the court shall specify that a given sum shall be payable monthly in advance to the board of supervisors or its designated social agency for the entire or partial maintenance of the defendant's indigent relative in accordance with the defendant's financial ability.

2579. *In any case where a person so ordered to make such payments fails so to do,* the court may by order require him to show cause for such failure and may otherwise enforce its order to make such payments by such order or orders as in its discretion it deems necessary from time to time and such order or orders may be modified, altered, or revoked at the discretion of the court.

Article 4. Application of Property of an Indigent Person to His Support.

2600. The board of supervisors of any county may establish its own policies with reference to the amount of property, if any, a person shall be permitted to have while receiving public assistance, to the end that so far as it is possible an applicant for public relief shall be required to apply his own property to his support.

2601. As a condition to the grant or continuation of aid to an indigent the board of supervisors may require as security for the moneys so expended that the applicant transfer or grant to it such property or interest in property as the applicant has, or such portion thereof or estate therein or lien thereon as the board specifies. Such property shall be managed by the board of supervisors and the net income thereof shall be applied to the reimbursement of the county for the aid granted and any surplus in excess of such reimbursement shall be paid to the indigent. In the case of any estate, interest, or lien in such property held by the board, or any right of management transferred thereto, the board shall have all the powers of an attorney in fact for the indigent as to such estate, interest, or lien and may sell, lease, or transfer the same, defend and prosecute all suits concerning it, pay all just claims against it and be reimbursed out of the proceeds, and do all things necessary for the protection, preservation, and management thereof. Any such estate, interest, or lien shall be held by the board subject to the claim of the county for reimbursement for aid granted to the applicant or for moneys expended in its management, preservation, or protection, and such reimbursement shall constitute a preferred claim against such estate, interest, or lien.

2602. If there is in the hands of any officer of the county, or there is surrendered to any officer of the county, upon the death of any such indigent person, any personal property of a total of less than twenty-five dollars in value, belonging to such person, the board of supervisors of the county may by resolution order such property to be sold, and if the proceeds thereof do not exceed the sum of twenty-five dollars, they shall be applied to the payment of the claim of the county against such person. If the value of such property or the proceeds received from its sale exceeds the sum of twenty-five dollars, or exceeds the indebtedness due to the county, such property or the proceeds of the sale thereof in excess of twenty-five dollars or the amount of the claims of the county, shall be delivered to the public administrator of the county or to any other legal representative of the deceased for administration.

2603. If a person for the support of whom public moneys have been expended acquires property, the county shall have a claim against him to the amount of a reasonable charge for moneys so expended and such claim shall be enforced by action against him by the district attorney of the county on request of the board of supervisors. In a proper case therefor the district attorney shall apply to the proper court for the appointment of a guardian of the person or estate, or both, of the indigent. The support of such indigent from public funds shall be deemed a ground for sale or encumbrance of his property under the provisions of section 1530 of the Probate Code.

2604. From the proceeds of a sale or encumbrance of the property of such ward, or from such funds as may be collected from the property of the ward, there shall be paid to the county the expense of the support of the ward prior to collection, together with the subsequent expense of such support.

2605. No fee shall be charged by any public officer for filing any petition for guardianship under the provisions of section 2603, or for any official act done or necessary in the course thereof, except that a county employee acting as such guardian shall be entitled to such costs therefor as will reimburse him in full for moneys advanced by him in such guardianship.

Where a county officer or employee is appointed and acts as such guardian, the board of supervisors may by resolution order that expenses necessary in the conduct of the guardianship and any necessary premiums on the bond of the guardian shall be advanced by the county to such guardian, and such expenses shall be a charge against the county, but the county shall be reimbursed out of any funds or property of the estate of the ward.

Article 5. Bringing Indigent into the State.

2615. Every person, firm, or corporation, or officer or agent thereof that brings or assists in bringing into the State any indigent person who is not a resident of the State, knowing him to be an indigent person, is guilty of a misdemeanor.

SEC. 2. Section 5077 of the Welfare and Institutions Code is hereby amended to read as follows:

5077. The reasonable cost of maintenance of a person committed under the provisions of section 5076, in a sum to be fixed by the court at the time of the commitment, shall be defrayed out of the estate of the patient so committed or shall be a charge upon his relatives liable for his maintenance.

If, however, the patient is found to be an indigent resident of the county, in accordance with the definition of such residence prescribed in Chapter 2 of Division IV of this code, and without funds or relatives responsible for his maintenance able to pay such charge, then the expense of his maintenance shall be a charge upon the county in which the court has jurisdiction and shall be paid out of the county treasury upon a written order of the judge of the superior court of the county, directing the county auditor to draw his warrant upon the county treasurer specifying the amount of such expense.

If the indigent patient is a nonresident of the county or if a relative or a friend of the patient is found outside the county, of whose ability and willingness to assume the responsibility and the expense of the proper care of the patient the court is satisfied, the court may release the patient to the custody of such relative or friend and the cost and expense of transporting the patient to the home of the relative or friend or to the county or State where the patient has a legal residence shall be a charge upon the county in which the court has jurisdiction and shall be paid in the manner prescribed in this section for the payment of other expenses for the care of such patients.

SEC. 3. An act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, is hereby repealed.

SEC. 4. This act shall take effect only if a Welfare and Institutions Code is enacted by the Legislature at its fifty-second session."

Amendments adopted.

Bill read second time, ordered to reprint and engrossment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2877—An act to amend section 4013 of, repeal Article II of Chapter VIII, Title II, Part IV of, and to add a new article, comprising sections 4222, 4222.2, 4222.4, 4222.6, 4222.7, 4222.8 and 4222.9, to Chapter VIII, Title II, Part IV, of the Political Code, relating to county engineers and county surveyors.

Motion to Amend Assembly Bill No. 2877.

Mr. Weber moved to amend Assembly Bill No. 2877 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 1 and 2, and in line 3, strike out "Sec. 3.", and insert in lieu thereof the following: "Sec. 2."

Amendment No. 2.

On page 2, lines 20 and 21, of the printed bill, as amended, strike out "for the balance of his term as surveyor".

Amendment No. 3.

On page 2, line 31, of the printed bill, as amended, strike out "incompetency or neglect of duty", and insert in lieu thereof the following: "good cause".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 38 to 40, inclusive, and insert in lieu thereof the following:

"The engineer shall not perform the duties performed by members of the board of supervisors as road commissioners.

The engineer shall perform such duties as the board may direct; provided,".

Amendment No. 5.

On page 3, line 23, of the printed bill, as amended, after the period, insert the following:

"The engineer shall not approve claims of members of the board of supervisors in connection with the performance of their duties as road commissioners."

Amendments adopted

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up Assembly Bill No. 2877, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2877, as Amended.

Assembly Bill No. 2877—An act to amend section 4013 of, repeal Article II of Chapter VIII, Title II, Part IV of, and to add a new article, comprising sections 4222, 4222.2, 4222.4, 4222.6, 4222.7, 4222.8 and 4222.9, to Chapter VIII, Title II, Part IV, of the Political Code, relating to county engineers and county surveyors.

Assembly Bill No. 2877, as amended, read third time.

Demand for Previous Question.

Messrs. Morgan, Peek, Welsh, Dannenbrink and Millington demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2877.

The roll was called, and Assembly Bill No. 2877 refused passage by the following vote:

AYES—Breed, Cronin, Cunningham, Dannenbrink, Dawson, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Lore, Maloney, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Pelletier, Redwine, Sheehan, Thorp, Weber, and Yorty—24.

NOES—Andreas, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Crowley, Daley, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Latham, Laughlin, Leonard, Lyon, Martin, Mayo, Meehan, Millington, Muldoon, O'Donnell, Peek, Robertson, Sawallisch, Scudder, Stream, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—38.

Assembly Concurrent Resolution No. 56—Relative to imposing upon the Legislative Counsel the duty of preparing for and reporting to the fifty-third session of the Legislature a suggested draft of a revision of the Constitution of California.

Assembly Concurrent Resolution No. 56 read, and adopted by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Gannon, Gilbert, Hawkins, Heisinger, Kepple, King, Latham, Laughlin, Lore, Lyon, Martin, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Peek, Pelletier, Robertson, Sawallisch, Scudder, Stream, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—44.

NOES—Dawson, Donihue, Field, Fulcher, Hornblower, Hunt, Johnson, Leonard, Maloney, Mayo, McMurray, Patterson, Redwine, Richie, Sheehan, Thorp, and Williamson—17.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2890—An act making an appropriation for the construction and equipment of a building or buildings at the Humboldt State College.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Amendment to Assembly Bill No. 253 Dispensed With.

At four o'clock and eleven minutes p.m., further proceedings under the call of the Assembly on the amendment to Assembly Bill No. 253 were dispensed with on motion of Mr. Miller.

The roll of absentees was called, and the amendment refused adoption by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Call, Cassidy, Cronin, Crowley, Dannenbrink, Donihue, Donnelly, Fulcher, Gannon, Garland, Johnson, Leonard, Levey, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Robertson, Scudder, Sheehan, Turner, Weber, and Williamson—30.

NOES—Andreas, Baynham, Beene, Burns, Hugh M., Clark, Cunningham, Daley, Desmond, Dilworth, Field, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Tenney, Thorp, Walker, Watson, Welsh, Yorty, and Mr. Speaker—39.

Motion to Amend Assembly Bill No. 253.

Mr. Miller moved to amend Assembly Bill No. 253 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, immediately following the first amendment of May 20, 1937, insert the following: "for the fiscal year 1937-1938, twenty thousands dollars to the First District Agricultural Association of the State of California for the purpose of holding a spring and/or fall flower show in Oakland (said sum to be payable to the association on or before **March 1, 1938**), and annually the net receipts from said flower show, up to the sum of twenty thousand dollars thereof, shall be paid into the State Treasury and placed in a fund entitled "First District Agricultural Association flower show fund" and are hereby appropriated to such association annually for and shall constitute a revolving fund for an annual flower show by said association in Oakland (the words "net receipts" as used herein shall mean the difference between all moneys received in any year by said First District Agricultural Association from any source for the flower show of that year and the moneys actually expended in such year for premiums and all other expenses of said flower show);".

Amendment adopted.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to consider all other proposed amendments to Assembly Bill No. 253, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 253, as Amended.

Assembly Bill No. 253—An act to amend an act entitled "An act to provide for the regulation and licensing of horse racing, horse race

meetings, and the wagering of the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, by adding a new section thereto to be known as section 13.1 thereof relating to appropriations out of the fair and exposition fund to supplement other appropriations for a State Exhibit at the Golden Gate International Exposition to be held in San Francisco, California, in 1939.

Motion to Amend Assembly Bill No. 253.

Mr. Scudder moved to amend Assembly Bill No. 253 as follows:

Amendment No. 1.

Following the Lyons amendment, add the following:
"Ten thousand ($10,000.00) is hereby appropriated for the Gravenstein Apple Show annually held at Sebastopol"

Amendment read, and refused adoption by the following vote.

AYES—Andreas, Beene, Burns, Michael J., Call, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Fulcher, Garland, Hawkins, Heisinger, Hornblower, Leonard, Maloney, Mayo, McMurray, Miller, Eleanor; Muldoon, Patterson, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Weber, and Williamson—31.

NOES—Baynham, Burns, Hugh M., Cassidy, Clark, Desmond, Donihue, Donnelly, Field, Flint, Gannon, Gilbert, Glick, Hunt, Johnson, Kepple, King, Kuchel, Latham, Lore, Lyon, Martin, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Tenney, Thorp, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—39.

Motion to Amend Assembly Bill No. 253.

Mr Patterson moved to amend Assembly Bill No. 253 as follows:

Amendment No. 1.

On page 3, after line 6 of the printed bill, as amended, add "fifty thousand dollars to Salinas Rodeo."

Amendment read, and refused adoption by the following vote

AYES—Beene, Burns, Michael J., Call, Cassidy, Clark, Dannenbrink, Donihue, Garland, Hawkins, Heisinger, Patterson, Robertson, Rosenthal, Turner, Williamson, and Yorty—16.

NOES—Andreas, Baynham, Breed, Burns, Hugh M., Cronin, Daley, Dawson, Desmond, Dilworth, Field, Flint, Gannon, Gilbert, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Pelletier, Redwine, Richie, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, and Mr. Speaker—44.

Motion to Amend Assembly Bill No. 253.

Mr. Burns, Michael J., moved to amend Assembly Bill No. 253 as follows:

Amendment No. 1.

On page 3, line 6, of the printed bill, as amended, add "five thousand dollars to be used annually to celebrate "The Days of General Grant" held at Eureka, Humboldt County".

Amendment read, and refused adoption by the following vote.

AYES—Baynham, Beene, Burns, Michael J., Call, Cassidy, Crowley, Dannenbrink, Dilworth, Fulcher, Garland, Heisinger, Maloney, Mayo, Millington, Muldoon, Patterson, Pelletier, Robertson, Sawallisch, Scudder, Turner, Weber, Williamson, and Yorty—24.

NOES—Breed, Clark, Cronin, Daley, Dawson, Desmond, Donnelly, Field, Flint, Gannon, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Reaves, Redwine, Richie, Sheehan, Tenney, Thorp, Walker, Watson, Welsh, and Mr. Speaker—39.

Motion to Table Amendments.

Mr Welsh moved that all further amendments now at the desk, be laid on the table.

The roll was called, and the amendments tabled by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Clark, Cronin, Cunningham, Daley, Dawson, Desmond, Donihue, Field, Flint, Gannon, Gilbert, Hawkins, Heisinger, Hunt, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Miller, George P., Millington, Morgan, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Walker, Watson, Welsh, Yorty, and Mr. Speaker—42.

NOES—Beene, Burns, Hugh M., Cassidy, Crowley, Dannenbrink, Dilworth Donnelly, Fulcher, Garland, Hornblower, Johnson, Leonard, Mayo, Meehan, Miller, Eleanor; Muldoon, Patterson, Robertson, Scudder, Stream, Turner, and Weber—22.

Motion to Lay Assembly Bill No. 253 on the Table.

Mr. Stream moved that Assembly Bill No. 253 be laid on the table.

The roll was called and the motion lost by the following vote:

AYES—Crowley, Dannenbrink, Fulcher, Gannon, Heisinger, Muldoon, Patterson, Robertson, Stream, and Weber—10.

NOES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—60.

Demand for Previous Question.

Messrs. Lyon, Latham, Redwine, Field and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cunningham, Daley, Dawson, Desmond, Donihue, Field, Flint, Gannon, Hawkins, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—52.

NOES—Burns, Hugh M., Crowley, Dannenbrink, Dilworth, Donnelly, Fulcher, Garland, Heisinger, Hornblower, Johnson, Leonard, Mayo, Muldoon, Richie, Robertson, and Stream—16.

The question being on the passage of Assembly Bill No. 253.

The roll was called, and Assembly Bill No. 253 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Field, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—Dilworth, Donnelly, Fulcher, Gannon, Garland, Muldoon, Patterson, Richie, Robertson, Turner, and Weber—11.

Title read and approved.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 253.

Mr. Garland moved to expunge the record and rescind the action whereby the Assembly, on this day, passed Assembly Bill No 253.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Beene, Breed, Burns, Michael J, Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Leonard, Lore, Maloney, Martin, Mayo, Meehan, Millington, Muldoon, O'Donnell, Patterson, Peek, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, and Welsh—48.

NOES—Baynham, Boyle, Burns, Hugh M., Field, Flint, Glick, Kepple, King, Kuchel, Latham, Laughlin, Lyon, McMurray, Miller, Eleanor; Miller George P., Morgan, Reaves, Williamson, Yorty, and Mr. Speaker—20.

Motion to Take Amendment by Mr. Garland from the Table.

On motion of Mr. Welsh, the amendment submitted by Mr. Garland to Assembly Bill No. 253 was taken from the table for consideration at this time.

Consideration of Amendment by Mr. Garland to Assembly Bill No. 253.

Mr. Garland moved to amend Assembly Bill No. 253 as follows:

Amendment No. 1.

On page 2, line 40, of the printed bill, as amended, after the semicolon, insert the following: "provided, however, that before such funds are as in this paragraph provided to be appropriated, allocated and apportioned during the eighty-eighth fiscal year there is hereby first appropriated from out of such balance the sum of fifty thousand dollars to Agricultural District 24 for construction, completion, improvement and equipment of its buildings and grounds;".

Amendment read, and adopted by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Cassidy, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Garland, Heisinger, Hornblower, Johnson, Kepple, Leonard, Lore, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Pelletier, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Voigt, Watson, and Williamson—36.

NOES—Baynham, Boyle, Burns, Hugh M., Clark, Cunningham, Desmond, Field, Flint, Gannon, Gilbert, Glick, King, Kuchel, Latham, Lyon, Maloney, McMurray, Morgan, O'Donnell, Reaves, Redwine, Rosenthal, Sheehan, Tenney, Yorty, and Mr. Speaker—26.

Motion to Expunge Record and Rescind Action on Amendments to Assembly Bill No. 253.

Mr. Desmond moved to expunge all records and rescind all actions whereby the Assembly adopted all previous amendments to Assembly Bill No. 253.

The roll was called, and the motion to expunge the record and rescind the action lost by the following vote:

AYES—Baynham, Beene, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Dannenbrink, Desmond, Donihue, Donnelly, Fulcher, Gannon, Heisinger, Johnson, Leonard, Mayo, McMurray, Meehan, Millington, Muldoon, Patterson, Peek, Richie, Robertson, Rosenthal, Scudder, Turner, Walker, and Watson—30.

NOES—Boyle, Breed, Call, Cassidy, Cunningham, Dawson, Dilworth, Field, Flint, Garland, Gilbert, Hawkins, Hornblower, Kepple, King, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Pelletier, Reaves, Redwine, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Welsh, Yorty, and Mr. Speaker—37.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up Assembly Bill No. 253, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 253, as Amended.

Assembly Bill No. 253—An act to amend an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering of the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, by adding a new section thereto to be known as section 13.1 thereof relating to appropriations out of the fair and exposition fund to supplement other

appropriations for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939.

Assembly Bill No. 253, as amended, read third time.

Demand for Previous Question.

Messrs. Latham, Lyon, Morgan, Welsh and Reaves demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 253.

The roll was called, and Assembly Bill No. 253 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cronin, Cunningham, Daley, Dawson, Desmond, Donihue, Field, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—55.

NOES—Burns, Hugh M., Clark, Dannenbrink, Dilworth, Donnelly, Fulcher, Gannon, Heisinger, Muldoon, O'Donnell, Patterson, Peek, Richie, Robertson, Scudder, and Walker—16.

Title read and approved Bill ordered transmitted to the Senate.

Explanation of Vote.

The several amendments added to this bill are not in accord with the act nor are they in the best interests of agriculture in this State, therefore I, in protest, voted "No."

S. L. HEISINGER.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2907—An act making an appropriation for the support of the State Board of Equalization, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—Donnelly, Kepple, and Richie—3.

Assembly Bill No. 2907 read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—Donnelly, Kepple, and Richie—3.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 549—An act to add section 13a to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amend-

ment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 400—An act making an appropriation to pay the claim of Dan Campbell against the State of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2900—An act to amend section 321.5 of the Agricultural Code, relating to cold storage meat.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Clark, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hornblower, Johnson, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Thorp, Turner, Watson, Welsh, and Williamson—46.

NOES—Burns, Michael J., Cassidy, Crowley, Dilworth, Donihue, Field, Flint, Hawkins, Heisinger, Hunt, Kepple, King, Kuchel, Latham, Lore, Peek, Redwine, Scudder, Stream, Tenney, Walker, Yorty, and Mr. Speaker—23

Title read and approved Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Assembly Bill No. 2918.
Respectfully reports the same back with the recommendation: Do pass

WELSH, Chairman.

Second Reading of Assembly Bill No. 2918—(Out of Order).

Assembly Bill No. 2918—An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

Bill read second time, and ordered to engrossment.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2918.
And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Concurrent Resolution No. 13.
Assembly Bill No. 18.
Assembly Bill No. 29.
Assembly Bill No. 35.
Assembly Bill No. 636.
Assembly Bill No. 844.
Assembly Bill No. 2149.
Assembly Bill No. 2674.
Assembly Bill No. 2750.
Assembly Bill No. 2833.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 3.
Assembly Bill No. 2091.
Assembly Bill No. 1172.
Assembly Bill No. 2331.
Assembly Bill No. 1760.
Assembly Joint Resolution No. 26.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Hon. Harold F. Sawallisch in the Chair.

At four o'clock and eight minutes p.m., Hon. Harold F. Sawallisch, member of the Assembly from the Tenth District, in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 439—An act to amend section 690.10 of the Political Code of the State of California, relating to the construction and maintenance of groynes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Cunningham, Dawson, Desmond, Donahue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, Pelletier, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Walker, Watson, Welsh, Williamson, and Mr. Speaker—47.

NOES—Dilworth, Field, Heisinger, Hunt, Kepple, King, Latham, Lyon, O'Donnell, Patterson, Peek, Reaves, Richie, Tenney, Voigt, and Yorty—16.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2206—An act to amend section 273c of the Penal Code, relating to fines.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Yorty—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2908—An act to amend sections 359 and 362 of the Code of Civil Procedure, relating to limitation of actions

Bill read third time, and refused passage by the following vote.

AYES—Andreas, Burns, Michael J., Clark, Cronin, Dawson, Donnelly, Hawkins, Hunt, King, Lore, McMurray, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Yorty, and Mr. Speaker—20.

NOES—Beene, Boyle, Breed, Call, Cassidy, Cunningham, Dannenbrink, Dilworth, Donahue, Field, Fulcher, Gannon, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, Leonard, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Morgan, Mul-

doon, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, and Williamson—35.

Assembly Bill No. 2912—An act creating the office of Assistant Highway Engineer in the State Department of Public Works, and relating to the powers and duties thereof and the qualifications, compensation and tenure of appointees thereto.

Motion to Amend Assembly Bill No. 2912.

Mr. Patterson moved to amend Assembly Bill No. 2912 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "Assistant Highway", and insert in lieu thereof the following: "Park".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "Assistant Highway", and insert in lieu thereof the following: "Park".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "Assistant Highway", and insert in lieu thereof the following: "Park".

Amendments adopted.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2912, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2912, as Amended.

Assembly Bill No. 2912—An act creating the office of Park Engineer in the State Department of Public Works, and relating to the powers and duties thereof and the qualifications, compensation and tenure of appointees thereto.

Assembly Bill No. 2912, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Sawallish, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2247—An act to amend sections 78 and 79 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol.

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Yorty, and Mr. Speaker—65

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At four o'clock and nine minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 2027—An act relating to the establishment and maintenance of a Bureau of Safety in the Railroad Commission of this State.

Point of Order.

Mr. Call arose to the following point of order: That Assembly Bill No. 2027 was on the file without warrant, as the Committee on Ways and Means had not failed to meet on two consecutive meeting days.

Ruling on Point of Order.

The Speaker declared that the point of order was well taken.

Motion for Temporary Suspension of the Rules.

Mr. Donihue moved that the Rules be temporarily suspended for the consideration of Assembly Bill No. 2027 at this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:.

AYES—Burns, Michael J., Cassidy, Cronin, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Gilbert, Hawkins, Heisinger, Johnson, Lore, Maloney, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, and Yorty—32.

NOES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cunningham, Dawson, Dilworth, Field, Flint, Gannon, Garland, Glick, Kepple, King, Latham, Leonard, Lyon, Martin, McMurray, Millington, Muldoon, Redwine, Walker, Watson, and Mr. Speaker—26.

Assembly Bill No 2027 re-referred to Committee on Ways and Means.

Assembly Bill No. 951—An act to empower the Board of State Harbor Commissioners to rectify the alignment of East Street, now known as the Embarcadero, from Pacific Street to Market Street, in the City and County of San Francisco, and to sell, acquire, and condemn adjacent property, and to ratify and confirm action taken by the Board of State Harbor Commissioners in said matters.

Bill read third time, and passed by the following vote:

AYES—Beene, Clark, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lyon, Maloney, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—48.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: **Assembly Bill No. 2027.**

Respectfully reports the same back with the recommendation: Do pass, as amended in Assembly on May 19, 1937.

ROBERTSON, Chairman.

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: **Assembly Bill No. 2920.**

Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman.

Second Reading of Assembly Bill No. 2920—(Out of Order).

Assembly Bill No. 2920—An act to make an additional appropriation to the Department of Public Works to carry out the unified and centralized program of construction, repair and improvement of State property, including State buildings, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered to engrossment.

Motion for Temporary Suspension of the Rules.

Mr. Reaves moved that the Rules be temporarily suspended, and that Assembly Bill No. 590 be withdrawn from the Committee on Fish and Game and considered at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Beene, Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Donihue, Donnelly, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Kepple, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sheehan, Stream, Thorp, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—50.

NOES—Breed, Burns, Michael J., Dannenbrink, Dilworth, Field, Garland, Glick, Johnson, Patterson, Sawallisch, and Walker—11.

Consideration of Assembly Bill No. 590.

Assembly Bill No. 590—An act to amend the Fish and Game Code, relating to fish.

Bill read third time, and passed by the following vote.

AYES—Andreas, Beene, Breed, Call, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Gilbert, Glick, Heisinger, Hornblower, Kepple, King, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Richie, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—50.

NOES—Burns, Michael J., Field, Gannon, Garland, Johnson, Kuchel, Robertson, Sawallisch, Thorp, and Watson—10.

Title read and approved. Bill ordered transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Stream:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 3607 of the Political Code, relating to property subject to taxation.

Referred to Committee on Introduction of Bills.

By Mr. Johnson:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to repeal "An act to provide for the sale of an excess of water when owned by a municipality and repealing an act entitled 'An act to provide for the sale of an excess of water when owned by a municipality,' approved March 27, 1897," approved April 10, 1911.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Introduction of Bills, to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr Stream
An act to amend section 3607 of the Political Code, relating to property subject to taxation.
By Mr Johnson
An act to repeal "An act to provide for the sale of an excess of water when owned by a municipality and repealing an act entitled 'An act to provide for the sale of an excess of water when owned by a municipality,' approved March 27, 1897," approved April 10, 1911.

CALL, Chairman.

The roll was called, and the report adopted by the following vote.

AYES—Andreas, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Bill No. 2923: By Mr. Stream—An act to amend section 3607 of the Political Code, relating to property subject to taxation.

Bill read first time

Request for Unanimous Consent.

Mr. Stream asked for, and was granted, unanimous consent to have Assembly Bill No. 2923 placed upon the second reading calendar without reference to committee.

Assembly Bill No. 2923 ordered to print.

Assembly Bill No. 2924: By Mr. Johnson—An act to repeal "An act to provide for the sale of an excess of water when owned by a municipality and repealing an act entitled 'An act to provide for the sale of an excess of water when owned by a municipality,' approved March 27, 1897," approved April 10, 1911.

Bill read first time.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to have Assembly Bill No. 2924 placed upon the second reading calendar without reference to committee.

Assembly Bill No. 2924 ordered to print.

Assembly Joint Resolution No. 48: By Mr. Reaves—Relative to memorializing the President of the United States to extend to the Government of Japan an invitation to participate in the Pacific Exposition and Mercado at Los Angeles, 1940, and declaring it to be the intention of the United States to participate in a similar exposition in that country in 1940.

Request for Unanimous Consent.

Mr. Reaves asked for, and was granted, unanimous consent to have Assembly Joint Resolution No. 48 placed upon the third reading calendar without reference to committee.

Assembly Joint Resolution No. 48 ordered to print.

Assembly Concurrent Resolution No. 58: By Messrs. Burns, Michael J., and Scudder—Relative to the appointment of a committee of Assem-

blymen and Senators to represent the Legislature at the Golden Gate Bridge Fiesta, dedication and celebration of May 28, 1937.

Request for Unanimous Consent.

Messrs. Burns, Michael J., and Scudder asked for, and were granted, unanimous consent to have Assembly Concurrent Resolution No. 58 placed upon the third reading calendar, without reference to committee.

Assembly Concurrent Resolution No. 58 ordered to print.

Assembly Concurrent Resolution No. 59: By Messrs. McMurray, and Cassidy—Relative to additional construction in connection with the coordinated State building plan.

Request for Unanimous Consent.

Mr. McMurray asked for, and was granted, unanimous consent to have Assembly Concurrent Resolution No. 59 placed upon the third reading calendar, without reference to committee.

Assembly Concurrent Resolution No. 59 ordered to print.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 842—An act to amend section 23 of an act entitled "An act to provide for a preliminary investigation report and hearing upon the organization of the special tax and assessment districts and providing certain restrictions and limitations upon the organization of same and providing for the termination of proceedings for the organization thereof by protest of the owners of a majority of the property subject to assessment for district purposes," approved June 10, 1933, relating to the districts to which said act applies.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 842 read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Approve Journal.

On motion of Mr. Hornblower, the Assembly Journal of Friday, May 14, 1937, was approved as corrected by the Minute Clerk.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 443—An act to add section 12.5 and to amend sections 2 and 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create

a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905,'' approved May 31, 1917, as amended, relating to the organization of said bureau and defining its powers and duties, and making an appropriation.

Motion to Amend Senate Bill No. 443.

Mr. Cottrell moved to amend Senate Bill No. 443 as follows:

Amendment No. 1.

On page 3, line 5, of the printed bill, strike out "Attorney General pursuant to ', and insert in lieu thereof the following: "board of managers to assist the Attorney General in the performance of his duties under".

Amendment No. 2.

On page 3, line 6, of the printed bill, strike out "or be prescribed by law".

Amendments adopted.

Senate Bill No. 443 ordered to reprint, and third reading calendar.

Senate Bill No. 83—An act to amend section 4.102 of the School Code, relating to an appropriation for vocational rehabilitation.

Motion to Amend Senate Bill No. 83.

Mr Scudder moved to amend Senate Bill No 83 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "amend section 4.102 of", and insert in lieu thereof the following: "add a new section to".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, strike out the comma, and insert the following: "to be numbered 4.102a".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the School Code to be numbered 4.102a, and to read as follows:

4.102a. In addition to any other sums provided for in this article, there is hereby appropriated from any funds in the State Treasury not otherwise appropriated, for each fiscal year, the sum of fifty thousand dollars, or so much thereof as will equal such amount as is received by the State from the Federal Government or any agency thereof during such fiscal year for the purposes of this chapter."

Amendments adopted.

Senate Bill No. 83 ordered to reprint, and third reading calendar.

Senate Bill No. 361—An act to amend the ''Reclamation Board Act,'' approved December 24, 1911, as amended, by amending section 12 thereof, relating to the powers of the Reclamation Board, and section 37 (a) thereof, relating to the application of moneys appropriated or made available under Chapter 176, California Statutes of 1925.

Motion to Amend Senate Bill No. 361.

Mr Millington moved to amend Senate Bill No 361 as follows:

Amendment No. 1.

On page 5 of the printed bill, as amended in Senate March 17, 1937, between lines 5 and 6, insert the following:

"Notwithstanding anything in this act to the contrary or in conflict herewith, the provisions hereof shall not affect in any manner the provisions of "The Central Valley Project Act of 1933," or the powers and duties therein conferred, nor shall this act ever be construed as vesting in or conferring upon the Reclamation Board any power, jurisdiction, authority or control over the construction, operation or maintenance of the Central Valley Project or any part of said project."

Amendment No. 2.

On page 6, line 13, of the printed bill, as amended, commencing with the word "in", strike out the remainder of said line, and all of line 14, and the word "Commission", in line 15.

Amendments adopted.

Senate Bill No. 361 ordered to reprint, and third reading calendar.

Recess.

At four o'clock and thirteen minutes p.m., on motion of Mr. King, the Assembly was declared at recess until four o'clock and fifteen minutes p.m.

Reassembled.

At four o'clock and fifteen minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 21, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 2788,** the same being:

"An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city."

Assembly Bill No. 2788 would make a grant of certain tidelands and submerged lands to the city of Los Angeles. The city of Los Angeles already has been granted several parcels of such lands, they having been made from time to time in the past, each particular area having been described in making such grants.

The proposed measure would legalize or reaffirm the grants heretofore made by the Legislature, and which include all of such tidelands and submerged lands except a relatively small portion which it is proposed to grant by this measure. I can see no reason for the enactment of what would virtually be a validating act of the several statutes conveying tidelands in the past. It is my contention the Legislature should deal only with the strip of land which it is supposed is being conveyed by the State at this time.

Another reason lies in the fact that reservation is made as to lands bordering on parks of the State, for should this proposed grant be enacted and the State later acquire additional beach parks in Los Angeles County, the tidelands in front of the newly acquired parks would have been granted to the city. Further, the enactment of the bill would undoubtedly lead to a controversy as to what rights had been conveyed by these former grants. The reservations in the proposed law relate to minerals, including oil and gas, and such reservations might easily be nullified by the section of the law giving the city the right to lease these lands for 30 years. This provision would undoubtedly lead to confusion at some time in the future.

For the above reasons, I am returning Assembly Bill No. 2788 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 2788 ordered on unfinished business calendar.

Re-reference of House Resolution No. 157.

On motion of Mr. Donnelly, House Resolution No. 157 was withdrawn from the calendar, and re-referred to the Committee on Rules.

Re-reference of Assembly Bill No. 2756.

On motion of Mr. Robertson, Assembly Bill No. 2756 was withdrawn from the calendar, and re-referred to the Committee on Fish and Game.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2124—An act relating to the acquisition or construction of a bridge connecting the State highway system across Carquinez Straits at or near Crockett, California, defining the powers and duties of the California Toll Bridge Authority and of the State

Department of Public Works in relation thereto, and making moneys available therefor.

Motion to Amend Assembly Bill No. 2124.

Mr Sawallisch moved to amend Assembly Bill No. 2124 as follows:

Amendment No. 1.

On page 1, line 18, of the printed bill, as amended, after the period, insert the following: "In the acquisition by condemnation or otherwise of any bridge mentioned in section 1 of this act, any county, city and county, city, political subdivision or other public agency shall be compensated for any reversionary right it may have in such bridge or any part thereof, and shall be compensated for any present or prospective loss of taxes, license fees, or franchise payments accruing from the operation or continued existence of such bridge which loss it suffers by reason of such acquisition by condemnation or otherwise. No such bridge shall become or be declared to be a part of the State highway system until such compensation has been determined and payment thereof provided for."

Amendment read, and refused adoption by the following vote:

AYES—Bayuham, Crowley, Heisinger, Maloney, Mayo, Meehan, and Sawallisch—7.

NOES—Beene, Burns, Hugh M., Call, Cronin, Daley, Dannenbrink, Desmond, Dilworth, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Kepple, Laughlin, Leonard, Lore, Lyon, Martin, Miller, George P., Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Yorty, and Mr. Speaker—40.

Motion to Amend Assembly Bill No. 2124.

Mr Crowley moved to amend Assembly Bill No. 2124 as follows:

Amendment No. 1.

On page 1, between the last line of section 2 and the first line of section 3, of the printed bill, as amended, insert the following:

"SEC. 2.5. Section 2 shall apply only if such bridge or bridges can be acquired for a price which will result in the retirement of the bonds issued for the acquisition thereof within the term of the acquired franchise and with an appreciable reduction of tolls charged on such bridge or bridges."

Amendment read, and refused adoption by the following vote.

AYES—Burns, Hugh M., Burns, Michael J., Crowley, Dawson, Donnelly, Garibaldi, Heisinger, Maloney, McMurray, Meechan, Patterson, Sawallisch, Sheehan, and Williamson—14

NOES—Andreas, Beene, Boyle, Call, Clark, Cronin, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Gilbert, Glick, Hawkins, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Martin, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Scudder, Stream, Thorp, Walker, Watson, Yorty, and Mr. Speaker—44.

Assembly Bill No. 2124 read third time, and passed by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Kepple, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—56.

NOES—Donnelly, Field, Heisinger, Hunt, and Thorp—5.

Title read and approved. Bill ordered transmitted to the Senate.

Explanation of Vote.

The Toll Bridge Authority should have taken action years ago to have placed the Carquinez Bridge under the Railroad Commission or to purchase it. Now after the Bridge Company has made profits of more than $7,000,000, it is proposed to buy it at probably more than the original cost.

S. L. HEISINGER.

Appointment of Select Committee.

The Speaker appointed Messrs. Boyle, Watson and Mayo as a Select Committee to invite the Senate to hear from Mayor La Guardia of New York.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred.

Senate Joint Resolution No. 24.

Respectfully reports the same back with the recommendation: Be adopted

HEISINGER, Chairman.

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:

Senate Joint Resolution No. 25.

Respectfully reports the same back with the recommendation: Be adopted, as amended.

HEISINGER, Chairman.

The above reported bill ordered on second reading calendar.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Joint Resolution No. 48.
Assembly Concurrent Resolution No. 58.
Assembly Concurrent Resolution No. 59.
Assembly Bill No. 2950.
Assembly Bill No. 950.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bills ordered on third reading calendar.

Resolution.

The following resolution was offered:

By Messrs. Peyser, Morgan, Lyon, Cronin, Dawson, Levey, McMurray, Williamson, Hornblower, and Sheehan:

House Resolution No. 182.

WHEREAS, As the days roll by we recall the accomplishments and achievements of the past; and

WHEREAS, Among the most important of all events is the arrival of a new soul and spirit in our midst; and

WHEREAS, Forty-eight years ago there was born a soul and spirit that was destined to be a guiding beacon in the affairs of men; and

WHEREAS, During the years his kindly spirit and sympathetic nature have been a comfort and solace to the unfortunate; and

WHEREAS, He has also dedicated himself unselfishly and unstintingly to the principles of equality and social justice and has striven indefatigably for the interests of those who toil; and

WHEREAS, Thomas A. Maloney is today celebrating another milestone in his journey through life; now, therefore, be it

Resolved by the Assembly of the State of California, That we hereby extend our heartiest felicitations to our beloved colleague, Thomas A. Maloney, on this, his natal day; and be it further

Resolved, That we hereby express our heartfelt wish that his devoted family may long enjoy the devoted companionship of their beloved husband and father, and that the State of California may long enjoy the benefit of his wise leadership and sound statesmanship.

Request for Unanimous Consent.

Mr Peyser asked for, and was granted, unanimous consent to take up House Resolution No. 182, at this time, without reference to committee or calendar.

House Resolution No 182 read, and unanimously adopted.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2899—An act relating to certain lands of the State of California, situate in the county of Los Angeles, providing for the determination of and quieting title to said lands and for leasing for the production of oil, gas, and other hydrocarbons therefrom, creat-

ing the State Oil Development Board, and prescribing its powers and duties with reference to the leasing and protection of the interest of the State in and to said lands.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Dannenbrink, Turner, Patterson and Flint demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2899.

The roll was called, and Assembly Bill No. 2899 refused passage by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donnelly, Fulcher, Garibaldi, Garland, Glick, Maloney, Mayo, McMurray, Meehan, Muldoon, O'Donnell, Sawallisch, Sheehan, Stream, Turner, Williamson, and Mr. Speaker—25.

NOES—Andreas, Call, Clark, Cunningham, Daley, Dilworth, Donihue, Field, Flint, Gannon, Gilbert, Hawkins, Hunt, Johnson, Kepple, Lore, Lyon, Martin, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Walker, Watson, Welsh, and Yorty—34.

Assembly Bill No. 1361—An act to furnish financial assistance to the needy youth of this State, and to provide educational and vocational opportunities for such youth, setting forth the powers and duties of the California Youth Commission in regard thereto, and making an appropriation for the purposes thereof.

Motion to Amend Assembly Bill No. 1361.

Mr Lore moved to amend Assembly Bill No. 1361 as follows.

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out "only".

Amendment No. 2.

On page 2, lines 44 and 45, of the printed bill, as amended, strike out "that they are appointed to", and insert in lieu thereof the following: "of".

Amendment No. 3.

On page 3, line 5, of the printed bill, as amended, strike out "less than ten dollars per month or".

Amendment No. 4.

On page 3, lines 11 and 12, of the printed bill, as amended, strike out "less than twenty dollars per month or".

Amendment No. 5.

On page 3, line 17, of the printed bill, as amended, strike out "less", and insert in lieu thereof the following: "more".

Amendment No. 6.

On page 4, line 18, of the printed bill, as amended, strike out "one year", and insert in lieu thereof the following: "three years".

Amendment No. 7.

On page 5 of the printed bill, as amended, strike out lines 10 and 11, and insert in lieu thereof the following: "this act.".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up Assembly Bill No. 1361, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1361, as Amended.

Assembly Bill No. 1361—An act to furnish financial assistance to the needy youth of this State, and to provide educational and vocational opportunities for such youth, setting forth the powers and duties of

the California Youth Commission in regard thereto, and making an appropriation for the purposes thereof.

Motion to Amend Assembly Bill No. 1361.

Mrs Daley moved to amend Assembly Bill No 1361 as follows, which amendments were ordered voted upon separately, on motion of Mr. Lore·

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 9 to 11, inclusive.

Amendment No. 2.

On page 2, line 12, of the printed bill, as amended, strike out "(4)", and insert in lieu thereof the following: "(3)".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 14 to 16, inclusive.

Amendment No. 4.

On page 2, line 21, of the printed bill, as amended, strike out "(7)", and insert in lieu thereof the following: "(4)".

Amendment No. 5.

On page 2, line 24, of the printed bill, as amended, strike out "thirteen", and insert in lieu thereof the following: "seven".

Amendment No. 6.

On page 2, line 29, of the printed bill, as amended, strike out "Three", and strike out lines 30 to 36, inclusive, and insert in lieu thereof the following: "One member of the commission shall be a member of organized labor, one shall be a member of a youth organization, one shall be a member of a social service, educational, or welfare organization, one shall be a student in an accredited college or university in this State, and one shall not be a member of any of the above classifications."

Amendment No. 7.

On page 2, line 38, of the printed bill, as amended, strike out "five", and insert in lieu thereof the following: "two".

Amendment No. 8.

On page 2, line 39, of the printed bill, strike out "six", and insert in lieu thereof, the following: "three".

Amendment No. 9.

On page 3, line 14, of the printed bill, as amended, after "aid", insert the following: ", for the purpose of occupational training,".

Amendment No. 10.

On page 3, line 28, of the printed bill, as amended, after "training", insert the following: "where such centers do not now exist"

Amendments Nos 1 to 10 adopted

Amendment No. 11.

On page 4 of the printed bill, as amended, strike out lines 1 to 5, inclusive.

Amendment No. 12.

On page 4, line 8, of the printed bill, strike out ", or for past or present participation in", and strike out lines 9 to 15, inclusive, and insert in lieu thereof a period.

Amendments Nos 11 and 12 read, and refused adoption by the following vote.

AYES—Baynham, Crowley, Daley, Dannenbrink, Dilworth, Field, Gannon, Garland, Kepple, Latham, Lyon, Mayo, Miller, Eleanor; Muldoon, O'Donnell, Redwine Robertson, Stream, Thorp, and Walker—20.

NOES—Andreas, Burns, Michael J., Clark, Corwin, Dawson, Donihue, Donnelly, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sheehan, Tenney, Turner, Voigt, Watson, Weber, Welsh, and Mr. Speaker—36.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up Assembly Bill No. 1361, as amended, at this time, without reference to reprint, committee or calendar, and that the same be considered re-engrossed

Consideration of Assembly Bill No. 1361, as Amended.

Assembly Bill No. 1361—An act to furnish financial assistance to the needy youth of this State, and to provide educational and vocational opportunities for such youth, setting forth the powers and duties of the California Youth Commission in regard thereto, and making an appropriation for the purposes thereof.

Motion to Amend Assembly Bill No. 1361.

Mr Garland moved to amend Assembly Bill No 1361 as follows.

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 14 to 17, inclusive; and in line 18, strike out "(d)", and insert in lieu thereof the following: "(c)".

Amendment No. 2.

On page 5, line 1, of the printed bill, strike out "and recreational".

Amendment No. 3.

On page 5, line 2, of the printed bill, as amended, after the period, insert the following: "But none of the moneys by this act appropriated shall be used or expended for any purpose other than that of furnishing educational facilities."

Amendments read, and adopted by the following vote:

AYES—Baynham, Beene, Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Maloney, Martin, Mayo, Redwine, Robertson, Sawallisch, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Welsh—39

NOES—Andreas, Burns, Michael J., Clark, Gilbert, Hawkins, Hunt, Lore, Miller, George P., Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Tenney, Yorty, and Mr. Speaker—18.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up Assembly Bill No. 1361, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1361, as Amended.

Assembly Bill No. 1361—An act to furnish financial assistance to the needy youth of this State, and to provide educational and vocational opportunities for such youth, setting forth the powers and duties of the California Youth Commission in regard thereto, and making an appropriation for the purposes thereof.

Demand for Previous Question.

Messrs Hunt, Reaves, Morgan, Turner and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 1361.

The roll was called, and Assembly Bill No 1361 refused passage by the following vote:

AYES—Boyle, Burns, Michael J., Clark, Daley, Donihue, Flint, Gilbert, Glick, Hawkins, Heisinger, Hunt, Laughlin, Lore, Maloney, Meehan, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Turner, Voigt, Welsh, Yorty, and Mr. Speaker—29.

NOES—Andreas, Baynham, Beene, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Crowley, Dawson, Dilworth, Field, Fulcher, Gannon, Garibaldi, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, and Williamson—38.

Recess.

At four o'clock and sixteen minutes p m., the Assembly was declared at recess for the purpose of hearing from the Hon Fiorello D. La Guardia, Mayor of New York City.

Reassembled.

At four o'clock and seventeen minutes p.m., the Assembly reconvened.

Speaker Jones in the chair.

Re-reference of Assembly Bills.

On motion of Mr Rosenthal, Assembly Bill No. 339 was withdrawn from the calendar, and re-referred to the Committee on Judiciary Codes.

On motion of Mr. Hawkins, Assembly Bill No. 2894 was withdrawn from the calendar, and re-referred to the Committee on Public Morals.

On motion of Mr. Williamson, Assembly Bill No. 468 was withdrawn from the calendar, and re-referred to the Committee on Commerce and Navigation.

On motion of Mr. King, Assembly Bill No. 52 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

On motion of Mr. Robertson, Assembly Bill No. 62 was withdrawn from the calendar, and re-referred to the Committee on Fish and Game.

On motion of Mr. Cronin, Assembly Bill No. 1491 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2377—An act to amend section 7 of "An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately," approved June 13, 1935, relating to the levy and collection of a tax upon the incomes of individuals, estates and trusts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Statement Relative to Assembly Bill No. 1491.

During the arguments on the floor when Assembly Bill No. 1283 was under consideration, I stated that, in my opinion, the sponsors of this bill, Assembly Bill No. 1491, were not acting in good faith, and that this bill would not be urged for passage.

I believe that statement was erroneous, and I am now of the opinion that the authors of Assembly Bill No. 1491, and its sponsors, were actuated by the highest motives and an honest and sincere desire to furnish to the people of the State an adequate low-priced health and medical service.

However, our knowledge, gained from the deliberation on both Assembly Bill No. 1283 and Assembly Bill No. 1491 have convinced the authors of Assembly Bill No. 1491, as well as me, that the enactment of any legislation upon this subject is not practical unless and until the matter has been thoroughly considered by all interested—particularly having in mind the administrative and technical problems involved.

We feel that the entire future of health insurance may be jeopardized by unfavorable conditions which may be unthinkingly imposed through hastily enacted and not fully considered, legislation.

Because the two bills which have been presented to this Assembly might react to the detriment of health and medical service insurance, although being intended to have the opposite result, I feel, and am joined in my sentiment by the authors of Assembly Bill No. 1491, that the best interests of the public will be served by deferring action upon this important subject until the administrative and technical features have received more adequate consideration.

May I say again that I have the greatest of faith in the sincerity of the sponsors of this bill, and as I hope was made clear by me previously, I have never questioned the sincerity of its authors.

RALPH LOUIS WELSH

Assembly Bill No. 1874—An act to appropriate $45,000 of the moneys in the fish reduction privilege tax fund created by section 1019 of the Fish and Game Code, for the purpose of instituting and carrying on laboratory and scientific investigations relating to the keeping and transportation of fish without spoiling.

Motion to Amend Assembly Bill No. 1874.

Mr. Redwine moved to amend Assembly Bill No 1874 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, after "IV," insert the following: "of the Fish and Game Code and paid into the fish and game preservation fund,".

Amendment adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 1874, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1874, as Amended.

Assembly Bill No. 1874—An act to appropriate $45,000 of the moneys in the fish reduction privilege tax fund created by section 1019 of the Fish and Game Code, for the purpose of instituting and carrying on laboratory and scientific investigations relating to the keeping and transportation of fish without spoiling.

Assembly Bill No. 1874, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Domhue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—63

NOES—Tenney—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2409—An act to make an appropriation for the support of the Railroad Commission of the State of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Domhue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 1592—An act making appropriation for auditing of the State Relief Administration accounts, declaring the urgency thereof, and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62

NOES—None.

Assembly Bill No. 1592 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—62.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2374—An act to add section 663.5 to the Political Code, relating to the liability of the State Treasurer for the estates of deceased persons.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Hon. John H. O'Donnell in the Chair.

At four o'clock and nineteen minutes p.m., Hon. John H. O'Donnell, member of the Assembly from the Third District, in the chair.

Assembly Bill No. 2007—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Weber, Welsh, Williamson, and Yorty—47.

NOES—Dilworth, Latham, Lore, Lyon, Miller, Eleanor; O'Donnell, Tenney, and Mr. Speaker—8.

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 1296—An act to add section 612 to the Streets and Highways Code, relating to the establishment of a secondary State highway.

Motion to Amend Assembly Bill No. 1296.

Mr Miller moved to amend Assembly Bill No. 1296 as follows.

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "There is hereby", and insert in lieu thereof the following: "Whenever all of the conditions set forth

in this section have been met, and the commission by resolution so finds, there shall be".

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, before "San", insert the following: "most northerly portion of the existing bridge across".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "Antonio Estuary via Twenty-third Avenue and Twenty-third Avenue Place in the city of Oakland.

The conditions above referred to are as follows:

(a) The approval by the Railroad Commission of a separation of grades on said route from the tracks of the Southern Pacific and Western Pacific railroads.

(b) The consent of the Southern Pacific Company and the Western Pacific Railroad Company to such separation of grades and the assurance by said companies of their willingness to enter into an agreement with the department and any other necessary parties, said agreement to be in form satisfactory to the department and the commission.

(c) That there is made available by the Federal Government a sufficient sum of money to construct said separation of grades, provided that the department shall not be required to prepare or complete detailed plans for such separation of grades until a definite allocation of funds has been made by the Federal Government to such separation.

(d) That funds are made available by the proper city or county authorities for defraying the costs of all rights of way required and all property damages involved."

Amendments adopted.

Request for Unanimous Consent.

Mr. Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 1296, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1296, as Amended.

Assembly Bill No. 1296—An act to add section 612 to the Streets and Highways Code, relating to the establishment of a secondary State highway.

Assembly Bill No. 1296, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2835—An act to provide for the regulation of the marketing, preparing and processing of agricultural foodstuffs, to provide for the administration of such act by the Director of Agriculture, to prescribe standards for the guidance of said director, and to declare the urgency of this act, to take effect immediately.

Motion to Amend Assembly Bill No. 2835.

Mr. Peyser moved to amend Assembly Bill No. 2835 as follows:

Amendment No. 1.

On page 3, line 12, of the printed bill, as amended May 11, following the period, insert the following: "'Baking products" shall not be construed to include crackers, cookies or cracker products."

Amendment adopted.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Bill No. 2835, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2835, as Amended.

Assembly Bill No. 2835—An act to provide for the regulation of the marketing, preparing and processing of agricultural foodstuffs, to provide for the administration of such act by the Director of Agriculture, to prescribe standards for the guidance of said director, and to declare the urgency of this act, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—56.

NOES—King, and Tenney—2.

Assembly Bill No. 2835 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Glick, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—57

NOES—Gannon, Garland, Gilbert, Heisinger, King, and Tenney—6.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 2910—An act to authorize cities and counties to convey and transfer to flood control districts storm drain improvements, drainage improvements and drainage systems in such cities or counties, including storm drain improvements, drainage improvements and drainage systems constructed by drainage improvement districts organized pursuant to an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie," approved March 21, 1903, as amended, or organized pursuant to the Drainage District Improvement Act of 1919, and prescribing the terms and conditions and the effect of such conveyance and transfer, providing for the operation, maintenance, repair and improvement of such storm drain improvements, drainage improvements and drainage systems, and fixing liabilities with respect to obligations of such drainage districts.

Motion to Amend Assembly Bill No. 2910.

Messrs. Yorty and Kepple moved to amend Assembly Bill No. 2910 as follows

Amendment No. 1.

On page 1, line 5, of the printed bill, after "supervisors", strike out the comma, and insert in lieu thereof the following "if prior thereto a majority of the qualified voters in such county vote in favor thereof at an election called by the board of supervisors for such purpose,".

Amendment read, and refused adoption by the following vote:

AYES—Boyle, Cunningham, Dilworth, Donihue, Field, Hawkins, Johnson, Kepple, Kuchel, Latham, Lore, Mayo, Miller, Eleanor; Morgan, Pelletier, Reaves, Redwine, Walker, and Yorty—19.

NOES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmond, Donnelly, Flint, Gannon, Gari-

baldi, Glick, Heisinger, Hunt, King, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Peek, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Watson, Weber, Williamson, and Mr. Speaker—41.

Assembly Bill No 2910 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmond, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Glick, Heisinger, Hunt, King, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Peek, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, and Mr. Speaker—48

NOES—Boyle, Cunningham, Dilworth, Donihue, Field, Hawkins, Johnson, Kepple, Kuchel, Latham, Lore, Pelletier, Redwine, Walker, and Yorty—15

Title read and approved Bill ordered transmitted to the Senate.

Assembly Bill No. 2911—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section, to be numbered 13½, relating to the conveyance and transfer to such district of storm drain improvements, drainage improvements and drainage systems, for the assumption of liability for the payment of bonds of drainage districts issued for the construction of storm drain improvements, drainage improvements and drainage systems so conveyed and transferred, for the operation, maintenance, repair and improvement of such storm drain improvements, drainage improvements and drainage systems and the levy of a special tax therefor.

Motion to Amend Assembly Bill No. 2911.

Messrs. Yorty and Kepple moved to amend Assembly Bill No 2911 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, after "vote." insert the following: "if prior thereto a majority of the qualified voters in such county vote in favor thereof at an election called by the board of supervisors for such purpose,".

Amendment read, and refused adoption by the following vote:

AYES—Boyle, Cunningham, Dilworth, Donihue, Field, Glick, Hawkins, Johnson, Kepple, Latham, Lore, Miller, Eleanor; Pelletier, Reaves, Redwine, Voigt, Walker, and Yorty—18.

NOES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmond, Donnelly, Flint, Gannon, Heisinger, Hunt, King, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Peek, Peyser, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, and Mr. Speaker—40.

Assembly Bill No. 2911 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmoud, Donnelly, Flint, Fulcher, Garibaldi, Garland, Glick, Heisinger, Hunt, King, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Peek, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—50.

NOES—Boyle, Cunningham, Dilworth, Donihue, Field, Gannon, Hawkins, Johnson, Kepple, Kuchel, Latham, Lore, Miller, Eleanor; Pelletier, Redwine, and Yorty—16.

Title read and approved. Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 55—Relative to a coordinated State building plan.

Assembly Concurrent Resolution No. 55 read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawal-

lisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2364—An act making an appropriation for the concreting of fish pond pools of the State trout hatchery at or near Forest Home on Mill Creek, San Bernardino County.

Bill read third time, and passed by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At four o'clock and twenty-one minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Assembly Bill No. 1743—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, as amended, relating to horse racing and the funds derived therefrom.

Motion to Amend Assembly Bill No. 1743.

Mr. Miller moved to amend Assembly Bill No. 1743 as follows:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended, strike out the period and insert a semicolon and the following: "for the fiscal year 1937-1938, twenty thousand dollars to the First District Agricultural Association of the State of California for the purpose of holding a spring and/or fall flower show in Oakland (said sum to be payable to the association on or before March 1, 1938, and annually the net receipts from said flower show, up to the sum of fifty thousand dollars thereof, shall be paid into the State Treasury and placed in a fund entitled "First District Agricultural Association flower show fund" and are hereby appropriated to such association annually for and shall constitute a revolving fund for an annual flower show by said association in Oakland."

Amendment No. 2.

On page 2, line 14, of the printed bill, as amended, strike out "said Sixth", and insert in lieu thereof the following: "any such".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1743, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 1743, as Amended.

Assembly Bill No. 1743—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide

penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, as amended, relating to horse racing and the funds derived therefrom.

Motion to Amend Assembly Bill No. 1743.

Mr. Garland moved to amend Assembly Bill No 1743 as follows:

Amendment No. 1.

On page 2, line 48, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that before such funds are as in this paragraph provided to be appropriated, allocated and apportioned during the eighty-eighth fiscal year there is hereby first appropriated from out of such balance the sum of fifty thousand dollars to Agricultural District Twenty-Four (24) for construction, completion, improvement and equipment of its buildings and grounds."

Amendment read, and refused adoption by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Crowley, Dilworth, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Leonard, Maloney, Mayo, McMurray, Peyser, Robertson, Sawallisch, Sheehan, Turner, and Williamson—20.

NOES—Andreas, Baynham, Boyle, Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Desmond, Field, Gilbert, Glick, Hunt, Johnson, King, Latham, Levey, Lore, Lyon, Martin, Meehan, Miller, Eleanor; Miller George P., Millington, Morgan, Peek, Pelletier, Reaves, Redwine, Stream, Tenney, Thorp, Walker, Watson, Welsh, Yorty, and Mr. Speaker—40.

Assembly Bill No 1743 read third time, and passed by the following vote:

AYES—Andreas, Boyle, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Kepple King, Latham, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller George P, Morgan, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Stream, Tenney, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—42.

NOES—Baynham, Burns, Hugh M., Burns, Michael J., Crowley, Dannenbrink, Desmond, Dilworth, Donnelly, Fulcher, Heisinger, Hunt, Johnson, Kuchel, Leonard, Mayo, Muldoon, O'Donnell, Robertson, Scudder, Sheehan, Thorp, Turner, Walker, and Weber—24.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Assembly Bill No. 1778—An act to amend The Personal Income Tax Act of 1935, relating to taxes.

Bill read third time, and refused passage by the following vote:

AYES—Garland, Muldoon, Redwine, Robertson, and Welsh—6.

NOES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Leonard, Levey, Lore, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Peek, Pelletier, Reaves, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—55.

Assembly Bill No. 317—An act to amend sections 7, 23, 24 and 25 of, and to add a new section to be numbered 5.6 to, the Direct Primary Law, relating to candidates.

Bill read third time, and refused passage by the following vote:

AYES—Burns, Hugh M., Cassidy, Clark, Daley, Field, Flint, Garland, Gilbert, Glick, Hawkins, Hunt, King, Latham, Lore, Martin, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Stream, Tenney, Turner, Voigt, Watson, Welsh, and Mr. Speaker—28.

NOES—Andreas, Baynham, Burns, Michael J., Call, Corwin, Cronin, Crowley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Heisinger, Johnson, Kuchel, Leonard, Levey, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peyser, Scudder, Thorp, Walker, Weber, and Williamson—35.

Assembly Constitutional Amendment No. 48—Proposed amendment to Article XVI of the Constitution by adding thereto a new section to

be numbered 11, relative to outstanding loans made from State unemployment relief bond funds.

Motion to Amend Assembly Constitutional Amendment No. 48.

Mr. Maloney moved to amend Assembly Constitutional Amendment No 48 as follows:

Amendment No. 1.

On page 1, line 4 of the title of the printed measure, after "loans", insert the following: "or paid loans and interest thereon".

Amendment No. 2.

On page 1, line 25, of the printed measure, after "effect", insert the following: "; provided, further, that refund shall be made to any county or city and county which has made payments of principal and interest in the amount of such payments".

Amendments adopted.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 48, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Constitutional Amendment No. 48, as Amended.

Assembly Constitutional Amendment No. 48—Proposed amendment to Article XVI of the Constitution by adding thereto a new section to be numbered 11, relative to outstanding loans or paid loans and interest thereon made from State unemployment relief bond funds.

Assembly Constitutional Amendment No. 48, as amended, read

Demand for Previous Question.

Messrs. Hunt, Andreas, Morgan, Robertson and Latham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 48.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Redwine moved a call of the Assembly.

Motion carried.

Time, four o'clock and twenty-three minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Latham, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallish, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Re-reference of Assembly Bills.

On motion of Mr. Sheehan, Assembly Bill No. 2852 was withdrawn from the calendar, and re-referred to the Committee on Governmental Efficiency and Economy.

On motion of Mr. Gilbert, Assembly Bill No. 1270 was withdrawn from the calendar, and re-referred to the Committee on Financial Institutions.

On motion of Mr. Johnson, Assembly Bill No. 833 was withdrawn from the calendar, and re-referred to the Committee on Judiciary Codes.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 741—An act to regulate the practice of horology.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—Tenney—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 828—An act to amend section 642 of the Streets and Highways Code, relating to State highways.

Bill read third time.

Demand for Previous Question.

Messrs. Meehan, Voigt, Andreas, Martin and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 828.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Turner moved a call of the Assembly.

Motion carried.

Time, four o'clock and twenty-three minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—66.

Proceedings Under Call of the Assembly By Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1981—An act to amend sections 4030, 4031, 4032, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045 and 4046 of, and to add sections 4047, 4048 and 4049 to, Chapter 9 in

Division II of the Business and Professions Code, relating to the application of the chapter to persons and drugs.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—Tenney—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2027—An act relating to the establishment and maintenance of a Bureau of Safety in the Railroad Commission of this State.

Bill read third time.

Motion to Postpone Indefinitely.

Mr. Flint moved that consideration of Assembly Bill No. 2027 be postponed indefinitely.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Baynham, Call, Corwin, Dilworth, Field, Flint, Garibaldi, Garland, Hunt, Kepple, Kuchel, Latham, Lyon, Millington, Redwine, Stream, Walker, Watson, and Weber—20.

NOES—Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Johnson, King, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, George P., Muldoon, O'Donnell, Peek, Peyser, Reaves, Robertson, Sawallisch, Tenney, Thorp, Turner, Voigt, Williamson, Yorty, and Mr. Speaker—40.

Motion to Expunge Record and Rescind Action on Amendments to Assembly Bill No. 2027.

Mr. Field moved to expunge the record, and rescind the action whereby the Assembly, on May 20, 1937, adopted amendments to Assembly Bill No. 2027.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Corwin, Cronin, Desmond, Dilworth, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lyon, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Redwine, Robertson, Scudder, Stream, Tenney, Voigt, Walker, Watson, Weber, and Mr. Speaker—41.

NOES—Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dannenbrink, Donihue, Donnelly, Fulcher, Gilbert, Hawkins, Heisinger, Lore, Maloney, Mayo, Miller, George P., O'Donnell, Peek, Reaves, Sawallisch, Thorp, Turner, Williamson, and Yorty—24.

The question being on the passage of Assembly Bill No. 2027.

The roll was called, and Assembly Bill No. 2027 refused passage by the following vote:

AYES—Boyle, Burns, Hugh M., Cassidy, Clark, Cronin, Crowley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Fulcher, Glick, Hawkins, Johnson, Levey, Lore, Maloney, Mayo, McMurray, Miller, George P., Morgan, Muldoon, Peek, Pelletier, Reaves, Robertson, Sawallisch, Scudder, Thorp, Turner, Weber, Williamson, Yorty, and Mr. Speaker—35

NOES—Andreas, Baynham, Burns, Michael J., Call, Corwin, Daley, Dilworth, Field, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hunt, Kepple, Kuchel, Latham, Leonard, Martin, Millington, O'Donnell, Peyser, Redwine, Stream, Walker, and Watson—26

Further Proceedings Under Call of the Assembly on Assembly Constitutional Amendment No. 48 Dispensed With.

At four o'clock and twenty-five minutes p.m., further proceedings under the call of the Assembly on Assembly Constitutional Amendment No. 48 were dispensed with on motion of Mr. Redwine.

The roll of absentees was called, and Assembly Constitutional Amendment No 48 adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—55.

NOES—Burns, Michael J., Cassidy, Crowley, Desmond, Donihue, Donnelly, Fulcher, Garibaldi, Heisinger, Leonard, O'Donnell, Peyser, Scudder, and Turner—14.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Concurrent Resolution No. 59—Relative to additional construction in connection with the coordinated State building plan.

Assembly Concurrent Resolution No. 59 read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty and Mr Speaker—54

NOES—Robertson—1.

Title read and approved Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 58—Relative to the appointment of a committee of Assemblymen and Senators to represent the Legislature at the Golden Gate Bridge Fiesta, dedication and celebration of May 28, 1937.

Assembly Concurrent Resolution No. 58 read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, King, Kuchel Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 48—Relative to memorializing the President of the United States to extend to the Government of Japan an invitation to participate in the Pacific Exposition and Mercado at Los Angeles, 1940, and declaring it to be the intention of the United States to participate in a similar exposition in that country in 1940

Assembly Joint Resolution No. 48 read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—58

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Joint Resolution No. 49: By Mr. Heisinger—Relative to the protection of migratory birds.

Request for Unanimous Consent.

Mr. Heisinger asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 49, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 49.

Assembly Joint Resolution No. 49—Relative to the protection of migratory birds.

Assembly Joint Resolution No 49 read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Consideration of Assembly Bill No. 2916.

Case of Urgency.

The following resolution was offered by Mr. Field:

Resolved, That Assembly Bill No. 2916 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Garibaldi, Gilbert, Glick, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2916, at this time.

Third Reading of Assembly Bill No. 2916.

Assembly Bill No. 2916—An act to amend the Political Code by adding thereto a new section to be numbered 4049.5, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes.

Bill read third time, and passed by the following vote:

AYES—Andreas Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Glick, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58.

NOES—Heisinger, and Turner—2.

Title read and approved. Bill ordered transmitted to the Senate.

Consideration of Assembly Bill No. 2921.

Case of Urgency.

The following resolution was offered by Mr. Maloney:

Resolved, That Assembly Bill No. 2921 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried.

Time, four o'clock and twenty-six minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Consideration of Assembly Bill No. 2922.

Case of Urgency.

The following resolution was offered by Mr. Peek:

Resolved, That Assembly Bill No. 2922 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Peek moved a call of the Assembly.

Motion carried.

Time, four o'clock and twenty-seven minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon,

Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—59

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Further Proceedings Under Call of the Assembly on Resolution on Assembly Bill No. 2921 Dispensed With.

At four o'clock and twenty-eight minutes p.m., further proceedings under the call of the Assembly on the resolution on Assembly Bill No. 2921, were dispensed with on motion of Mr. Maloney.

The roll of absentees was called, and the resolution adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2921, at this time.

Third Reading of Assembly Bill No. 2921.

Assembly Bill No. 2921—An act making an appropriation to the emergency fund specified in Item 189 of section 1 of an act entitled "An act making appropriation for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved May 4, 1937, for the purposes therein specified

Urgency clause read.

Demand for Previous Question.

Messrs. Levey, Lyon, Dawson, Morgan and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 2921.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried.

Time, four o'clock and twenty-eight minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin,

Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Further Proceedings Under Call of the Assembly on Resolution on Assembly Bill No. 2922 Dispensed With.

At four o'clock and twenty-nine minutes p.m., further proceedings under the call of the Assembly on the resolution on Assembly Bill No 2922 were dispensed with, on motion of Mr. Peek

The roll of absentees was called, and the resolution adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—Burns, Hugh M., Cassidy, Garibaldi, Glick, and Millington—5.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No 2922, at this time.

Third Reading of Assembly Bill No. 2922.

Assembly Bill No. 2922—An act making an appropriation to pay the State's portion of salaries of municipal judges assigned to the superior court.

Bill read third time.

Demand for Previous Question.

Messrs Heisinger, Levey, Lore, Martin and Pelletier demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2922.

The roll was called, and Assembly Bill No. 2922 passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—58

NOES—Heisinger—1.

Title read and approved. Bill ordered transmitted to the Senate

Consideration of Assembly Bill No. 1553.

Case of Urgency.

The following resolution was offered by Mr. Call:

Resolved, That Assembly Bill No. 1553 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is

hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 1553, at this time.

Third Reading of Assembly Bill No. 1553.

Assembly Bill No. 1553—An act to amend section 2439 of the Civil Code, relating to deceased partners and estates of deceased partners.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Consideration of Assembly Bill No. 2919.

Case of Urgency.

The following resolution was offered by Mr. King:

Resolved, That Assembly Bill No. 2919 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2919, at this time.

Hon. Hugh P. Donnelly in the Chair.

At four o'clock and thirty-one minutes p.m., Hon. Hugh P. Donnelly, member of the Assembly from the Thirty-Second District, in the chair.

Third Reading of Assembly Bill No. 2919.

Assembly Bill No. 2919—An act providing for the submission at the next general election to the qualified electors of the State of certain questions herein provided, for the purpose of ascertaining the wish of the people of the State relating to provisions concerning old age security in this State.

Bill read third time.

The Speaker in the Chair.

At four o'clock and thirty-two minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Demand for Previous Question.

Messrs. Levey, Cunningham, Heisinger, Morgan and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2919.

The roll was called, and Assembly Bill No. 2919 refused passage by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Daley, Donihue, Donnelly, Flint, Fulcher, Gilbert, Hawkins, Hunt, King, Laughlin, Maloney, Mayo, McMurray, Meehan, Miller, George P., Peek, Pelletier, Reaves, Sawallisch, Tenney, Yorty, and Mr. Speaker—28.

NOES—Baynham, Burns, Hugh M., Call, Corwin, Cronin, Dannenbrink, Dawson, Desmond, Dilworth, Field, Gannon, Garibaldi, Glick, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Martin, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—39.

Explanation of Vote on Assembly Bill No. 2919.

We desire to state that we did not vote on Assembly Bill No. 2919 because of absence for cause from the Assembly Chamber Had we been present, we would have voted in favor of the bill.

PAUL A. RICHIE.
BEN ROSENTHAL.
ELLIS E. PATTERSON.

Further Proceedings Under Call of the Assembly on Urgency Clause to Assembly Bill No. 2921 Dispensed With.

At four o'clock and thirty minutes p.m., further proceedings under the call of the Assembly on the urgency clause to Assembly Bill No. 2921 were dispensed with, on motion of Mr. Maloney.

The roll of absentees was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Peyser, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59

NOES—Cassidy, Desmond, Heisinger, Meehan, Miller, George P., Pelletier, and Reaves—7.

Motion to Amend Assembly Bill No. 2921.

Mr. Yorty moved to amend Assembly Bill No. 2921 as follows.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, of the title, and insert in lieu thereof the following:

"An act creating a special emergency fund for expenditure on written authorization of the State Department of Finance to meet increased cost of support of State institutions, when and if commodity prices increase, and making an appropriation therefor."

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "emergency fund", and strike out lines 4 to 9, inclusive, and insert in lieu thereof the following: "special emergency fund, which fund in the State Treasury is hereby created, to be expended on written authorization of the State Department of Finance during the eighty-ninth and ninetieth fiscal years and only for augmentation of the appropriations for support of State institutions, including the State prisons, State hospitals, State homes, correctional schools, and schools for the physically handicapped, when and if commodity prices increase."

Amendments adopted.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 2921, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2921, as Amended.

Assembly Bill No. 2921—An act creating a special emergency fund for expenditure on written authorization of the State Department of Finance to meet increased cost of support of State institutions, when and if commodity prices increase, and making an appropriation therefor.

Assembly Bill No. 2921, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Consideration of Assembly Bill No. 1711.

Case of Urgency.

The following resolution was offered by Mr. Williamson:

Resolved, That Assembly Bill No. 1711 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 1711, at this time.

Third Reading of Assembly Bill No. 1711.

Assembly Bill No. 1711—An act creating a special fund to be known as the "Judges' retirement fund," providing for disbursements therefrom, and to make appropriations therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peyser, Reaves, Redwine, Sawallisch, Stream, Tenney, Thorp, Turner, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—Donihue, Donnelly, Field, Heisinger, Latham, O'Donnell, Pelletier, Robertson, Scudder, and Watson—10.

Title read and approved. Bill ordered transmitted to the Senate.

Consideration of Assembly Bill No. 950.

Case of Urgency.

The following resolution was offered by Mr. Redwine:

Resolved, That Assembly Bill No. 950 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 950, at this time.

Third Reading of Assembly Bill No. 950.

Assembly Bill No. 950—An act to amend the title of and sections 2, 3, 4, 7 and 9, and to add sections 14 and 15 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents and the recovery of reimbursement therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Turner, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Consideration of Assembly Bill No. 2918.

Case of Urgency.

The following resolution was offered by Mr. Muldoon:

Resolved, That Assembly Bill No. 2918 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2918, at this time.

Third Reading of Assembly Bill No. 2918.

Assembly Bill No. 2918—An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

Motion to Amend Assembly Bill No. 2918.

Mr. Muldoon moved to amend Assembly Bill No. 2918 as follows:

Amendment No. 1.

On page 1, line 13, of the printed bill, following the word "post office", add the following: ", provided, however, that this amendment shall not be retroactive from its effective date".

Amendment adopted.

Request for Unanimous Consent.

Mr. Muldoon asked for, and was granted, unanimous consent to take up Assembly Bill No. 2918, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2918, as Amended.

Assembly Bill No. 2918—An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

Assembly Bill No. 2918, as amended, read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Glick, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Peek, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—51

NOES—Cassidy, Donihue, Gannon, Gilbert, Hawkins, Heisinger, King, Meehan, Miller, George P., Patterson, Richie, Yorty, and Mr. Speaker—13.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Consideration of Assembly Bill No. 2920.

Case of Urgency.

The following resolution was offered by Mr. McMurray:

Resolved, That Assembly Bill No. 2920 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2920, at this time.

Third Reading of Assembly Bill No. 2920.

Assembly Bill No. 2920—An act to make an additional appropriation to the Department of Public Works to carry out the unified and centralized program of construction, repair and improvement of State property, including State buildings, declaring the urgency thereof and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller,

George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2920 read third time, and passed by the following vote:

AYES—Baynham, Boyle, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Consideration of Assembly Bill No. 2923.

Case of Urgency.

The following resolution was offered by Mr. Stream:

Resolved, That Assembly Bill No. 2923 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2923, at this time.

Second Reading of Assembly Bill No. 2923.

Assembly Bill No. 2923—An act to amend section 3607 of the Political Code, relating to property subject to taxation.

Bill read second time.

Third Reading of Assembly Bill No. 2923.

Assembly Bill No. 2923—An act to amend section 3607 of the Political Code, relating to property subject to taxation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Consideration of Assembly Bill No. 2924.

Case of Urgency.

The following resolution was offered by Mr. Johnson:

Resolved, That Assembly Bill No. 2924 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby

dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Dales, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2924, at this time.

Second Reading of Assembly Bill No. 2924.

Assembly Bill No. 2924—An act to repeal "An act to provide for the sale of an excess of water when owned by a municipality and repealing an act entitled 'An act to provide for the sale of an excess of water when owned by a municipality,' approved March 27, 1897," approved April 10, 1911.

Bill read second time.

Third Reading of Assembly Bill No. 2924.

Assembly Bill No. 2924—An act to repeal "An act to provide for the sale of an excess of water when owned by a municipality and repealing an act entitled 'An act to provide for the sale of an excess of water when owned by a municipality,' approved March 27, 1897," approved April 10, 1911.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Walker, Watson, Williamson, Yorty, and Mr. Speaker—52.

NOES—Field, Latham, Lore, and Pelletier—4.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for painting portraits of Governors of California, and directing the State Department of Finance to carry out the provisions thereof.

Referred to Committee on Introduction of Bills.

By Mr. Tenney:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to assure fair wages, fair conditions and tenure of employment, and seniority rights of employees in certain occupations; providing for reports from employers and rights of employees to organize and bargain collectively; fixing certain powers of the Division of Labor Statistics and Law Enforcement; and providing an appropriation for administering this act.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR SPEAKER. Your Committee on Introduction of Bills to which were referred the following bills, herewith returns the same with the recommendation that the authors be permitted to introduce them.

By Mr. Maloney:

An act making an appropriation for painting portraits of Governors of California, and directing the State Department of Finance to carry out the provisions thereof.

By Mr. Tenney:

An act to assure fair wages, fair conditions and tenure of employment, and seniority rights of employees in certain occupations; providing for reports from employers and rights of employees to organize and bargain collectively; fixing certain powers of the Division of Labor Statistics and Law Enforcement; and providing an appropriation for administering this act.

CALL, Chairman.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced:

Assembly Bill No. 2925: By Mr. Maloney—An act making an appropriation for painting portraits of Governors of California, and directing the State Department of Finance to carry out the provisions thereof.

Bill read first time.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 2925, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Bill No. 2925.

Case of Urgency.

The following resolution was offered by Mr. Maloney:

Resolved, That Assembly Bill No. 2925 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Flint, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2925, at this time.

Second Reading of Assembly Bill No. 2925.

Assembly Bill No. 2925—An act making an appropriation for painting portraits of Governors of California, and directing the State Department of Finance to carry out the provisions thereof.

Bill read second time.

Third Reading of Assembly Bill No. 2925.

Assembly Bill No. 2925—An act making an appropriation for painting portraits of Governors of California, and directing the State Department of Finance to carry out the provisions thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Scudder, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Assembly Bill No. 2926—An act to assure fair wages, fair conditions and tenure of employment, and seniority rights of employees in certain occupations; providing for reports from employers and rights of employees to organize and bargain collectively; fixing certain powers of the Division of Labor Statistics and Law Enforcement; and providing an appropriation for administering this act.

Bill read first time.

Request for Unanimous Consent.

Mr. Tenney asked for, and was granted, unanimous consent to take up Assembly Bill No. 2926, at this time, without reference to committee or calendar.

Assembly Bill No. 2926 ordered to print, and placed upon the unfinished business calendar.

Notice of Motion to Reconsider Assembly Bill No. 1283 Waived.

Mr. Welsh waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1283 was refused passage.

Reconsideration of Assembly Bill No. 2250.

In compliance with a notice given on a previous day, Mr. Flint moved that the vote whereby Assembly Bill No. 2250 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 2250 reconsidered by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Cunningham, Desmond, Flint, Fulcher, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Kuchel, Laughlin, Leonard, Lore, Martin, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Turner, Yorty, and Mr. Speaker—43.

NOES—Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Johnson, Kepple, Latham, Levey, Maloney, Mayo, Miller, Eleanor; Millington, Morgan, Peyser, Redwine, Scudder, Thorp, Walker, Watson, Weber, and Williamson—26.

Consideration of Assembly Bill No. 2250.

Assembly Bill No. 2250—An act to regulate sales and special sales of goods, ware and merchandise, and the advertising of such sales, and to provide penalties for the violation thereof.

Bill read third time.

Call of the Assembly.

Pending the announcement of the vote, Mr. Flint moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Clark, Dilworth, Donnelly, Flint, Fulcher, Gilbert, Glick, Hawkins, Hunt, King, Kuchel, Laughlin, Leonard, Lore, Lyon, McMurray, Meehan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Turner, Yorty, and Mr. Speaker—34.

NOES—Baynham, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Field, Gannon, Hornblower, Johnson, Kepple, Latham, Levey, Maloney, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peyser, Redwine, Scudder, Thorp, Walker, Watson, Weber, and Williamson—33.

Time, four o'clock and thirty-three minutes p. m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll:

The roll was called, and the following answered to their names:

Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

The Chief Clerk announced the absentees.

The Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Reconsideration of Assembly Bill No. 2800.

In compliance with a notice given on a previous day, Mr Tenney moved that the vote whereby Assembly Bill No. 2800 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 2800 refused reconsideration by the following vote:

AYES—Baynham, Burns, Hugh M., Clark, Donnelly, Flint, Fulcher, Gilbert, Glick, Hawkins, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Yorty, and Mr Speaker—29

NOES—Boyle, Burns, Michael J., Call, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Gannon, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Miller, Eleanor; Morgan, Peyser, Scudder, Stream, Thorp, Walker, Watson, Weber, and Williamson, 35

Notices of Motion to Withdraw Bills from Committee Waived.

Mr. King waived his notice of motion to withdraw Assembly Constitutional Amendment No 49 from the Committee on Constitutional Amendments.

Mr. Hunt waived his notice of motion to withdraw Assembly Bill No. 2032 from the Committee on Judiciary Codes.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1305—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

Bill read third time.

Demand for Previous Question.

Messrs. Dawson, Morgan, Field, Cunningham and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1305.

The roll was called, and Assembly Bill No. 1305 refused passage by the following vote:

AYES—Burns, Hugh M., Cassidy, Dannenbrink, Fulcher, Gilbert, Hawkins, Laughlin, Meehan, Pelletier, Reaves, Tenney, and Turner—12.

NOES—Baynham, Breed, Burns, Michael J., Call, Clark, Corwin, Crowley, Cunningham, Daley, Dawson, Dilworth, Domhue, Donnelly, Field, Garibaldi, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—52.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 2250 Dispensed With.

At four o'clock and thirty-four minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 2250 were dispensed with, on motion of Mr. Flint.

The roll of absentees was called, and Assembly Bill No. 2250 passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Cassidy, Clark, Corwin, Cronin, Cunningham, Daley, Flint, Fulcher, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, McMurray, Meehan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—45.

NOES—Baynham, Burns, Michael J., Call, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Gannon, Hornblower, Johnson, Kepple, Latham, Levey, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Redwine, Scudder, Thorp, and Williamson—27.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Assembly Bills.

On motion of Mr. King, Assembly Bills Nos. 2635 and 2636 were withdrawn from the calendar, and re-referred to the Committee on Prisons and Reformatories.

On motion of Mr. King, Assembly Bill No. 2637 was withdrawn from the calendar, and re-referred to the Committee on Prisons and Reformatories.

On motion of Mr. Lyon, Assembly Bill No. 1840 was withdrawn from the calendar, and re-referred to the Committee on Municipal Corporations.

On motion of Mr. Flint, Assembly Bill No. 113 was withdrawn from the calendar, and re-referred to the Committee on Financial Institutions.

On motion of Mr. Gilbert, Assembly Bill No. 696 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

On motion of Mr. Dawson, Assembly Bill No. 1089 was withdrawn from the calendar, and re-referred to the Committee on Ways and Means.

On motion of Mr. Desmond, Assembly Bill No. 1917 was withdrawn from the calendar, and re-referred to the Committee on Financial Institutions.

On motion of Mr. Fulcher, House Resolution No. 70 was withdrawn from the calendar, and re-referred to the Committee on Roads and Highways.

Hon. E. V. Latham in the Chair.

At four o'clock and thirty-five minutes p.m., Hon. E. V. Latham, member of the Assembly from the Fifty-Third District, in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2638—An act to add a new section 12a to an act entitled "An act to establish an institution for the confinement, care and reformation of women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929, relating to dismissals and paroles of inmates in the California Institution for Women.

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Scudder, Stream, Tenney, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2503—An act to add section 25a to "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the powers of the Surveyor General.

Motion to Table Assembly Bill No. 2503.

Mr. Clark moved that Assembly Bill No. 2503 be laid on the table.

The roll was called, and the motion lost by the following vote:

AYES—Clark, Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Gilbert, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, Peek, Reaves, Robertson, Rosenthal, Tenney, Watson, and Yorty—20.

NOES—Andreas, Baynham, Breed, Burns, Michael J., Cassidy, Cronin, Crowley, Dawson, Desmond, Dilworth, Fulcher, Gannon, Glick, Hornblower, Johnson, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Morgan, O'Donnell, Peyser, Scudder, Stream, Walker, and Williamson—29.

The Speaker in the Chair.

At four o'clock and thirty-six minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair

Motion to Amend Assembly Bill No. 2503.

Mr. O'Donnell moved to amend Assembly Bill No. 2503 as follows:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended, after "certain", insert the following: "interests in certain".

Amendment No. 2.

On page 2, line 19, of the printed bill, as amended, after "such", insert the following: "interests in".

Amendment No. 3.

On page 2, line 29, of the printed bill, as amended, after "to", insert the following: "any property that the State of California may have in".

Amendment No. 4.

On page 6, line 26, of the printed bill, as amended, strike out "at least ten".

Amendment No. 5.

On page 6 of the printed bill, as amended, strike out "Upon the", at the end of line 34, and all of lines 35 to 42, inclusive, and line 43, to and including the period

Amendment No. 6.

On page 7, line 12, of the printed bill, as amended, before "piers", insert "any", and after "structures", at the end of the line, insert the following: "that may be built".

Amendment No. 7.

On page 7, line 51, of the printed bill, as amended, strike out "$10,000", and insert in lieu thereof the following: "not less than $25,000".

Amendments adopted

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 2503, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2503, as Amended.

Assembly Bill No. 2503—An act to add section 25a to "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith, providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the powers of the Surveyor General

Assembly Bill No. 2503, as amended, read third time.

Motion to Amend Assembly Bill No. 2503.

Mr Peek moved to amend Assembly Bill No 2503 as follows:

Amendment No. 1.

On page 2, line 30, of the printed bill, as amended, after "overflowed lands", insert a comma and the following: "if any belonging to the State of California,".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out all of line 3 following the period after the numerals "30", and all of lines 4 to 6, inclusive, and insert in lieu thereof the following:

"The commission is hereby authorized and directed to secure for the benefit of the State the deevlopment, extraction and sale of the oil, gas and other hydrocar-

bon substances, in the manner hereinafter provided, from such of the State lands hereinabove described as are being drained by wells from which the State receives no royalties."

Amendment No. 3.

On page 5 of the printed bill, as amended, strike out lines 10 to 14, inclusive.

Amendment No. 4.

On page 6 of the printed bill, as amended, between lines 22 and 23, insert the following:

"In any lease made under the provisions of this act, the commission shall prescribe a reasonable rate of prospecting and development of the lands included therein. The rate of production thereunder shall be pursuant to any Federal and State law, or rule and regulation thereunder, or to any reasonable conservation and curtailment plan of orderly development prescribed by the director.

That the lessee shall comply with all reasonable rules and regulations not inconsistent with the provisions of this act that the commission thereafter makes affecting the said State lands and the production of oil, gas, and other hydrocarbons therefrom."

Amendment No. 5.

On page 2, line 24, of the printed bill, as amended, after "private", insert the following, "or public".

Amendment No. 6.

On page 2, line 35, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that said provisions shall not apply to any tidelands, submerged lands, or overflowed lands heretofore granted to any municipality."

Amendments adopted

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 2503, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Assembly Bill No. 2503, as Amended.

Assembly Bill No. 2503—An act to add section 25a to "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the powers of the Surveyor General

Assembly Bill No. 2503, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Garibaldi, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—Dilworth, Field, Latham, Lyon, Millington, Muldoon, Redwine, and Robertson—8.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Re-reference of Bills.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Assembly Bill No. 1758 re-referred to Committee on Financial Institutions.

Assembly Bill No. 959 re-referred to Committee on Judiciary Codes.

Senate Bill No. 807 re-referred to Committee on Fish and Game.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1065.

Mr. Yorty moved to expunge the record, and rescind the action whereby the Assembly, on May 19, 1937, postponed indefinitely the consideration of Assembly Bill No. 1065.

The roll was called, and the record expunged and the action rescinded by the following vote.

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, Martin, Meehan, Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Turner, Watson, Weber, Yorty, and Mr. Speaker—41.

NOES—Baynham, Breed, Corwin, Cunningham, Desmond, Field, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Mayo, Millington, Muldoon, Peyser, Redwine, Scudder, Stream, Walker, and Williamson—25.

Consideration of Assembly Bill No. 1065.

Assembly Bill No. 1065—An act to establish a California Agricultural Labor Relations Board, to provide machinery for the mediation and arbitration of agricultural labor disputes and for ancillary purposes.

Bill read third time.

Demand for Previous Question.

Messrs. Hunt, Levey, Heisinger, Dawson and Garibaldi demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1065.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Yorty moved a call of the Assembly.

Motion carried by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Donihue, Flint, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, Martin, McMurray, Meehan, Miller, George P., Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Weber, Yorty, and Mr. Speaker—36.

NOES—Baynham, Breed, Call, Corwin, Dawson, Desmond, Donnelly, Field, Fulcher, Gannon, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Mayo, Morgan, Muldoon, Peyser, Redwine, Scudder, Stream, Thorp, Walker, Watson, and Williamson—31.

Time, four o'clock and thirty-seven minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—72.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Further Proceedings Under Call of the Assembly on Assembly Bill No. 828 Dispensed With.

At four o'clock and thirty-eight minutes p m., further proceedings under the call of the Assembly on Assembly Bill No. 828 were dispensed with on motion of Mr Turner.

The roll of absentees was called, and Assembly Bill No. 828 passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Crowley, Dannenbrink, Desmond, Donahue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, King, Laughlin, Leonard, Lore, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Patterson, Pelletier Reaves, Richie, Robertson, Rosenthal, Sawalhsch, Tenney, Turner, Voigt, Watson, Yorty, and Mr. Speaker—42.

NOES—Breed, Clark, Corwin, Cunningham, Daley, Dawson, Dilworth, Field, Gannon, Glick, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Muldoon, Peek, Peyser, Redwine, Scudder, Stream, Thorp, Walker, and Weber—32.

Title read and approved. Bill ordered transmitted to the Senate

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

Assembly Joint Resolution No. 50: By Messrs. Stream, Corwin, and Dannenbrink—Relative to memorializing the President and the Congress of the United States to negotiate and ratify a treaty relating to sardine fisheries.

Introduced, and referred to Committee on Federal Relations.

Assembly Joint Resolution No. 51: By Mr Stream, and Mrs Daley—Relative to memorializing the President and Congress to take such steps as may be necessary to cut a channel through the southerly end of the Coronado Silver Strand to allow seagoing vessels to enter the bay of San Diego at its southerly end.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 51, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 51.

Assembly Joint Resolution No. 51—Relative to memorializing the President and Congress to take such steps as may be necessary to cut a channel through the southerly end of the Coronado Silver Strand to allow seagoing vessels to enter the bay of San Diego at its southerly end.

Assembly Joint Resolution No. 51 read, and adopted by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawalhsch, Scudder, Stream, Thorp, Walker, Watson, Weber, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Resolutions.

The following resolutions were offered:

By Mr. Garibaldi:

House Resolution No. 183.

WHEREAS, The Honorable Fiorello La Guardia, Mayor of the City of New York, has given of his valuable time in order to honor the Assembly of the California Legislature with his distinguished presence this twenty-second day of May, 1937; and,

WHEREAS, We, the members of this Assembly, fifty-second session, recognize the outstanding personality of our Nationally known and famous guest, the Honorable Fiorello La Guardia, and are duly appreciative of the great honor he bestows upon this Assembly this day by his genial presence; and recognizing His Honor as an *outstanding National figure and a great Liberal*; now, therefore, be it

Resolved, That this Assembly extend to Mayor Fiorello La Guardia its cordial welcome to the State of California, and express the hope that his stay within the boundaries of this glorious State be filled with every happiness, every pleasantry, and every honor so richly deserved by the Honorable Mayor of New York City; and, be it further

Resolved, That said visit and sojourn of our distinguished guest be so pleasant that it may result in his ultimate migration to this Golden State as a permanent resident thereof; and be it further

Resolved, That a copy of this resolution, suitably engrossed, be presented to the Hon. Fiorello La Guardia.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up House Resolution No. 183, at this time, without reference to committee or calendar.

House Resolution No 183 read, and unanimously adopted.

By Mr. Boyle:

House Resolution No. 184.

WHEREAS, On or about April 5, 1937, the Railroad Commission made a reasonable ruling and regulation requiring the Pacific Electric Railway in the city of Los Angeles to place upon their lines into San Fernando Valley in such city additional badly needed and indispensable rolling stock; and

WHEREAS, On or about May 10, 1937, the Railroad Commission after a most perfunctory oral argument granted a rehearing at the request of the Pacific Electric Railway; and

WHEREAS, At such rehearing the Railroad Commission without reason and contrary to the interests of all of the public and especially of that portion of the public which reside in the San Fernando Valley within the city of Los Angeles so modified its order that such Pacific Electric Railway is no longer required to place upon its lines indispensable rolling stock, but is allowed to supplement its train service with bus service; and

WHEREAS, Such bus service is highly unsatisfactory and adds to the congested traffic conditions already existing in the city of Los Angeles; and

WHEREAS, The manner in which the hearing on the petition for rehearing was conducted was such as to cast grave doubt upon the integrity and impartiality of at least one of the employees of the Railroad Commission; and

WHEREAS, The whole situation as above outlined has severely shaken the public confidence of citizens of the San Fernando Valley in public utilities administration; and

WHEREAS, This recent action of the Railroad Commission above described has pointed toward a return to conditions as they existed before the reforms of Hiram Johnson in 1911, and

WHEREAS, An investigation of the recent action of the Railroad Commission by the Legislature is eminently necessary and proper; and

WHEREAS, The manner in which the hearing on the petition for rehearing was conducted was such as to cast grave doubt upon the integrity and impartiality of at least one of the employees of the Railroad Commission; and

WHEREAS, The whole situation as above outlined has severely shaken the public confidence of citizens of the San Fernando Valley in public utilities administration; and

WHEREAS, This recent action of the Railroad Commission above described has pointed toward a return of conditions as they existed before the reforms of Hiram Johnson in 1911; and

WHEREAS, An investigation of the recent action of the Railroad Commission by the Legislature is eminently necessary and proper; now, therefore be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly committee to consist of three members to be appointed by the Speaker

of the Assembly, to make a special investigation to determine whether the modification by the Railroad Commission on or about May 10, 1937, of its order of on or about April 5, 1937, requiring the Pacific Electric Railway of the city of Los Angeles to place upon its lines additional rolling stock, was just and reasonable; and be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind, to issue subpenas and to compel the attendance of witnesses, and the production of testimony. Each of the members of said committee is hereby authorized to administer oaths and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution; and be it further

Resolved, That such committee shall make a report of its investigation and make such recommendations as it shall deem proper.

House Resolution No. 184 read, and referred to the Committee on Rules.

By Mr. Patterson:

House Resolution No. 185.

WHEREAS, Men and women have been imprisoned under the California Criminal Syndicalism Act solely for their political and economic opinions; and,

WHEREAS, In freeing Angelo Herndon, who had been convicted under the Georgia Slave Insurrection Law, the Supreme Court of the United States in its decision of April 26, 1937, declared:

> "The statute, as construed and applied, amounts merely to a dragnet which may enmesh anyone who agitates for a change of government if a jury can be persuaded that he ought to have foreseen his words would have some effect in the future conduct of others. No reasonably ascertainable standard of guilt is prescribed. So vague and indeterminate are the boundaries thus set to the freedom of speech and assembly that the law necessarily violates the guarantees of liberty embodied in the Fourteenth Amendment."

and,

WHEREAS, The above is equally applicable to the California Criminal Syndicalism Act; and

WHEREAS, On January 4, 1937, the Supreme Court of the United States reversed the conviction of Dirk DeJorge, who had been convicted under the Criminal Syndicalism Act of Oregon, following which the Legislatures of Oregon and Washington repealed the Criminal Syndicalism Acts of those States; and

WHEREAS, The 1936 Convention of the California State Federation of Labor went on record as favoring the unconditional release of the eight young men and women convicted at Sacramento April 1, 1935, under the Criminal Syndicalism Act; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly memorializes Governor Frank F. Merriam to pardon all those now under conviction under the Criminal Syndicalism Act who had not been found guilty at their trials of committing any act of force and violence.

House Resolution No. 185 read, and referred to Committee on Labor and Capital.

By Mr. Patterson:

House Resolution No. 186.

WHEREAS, Harold E. Pomeroy has acted contrary to the Constitutions and laws of the United States and of this State; and,

WHEREAS, In connection with the question of what constitutes an improper activity on the part of an employee of the State Relief Commission, the Attorney General of this State has ruled as follows

> "* * * In reply, the term 'Improper Activity' is not susceptible of a definition which could be applied in determining in each particular instance whether an activity of a political character were proper or improper. The propriety of political activity must in a large degree depend upon the circumstances of the particular instances.
>
> It is generally admitted to be not only the privilege but the duty of an American citizen to be politically active, and it has not been supposed that employment in State or municipal service, either civil service or otherwise, would prevent or prohibit an employee from the exercise of political right, including a reasonable and well ordered activity in behalf of those political principles which he favored, or in the support of those candidates whose success he believed would best contribute to the general welfare. Whether an employee

in a particular instance exceeds the limits indicated must be determined as above indicated by a consideration of the facts and circumstances bearing upon the particular activity.

The propriety of political activity in a given instance does not depend upon the question whether such activity of the employee accords with the views of the principal, or even with the views of the political party represented by all or a majority of the office incumbents * * *";

and,

WHEREAS, *It is inconsistent that said Harold E. Pomeroy has himself lobbied on* State time both on the floor of this Assembly and elsewhere; now, therefore, be it

Resolved, That said Harold E. Pomeroy is hereby requested to reverse any and all orders and directions made by him relative to the exercise of the rights of any citizen, whether employed by the State or not, and that he refrain from dismissing any employee for petitioning the State Legislature in person or otherwise; and be it further

Resolved, That the Governor be and he hereby is requested to relieve said Harold E. Pomeroy of his duties as State Relief Administrator, if the practices condemned by this resolution are continued"

House Resolution No. 186 read, and referred to Committee on Labor and Capital.

Motion to Print Report in Journal.

On motion of Mr. Heisinger, the following report was ordered printed in the Journal:

SUPPLEMENTAL REPORT OF THE DAIRY INVESTIGATION COMMITTEE, SUBMITTED BY THE CHAIRMAN, RELATIVE TO TRANSPORTATION.

During the session of 1935, there was introduced in the Assembly, Assembly Bill No. 947, relative to powers of the Toll Bridge Authority. The bill was carefully studied by me, and I concluded it was loaded with dynamite for the people of California.

I gave statements to the press and wrote articles in an endeavor to focus attention upon it. Finally there came into my possession over 100 pages of correspondence between the Southern Pacific Company, the Key System, and certain persons *connected with the Toll Bridge Authority*

These letters and documents convinced me that a carefully laid and premeditated plan was on foot to loot the people of the State to the tune of millions of dollars

I finally succeeded in securing a hearing of a Committee of the Whole in the Assembly, where it was admitted by the parties concerned that the plan was made two years before and that Assembly Bill No. 947 was the enabling act to carry it into effect.

Upon final passage of the bill, several members of the Assembly endeavored to amend it in an endeavor to protect the interests of the State, but as shown by the record on pages 2728, 2729, and 2730 of the Journal of May 2, 1935, all of these amendments were defeated, and the bill was finally passed by both houses, and was signed as desired by the transportation companies

Upon final passage in the Assembly, several members made statements which are as follows:

BURNS MICHAEL J. "The purpose of the above amendments are to make the Bay Bridge publicly owned by the people of the State of California and to prohibit for all time the renting, leasing, or giving any rights to any privately owned *utility to operate over the Bay Bridge for profit to themselves.*"

H. DEWEY ANDERSON AND S. L. HEISINGER: "In making explanation of our vote in opposition to the passage of Assembly Bill No. 947, permit us to say that we believe this Toll Bridge Bill, permitting a complete monopolistic control by the Southern Pacific Company of rail traffic across the bridge, is one of the biggest "grabs" ever made in the history of California

With the first plans for constructing the Bay Bridge the Southern Pacific *and Key Route Systems have followed a very direct course of action culminating* today in the passage of Assembly Bill No. 947. Proof of this is found in the following excerpts from letters of H. G. Butler, consulting engineer to F. L. Burckhalter of the Southern Pacific and A. J. Lundberg of the Key Route Systems

On May 4, 1932, Mr. Butler wrote these utility executives as follows, suggesting the course of action which has been taken:

> (1) If it should be found desirable for the companies to run trains over the bridge, under proper assurance as to bus competition and tolls, is there any legal way in which the Toll Bridge Authority can bind itself, for any given period, to keep buses carrying passengers between the East Bay cities and San Francisco, from operating over the bridge? If not under the existing law is it possible to frame a law so that it can be done?

The importance of the last question can be shown by assuming that the present schedule (60 cents per car and 5 cents per passenger) of the Southern Pacific Golden Gate Ferries was originally adopted by the Toll Bridge Authority and a 5 cent toll was charged per rail passenger, and that shortly after the bridge was placed in operation tolls on automobiles were reduced to 10 cents. By such a change the loss of business by the railroads might be sufficiently great to have justified them in not operating over the bridge had they foreseen its possibility in advance.'

On May 10, 1932, he wrote the same gentlemen concerning the results of conversations with Mr. Purcell, engineer for the Bay Bridge Authority

'I told him that I thought that the 75 per cent of the people that cross the bay by rail were such an important factor in the transportation situation that it would not be economically unsound to let the entire cost of providing excess facilities for their convenience be borne by the vehicles and their users. He agreed with this but doubted whether it would be practical to do it.

Mr. Purcell stated that with Mr. Cox, of his staff, Mr. Ready was making some studies which he would be glad if I would look over some time this week. I told him, of course, that I would be glad to do so.'

If space permitted in which to trace completely the development of this utility "grab" to the present moment when a Legislature was helpless to defeat the purposes of the utilities we could clearly show the activity of the utility groups which will reduce their taxes to the State, grant them a complete monopoly and an assured income profit possibly in excess of a million dollars a year. All this is done to the disadvantage of the public for whom the Bay Bridge was constructed.

We firmly believe that our negative vote on this measure will be completely vindicated by time."

The Toll Bridge Authority, having been given the power by the bill, proceeded to make the contract with the transportation companies which was signed on March 6, 1936, and which provided millions for the companies and red ink for the State.

The chairman of this committee, through the power imposed by the resolution to procure documents, probably is the only person in the Legislature who has a copy of these contracts.

As was predicted by the minority in the Assembly the contract provides one of the most outrageous plunders of the people that has ever occurred in California.

Letters to the chairman from Mr. Earl Lee Kelley, Director of Public Works, say: "That the State has and will expend $17,300,000 in transportation equipment to be used by the transportation companies which if added to 25 per cent of the space and cost of the bridge amounts to over $30,000,000 which the State has invested for the benefit of the companies and for which the State has not received one red cent and never will, because the contracts provide 2½ cents toll for each passenger which the passenger pays in addition to the fare as fixed by the Railroad Commission. The 2½ cents toll is estimated by Mr. Kelly to yield $650,000 per annum which is less than three per cent on the investment and means that the operators of motor vehicles must pay the total cost of the bridge together with rail transportation and part of the interest charge on the rail transportation. Therefore, we should not put the authority in position to impose another burdensome load upon motor transportation.

Similar Proposal for 1937.

This brings us to the 1937 session of the Legislature and it seems that the swindle of the people is to be continued, because we have before us Assembly Bill No. 1889 which I have had my eye upon during the several months since its introduction.

It has been peacefully sleeping in committee and like a serpent ready to spring at a moment when its passage would be most opportune. By a vote of the committee, the bill was sent to the floor, and provides that the Toll Bridge Authority may buy the obsolete ferries at a price with the sky as the limit.

Let us see the necessity if any of this bill. The ferries are worthless to their owner even now, when they are not operating the trains over the bridge, and, of course, they would be worthless to the State because the State has the bridge and needs no other transportation system.

Secondly, the State is under no obligation to buy from the Southern Pacific those ferries, because on page 17, section 14 of the contract is the following provision:

"COVENANT OF KEY SYSTEM AND INTERURBAN TO ABANDON FERRY SERVICE. Except as herein otherwise provided, Key System and Interurban covenants and agrees that, effective with the time for the commencement of the operation of Key System and Interurban over the San Francisco-Oakland Bay Bridge, it and its affiliated subsidiary and proprietary companies will abandon and not renew or undertake directly or indirectly unless with the express consent in writing of authority, or except as herein elsewhere expressly provided, the operation and or use of ferry boats or other means for transportation of pas-

sengers, save and only by the bridge railway, between the said City and County of San Francisco and the said counties of Alameda and Contra Costa."

Therefore, it is plainly to be seen that should such a purchase for $6,000,000 or any other millions by the State, it would amount to the payment to the Southern Pacific as part of a political debt which would continue California in bondage to the S. P.

Hiram Johnson as Governor of California broke the political supremacy of the Southern Pacific Company.

Shall we now give that octopus the economic supremacy over our State? I think we should protect our State rather than the S. P.

Respectfully submitted.

S. L. HEISINGER.

Reports of Standing Committees—(Resumed).

The report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 173.

Respectfully reports the same back with the recommendation: Be adopted, as amended.

PEEK, Chairman.

Request for Unanimous Consent.

Mr. Peek asked for, and was granted, unanimous consent to take up House Resolution No. 173, at this time, without reference to calendar.

Consideration of House Resolution No. 173.

House Resolution No. 173—Relative to printing copies of report of Assembly Interim Committee on Assessments and Appraisals of Real Property.

Committee Amendments to House Resolution No. 173.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, strike out lines 13 and 14.

Amendment adopted

House Resolution No. 173, as amended, read, and on motion of Mr. Peek, adopted.

House Resolution No. 173, as Amended.

WHEREAS, The report of the Assembly Interim Committee on Assessments and Appraisals of Real Property is this day being submitted to the Assembly; and

WHEREAS, *This report contains much valuable and important information of* general interest to the public at large, and

WHEREAS, There are many people in this State who are desirous of copies of this report; now, therefore, be it

Resolved by the Assembly of the State of California, That 300 copies of this report be printed for general circulation by the members of this Assembly

Further Proceedings Under Call of the Assembly on Assembly Bill No. 1065 Dispensed With.

At four o'clock and thirty-nine minutes p.m., further proceedings under the call of the Assembly on Assembly Bill No. 1065 were dispensed with, on motion of Mr. Yorty.

The roll of absentees was called, and Assembly Bill No. 1065 passed by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, Eleanor; Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Weber, Yorty, and Mr Speaker—41.

NOES—Baynham, Breed, Burns, Hugh M., Call, Corwin, Cunningham, Desmond, Dilworth, Field, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Millington, Morgan, Muldoon, Peyser, Redwine, Scudder, Stream, Thorp, Walker, Watson, and Williamson—32

Title read and approved. Bill ordered transmitted to the Senate.

Point of Order.

Mr. Lyon arose to the following point of order: That under Rule 47, the motion to expunge the record and rescind the action whereby consideration of Assembly Bill No. 1065 was postponed indefinitely, was not in order

Ruling on Point of Order Deferred.

The Speaker deferred action on the point of order, pending a ruling from the Legislative Counsel.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Senate Bill No. 1058.

Respectfully reports the same back with the recommendation: Do pass.

LORE, Chairman.

The above reported bill ordered on second reading calendar.

On Agriculture.

ASSEMBLY CHAMBER SACRAMENTO, May 21, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 755.

Respectfully reports the same back without recommendation, as amended.

O'DONNELL, Chairman.

The above reported bill ordered on second reading calendar.

Adjournment.

At four o'clock and fifty minutes p m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, May 24, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED FORTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 24, 1937

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Upon invitation of the Speaker, prayer was offered by Rev. Father John E Tumulty of Sacramento.

Reading of the Journal Dispensed With.

On motion of Mr. Thorp, the further reading of the Journal of Friday, May 21, 1937, was dispensed with

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day. Mr Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr Baynham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs R. L Blankeburg, Past Second Vice President of the California Division U D. C., and Mrs. John Fiedler, Historian, California Division, Mrs Lucey Monroe of Long Beach and Miss Jeanette O. Campbell

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs D. W. Tutes.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Marye Shannon Harrington, Past State Historian of U. D. C. of Los Angeles.

On request of Mr. Morgan and the Los Angeles Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. E. F. Scattergood, President of the California Division of the United Daughters of the Confederacy, and her daughter, Miss Elizabeth Scattergood.

On request of Mr Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Corinne King Wright, of San Gabriel, California, Delegate to United Daughters of the Confederacy.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Eugene W. Roland, of Oakland, a former member of the Assembly.

On request of Mr. Hunt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Juanita Barbour of Los Angeles.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Marguerite O'Malley, Home Owners Loan Corp., Los Angeles.

Assistant Chief Clerk Greenburg Reading.

Senate Messages.

The following mesages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to:

Assembly Bill No. 746.

And appointed Senators Knowland, Westover and Quinn as a Committee on Free Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 746.

The Speaker announced the appointment of Messrs. Meehan, McMurray and Cassidy, as a Committee on Free Conference Concerning Assembly Bill No. 746.

SENATE CHAMBER, SACRAMENTO, May 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 61.
Assembly Bill No. 441.
Assembly Bill No. 670.
Assembly Bill No. 883.
Assembly Bill No. 1152.
Assembly Bill No. 1318.
Assembly Bill No. 1339.
Assembly Bill No. 1525.
Assembly Bill No. 1558.
Assembly Bill No. 1753.
Assembly Bill No. 1830.
Assembly Bill No. 1832.
Assembly Bill No. 1921.
Assembly Bill No. 2202.
Assembly Bill No. 2426.
Assembly Bill No. 2611.
Assembly Bill No. 2806.
Assembly Bill No. 2828.
Assembly Bill No. 2836.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 22, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 2423.	Assembly Bill No. 971.
Assembly Bill No. 1764.	Assembly Bill No. 1154.
Assembly Bill No. 2495.	Assembly Bill No. 1132.
Assembly Bill No. 2496.	Assembly Bill No. 1518.
Assembly Bill No. 2501.	Assembly Bill No. 1515.
Assembly Bill No. 2498.	Assembly Bill No. 1524.
Assembly Bill No. 2609.	Assembly Bill No. 1674.
Assembly Bill No. 2613.	Assembly Bill No. 1831.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Second Reading of Senate Bills.

Senate Bill No. 1150—An act to add section 246.1 to the Code of Civil Procedure, relating to verified statements by jurors.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 747—An act to amend section 841 of the Military and Veterans' Code, relating to veterans' farm and home purchase funds.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1105—An act to amend an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, by amending section 1 thereof, amending and renumbering sections 2, 3 and 4, and adding new sections 2, 4, 6, 7, 8 and 9 to said act, relating to fees payable by such persons, corporations and forwarders, including motor transportation brokers, and the collection and disposition of such fees.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1139—An act to amend sections 649, 649a, 651a and 651d of the Civil Code, relating to colleges and seminaries of learning.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 755—An act entitled "An act to add section 290 to the Agricultural Code of the State of California."

Committee Amendments to Senate Bill No. 755.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, strike out "meet", and insert in lieu thereof the following: "meat".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, as amended, after "food", insert the following: ", creating the animal food cannery inspection fund, and prescribing penalties".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. This act shall be known and may be cited as the "Animal Food Cannery Inspection Act."

SEC. 2 Unless the particular provision or the context otherwise requires, the definitions set forth in this act shall govern the construction of this act.

SEC. 3. The present tense includes the past and future tenses; and the future, the present. The masculine gender includes the feminine and neuter. The singular number includes the plural, and the plural, the singular.

SEC. 4. "Department" means the State Department of Public Health.

SEC. 5. "Board" means the State Board of Public Health.

SEC. 6. "Director" means the Director of Public Health.

SEC. 7 "Person" includes individual, partnership, and association.

SEC 8. "Establishment" means all premises where".

Amendment No. 4.

On page 1, line 7, of the printed bill, as amended, strike out "(b) "Animals"," and insert in lieu thereof the following: "SEC. 9. "Animals" means".

Amendment No. 5.

On page 1, line 8, of the printed bill, as amended, strike out "and reindeer", and insert in lieu thereof the following: ", reindeer, mules, and burros".

Amendment No. 6.

On page 1, line 9, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following: "SEC. 10."

Amendment No. 7.

On page 1, line 11, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "SEC. 11."

Amendment No. 8.

On page 1, line 15, of the printed bill, as amended, strike out "or reindeer", and insert in lieu thereot the following: ", reindeer, mules, and burros".

Amendment No. 9.

On page 1, line 16, of the printed bill, as amended, strike out ", but is", strike out all of lines 17 to 24, inclusive, and insert in lieu thereof a period.

Amendment No. 10.

On page 2, line 1, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof the following: "SEC. 12."

Amendment No. 11.

On page 2, line 6, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof the following: "SEC. 13."

Amendment No. 12.

"On page 2, line 12, of the printed bill, as amended, strike out "if such manufactured be all, or a", strike out all of lines 13 and 14, and insert in lieu thereot the following: "horses, reindeer, mules, and burros."

Amendment No. 13.

On page 2, line 15, of the printed bill, as amended, strike out "(g)", and insert in lieu thereof the following: "SEC. 14."

Amendment No. 14.

On page 2, line 19, of the printed bill, as amended, strike out "edible".

Amendment No. 15.

On page 2, line 21, of the printed bill, as amended, strike out "or of reindeer sufficiently mature and in good", strike out all of line 22, and insert in lieu thereof the following: "reindeer, mules, and burros."

Amendment No. 16.

On page 2, line 23, of the printed bill, as amended, strike out "(h) "Department of", and insert in lieu thereof the following: "SEC. 15. "Department of Public".

Amendment No. 17.

On page 2, line 25, of the printed bill, as amended, strike out "(i)", and insert in lieu thereof the following: "SEC. 16."

Amendment No. 18.

On page 2, line 28, of the printed bill, as amended, strike out "(j)", and insert in lieu thereof the following: "SEC. 17."

Amendment No. 19.

On page 2, line 30, of the printed bill, as amended, strike out "(k)", and insert in lieu thereof the following: "SEC. 18."

Amendment No. 20.

On page 2, line 33, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "19".

Amendment No. 21.

On page 2, line 40, of the printed bill, as amended, after "inspection", insert the following: ", except that nothing in this act shall apply to rendering establishments that are not engaged in the actual slaughter of animals or the actual manufacture of canned dog food or cat food".

Amendment No. 22.

On page 2 of the printed bill, as amended, between lines 40 and 41, insert the following:

"SEC. 20. No person shall operate an animal food establishment without a license from the board.

SEC. 21. No establishment shall be entitled to receive a license or to continue in operation, unless it has the necessary equipment as prescribed by regulations. The regulations shall specify such equipment as may be necessary for the preparation of animal food of a clean and healthful quality.

SEC. 22. *Before granting a license to an animal food establishment* the board shall cause said premises to be inspected to ascertain if the applicant is entitled to a license."

Amendment No. 23.

On page 2, line 41, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "23".

Amendment No. 24.

On page 2, lines 43 and 44, of the printed bill, as amended, strike out "accepted by the Department of Health as", and insert in lieu thereof the following: "deemed".

Amendment No. 25.

On page 2, line 46, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "24".

Amendment No. 26.

On page 2 of the printed bill, as amended, between lines 47 and 48, insert the following:

"SEC. 25. *The board shall collect from the operator of each establishment* an annual license fee of fifty dollars per year for each establishment. The fee shall be payable in advance.

SEC 26. No operator of an establishment shall use or permit to be used in connection with such establishment any equipment that has not been inspected and approved by the Bureau of Cannery Inspections of the State Department of Public Health.

SEC. 27. A license may, after hearing, be revoked by the board whenever in its judgment the public health requires such action."

Amendment No. 27.

On page 2, line 48, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "28".

Amendment No. 28.

On page 2, line 52, of the printed bill, as amended, after "of", insert the following: "Public".

Amendment No. 29.

On page 3, line 3, of the printed bill, as amended, strike out "6. All other ingredients", and insert in lieu thereof the following: "29. All ingredients in addition to meat".

Amendment No. 30.

On page 3, line 6, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "30".

Amendment No. 31.

On page 3, lines 7 and 8, of the printed bill, as amended, strike out "Director of Public Health", and insert in lieu thereof the following: "Board".

Amendment No. 32.

On page 3, line 9, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "31".

Amendment No. 33.

On page 3, line 31, of the printed bill, as amended, strike out "9. Nothing in this act shall", and insert in lieu thereof the following: "32. Nothing in this act shall apply to or".

Amendment No. 34.

On page 3, line 34, of the printed bill, as amended, after "Agriculture", insert the following: ", or an establishment operating under the inspection of the State Department of Agriculture".

Amendment No. 35.

On page 3, line 35, of the printed bill, as amended, strike out "10. The Director of Public Health", and insert in lieu thereof the following: "33. The Bureau of Cannery Inspections".

Amendment No. 36.

On page 3 of the printed bill, as amended, strike out all of lines 44 to 46, inclusive, and in line 47, strike out "tion," " and insert in lieu thereof the following: "found to be fit for dog food or cat food shall be marked with the phrase "inspected and passed only for dog food and/or cat food by Department of Public Health, or Federal, or State, or municipal approved inspection", or so much of said phrase as may be applicable".

Amendment No. 37.

On page 3, line 48, of the printed bill, as amended, after "unfit", insert the following: "for dog food or cat food".

Amendment No. 38.

On page 3, line 50, of the printed bill, as amended, after "of", insert the following: "Public".

Amendment No. 39.

On page 4 of the printed bill, as amended, between lines 2 and 3, insert the following:

"SEC. 33.5. When any meat, meat food products, or meat by-products are transported from a slaughtering plant operating under Federal, State, municipal approved, or Department of Public Health inspection to a factory or a cannery preparing or manufacturing canned dog food or cat food such meat, meat food products, meat by-products, other than carcasses or parts of carcasses bearing the "inspected and passed" stamp, shall be placed or packed in a can, pot, tin, canvas, or other receptacle, and the person preparing the meat, meat food products or meat by-products shall cause a label to be attached to the receptacle, which label shall state that the contents thereof have been inspected and passed only as fit for dog food or cat food."

Amendment No. 40.

On page 4, lines 3 and 4, of the printed bill, as amended, strike out "11. For the purpose of this act, the Director of Public Health", and insert in lieu thereof the following: "34. For the purpose of this act the director".

Amendment No. 41.

On page 4, line 8, of the printed bill, as amended, strike out "article", and insert in lieu thereof the following: "act".

Amendment No. 42.

On page 4, line 10, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "35".

Amendment No. 43.

On page 4, lines 16 and 17, of the printed bill, as amended, strike out "of Public Health".

Amendment No. 44.

On page 4 line 25, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "36".

Amendment No. 45.

On page 4, line 27, of the printed bill, as amended, strike out "article", and insert in lieu thereof the following: "act".

Amendment No. 46.

On page 4, line 38, of the printed bill, as amended, after "if", insert the following: "it is".

Amendment No. 47.

On page 4, lines 44 and 45, of the printed bill, as amended, strike out "in an amount designated by said director".

Amendment No. 48.

On page 4, line 46, of the printed bill, as amended, strike out "Department of Health", and insert in lieu thereof the following: "animal food cannery inspection".

Amendment No. 49.

On page 4, line 52, of the printed bill, as amended, strike out "of Public Health"

Amendment No. 50.

On page 5 of the printed bill, as amended, between lines 2 and 3, insert the following:

"SEC. 37. It shall be unlawful for any person to place upon the label of any bottle, can, jar, carton, case, box, or barrel, or any receptacle, vessel, or container of whatever material or nature which may be used by a packer, manufacturer, producer, jobber, or dealer for inclosing any such canned animal food any statement relative to the product having been inspected unless such statement has been approved, in writing, by the board. Such approval shall be revocable at any time in the discretion of the board upon notice, and after hearing.

SEC. 38. Any product packed in violation of this act may be quarantined by the board until laboratory examinations have established that the product meets the requirements of this act. The person who packed the product shall pay to the board all reasonable costs of such laboratory examinations."

Amendment No. 51.

On page 5, line 3, of the printed bill, as amended, strike out "14. The Director of Public Health", and insert in lieu thereof the following: "39. The board".

Amendment No. 52.

On page 5, line 7, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "40".

Amendment No. 53.

On page 5, line 11, of the printed bill, as amended, strike out "inspection conducted", and insert in lieu thereof the following: "inspected".

Amendment No. 54.

On page 5, line 12, of the printed bill, as amended, after "and", insert the following: "operated in compliance with".

Amendment No. 55.

On page 5, lines 12 and 13, of the printed bill, as amended, strike out "Director of Public Health", and insert in lieu thereof the following: "Board".

Amendment No. 56.

On page 5, line 14, of the printed bill, as amended, strike out "of Public Health".

Amendment No. 57.

On page 5, line 18, of the printed bill, as amended, strike out the words "prepared *and/or*".

Amendment No. 58.

On page 5, line 17, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "41".

Amendment No. 59.

On page 5, line 20, of the printed bill, as amended, strike out "Director of Public Health", and insert in lieu thereof the following: "Board".

Amendment No. 60.

On page 5, lines 21 and 22, of the printed bill, as amended, strike out "Director of Public Health", and insert in lieu thereof the following: "Board".

Amendment No. 61.

On page 5, line 23, of the printed bill, as amended, strike out "17. There is hereby created a *Dog*", and insert in lieu thereof the following: "42. There is hereby created an Animal".

Amendment No. 62.

On page 5, line 30, of the printed bill, as amended, after "of", insert the following: "Public".

Amendment No. 63.

On page 5, line 34, of the printed bill, as amended, after the second "of", insert the following: "Public".

Amendment No. 64.

On page 5 of the printed bill, as amended, following line 35, insert the following:

"SEC. 43. All moneys received by the board under this act shall be deposited at least once each month in the State Treasury to the credit of the animal food cannery inspection fund.

SEC. 44. The animal food cannery inspection fund in the State Treasury is hereby created. It shall be used exclusively for the payment of the expenses of enforcing this act, and shall be paid out only upon claims approved in the manner provided by law.

SEC 45. The State Board of Public Health may, without at the time furnishing vouchers and itemized statements, draw from such animal cannery inspection fund a sum not to exceed one thousand dollars, which sum shall be used as a revolving fund where payment of compensation earned, traveling expense, advances, or other cash payments are necessary, and at the close of each biennium, or at any other time, upon the demand of the Department of Finance, must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the Controller.

SEC. 46. The board may make such regulations as it deems necessary for the proper enforcement of the provisions of this act. Such rules and regulations shall have the force and effect of law.

SEC. 47. It shall be the duty of the district attorney of the county, or city and county, in which any violation of this act may occur, to prosecute every person accused of such violation.

SEC. 48. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 49. Any person who violates any provision of this act or of any regulation issued hereunder is guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five (25) dollars, or more than five hundred (500) dollars, or shall be imprisoned in the county jail for a term not exceeding six months."

Amendments adopted.

Bill read second time, ordered to reprint and re-referred to Committee on Agriculture.

Senate Bill No. 1058—An act to repeal sections 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2289a, and 2290 of the Political Code, and to add sections 2283, 2284, 2285, 2286, 2287, 2287a, 2288, 2289, and 2290 thereto, all relating to aid to children.

Bill read second time, and ordered on third reading calendar.

Re-reference of Senate Joint Resolution No. 25.

On motion of Mr. Heisinger, Senate Joint Resolution No. 25 was withdrawn from the calendar, and re-referred to the Committee on Federal Relations.

Consideration of Governor's Veto to Assembly Bill No. 1938.

Assembly Bill No. 1938—An act to amend section 1 of an act entitled "An act granting to the city of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of South San Francisco and regulating the management, use and control thereof." (Approved April 10, 1925.)

The question being put: Shall Assembly Bill No. 1938 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt—1.

NOES—Boyle, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Flint, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Johnson, Kepple, Latham, Levey, Lore, Maloney, Martin, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, and Mr. Speaker—43.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 3—An act to amend sections 1, 3, 5, 6, 11 and 13 of the Unfair Practices Act, to repeal section 15 of said act, and to add sections 15, 16 and 17 thereto, all relating to unfair trade practices.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 15 to 17, inclusive, and insert in lieu thereof the following: "or any portion thereof, than in another; provided that nothing herein contained shall prevent differentials which make allowances for differences, if any, in the grade, quality, quantity,".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 6 to 9, inclusive, and insert in lieu thereof the following: "meeting in good faith of a competitive price or to prevent a selection of customers or a reasonable functional classification of any group of customers as brokers, jobbers, wholesalers or retailers. The".

Amendment No. 3.

On page 2, line 10, of the printed bill, as amended, strike out "hereof", and insert in lieu thereof the words "of this act."

Amendment No. 4.

On page 2, line 24, of the printed bill, as amended, after the word "cost", insert the words "as used in this act."

Amendment No. 5.

On page 2, line 27, of the printed bill, as amended, after the word "the", insert the word "last".

Amendment No. 6.

On page 2, line 30, of the printed bill, as amended, after the word "expense", insert the words "as used in this act."

Amendment No. 7.

On page 2, line 34, of the printed bill, as amended, after the word "officers", insert the following: "and where persons are employed or performing services without compensation for any person charged with a violation of this act such services shall be charged as an expense of the business in which rendered and at the rate of the wage for the service rendered prevailing at the time of the service in the community where rendered".

Amendment No. 8.

On page 2 of the printed bill, as amended, strike out lines 38 to 45, inclusive, and insert in lieu thereof the following:

"The prohibitions of this act shall be deemed among the other purposes and objects of the act to also prohibit the practice of using any article or product as a "loss leader" to induce, promote, or encourage, the purchase of other merchandise, the sale of which merchandise is used to recoup the loss sustained on the "loss leader" article or product so sold with the tendency or capacity to mislead or deceive purchasers or prospective purchasers, or which unfairly diverts trade from or otherwise injures competitors."

Amendment No. 9.

On page 2, line 49, of the printed bill, as amended, strike out "this section", and insert in lieu thereof the words "any of the provisions of this act."

Amendment No. 10.

On page 3 of the printed bill, as amended, strike out lines 49 to 52, inclusive, and insert the following:

"SEC. 5.5. It shall be an unfair trade practice for any persons engaged in the production, manufacture, distribution or sale of any article or product of general use or consumption, (1) to discriminate between different sections, communities or cities or portions thereof, or between different locations in such sections, communities, cities or portions thereof in this State, by selling or furnishing such article or product, at a lower price in one section, community or city, or any portion thereof, or in one location in such section, community, or city or any portion thereof, than in another; provided that nothing herein contained shall prevent differentials which make allowances for differences, if any, in the grade, quality, quantity and in the actual cost of transportation from the point of production, if a raw product or commodity, or from the point of manufacture, if a manufactured produce or commodity, or from the point of shipment to the point of destination if sold by a distributor who does not sell to the ultimate consumer, or (2) to sell any article or product, at less than the cost thereof to such vendor, or give away any article or product, or (3) give, make, furnish or offer, directly or indirectly to any customer or vendee, any special services or privileges, or any secret payment or allowances of rebates, refunds, commissions or unearned discounts, whether in the form of money or otherwise, which are not given, made, furnished or offered to all customers or vendees purchasing upon like terms and conditions, where the effect of any such act or acts may lessen, injure, destroy, prevent, hinder or suppress the competition of any regular established dealer in such commodity, product or service, or where the effect of such discrimination is to lessen, injure, destroy, prevent, hinder or suppress the competition of any person, who, or which in good faith intends and attempts to become such dealer, or where the effect of such discrimination tends to create a monopoly, or restraint of trade in any line of commerce. Nothing in this section shall be construed to prohibit the meeting in good faith of a competitive price."

Amendment No. 11.

On page 4 of the printed bill, as amended, strike out lines 1 and 2.

Amendment No. 12.

On page 4, line 5, of the printed bill, strike out the words "and 5", and insert in lieu thereof the words ", 5 and 5.5".

Amendment No. 13.

On page 4, line 29, of the printed bill, after the words "violation of", insert the words "any of the provisions of."

Amendment No. 14.

On page 5, line 11, of the printed bill, as amended, before the word "invoice", insert the word "last".

Amendment No. 15.

On page 5, line 14, of the printed bill, strike out the word "under", and strike out line 15, and insert in lieu thereof, the following: "brought under this act and involving the violation of any provisions of section 3 and 5.5 of this act."

Amendment No. 16.

On page 1, line 20, of the printed bill, as amended, after the word "quantity", insert in lieu thereof the following: "when based and justified in the cost of manufacture, sale or delivery, or".

Amendment No. 17.

On page 1, line 21, of the printed bill, as amended, strike out "and in", and insert in lieu thereof the word "or".

Amendment No. 18.

On page 1 of the printed bill, as amended, strike out line 24, and insert in lieu thereof the following: "the point of shipment to the point of destination; and provided further that nothing herein contained shall prevent a selection of customers or a functional classification by any person of any customer as broker, jobber, wholesaler or retailer or a differential in price for any article or product as between any customers in different functional classifications."

Amendment No. 19.

On page 2, line 1, of the printed bill, as amended, strike out the following: "distributor who does not sell to the ultimate consumer."

Amendment No. 20.

On page 2 of the printed bill, as amended, strike out all of lines 5 and 6, and insert in lieu thereof the following: "apply to any service, article or product for which rates are established under the jurisdiction of the Railroad Commission of the State of California and sold or furnished by any public utility corporation."

Amendment No. 21.

On page 2 of the printed bill, as amended, strike out line 7.

Amendment No. 22.

On page 2 of the printed bill, as amended, strike out all of lines 11, 12, 13 and 14, and insert in lieu thereof the following: "The inhibition".

Amendment No. 23.

On page 2, line 32, of the printed bill, as amended, strike out the word "last".

Amendment No. 24.

On page 2 of the printed bill, as amended, strike out all of lines 40 to 45, inclusive, and insert in lieu thereof the following: "of executives and officers),".

Amendment No. 25.

On page 3, line 7, of the printed bill, as amended, after the words " "loss leader" ", insert the following: ". Loss leader, as used herein, shall mean any article or product sold at less than cost as herein defined".

Amendment No. 26.

On page 3 of the printed bill, as amended, strike out all of lines 8, 9, and 10, and insert in lieu thereof the following: "mote or encourage, the purchase of other merchandise, or which may have the tendency or".

Amendment No. 27.

On page 3, line 12, of the printed bill, as amended, strike out the following: unfairly".

Amendment No. 28.

On page 3, line 35, of the printed bill, as amended, strike out the following: "and manner".

Amendment No. 29.

On page 4, line 20, of the printed bill, as amended, after the word "practice", insert the following: ", actionable as provided for in section 10 of this act,".

Amendment No. 30.

On page 4, line 31, of the printed bill, as amended, after the word "quantity", insert the following: "when based and justified in the cost of manufacture, sale or delivery, or".

Amendment No. 31.

On page 4, line 32, of the printed bill, as amended, strike out "and in", and insert in lieu thereof the following: "or".

Amendment No. 32.

On page 4, line 34, of the printed bill, as amended, strike out "produce", and insert in lieu thereof the following: "product".

Amendment No. 33.

On page 4 of the printed bill, as amended, strike out lines 35 and 36, and insert in lieu thereof the following: "from the point of shipment to the point of destina-

tion; and provided further that nothing herein contained shall prevent a selection of customers or a functional classification by any person of any customer as broker, jobber, wholesaler or retailer or a differential in price for any article or product as between any customers in different functional classifications,".

Amendment No. 34.

On page 4, line 38, of the printed bill, as amended, after the word "vendor," insert the following: "as cost is defined in section 3 above,".

Amendment No. 35.

On page 4 of the printed bill, as amended, strike out all of lines 39 to 45, inclusive, and insert in lieu thereof the following: "where the effect of any such act or acts may lessen,".

Amendment No. 36.

On page 5 of the printed bill, as amended, strike out all of lines 1 to 3, inclusive, and insert in lieu thereof the following: "trade in any line of commerce."

Amendment No. 37.

On page 5, line 6, of the printed bill, as amended, after the word "sections", insert the following: "1,".

Amendment No. 38.

On page 6, line 13, of the printed bill, strike out the word "last".

Amendment No. 39.

On page 7, line 2, of the printed bill, as amended, after the word "act.", insert the following new paragraph:

"In any action brought under the provision of this act, where persons are employed or performing services without compensation for any person charged with a violation of this act, such services shall be charged as an expense of the business in which rendered and at the rate of the wage for the services rendered prevailing at the time of the service at the place where rendered."

Amendment No. 40.

On page 7, line 18, of the printed bill, as amended, after the word "jobber", insert the following: "contractor,".

Amendment No. 41.

On page 1, line 17, of the printed bill, as amended, after "quality", insert the following: "or quantity".

Amendment No. 42.

On page 1, lines 18 and 19, of the printed bill, as amended, strike out "or, quantity or", and insert in lieu thereof the following: "or in".

Amendment No. 43.

On page 2, line 18, of the printed bill, as amended, after "corporation", insert the following: ", or installation and repair services rendered in connection with such services, articles or products; or to any service, article or product sold or furnished by a publicly owned public utility and upon which the rates would have been established under the jurisdiction of the Railroad Commission of the State of California if such service, article or product had been sold or furnished by a public utility corporation, or installation and repair services rendered in connection with such services, articles or products."

Amendment No. 44.

On page 4, line 29, of the printed bill, as amended, after "quality", insert the following: "or quantity".

Amendment No. 45.

On page 4, lines 30 and 31, of the printed bill, as amended, strike out "or, quantity or", and insert in lieu thereof the following: "or in".

Amendment No. 46.

On page 5, line 45, of the printed bill, as amended, strike out "three times".

Amendment No. 47.

On page 5, line 46, of the printed bill, as amended, after "sustained", insert the following: "by him".

Amendment No. 48.

On page 2, line 26, of the printed bill, as amended, after the word "section", insert the following: " ; provided, however, that nothing in this section shall be construed to prohibit the meeting in good faith of a competitive price."

Amendment No. 49.

On page 3, line 42, of the printed bill, as amended, strike out the words: "Other than a consumer,".

Amendment No. 50.

On page 5, line 10, of the printed bill, as amended, after the period, add the following: "Nothing in this section shall be construed to prohibit the meeting in good faith of a competitive price."

Amendment No. 51.

On page 5, line 25, of the printed bill, as amended, strike out the words "the same", and insert in lieu thereof the word "an".

Amendment No. 52.

On page 5, line 27, of the printed bill, as amended, strike out the words "and manner".

Amendment No. 53.

On page 2, line 16, of the printed bill, strike out the word "such", and insert in lieu thereof the following: "any".

Amendment No. 54.

On page 2, line 23, of the printed bill, strike out the word "such", and insert in lieu thereof the following: "any".

Amendment No. 55.

On page 1, line 2 of the title of the printed bill, as amended, following the word "section", insert the following: "8 and".

Amendment No. 56.

On page 5 of the printed bill, as amended, after line 21, and before line 22, insert the following:

"SEC. 4.2. Section 8 of the act cited in the title hereof is hereby repealed."

Amendment No. 57.

On page 5, line 14, of the printed bill, as amended May 14, 1937, after the word "faith", insert the following: "in a retail transaction and sale".

Amendment No. 58.

On page 5, line 15, of the printed bill, as amended May 14, 1937, strike out "an", and insert in lieu thereof the word "same".

Amendment No. 59.

On page 5, line 17, of the printed bill, as amended May 14, 1937, strike out the period, and add the following: "; or in an endeavor made in good faith by a manufacturer, wholesaler or any person in a transaction and sale to a wholesaler or retailer for resale to meet the legal prices of a competitor selling the same or a similar, comparable or kindred article or product, in the same locality or trade area and in the ordinary channels of trade as herein defined."

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 3 by the following vote:

AYES—Crowley—1.

NOES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Flint, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Latham, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Watson, Weber, and Mr. Speaker—46.

Assembly Bill No. 2331—An act to amend the Political Code of the State of California by adding thereto a new section to be numbered 4041.29, relating to agricultural research by counties.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2331?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "4041 29", and insert in lieu thereof the following: "4041.29a".

Amendment No. 2.

On page 1, line 2, of the printed bill, strike out "4041 29", and insert in lieu thereof the following: "4041.29a".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "4041 29", and insert in lieu thereof the following: "4041.29a".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2331 by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Flint, Fulcher, Garibaldi, Glick, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 2331 ordered to enrollment.

Assembly Bill No. 1172—An act to amend sections 702 and 708 of the Fish and Game Code, relating to seasons on calico bass and crappie

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1172?

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "November 30", and insert in lieu thereof "October 31".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "November 30", and insert in lieu thereof "October 31".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1172 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Heisinger, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 1172 ordered to enrollment.

Assembly Bill No. 1760—An act to amend section 627 of the Penal Code, relating to trespass on real property.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1760?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 3 to 23, inclusive, and insert in lieu thereof the following:

"627. Every person who for the purpose of hunting, pursuing, taking, killing or destroying any animal or bird, enters upon any lands under cultivation or inclosed by a fence, or enters upon any other lands or upon the canal banks or rights of way of any irrigation district where signs are displayed not less than three to the mile along all exterior boundaries and at all roads and trails entering such lands, canal banks or rights of way forbidding such trespassing, without the written permission of the owner of such lands, or irrigation districts or the agent or the person in lawful possession thereof, or who maliciously tears down, mutilates, or destroys any sign, signboard or other notice forbidding hunting on such lands, canal banks or rights of way is guilty of a misdemeanor. Nothing in this section shall be construed as making the entering or use of any road or trail on such lands, canal banks or rights of way unlawful when entered or used for the purpose of communicating with the owner of such lands or his agent or the person in lawful possession of such lands. The provisions of this section shall not apply to any person employed by any county, the State, or by the United States to destroy predatory animals or birds or pests as defined in section 100 of the Agricultural Code when acting in the course of his employment."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1760 by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 1760 ordered to enrollment.

Assembly Bill No. 971—An act to provide for the payment of the proportionate share of bonded indebtedness levied against property subsequently acquired by the State or a political subdivision thereof for public purposes.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 971?

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, after "taxes", insert the following: "and deeds conveying rights of way for public purposes".

Amendment No. 2.

On page 1, line 16, of the printed bill, as amended, after the period, insert the following: "Where the State acquires property prior to September 1, this section does not apply to the taxes which became a lien on the property on the first Monday in March of the same year."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 971 by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 971 ordered to enrollment.

Assembly Bill No. 1154—An act to amend sections 3738, 3821 and 3831 of the Political Code and to add to said code a new section to be numbered 3832, relating to the collection of unsecured taxes.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1154?

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, strike out "On", and strike out line 7, and insert in lieu thereof "As of the close of the last business day in July, the assessor shall".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, after "him," insert "at such time and".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended, after "and", insert ", unless the taxes not a lien upon real property sufficient to secure the payment thereof are to be collected thereafter by the tax collector pursuant to section 3832 of this code, in which case the assessor".

Amendment No. 4.

On page 1, line 10, of the printed bill, as amended, after "July", insert ", the auditor shall furnish or reissue to the assessor blank "personal property" receipts and charge the assessor with the number of receipts issued".

Amendment No. 5.

On page 1, line 15, of the printed bill, as amended, strike out "the first day of August", and insert in lieu thereof "noon of the first Monday in March".

Amendment No. 6.

On page 1, line 19, of the printed bill, as amended, strike out "the right".

Amendment No. 7.

On page 1 of the printed bill, as amended, at the beginning of line 20, strike out "to".

Amendment No. 8.

On page 2, line 13, of the printed bill, as amended, after "may", insert ", if the county board of supervisors so order by a four-fifths vote of all the members thereof,".

Amendment No. 9.

On page 2, line 13, of the printed bill, as amended, after "collector", insert "who is for the purpose of the collection of such taxes vested with all powers conferred by law upon the assessor with respect to the collection of such taxes".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1154 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Welsh, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 1154 ordered to enrollment.

Assembly Bill No. 1132—An act for the regulation and control of corporations, organized for the purpose of operating nonprofit hospital service plans, and of hospitals rendering services under any such hospital service plans.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1132?

Amendment No. 1.

On page 12, lines 33 and 34, of the printed bill, as amended, strike out "issued by the Board of Medical Examiners of the State of California,".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1132 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, George P., Millington, Morgan, Muldoon, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Welsh, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 1132 ordered to enrollment.

Assembly Bill No. 1518—An act to add section 56.5 to, and to amend sections 13 and 56 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1518?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, after "Sec. 13.", insert the following: "(a)".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, after "means", strike out the colon.

Amendment No. 3.

On page 1, line 4, of the printed bill, as amended, strike out "(a)" and after "Employment" (in strike-out type), strike out "Work" and insert "work", and after "usual", strike out "employ-" (in strike-out type), and strike out lines 5 to 21, inclusive, and on page 2, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following: "occupation or for which he is reasonably fitted, regardless of whether or not it is subject to this act.

In determining whether the work is work for which the individual is reasonably fitted, the commission shall consider the degree of risk involved to his health, safety, and morals, his physical fitness and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence. Any work offered under such conditions is suitable if it gives to the individual wages at least equal to his weekly benefit amount for total unemployment.

In any particular case in which the commission finds it impracticable to apply one of the foregoing standards, the commission may apply any standard set by it which is reasonably calculated to determine what is suitable employment.

(b) Notwithstanding any other provisions of this act, no work or employment shall be deemed suitable and benefits shall not be denied to any otherwise eligible and qualified individual for refusing new work under any of the following conditions:

(1) If the position offered is vacant due directly to a strike, lockout, or other labor dispute.

(2) If the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

(3) If, as a condition of being employed, the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization."

Amendment No. 4.

On page 2, line 29, of the printed bill, as amended, after "(c)", strike out line 29, and strike out lines 30 to 33, inclusive, and insert in lieu thereof the following: "If he has not earned wages in employment for employers in at least two calendar quarters in his base period and if he has not earned wages in any two or more such calendar quarters in a total amount for which a weekly benefit amount for total unem-

ployment of seven dollars ($7.00) or more is determinable under the provisions of section 58(a) of this act."

Amendment No. 5.

On page 3, line 9, of the printed bill, as amended, strike out "not".

Amendment No. 6.

On page 3, line 10, of the printed bill, as amended, strike out "at least two calendar quarters in his base", and strike out lines 11 to 15, inclusive, and insert in lieu thereof the following: "less than two calendar quarters in his base period, and in case any of such wages were earned in two, three or four such calendar quarters, if the total of such wages is less than one hundred fifty-six dollars, and in case such wages were earned in five or more such calendar quarters, if his average quarterly wage, as determined in section 58 of this act, is less than thirty-nine dollars."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1518 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Garland, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1518 ordered to enrollment.

Assembly Bill No. 1515—An act to add sections 3, 101.5 and 101.6 to, amend sections 61, 65, 66, 67, 68, 69, 70, 71, 96 and 100 of, and to repeal section 50 of Article 5 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1515?

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, after "eligible", insert the following: "and qualified".

Amendment No. 2.

On page 2, line 6, of the printed bill, as amended, after "as", insert the following: "the".

Amendment No. 3.

On page 2, line 7, of the printed bill, as amended, after "such", insert the following: "special".

Amendment No. 4.

On page 2, line 22, of the printed bill, as amended, after "shall by", insert the following: "special".

Amendment No. 5.

On page 2, line 24, of the printed bill, as amended, strike out "general", and insert in lieu thereof the following: "special".

Amendment No. 6.

On page 2, line 25, of the printed bill, as amended, after "claim", insert the following: "for benefits for total unemployment".

Amendment No. 7.

On page 2, line 26, of the printed bill, as amended, strike out "or compensation".

Amendment No. 8.

On page 2, lines 26 and 27, of the printed bill, as amended, strike out "employment", and insert in lieu thereof the following: "work".

Amendment No. 9.

On page 2, line 28, of the printed bill, as amended, after the period, insert the following: "If benefits for total unemployment to which any claimant is not entitled are paid to him, the amount of such benefits shall be deducted from any benefits to which the claimant may subsequently become entitled. If the amount of such benefits can not be so deducted from benefits to which the claimant subsequently became entitled in the benefit year in which such benefits were erroneously paid, no employer's account shall be charged therewith."

Amendment No. 10.

On page 2, line 28, of the printed bill, as amended, after "any", insert the following: "wilful".

Amendment No. 11.

On page 2, line 30, of the printed bill, as amended, strike out "statements", and insert in lieu thereof the following: "statement".

Amendment No. 12.

On page 2, lines 30 and 31, of the printed bill, as amended, strike out "for four weeks from date of such statement", and insert in lieu thereof the following: "with respect to four weeks of total unemployment".

Amendment No. 13.

On page 2, line 32, of the printed bill, as amended, strike out "penalty", and insert in lieu thereof the following: "disqualification".

Amendment No. 14.

On page 2, lines 32 and 33, of the printed bill, as amended, strike out "as it deems proper and equitable".

Amendment No. 15.

On page 2, lines 33 and 34, of the printed bill, as amended, strike out "any such misstatement was not intentional and was made under such", and insert in lieu thereof the following: "the".

Amendment No. 16.

On page 2, lines 34 and 35, of the printed bill, as amended, strike out "that it believes the penalty should be lessened or remitted", and insert in lieu thereof the following: "make the application of such disqualification inequitable".

Amendment No. 17.

On page 2, line 35, of the printed bill, as amended, after the period, insert the following: "In all cases of such disqualification the claimant shall be given notice and an opportunity for a fair hearing, as provided for in this act with respect to such disqualification"

Amendment No. 18.

On page 2, line 45, of the printed bill, as amended, strike out "in", and insert in lieu thereof the following: "with".

Amendment No. 19.

On page 2, line 47, of the printed bill, as amended, strike out "duration thereof", and insert in lieu thereof the following: "total amount of benefits".

Amendment No. 20.

On page 3, line 2, of the printed bill, as amended, strike out "rule or regulation", and insert in lieu thereof the following: "special rule".

Amendment No. 21.

On page 3, line 3, of the printed bill, as amended, strike out "reasons thereof", and insert in lieu thereof the following: "the reasons therefor".

Amendment No. 22.

On page 3, line 11, of the printed bill, as amended, strike out "the", and insert in lieu thereof the following: "a".

Amendment No. 23.

On page 3, line 12, of the printed bill, as amended, strike out the second "the", and insert in lieu thereof the following: "a".

Amendment No. 24.

On page 3, line 16, of the printed bill, after "paid", insert the following: "as to which the decision was reversed".

Amendment No. 25.

On page 3, line 33, of the printed bill, as amended, after "findings", insert the following: "or decision".

Amendment No. 26.

On page 3, line 34, of the printed bill, as amended, strike out "him", and insert in lieu thereof the following: "such referee".

Amendment No. 27.

On page 4, line 15, of the printed bill, as amended, strike out "the employer", and insert in lieu thereof the following: "any employing unit".

Amendment No. 28.

On page 4, line 16, of the printed bill, as amended, strike out "the rules and regulations", and insert in lieu thereof the following: "special rules".

Amendment No. 29.

On page 4, line 17, of the printed bill, as amended, strike out "and regulations".

Amendment No. 30.

On page 5, line 25, of the printed bill, as amended, strike out "reserve".

Amendment No. 31.

On page 5, lines 27 and 28, of the printed bill, as amended, strike out "and such amount shall be deposited in said fund".

Amendment No. 32.

On page 5, line 33, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "the commission".

Amendment No. 33.

On page 5, line 34, of the printed bill, as amended, after "deputy", insert the following: ", referee,".

Amendment No. 34.

On page 5, line 39, of the printed bill, as amended, after "commission," insert the following: "referee, or deputy,".

Amendment No. 35.

On page 5, line 43, of the printed bill, as amended, strike out "employer", and insert in lieu thereof the following: "employing unit".

Amendment No. 36.

On page 5, line 44, of the printed bill, as amended, strike out "tives", at the beginning of the line, and insert in lieu thereof the following: "tive".

Amendment No. 37.

On page 6, line 4, of the printed bill, as amended, after "therewith", strike out the period, and insert in lieu thereof the following: "; provided, that in all cases in which such presumption shall apply, if the claimant has earned wages in employment for more than one employer during his base period, the accounts of the employer or employers who have properly so kept and furnished such required records or reports shall not be charged with benefits in an amount exceeding that which such accounts would have been charged had the claimant been entitled only to benefits determined by the total of the wages earned and the number of calendar quarters worked for them and all benefits paid in excess thereof shall be charged solely against the accounts of the employer or employers who have failed to keep or furnish such required records or reports."

Amendment No. 38.

On page 1, line 14, of the printed bill, as amended, strike out the first "unemployment", and insert in lieu thereof the following: "benefit".

Amendment No. 39.

On page 1, line 16, of the printed bill, as amended, strike out the comma

Amendment No. 40.

On page 2, line 17, of the printed bill, as amended, strike out "general".

Amendment No. 41.

On page 2, line 22, of the printed bill, as amended, strike out "from", and insert in lieu thereof the following: "for".

Amendment No. 42.

On page 3, line 9, of the printed bill, as amended, strike out "his", and insert in lieu thereof the following: "the claimant's".

Amendment No. 43.

On page 3, lines 12 and 13, of the printed bill, as amended, strike out "any other interested person", and insert in lieu thereof the following: "such other interested persons".

Amendment No. 44.

On page 3, line 28, of the printed bill, as amended, strike out "or any interested person", and insert in lieu thereof the following: ", the claimant's most recent employer or any interested persons".

Amendment No. 45.

On page 4, line 1, of the printed bill, as amended, strike out "or order".

Amendment No. 46.

On page 4, lines 31 and 32, of the printed bill, as amended, strike out "or the commission," and in line 32, strike out "department," and insert in lieu thereof the following: "commission, or the commission,".

Amendment No. 47.

On page 5, line 27, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "of".

Amendment No. 48.

On page 6, line 32, of the printed bill, as amended, strike out "and", and insert in lieu thereof the following "or".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1515 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Garland, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1515 ordered to enrollment.

Assembly Bill No. 1524—An act to amend section 60 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to part-time workers.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1524?

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after "workers", strike out the comma.

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, after "wage", (in strike out type), strike out "installment", and insert the word "benefit"; and after "amount", strike out the comma, and insert in lieu thereof the following: "for total unemployment".

Amendment No. 3.

On page 1, line 6, of the printed bill, as amended, after "wages", insert a comma, and strike out "for", and insert in lieu thereof the following. "earned in"

Amendment No. 4.

On page 1, line 6, of the printed bill, as amended, after "employment", strike out "by", and insert the word "for"; and after "employers", insert a comma

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1524 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Garland, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, and Mr. Speaker—53.

NOES—None

Assembly Bill No. 1524 ordered to enrollment.

Assembly Bill No. 2495—An act to amend section 46 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2495?

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, after "labor", strike out the period, and insert the following: " ; provided, that".

Amendment No. 2.

On page 1, line 10, of the printed bill, as amended, strike out the first word "In", and insert in lieu thereof the following: "in".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2495 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Garland, Glick, Heisinger,

Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, and Mr Speaker—53.

NOES—None.

Assembly Bill No. 2495 ordered to enrollment.

Assembly Bill No. 2496—An act to amend section 55 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2496?

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after "each", strike out "the benefit year next suc-", and in line 6, strike out "ceeding the base period in which any such case occurs", and insert in lieu thereof the following: "the fifty-two weeks following the occurrence of such a case".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 2496 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Garland, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 2496 ordered to enrollment.

Assembly Bill No. 2501—An act to add sections 6.5, 8.5, 9.5 and 9.7 to, and amend sections 7, 8, 9, 37 and 38 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2501?

Amendment No. 1.

On page 2, line 41, of the printed bill, as amended, strike out "Employment," and insert in lieu thereof the following: "Service".

Amendment No. 2.

On page 3, line 1, of the printed bill, as amended, strike out "subsequent to January 1, 1937," and insert in lieu thereof the following: ", or subsequent to January 1, 1936, had,".

Amendment No. 3.

On page 4, line 16, of the printed bill, as amended, strike out "rules and regulations", and insert in lieu thereof the following: "general rules".

Amendment No. 4.

On page 4, line 29, of the printed bill, as amended, strike out "During", and insert in lieu thereof the following: "For".

Amendment No. 5.

On page 4, line 30, of the printed bill, as amended, after "him", insert the following: "during such year".

Amendment No. 6.

On page 4, line 32, of the printed bill, as amended, strike out "During", and insert in lieu thereof the following: "For".

Amendment No. 7.

On page 4, line 33, of the printed bill, as amended, after "him", insert the following: "during each such year".

Amendment No. 8.

On page 4 of the printed bill, as amended, after line 34, insert the following: "SEC. 10. Nothing contained herein shall operate to impair or affect existing rights and liabilities."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2501 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Garland, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 2501 ordered to enrollment.

Assembly Bill No. 2498—An act to amend sections 12 and 54 of, and to repeal sections 14 and 53 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2498?

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, after "unemployed", insert the following: "in any week subsequent to January 1, 1938,".

Amendment No. 2.

On page 1, lines 12 and 13, of the printed bill, as amended, strike out "during any week whenever", and insert in lieu thereof the following: "in which".

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, strike out "amount of weekly benefits", and insert in lieu thereof the following: "weekly benefit amount".

Amendment No. 4.

On page 1, line 15, of the printed bill, as amended, after "unemployed", insert the following: "and eligible".

Amendment No. 5.

On page 1 of the printed bill, as amended, between lines 15 and 16, insert the following:

"(c) An individual's week of unemployment shall be deemed to commence only after his registration at a public employment office or such other place as the commission approves, in accordance with such special rules as the commission shall prescribe."

Amendment No. 6.

On page 1, line 16, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendment No. 7.

On page 2, line 16, of the printed bill, as amended, before "The", insert the following: "Sec. 54."

Amendment No. 8.

On page 2, lines 20 and 21, of the printed bill, as amended, strike out "twelve successive calendar months", and insert in lieu thereof the following: "fifty-two consecutive weeks".

Amendment No. 9.

On page 2, line 22, of the printed bill, as amended, strike out "or partial unemployment benefit", and insert in lieu thereof the following: "unemployment benefits".

Amendment No. 10.

On page 2, line 23 of the printed bill, as amended, after "benefits", insert the following: "for total unemployment".

Amendment No. 11.

On page 2, line 24, of the printed bill, as amended, after "weeks of", insert the following: "total".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2498 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Garibaldi, Garland, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Rosenthal,

Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, and Mr. Speaker—53

NOES—None.

Assembly Bill No. 2498 ordered to enrollment.

Assembly Bill No. 1831—An act to amend sections 12422, 12489 and 12629 of the Insurance Code, all relating to mortgage insurers.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1831?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "12489 and 12629", and insert in lieu thereof the following "and 12489".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, after "Code", insert the following: "and to amend section 12629 of said code and to incorporate it in a new article, numbered 11.5, to be added to Chapter 2 of Part 6, Division 2, thereof".

Amendment No. 3.

Strike out pages 2 to 8, inclusive, of the printed bill, as amended, and insert in lieu thereof the following:

"SEC. 3. Section 12629 of the Insurance Code is hereby amended and incorporated in a new article, numbered 11.5, which is hereby added to Chapter 2 of Part 6 of Division 2 of said code, embracing sections 12629 to 12629.48, inclusive, to read as follows:

Article 11.5. Rehabilitation.

12629. The provisions of this article shall apply to any mortgage insurer:

(a) The property, business and assets of which are in possession of the commissioner;

(b) Which is no longer able to conduct the normal business of a mortgage insurer;

(c) Which is unable to discharge its debts or other obligations as they become due;

(d) Which is in such condition that unless such insurer is liquidated or a plan of reorganization consummated a preference is likely to be obtained by some holders of mortgage participation certificates over other such holders, or by some creditors over other creditors of the same class;

(e) Which is in such condition that it will probably be necessary, unless a plan of reorganization is consummated, to liquidate such insurer or to sell or otherwise dispose of a substantial part of its assets at substantially less than the amount which might reasonably be expected to be realized therefrom in the ordinary and proper conduct of a going business.

The determination of the commissioner that a mortgage insurer is included in one or more of the foregoing classifications shall be prima facie evidence of such fact.

12629.21. In the case of a mortgage insurer which has issued mortgage participation certificates under mortgage participation trusts pursuant to the provisions of Chapter VIII, Title II, Part IV, Division I of the Civil Code, such mortgage participation trusts, the mortgage participation certificates issued thereunder and any policies of mortgage insurance issued in connection therewith shall be subject also to the provisions of this article whenever a revision, modification or termination of such trusts, certificates or policies is found by the court to be necessary or advantageous in connection with any plan submitted to it as hereinafter provided.

12629.22. The term "plan" as used in this article means any plan for the rehabilitation, readjustment or reorganization of any mortgage insurer or of all or any part of the business, properties and assets of such insurer, or for the readjustment, modification or reorganization of the rights or interests of any or all of the holders of mortgage participation certificates or other certificates or securities or policies of mortgage insurance of such insurer, or of any creditors of such insurer and other persons, if any, interested therein.

12629.23. Without limiting the generality of section 12629.22, a plan may provide for any one or more of the following:

(a) For the delivery of all or any part of the business, properties, or assets of such insurer to the commissioner and the return thereof to such insurer after the plan is fully consummated;

(b) For the transfer of all or any part of the business, properties, or assets of such insurer to another corporation or to two or more other corporations, which corporation or corporations, or any of them, may, but need not be, a mortgage insurer or a national mortgage association;

(c) For the modification, revision or termination of any mortgage participation trusts which have been created by such insurer;

(d) For the issuance of new mortgage participation certificates or amended mortgage participation certificates or stock, bonds, debentures or other securities of such insurer or of any other corporation or corporations, to which the business, properties or assets, or any part thereof, of such insurer have been transferred, and for

the exchange thereof to the holders of mortgage participation certificates issued by such insurer or to other creditors of such insurer for the outstanding mortgage participation certificates or other obligations of such insurer or for the sale or other disposition of such new cetificates, stock, bonds, debentures or other securities.

12629.24. Any new mortgage insurer formed pursuant to a plan to continue the business of an existing insurer may adopt and continue to use the name of such existing insurer or any part of such name.

12629.25. A plan may be proposed:

(a) By the commissioner; or

(b) Subject to the approval of the commissioner by any mortgage insurer through action of its board of directors.

12629.26. No plan shall be proposed or approved by the commissioner unless the commissioner is satisfied that the plan is fair and equitable and does not discriminate in favor of any class of certificate holders, investors, creditors or other persons affected thereby, and is feasible.

12629.27. A plan, if proposed or approved by the commissioner, shall be presented by the proposer to the superior court of the county in which the principal office of such insurer is located, with a petition that the court determine the fairness of such plan and the approvals requisite to such plan becoming operative, which petition shall set forth such plan and the fact that it has been proposed or approved by the commissioner and any other facts which such proposer shall deem material to a consideration of the fairness of the plan.

12629.28. Thereupon the court shall fix the time and place for the hearing of such petition and shall direct that notice thereof shall be mailed to each of the known certificate holders, investors and creditors of such insurer affected by such plan and to the trustee or depositary under all mortgage participation trusts created by such insurer and then in existence, together with either a copy of such plan or a summary thereof, which summary shall be either prepared or approved by the commissioner. If the commissioner shall be the proposer of such plan the court shall direct such insurer to deliver to the commissioner a list of the names and addresses of all certificate holders, creditors, investors and other known persons affected by such plan. Said notices shall be mailed, postage prepaid, to the respective addresses as shown on such list, or if no address be there shown, to the last known address.

12629.29. In addition the proposer of such plan shall cause notice of the time and place fixed for such hearing to be posted in three public places in said county not less than twenty days before the day fixed for such hearing and to be published at least once, not less than twenty days nor more than thirty days before the day fixed for such hearing in a newspaper of general circulation published in said county.

12629.30. At the time and placed fixed for such hearing or at the time and place to which such hearing may be continued by the court the court shall hear the parties interested therein and if it deem it necessary may take testimony relative thereto and may accept proof in affidavit form as to any fact or circumstance material thereto.

12629.31. Such hearing shall be, among other things, upon the fairness of the terms and conditions of the issuance of all new or amended mortgage participation certificates, stock, bonds, debentures or other securities to be issued pursuant to such plan and of the exchange thereof for outstanding mortgage participation certificates, claims or property interests, or partly for such exchange and partly for cash, and all persons to whom it is proposed to issue such certificates, stock, bonds, debentures or other securities in such exchange shall have the right to appear and be heard at such hearing.

12629.32. No plan shall be approved by the court unless the court is satisfied that the plan is fair and equitable and does not discriminate in favor of any class of investors, creditors, certificate holders or other persons affected thereby and is feasible. In case an insurer has outstanding mortgage participation certificates issued under one or more than one mortgage participation trust, the holders of mortgage participation certificates in each of such trusts may be considered as one class.

12629.33. After the completion of such hearing the court shall approve, modify or disapprove such plan. No such plan shall become operative unless and until it shall have been approved in its original form or, if modified, in its modified form, by such court and the commissioner nor unless and until such plan shall have been consented to either in person or by a duly appointed agent, attorney or committee by the following persons:

(a) If the plan affects the stockholders of such insurer, then by the holders of a majority in amount of the outstanding stock of such insurer;

(b) If the plan affects mortgage participation trusts or the holders of mortgage participation certificates issued thereunder, then by the holders of two-thirds in interest of all mortgage participation certificates outstanding under each or all, as the court may determine, of the mortgage participation trusts which may be so affected;

(c) If such insurer shall have creditors, then by two-thirds of each class of creditors of such insurer; and

(d) By two-thirds in amount of each class of other known persons, if any, affected by the plan

12629.34. Consent shall not be required in the case of any stockholder, mortgage participation certificate holder, creditor or other person, or any class thereof, if:

(a) The rights of such person or class shall not be materially affected by such plan; or

(b) Such plan shall provide for the payment in cash of the value of the right or interest of such person or class.

Such consents shall not be required from stockholders of any insurer if the value of the assets of such insurer shall be less than the liabilities thereof (mortgage participation certificates and policies of mortgage insurance not being included as liabilities), or if the business, properties and assets of such insurer be then in the possession of the commissioner.

12629.35. For the purpose of this article real property, contracts for the sale of real property, loans and all other assets (whether like or unlike the foregoing) shall be valued at what may reasonably be expected to be realized therefrom in the ordinary and proper conduct of a going business.

12629.36. The consents required by this article may be given before the plan is presented to the court or after such presentation and before the court has approved it or after such approval.

12629.37. If at such time as the plan is approved by the court the proportions above required of the stockholders, certificate holders, creditors and other persons, if any, affected thereby shall not have consented to the plan, the order of court may provide that upon satisfactory proof of the fact that such consents have been given a further order may be entered ex parte providing that such plan shall become operative, which further order shall be binding upon the commissioner, the insurer and all such stockholders, certificate holders, creditors and other persons, if any, affected thereby.

12629.38. The superior court in which such petition is pending is hereby given jurisdiction to determine all questions required to be determined pursuant to this article including, without limiting the generality of the foregoing, the following: Whether the insurer subject to such plan is included in one or more of the classes specified in section 12629; whether any such plan, either in its original or modified form is fair and equitable; whether it discriminates in favor of any class of certificate holders, creditors or other persons affected thereby; whether it is feasible; whether the terms and conditions of any proposed issuance and exchange of stock, mortgage participation certificates, bonds, notes, debentures or other securities thereunder are fair, and to approve or disapprove such terms and conditions; the total liabilities and total assets of such insurer; the approvals requisite under this article to such plan becoming operative, including jurisdiction to determine, for the purposes of the plan and the consents, the division of the creditors and other known persons, if any, affected by the plan into classes according to the nature of their respective claims and interests.

12629.39. When the plan shall have been approved by the court and the commissioner, as hereinbefore provided, and shall have been consented to by or on behalf of the respective proportions herein required of stockholders, certificate holders, creditors and other persons, if any, affected thereby, such plan shall be binding upon the commissioner, the mortgage insurer affected thereby, all the stockholders, certificate holders and creditors of such insurer, and all other persons, if any, affected thereby; and such insurer, the trustees and depositaries under all mortgage participation trusts affected thereby and all stockholders, certificate holders, creditors and other persons shall be conclusively deemed to have consented to all the terms and conditions of such plan whether or not all of such persons shall actually have consented thereto and whether or not all of them shall have received notice of such plan or of such hearing, as hereinbefore provided.

12629.40. Thereupon such steps shall be taken by the commissioner, the insurer and all persons affected by the plan, and all acts shall be done, or instruments executed and all new or amended certificates, stock, bonds, debentures, notes or other securities issued as may be required by such plan so approved and as may be necessary or desirable for the consummation of such plan.

12629.41. In all cases where the plan involves the revision, modification or termination of mortgage participation trusts and as an incident thereto the transfer of the title to trust assets, the title to and management of such trust assets pending the hearing on such plan and its approval by the court and the commissioner and for such further period as the court may prescribe and subject to such reserve powers as may be granted by the trust agreement to the insurer, or conferred by the court, shall continue in the trustee or depositary under the respective mortgage participation trusts affected. Upon the approval of such plan by the court and the commissioner the trust assets of all such trusts shall be transferred, conveyed, assigned, delivered, or otherwise dealt with, conformably to such plan, as the court may order and direct, upon application of the proposer of such plan.

12629.42. The superior court shall retain jurisdiction of all parties to said proceeding until the plan approved is fully carried out and consummated and the carrying out and consummation of such plan shall be subject to the supervision and control of such court. In connection therewith, the court may make all orders and decrees by way of injunction or otherwise as may be necessary, proper and equitable in order to carry out and consummate said plan and make the same fully effective.

12629.43 No appeal from an order of the superior court approving or modifying a plan shall be effectual for any purpose unless within thirty days after the entry of such order the appellant or appellants shall file with the clerk of such court a bond executed on the part of the appellant or appellants by at least two sureties to the effect that the appellant or appellants, in the event such order is affirmed on appeal, will pay all of respondent's costs, expenses and reasonable attorney's fees arising from such appeal, and also all losses and damages to the certificate holders, creditors and other persons, if any affected by such plan, arising from any delay in consummating such plan during the pendency of such appeal. The form of such bond shall be approved and the amount thereof fixed by the superior court but in no case shall such bond be for an amount greater than one per cent of the total liabilities of such insurer, provided that if mortgage participation certificates are affected by such plan such bond shall be for an amount not more than one per cent of the total liabilities of the insurer plus one per cent of the aggregate face amount of all mortgage participation certificates of such insurer outstanding

12629.44. Appeals from orders approving plans shall be given preference in the hearing on appeal over all other appeals, except contested election cases and cases in which the people of the State are parties.

12629.45. The term "securities" as used in this article shall include not only stock of one or more classes issuable by corporations generally but also shares of national mortgage associations or other Federal agencies or corporations organized under Federal authority, whose purposes include the loaning of money on real estate, and also mortgage participation certificates, bonds, notes, debentures, warrants or evidences of indebtedness or of beneficial interests or of any other classes or rights

12629.46 A mortgage insurer may issue and may invest in, hold, own, sell, exchange or otherwise dispose of, pursuant to a plan approved under this article, any one or more of the above mentioned kinds of securities, regardless of any provisions of the laws of this State to the contrary. None of the provisions of the Corporate Securities Act shall apply to any securities issued pursuant to a plan approved under this article, whether or not such securities are issued by a mortgage insurer, except that brokers, as defined in said act, shall be subject to the provisions of said act with respect to all transactions involving such securities

12629.47 Any executor, administrator, guardian or receiver, and any trustee of any kind or nature, and any insurer, bank, banking institution or trust company, and any officer of the State of California, holding any securities or certificates of a mortgage insurer as a legal investment or as a fund or deposit required by law to be made by the State of California, may, without the necessity of obtaining any specific court approval (a) consent to any plan which has been approved by the court pursuant to sections 12629.30 to 12629.38, inclusive; (b) exchange any mortgage participation certificates or other securities or rights or claims for certificates, amended certificates or securities issued pursuant to such plan; and (c) may continue to hold as a legal investment or as a fund or deposit required by law to be made with the State of California any certificates, amended certificates or securities so received.

12629.48. No plan shall be operative pursuant to this article unless approved by the court and consented to as required by this article during the emergency period, which period, for the purposes of this article, shall commence with the effective date of this article and shall expire April 1, 1939, or at such earlier date as the commissioner shall find and declare that such emergency period has terminated, provided, however, that if, prior to the expiration or termination of said emergency period, such plan shall have been approved by the superior court, and shall have been consented to as required by this article, such plan shall become operative unless such approval be set aside on appeal, notwithstanding the fact that such approval of the superior court was not final at the expiration or termination of such emergency period"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1831 by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Gluck, Heisinger, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, and Mr Speaker—52

NOES—None.

Assembly Bill No. 1831 ordered to enrollment

Assembly Bill No. 2423—An act to amend section 4041.27 of the Political Code, relating to the authorizing of county boards of supervisors to adopt a system of life, health and accident insurance for the benefit of all persons or groups of persons employed by the county and to pay from the general fund or salary fund of the county, a part of the pre-

miums upon such insurance and to deduct from the compensation of employees a part of the premiums of such insurance.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2423?

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended in the Assembly March 15, 1937, delete the period after the word "employees", and substitute therefor a semicolon, and add the following "provided, however, that any employee who adheres to the faith or teachings of any recognized religious sect, denomination, or organization, and in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of religion shall be exempted from this system upon filing annually with the board of supervisors an affidavit stating such adherence and dependence and disclaiming any benefits under the system".

Amendment No. 2.

On page 1, line 7, of the printed bill, as amended, after "health", insert a comma and the following: "annuity,".

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, after "employees", insert the following: "who elect in writing to participate in the plan,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2423 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Gluck, Heisinger, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Miller, George P., Millington, Morgan, Muldoon, Peek, Peyser, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Welsh, and Mr Speaker—51

NOES—None

Assembly Bill No. 2423 ordered to enrollment.

Assembly Bill No. 1764—An act to amend sections 16, 71, 72, 73, 74 and 75 of the "Improvement Act of 1911," approved April 7, 1911, as amended.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1764?

Amendment No. 1.

On page 2, line 14, of the printed bill, as amended, strike out the words "or invalidity"; in line 15, strike out the words "or invalidity"; in line 19, strike out the word "would", and insert in lieu thereof the word "might", in line 20, strike out the words "or invalidity"; in line 30, strike out the word "each", and insert in lieu thereof the word "such"; and in line 34, following the period, insert the following sentence: "In the event the contractor brings the action the summons shall be served upon the city council and superintendent of streets personally, and they shall have the right to appear and contest the validity of the proceedings and contract, or uphold the same"

Amendment No. 2.

On page 3, following line 32 of the printed bill, as amended, insert the following language:

"Within sixty (60) days after the sale mentioned in section 70 hereof, the purchaser at such sale may send to the person to whom the property is assessed for purposes of taxation as shown upon the last equalized assessment roll of the county in which the property lies, and to the person in whom on the date the sale is made appears the legal title to the property as shown by deed duly recorded in the office of the county recorder of the county in which the property lies, by registered mail, postage prepaid, a copy of the certificate of sale."

Amendment No. 3.

On page 3, line 33, of the printed bill, as amended, strike out the word "No", and insert in lieu thereof the following language: "In the event that a copy of the certificate of sale has been sent as provided in this section no".

Amendment No. 4.

On page 3, line 35, of the printed bill, as amended, strike out the words "or to quiet title to", and strike out all of line 36; in line 37, strike out the words "at such sale", and on page 3, line 39, strike out the words "of the certificate"

Amendment No. 5.

On page 3, line 45, of the printed bill, as amended, strike out the period, and insert in lieu thereof the word "and"; and in line 46, strike out the word "Any", and insert in lieu thereof the word "any".

Amendment No. 6.

On page 2, line 14, of the printed bill, as amended, strike out the words "or invalidity"; in line 15, strike out the words "or invalidity"; in line 19, strike out the word "would", and insert in lieu thereof the word "might"; in line 20, strike out the words "or invalidity"; in line 30, strike out the word "each", and insert in lieu thereof the word "such"; and in line 34, following the period, insert the following sentence "In the event the contractor brings the action the summons shall be served upon the city council and the superintendent of streets personally, and they shall have the right to appear and contest the validity of the proceedings and contract, or uphold the same."

Amendment No. 7.

On page 3 of the printed bill, as amended, following line 32, insert the following language "Within sixty (60) days after the sale mentioned in section 70 hereof, the purchaser at such sale may send to the person to whom the property is assessed for purposes of taxation as shown upon the last equalized assessment roll of the county in which the property lies, and to the person in whom on the date the sale is made appears the legal title to the property as shown by deed duly recorded in the office of the county recorder of the county in which the property lies, by registered mail, postage prepaid, a copy of the certificate of sale."

Amendment No. 8.

On page 3, line 33, of the printed bill, as amended, strike out the word "No", and insert therein in lieu thereof the following language: "In the event that a copy of the certificate of sale has been sent as provided in this section no".

Amendment No. 9.

On page 3, line 35, of the printed bill, as amended, strike out the words "or quiet title to"; strike out all of line 36; in line 37, strike out the words "at such sale", and in line 39, strike out the words "of the certificate".

Amendment No. 10.

On page 3, line 45, of the printed bill, as amended, strike out the period, and insert in lieu thereof the word "and"; and in line 46, strike out the word "Any", and insert in lieu thereof the word "any".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1764 by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 1764 ordered to enrollment.

Notice of Motion to Reconsider Governor's Veto to Assembly Bill No. 1177 Waived.

Mr. Welsh waived his notice of motion to reconsider the vote whereby the Governor's veto to Assembly Bill No. 1177 was sustained.

Notice of Motion to Withdraw Assembly Bill No. 2886 from Committee Waived.

Mr. Voigt waived his notice that he would move to withdraw Assembly Bill No. 2886 from the Committee on Elections, and have it placed upon the calendar.

Third Reading of Senate Bills.

Senate Bill No. 539—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts.

Motion to Amend Senate Bill No. 539.

Mr Kuchel moved to amend Senate Bill No 539 as follows:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "or by"; and strike all of lines 9 to 12, both inclusive, and insert in lieu thereof the following: "without the assent of two-thirds (2/3) of the qualified electors of such city, county, city and county, or district, voting at any general or special election at which such proposition may be submitted. If such city or county or city and county operates under a charter then only the limitations upon the levying of taxes imposed by the provisions of such charter shall apply"

Amendment No. 2.

On page 1, line 15, of the printed bill, after the word "city", insert a comma and the following: "county, city and county or district".

Amendment No. 3

On page 1, line 18, of the printed bill, strike out "capital outlays", and insert in lieu thereof the following: "any capital outlays for public improvements".

Amendment No. 4.

On page 1, line 20, of the printed bill, strike out "providing", and insert in lieu thereof the word "provided".

Amendment No. 5.

On page 2 of the printed bill, after line 3, insert the following paragraph:

"The term "public improvements" shall not be construed to include the construction, acquisition, extensions of, or additions to, utilities, other than utilities for the furnishing of a water supply."

Amendments adopted.

Request for Unanimous Consent.

Mr. Kuchel asked for, and was granted, unanimous consent to take up Senate Bill No. 539, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 539, as Amended.

Senate Bill No. 539—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts.

Senate Bill No. 539, as amended, read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Pelletier, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, and Mr. Speaker—57.

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 66—An act authorizing the State of California through its proper officers, departments or agencies to issue duplicate bonds, coupons, warrants or other evidences or indebtedness of the State of California, when the originals have been lost or destroyed, providing for the State to take security against loss or damage that may be incurred on account of the loss and the issuance of the duplicates.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, and Mr. Speaker—58.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 730—An act to amend section 2 of the Fish and Game Code, relating to definitions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Glick, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, and Mr. Speaker—54

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 428—An act to amend section 493 of the Fish and Game Code, relating to night fishing.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, and Mr. Speaker—58.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 498—An act to amend section 812 of the Fish and Game Code, relating to mussels.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 499—An act to amend section 808.5 of the Fish and Game Code, relating to jackknife clams.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 852—An act to amend sections 1201, 1202 and 1203, and to add section 1203.4 to the Fish and Game Code, relating to quail.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Call, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—53

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 330—An act to add section 588 10 to the Vehicle Code, relating to parking.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Kepple, King, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, and Mr. Speaker—53.

NOES—Dannenbrink, Johnson, Kuchel, and Lore—4.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 378—An act to amend sections 402, 404, 410, and 415 of the Vehicle Code, and to add thereto sections 410.5, 415.5, 417 and 418, relating to civil liability and financial responsibility of owners and operators of vehicles.

Bill read third time, and passed by the following vote.

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, and Mr. Speaker—60.

NOES—Tenney—1.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 413—An act to add sections 52, 515.5, 637.5, and 670.5, to the Vehicle Code, and to amend section 625 thereof, relating to trailer coaches.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, and Mr. Speaker—54

NOES—Dilworth, Garland, King, Tenney, and Watson—5

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 18—An act to repeal section 307 of the Penal Code, relating to the sale and use of opium.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, and Mr Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 19—An act to amend sections 5, 6, 7, 7a and 8f, and to repeal sections 8, 8a, 8b, 8c, 8d, 8e, 8g and 8½, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to narcotics

Motion to Amend Senate Bill No. 19.

Mr. Cottrell moved to amend Senate Bill No. 19 as follows:

Amendment No. 1.

Beginning on page 1, line 23, of the printed bill, and ending on page 2, line 2, strike out the following:

"The board may employ special counsel to assist the district attorney in such actions and prosecutions, but the compensation for such special counsel shall be paid only from funds derived from fines collected in prosecutions under the provisions of this act relating to poisons."

Amendment No. 2.

On page 2 of the printed bill strike out all of lines 13, 14, 15 and 16.

Amendment No. 3.

On page 3, line 36, of the printed bill, strike out "Treasurer", and insert in lieu thereof the following: "Controller".

Amendment No. 4.

On page 3, line 40, of the printed bill, strike out "Treasurer", and insert in lieu thereof the following. "Controller".

Amendment No. 5.

On page 3 line 44, of the printed bill, strike out "Treasurer", and insert in lieu thereof the following. "Controller".

Amendment No. 6.

On page 3, line 51, of the printed bill, strike out "Treasurer", and insert in lieu thereof the following. "Controller".

Amendments adopted.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Senate Bill No. 19, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 19, as Amended.

Senate Bill No. 19—An act to amend sections 5, 6, 7, 7a and 8f, and to repeal sections 8, 8a, 8b, 8c, 8d, 8e, 8g and 8½, of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to narcotics.

Senate Bill No 19, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M. Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 465—An act to add sections 1701.5, 1706.5, 1706.6, and 1713.5 to the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael, J., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—62.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 515—An act relating to the purchase of wool from producers, prohibiting deductions for tags, fribs, crutchings or other off wools, based upon a percentage of the weight or value of the wool, and providing a penalty for violation thereof.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 936—An act relating to the control and jurisdiction over, and disposition of certain State lands therein described.

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, and Mr. Speaker—59

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 732—An act to amend sections 1 and 9 of an act entitled "An act for the relief of certain assessment districts, and for that purpose empowering counties to render financial aid to such districts and making available to such districts the provisions of Chapter 9 of the act of Congress entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, and to declare the urgency of this act, to take effect immediately," approved February 1, 1935, relating to assessment districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, and Mr. Speaker—57.

NOES—Voigt—1

Title read and approved Bill ordered transmitted to the Senate

Senate Bill No. 849—An act to add a new section to be numbered 862.26½ to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, empowering cities of the sixth class to employ economic or financial experts.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael, J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—60.

NOES—Field, and Latham—2.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 609—An act to amend section 32d of the California Irrigation District Act, relating to the payment of principal or interest on funding or refunding bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 610—An act to amend section 32e of the California Irrigation District Act, relating to the irrevocable allocation of proceeds of contract to payment of principal or interest on bonds and to revenue bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, and Weber—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 874—An act to amend the California Irrigation District Act by amending section 75 thereof and by adding a new section thereto to be designated section 75a, all relating to the exclusion of lands from an irrigation district.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Watson, Weber, Welsh, and Mr. Speaker—60.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 875—An act to amend the California Irrigation District Act by amending section 61 thereof, relating to the incurring of indebtedness.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1102—An act to amend sections 3, 4, 5 and 6 of "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts.

Urgency clause read, and adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth,

Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—60.

NOES—None.

Senate Bill No. 1102 read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Constitutional Amendment No. 21.
Assembly Joint Resolution No. 23.

Assembly Bill No. 341.	Assembly Bill No. 1748.
Assembly Bill No. 761.	Assembly Bill No. 1825.
Assembly Bill No. 762.	Assembly Bill No. 1949.
Assembly Bill No. 763.	Assembly Bill No. 2052.
Assembly Bill No. 955.	Assembly Bill No. 2053.
Assembly Bill No. 1228.	Assembly Bill No. 2079.
Assembly Bill No. 1290.	Assembly Bill No. 2092.
Assembly Bill No. 1363.	Assembly Bill No. 2183.
Assembly Bill No. 1365.	Assembly Bill No. 2345.
Assembly Bill No. 1486.	Assembly Bill No. 2376.
Assembly Bill No. 1501.	Assembly Bill No. 2405.
Assembly Bill No. 1573.	Assembly Bill No. 2596.
Assembly Bill No. 1598.	Assembly Bill No. 2610.
Assembly Bill No. 1628.	Assembly Bill No. 2615.
Assembly Bill No. 1730.	Assembly Bill No. 2801.

And reports the same correctly enrolled, and presented to the Governor on this twenty-fourth day of May, 1937, at ten o'clock a.m.

CUNNINGHAM, Chairman.

Recess.

At twelve o'clock and forty-five minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 414—An act to amend sections 621 and 675 of the Vehicle Code, relating to motor vehicles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Peyser, Reaves, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—51.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 29—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation.

Motion to Amend Senate Bill No. 29.

Mr Mayo moved to amend Senate Bill No. 29 as follows:

Amendment No. 1.

On page 2, line 8, of the printed bill, strike out "a majority", and insert in lieu thereof the following: "two-thirds".

Amendment No. 2.

On page 2, line 13, of the printed bill, strike out "one year", and insert in lieu thereof the following: "two years".

Amendment No. 3.

On page 2, line 15, of the printed bill, strike out "a majority", and insert in lieu thereof the following: "two-thirds".

Amendment No. 4.

On page 2, line 32, of the printed bill, strike out "a majority", and insert in lieu thereof the following: "two-thirds".

Amendments adopted.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Bill No. 29, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 29, as Amended.

Senate Bill No. 29—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation.

Senate Bill No. 29, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Peek, Peyser, Richie, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 29.

Mr. Yorty gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 29 was this day passed.

Senate Bill No. 409—An act to amend sections 350 and 351 of the Vehicle Code, to add thereto section 355, and to repeal section 309 thereof, relating to the operation of vehicles by minors and the responsibility of other persons therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Heisinger, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Peyser, Reaves, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 403—An act to amend sections 292, 297, 311 and 332 of the Vehicle Code, relating to operator's and chauffeur's licenses.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Peyser, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 61—An act to amend section 647 of the Penal Code, relating to vagrants.

Motion to Amend Senate Bill No. 61.

Mr. Cottrell moved to amend Senate Bill No. 61 as follows:

Amendment No. 1.

On page 1, line 14, of the printed bill, as amended, after the words "railroad depot", insert the words "bus stations".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Senate Bill No. 61, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 61, as Amended.

Senate Bill No. 61—An act to amend section 647 of the Penal Code, relating to vagrants.

Senate Bill No. 61, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 22, 1937.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 26—Relative to memorializing the President of the United States and the members of Congress to extend the life of the Federal Public Works Administration for a period of two years after next June 30, and further memorializing Congress to earmark the sum of $350,000,000 of the pending Federal relief appropriation for a continuance of loans and grants, under P.W.A. to local communities.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Request for Unanimous Consent.

Mr. Miller asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 26, at this time, without reference to committee or calendar.

Consideration of Senate Joint Resolution No. 26.

Senate Joint Resolution No. 26—Relative to memorializing the President of the United States and the members of Congress to extend the

life of the Federal Public Works Administration for a period of two years after next June 30, and further memorializing Congress to earmark the sum of $350,000,000 of the pending Federal relief appropriation for a continuance of loans and grants under P.W.A. to local communities.

Senate Joint Resolution No. 26 read, and adopted by the following vote.

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, May 21, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 47—Relative to references to Golden Gate International Exposition in license plates issued for motor vehicles in the years 1938 and 1939.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Request for Unanimous Consent.

Mr. Levey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 47, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 47.

Senate Concurrent Resolution No. 47—Relative to references to Golden Gate International Exposition in license plates issued for motor vehicles in the years 1938 and 1939.

Senate Concurrent Resolution No. 47 read, and adopted by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 788—An act repealing section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations, etc., approved April 20, 1935.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 264—An act to add section 134 to the Streets and Highways Code, relating to the acquisition of property within cities for highway purposes.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—64.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 893—An act to amend sections 251, 308, 340, 344, 351, 352, 361, 368, 369, 374, 377, 404, and 425 of, to add four new sections to be numbered 503, 504, 505, and 506 to, and to repeal sections 603, 611, 641, and 642 of the Streets and Highways Code, relating to the descriptions of various State highway routes.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Special Order.

The hour of two o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 425.

Senate Bill No. 425—An act to promote temperance in the use of alcoholic beverages, relating to the manufacture, sale and use of alcoholic beverages, and to amend sections 1, 2, 3, 5, 6, 7, 8, 10, 21, 24, 33, 34, 37, 54 and 60 of the Alcoholic Beverage Control Act, and to add new sections thereto, all relating to the manufacture, sale and use of alcoholic beverages.

Motion to Amend Senate Bill No. 425.

Mr. Flint moved to amend Senate Bill No. 425 as follows.

Amendment No. 1.

On page 36, line 15, of the printed bill, as amended, strike out "having as members licensed beer"; and strike out lines 16, 17, and 18, and insert in lieu thereof the following: "individual, person or corporation"

Amendment read and refused adoption by the following vote:

AYES—Gilbert, Heisinger, and Hunt—3

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—64.

Explanations of Vote.

I voted "Aye" on Amendment No. 1 to Senate Bill No. 425 because I believed that this amendment was sponsored by the authors. Had I not been misinformed, I would have voted "No."

S. L. HEISINGER.

The reason I voted "Aye" on Amendment No. 1 to Senate Bill No. 425 was that I was given to understand that this amendment had been offered at the request of the authors of the bill. Had I not been misinformed I would have voted against the amendment.

WILBUR F. GILBERT

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—74.

NOES—None.

Senate Bill No. 425 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Notice of Motion to Reconsider Senate Bill No. 29 Waived.

Mr. Yorty waived his notice of motion to reconsider the vote whereby Senate Bill No. 29 was passed.

Senate Bill No. 29 ordered transmitted to the Senate.

Re-reference of Senate Joint Resolution No. 15.

On motion of Mr. Hornblower, Senate Joint Resolution No. 15 was withdrawn from the calendar, and re-referred to the Committee on Federal Relations by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Flint, Fulcher, Garibaldi, Garland, Glick, Hornblower, Hunt, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Muldoon, Reaves, Robertson, Sawallisch, Sheehan, Watson, Weber, Williamson, and Mr. Speaker—38.

NOES—Boyle, Cassidy, Clark, Cronin, Cunningham, Daley, Dilworth, Donnelly, Gannon, Gilbert, Hawkins, Johnson, Kepple, King, Latham, Lore, Lyon, Miller, George P., O'Donnell, Patterson, Peek, Pelletier, Richie, Scudder, Tenney, Thorp, Turner, Walker, and Yorty—29.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 937—An act to add a new section to be numbered 112 to the Streets and Highways Code, relating to official grades of State highways within cities.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal,

Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—72.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 33—An act to add section 23.1 and 23.2 to an act entitled 'An act to define personal property brokers and regulate their charges and business,'' approved April 16, 1909, as amended, relating to interest and charges.

Motion to Amend Senate Bill No. 33.

Mr. Lyon moved to amend Senate Bill No. 33 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1 to 6, inclusive, of the title, and insert in lieu thereof the following:

"An act to amend sections 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21, and 23, of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to provide for the licensing of personal property brokers and brokers by the Commissioner of Corporations; to limit and regulate their charges; to author-".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, after "words", insert the following: "and terms".

Amendment No. 3.

On page 1, line 7, of the printed bill, as amended, after "any", insert the following: "assistant,".

Amendment No. 4.

On page 2, line 11, of the printed bill, as amended, after the word "arrange", insert a comma.

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out line 27, and insert in lieu thereof the following: "individual, firm, copartnership, association, trust, corporation, or any other".

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out line 44, and insert in lieu thereof the following: "with any activity mentioned therein; or"

Amendment No. 7.

On page 3 of the printed bill, as amended, strike out line 6, and insert in lieu thereof the following: "where such form of sales contract is not used for the purpose".

Amendment No. 8.

On page 3, line 18, of the printed bill, as amended, after the word "herein", strike out the comma.

Amendment No. 9.

On page 3 of the printed bill, as amended, strike out lines 24 to 26, inclusive, and insert in lieu thereof the following:

"SEC. 4. Section 6 of said act is hereby amended to read as follows:

Sec. 6. Each application for a license under this act shall be in writing, verified under oath, and in such form as may be prescribed by the commissioner.

SEC. 5. Section 7 of said act is hereby amended to read as follows:

Sec. 7. Each applicant for a license under this act shall at the time of filing such application deposit with the commissioner a bond satisfactory to the commissioner, in which the applicant shall be the obligor in the aggregate sum of $1,000, with one or more sureties, which shall be subject to the approval of the commissioner. Such bond shall run to the State of California for the use thereof, and to any person or persons who may have a cause of action against the obligor of said bond under the provisions of this act, and shall furthermore be conditioned that said obligor will faithfully conform to and abide by the provisions of this act and all of the rules and regulations established by the commissioner under the provisions of this act, and will pay to the State and to such person or persons any and all amounts which may become due or owing to the State or to such person or persons from said obligor under and by virtue of the provisions of this act. The total aggregate liability, however, on said bond shall be limited to the total payment of $1,000. If the license is issued, the licensee shall thereafter maintain such bond. If the commissioner shall find at any time that the bond of a licensee is insecure or exhausted or otherwise doubtful, an additional bond satisfactory to the commissioner, in the same amount and of the same character as required by this section, shall be filed by the licensee within 20 days after written demand upon the licensee by the commissioner.

SEC. 6. Section 8 of said act is hereby amended to read as follows:

Sec 8. Upon the filing of such application for license, the acceptance of such bond, and the payment of the investigating fee and the license fee provided in section 20 of this act, the commissioner shall issue and deliver a license to the applicant to engage in business in accordance with the provisions of this act at the location set forth in the application, if he is satisfied that the financial responsibility, experience, character, business reputation and general fitness of the applicant and the members thereof if the applicant be a copartnership or association, and the trustees thereof, if the applicant be a trust, and the officers and directors thereof, if the applicant be a corporation, and the employees of the applicant, are such as to command the confidence of the community and to warrant the belief that the business proposed to be conducted will be operated honestly, fairly, and within the intent and purposes of this act.

SEC. 7. Section 9 of said act is hereby amended to read as follows:

Sec. 9. Each license issued under this act shall be effective until the end of the calendar year next after its issuance, unless sooner surrendered, suspended or revoked as hereinafter provided, and shall authorize".

Amendment No. 10.

On page 3 of the printed bill, as amended, strike out lines 31 and 32, and insert in lieu thereof the following: "tion, bond, and license, and the payment of the license fee provided in section 20 of this act. No license shall".

Amendment No. 11.

On page 3, line 39, of the printed bill, as amended, strike out "subsection 4 of".

Amendment No. 12.

On page 3, line 43, of the printed bill, as amended, strike out "effect", and insert in lieu thereof the following: "affect".

Amendment No. 13.

On page 3 of the printed bill, as amended, strike out lines 46 to 48, inclusive, and insert in lieu thereof the following:

"SEC. 8. Section 10 of said act is hereby amended to read as follows:

Sec. 10. The payment of money, credit, goods, or things in".

Amendment No. 14.

On page 4 of the printed bill, as amended, strike out line 2, and insert in lieu thereof the following: "by which such assigned compensation exceeds the amount of".

Amendment No. 15.

On page 4 of the printed bill, as amended, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following:

"SEC. 9. Section 11 of said act is hereby amended to read as follows:

Sec. 11. (a) The personal property broker making any loan, or the broker arranging, negotiating or procuring it for".

Amendment No. 16.

On page 4 of the printed bill, as amended, strike out line 19, and insert in lieu thereof the following: "how computed, how and when such note is repayable, and the".

Amendment No. 17.

On page 4 of the printed bill, as amended, strike out line 21, and insert in lieu thereof the following: "in such note. Also such other information as the commissioner".

Amendment No. 18.

On page 4 of the printed bill, as amended, strike out line 37, and insert in lieu thereof the following:

"(b) Each personal property broker and broker shall:".

Amendment No. 19.

On page 4 of the printed bill, as amended, strike out lines 40 to 42, inclusive, and insert in lieu thereof the following: "his business. No such form or instrument shall be used after the use thereof has been disapproved by the commissioner, and the personal property broker or broker".

Amendment No. 20.

On page 4, line 46, of the printed bill, as amended, strike out "licensee", and insert in lieu thereof the following, "personal property broker or broker".

Amendment No. 21.

On page 5 of the printed bill, as amended, strike out line 1, and insert in lieu thereof the following:

"SEC 10. Section 12 of said act is hereby amended to read as follows:

Sec. 12. Each licensee hereunder shall on or before the fifteenth day of March of each year,".

Amendment No. 22.

On page 5, line 23, of the printed bill, as amended, strike out "7", and insert in lieu thereof "11".

Amendment No. 23.

On page 5 of the printed bill, as amended, strike out lines 32 to 34, inclusive, and insert in lieu thereof the following: "submit all advertising copy before using it. No advertising copy shall be used after the use thereof has been disapproved by the commissioner, and the personal property broker or broker notified in writing of such disapproval.

(b) No licensee hereunder shall ".

Amendment No. 24.

On page 5, line 44, of the printed bill, as amended, after "compensation", insert the following: "for services".

Amendment No. 25.

On page 6, line 9, of the printed bill, as amended, strike out "8", and insert in lieu thereof "12".

Amendment No. 26.

On page 6 of the printed bill, as amended, strike out lines 16 to 18, inclusive, and insert in lieu thereof the following: "the bond or bonds required under any of the provisions of this act, or that the licensee has violated any of the provisions of this act or any rule of regulation established by the commissioner under the authority of this act; or that any fact".

Amendment No. 27.

On page 6, line 38, of the printed bill, as amended, after "reason", insert "or reasons".

Amendment No. 28.

On page 6, line 41, of the printed bill, as amended, strike out "9", and insert in lieu thereof "13".

Amendment No. 29.

On page 6 of the printed bill, as amended, strike out lines 48 to 51, inclusive, and insert in lieu thereof the following: "and files used therein, of every licensee and of every person engaged in business as a personal property broker or broker as herein defined, whether such person acts or claims to".

Amendment No. 30.

On page 7 of the printed bill, as amended, strike out line 1, and insert in lieu thereof the following: "this act. For such purposes the commissioner and his rep-"

Amendment No. 31.

On page 7 of the printed bill, as amended, strike out lines 4 and 5, and insert in lieu thereof the following: "of all such persons. The commissioner and all persons duly designated".

Amendment No. 32.

On page 7, line 13, of the printed bill, as amended, after "court", insert a comma.

Amendment No. 33.

On page 7, line 17, of the printed bill, as amended, after "testimony", insert a comma.

Amendment No. 34.

On page 7, line 26, of the printed bill, as amended, after "act", insert a comma.

Amendment No. 35.

On page 7, line 37, of the printed bill, as amended, after "therein", insert a comma.

Amendment No. 36.

On page 7, line 40, of the printed bill, as amended, strike out "10", and insert in lieu thereof "14".

Amendment No. 37.

On page 8, line 12, of the printed bill, as amended, strike out "11", and insert in lieu thereof "15".

Amendment No. 38.

On page 8, line 15, of the printed bill, as amended, strike out "or", and insert in lieu thereof "and".

Amendment No. 39.

On page 9, line 28, of the printed bill, as amended, strike out "12", and insert in lieu thereof "16".

Amendment No. 40.

On page 9, line 39, of the printed bill, as amended, strike out "13", and insert in lieu thereof "17".

Amendment No. 41.

On page 10 of the printed bill, as amended, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SEC. 18. Section 23 of said act is hereby amended to read as follows:

Sec. 23. (a) Any personal property broker or broker as herein".

Amendment No. 42.

On page 10 of the printed bill, as amended, after line 14, insert the following:

"(b) All acts and parts of acts, whether general, special or local, which in whole or in part relate to the same subject matter as this act, are hereby repealed in so far as the same are inconsistent with the provisions of this act."

Amendments adopted.

Special Order Set for Senate Bill No. 33.

On motion of Mr. Lyon, the consideration of Senate Bill No. 33 was made a special order of business for Tuesday, May 25, 1937, at two o'clock and thirty minutes p.m.

Senate Bill No. 33 ordered to reprint, and third reading calendar.

Senate Bill No. 257—An act to amend section 3612 of the Political Code, relating to the procedure for claiming exemption from taxation under the provisions of section 1¼ of Article XIII of the Constitution.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 258—An act to amend section 3611 of the Political Code, relating to the exemption from taxation of buildings and real property used exclusively for religious worship.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 404—An act to amend sections 252, 254, 257, 265, 269, 271, 276, and 277 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 377—An act to amend section 401 of the Vehicle Code, relating to liability for operation of authorized emergency vehicles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 710—An act to amend section 468 of the Civil Code, relating to the construction, operation and abandonment of railroads.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, and Mr. Speaker—59

NOES—Patterson, Richie, and Yorty—3

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 711—An act to repeal an act approved April 15, 1880, entitled "An act to compel railroad corporations, or individuals owning railroads, to operate their roads," and to repeal an act approved February 9, 1897, entitled "An act to provide for the management and operation of railroads above certain elevations," relating to the operation of railroads and prescribing penalties for failure to comply therewith.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Call, Cassidy, Clark, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Williamson, and Mr. Speaker—54.

NOES—King, Patterson, Richie, Tenney, and Yorty—5.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 628—An act to amend section 5 of an act entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to enforcement of the act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Yorty, and Mr. Speaker—58

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 511—An act to amend sections 800, 803, 804, 814 and 815 of the Military and Veterans Code, relating to veterans' farm and home purchase.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin Mayo, McMurray Meehan, Miller, George P., Millington, Morgan, Muldoon, Pat-

terson, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 91—An act to amend section 6.750 of the School Code, relating to the use of school buildings.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 644—An act to repeal Chapter III of Part III of Division IV of the School Code and to add to the School Code a new section to be numbered 4.368, relating to school district budgets.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 645—An act to amend sections 2.100 and 2.440 of the School Code, both relating to the change of boundaries of school districts.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Williamson, Yorty, and Mr. Speaker—59.

NOES—Dilworth—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 363—An act to amend an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin Drainage District based upon assessments levied by the reclamation board upon lands in said district," approved May 27, 1919, as amended, by amending the title thereof to include refunding bonds, by amending section 50 thereof, relating to redemption of land sold for delinquent assessments and the conveyancing of lands not redeemed, by amending section 59 thereof, relating to the authorization, issuance, sale and application of the proceeds of refunding bonds, and by adding a new section to said act to be numbered 60, giving to said act a short title; and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency and providing that this act shall take effect immediately upon its passage.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi,

Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Senate Bill No 363 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 361—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 12 thereof, relating to the powers of the Reclamation Board, and section 37 (a) thereof, relating to the application of moneys appropriated or made available under Chapter 176, California Statutes of 1925.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1089—An act to add section 5 to an act entitled "An act creating a reclamation district to be known as Reclamation District No 10, prescribing its boundaries and providing for the management and control thereof; dissolving Protection District No 10, of Yuba County, California, and providing for the disposition of the indebtedness, rights, rights of way, levees and other works of reclamation of said district," approved May 26, 1913, relating to the disposition of funds impounded for the payment of outlawed bonds of said district.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 111—An act to add section 3627d to the Political Code, relating to value of works of art.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower Johnson, Kepple, King, Kuchel, Latham Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Morgan, Muldoon, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream,

Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 507—An act to amend section 7 of the "Vital Statistics Registration Act," relating to death certificates.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 267—An act to amend section 538 of the Code of Civil Procedure, relating to attachments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 336—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 357—An act to repeal sections 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555 and 1556 of the Penal Code, and to add sections 1548, 1548.1, 1548.2, 1548.3, 1549, 1549.1, 1549.2, 1549.3, 1550, 1550.1, 1550.2, 1550.3, 1551, 1551.1, 1551.2, 1551.3, 1552, 1552.1, 1552.2, 1553, 1553.1, 1553.2, 1554, 1554.1, 1554.2, 1555, 1555.1, 1555.2, 1556, 1556.1 and 1556.2 to the Penal Code, all relating to proceedings against fugitives from justice and proceedings in this State against persons charged with crime in other States, and to make the law uniform with reference thereto.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder,

Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 528—An act to establish a State park to be known as the "William Brown Ide Memorial Park" in the city of Red Bluff; authorizing the Department of Natural Resources to select and purchase suitable lands for such park, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 120—An act relating to the electrification of fences.

Bill read third time.

Demand for Previous Question.

Messrs. Hunt, Morgan, Dannenbrink, Johnson and Turner demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 120.

The roll was called, and Senate Bill No. 120 refused passage by the following vote:

AYES—Baynham, Beene, Breed, Corwin, Cottrell, Daley, Dilworth, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Johnson, Laughlin, Lore, Martin, Mayo, Miller, Eleanor; Millington, Morgan, O'Donnell, Scudder, Stream, Thorp, Turner, Walker, Watson, Welsh, and Mr. Speaker—30.

NOES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Field, Flint, Fulcher, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, McMurray, Meehan, Miller, George P., Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Weber, Williamson, and Yorty—44.

Notice of Motion to Reconsider Senate Bill No. 120.

Mr. Thorp gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 120 was this day refused passage.

Senate Bill No. 429—An act to amend sections 731, 732 and 733 of the Agricultural Code, relating to butter cutting and wrapping licenses.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—73.

NOES—Andreas, and Boyle—2.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 701—An act to amend sections 81 and 85 of the Agricultural Code, relating to district agricultural associations.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 654—An act to add a new section to the School Code to be numbered 6 53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 945—An act to amend section 4241 of the Political Code, relating to the compensation of county officers in counties of the twelfth class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh, M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond Dilworth, Donihue, Donnelly Field, Flint, Fulcher, Gannon Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Explanation of Vote.

My vote as recorded in favor of Senate Bill No. 945 was obtained because the Assembly was using a former roll call at the time. I am generally opposed to increase of salaries in the higher brackets.

S. L. HEISINGER.

Senate Bill No. 434—An act to amend the County Water District Act, approved June 10, 1913, as amended, relating to county water districts, by amending section 31 thereof and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 12 1, granting to county water districts the powers of mosquito abatement districts, and section 37 1, relating to segregation of items of property on the assessment roll.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 194—An act to amend section 737p of the Political Code, relating to the salary of the superior judge of the county of Kings.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins Hornblower, Hunt, Johnson, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peyser, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Welsh, Williamson, and Mr. Speaker—54.

NOES—Gilbert, Heisinger, King, Latham, and Tenney—5.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 860—An act to amend section 3a of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Motion to Amend Title to Senate Bill No. 860.

Mr. Welsh moved to amend the title to Senate Bill No. 860 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "section", insert the following: "3212 of the".

Amendment adopted.

Title read, as amended, and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 327—An act to amend section 629 of the Code of Civil Procedure, relating to judgments notwithstanding the verdict.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 276—An act to amend sections 271, 275, and 283 of the Agricultural Code, pertaining to apiary inspection and registration.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1066—An act to amend sections 840, 842, 844, 845 and 845.1 of, and to add sections 842.6, 844.1, 844.2 and 844.3 to, the Agricultural Code, relating to honey standards.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 277—An act to add a new section to the Agricultural Code to be numbered section 132.5, relating to pest control.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 279—An act to amend section 155 of the Agricultural Code, pertaining to weed free areas.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 904—An act to amend section 809 of the Agricultural Code, relating to walnuts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint,

Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 16—An act to amend sections 718 and 865 of the Fish and Game Code, relating to shad.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 991—An act to add section 610 to the Fish and Game Code, relating to steelhead trout.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 81—An act to add section 1576.5 to the Penal Code, relating to hours of labor of guards at State prisons.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 735—An act to amend section 1576 of the Penal Code, relating to the State prisons.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier,

Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 898—An act to amend section 4 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to registered warrants.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 899—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, as amended, by amending section 1, relating to the investment of surplus moneys in the treasury of any county, city and county, incorporated city or town, municipal utility district or flood control district.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 62—An act to amend sections 1, 1c, and 5 of, and to add sections 1e and 9.5 to, the State Narcotic Act, relating to habit forming narcotic and other dangerous drugs and substances.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 989—An act to amend section 2.971 of the School Code, relating to election of boards of education.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Dombue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Senate Bill No. 520.

On motion of Mr. Garland, Senate Bill No. 520 was withdrawn from the calendar, and re-referred to the Committee on Agriculture.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 24, 1937

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 810,** the same being:

"An act to amend section 1142 of the Political Code, relating to elections."

Assembly Bill No. 444 relates to the same question as Assembly Bill No. 810 Having signed Assembly Bill No 444, I am returning Assembly Bill No. 810 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No 810 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 24, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 285,** the same being:

"An act to amend sections 92 and 122 of, and to add section 108 to, the Civil Code, relating to grounds of divorce and defenses thereto."

Assembly Bill No. 285 defines "incompatibility" as "the inability of either or both parties to the marriage to live together without mental anguish or humiliation, or physical suffering, after a reasonable effort in good faith on the part of either or both parties to reconcile their difference," and adds incompatibility as a cause for divorce.

Believing that divorce is too easily obtainable even under present statutes, and that the proposed addition is entirely undesirable, I am returning Assembly Bill No. 285 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 285 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 24, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 890,** the same being:

"An act to amend the title and sections 1, 3, 4, and 4a of, and to add sections 6 and 7 to, an act entitled "An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately," approved February 1, 1935, as amended, relating to the foreclosure of special assessment bonds, validating the commencement and prosecution of proceedings heretofore taken, and declaring the urgency of this act, to take effect immediately."

Having signed Senate Bill No. 55, now Chapter 307, Statutes of 1937, covering the same subject, I am withholding approval of Assembly Bill No. 890.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 890 ordered on unfinished business calendar.

Recess.

At five o'clock and twenty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until eight o'clock and thirty minutes p.m.

Reassembled.

At eight o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 663—An act to amend the title of Article V of Chapter I of Part III of Division IV of the School Code; to repeal sections 5.782, 5.783 and 5.784 thereof and Articles VI and VIa of Chapter I of Part III of Division IV of the School Code; and to add to said Chapter I of Part III of Division IV of the School Code two new articles to be numbered VI and VIa, all relating to payments from school district funds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 681—An act to authorize and direct the Division of Water Resources of the Department of Public Works to prosecute efforts, on behalf of the Water Project Authority of the State of California, in aid of the construction of the Central Valley Project.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 683—An act to amend the Central Valley Project Act of 1933, by amending section 20, relating to use of money appropriated by said act and to registration of bonds, and section 21, relating to use of money appropriated by said act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier,

Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 682—An act to amend the Central Valley Project Act of 1933, by amending section 3, relating to the construction of said act and section 4, relating to project units.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 685—An act to amend section 12 of the Central Valley Project Act of 1933, relating to acquisition of property by eminent domain and sale or lease of property no longer needed for the purposes of said act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 969—An act to amend an act of the Legislature of the State of California entitled "An act providing for the formation, government and operation of harbor districts, for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such district," approved April 20, 1927, as amended, by amending section 20 of said act, relating to the management and control of harbors created, developed and improved under the provisions of said act.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved Bill ordered transmitted to the Senate

Senate Bill No. 862—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 260—An act to amend sections 1426b and 1426d of the Civil Code, relating to notices of location of lode and placer mining claims.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 691—An act to amend section 4286 of the Political Code, relating to the compensation of county officers and their deputies, assistants and employees, and of jurors in counties of the fifty-seventh class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1120—An act to amend sections 4260, 4272 and 4285 of the Political Code, relating to compensation for public services to counties.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 54—An act to add section 4506 to the Political Code, to repeal certain acts superseded by the Political Code and the Code of Civil Procedure, all relating to courts of justice and various officers connected therewith.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1137—An act to add section 4237.1 to the Political Code, providing a salary for the court phonographic reporters and for payment thereof and providing for the appointment of one reporter secretary.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 714—An act to amend section 48 and to repeal section 1412 of the Fish and Game Code, relating to fines and cost of trials.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 207—An act to amend section 137 of the Fish and Game Code, relating to game refuges.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 800—An act to amend section 525 of the Fish and Game Code, relating to water flow through a dam.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 992—An act to amend section 1 of an act entitled "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses," approved May 14, 1927, relating to a Commission on Uniform State Laws.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 199—An act to add sections 1128 and 1129 to the Probate Code, relating to establishing a procedure for transfer of testamentary trusts after final distribution.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 754—An act to amend section 25 of the California Irrigation District Act, relating to the method of declaring the result of the election of officers in an irrigation district, and to the method of filling vacancies which may occur in any of said offices.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier,

Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 908—An act to amend sections 1299.18, 1300, 1300.3 and 1300.4 of the Agricultural Code, relating to processors of farm products.

Motion to Amend Senate Bill No. 908.

Mr Donnelly moved to amend Senate Bill No. 908 as follows:

Amendment No. 1.

On page 3, line 2, of the printed bill, as amended, immediately following "of", insert the following, "raw or fresh".

Amendment adopted.

Request for Unanimous Consent.

Mr. Donnelly asked for, and was granted, unanimous consent to take up Senate Bill No. 908, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 908, as Amended.

Senate Bill No. 908—An act to amend sections 1299.18, 1300, 1300.3 and 1300.4 of the Agricultural Code, relating to processors of farm products.

Senate Bill No. 908, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 1110—An act to repeal an act entitled "An act to limit the registration, enrollment, and attendance of the California Polytechnic School to male students," approved May 14, 1929, relating to the registration, enrollment, and attendance of students at the California Polytechnic School.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 265—An act to amend section 24 of the Direct Primary Law, relating to party conventions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint,

Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 265.

Mr Andreas gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No 265 was this day passed.

Senate Bill No. 231—An act to amend section 36 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929', and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, Statutes 1931, Chapter 1020, page 2045, as amended, relating to the length of time that bonds issued under the provisions of that act may run to maturity.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 165—An act to amend sections 6010 and 7015 of the Insurance Code, both relating to county mutual fire insurers

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 496—An act to amend section 2 of the Corporate Securities Act, to exempt from the provisions of said act certificates of deposit for securities approved by the California Districts Securities Commission for certification as legal investments for savings banks and trust companies.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham,

Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 444—An act to amend section 1 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, as amended, relating to possession, transportation and sale of tear gas shells, cartridges, bombs or weapons.

Motion to Amend Senate Bill No. 444.

Mr. Morgan moved to amend Senate Bill No. 444 as follows:

Amendment No. 1.

On page 1, line 18, of the printed bill, after the word "from", insert the word "purchasing", and a comma.

Amendment adopted.

Request for Unanimous Consent.

Mr. Dannenbrink asked for, and was granted, unanimous consent to take up Senate Bill No. 444, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 444, as Amended.

Senate Bill No. 444—An act to amend section 1 of "An act to regulate the possession or transportation of any form of shell, cartridge or bomb containing or capable of emitting tear gas and providing penalties for violation thereof," approved May 28, 1931, as amended, relating to the possession, transportation and sale of tear gas shells, cartridges, bombs or weapons.

Senate Bill No. 444, as amended, read third time.

Demand for Previous Question.

Messrs. Hunt, Flint, Johnson, Rosenthal and Miller demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 444, as amended.

The roll was called, and Senate Bill No. 444, as amended, passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Watson, Williamson, and Mr. Speaker—54.

NOES—Cunningham, and Garibaldi—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 408—An act to amend sections 738, 740 and 741 of the Vehicle Code, relating to procedure upon arrest.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham,

Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 24—Relative to honoring Captain Charles M. Weber, pioneer.

Senate Concurrent Resolution No. 24 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 549—An act to amend section 3805c of the Political Code, providing for the cancellation of assessments on certain lands of the State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 545—An act to repeal "An act to provide for the survey and creation of camp sites on State lands," approved May 15, 1923 (Chapter 155, Statutes of California, 1923).

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 546—An act to amend sections 3, 4, 5, 6, 7, 8, 10, 14 and 16 of an act entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and

providing for the leasing of lands uncovered by the recession of waters of such lakes and streams," approved April 27, 1911, relating to the powers and duties of the Division of State Lands with respect thereto.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Communication from Legislative Counsel on Point of Order Relative to Assembly Bill No. 1065.

The following communication and ruling on the point of order on Assembly Bill No 1065 was received, and ordered printed in the Journal:

By Mr. Lyon:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,
SACRAMENTO, CALIFORNIA, May 24, 1937.

Honorable Charles W. Lyon, Assembly Chamber,
State Capitol, Sacramento, California.

SUBJECT: *Expunging Record and Rescinding Vote Upon Motion to Postpone Consideration Indefinitely.*
REQUEST: No. 9139.

DEAR MR LYON. You have asked us whether or not a vote whereby consideration of a bill is postponed indefinitely, as provided by Assembly Standing Rule No. 47, can be rescinded and the record thereof expunged as provided for by Rule No. 60.

It is our opinion that such action can be taken and that the favorable vote upon the motion to postpone indefinitely can be rescinded and the record thereof expunged. We are attaching hereto a copy of memorandum in support of this conclusion.

It is our further opinion that either a favorable vote upon a motion to rescind or a favorable vote to rescind a motion to postpone indefinitely permits further consideration and passage of the bill involved. The effects of the motion to rescind and expunge is to delete from the Journals of the Assembly the indefinite postponement of consideration of the bill. Hence, there is nothing in the record to bar any action upon the bill which the Assembly may choose to take.

Very truly yours,

FRED B. WOOD, Legislative Counsel.
By LAWRENCE G. ALLYN, Deputy.
May 24, 1937.

MEMORANDUM RESPECTING RIGHT TO RESCIND ACTION OF THE ASSEMBLY TO POSTPONE INDEFINITELY THE CONSIDERATION OF A BILL.

Under date of Wednesday, May 19th, the motion was made and carried that further consideration of Assembly Bill No. 1065 be postponed indefinitely (pages 42 and 43, Assembly Daily Journal)

Immediately thereafter motion was made that the vote whereby the motion to postpone Assembly Bill No. 1065 indefinitely was adopted be reconsidered and reconsideration was refused (page 43, Assembly Journal).

On the legislative day of Friday, May 21, 1937, a motion was made to expunge the record and rescind the action whereby the consideration of Assembly Bill No. 1065 was indefinitely postponed, which motion was carried (Assembly Journal, pages 137 and 138). A point of order was raised that the motion to expunge the record and rescind the action was not in order

Rule 60 of the Standing Rules of the Assembly reads as follows:

> "60. Previous to the approval of the Journal by the Assembly, as corrected by the Minute Clerk, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition."

Rule 37 of Robert's Rules of Order is to the same effect. Robert's Rules, however, point out certain exceptions to the effect that votes can not be rescinded after something has been done as a result of that vote that the Assembly can not undo, where the vote is in the nature of a contract, etc. Mason's Manual of Legislative Practice, section 302, is similar. Both Robert and Mason point out that the motion to rescind is principally used to annul a previous action after the time for reconsideration has passed. The motion to rescind is not in order when the question can be reached by the motion to reconsider which has been previously made.

The same rule is set forth in section 469 of Hughes' American Parliamentary Guide.

While the authorities quoted state that a motion to rescind may not be reconsidered because the nature of the motion is itself reconsideration, there is apparently no parliamentary objection to a motion to rescind being made subsequent to the refusal of adoption of a motion to reconsider.

> "*Although a motion is irregular which proposes a question already decided,* it is nevertheless competent for the house to rescind a vote. This is allowed, in order that the discretion of Parliament may not be too strictly confined, and its votes subject to irrevocable error. In point of form, the rescinding of a vote is the matter of a new question * * * and thus the same question, which has been already resolved, is not again offered, although its effect is annulled."

Section 1260, Cushing's Law and Practice of Legislative Assemblies.

It should be noted in passing, at least, that Assembly Standing Rule 60 differs in form from the similar rule (No. 55 of the 1935 session) particularly in that the following language was deleted:

> "No vote shall be so rescinded after something has been done as a result of such vote that the Assembly can not properly undo, *or where such action will allow the reconsideration of a bill in violation of Rule 94.*"

In the report of the Assembly Interim Committee on Legislative Rules, Procedure and Printing appearing in the Assembly Daily Journal for Tuesday, January 5, 1937, the following comment appears with reference to the changes in the proposed Rule 60:

> "In line with our idea of shortening and simplifying the rules, the committee has deleted a portion of the old Rule 55, eliminating what was considered ambiguous matter. The major change to the rule is that no motion to rescind the action and expunge the record shall be made twice on the same proposition. We believe this amendment to the rule is self-explanatory."

It would, therefore, appear that the provision of Rule 60 permitting "any action" to be rescinded previous to the approval of the Journal is applicable to all actions of that body and controls over other rules except possibly in so far as rescission would effect vested rights, *or except in so far as it may appear that the provisions of some other standing rule are expressly exempted from Rule 60.*

Inasmuch as it appears that the Assembly Daily Journal for Wednesday, May 19th, had not been corrected and approved by the Assembly on the legislative day of May 21st when the action to rescind was taken, the only question remaining to be considered is whether "any action" as used in Rule 60 includes affirmative action upon a motion to postpone indefinitely as provided in Assembly Standing Rule 47, which rule reads as follows:

> "47. When a motion is made to postpone indefinitely any bill, motion or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire membership, the main question shall not be acted upon again during the session."

In the report of the interim committee referred to above the following explanation of Rule 47 as amended appears on page 23 of the Assembly Daily Journal for Tuesday, January 5, 1937:

> "Since the purpose of this motion is to kill whatever may be before the Assembly for consideration, the committee feels that a majority of the *elected* members, rather than a majority of the members present, should be required to carry such a motion."

Robert's Rule 34 states that an affirmative vote to postpone indefinitely may be reconsidered, and in speaking of the effect of the motion, states that if adopted it suppresses the main motion for that session, unless the vote is reconsidered.

In discussing such a motion, Mason's Manual at section 296 declares:

> "An affirmative vote on the motion to postpone indefinitely may be reconsidered. In Congress it is provided by rule that a question which has been indefinitely postponed may not be acted upon again at the same session. It has been maintained that indefinite postponement, since it finally disposes of a question, may not be reconsidered. The same argument would be equally applicable to a negative vote on a main question where the right to reconsider is indisputable. The general practice in American legislative bodies appears to be to permit the application of the motion to reconsider to an affirmative vote on the motion to indefinitely postpone."

Hughes criticizes permitting reconsideration of motions to postpone indefinitely (sections 321, 326) but does not discuss whether a vote to postpone indefinitely can be subsequently rescinded; possibly for the reason that unless otherwise pro-

vided by rule the use of the motion to rescind is severely restricted in many legislative bodies (Hughes', section 469).

In view of the fact that reconsideration of a motion to postpone indefinitely is permitted by the practice of the Assembly in this State and such practice is recognized by Robert's Rules of Order, which are recognized as authoritative in the Assembly when the Assembly Rules are not applicable (Standing Rule 100), it appears that the affirmative vote on such a motion does not finally and conclusively dispose of the question. Inasmuch as reconsideration is permitted after such vote, we are unable to find any authority for an opinion that a motion to rescind the vote and expunge the record may not also be made at any time previous to the approval of the corrected Journal.

It is, therefore, our opinion that Standing Rule 47 is not excepted from the provisions of Standing Rule 60.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 289.	Assembly Bill No. 1905.
Assembly Bill No. 440.	Assembly Bill No. 2132.
Assembly Bill No. 506.	Assembly Bill No. 2197.
Assembly Bill No. 786.	Assembly Bill No. 2289.
Assembly Bill No. 1060.	Assembly Bill No. 2576.
Assembly Bill No. 860.	Assembly Bill No. 2773.
Assembly Bill No. 1135.	Assembly Bill No. 1189.
Assembly Bill No. 1139.	Assembly Bill No. 1190.
Assembly Bill No. 1164.	Assembly Bill No. 1191.
Assembly Bill No. 1168.	Assembly Bill No. 1243.
Assembly Bill No. 1594.	Assembly Bill No. 1244.
Assembly Bill No. 1818.	Assembly Bill No. 1593.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 378.	Assembly Bill No. 1623.
Assembly Bill No. 396.	Assembly Bill No. 1671.
Assembly Bill No. 442.	Assembly Bill No. 1759.
Assembly Bill No. 618.	Assembly Bill No. 1888.
Assembly Bill No. 743.	Assembly Bill No. 1906.
Assembly Bill No. 744.	Assembly Bill No. 1951.
Assembly Bill No. 777.	Assembly Bill No. 2062.
Assembly Bill No. 778.	Assembly Bill No. 2117.
Assembly Bill No. 787.	Assembly Bill No. 2232.
Assembly Bill No. 1018.	Assembly Bill No. 2385.
Assembly Bill No. 1035.	Assembly Bill No. 2568.
Assembly Bill No. 1162.	Assembly Bill No. 2575.
Assembly Bill No. 1310.	Assembly Bill No. 2673.
Assembly Bill No. 1400.	Assembly Bill No. 2679.
Assembly Bill No. 1420.	Assembly Bill No. 2821.
Assembly Bill No. 1519.	Assembly Bill No. 2847.
Assembly Bill No. 1576.	

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

Motion to Expunge Record and Rescind Action on Senate Bill No. 330.

Mr Muldoon moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 330.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Leve[illegible]

Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Consideration of Senate Bill No. 330.

Senate Bill No. 330—An act to add section 588.10 to the Vehicle Code, relating to parking.

Motion to Amend Senate Bill No. 330.

Mr. Muldoon moved to amend Senate Bill No. 330 as follows:

Amendment No. 1.

On page 1, line 15, of the printed bill, as amended, after the comma, insert the following: "or discharging passengers,".

Amendment No. 2.

On page 1, line 27, of the printed bill, as amended, strike out "sixty-five", and insert in lieu thereof the following: "approximately sixty".

Amendment No. 3.

On page 1 of the printed bill, as amended, following line 28, insert the following: "(c) When the Director of Public Works finds that such parking will not interfere with traffic and consents thereto in writing."

Amendments read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Williamson, and Mr. Speaker—54.

NOES—Andreas, Crowley, Latham, Lore, Lyon, and Yorty—6.

Request for Unanimous Consent.

Mr. Muldoon asked for, and was granted, unanimous consent to take up Senate Bill No. 330, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 330, as Amended.

Senate Bill No. 330—An act to add section 588.10 to the Vehicle Code, relating to parking.

Senate Bill No. 330, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—Lore, and O'Donnell—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Senate Bill No. 645.

Mr. Patterson moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 645.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream,

Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Consideration of Senate Bill No. 645.

Senate Bill No. 645—An act to amend sections 2.100 and 2.440 of the School Code, both relating to the change of boundaries of school districts.

Motion to Amend Senate Bill No. 645.

Mr. Patterson moved to amend Senate Bill No. 645 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "tenth", and insert in lieu thereof the word "first".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out "tenth", and insert in lieu thereof the word "first".

Amendments adopted.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Senate Bill No. 645, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 645, as Amended.

Senate Bill No. 645—An act to amend sections 2.100 and 2.440 of the School Code, both relating to the change of boundaries of school districts.

Senate Bill No. 645, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 721—An act to amend section 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 212—An act to add section 875.5 to the Fish and Game Code, relating to nets.

Motion to Amend Senate Bill No. 212.

Mr. Crowley moved to amend Senate Bill No. 212 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, following the word "commission", strike out the period, and insert a semicolon and the following: "in District 2 bait seines may be used to take fish other than catfish and game fish, to be used as bait only, subject to the restriction that such seines may not measure more than four by thirty feet in size with not to exceed one-half inch mesh stretched."

Amendment adopted.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 212, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 212, as Amended.

Senate Bill No. 212—An act to add section 875.5 to the Fish and Game Code, relating to nets.

Senate Bill No. 212, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 396—An act to amend sections 692, 698, 699, 701 and 716 of the Vehicle Code, relating to size, weight, loading and operation of vehicles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Tenney, Voigt, Williamson, and Mr. Speaker—51.

NOES—Hunt, and Watson—2.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 71—An act to amend section 1160 of the Political Code, relating to opening and closing of the polls.

Bill read third time, and refused passage by the following vote:

AYES—Daley, Donnelly, Field, Garibaldi, Garland, Latham, Miller, Eleanor; Morgan, Reaves, Sawallisch, and Stream—11.

NOES—Beene, Boyle, Breed, Burns, Michael J., Cassidy, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Donihue, Flint, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, O'Donnell, Peek, Pelletier, Rosenthal, Sheehan, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—42.

Senate Bill No. 314—An act to add a new article to Chapter IV of Part I of Division I of the School Code to be known as Article IV,

relating to the supervision of the health of pupils enrolled in elementary schools.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 92—An act to amend section 627 of the Penal Code, relating to trespass.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 26—Relative to reports of the Department Encampment of Grand Army of the Republic.

Senate Concurrent Resolution No. 26 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1106—An act to amend section 737n of the Political Code, relating to counties of the twenty-eighth class.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hornblower, Johnson, Kuchel, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Watson, Williamson, Yorty, and Mr Speaker—48.

NOES—Donnelly, Heisinger, and Latham—3.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 440—An act to amend sections 1064, 1071, and 1074 of the Agricultural Code, pertaining to economic poisons.

Motion to Amend Senate Bill No. 440.

Mr. Dilworth moved to amend Senate Bill No. 440 as follows:

Amendment No. 1.

On page 2, lines 13 to 15, inclusive, of the printed bill, as amended, strike out the following: "It shall be unlawful to sell an undivided interest in the contents of a sealed or closed tank or other container or package of economic poisons."

Amendment adopted.

Senate Bill No. 440 ordered to reprint, and third reading calendar.

Senate Bill No. 441—An act to amend sections 1022, 1032, and 1037 of the Agricultural Code, relating to fertilizing materials.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 442—An act to amend section 1075 of the Agricultural Code, pertaining to economic poisons.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 471—An act to add a new section to the Agricultural Code to be numbered 308 5, relating to inspectors employed by the Director of Agriculture of the State of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 928—An act to add section 1280.5 to the Fish and Game Code, relating to deer tag license.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller,

George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 931—An act to amend section 1270, and to repeal sections 1271, 1271.5 and 1272 of the Fish and Game Code, relating to deer.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Senate Bill No. 931 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1126—An act to add section 903 to the Fish and Game Code, relating to nets.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1098—An act to add sections 1184 and 1417 to the Fish and Game Code, relating to the taking of birds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1107—An act empowering any State institution to advance to the Napa State Farm out of its support appropriation money to cover the cost of meat to be delivered to it, after processing for use.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 371—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business.

Motion to Amend Senate Bill No. 371.

Mr. Gilbert moved to amend Senate Bill No 371 as follows:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 4 to 7, inclusive, and insert in lieu thereof the following: "nership, association or corporation or for the officers of any such firm, copartnership, association or corporation to solicit any person injured".

Demand for Previous Question.

Messrs. Flint, Heisinger, Andreas, Gilbert and Yorty demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment by Mr. Gilbert.

Amendment read, and refused adoption by the following vote:

AYES—Burns, Hugh M., Cassidy, Daley, Dannenbrink, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Glick, Hunt, King, Laughlin, Lore, Maloney, Meehan, Miller, George P., Millington, Patterson, Pelletier, Richie, Rosenthal, Stream, Tenney, Turner, Voigt, Watson, Yorty, and Mr. Speaker—29.

NOES—Andreas, Boyle, Breed, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Field, Garland, Hawkins, Heisinger, Hornblower, Johnson, Latham, Leonard, Levey, Martin, Mayo, McMurray, Muldoon, O'Donnell, Peek, Redwine Scudder, Sheehan, Thorp, and Williamson—32

Motion to Amend Senate Bill No. 371.

Mr Rosenthal moved to amend Senate Bill No. 371 as follows

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "person injured", and strike out all of lines 8 to 12, inclusive, and insert in lieu thereof the following: "type of employment as attorney at law."

Demand for Previous Question.

Messrs. Flint, Turner, Glick, Field and Stream demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment by Mr. Rosenthal.

Amendment read, and adopted by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Clark, Cunningham, Daley, Dannenbrink, Donihue, Donnelly, Flint, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hunt, Johnson, King, Laughlin, Lore, Martin, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Patterson, Peek, Pelletier, Richie, Rosenthal, Stream, Tenney, Turner, Voigt, Watson, Yorty, and Mr. Speaker—39.

NOES—Burns, Michael J., Cronin, Crowley, Dawson, Dilworth, Field, Heisinger, Hornblower, Latham, Leonard, Levey, Maloney, Mayo, Muldoon, Redwine, Scudder, Sheehan, and Thorp—18.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Senate Bill No 371, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 371, as Amended.

Senate Bill No. 371—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business.

Motion to Amend Senate Bill No. 371.

Mr. Cronin moved to amend Senate Bill No. 371 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out the words **"or indirectly"**.

Amendment read, and adopted by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Scudder, Sheehan, Tenney, Thorp, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—Breed, Crowley, Dannenbrink, Johnson, Rosenthal, and Stream—6.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Senate Bill No. 371, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 371, as Amended.

Senate Bill No. 371—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business.

Senate Bill No. 371, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan,

Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 547—An act to amend subsection 5, and to add a new subsection to be numbered 10 to section 675 of the Political Code, empowering the Director of Finance to execute grants to real property belonging to the State to the United States of America, and to withdraw from sale public lands of the State.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 593—An act to add section 1872 to the Code of Civil Procedure, relating to expert testimony.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 913—An act to add a new section to be numbered 32d to an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to weights and measures.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham,

Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 188—An act to amend section 5 of Chapter 191, Statutes of 1923, entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, relating to county fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 537—An act to amend an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such district to defray the expenses thereof," approved May 23, 1923, as amended, by adding a new section, to be numbered 10e, relating to maintenance of fire fighting equipment by cities within county fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 538—An act to amend an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, by amending section 7, relating to annual levy of taxes upon property in county fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—78.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Resolutions.

The following resolutions were offered:

By Mr. Levey:

House Resolution No. 187.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of James G. Smyth, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office.

Request for Unanimous Consent.

Mr. Levey asked for, and was granted, unanimous consent to take up House Resolution No. 187, at this time, without reference to committee or calendar.

House Resolution No. 187 read, and adopted by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

By the Committee on Contingent Expenses:

House Resolution No. 188.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The C. C. Langevin Co.—April-May	$ 360 00
Department of Finance	35 69
Sherman-Clay Co.	10 00
Hotel Clunie	118 62
Hart's Lunch, Inc.	57 75
Hotel Regis	7 50
Keeley Studio	3 52
Dell Watkins, Florist	10 30
Theron Smith	3 00
Delwin W. Smith	3 50
Eleanor Miller	3 93
Postal Telegraph	5 59
Western Union Telegraph	43 22
Charles W. Lyon	93 53
Pacific Tel & Tel. Co.	257 95
Claude C. Putnam	20 00
Department of Finance	10 93
Department of Finance	5 95

LEVEY, Chairman.

House Resolution No. 188 read, and adopted by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins,

Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

By Mr. Flint:

House Resolution No. 189.

WHEREAS, The fifty-second session of the Legislature of the State of California has witnessed the submission of a great number of measures, and

WHEREAS, The number of amendments and orders for printing unusual documents conveyed to the State Printer following introduction in the Legislature; and

WHEREAS, The result thereof has been to place an extraordinary responsibility upon the State Printer; and

WHEREAS, The service rendered by the State Printer and by the men and women under his supervision has, during the fifty-second session of the Legislature, been of continuous help and assistance to the members thereof; now therefore, be it

Resolved by the Assembly of the State of California, That George H. Moore, State Printer, and all of his assistants, be and they are hereby earnestly and highly commended for very efficient service rendered to the Legislature of the State of California at the fifty-second session thereof; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to transmit copies of this resolution to the said George H. Moore, with the request to him to communicate the contents thereof to all employees of the State of California under his supervision.

Request for Unanimous Consent.

Mr. Flint asked for, and was granted, unanimous consent to take up House Resolution No. 189, at this time, without reference to committee or calendar.

House Resolution No. 189 read, and unanimously adopted.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 186—An act relating to and imposing limitations on expenditure by counties, cities and counties, municipalities, districts, and other political subdivisions under authority of section 20 of Article XI of the Constitution of the State.

Motion to Amend Senate Bill No. 186.

Mr Muldoon moved to amend Senate Bill No. 186 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, after "election", insert the following: "as provided in section 20 of Article XI of the Constitution of this State".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 18, and insert in lieu thereof the following: "or all obligations which are lawfully incurred during a fiscal year as".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 10 to 15, inclusive, and insert in lieu thereof the following:

"SEC. 4. The limitation provided for herein may be exceeded when authorized by two-thirds vote of the qualified electors of any county, city and county, district or other political subdivision, or by a majority vote of the electors of any municipality voting at an election held for that purpose."

Amendment No. 4.

On page 2, line 23, of the printed bill, as amended, after "year", insert the following: "for".

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out lines 27 and 28, inclusive, and insert in lieu thereof the following: "taxes, the provision for delinquency as provided by law and available surpluses, except the general reserve as provided in section 3714 of the Political Code and surpluses which have been placed in a special fund for capital outlays for specific purposes or for replacement of equipment or plant, will not exceed the expenditure limitation".

Amendment No. 6.

On page 3 of the printed bill, as amended, strike out lines 30 to 32, inclusive, and insert in lieu thereof the following: "It shall not be lawful to levy a tax which will exceed the limitation set forth in this section, unless the expenditures in excess of the limitation set forth in this act have been".

Amendment No. 7.

On page 3 of the printed bill, as amended, between lines 47 and 48, insert the following:

"As used in this act "Political Subdivision" includes any county, city and county, municipality, or district."

Amendment No. 8.

On page 4, line 2, of the printed bill, as amended, after "1937", insert the following: "The limitations imposed in this act shall be effective until September 30, 1941."

Amendments adopted.

Senate Bill No. 186 ordered to reprint, and third reading calendar.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:
Senate Bill No. 781. **Senate Bill No. 783.**
Senate Bill No. 782.

Respectfully reports the same back with the recommendation: Do pass.

CRONIN, Chairman.

The above reported bills ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:
Senate Bill No. 300. **Senate Bill No. 996.**
Senate Bill No. 474.

Respectfully reports the same back signed out by the committee.

ROSENTHAL, Chairman.
GARIBALDI.
CRONIN.
JOHNSON.
CUNNINGHAM.
TENNEY.
PEEK.
DAWSON.
REDWINE.
LYON.

The above reported bills ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:
Senate Joint Resolution No. 25.

Respectfully reports the same back with the recommendation: Be adopted as amended.

HEISINGER, Chairman.

Consideration of Senate Joint Resolution No. 25.

Senate Joint Resolution No. 25—Relative to memorializing the President and the Congress of the United States to protect the rights of the State of California to its tidelands and the coastal area lying seaward of the State of California.

Motion to Amend Senate Joint Resolution No. 25.

Mr Turner moved to amend Senate Joint Resolution No. 25 as follows.

Amendment No. 1.

On page 3, line 1, of the printed measure, strike out "Secretary of the Senate", and insert in lieu thereof "Governor."

Amendment adopted.

Bill ordered to reprint, and third reading.

Adjournment.

At eleven o'clock and fifty minutes p.m., on motion of Mr. Hunt, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, May 25, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-NINTH LEGISLATIVE DAY
ONE HUNDRED FORTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 25, 1937.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Upon invitation of the Speaker, prayer was offered by Rev Father John E Tumulty, of Sacramento.

Reading of the Journal Dispensed With.

On motion of Mr. Meehan, the further reading of the Journal of Monday, May 24, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilge of Assembly Floor.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Marguerite O'Malley of Los Angeles.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Rose Ruscito, teacher; and the following fourth grade students from Washington School: Rex Glass, Vern Nelson, Mardella Yee, Richard Miller, Marjorie Little, Bernadette Robinson, Mary Smith, Jerome Russell, Elta Durbin, Raymond Herrlinger, Velvereen Hutchinson, Carlo Carini, Song Yee, Hobart Reeves, Marie Roberts, Patsy Benton, Cecilia Rod-

riquez, Grace Harcourt, Gordon Dunston, Melvin Fehr, Wallace Wright, Adolphina Cesniroz, Deloris Peyton, and Betty Jo Gevins.

On request of Mr. Hunt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Angier of Los Angeles.

On request of the San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. T. Maloney, Mr and Mrs. Tom Maloney, Jr., and baby, Jack Maloney, and Barbara June Maloney.

On request of Mr. Kuchel, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Walter Crutcher, of Berkeley, and Mrs. Edward (Ted) Craig of Brea.

On request of Mr. Lore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Fielding P. Field of North Hollywood.

On request of Messrs Cassidy and Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Thomas King of Oakland.

On request of Mr Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Carl S. Parker, State treasurer, U. D. C ; Mrs Charles Ruff, Miss Myrtle Garrison, Miss Nancy White, Mrs Helena T Richie, past State president, U. D. C., and Mrs. H. S. Reed.

On request of Mr. Hunt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Leitch.

On request of Mrs. Daley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. E. Brown, Miss Kathleen Brown, Mrs J E Tulley, Mrs H. T. Miller, Mrs. Dunsten, Mrs. White, Mrs. Sweitzer, Mrs. Morgan, Mrs Miles, Delegates to United Daughters of the Confederacy Convention

Assistant Clerk Berry Reading.

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Concurrent Resolution No. 60: By Mr Desmond—Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 60, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 60.

Assembly Concurrent Resolution No. 60—Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly.

Assembly Concurrent Resolution No 60 read, and adopted by the following vote:

AYES—Breed, Call, Clark, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Flint, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, McMurray,

Meehan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Sawallisch, Sheehan, Stream, Watson, Williamson, and Mr Speaker—41.

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Second Reading of Senate Bills.

Senate Bill No. 781—An act to amend the title of, and to add section 18a to, the State Medical Practice Act, relating to remedies for violations thereof.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 782—An act to add sections 2372 5, 2410, and 2411 to the Business and Professions Code, relating to disciplinary proceedings within the chapter on medicine.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 783—An act to add section 2436 to the Business and Professions Code, relating to remedies for the enforcement of the chapter on medicine thereof.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 474—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court, Plumas County.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 300—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court, Plumas County.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 996—An act to amend section 737ww of the Political Code, relating to the salary of judges of the county of Sonoma.

Bill read second time, and ordered on third reading calendar.

Consideration of Governor's Veto to Assembly Bills.

Assembly Bill No. 1912—An act to authorize counties to convey and transfer to flood control districts within such counties drainage systems and works constructed in drainage improvement districts organized pursuant to an act entitled "An act to promote the drainage of wet, swamp and overflow lands, and to promote the public health in the communities in which they lie," approved March 21, 1903, or pursuant to the Drainage District Improvement Act of 1919, and prescribing the terms and conditions and the effect of such conveyance and transfer and fixing liabilities with respect to obligations of such drainage districts.

The question being put. Shall Assembly Bill No. 1912 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt, and Lyon—2.

NOES—Andreas, Breed, Burns, Hugh M., Clark, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Flint, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Sawallisch, Sheehan, Stream, Watson, Williamson, and Mr. Speaker—39.

Assembly Bill No. 1913—An act to amend the "Los Angeles County Flood Control Act," by adding thereto a new section, to be numbered 13½, relating to the conveyance and transfer to such district of drain-

age systems and works of drainage improvement districts and for the assumption of liability for the payment of bonds of drainage districts issued for the construction of the drainage systems and works so conveyed and transferred.

The question being put: Shall Assembly Bill No. 1913 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt—1.

NOES—Andreas, Breed, Burns, Hugh M., Clark, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Flint, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Sawallisch, Sheehan, Stream, Watson, Williamson, and Mr. Speaker—39

Assembly Bill No. 810—An act to amend section 1142 of the Political Code, relating to elections.

The question being put: Shall Assembly Bill No. 810 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt—1.

NOES—Breed, Burns, Hugh M., Clark, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Flint, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Sawallisch, Sheehan, Stream, Watson, Williamson, and Mr. Speaker—38.

Assembly Bill No. 602—An act to amend the Political Code by adding thereto a new section to be numbered 4049b, authorizing boards of supervisors to expend county funds for the dissemination of information and for publicity in connection with the payment of taxes

The question being put: Shall Assembly Bill No. 602 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—57.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1245—An act to amend sections 4, 6, 8, 9, 12, 13, 14, 19, 20, 21, 23, 25, 27, 30 and 32 of, and to add a new section to be numbered 13 (a) to, the Bank and Corporation Franchise Tax Act, relating to taxes on banks and corporations

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1245?

Amendment No. 1.

On page 2 of the printed bill, as amended April 29, 1937, strike out lines 22 to 27, both inclusive, and insert in lieu thereof the following:

"(6) The following corporations shall be exempt from taxation under this act, if their organization or activities are not designed for, and do not result in financial or pecuniary gain or profit to the stockholders or members thereof:

(a) Corporations organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation;

(b) Incorporated clubs organized and operated exclusively for pleasure and recreation;

(c) Incorporated fraternal beneficiary societies, orders or associations (1) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system; (2) Providing for the payment of life, sick, accident, or other benefits to the members of such society, order or association or their dependents;

(d) Cemetery corporations owned and operated exclusively for the benefit of their members or which are not operated for profit; and any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose;

(e) Corporations operated exclusively for civic purposes.

Before any exemption may be granted to a corporation under this subsection, such corporation must file an affidavit with the commissioner specifying such facts as he may by rule or otherwise require in order to carry out the provisions of this subsection.

To such affidavit should be attached a copy of the articles of incorporation, the by-laws of the corporation and the latest financial statement, showing the assets, liabilities, receipts and disbursements of the corporation."

Amendment No. 2.

On page 6 of the printed bill, as amended April 29, 1937, strike out lines 22 to 25, both inclusive, and insert in lieu thereof the following: "them at actual cost, plus necessary expenses, all income resulting from or arising out of such business activities for or with their members carried on by them or their agents; or when done on a nonprofit basis for or with nonmembers."

Amendment No. 3.

On page 6 of the printed bill, as amended April 29, 1937, strike out lines 27 to 30, both inclusive, and insert in lieu thereof the following: "in whole or in part on a cooperative or a mutual basis, all income resulting from or arising out of business activities for or with their members, or with nonmembers, done on a nonprofit basis."

Amendment No. 4.

On page 2 of the printed bill, as amended May 11, 1937, strike out all of lines 26 to 51, both inclusive.

Amendment No. 5.

On page 3 of the printed bill, as amended May 11, 1937, strike out all of lines 1 to 7, both inclusive, and insert in lieu thereof the following:

"(6) Corporations organized for religious, charitable, social, cemetery, scientific, educational, recreational, literary, fraternal or civic purposes, if their organization or activities are not designed for, and do not result in financial or pecuniary gain or profit to the stockholders or members thereof, shall not be taxed under this act."

Amendment No. 6.

On page 2, line 47, of the printed bill, as amended May 7, 1937, after the word "profit", insert the following: ", meaning nonprofit corporations".

Amendment No. 7.

On page 2, line 46, of the printed bill, as amended, after the word "members", insert a semicolon.

Amendment No. 8.

On page 2, line 47, of the printed bill, as amended, strike out "solely", and the word "burial", and in lieu of the latter, insert the word "cemetery".

Amendment No. 9.

On page 2, lines 48 and 49, of the printed bill, as amended, strike out the words "permitted by its charter to".

Amendment No. 10.

On page 2, line 49, of the printed bill, as amended, to the word "engage", add a "d", and in the same line, strike out the word "necessarily".

Amendment No. 11.

On page 1, line 3 of the title of the printed bill, as amended on April 22d, strike out "(a)", and insert in lieu thereof the following: "½".

Amendment No. 12.

On page 1, line 15, of the printed bill, as amended on April 22d, strike out the word "or", and insert in lieu thereof the word "and".

Amendment No. 13.

On page 2, line 46, of the printed bill, as amended on April 22d, strike out the word "the".

Amendment No. 14.

On page 5, line 14, of the printed bill, as amended on April 22d, after the word "herein", and before the period, insert the following: "; provided, however, that the words "with the approval of the secretary" in said sections shall be deemed omitted".

Amendment No. 15.

On page 6, line 31, of the printed bill, as amended on April 22d, strike out "Tax Commissioner", and insert in lieu thereof the following: "commissioner".

Amendment No. 16.

On page 7, line 17, of the printed bill, as amended on April 22d, strike out "allowable", and insert in lieu thereof the following: "allocable".

Amendment No. 17.

On page 7, line 45, of the printed bill, as amended on April 22d, strike out the comma after the word "income", and insert a comma after the word "shall".

Amendment No. 18.

On page 11, line 37, of the printed bill, as amended on April 22d, strike out the word "minimum".

Amendment No. 19.

On page 11, line 38, of the printed bill, as amended on April 22d, strike out the words "of twenty-five dollars"; after the word "period", and before the period, insert the following: "in an amount equal to the minimum tax provided for in section 4 of this act".

Amendment No. 20.

On page 12, lines 18 and 19, of the printed bill, as amended on April 22d, strike out the words "of twenty-five dollars", and insert in lieu thereof the following: "in an amount equal to the minimum tax provided for in section 4 of this act".

Amendment No. 21.

On page 12, line 28, of the printed bill, as amended on April 22d, strike out "(a)", and insert in lieu thereof the following: "½".

Amendment No. 22.

On page 12, line 30, of the printed bill, as amended on April 22d, strike out "(a)", and insert in lieu thereof the following: "½".

Amendment No. 23.

On page 12, line 34, of the printed bill, as amended on April 22d, after the word "corporations", insert a comma; in line 36, after the word "made", insert a comma; in line 38, after the word "return", and before the word "and", strike out the semicolon; in line 40, after "tion", insert a comma; and in line 41, after the word "year", insert a comma.

Amendment No. 24.

On page 12, line 52, of the printed bill, as amended on April 22d, after the word "section", insert a comma.

Amendment No. 25.

On page 13, line 8, of the printed bill, as amended on April 22d, after the word "group", insert a comma.

Amendment No. 26.

On page 15, line 41, of the printed bill, as amended on April 22d, after the word "return", strike out the comma; in line 42, after the word "corporations", strike out the comma; and in line 45, after the word "installment", strike out the comma.

Amendment No. 27.

On page 16, line 18, of the printed bill, as amended on April 22d, after the word "then", insert a comma.

Amendment No. 28.

On page 18, line 16, of the printed bill, as amended on April 22d, after the word "board", insert a comma.

Amendment No. 29.

On page 16, line 32, of the printed bill, as amended April 22d, after the word "of", and before the word "paragraph", insert the words "the preceding", and strike out the following: "(1)".

Amendment No. 30.

On page 20, line 1, of the printed bill, as amended on April 22d, after the word "If", insert a comma.

Amendment No. 31.

On page 21, line 9, of the printed bill, as amended on April 22d, after the word "court", insert a comma, and in line 10, strike out the word "order", and insert in lieu thereof the word "orders".

Amendment No. 32.

On page 1, line 2 of the title of the printed bill, as amended, after the numeral "25," insert the numeral "26,"; and after the numeral "27," insert the numeral "29,".

Amendment No. 33.

On page 1, lines 14 and 15, of the printed bill, as amended, strike out "paid upon its personal property", and insert in lieu thereof the following: "or licenses,

other than taxes upon its real property and other than taxes imposed by this act, paid to this State or".

Amendment No. 34.

On page 3 of the printed bill, as amended, strike out all of line 43 following the word "dividends"; strike out all of line 44, and strike out all of line 45 preceding the word "which", and insert in lieu thereof the following: "(other than dividends deductible under the provisions of subdivision (b) of this section and other than dividends from corporations, 50 per cent or more of the outstanding stock of which is owned by the taxpayer)".

Amendment No. 35.

On page 4, line 43, of the printed bill, as amended, strike out "of", and insert in lieu thereof the word "or".

Amendment No. 36.

On page 6, line 40, of the printed bill, as amended, strike out "theretore", and insert in lieu thereof the following: "therefor"

Amendment No. 37.

On page 6, line 45, of the printed bill, as amended, strike out "theretore", and insert in lieu thereof the following. "therefor".

Amendment No. 38.

On page 9, line 14, of the printed bill, as amended, after the word "business", insert the following: "in".

Amendment No. 39.

On page 21, line 36, of the printed bill, as amended, after the word "Where", insert a comma.

Amendment No. 40.

On page 22 of the printed bill, as amended, between lines 30 and 31, insert the following.

"SEC. 12. Section 26 of said act is hereby amended to read as follows:

Sec. 26. At the time of payment of the first installment of tax under the provisions of section 23 of this act, each taxpayer claiming an offset against the tax, pursuant to section 4 hereof, shall submit to the commissioner evidence in such form as he shall prescribe in support of such claims.

If a financial corporation in paying the tax provided for in this act desires to claim an offset in the computation of its tax, the rate provided in section 4a hereof for financial corporations shall be applied to such offset and the amount so computed shall be added to and included in the tax of such corporation.

If taxes are at any time refunded to any bank or corporation taxable under this act and said bank or corporation has been allowed an offset for such taxes against any tax imposed under this act, said bank or corporation shall pay a tax not subject to offset in an amount equivalent to any offset which has been allowed against any tax at any time imposed under this act on account of such refunded taxes. Such bank or corporation shall report such taxes in its return for the income year in which the same are refunded. The tax herein provided for shall be due and payable in one amount on or before the due date, or the due date as extended by the commissioner, for filing the return The provisions of this act relating to delinquent first installment taxes shall be applicable to such tax if it is not paid on or before its due date."

Amendment No. 41.

On page 22, line 31, of the printed bill, as amended, strike out the numeral "12", and insert in lieu thereof the numeral "13".

Amendment No. 42.

On page 23, line 11, of the printed bill, as amended, before the word "commissioner's", insert the word "the".

Amendment No. 43.

On page 24 of the printed bill, as amended, between lines 2 and 3, insert the following:

"SEC. 14. Section 29 of said act is hereby amended to read as follows:

Sec. 29. The taxes imposed by this act shall constitute a lien upon the real property of the taxpayer, which lien shall have the same force, effect and priority as a judgment lien and shall attach on the first day of the "taxable year," except that in the case of a bank or corporation incorporated under the laws of this State or a foreign bank or corporation qualified to do business within the limits of this State, after the effective date of this amendment, the lien of taxes for the first taxable year of such a bank or corporation shall attach at the time of such incorporation or qualification. The lien provided for in this section shall remain until the taxes are paid or the property subject to the lien is sold for the payment thereof, or until the lien is released or otherwise extinguished The commissioner may at any time release all or any portion of the property subject to the lien from the lien or subordinate the lien to other liens if he determines that the taxes are sufficiently

secured by a lien on other property of the taxpayer or that the release or subordination of the lien will not endanger or jeopardize the collection of such taxes. A certificate by the commissioner to the effect that any property has been released from the lien herein provided for or that such lien has been subordinated to other liens shall be conclusive evidence that the property has been released or that the lien has been subordinated as provided in the certificate. No decree of dissolution shall be made and entered by any court, nor shall the county clerk of any county or the Secretary of State file any such decree, or file any other document by which the term of existence of any taxpayer shall be reduced or terminated, nor shall the Secretary of State file any certificate of the surrender by a foreign corporation of its right to do intrastate business in this State until the tax, penalties, and interest shall have been paid."

Amendment No. 44.

On page 24, line 3, of the printed bill, as amended, strike out the numeral "13", and insert in lieu thereof the numeral "15".

Amendment No. 45.

On page 25, line 15, of the printed bill, as amended, strike out the numeral "14", and insert in lieu thereof the numeral "16".

Amendment No. 46.

On page 25, line 41, of the printed bill, as amended, following the word "any", insert the following: "personal".

Amendment No. 47.

On page 25, line 41, of the printed bill, as amended, strike out the following: ", real or personal,".

Amendment No. 48.

On page 26 of the printed bill, as amended, commencing in line 24, strike out "for the personal property, and a deed for any real property so sold," and insert in lieu thereof the following: "for the property so sold".

Amendment No. 49.

On page 26, line 25, of the printed bill, as amended, strike out the following: "or deed".

Amendment No. 50.

On page 26, line 50, of the printed bill, as amended, strike out the numeral "15", and insert in lieu thereof the numeral "17".

Amendment No. 51.

On page 27, line 51, of the printed bill, as amended, strike out the numeral "16", and insert in lieu thereof the numeral "18".

Amendment No. 52.

On page 28 of the printed bill, as amended, between lines 44 and 45, insert the following:

"The possession and control of all records, books, papers, equipment and supplies held by the State Controller for use in performing the duties which pursuant to this section are to be performed by the commissioner shall be transferred to the commissioner. All funds available for expenditure by the Controller in performing such duties shall be available for expenditure by the commissioner in performance of such duties and shall be transferred upon executive order to the Director of Finance to the support appropriation for the commissioner."

Amendment No. 53.

On page 28, line 45, of the printed bill, as amended, strike out the numeral "17", and insert in lieu thereof the numeral "19".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1245 by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M. Call, Clark, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Sawalhsch, Sheehan, Stream, Watson, Williamson, and Mr. Speaker—47.

NOES—None.

Assembly Bill No 1245 ordered to enrollment.

Assembly Joint Resolution No. 26—Relative to urging that the wages of those people employed on work relief projects have their wages raised to the extent of the average increase in the cost of living.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 26?

Amendment No. 1.

On page 1 of the printed measure, strike out lines 2, 3 and 4 of the title, and insert in lieu thereof the following: "Congress and the Federal Relief Administration direct their consideration to the wages of employees on work-relief projects."

Amendment No. 2.

On page 1, line 12, of the printed measure, strike out the words "their efforts toward increasing the"; and strike out all of lines 13 and 14, and insert in lieu thereof the following: "their consideration to the existing wages of employees on work-relief projects with particular reference to the increasing cost of living and differences in sizes of families, and".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Joint Resolution No. 26 by the following vote.

AYES—Baynham, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Sawallisch, Sheehan, Stream, Watson, Williamson, and Mr Speaker—47.

NOES—None.

Assembly Joint Resolution No. 26 ordered to enrollment.

Assembly Bill No. 1674—An act to amend sections 1170, 1172, 1173, 1174, 1175, 1178, 1191, 1192, 1196, 1200, and 1201 of the Insurance Code, and to add section 1180 thereto, all relating to investments by insurers.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1674?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", relating to bank stock and the retirement thereof."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 1674 by the following vote.

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, Patterson, Peek, Pelletier Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Watson, Williamson, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 1674 ordered to enrollment.

Assembly Bill No. 2609—An act to amend section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2609?

Amendment No. 1.

On page 2, line 37, of the printed bill, as amended, strike out "with or without notice as the court directs", and insert in lieu thereof the following: "after due notice".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2609 by the following vote:

AYES—Baynham, Breed, Call, Clark, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Watson, Williamson, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 2609 ordered to enrollment.

Assembly Bill No. 2613—An act to add a new section to Chapter VII of Title XIV of Part II of the Code of Civil Procedure, to be numbered 1041, and relating to forms of undertaking in civil actions.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2613?

Amendment No. 1.

On page 1 of the printed bill, following line 20, add the following:

"Every provision of this code with reference to the qualification and justification of sureties on undertakings authorized or required by any law of this State shall apply to this section."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2613 by the following vote.

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Watson, Williamson, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 2613 ordered to enrollment.

Assembly Bill No. 1818—An act to amend section 13 of and to add section 12a to the Juvenile Court Law, relating to juveniles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1818?

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out lines 36 and 37, and insert in lieu thereof the following. "report, rendered to the Controller in the months of January and July, the amount due under this act and the county".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, after the comma, insert the following. "or to amend sections 869, 880, 881, 882, 883, and 884 of, and to add section 868.10 to the Welfare and Institutions Code,".

Amendment No. 3.

On page 5 of the printed bill, as amended, after line 48, insert the following:

"SEC. 4. Section 869 of the Welfare and Institutions Code is hereby amended to read as follows:

869. No order for payment from the county treasury of the expense of support and maintenance of a ward of the juvenile court shall be effective for more than twelve months, and no order for payment from the county treasury of the expense of support and maintenance of a minor person concerning whom a verified petition has been filed in accordance with the provisions of sections 721 and 722 of this code, other than a ward of the court, shall be effective for more than one month. Upon all hearings of the case of any ward of the juvenile court the case shall be continued on the calendar, but in no instance to exceed twelve months. For each person committed to any State school, however, there shall be paid monthly to the State Treasurer the sum of twenty dollars by the county from which such person is committed for and during each month or part of month such person so committed remains in such State school or in any other State School within the State to which such person may be transferred. Each county auditor shall include in his State settlement report, rendered to the Controller in the months of January and July, the amount due under the provisions of this article, and the county treasurer, at the time of the settlement with the State in such months, shall pay to the State Treasurer, upon the order of the Controller, the amounts found to be due by reason of such commitments.

SEC. 5 Section 880 of the Welfare and Institutions Code is hereby amended to read as follows:

880. (a) Except as provided in subdivision (b) of this section, whenever a petition is filed in the juvenile court of a county other than the residence of the person named in the petition, or whenever, subsequent to the filing of a petition in the juvenile court of the county where such person resides, the residence of such person is changed to another county, the entire case may be immediately transferred to the juvenile court of the county wherein such person then resides, and the juvenile court of the county wherein such person then resides shall take jurisdiction of the case upon the filing with it of an order transferring the case.

(b) In any case, however, in which the petition alleges that the person therein named comes within the provisions of subdivision (c) of section 700 of this code,

whether or not such person has been declared a ward of the juvenile court, the transfer of such case to the juvenile court of the county wherein such person or ward then resides may be made after the determination that the residence of such person or ward has continued in the transferee county for the period of one year; and whenever any person has been declared a ward of the juvenile court, and the county has been directed to pay toward the expense of his support and maintenance and he is found to be a resident of another county by subsequent change or otherwise, the transfer of his case may be made only if his residence has continued in the transferee county for the period of one year.

SEC. 6. Section 881 of the Welfare and Institutions Code is hereby amended to read as follows:

881. The expense of the transfer of such person shall be paid from the county treasury, and the court ordering the transfer shall also pay all expenses in connection with the transfer until the acceptance of the transfer by the transferee county.

The judge shall inquire into the financial condition of such person and of the parent, parents, guardian, or other person charged with his support and maintenance, and if he finds such person, parent, parents, guardian or other person able, in whole or in part, to pay the expense of such transfer, he shall make a further order requiring such person, parent, parents, guardian, or other person to repay to the county such part, or all, of such expense of transfer as, in the opinion of the court, is proper. Such repayment shall be made to the probation officer, who shall keep suitable accounts of such expenses and repayments and shall deposit all such collections in the county treasury;

SEC. 7. Section 882 of the Welfare and Institutions Code is hereby amended to read as follows:

882. Whenever a case is transferred as provided in section 880, the order of transfer shall recite (a) each and all of the findings, order or modification of orders that have been made in the case, and (b) that the person transferred resides in the county to which the matter has been transferred. A certified copy of the original petition in the matter shall be attached to the order of transfer. Such transfer shall be accompanied by a summary of all the facts in the possession of the court or probation officer covering the history of the person;

SEC. 8. Section 883 of the Welfare and Institutions Code is hereby amended to read as follows:

883 Whenever an order of transfer from another county is filed with the clerk of any juvenile court, the clerk shall place the transfer order on the calendar of the court, and it shall have precedence over all actions and civil proceedings not specifically given precedence by other provisions of law, and shall be heard by the court at the earliest possible moment following the filing of the order.

SEC. 9. Section 884 is hereby added to the Welfare and Institutions Code to read as follows:

884. Whenever it appears that any person concerning whom a petition has been filed is in need of medical or surgical care, and there is no parent or guardian capable or willing to authorize such care, the court shall cause such person to be examined by two qualified physicians and on the written statements that such person is in need of medical attention or surgical care the court may, after due notice, enter an order therefor.

SEC. 10. Section 868.10 is hereby added to the Welfare and Institutions Code to read as follows:

868.10. In any case where a county has expended money for the support and maintenance of any ward or other minor person and the court has not made an order of reimbursement to the county, in whole or in part, as provided in this article, or the court has made and subsequently revoked such an order, if the ward or other minor person or parent, guardian or other person liable for the support of the ward or other minor person acquires property, money or estate subsequent to the date the juvenile court assumed jurisdiction over the ward or minor person or subsequent to the date the order of reimbursement was revoked, the county shall have a claim against the ward or other minor person or parent, guardian or other person liable for the support of the ward or other minor person to the amount of a reasonable charge for money so expended. Such claim shall be enforced by action of the district attorney on request of the board of supervisors.

SEC. 11. Sections 1 to 3, inclusive, of this act shall take effect only if a Welfare and Institutions Code is not enacted by the fifty-second session of the Legislature of California.

SEC. 12 Sections 4 to 10, inclusive, of this act shall take effect only if a Welfare and Institutions Code is enacted by the fifty-second session of the Legislature of California."

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 3 and 4 of the title, and insert in lieu thereof the following: "869, 880, 881, 882, and 883 of, and to add sections 868.10 and 884 to, the Welfare and Institu-".

Amendment No. 5.

On page 4, line 41, of the printed bill, as amended, strike out "July", and insert in lieu thereof the following: "June".

Amendment No. 6.

On page 6, line 20, of the printed bill, as amended, strike out "July", and insert *in lieu thereof the following:* "June".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1818 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Sheehan, Stream, Watson, Williamson, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1818 ordered to enrollment

Assembly Bill No. 1905—An act to amend section 146 of the Civil Code by adding a section thereto to be numbered five, relating to homesteads on property held in joint tenancy.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1905?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following:

"An act to amend section 146 of the Civil Code, relating to the disposition of community property upon the dissolution of marriages."

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, before "In", insert the following: "One."

Amendment No. 3.

On page 1, line 4, of the printed bill, as amended, strike out the comma after "property", and strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "shall be assigned".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 11 to 13, inclusive.

Amendment No. 5.

On page 1, line 14, of the printed bill, as amended, strike out "Three", and insert in lieu thereof the following: "Two".

Amendment No. 6.

On page 1, line 20, of the printed bill, as amended, strike out "Four", and insert in lieu thereof the following "Three".

Amendment No. 7.

On page 1, line 24, of the printed bill, as amended, strike out "Five", and insert in lieu thereof the following: "Four".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1905 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Watson, Williamson, and Mr Speaker—47.

NOES—None.

Assembly Bill No. 1905 ordered to enrollment.

Assembly Bill No. 2197—An act to amend sections 2, 3, 7, 11, 12 and 22 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately," approved June 25, 1935; to repeal section 32 of said act; to renumber sections 33 and 34 of said act; relating

to the taxation of the storage, use or other consumption of tangible personal property.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2197?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "3," insert "6,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "and", and insert in lieu thereof a comma.

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, as amended, after "25", insert ", 27 and 29".

Amendment No. 4.

On page 1, line 10 of the title of the printed bill, as amended, strike out "section", and in lieu thereof insert "sections".

Amendment No. 5.

On page 1, line 10 of the title of the printed bill, as amended, before "32", insert "21, 22, 23, 24 and ".

Amendment No. 6.

On page 1, line 11 of the title of the printed bill, as amended, between "sections" and "33", insert "25, 26, 27, 28, 29, 30, 31,".

Amendment No. 7.

On page 1, line 11 of the title of the printed bill, as amended, strike out "32 and 33", and insert in lieu thereof "21, 22, 23, 24, 25, 26, 27, 28 and 29"

Amendment No. 8.

On page 2, line 15, of the printed bill, as amended, strike out "nor", and in line 16, strike out "shall the sales price include", and insert in lieu thereof "and "sales price" shall not include the amount charged for property returned by customers when the entire amount charged therefor is refunded either in cash or credit or".

Amendment No. 9.

On page 3 of the printed bill, as amended, between lines 20 and 21, insert the following:

"In the event that the excise tax herein imposed should be judicially determined to be a property tax, this act shall be regarded as having been enacted as of June 30, 1935, in the exercise of the power of classification conferred by section 14 of Article XIII of the California Constitution and all taxes, interest and penalties imposed, levied, assessed accrued or collected hereunder from such date and prior to the adoption of this amendment are hereby legalized and ratified and the assessment, levy, collection and accrual of all taxes, interest and penalties prior to the adoption of this amendment are hereby legalized, ratified and confirmed as fully to all intents and purposes as if this act had been adopted by the vote of two thirds of all the members elected to each of the two houses of the Legislature. All such taxes, interest and penalties which had accrued and remained unpaid on the date of the adoption of this amendment shall be assessed and collected pursuant to the provisions of this act. Nothing contained herein shall be construed to import illegality to the tax imposed by this act.

SEC. 3. Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6. Every retailer maintaining a place of business in this State and making sales of tangible personal property for storage, use or other consumption in this State not exempted under the provisions of section 4 hereof, shall, at the time of making such sales or, if the storage, use or other consumption of the tangible personal property is not then taxable hereunder, at the time such storage, use or other consumption becomes taxable hereunder, collect the tax imposed by this act from the purchaser and give to the purchaser a receipt therefor in the manner and form prescribed by the board. The tax required to be collected by the retailer from the purchaser shall be displayed separately from the list, advertised in the premises, marked or other price on the sales check or other proof of sales.

It shall be unlawful for any retailer to advertise or hold out or state to the public or to any customer, directly or indirectly, that the tax or any part thereof imposed by this act will be assumed or absorbed by the retailer or that it will not be added to the selling price of the property sold, or if added that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

The tax herein required to be collected by the retailer shall constitute a debt owed by the retailer to this State."

Amendment No. 10.

On page 3, line 21, of the printed bill, as amended, strike out "3", and insert in lieu thereof "4".

Amendment No. 11.

On page 3, line 25, of the printed bill, as amended, after "period", insert "during which the storage, use or other consumption of tangible personal property became taxable hereunder".

Amendment No. 12.

On page 3, line 36, of the printed bill, as amended, strike out "during such preceding quarterly period"

Amendment No. 13.

On page 3, line 37, of the printed bill, as amended, strike out "is", and insert in lieu thereof "became"

Amendment No. 14.

On page 3, line 38, of the printed bill, as amended, after "act", insert "during the preceding quarterly period".

Amendment No. 15.

On page 3 of the printed bill, as amended, strike out lines 48 to 50, inclusive, and insert in lieu thereof the following:

"Every person purchasing tangible personal property, the storage, use or other consumption of which is subject to the tax imposed by this act, and who has not paid the tax due with respect thereto to a retailer required or authorized hereunder to collect the tax, shall on or before the fifteenth"

Amendment No. 16.

On page 4 of the printed bill, as amended, strike out lines 5 and 6, and insert in lieu thereof "erty purchased by such person, the storage, use or other consumption of which became".

Amendment No. 17.

On page 4, line 7, of the printed bill, as amended, after "act", insert "during the preceding quarterly period and with respect to which the tax was not paid to a retailer required or authorized hereunder to collect the tax

Amendment No. 18.

On page 4, line 10, of the printed bill, as amended, after "imposed", insert "and not paid to a retailer required or authorized hereunder to collect the tax"

Amendment No. 19.

On page 4, line 34, of the printed bill, as amended, strike out "4", and insert in lieu thereof "5".

Amendment No. 20.

On page 4, line 37, of the printed bill, as amended, after "payment of", insert "the tax or".

Amendment No. 21.

On page 5, line 12, of the printed bill, as amended, strike out "5", and insert in lieu thereof "6".

Amendment No. 22.

On page 5, line 40, of the printed bill, as amended, strike out "6", and insert in lieu thereof "7".

Amendment No. 23.

On page 5, line 44, of the printed bill, as amended, strike out "note", and insert in lieu thereof "thereupon make a determination of such tax or amount of tax herein required to be collected, noting".

Amendment No. 24.

On page 5 of the printed bill, as amended, strike out lines 45 and 46, and insert in lieu thereof "fact upon such determination, and the amount thereof shall be imme-".

Amendment No. 25.

On page 5, line 48, of the printed bill, as amended, strike out "or assessment".

Amendment No. 26.

On page 5 line 49, of the printed bill, as amended, strike out "or", and in line 50, strike out "assessment".

Amendment No. 27.

On page 5, line 50, of the printed bill, as amended, after "thereof," insert "such amount becomes final at the expiration of such ten days, unless a petition for redetermination is filed within such ten days, and".

Amendment No. 28.

On page 6, line 5, of the printed bill, as amended, strike out "or reassessment".

Amendment No. 29.

On page 6, line 6, of the printed bill, as amended, strike out "or 22".

Amendment No. 30.

On page 6, line 7, of the printed bill, as amended, strike out "or reassessment".

Amendment No. 31.

On page 6, line 9, of the printed bill, as amended, strike out "or assessment".

Amendment No. 32.

On page 6, line 15, of the printed bill, as amended, strike out "7", and insert in lieu thereof "8".

Amendment No. 33.

On page 6, line 41, of the printed bill, as amended, strike out "8", and insert in lieu thereof "9".

Amendment No. 34.

On page 7, line 35, of the printed bill, as amended, strike out "9", and insert in lieu thereof "10".

Amendment No. 35.

On page 7 of the printed bill, as amended, strike out lines 40 to 51, inclusive, and on page 8, strike out lines 1 to 43, inclusive.

Amendment No. 36.

On page 8, line 44, of the printed bill, as amended, strike out "12", and insert in lieu thereof "11".

Amendment No. 37.

On page 8, line 45, of the printed bill, as amended, after "hereby", insert "renumbered section 21 and".

Amendment No. 38.

On page 8, line 46, of the printed bill, as amended, strike out "25", and insert in lieu thereof "21".

Amendment No. 39.

On page 9 of the printed bill, as amended, between lines 19 and 20, insert the following:

"SEC 12. Section 26 of the act cited in the title hereof is hereby renumbered section 22 to read as follows:

Sec. 22. It shall be unlawful for the board, or any person having an administrative duty under this act to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any retailer or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; provided, however, that the Governor may authorize examination of such returns by other State officers, by tax officers of another State, or the Federal Government, if a reciprocal arrangement exists, and any other persons the Governor may so authorize.

demeanor, and shall for each such offense be fined not less than three hundred dollars ($300) and not more than five thousand dollars ($5,000) or be imprisoned not exceeding one year in the county jail or be subject to both said fine and imprisonment in the discretion of the court.

SEC. 17. Section 31 of the act cited in the title hereof is hereby renumbered section 27 to read as follows:

Sec. 27. Any violation of the provisions of this act, except as otherwise herein provided, shall be a misdemeanor and punishable as such."

Amendment No. 40.

On page 9 of the printed bill, as amended, strike out lines 20 and 21

Amendment No. 41.

On page 9, line 22, of the printed bill, as amended, strike out "14", and insert in lieu thereof "18".

Amendment No. 42.

On page 9, line 23 of the printed bill, as amended, after "renumbered", insert "section 28".

Amendment No. 43.

On page 9, line 24, of the printed bill, as amended, strike out "32", and insert in lieu thereof "28".

Amendment No. 44.

On page 9, line 32, of the printed bill, as amended, strike out "15", and insert in lieu thereof "19".

Amendment No. 45.

On page 9, line 33, of the printed bill, as amended, after "renumbered", insert "section 29".

Amendment No. 46.

On page 9, line 34, of the printed bill, as amended, strike out "33", and insert in lieu thereof "29".

Amendment No. 47.

On page 9 of the printed bill, as amended, between lines 37 and 38, insert:

"SEC. 20 Sections 21, 22, 23, 24 and 32 of the act cited in the title hereof as they existed on January 1, 1937, are hereby repealed."

Amendment No. 48.

On page 9, line 38, of the printed bill, as amended, strike out "16", and insert in lieu thereof "21"

Amendment No. 49.

On page 9, line 44, of the printed bill, as amended, strike out "17", and insert in lieu thereof "22".

Amendment No. 50.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act to amend sections 2, 3, 6, 7, 9, 10, 11, 12, 17 and 19, to amend and renumber sections 25, 26, 27, 28, 29, 30, 31, 33 and 34, and to repeal sections 21, 22, 23, 24 and 32 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations for the provisions hereof, and providing that this act shall take effect immediately," approved June 25, 1935; relating to the taxation of storage, use, or other consumption of tangible personal property; and to provide that this act shall take effect immediately."

Amendment No. 51.

On page 3, line 29, of the printed bill, as amended, after "interest", insert "and"

Amendment No. 52.

On page 5, line 43, of the printed bill, as amended, after "or", strike out "of"; and in the same line after "payment", insert "of".

Amendment No. 53.

On page 7, lines 15 and 16, of the printed bill, as amended, strike out "or assessment".

Amendment No. 54.

On page 13 of the printed bill, as amended, strike out line 26, and insert in lieu **thereof "and employees".**

Amendment No. 55.

On page 13 of the printed bill, as amended, between lines 34 and 35, insert the following: "of the Use Tax Act of 1935 as they existed on January 1, 1937, are hereby continued in force until July 1, 1937, and that the provisions".

Amendment No. 56.

On page 4, line 36, of the printed bill, as amended, strike out "owned", and insert in lieu thereof "owed".

Amendment No. 57.

On page 6, line 26, of the printed bill, as amended, strike out "of", and insert in lieu thereof "or"

Amendment No. 58.

On page 6, line 51, of the printed bill, as amended, after "month", insert a comma

Amendment No. 59.

On page 8, line 24, of the printed bill, as amended, after "act", insert "or the California Retail Sales Tax Act of 1933,".

Amendment No. 60.

On page 8, line 39, of the printed bill, as amended, after "act", insert "or the California Retail Sales Tax Act of 1933,".

Amendment No. 61.

On page 9, line 7, of the printed bill, as amended, strike out "the amounts", and insert in lieu thereof "such amount".

Amendment No. 62.

On page 9, line 27, of the printed bill, as amended, strike out "collected by this act", and insert in lieu thereof "paid hereunder".

Amendment No. 63.

On page 10 of the printed bill, strike out all of line 39, and insert in lieu thereof "amount due hereunder,".

Amendment No. 64.

On page 10 of the printed bill, as amended, strike out lines 42 and 43, and insert in lieu thereof "and determination of such amount."

Amendment No. 65.

On page 11, line 35, of the printed bill, as amended, strike out "Controller", and insert in lieu thereof "board".

Amendment No. 66.

On page 12, line 1, of the printed bill, as amended, strike out "assessment or".

Amendment No. 67.

On page 12, line 2, of the printed bill, as amended, before "amount", insert "an".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2197 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Watson, Williamson, and Mr. Speaker—47.

NOES—None.

Assembly Bill No 2197 ordered to enrollment.

Assembly Bill No. 2289—An act to add section 900 5 to the Insurance Code, relating to financial statement of insurers.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2289?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "7".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "7".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "7".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2289 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Leonard, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Williamson, and Mr. Speaker—48.

NOES—None.

Assembly Bill No 2289 ordered to enrollment.

Assembly Bill No. 2773—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2773?

Amendment No. 1.

On page 2, line 35, of the printed bill, as amended, strike out the period and "County clerks may", and strike out lines 36 to 39, inclusive; and in line 40, strike out "such meeting or", and insert in lieu thereof a comma and the following "and".

Amendment No. 2.

On page 2, line 43, of the printed bill, as amended, strike out "Provided further, that said", and strike out lines 44, 45 and 46.

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 2773 by the following vote:

AYES—None.

NOES—Baynham, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Voigt, Williamson, and Mr. Speaker—51.

Assembly Bill No. 1189—An act to amend section 5 of the Retail Sales Tax Act of 1933, as amended in 1935, relating to the exemption of vessels.

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1189?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend section 5 of", and insert in lieu thereof the following: "add section 5 7 to".

Amendment No. 2.

On page 1, lines 1 and 2, of the printed bill, as amended, strike out "5 of the act cited in the title hereof is hereby amended", and insert in lieu thereof the following: "5 7 is hereby added to the act cited in the title hereof".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 3 to 23, inclusive, and on page 2, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following:

"SEC. 5.7. There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act the gross receipts from sales by builders thereof of vessels of more than one thousand tons burden."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1189 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Robertson, Sawallisch, Sheehan, Stream, Watson, Williamson, and Mr. Speaker—51.

NOES—Gilbert, and Hunt—2.

Assembly Bill No. 1189 ordered to enrollment.

Assembly Bill No. 1190—An act to amend section 4 of the Use Tax Act of 1935.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1190?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend section 4 of the Use Tax Act of 1935", and insert in lieu thereof the following: "add section 4 7 to the Use Tax Act of 1935,".

Amendment No. 2.

On page 1, lines 1 and 2, of the printed bill, as amended, strike out "4 of the act cited in the title hereof is hereby amended", and insert in lieu thereof the following: "4 7 is hereby added to the act cited in the title hereof".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "4.7".

Amendment No. 4.

On page 1, line 5, of the printed bill, as amended, strike out the colon, and strike out the balance of the bill, and insert in lieu thereof a comma and the following: "namely, any ship of more than one thousand tons burden purchased in this State from the builders thereof, with respect to which this tax would, if such ship had been purchased outside this State or purchased in interstate commerce, be inoperative because prohibited under the Constitution or the laws of the United States of America or the Constitution of this State."

Amendment No. 5.

On page 1, line 2 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof the following "relating to exemptions from the tax imposed by said act".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1190 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Robertson, Sawallisch, Sheehan, Stream, Voigt, Watson, Williamson, and Mr Speaker—53.

NOES—None.

Assembly Bill No 1190 ordered to enrollment.

Assembly Bill No. 1191—An act to amend sections 4, 4d, 6, 15, 17b and 20 of the Juvenile Court Law, relating to the provisions of care, custody and maintenance for minor persons, through or under the supervision of the juvenile court.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1191?

Amendment No. 1.

On page 1, line 5, of the printed bill, after "inclusive of", insert the following: "section 1 of".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, after "Law," insert the following: "or to amend sections 604, 638, 643, 701, 726, 825, 826 and 827 of the Welfare and Institutions Code,".

Amendment No. 3.

On page 7 of the printed bill, as amended, after line 20, insert the following:

"SEC. 7. Section 604 of the Welfare and Institutions Code is hereby amended to read as follows:

604. The probation committee shall also make to the court an annual report to be filed as a public document within thirty days after the thirty-first day of December of the calendar year for which such report is made, copies of which shall be filed with the county board of supervisors and the State Department of Social Welfare.

SEC. 8. Section 638 of the Welfare and Institutions Code is hereby amended to read as follows:

638. Whenever application for the drawing of a petition under the provisions of this chapter is made to the district attorney of the county or to the probation officer the probation officer shall make such investigation as may be required by the district attorney, or whenever a report or complaint is made to the probation officer, that any person comes within the provisions of any of the subdivisions of section 700, said probation officer shall make such investigation as to him may seem necessary, for the purpose of determining the necessity of filing a petition. The probation officer shall make and keep a record in writing of such investigation. Such record shall not be open to public inspection nor shall any person be permitted to read such record, or any part thereof, except upon approval of the probation officer or the judge of the juvenile court. If, after such investigation it appears to the district attorney or to the probation officer to whom report or complaint has been made that a petition should not be drawn such district attorney or probation officer may refuse to draw such petition.

SEC. 9. Section 643 of the Welfare and Institutions Code is hereby amended to read as follows:

643. Every probation officer, within fifteen days after the thirty-first day of December, of each year, shall make in writing and file as a public document a report to the judge of the juvenile court of the county in which such probation officer is appointed, and shall furnish to the county board of supervisors and to the State Department of Social Welfare a copy thereof. Such report, without giving names, shall state the exact number of wards of the juvenile court that remain under commitment to the care and custody of the probation officer, and the exact number of such wards of whose cases other disposition has been made, deducting all cases dismissed or discharged as reformed, or where such ward has passed the age of twenty-one years upon such thirty-first of December, segregating such wards as to sex, the subdivision of section 700 under which they were adjudged wards and the year they were so adjudged up to and including the calendar year for which such report is made and filed.

SEC. 10 Section 701 of the Welfare and Institutions Code is hereby amended to read as follows:

701. The jurisdiction of the juvenile court extends also to any person who should be declared free from the custody and control of his parents. The words "persons who should be declared free from the custody and control of his parents" include any person who comes within any of the following descriptions:

(a) Who has been left by his parent, or parents in the care and custody of another without any provision for his support, or without communication from such parent or parents, for the period of one year with the intent to abandon such person; such failure to provide, or such failure to communicate for the period of one year shall be presumptive evidence of the intent to abandon; and such person shall be deemed and called an abandoned person

(b) Who has been cruelly treated or neglected by his parent or parents; but no petition shall be filed praying that any such person be declared free from the custody and control of his parents unless for the period of one year continuously immediately prior to the filing of such petition, he has been a ward of the juvenile court and the parents deprived of his custody because of such cruel treatment or neglect

(c) Whose parent or parents are habitually intemperate; or morally depraved but no petition shall be filed praying that any such person be declared free from the custody and control of his parents unless for the period of one year continuously immediately prior to the filing of such petition, he has been a ward of the juvenile court and such parent or parents deprived of his custody because of such intemperance or moral depravity.

(d) Whose parent or parents are deprived of their civil rights due to the conviction of a felony, if, after investigation and service of citations as prescribed in this chapter upon the parent or parents who are imprisoned, the court decides that the felony of which such parent or parents were convicted is of such nature as to prove the unfitness of the parent or parents to have the future custody and control of the child, or that the term of sentence of such parent or parents is of such length that the child will be deprived of a normal home for a period of years.

(e) Whose parent or parents have been divorced on the ground of adultery, if the court, after service of citations as prescribed in this chapter upon such parent or parents and the presentation of all the evidence finds that the future welfare of the child will be promoted by an order depriving such parent or parents of the control and custody of the child

(f) Whose parent or parents have been declared by a court of competent jurisdiction to be feeble-minded or insane, of the State Director of Institutions and the superintendent of the State hospital of which, if any, the parent or parents are inmates or patients, certify that the parent or parents will not be capable of supporting or controlling the child in a proper manner

SEC. 11 Section 726 of the Welfare and Institutions Code is hereby amended to read as follows

726. Upon the filing of a petition alleging that a person comes within any of the provisions of section 700 of this code, a citation shall issue, directing the parent, guardian or other person having the custody or control of the person, concerning whom the petition has been filed, and who resides within or is within the county and whose place of residence is known to the petitioner or to the probation officer to appear at the time and place for which hearing of the petition has been set. Such citation may further direct that such parent, guardian or other person bring with him the person concerning whom the petition has been filed. Service of the citation shall be made at least twenty-four hours before the time stated therein for such appearance

If such parent, guardian or other person is not within the county in which the petition has been filed nor residing therein and his residence or address is known to the petitioner or probation officer, he shall be served with notice of the time and place for which hearing of the petition has been set by registered mail. The probation officer shall serve such notice which shall be done and the proof thereof made in accordance with the provisions of sections 1013 and 1013a of the Code of Civil Procedure together with the filing of a registered mail receipt from such parent, guardian or other person showing that such notice has been received by him.

In the absence from the county of any such parent, guardian or other person and the presence within the county of some relative of the person concerning whom the petition has been filed, whose address is known to the petitioner or probation officer, citation shall issue to and be served on such relative. Service of citation may be waived by any person by a voluntary appearance entered in the minutes of the court or by a written waiver of service of citation filed with the clerk of the court at or prior to the hearing. In any case, the court may appoint some suitable person to act in behalf of the person concerning whom the petition has been filed and may order such further notice of the proceedings to be given as the court may deem proper.

SEC. 12 Section 825 of the Welfare and Institutions Code is hereby amended to read as follows:

825. No court shall have jurisdiction to try the case of any person under the age of eighteen years at the time of the alleged commission of a public offense or crime unless the matter has first been submitted to the juvenile court by petition as provided in Article 7 of this chapter, or by certificate of any other court as provided in this article, and said juvenile court has made an order therein directing that such person be prosecuted under the general law.

SEC. 13 Section 826 of the Welfare and Institutions Code is hereby amended to read as follows.

826. Whenever a deposition, or complaint indictment or information is filed in any court charging a person with a crime, and it is suggested or appears to the judge, justice or recorder before whom such person is brought that the person charged was, at the date the offense is alleged to have been committed, under the age of eighteen years, such judge, justice or recorder, shall immediately suspend all proceedings against such person on such charge; he shall examine into the age of such person, and if, from such examination, it appears to his satisfaction that such person was at the date the offense is alleged to have been committed under the age of eighteen years, he shall forthwith certify to the juvenile court of his county:

(a) that such person (naming him) is charged with such crime (briefly stating its nature);

(b) that such person appears to be under the age of eighteen years, giving date of birth when known;

(c) that proceedings have been suspended against such person on such charge by reason of his age, with the date of such suspension.

Immediately thereupon all proceedings against such person on such charge shall be suspended until the juvenile court issues its mandate, as provided in sections 831 and 832, directing the court before which the charge was made to proceed with the examination into or trial thereof, and the court so suspending its proceedings shall forthwith cause such person to be taken before the juvenile court of the county for consideration and proceedings under this chapter.

SEC. 14. Section 827 of the Welfare and Institutions Code is hereby amended to read as follows:

827. To such certification the judge, justice or recorder, or the clerk of the court shall attach a certified copy of the original deposition, complaint, indictment or information and when the person charged with crime is brought before the judge of the juvenile court, that judge shall direct the probation officer to file a petition as provided in sections 721 and 722 of this code, except that such petition need not be verified; and the probation officer shall forthwith comply with such directions.

SEC. 15 Sections 1 to 6, inclusive, of this act shall take effect only if a Welfare and Institutions Code is not enacted by the fifty-second Legislature of California

SEC. 16. Sections 7 to 14, inclusive, of this act shall take effect only if a Welfare and Institutions Code is enacted by the fifty-second Legislature of California."

Amendment No. 4.

On page 8 of the printed bill, as amended, strike out lines 22 to 52, inclusive, and on page 9, strike out lines 1 to 21, inclusive, and insert in lieu thereof the following:

"701. The jurisdiction of the juvenile court extends also to any person who should be declared free from the custody and control of his parents. The words "person who should be declared free from the custody and control of his parents" include any person under the age of twenty-one years who comes within any of the following descriptions:

(a) Who has been left by his parents in the care and custody of another without any provision for his support, or without communication from either parent, for the period of one year with the intent to abandon such person. Such failure to provide, or such failure to communicate for the period of one year shall be presumptive evidence of the intent to abandon. Such person shall be deemed and called an abandoned person.

(b) Who has been cruelly treated or neglected by his parents, if such person has been a ward of the juvenile court, and the parents deprived of his custody because of such cruel treatment or neglect, for the period of one year continuously immediately prior to the filing of a petition praying that he be declared free from the custody and control of his parents.

(c) Whose parents are habitually intemperate, or morally depraved, if such person has been a ward of the juvenile court, and the parents deprived of his custody because of such intemperance, or moral depravity, for the period of one year continuously immediately prior to the filing of a petition praying that he be declared free from the custody and control of his parents.

(d) Whose parents are deprived of their civil rights due to the conviction of a felony, if, after investigation and service of citations as prescribed in this chapter upon the parents who are imprisoned, the court decides that the felony of which such parents were convicted is of such nature as to prove the unfitness of the parents to have the future custody and control of the child, or that the terms

of sentence of such parents are of such length that the child will be deprived of a normal home for a period of years.

(e) Whose parents have, in a divorce action, been found to have committed adultery and been divorced on that ground if the court, after service of citations as prescribed in this chapter upon such parents and the presentation of all the evidence, finds that the future welfare of the child will be promoted by an order depriving such parents of the control and custody of the child.

(f) Whose parents have been declared by a court of competent jurisdiction to be feeble-minded or insane, if the State Director of Institutions and the superintendent of the State hospital of which, if any, the parents are inmates or patients certify that the parents will not be capable of supporting or controlling the child in a proper manner."

Amendment No. 5.

On page 10, line 17, of the printed bill, as amended, strike out "the".

Amendment No. 6.

On page 10, line 22, of the printed bill, as amended, strike out "or complaint", and insert in lieu thereof the following: "complaint,".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1191 by the following vote

AYES—Baynham, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Robertson, Sawallisch, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Williamson, and Mr. Speaker—52.

NOES—None

Assembly Bill No. 1191 ordered to enrollment.

Assembly Bill No. 1243—An act to provide for the levy and collection of a tax upon the income of corporations and to provide for the disposition of revenue therefrom.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1243?

Amendment No. 1.

On page 2, line 2, of the printed bill, as amended on April 20th, strike out the word "centum", and insert in lieu thereof the word "cent".

Amendment No. 2.

On page 3 of the printed bill, as amended on April 20th, strike out all of line 17, following the word "property", and strike out all of line 18 preceding the word "which", and insert in lieu thereof the following: "(other than dividends deductible under the provisions of subdivision (h) of this section and other than dividends from corporations, fifty per cent or more of the outstanding stock of which is owned by the taxpayer)".

Amendment No. 3.

On page 3, line 35, of the printed bill, as amended April 20th, after the word "commissioner", insert a comma.

Amendment No. 4.

On page 4, line 35, of the printed bill, as amended April 20th, after the word "herein", and before the period, insert the following: "; provided, however, that the words 'with the approval of the secretary' in said sections shall be deemed omitted".

Amendment No. 5.

On page 4 of the printed bill, as amended April 20th, between lines 36 and 37 insert the following: "corporation taxable under this act declared from income which has been taxed under the provisions of this act to the corporation declaring the dividends, and dividends received during the taxable year from a".

Amendment No. 6.

On page 5 of the printed bill, as amended April 20th, between lines 21 and 22, insert the following:

"(i) In the case of a corporation, contributions or gifts made within the taxable year to or for the use of a corporation, trust, community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes or the prevention of cruelty to children (but only if such contributions or gifts are to be used within the United States exclusively for such purposes), no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; to an

amount which does not exceed five per cent of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner."

Amendment No. 7.

On page 5 of the printed bill, as amended April 20th, between lines 34 and 35, insert the following:

"(d) Any amount otherwise allowable as a deduction which is allocable to one or more classes of income not included in the measure of the tax imposed by this act.

(e) Except in case of distributions in liquidation, losses from sales or exchanges of property directly or indirectly between an individual and a corporation in which such individual owns directly or indirectly more than fifty per cent in value of the outstanding stock. For the purpose of this subdivision an individual shall be considered as owning the stock owned directly or indirectly by his family and the family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestors and lineal descendants"

Amendment No. 8.

On page 6, line 36, of the printed bill, as amended April 20th, after the word "section", insert a comma.

Amendment No. 9.

On page 8, line 20, of the printed bill, as amended April 20th, strike out the comma after the word "income", and insert a comma after the word "shall".

Amendment No. 10.

On page 9, line 13, of the printed bill, as amended April 20th, after the period, add the following: "A tax imposed by this act or any installment thereof may be paid at the election of the taxpayer, prior to the date prescribed for its payment."

Amendment No. 11.

On page 9, line 26, of the printed bill, as amended April 20th, after the word 'then', insert a comma.

Amendment No. 12.

On page 9, line 41, of the printed bill, as amended April 20th, after the word "of", and before the word "paragraph", insert the following: "the preceding"; and strike out the following "(1)".

Amendment No. 13.

On page 10, line 21, of the printed bill, as amended April 20th, strike out the word "inerest", and insert in lieu thereof the following: "interest".

Amendment No. 14.

On page 11, line 22, of the printed bill, as amended April 20th, after the word "board", insert a comma.

Amendment No. 15.

On page 11, line 50, of the printed bill, as amended April 20th, after the word "If", insert a comma.

Amendment No. 16.

On page 11, line 10, of the printed bill, as amended April 20th, after the word "therefor", strike out the comma and insert in lieu thereof a period; strike out the word "such", and insert in lieu thereof "Such".

Amendment No. 17.

On page 12, line 33, of the printed bill, as amended April 20th, strike out the comma, and insert in lieu thereof a period; strike out the word "such", and insert in lieu thereof the word "Such".

Amendment No. 18.

On page 12, line 42, of the printed bill, as amended April 20th, strike out the word "centum", and insert in lieu thereof the word "cent".

Amendment No. 19.

On page 13, line 2, of the printed bill, as amended April 20th, strike out "centum", and insert in lieu thereof "cent".

Amendment No. 20.

On page 13, line 4, of the printed bill, as amended April 20th strike out the following "Controller of the State", and insert in lieu thereof the following, "commissioner"

Amendment No. 21.

On page 13, line 7, of the printed bill, as amended April 20th, after the word "court", insert a comma; and in line 8, after the word "General", insert a comma, and strike out the word "order", and insert in lieu thereof the word "orders".

Amendment No. 22.

On page 14 of the printed bill, as amended April 20th, strike out all of lines 4 to 20, both inclusive, and insert in lieu thereof the following:

"SEC. 22. The taxes imposed by this act shall constitute a lien upon the real property of the taxpayer, which lien shall have the same force, effect and priority as a judgment lien and shall attach on the last day of the "taxable year". The lien provided for in this section shall remain until the taxes are paid or the property subject to the lien is sold for the payment thereof; provided, however, that the commissioner may at any time release all or any portion of the property subject to the lien from the lien or subordinate the lien to other liens if he determines that the taxes are sufficiently secured by a lien on other property of the taxpayer or that the release or subordination of the lien will not endanger or jeopardize the collection of such taxes. A certificate by the commissioner to the effect that any property has been released from the lien herein provided for or that such lien has been subordinated to other liens shall be conclusive evidence that the property has been released or that the lien has been subordinated as provided in the certificate. No decree of dissolution shall be made and entered by any court, nor shall the county clerk of any county or the Secretary of State file any such decree, or file any other document by which the term of existence of any taxpayer shall be reduced or terminated, nor shall the Secretary of State file any certificate of the surrender by a foreign corporation of its right to do intrastate business in this State until the tax, penalties, and interest shall have been paid."

Amendment No. 23.

On page 14, line 30, of the printed bill, as amended April 20th, after the word "hereof", and before the period, insert the following: "; and provided further, that no such action shall be filed to recover any deficiency assessment, or any part thereof, if the taxpayer has at any time appealed to the State Board of Equalization from the action of the commissioner in overruling the taxpayer's protest to the commissioner's proposal of the said deficiency assessment."

Amendment No. 24.

On page 15, line 19, of the printed bill, as amended April 20th, strike out "centum", and insert in lieu thereof "cent".

Amendment No. 25.

On page 15, line 27, of the printed bill, as amended April 20th, strike out the following: "Controller of the State", and insert in lieu thereof the following: "commissioner".

Amendment No. 26.

On page 15, line 40, of the printed bill, as amended April 20th, strike out the following: "or by the Controller".

Amendment No. 27.

On page 15, line 48 of the printed bill, as amended April 20th, strike out the following: "Controller", and insert in lieu thereof the following: "commissioner".

Amendment No. 28.

On page 15, line 49, of the printed bill, as amended April 20th, strike out "Con-".

Amendment No. 29.

On page 15, line 50, of the printed bill, as amended April 20th, strike out "troller", and insert in lieu thereof the word "Commissioner"; before the word "property", insert the word "personal"; and strike out the words "real or personal,".

Amendment No. 30.

On page 16, line 29, of the printed bill, as amended April 20th, strike out "Con-", and in line 30, strike out "troller", and insert in lieu thereof the word "commissioner".

Amendment No. 31.

On page 16, line 31, of the printed bill, as amended April 20th, strike out the word "Controller", and insert in lieu thereof the word "commissioner".

Amendment No. 32.

On page 16, lines 32 and 33, of the printed bill, as amended April 20th, strike out the following: "for the personal property, and a deed for any real property so sold," and insert in lieu thereof the following: "for the property so sold".

Amendment No. 33.

On page 16, line 33, of the printed bill, as amended April 20th, strike out the words "or deed".

Amendment No. 34.

On page 16, line 42, of the printed bill, as amended April 20th, strike out the word "Controller", and insert in lieu thereof the word "commissioner".

Amendment No. 35.

On page 16, line 43, of the printed bill, as amended April 20th, strike out the word "Controller", and insert in lieu thereof the word "commissioner"

Amendment No. 36.

On page 16, line 47, of the printed bill, as amended April 20th, strike out the word "Controller", and insert in lieu thereof the word "commissioner".

Amendment No. 37.

On page 17, line 3, of the printed bill, as amended April 20th, strike out the word "Controller", and insert in lieu thereof the word "commissioner".

Amendment No. 38.

On page 2 of the printed bill, as amended May 6th, strike out lines 16 to 2, both inclusive, and insert in lieu thereof the following:

"SEC. 4. The following corporations shall be exempt from taxation under this act, if their organization or activities are not designed for, and do not result in financial or pecuniary gain or profit to the stockholders or members thereof:

(a) Corporations organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation;

(b) Incorporated clubs organized and operated exclusively for pleasure and recreation;

(c) Incorporated fraternal beneficiary societies, orders or associations (1) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system; (2) providing for the payment of life, sick, accident, or other benefits to the members of such society, order or association or their dependents;

(d) Cemetery corporations owned and operated exclusively for the benefit of their members or which are not operated for profit; and any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose;

(e) Corporations operated exclusively for civic purposes.

Before any exemption may be granted to a corporation under this subsection, such corporation must file an affidavit with the commissioner specifying such facts as he may by rule or otherwise require in order to carry out the provisions of this subsection.

To such affidavit should be attached a copy of the articles of incorporation, the by-laws of the corporation and the latest financial statement, showing the assets, liabilities, receipts and disbursements of the corporation."

Amendment No. 39.

On page 5 of the printed bill, as amended on May 6th, strike out all that portion of line 22 following "expenses,"; strike out all of lines 23 and 24, inclusive, and insert in lieu thereof the following: "all income resulting from or arising out of such business activities for or with their members carried on by them or their agents, or when done on a nonprofit basis for or with nonmembers."

Amendment No. 40.

On page 5 of the printed bill, as amended on May 6th, strike out all that portion of line 27 following "basis,"; strike out all of lines 28 and 29, inclusive, and insert in lieu thereof the following: "all income resulting from or arising out of business activities for or with their members, or with nonmembers, done on a nonprofit basis."

Amendment No. 41.

On page 5, line 30, of the printed bill, as amended May 6th, strike out the subsection letter "(i)", and insert in lieu thereof the following: "(*l*)"

Amendment No. 42.

On page 19 of the printed bill, as amended May 6th, strike out lines 9 to 15, both inclusive, and insert in lieu thereof the following: "be transmitted promptly to the State Treasurer, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller.

All moneys and remittances so received and so transmitted shall be deposited, after clearance of remittances, in the State Treasury and credited to the "Bank and corporation franchise tax fund." The moneys in said fund shall, upon order of the State Controller, be drawn therefrom for the purpose of making refunds hereunder or be transferred to the general fund of the State.

For expenditure by the commissioner in carrying out the provisions of this act, there is hereby appropriated a sum of money equal to fifteen thousand dollars, or so much thereof as may be necessary; said fifteen thousand dollars being payable out of moneys in the general fund not otherwise appropriated."

Amendment No. 43.

On page 2 of the printed bill, as amended on May 14th, strike out all of lines 24 to 52, both inclusive.

Amendment No. 44.

On page 3 of the printed bill, as amended on May 14th, strike out all of lines 1 to 3, both inclusive, and insert in lieu thereof the following.

"SEC. 4 Corporations organized for religious, charitable, social, cemetery, scientific, educational, recreational, literary, fraternal or civic purposes, if their organiza-

tion or activities are not designed for, and do not result in financial or pecuniary gain or profit to the stockholders or members thereof, shall not be taxed under this act."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1243 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Sawallisch, Sheehan, Stream, Thorp, Voigt, Walker, Watson, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 1243 ordered to enrollment.

Assembly Bill No. 1060—An act to amend sections 1295, 1297, 1298, 1300 and 1301 of the Penal Code, all relating to bail.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1060?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 12 to 20, inclusive, and insert in lieu thereof the following.

"1297. When money has been deposited, a receipt shall be issued in the name of the depositor. If the money remains on deposit at the time of a judgment for the payment of a fine, the county clerk must, under the direction of the court, apply the money in satisfaction thereof, and after satisfying the fine and costs, must refund the surplus, if any, to the defendant. If the person to whom the receipt for the deposit was issued was not the defendant, the deposit after judgment shall, upon surrender of the receipt, be returned to the holder thereof."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1060 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Redwine, Sawallisch, Scudder, Sheehan, Stream, Voigt, Walker, Watson, Williamson, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 1060 ordered to enrollment.

Assembly Bill No. 860—An act to amend sections 484 and 485 of the Agricultural Code, relating to certified milk.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 860?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of line 11, and all of line 12 preceding the period, and insert in lieu thereof the following: "the California Medical Association".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended, after "with", insert the following: "and while he complies with".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 860 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Redwine, Sawallisch, Scudder, Sheehan, Thorp, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 860 ordered to enrollment.

Assembly Bill No. 1164—An act to amend sections 1203.1 and 1203.3 of the Penal Code, relating to power of the court to fix conditions of probation.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1164?

Amendment No. 1.

On page 1, line 12, of the printed bill, after the semicolon, insert the following: "provided, however, that where the maximum possible term of such sentence is less than two years, then such period of suspension of imposition or execution of sentence may, in the discretion of the court, continue for not over three years;".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1164 by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, and Mr Speaker—49.

NOES—None.

Assembly Bill No. 1164 ordered to enrollment.

Assembly Bill No. 786—An act to add a new section to the School Code to be numbered 2.75, relating to the bonded indebtedness of high school districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 786?

Amendment No. 1.

On page 1, line 8, of the printed bill, after the period, insert the following: "This section shall remain effective for one year from and after the effective date thereof."

Amendment No. 2.

On page 1 of the printed bill, as amended, following line 9, add the following:

"The repeal of this section at the expiration of one year from the effective date hereof shall not impose any liability upon, or affect the liability of, any territory of a lapsed elementary school district situated in one high school district, which during the period when this section is in effect, is attached to an elementary school district lying in another high school district."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 786 by the following vote:

AYES—Breed, Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Laughlin, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, and Mr Speaker—48

NOES—None.

Assembly Bill No. 786 ordered to enrollment.

Assembly Bill No. 1594—An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, as amended, by amending sections 1, 3 and 6 thereof, relating to qualifications of petitioners and electors in water conservation districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1594?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 12 and 13 of the title, and insert in lieu thereof the following: "by amending sections 1 and 3 thereof, relating to water conservation".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 11 and 12, and insert in lieu thereof the following: "ever either five hundred, or twenty per cent, or more of the qualified electors of a proposed water conservation district comprising".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 10 to 21, inclusive, and insert in lieu thereof the following: "tion districts. All electors residing within the proposed district, whose names appear on the register of voters of the last general election, or at any time within forty days preceding the presentation of a petition for the organization of a water conservation district under the provisions of this act, shall be presumptively qualified signers of said petition and bona fide electors of said district."

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out line 28, and insert in lieu thereof the following: "signed by not less than twenty per cent or five hundred electors".

Amendment No. 5.

On page 2, line 29, of the printed bill, as amended, strike out "districts", and insert in lieu thereof the following: "district".

Amendment No. 6.

On page 2, line 39, of the printed bill, as amended, after "presented", insert a comma.

Amendment No. 7.

On page 2, line 48, of the printed bill, as amended, after "all", insert the following: "the".

Amendment No. 8.

On page 3 of the printed bill, as amended, strike out lines 5 to 15, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1594 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Voigt, Walker, Watson, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1594 ordered to enrollment.

Assembly Bill No. 2576—An act to amend section 1a of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to the definition of civil engineering.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2576?

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "or all".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "and/or activities;" and insert in lieu thereof "or activities-".

Amendment No. 3.

On page 1, line 9, of the printed bill, strike out the "and", following the word "appraisals", and insert in lieu thereof the word "or".

Amendment No. 4.

On page 1, line 10, of the printed bill, strike out the comma following the word "valuations", and insert in lieu thereof a dash.

Amendment No. 5.

On page 1, line 16, of the printed bill, strike out the word "and", and insert the word "or".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2576 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2576 ordered to enrollment.

Assembly Bill No. 1593—An act to amend an act entitled "An act to be known as the 'Water Conservation Act of 1929' and to provide for the organization and government of water conservation districts for the purpose of conserving and storing the waters of any stream of water or unnavigable river by spreading and sinking such waters, and for the purpose of construction or acquiring sinking basins, sinking wells, spreading basins, and other works and property; and for the purpose of appropriating, acquiring and conserving water and water rights, and taking any and all actions and proceedings that may be necessary or advisable to conserve and protect the waters or water rights within the district used or useful for any purpose of the district, or of benefit to the lands situated therein, and to prevent interference with or diminution of the natural flow of any stream or unnavigable river, including the natural subterranean supply of waters therefrom; to provide for the levying and collecting of assessments and special assessments to pay the costs and expenses incurred in relation thereto; to prohibit any director of a district from being interested in any contract with the district of which he is a director and making a violation of such provision a misdemeanor; and to provide a method of dissolving such districts," approved April 27, 1929, as amended, by amending sections 1, 3 and 6 thereof, relating to qualifications of petitioners and electors in water conservation districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1593?

Amendment No. 1.

On page 1, line 24 of the title of the printed bill, as amended, strike out "1, 3 and 6", and insert in lieu thereof the following: "1 and 3".

Amendment No. 2.

On page 1, lines 25 and 26 of the title of the printed bill, as amended, strike out "qualifications of petitioners and electors in".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, before "Water", insert the following: "Section 1."

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "five hundred or twenty per cent or more, of the qualified electors of a proposed water conservation district comprising the".

Amendment No. 5.

On page 2, line 11, of the printed bill, as amended, after "watersheds", insert a comma.

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 26 to 37, inclusive, and insert in lieu thereof the following: "All electors residing within the proposed district, whose names appear on the register of voters of the last general election, or any time within thirty days, preceding the presentation of a petition for the organization of a water conservation district under the provisions of this act shall be sufficient evidence that such signers of said petition are bona fide electors of said district."

Amendment No. 7.

On page 2, line 44, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following: "twenty".

Amendment No. 8.

On page 2, line 45, of the printed bill, as amended, strike out "owners of land", and insert in lieu thereof the following: "electors".

Amendment No. 9.

On page 3, line 3, of the printed bill, as amended, after "presented", insert a comma.

Amendment No. 10.

On page 3, line 12, of the printed bill, as amended, after "all", insert the following: "the".

Amendment No. 11.

On page 3 of the printed bill, as amended, strike out lines 21 to 32, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1593 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Clark, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1593 ordered to enrollment.

Assembly Bill No. 2132—An act to amend sections 1, 2, 3, 3a, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 of the "Funeral Directors and Embalmers Law," relating to the regulation of funeral directors and embalmers and the transportation of and traffic in dead human bodies, and to the State Board of Funeral Directors and Embalmers and the State Department of Professional and Vocational Standards and the powers and duties of said board and said department and each thereof in relation thereto.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2132?

Amendment No. 1.

On page 5, line 32, of the printed bill, after the word "fee", insert the following: "Any person having graduated from an embalming college of the Class "A" type prior to January 1, 1937, and who was registered as an apprentice embalmer prior to said date, and who lacks only the qualification set forth in subdivision "c" of this section, may be permitted to take any regular examination given by the board."

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections 5 and 10," and insert in lieu thereof the following: "section 10".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, as amended, after "of", insert a comma and the following: "and to add section 5.5 to,".

Amendment No. 4.

On page 1, line 1, of the printed bill, as amended, strike out "5 of said act is hereby amended", and insert in lieu thereof the following: "5.5 is hereby added to the act cited in the title hereof".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out lines 3 to 23, inclusive, and on page 2, strike out lines 1 to 16, inclusive, and in line 17, before "Any", insert the following: "Sec. 5.5."

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 20 to 21, and insert in lieu thereof the following: "who lacks only the educational qualifications set forth in section 5 of this act, may be permitted to take any regular or special examina-".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2132 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, and Mr Speaker—52.

NOES—None.

Assembly Bill No. 2132 ordered to enrollment.

Assembly Bill No. 1168—An act to amend sections 3h, 5, 9c, 10, 12, 12a, and 18 of and to add two new sections to the California Real Estate Act to be numbered 10a, 10b, and 10c, respectively, relating to the regulation and licensing of real estate brokers and salesmen, and to the disposition of money in the real estate fund.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1168?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "9D"

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, as amended, after the word "salesmen", at the beginning of the line, strike out "and cemetery salesmen,"

Amendment No. 3.

On page 7 of the printed bill, as amended, strike out lines 14 to 32, inclusive

Amendment No. 4.

On page 1, line 3 of the title of the printed bill, as amended, after the word "numbered", insert "9d," and strike out the word "respectively", in said line.

Amendment No. 5.

On page 1, line 5 of the title of the printed bill, as amended, after the first comma, insert the words "and cemetery salesmen,".

Amendment No. 6.

On page 7 of the printed bill, as amended, after line 14, insert the following:

"SEC. 12. A new section is hereby added to said act, to be numbered 9d as follows:

Sec. 9d. Wherever it shall appear from any application filed with the Real Estate Commissioner that the applicant desires to engage only in the business of selling rights of interest in a cemetery, mausoleum or columbarium, the Real Estate Commissioner shall examine said applicant as provided in section 9c of this act, omitting from said written examination any interrogatory concerning the principles of real estate conveyances, the general purpose and general legal effects of deeds, mortgages, land contracts of sale and leases, the principles of land economics and appraisals, and the principles of real estate practice, and shall substitute in lieu thereof, interrogatories concerning the general principles of cemetery, mausoleum and columbarium operation and the sale of interment rights therein. The Real Estate Commissioner shall issue a special license to be known as a cemetery salesman's license to such applicants as he shall determine to be qualified therefor, which license shall authorize the holder thereof to engage in the business of selling rights of interment in cemeteries, mausoleums and columbaria in the State of California, but it shall not authorize any such holder to do or perform any of the other acts mentioned in section 2 of this act. No person shall hold a cemetery salesman's license except a duly licensed real estate broker, except as in this section 9d provided. All provisions of this act relating to real estate salesmen and real estate salesmen's licenses, shall apply to cemetery salesmen and cemetery salesmen's licenses. The Real Estate Commissioner shall issue, without examination to any person who otherwise qualifies under section 9a of this act, a temporary salesman's license good for a period of three months from the date of issuance, but the holder thereof shall not be entitled to further license without examination as herein provided. Every licensed real estate salesman engaged in the business of selling rights of interment on the effective date of this section may lawfully continue to sell the same for the duration of his license without obtaining a special license as in this section provided. At the time of the renewal of his real estate salesman's license, however, in lieu thereof, he shall obtain, without examination, a cemetery salesman's license."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1168 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peck, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1168 ordered to enrollment.

Assembly Bill No. 289—An act to add a new section to the Political Code, to be numbered 4076a, relating to procedure for audit, allowance and payment or rejection of claims in counties governed by freeholders' charters

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 298.

Amendment No. 1.

On page 1, lines 12 and 13, of the printed bill, as amended in the Assembly March 17, 1937, strike out: "approved by the board of supervisors or by a member thereof", and insert in lieu thereof: "issued by the purchasing agent or other officer authorized by the board of supervisors to issue purchase orders, or when such purchase or furnishing of articles and services or articles or services".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 298 by the following vote:

AYES—Call, Clark, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Muldoon, Patterson, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 298 ordered to enrollment.

Assembly Bill No. 506—An act to amend section 9 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the definition of the term "employer."

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 506?

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, strike out "one", and insert in lieu thereof the following: "four".

Amendment No. 2.

On page 1, line 23, of the printed bill, as amended, after "Any", insert the following: "individual or".

Amendment No. 3.

On page 1, line 25, of the printed bill, as amended, strike out "not an employer subject to this act", and strike out all of line 26, and lines 1 and 2 on page 2, and insert in lieu thereof the following: "if the experience of such individual or employing unit subsequent to such acquisition plus the experience of the acquired unit prior to such acquisition, both within the calendar year, would equal the experience necessary to constitute an employing unit an employer subject to this act under subdivision (a) of this section;".

Amendment No. 4.

On page 2, line 12, of the printed bill, as amended, strike out "1937", and insert in lieu thereof the following: "1936".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 506 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P.,

Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Weber, Williamson, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 506 ordered to enrollment.

Assembly Bill No. 1244—An act to amend sections 2, 3, 4, 7, 8, 9, 10, 12, 18, 19, 20, 21, 23, 25, 26, 27, 32 and 34 of the "Personal Income Tax Act of 1935."

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1244?

Amendment No. 1.

On page 2, line 25, of the printed bill, as amended, strike out the comma, and insert in lieu thereof the following: ". The presumption may be overcome by satisfactory evidence that such person is in the State for a temporary or transitory purpose."

Amendment No. 2.

On page 7, line 27, of the printed bill, as amended, after the word "Constitution", and before the period, insert the following: "of the United States".

Amendment No. 3.

On page 13, line 42, of the printed bill, as amended, after the word "wife," insert the following: "or in case of a person contributing to the support of a former husband or wife, by order of a court of competent jurisdiction,".

Amendment No. 4.

On page 14, line 17, of the printed bill, as amended, strike out the words "this subsection", and insert in lieu thereof the following: "such apportionment".

Amendment No. 5.

On page 14, line 23, of the printed bill, as amended, strike out the word "tax", and insert in lieu thereof the word "taxes".

Amendment No. 6.

On page 14, line 28, of the printed bill, as amended, strike out the word "person", and insert in lieu thereof the word "persons".

Amendment No. 7.

On page 16, line 2, of the printed bill, as amended, after the word "not.", and before the word "Any", insert the following: "For the purpose of this paragraph amounts currently distributable to beneficiaries are distributable out of income of the estate or trust for the taxable year if there is income of the estate or trust for the taxable year out of which such distributions may be made and if, under the terms of the will or trust instrument the distributions may be made out of such income, regardless of the fact that the will or trust instrument provides that the distributions may be made out of the corpus of the estate or trust."

Amendment No. 8.

On page 17, line 20, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "if the grantor is a resident. If the grantor is a nonresident, such income shall be included in computing his income only to the extent derived from sources within this State; the balance of such income shall be taxable either to the trust or to the beneficiaries in accordance with the provisions of subsections (c) and (d) of this section."

Amendment No. 9.

On page 17, line 32, of the printed bill, as amended, after the word "then", insert a comma.

Amendment No. 10.

On page 22, line 4, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a period; and strike out the remainder of the line, and insert in lieu thereof the following:

"If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, the commissioner shall certify to the State Board of Control the amount collected in excess of what was legally due, from whom it was collected, or by whom paid, and if approved by that board, the same shall be credited on any taxes then due from the taxpayer under this act and the balance shall be refunded to the taxpayer.

No such credit or refund".

Amendment No. 11.

On page 22, line 18, of the printed bill, as amended, after the word "notice," insert the following: "or in case the commissioner fails to act upon any refund claim within six months after the claim was filed, then within thirty days after the expiration of said six months".

Amendment No. 12.

On page 22, line 24, of the printed bill, as amended, after the word "board", and before the period, insert the following: "; provided, however, that the six months period for acting on refund claims may be extended with the consent of the taxpayer in which event the thirty day period for appealing to the State board shall commence running when the claim for refund is acted upon or when the extension expires if no action has been taken prior thereto".

Amendment No. 13.

On page 24, line 31, of the printed bill, as amended, after the word "income", and before the word "paid", insert the following: "amounting to $1,000 or over,".

Amendment No. 14.

On page 24, line 38, of the printed bill, as amended, after the word "corporation," insert the following: "(2) in the case of dividends paid by corporations,".

Amendment No. 15.

On page 24, line 39, of the printed bill, as amended, strike out the numeral "(2)", and insert in lieu thereof the numeral "(3)".

Amendment No. 16.

On page 25, line 18, of the printed bill, as amended, strike out the words "by Resident", and insert in lieu thereof the following: "or Countries."

Amendment No. 17.

On page 25, of the printed bill, as amended, strike out lines 19 to 24, both inclusive, and insert in lieu thereof the following:

"(a) Subject to the following conditions, residents of this State shall be allowed a credit against the taxes imposed by this act for net income taxes imposed by and paid to another State or country on income taxable under this act:

(1) The credit shall be allowed only for taxes paid to such other State or country on income derived from sources within such State or country which is taxable under the laws of such State or country, irrespective of the residence or domicile of the recipient;

(2) The credit shall not be allowed if such other State or country allows residents of this State a credit against the taxes imposed by such State or country for taxes paid or payable under this act;

(3) The credit".

Amendment No. 18.

On page 25 of the printed bill, as amended, between lines 28 and 29, insert the following:

"(b) Subject to the following conditions, nonresidents of this State shall be allowed a credit against the taxes imposed by this act for net income taxes imposed by and paid to the State or country of residence on income taxable under this act

(1) The credit shall be allowed only if the State or country of residence either does not tax income of residents of this State derived from sources within such State or country or allows residents of this State a credit against the taxes imposed by such State or country on such income for taxes paid or payable thereon under this act;

(2) The credit shall not be allowed for taxes paid to a State or country which allows its residents a credit against the taxes imposed by such State or country for income taxes paid or payable under this act, irrespective of whether its residents are allowed a credit against the taxes imposed by this act for income taxes paid to such State or country;

(3) Credit shall be allowed only for such proportion of the taxes paid to the State or country of residence as the income taxable under this act and also subject to tax in the State or country of residence bears to the entire income upon which the taxes paid to the State or country of residence are imposed;

(4) The credit shall not exceed such proportion of the tax payable under this act as the income subject to tax in the State or country of residence and also taxable under this act bears to the entire income taxable under this act."

Amendment No. 19.

On page 25, line 29, of the printed bill, as amended, before the word "If", insert the following: "(c)".

Amendment No. 20.

On page 25, line 36, of the printed bill, as amended, strike out the number "6", and insert in lieu thereof the following: "six".

Amendment No. 21.

On page 25, line 38, of the printed bill, as amended, after the period, add the following: "If such tax and the interest thereon is not paid within ten days from the date of notice and demand, there shall be collected as a part of the tax interest upon the unpaid amount at the rate of 6 per cent per annum from the date of such notice and demand until it is paid."

Amendment No. 22.

On page 26, line 4, of the printed bill, as amended, after the word "taxes", and before the word "which", insert the following: "due and unpaid at the time the certificate is issued or".

Amendment No. 23.

On page 26, line 9, of the printed bill, as amended, after the word "taxes," and before the word "against", insert the following: "expenses of administration, funeral expenses, expenses of last illness, and family allowance,".

Amendment No. 24.

On page 26, line 31, of the printed bill, as amended, after the word "penalties", and before the word "imposed", insert the following: ", except penalties due from a decedent,".

Amendment No. 25.

On page 27 of the printed bill, as amended, strike out lines 6 to 19, both inclusive, and insert in lieu thereof the following:

"(a) Whenever property, real or personal, is held in the joint names of two or more persons, or is deposited in banks or other institutions or depositaries in the joint names of two or more persons and payable to either or the survivor, and one of such persons dies, the taxes imposed by this act upon the income of such decedent which are unpaid at the date of death shall constitute a lien attaching immediately prior to death upon all such property; provided, however, that the lien shall not be construed to give the State priority over any recorded lien which attached prior to the date when the tax became a lien, nor shall it give the State priority over any mortgage lien subsequently attaching if the mortgagee did not have actual notice of the State's lien. The lien shall continue until the taxes are paid or until the property subject to the lien is sold to a purchaser for value without actual notice of the lien or until the lien is released or extinguished as hereinafter provided. In case the property is sold to a purchaser for value or is mortgaged, the lien shall attach to the proceeds from such sale or mortgage. The lien shall be released or extinguished upon payment of the taxes imposed upon the income of the decedent which were unpaid at the date of death or upon payment by the surviving joint tenant or joint tenants of an amount equal to the value, at the date of death of the decedent, of the property subject to the lien, excepting therefrom such part thereof as may be proved by the surviving joint tenant or joint tenants to have originally belonged to him or them and never to have belonged to the decedent. The surviving joint tenant or joint tenants shall be personally liable for the taxes imposed by this act on the income of the decedent which are unpaid at the date of death to the extent that he or they are required to pay such taxes in order to extinguish the lien on said property."

Amendment No. 26.

On page 28, line 48, of the printed bill, as amended, after the numeral "12," add the following: "and upon giving notice of such recording to the fiduciary of the trust or in case there is more than one fiduciary to any one of such fiduciaries,".

Amendment No. 27.

On page 29, line 2, of the printed bill, as amended, after "lien.", add the following: "The notice herein required to be given may be served upon the fiduciary personally, or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the fiduciary at his address as the same appears in the records of the commissioner."

Amendment No. 28.

On page 30 of the printed bill, as amended, strike out lines 17 to 19, both inclusive, and insert in lieu thereof the following:

"SEC. 20. The provisions of this act effecting changes in the computation of taxes imposed by the Personal Income Tax Act of 1935, shall be applied only in the computation of the taxes for taxable years ending on or after December 31, 1937. The remaining provisions of this act shall become effective on the effective date of this act."

Amendment No. 29.

On page 1, line 2 of the title of the printed bill, as amended, on April 22d, after the numeral "32", insert the following: ", 33".

Amendment No. 30.

On page 1, line 3 of the title of the printed bill, as amended, on April 22d, after "1935", and before the period, insert the following. ", relating to the taxation of income of individuals, estates and trusts".

Amendment No. 31.

On page 5, line 34, of the printed bill, as amended on April 22d, strike out "an", and insert in lieu thereof the following "and".

Amendment No. 32.

On page 7, line 32, of the printed bill, as amended on April 22d, after "(a)", and before the comma, insert a close parenthesis mark.

Amendment No. 33.

On page 13, line 3, of the printed bill, as amended on April 22d, strike out "centum", and insert in lieu thereof the following: "cent".

Amendment No. 34.

On page 14, line 24, of the printed bill, as amended on April 22d, after the word "fiduciary", insert a comma.

Amendment No. 35.

On page 14, line 38, of the printed bill, as amended on April 22d, strike out "are residents", and insert in lieu thereof the following: "is a resident".

Amendment No. 36.

On page 15, line 44, of the printed bill, as amended on April 22d, after the word "instrument", insert a comma.

Amendment No. 37.

On page 15, line 51, of the printed bill, as amended on April 22d, after the word "beneficiary", insert a comma; and after the word "resident", insert a comma.

Amendment No. 38.

On page 16, line 14, of the printed bill, as amended on April 22d, after the word "beneficiary", insert a comma; and after the word "resident", insert a comma.

Amendment No. 39.

On page 21, line 10, of the printed bill, as amended on April 22d, after the word "installment", insert a comma.

Amendment No. 40.

On page 21, line 46, of the printed bill, as amended on April 22d, after the word "If", insert a comma.

Amendment No. 41.

On page 23, line 12, of the printed bill, as amended on April 22d, strike out "centum", and insert in lieu thereof the word "cent".

Amendment No. 42.

On page 25, line 26, of the printed bill, as amended on April 22d, after the period, and before the word "Any", insert the following: "Upon the giving of notice by the commissioner to the fiduciary of an estate or trust that the taxes due under this act from the grantor or beneficiary of an estate or trust or income of the estate or trust, which is taxable to the grantor or beneficiary under the provisions of subsections (c), (d), (g) or (h) of section 12, have not been paid, the fiduciary shall withhold the amount of such taxes from any payments or distribution due or to become due from the estate or trust to the grantor or beneficiary and transmit the amount so withheld to the commissioner. The notice herein required to be given may be served upon the fiduciary personally, or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the fiduciary at his address as the same appears in the records of the commissioner".

Amendment No. 43.

On page 27, line 25, of the printed bill, as amended on April 22d, strike out "be", and insert in lieu thereof the following: "he".

Amendment No. 44.

On page 28, lines 1 and 2, of the printed bill, as amended on April 22d, strike out the words "Decedents and".

Amendment No. 45.

On page 28 of the printed bill, as amended on April 22d, strike out lines 17 to 48, both inclusive.

Amendment No. 46.

On page 28, line 49, of the printed bill, as amended on April 22d, strike out "(b)", and insert in lieu thereof "(a)"

Amendment No. 47.

On page 28, line 51, of the printed bill, as amended on April 22d, strike out the words "or beneficiary".

Amendment No. 48.

On page 28, line 52, of the printed bill, as amended on April 22d, strike out the words "or beneficiary".

Amendment No. 49.

On page 29, line 1, of the printed bill, as amended on April 22d, strike out the following: "(c), (d),".

Amendment No. 50.

On page 29, line 14, of the printed bill, as amended on April 22d, strike out "(c)", and insert in lieu thereof the letter "(b)".

Amendment No. 51.

On page 30 of the printed bill, as amended on April 22d, between lines 21 and 22, insert the following:

"SEC. 19. Section 33 of said act is hereby amended to read as follows.

Sec. 33. (a) Except in accordance with proper judicial order in cases or actions instituted for the enforcement of the provisions of this act or for the prosecution of violations of this act and except as otherwise herein provided, it shall be unlawful for the commissioner, any deputy, agent, clerk or other officer or employee, to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this act; provided, however, that such information may upon request of a committee appointed by either the Assembly or the Senate be furnished to such committee. Nothing herein shall be construed to prohibit the publication of statistics, so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the Attorney General or other legal representatives of the State, of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted to recover any tax or any penalty imposed by this act. Reports and returns shall be preserved for four years and thereafter until the commissioner orders them to be destroyed.

(b) Any offense against subdivision (a) of this section shall be a misdemeanor.

(c) Notwithstanding the provisions of this section, the commissioner may permit the Commissioner of Internal Revenue of the United States, or the proper officer of any State imposing an income tax upon the incomes of individuals, or the authorized representative of either such officer, to inspect the income tax returns of any individual, or may furnish to such officer or his authorized representative an abstract of the return of income of any taxpayer or supply him with information concerning any item of income contained in any return, or disclosed by the report of any investigation of the income or return of income of any taxpayer; but such permission shall be granted or such information furnished to such officer or his representative, only if the statutes of the United States or of such other State, as the case may be, grant substantially similar privileges to the proper officer of this State charged with the administration of this act."

Amendment No. 52.

On page 30, line 22, of the printed bill, as amended on April 22d, strike out "19", and insert in lieu thereof the numeral "20".

Amendment No. 53.

On page 30, line 31, of the printed bill, as amended on April 22d, strike out "20", and insert in lieu thereof the numeral "21"

Amendment No. 54.

On page 7, line 51, of the printed bill, as amended April 29th, after the word "Act", insert the following "of 1936 or prior Federal Revenue Acts"

Amendment No. 55.

On page 8, line 2, of the printed bill, as amended April 29th, after the word "Act", insert the following. "of 1936 or prior Federal Revenue Acts".

Amendment No. 56.

On page 15, line 1, of the printed bill, as amended April 29th, after the word "number" insert the words "and interest".

Amendment No. 57.

On page 26, line 4 of the printed bill, as amended April 29th, strike out the comma

Amendment No. 58.

On page 26, line 28, of the printed bill, as amended April 29th, strike out the comma.

Amendment No. 59.

On page 30, line 18, of the printed bill, as amended April 29th, after the numeral "33", and before "(a)", insert the following "Secrecy Required of Officials, Penalty for Violation.".

Amendment No. 60.

On page 2, line 25, of the printed bill, as amended April 29th, strike out the word "six", and insert in lieu thereof the word "nine"

Amendment No. 61.

On page 26 of the printed bill, as amended April 29th, between lines 39 and 40, insert the following:

"(c) For the purposes of this section an estate or trust shall be considered a resident of the State or county which taxes the income of the estate or trust

irrespective of whether the income is derived from sources within such State or country. If an estate or trust is a resident of this State and also a resident of another State or country, it shall, notwithstanding the limitations contained in subsections (a) and (b) of this section, be allowed a credit, subject to the following conditions, against the taxes imposed by this act for net income taxes imposed by and paid to such other State or country:

(1) Credit shall be allowed only for such proportion of the taxes paid to such other State or country as the income taxable under this act and also subject to tax in such other State or country bears to the entire income upon which the taxes paid to such other State or country are imposed;

(2) The credit shall not exceed such proportion of the tax payable under this act as the income subject to tax in such other State or country and also taxable under this act bears to the entire income taxable under this act

(d) A resident beneficiary of an estate or trust who is taxable on the income of the estate or trust pursuant to the provisions of subsection (c) of section 12 shall, subject to the following conditions, be allowed a credit against the taxes imposed by this act on such income for net income taxes paid by the estate or trust to another State or country on such income

(1) Credit shall be allowed only for such proportion of the tax paid to such other State or country by the estate or trust as the income of the estate or trust which is taxable to the beneficiary under this act and also taxed to the estate or trust in such other State or country bears to the entire income of the estate or trust upon which the taxes paid to such other State or country were imposed;

(2) The credit shall not exceed such proportion of the tax payable under this act as the income of the estate or trust which is taxable to the beneficiary under this act and also taxed to the estate or trust in such other State or country bears to the beneficiary's entire income upon which the tax is imposed by this act."

Amendment No. 62.

On page 26, line 40, of the printed bill, as amended April 29th, strike out "(c)", and insert in lieu thereof "(e)".

Amendment No. 63.

On page 27 of the printed bill, as amended April 29th, between lines 4 and 5, insert the following:

"The credit against the taxes imposed by this act on any taxpayer or any class or classes of taxpayers for net income taxes paid to another State or country shall not be allowed if the allowance of such credit will result in an invalid or illegal discrimination against another taxpayer or another class or classes of taxpayers"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1244 by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Scudder, Sheehan, Tenney, Thorp, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 1244 ordered to enrollment.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 746.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning:

Assembly Bill No. 746—An act to add section 683 to the Vehicle Code, relating to equipment,

Reports that it has met a like committee of the Senate, consisting of Senators Knowland, Westover and Quinn, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out "1938", and insert in lieu thereof the following: "1939".

Amendment No. 2.

On page 1, line 10, of the printed bill, as amended, strike out "1938", and insert in lieu thereof the following: "1939".

Amendment No. 3.

On page 1, line 7, of the printed bill, as amended, after "683.", insert the following: "Radiator Ornaments."

MEEHAN.
McMURRAY.
CASSIDY.
Assembly Committee on Free Conference.

KNOWLAND.
WESTOVER.
QUINN.
Senate Committee on Free Conference

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Breed, Call, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Pelletier, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, and Mr. Speaker—49.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 265 Waived.

Mr. Andreas waived his notice of motion to reconsider the vote whereby Senate Bill No. 265 was passed.

Senate Bill No. 265 ordered transmitted to the Senate.

Special Order Set for Senate Bill No. 5.

On motion of Mr Mayo, the consideration of his motion to withdraw Senate Bill No. 5 from the Committee on Elections was made a special order of business for Wednesday, May 26, 1937, at three o'clock p.m.

Hon. John Gee Clark in the Chair.

At eleven o'clock and five minutes a.m., Hon. John Gee Clark, member of the Assembly from the Seventieth District, in the chair.

Third Reading of Senate Bills.

Senate Bill No. 454—An act to amend section 826 of, and to add section 821.5 to, the Insurance Code, relating to corporate securities and their issuers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, and Williamson—53.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 343—An act to amend the title and sections 1 and 17 of "An act to establish an institution for the confinement, care and reformation of women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor" (Statutes 1935, Chapter 497), relating to the California Institution for Women.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Thorp, Voigt, Walker, Watson, Weber, and Williamson—49.

NOES—None

Motion to Amend Title to Senate Bill No. 343.

Mr. O'Donnell moved to amend the title as follows:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, strike out "(Statutes 1935, Chapter 497)", and insert in lieu thereof the following: ", approved May 9, 1929".

Amendment adopted.

Title, as amended, read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 455—An act to amend sections 10692, 10693, 10696, 10697, 10698, 10699, 10700, 10701, 10710, 10721, 10723, 10724, 10728 and 10740 of the Insurance Code, and to add sections 10669.5, 10696.5, 10696.6, 10722.5, 10722.6, 10722.7, 10725.5, and 10726.5 thereto, all relating to life insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, and Weber—51

NOES—Pelletier—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 457—An act to amend sections 760, 761, 765, 1640, 1643, 1647, 1649, 1656, 1661, 1662, 1663, 1675, 1676, 1677 and 1706 of the Insurance Code, to repeal sections 762, 1665, 1667, 1669, 1710, 1711, 1712 and Article 3 of Chapter 5, Part 2, Division 1 comprising section 1730, of said code, to add sections 763.5, 783.5, 1648.5, 1677.1, 1677.5, and 1705.5 to said code, and to add Articles 3 and 4, comprising sections 1730 to 1750, inclusive, to Chapter 5, Part 2, Division 1 of said code, all relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Walker, Watson, and Weber—49

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 458—An act to amend sections 1390, 1391, 1392, and 1399 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Walker, Watson, Weber, and Williamson—53.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 464—An act to amend sections 1761, 1763, and 1766 of the Insurance Code, to repeal sections 1762, 1764, 1772, and 1773 thereof, and to add sections 1760.5 and 1775.5 thereto, all relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Donihue, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson,

Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Walker, Watson, Weber, and Williamson—53.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 467—An act to amend sections 1011, 1016, 1017, 1033, 1037, and 1047 of, and to add section 1056.5 to, the Insurance Code, all relating to proceedings in cases of insolvency or delinquency of insurers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Walker, Watson, Weber, and Williamson—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 468—An act to amend section 105 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Walker, Watson, Weber, and Williamson—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At eleven o'clock and twenty minutes a.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Senate Bill No. 470—An act to amend section 945, 970, 973, 1644, 11016, 12356, 12357, and 12358 of the Insurance Code, and to add sections 939 and 1325.5 thereto, all relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Williamson, and Mr. Speaker—59.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 1037—An act to repeal and add Chapter 5, comprising sections 11910 to 12023, inclusive, of Part 3 of Division 2 of Insurance Code, relating to mutual workmen's compensation insurers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Clark, Cottrell, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Weber, Williamson, and Mr. Speaker—52.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 160—An act to add section 1a to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from the tax.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Recess.

At eleven o'clock and thirty minutes a.m., on motion of Mr. King, the Assembly was declared at recess until one o'clock p.m.

Reassembled.

At one o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to the following:

Assembly Bill No. 348.
Assembly Bill No. 508.
Assembly Bill No. 2048.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference, concerning the following:

Assembly Bill No. 746.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 746 ordered to reprint and enrollment.

SENATE CHAMBER, SACRAMENTO, May 24, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 550.
Assembly Bill No. 985.
Assembly Bill No. 1023.
Assembly Bill No. 1059.
Assembly Bill No. 1079.
Assembly Bill No. 1618.
Assembly Bill No. 1629.
Assembly Bill No. 1870.
Assembly Bill No. 1871.
Assembly Bill No. 2832.
Assembly Bill No. 2851.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Constitutional Amendment No. 8.
Assembly Bill No. 4.
Assembly Bill No. 662.
Assembly Bill No. 942.
Assembly Bill No. 1137.
Assembly Bill No. 1146.
Assembly Bill No. 1175.
Assembly Bill No. 1195.
Assembly Bill No. 1619.
Assembly Bill No. 1813.
Assembly Bill No. 2464.
Assembly Bill No. 2518.
Assembly Bill No. 2659.
Assembly Bill No. 2805.
Assembly Bill No. 2843.
Assembly Bill No. 2854.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2197.

Mr. Muldoon moved to expunge the record and rescind the action whereby the Assembly on this day, concurred in the Senate amendments to Assembly Bill No 2197.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint Fulcher, Gannon, Garibaldi, Garland, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—79.

NOES—None

Consideration of Senate Amendments to Assembly Bill No. 2197.

Assembly Bill No. 2197—An act to amend sections 2, 3, 7, 11, 12 and 22 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately," approved June 25, 1935; to repeal section 32 of said act, to renumber sections 33 and 34 of said act; relating to the taxation of the storage, use or other consumption of tangible personal property

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2197?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "3," insert "6."

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "and", and insert in lieu thereof a comma

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, as amended, after "25", insert ", 27 and 29".

Amendment No. 4.

On page 1, line 10 of the title of the printed bill, as amended, strike out "section", and in lieu thereof insert "sections".

Amendment No. 5.

On page 1, line 10 of the title of the printed bill, as amended, before "32", insert "21, 22, 23, 24 and".

Amendment No. 6.

On page 1, line 11 of the title of the printed bill, as amended, between "sections" and "33", insert "25, 26, 27, 28, 29, 30, 31,".

Amendment No. 7.

On page 1, line 11 of the title of the printed bill, as amended, strike out "32 and 33", and insert in lieu thereof "21, 22, 23, 24, 25, 26, 27, 28 and 29".

Amendment No. 8.

On page 2 line 15, of the printed bill, as amended, strike out "nor", and in line 16, strike out "shall the sales price include", and insert in lieu thereof "and "sales price" shall not include the amount charged for property returned by customers when the entire amount charged therefor is refunded either in cash or credit or".

Amendment No. 9.

On page 3 of the printed bill, as amended, between lines 20 and 21, insert the following:

"In the event that the excise tax herein imposed should be judicially determined to be a property tax, this act shall be regarded as having been enacted as of June 30, 1935, in the exercise of the power of classification conferred by section 14 of Article XIII of the California Constitution and all taxes, interest and penalties imposed, levied, assessed, accrued or collected hereunder from such date and prior to the adoption of this amendment are hereby legalized and ratified and the assessment, levy, collection and accrual of all taxes, interest and penalties prior to the adoption of this amendment are hereby legalized, ratified and confirmed as fully to all intents and purposes as if this act had been adopted by the vote of two thirds of all the members elected to each of the two houses of the Legislature. All such taxes, interest and penalties which had accrued and remained unpaid on the date of the adoption of this amendment shall be assessed and collected pursuant to the provisions of this act. Nothing contained herein shall be construed to import illegality to the tax imposed by this act

SEC. 3 Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6. Every retailer maintaining a place of business in this State and making sales of tangible personal property for storage, use or other consumption in this State, not exempted under the provisions of section 4 hereof, shall, at the time of making such sales or, if the storage, use or other consumption of the tangible personal property is not then taxable hereunder, at the time such storage, use or other consumption becomes taxable hereunder, collect the tax imposed by this act from the purchaser and give to the purchaser a receipt therefor in the manner and form prescribed by the board. The tax required to be collected by the retailer from the purchaser shall be displayed separately from the list, advertised in the premises, marked or other price on the sales check or other proof of sales.

It shall be unlawful for any retailer to advertise or hold out or state to the public or to any customer, directly or indirectly, that the tax or any part thereof imposed by this act will be assumed or absorbed by the retailer or that it will not be added to the selling price of the property sold, or if added that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

The tax herein required to be collected by the retailer shall constitute a debt owed by the retailer to this State."

Amendment No. 10.

On page 3, line 21, of the printed bill, as amended, strike out "3", and insert in lieu thereof "4".

Amendment No. 11.

On page 3, line 25, of the printed bill, as amended, after "period", insert "during which the storage, use or other consumption of tangible personal property became taxable hereunder".

Amendment No. 12.

On page 3, line 36, of the printed bill, as amended, strike out "during such preceding quarterly period".

Amendment No. 13.

On page 3, line 37, of the printed bill, as amended, strike out "is", and insert in lieu thereof "became".

Amendment No. 14.

On page 3, line 38, of the printed bill, as amended, after "act", insert "during the preceding quarterly period".

Amendment No. 15.

On page 3 of the printed bill, as amended, strike out lines 48 to 50, inclusive, and insert in lieu thereof the following:

"Every person purchasing tangible personal property, the storage, use or other consumption of which is subject to the tax imposed by this act, and who has not

paid the tax due with respect thereto to a retailer required or authorized hereunder to collect the tax, shall on or before the fifteenth".

Amendment No. 16.

On page 4 of the printed bill, as amended, strike out lines 5 and 6, and insert in lieu thereof "erty purchased by such person, the storage, use or other consumption of which became".

Amendment No. 17.

On page 4, line 7, of the printed bill, as amended, after "act", insert "during the preceding quarterly period and with respect to which the tax was not paid to a retailer required or authorized hereunder to collect the tax".

Amendment No. 18.

On page 4, line 10, of the printed bill, as amended, after "imposed", insert "and not paid to a retailer required or authorized hereunder to collect the tax"

Amendment No. 19.

On page 4, line 34, of the printed bill, as amended, strike out "4", and insert in lieu thereof "5".

Amendment No. 20.

On page 4, line 37, of the printed bill, as amended, after "payment of", insert "the tax or".

Amendment No. 21.

On page 5, line 12, of the printed bill, as amended, strike out "5", and insert in lieu thereof "6".

Amendment No. 22.

On page 5, line 40, of the printed bill, as amended, strike out "6", and insert in lieu thereof "7"

Amendment No. 23.

On page 5, line 44, of the printed bill, as amended, strike out "note", and insert in lieu thereof "thereupon make a determination of such tax or amount of tax herein required to be collected, noting"

Amendment No. 24.

On page 5 of the printed bill, as amended strike out lines 45 and 46, and insert in lieu thereof "fact upon such determination, and the amount thereof shall be immc-"

Amendment No. 25.

On page 5, line 48, of the printed bill, as amended, strike out "or assessment"

Amendment No. 26.

On page 5, line 49, of the printed bill, as amended, strike out "or", and in line 50, strike out "Assessment".

Amendment No. 27.

On page 5, line 50, of the printed bill, as amended after "thereof." insert "such amount becomes final at the expiration of such ten days, unless a petition for redetermination is filed within such ten days, and".

Amendment No. 28.

On page 6 line 5, of the printed bill, as amended, strike out "or reassessment".

Amendment No. 29.

On page 6, line 6, of the printed bill, as amended, strike out "or 22".

Amendment No. 30.

On page 6, line 7, of the printed bill, as amended, strike out "or reassessment"

Amendment No. 31.

On page 6, line 9, of the printed bill, as amended, strike out "or assessment".

Amendment No. 32.

On page 6, line 15, of the printed bill as amended, strike out "7", and insert in lieu thereof "8".

Amendment No. 33.

On page 6, line 41, of the printed bill, as amended, strike out "8", and insert in lieu thereof "9"

Amendment No. 34.

On page 7, line 35 of the printed bill, as amended, strike out "9", and insert in lieu thereof "10"

Amendment No. 35.

On page 7 of the printed bill, as amended, strike out lines 40 to 51, inclusive, and on page 8, strike out lines 1 to 43, inclusive

Amendment No. 36.

On page 8, line 44 of the printed bill, as amended, strike out "12", and insert in lieu thereof "11".

Amendment No. 37.

On page 8, line 45, of the printed bill, as amended, after "hereby", insert "renumbered section 21 and".

Amendment No. 38.

On page 8, line 46, of the printed bill, as amended, strike out "25", and insert in lieu thereof "21".

Amendment No. 39.

On page 9 of the printed bill, as amended, between lines 19 and 20, insert the following:

"SEC 12. Section 26 of the act cited in the title hereof is hereby renumbered section 22 to read as follows.

Sec 22. It shall be unlawful for the board, or any person having an administrative duty under this act to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any retailer or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; provided, however, that the Governor may authorize examination of such returns by other State officers, by tax officers of another State, or the Federal Government, if a reciprocal arrangement exists, and any other persons the Governor may so authorize.

Any violations of the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court.

SEC 13. Section 27 of the act cited in the title hereof is hereby renumbered section 23 and amended to read as follows.

Sec. 23. All fees, taxes, interest and penalties imposed and all amounts of tax herein required to be paid to the State under this act must be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California, and said board shall transmit such payments to the State Treasurer to be deposited in the State Treasury to the credit of the retail sales tax fund The moneys paid under this act and deposited in the retail sales tax fund shall, upon order of the State Controller be drawn therefrom for the purpose of making refunds hereunder or be transferred to the general fund of the State.

SEC. 14 Section 28 of the act cited in the title hereof is hereby renumbered section 24 to read as follows

Sec 24. At any time within three years after any amount herein required to be collected has become due and payable and any time within three years after the delinquency of any tax, the board may bring an action in the courts of this State, any other State or in any court of the United States in the name of the people of the State of California to collect the amount delinquent, together with penalties and interest The Attorney General must prosecute such action In such action a writ of attachment may issue, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the board showing the delinquency shall be prima facie evidence of the determination of the amount required to be collected, or the assessment of the tax, of the delinquency and of the compliance by the board with all the provisions of this act in relation to the computation and determination of the amount herein required to be collected and of the computation and assessment of the tax

In any action brought under the provisions of this act process may be served according to the provisions of the Code of Civil Procedure and the Civil Code of this State or may be served upon any agent or clerk in this State employed by any retailer in a place of business maintained by such retailer in this State, in which case a copy of the process shall forthwith be sent by registered mail to the retailer at his principal or home office

SEC 15 Section 29 of the act cited in the title hereof is hereby renumbered section 25 and amended to read as follows

Sec 25 No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin under this act the collection of any tax or any amount of tax herein required to be collected; but after payment of any such tax or any such amount of tax herein required to be collected under protest, duly verified and setting forth the grounds of objection to the legality thereof, the retailer or person making the payment may bring an action against the State Treasurer in a court of competent jurisdiction in the county of Sacramento for the recovery of the amount paid under protest No such action may be instituted more than one year after the tax or the amount herein required to be collected and paid to the State becomes due and payable, and failure to bring suit within said one year shall constitute waiver of any and all demands against the State on account of alleged overpayments hereunder. No grounds of illegality shall be considered by the court other than those set forth in the protest filed at the time of the payment of the tax or the amount herein required to be collected and paid to the State.

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any taxes or amounts due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of six per cent per annum upon the amount found to have been illegally collected from the date of payment of such amount to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the Controller.

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any amount paid hereunder, when such action is brought by or in the name of an assignee of the retailer or other person paying said amount, or by any person other than the person who has paid such amount.

SEC. 16. Section 30 of the act cited in the title hereof is hereby renumbered section 26 to read as follows:

Sec. 26. Any retailer or other person failing or refusing to furnish any return hereby required to be made, or failing or refusing to furnish a supplemental return or other data required by the board, or rendering a false or fraudulent return, shall be guilty of a misdemeanor and subject to a fine of not exceeding five hundred dollars ($500) for each such offense.

Any person required to make, render, sign or verify any report as aforesaid, who makes any false or fraudulent return, with intent to defeat or evade the assessment or determination of amount due required by law to be made, shall be guilty of a misdemeanor, and shall for each such offense be fined not less than three hundred dollars ($300) and not more than five thousand dollars ($5,000) or be imprisoned not exceeding one year in the county jail or be subject to both said fine and imprisonment in the discretion of the court.

SEC. 17. Section 31 of the act cited in the title hereof is hereby renumbered section 27 to read as follows:

Sec. 27. Any violation of the provisions of this act, except as otherwise herein provided, shall be a misdemeanor and punishable as such."

Amendment No. 40.

On page 9 of the printed bill, as amended, strike out lines 20 and 21

Amendment No. 41.

On page 9, line 22, of the printed bill, as amended, strike out "14", and insert in lieu thereof "18".

Amendment No. 42.

On page 9, line 23 of the printed bill, as amended after "renumbered", insert "section 28".

Amendment No. 43.

On page 9, line 24, of the printed bill, as amended, strike out "32", and insert in lieu thereof "28".

Amendment No. 44.

On page 9, line 32, of the printed bill, as amended, strike out "15", and insert in lieu thereof "19".

Amendment No. 45.

On page 9, line 33, of the printed bill, as amended, after "renumbered", insert "section 29".

Amendment No. 46.

On page 9, line 34, of the printed bill, as amended, strike out "33", and insert in lieu thereof "29".

Amendment No. 47.

On page 9 of the printed bill, as amended, between lines 37 and 38, insert:

"SEC. 20. Sections 21, 22, 23, 24 and 32 of the act cited in the title hereof as they existed on January 1, 1937, are hereby repealed."

Amendment No. 48.

On page 9, line 38, of the printed bill, as amended, strike out "16", and insert in lieu thereof "21".

Amendment No. 49.

On page 9, line 44, of the printed bill, as amended, strike out "17", and insert in lieu thereof "22".

Amendment No. 50.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act to amend sections 2, 3, 6, 7, 9, 10, 11, 12, 17 and 19, to amend and renumber sections 25, 26, 27, 28, 29, 30, 31, 33 and 34, and to repeal sections 21, 22, 23, 24 and 32 of an act entitled "An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration

hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately," approved June 25, 1935; relating to the taxation of storage, use, or other consumption of tangible personal property; and to provide that this act shall take effect immediately."

Amendment No. 51.

On page 3, line 29, of the printed bill, as amended, after "interest", insert "and".

Amendment No. 52.

On page 5, line 43, of the printed bill, as amended, after "or", strike out "of"; and in the same line after "payment", insert "of".

Amendment No. 53.

On page 7, lines 15 and 16, of the printed bill, as amended, strike out "or assessment".

Amendment No. 54.

On page 13 of the printed bill, as amended, strike out line 26, and insert in lieu thereof "and employees".

Amendment No. 55.

On page 13 of the printed bill, as amended, between lines 34 and 35, insert the following: "of the Use Tax Act of 1935 as they existed on January 1, 1937, are hereby continued in force until July 1, 1937, and that the provisions".

Amendment No. 56.

On page 4, line 36, of the printed bill, as amended, strike out "owned", and insert in lieu thereof "owed".

Amendment No. 57.

On page 6, line 26, of the printed bill, as amended, strike out "of", and insert in lieu thereof "or".

Amendment No. 58.

On page 6, line 51, of the printed bill, as amended, after "month", insert a comma.

Amendment No. 59.

On page 8, line 24, of the printed bill, as amended, after "act", insert "or the California Retail Sales Tax Act of 1933,".

Amendment No. 60.

On page 8, line 39, of the printed bill, as amended, after "act", insert "or the California Retail Sales Tax Act of 1933."

Amendment No. 61.

On page 9, line 7, of the printed bill, as amended, strike out "the amounts", and insert in lieu thereof "such amount".

Amendment No. 62.

On page 9, line 27, of the printed bill, as amended, strike out "collected by this act", and insert in lieu thereof "paid hereunder".

Amendment No. 63.

On page 10 of the printed bill, strike out all of line 39, and insert in lieu thereof "amount due hereunder,".

Amendment No. 64.

On page 10 of the printed bill, as amended, strike out lines 42 and 43, and insert in lieu thereof "and determination of such amount"

Amendment No. 65.

On page 11, line 35, of the printed bill, as amended, strike out "Controller", and insert in lieu thereof "board".

Amendment No. 66.

On page 12, line 1, of the printed bill, as amended, strike out "assessment or".

Amendment No. 67.

On page 12, line 2, of the printed bill, as amended, before "amount", insert "an".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2197 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder,

Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Assembly Bill No. 2197 ordered to enrollment.

Third Reading of Senate Bills—(Resumed).

Senate Joint Resolution No. 25—Relative to memorializing the President and the Congress of the United States to protect the rights of the State of California to its tidelands and the coastal area lying seaward of the State of California.

Senate Joint Resolution No. 25 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 237—An act to amend sections 10b, 10c, 10d, 10e, and 10g of the State Narcotic Act, relating to fines and forfeitures.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—79

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 987—An act to amend section 412 of the Penal Code prohibiting prize fights and betting on any pugilistic contest, boxing contest or exhibition, but sanctioning amateur boxing contests, sparring matches and exhibitions not to exceed five rounds of duration, prescribing conditions in relation thereto and the issuance of annual licenses to hold such amateur contests by the State Athletic Commission of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 67—An act to amend section 752 of the Political Code, relating to fees collected by the Clerk of the Supreme Court.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 176—An act authorizing the Director of Finance to provide for the sale or lease of certain lands known as "Guadalupe Canal," located in Section 10, T. 3 S., R. 5 W., M. D. M., in the county of San Mateo.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 172—An act to validate the existence of water conservation districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1138—An act to add section 66a to the Code of Civil Procedure, relating to the number of superior court judges in and for the county of Ventura, and providing for the appointment thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 168—An act to add sections 1.5 and 5.5 to an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, relating to county fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 558—An act authorizing cities to construct and maintain public improvements within and without the territorial boundaries of said cities.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1058—An act to repeal sections 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2289a, and 2290 of the Political Code, and to add sections 2283, 2284, 2285, 2286, 2287, 2287a, 2288, 2289, and 2290 thereto, all relating to aid to children.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 876—An act to amend section 137 of the Agricultural Code, relating to liens for county charges in the abatement of pests

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier,

Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 495—An act to add sections 3a and 12a to the California Districts Securities Commission Act, relating to the certification of bonds as available for legal investments and to the issuance of certificates of deposit for securities so certified.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 473—An act to amend sections 380.51, 380.52, 380.55 and 380.59 of the Agricultural Code, relating to live stock marks and brands.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1113—An act to amend section 4253 of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 518—An act to add two new sections to the Political Code, to be numbered 3480e and 3480f, relating to reclamation districts, declaring the urgency thereof, and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Senate Bill No 518 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 631—An act to amend sections 1333 and 1567 of, and to add section 1567a to, the Penal Code, relating to the manner of bringing prisoners before the courts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1078—An act to add section 737.5a to the Agricultural Code, relating to persons purchasing milk.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Senate Bill No. 1078 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 869—An act to amend section 19 of the "Inheritance Tax Act of 1935," relating to inheritance taxation and more particu-

larly to the time of payment to the State Treasurer of inheritance taxes collected by the county treasurers and interest thereon.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 475—An act to amend sections 332, 336, 338, 341, 343, 350, 354, 362, 366, 367 and 377 of the Agricultural Code and to add sections 363.1, 363.2 and 363.3 thereto, relating to live stock marks and brands.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1036—An act to add section 4255b to the Political Code, relating to compensation of officers of counties of the twenty-sixth class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 560—An act to repeal an act entitled "An act relating to the attendance of pupils attending school in a district other than the district in which they reside," approved April 6, 1929; to repeal sections 3.174, 3.301, 3.302, 3.303, 3.304, 3.305, 3.306, 3.307, 3.308, 3.309, 3.415 and 3.416 of the School Code; and to add three new sections to the School Code to be numbered 2.21, 2.22 and 3.301, all relating to the attendance of pupils residing in one district upon the schools of another district.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller,

George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 118—An act relating to the conduct of clinical laboratories and the licensing of clinical laboratory technologists and clinical laboratory technicians for the purpose of protecting the public health and to provide penalties for the violation of the provisions of this act, and to repeal Chapter 638, Statutes of 1935.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1125—An act to amend section 4246 of the Political Code, relating to compensation of county and township officers in counties of the seventeenth class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 570—An act to amend sections 2.830 and 2.1145 of the School Code, to repeal section 5.401 of the School Code, to repeal an act entitled "An act relating to the election of teachers in the public schools," approved May 23, 1929, and to add to the School Code a new section to be numbered 5.401, all relating to the powers and duties of governing boards of school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 571—An act to add a new article to Chapter I of Part III of Division V of the School Code to be known as Article IVa.

relating to the loss or destruction of warrants on funds of school districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 195—An act to amend section 4259 of the Political Code, relating to salaries of officers of the counties of the thirtieth class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 844—An act to add section 690.11 to the Political Code, relating to the disposition of fees received under the provisions of section 690.10 of the Political Code.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1145—An act to amend section 1 of an act entitled "An act to create a revolving fund for the manufacturing departments of the State Prison at San Quentin and to appropriate money therefor," approved June 12, 1915, relating to the balance in the San Quentin Prison manufacturing revolving fund.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 326—An act to regulate the distribution of moneys received from the United States Government under the provisions of the Act of Congress of June 28, 1934, known as the Taylor Grazing Act and any act amendatory thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 966—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such district, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and application of revenues, rates and charges for the use of the sewage works or improvements.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 684—An act to amend the title of the Central Valley Project Act of 1933, and to add to said act a new section to be numbered 15a, relating to the power of the Water Project Authority of the State of California to contract with the United States of America for the construction, maintenance and operation of said project, to perform duties as may be prescribed by acts of Congress now in effect or hereafter adopted, and to otherwise cooperate with the United States of America relative to said project and to further amend the title of said act relating to payment of expenses resulting from interference with State property or State activities.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 661—An act to amend section 42 of the Probate Code.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 662—An act to amend section 41 of the Probate Code, relating to devises and bequests to charity.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1070—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to municipal utility districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 960—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder,

Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 313—An act to repeal "An act providing for the grant of certain lands to the United States of America for the creation of a National park or monument," approved June 11, 1935 (Chapter 328, Statutes of California, 1935).

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1144—An act to amend section 1251 of, and to add sections 1264.1, 1264.2, 1264.3, 1264.4, 1264.5, 1264.6, 1264.7 and 1264.8 to the Code of Civil Procedure, relative to eminent domain proceedings, including those for the condemnation of toll bridge or toll road franchises.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 504—An act to amend section 890 of the Military and Veterans Code, relating to veterans, and making an appropriation for aid to veterans' dependents.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 863—An act providing for the control, management, and jurisdiction over certain lands owned by the State of California and situated in the county of Humboldt.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 472—An act to amend sections 44 and 130 of the Vehicle Code, relating to motor vehicles.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 607—An act to amend section 4041d of the Political Code, relating to the care, treatment, transportation, and physical rehabilitation of physically defective and handicapped persons.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 965—An act to amend section 4250 of the Political Code, relating to the compensation of officers and employees in counties of the twenty-first class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 156—An act to amend section 797 of the Fish and Game Code, relating to abalones.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier,

Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 243—An act to amend sections 6 and 7 of the Dental Practice Act, relating to the qualifications and examination of applicants.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 892—An act making an appropriation to pay the claim of Anthony Caminetti, Jr., against the State of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1044—An act to amend section 4260 of the Political Code, relating to compensation of officers, officials and deputies in counties in the thirty-first class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 292—An act making an appropriation for the purchase and removal of the James W. Marshall Pioneer Museum Collection and the James W. Marshall blacksmith shop.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder,

Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 205—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 394—An act to amend sections 6901, 6902, and 6903 of the Labor Code, relating to train crews.

Motion to Amend Senate Bill No. 394.

Mr. Fulcher moved to amend Senate Bill No 394 as follows:

Amendment No. 1.

On page 2, line 45, of the printed bill, after "cars", insert a period and the following: "The provisions of this section with reference to self-propelled pile drivers or other self-propelled vehicles apply only".

Amendment adopted.

Request for Unanimous Consent.

Mr. Fulcher asked for, and was granted, unanimous consent to take up Senate Bill No. 394, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 394, as Amended.

Senate Bill No. 394—An act to amend sections 6901, 6902, and 6903 of the Labor Code, relating to train crews.

Senate Bill No. 394, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 489—An act to add section 1703.5 to the Insurance Code, relating to agents for disability insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier,

Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 59—An act to amend sections 1c and 5 of, and to add sections 1.5, 1e, and 9 5 to, the State Narcotic Act, relating to habit forming, narcotic and other dangerous drugs and substances.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 59.

Mr. Dannenbrink gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 59 was this day passed.

Senate Joint Resolution No. 23—Relative to memorializing the United States Post Office Department to issue a suitable postage stamp commemorating the founding of Fort Sutter.

Senate Joint Resolution No. 23 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 80—An act to transfer the duties, powers, purposes, responsibilities and jurisdiction of the Department of Natural Resources, Division of Parks, over and appertaining to the State Burial Grounds to the Department of Finance of the State of California, and to repeal certain acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 490—An act to amend the "American River Flood Control District Act," approved May 28, 1927, as amended, by adding

a new section thereto to be numbered "Section 16a" relating to the issuance of refunding bonds at a lower interest rate in exchange for outstanding bonds of the district; and containing a provision declaring this act to be an emergency matter, stating the facts constituting such emergency and providing that this act shall take effect immediately upon its passage.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Senate Bill No. 490 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 46—An act to amend sections 4.51 and 4.52 of the School Code, relating to the distribution of funds received by the State under the act of Congress approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain."

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 222—An act to amend section 1 of an act entitled "An act making an appropriation for the establishment of a permanent fund for the purchase of jute, to be manufactured at the State Prison at San Quentin," approved March 9, 1885, relating to the revolving fund from the manufacture and sale of jute.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder,

Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 927—An act to amend section 1a of an act entitled "An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the Chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justice and judges incurred in the discharge of such assignments," approved May 20, 1927, relating to expenses of judges and justices of the peace sitting under assignment from the Judicial Council.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 14—Relative to memorializing the President and the Congress of the United States to enact H. R. 4009, which proposes to appropriate $50,000,000 to cooperate with the States of the United States in the eradication of noxious weeds, and urging the Secretary of Agriculture to expedite consideration favorable to said bill.

Senate Joint Resolution No. 14 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 412—An act to amend section 4261 of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 971—An act to amend the title and sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, and 14, and to renumber 14a to be section 14½, of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to the distribution and sale of motor fuels and oil.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1150—An act to add section 246.1 to the Code of Civil Procedure, relating to verified statements by jurors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 436—An act to amend section 120 of the Agricultural Code, relating to nursery licenses.

Motion to Amend Senate Bill No. 436.

Mr Dilworth moved to amend Senate Bill No. 436 as follows:

Amendment No. 1.

On page 1 of the printed bill, immediately following line 23, add the following words: "Retail florists who do not sell growing plants are exempt from the provisions of this section."

Amendment adopted.

Request for Unanimous Consent.

Mr. Dilworth asked for, and was granted, unanimous consent to take up Senate Bill No. 436, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 436, as Amended.

Senate Bill No. 436—An act to amend section 120 of the Agricultural Code, relating to nursery licenses.

Senate Bill No. 436, as amended, read third time, and passed by the following vote:

AYES—Andreas, Bayuham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, **Yorty, and Mr. Speaker—79.**

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Senate Bill No. 986—An act to amend sections 22, 23, 24 and 50 of "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creating of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation, providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, relating to protection of the natural resources of water, petroleum and gas from damage, waste and destruction, and providing for bonds required of drillers of oil and gas wells.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, **Yorty, and Mr. Speaker—79.**

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 544—An act to amend Chapter 493, Statutes of California, 1917, entitled "An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act," approved May 17, 1917, as amended, and to add new sections thereto to be known as 7a, 7b, 7c, 7d, 7e, and 7f, setting forth the manner of application and providing for rules and regulations for the use of State-owned property.

Motion to Amend Senate Bill No. 544.

Mr Clark moved to amend Senate Bill No. 544 as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after "lease", insert the following: ", for purposes other than the extraction and recovery of minerals, including oil, gas and other hydrocarbons, or for purposes other than prospecting for such minerals,".

Amendment adopted.

Request for Unanimous Consent.

Mr. Muldoon asked for, and was granted, unanimous consent to take up Senate Bill No. 544, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 544, as Amended.

Senate Bill No. 544—An act to amend Chapter 493, Statutes of California, 1917, entitled "An act providing for the leasing of certain State lands and making an appropriation for the purposes of this act," approved May 17, 1917, as amended, and to add new sections thereto to be known as 7a, 7b, 7c, 7d, 7e, and 7f, setting forth the manner of application and providing for rules and regulations for the use of State-owned property.

Senate Bill No. 544, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 372—An act to amend sections 3 and 9 of the Pharmacy Law of the State of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 502—An act to provide for leasing adequate facilities and service for the establishment and operation of a telephone-typewriter system of communication between counties and cities and counties of this State, to authorize the connection of this system with that of any adjacent State, and to make an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 1142—An act making an appropriation to be expended by the Department of Public Works for the purpose of operating and maintaining certain units or portions of the flood control work within the Sacramento and San Joaquin Drainage District as provided for in Chapter 774, Statutes of 1927, as amended.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 373—An act to amend section 488 of the Vehicle Code, relating to accident reports.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 452—An act to amend sections 733, 1151, 11658, and 12924 of the Insurance Code, to repeal sections 12903, 12904, and 12923 thereof, and to add sections 704.5, 706.5, 903.5, 12903, 12904, 12919, 12923, 12928.5, 12956, and 12957 thereto, all relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 456—An act to amend section 12974 of the Insurance Code, to repeal section 12975 thereof, and to add section 12975 thereto, all relating to the insurance fund in the State Treasury, and providing the same shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Senate Bill No. 456 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 466—An act to amend sections 705, 882, 1500, 1590, 1678, 1679, 1713, 1765, 11060 and 11061 of the Insurance Code, and to add section 900.5 thereto, all relating to insurance, and declaring the urgency thereof, the act to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Senate Bill No. 466 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 460—An act to amend sections 10112, 10113, 10204, 10209, and 10213 of the Insurance Code, to repeal section 10241 thereof, to add section 10203.5 thereto, and to add Article 4, comprising sections 10490 to 10496, inclusive, to Chapter 5, Part 2, Division 2 of said code, all relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 737—An act to amend section 531 of the Political Code, relating to the State Printing Plant.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 656—An act to amend section 124 of the Vehicle Code, relating to the administration of the California Highway Patrol.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 322—An act to amend section 1027 of the Political Code, relating to the Great Seal of the State of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 422—An act to amend section 664a to the Political Code, relating to the payment of State officers and employees.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder,

Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 553—An act to amend section 9 of and to add section 9a to an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the powers of the Surveyor General, now the Chief of the Division of State Lands; for the purpose of taking gold or other minerals from and granting of easements to recover gold or other minerals from the beds of tide and submerged lands, and of navigable rivers and streams.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 424—An act to add two new sections to the School Code, to be numbered 4.194 and 4.252, relating to instruction in the public schools

Motion to Amend Senate Bill No. 424.

Mr. Sawallisch moved to amend Senate Bill No. 424 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "4.194", and insert in lieu thereof the number "4.195".

Amendment No. 2.

On page 1, line 2. of the printed bill, as amended, strike out "4.194", and insert in lieu thereof the number "4.195".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "4.194", and insert in lieu thereof the number "4.195".

Amendments adopted.

Request for Unanimous Consent.

Mr. Sawallisch asked for, and was granted, unanimous consent to take up Senate Bill No. 424, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 424, as Amended.

Senate Bill No. 424—An act to add two new sections to the School Code, to be numbered 4.194 and 4.252, relating to instruction in the public schools.

Senate Bill No. 424, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 942—An act to add a new chapter to Division VI of the Agricultural Code to be numbered 10, relating to marketing of agricultural products.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Senate Bill No 942 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 298—An act to amend section 4277 of the Political Code, relating to the compensation of county and township officers and jurors in counties of the forty-eighth class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 98—An act to add section 1.4 to the State Narcotic Act, relating to habit-forming narcotic and other dangerous drugs and substances.

Motion to Amend Senate Bill No. 98.

Mr. Cottrell moved to amend Senate Bill No. 98 as follows:

Amendment No. 1.

On page 1, lines 3 and 4, of the printed bill, as amended, strike out ", firm or corporation".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Senate Bill No. 98, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 98, as Amended.

Senate Bill No. 98—An act to add section 1.4 to the State Narcotic Act, relating to habit-forming narcotic and other dangerous drugs and substances.

Senate Bill No. 98, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 9—An act to add section 742 to the Fish and Game Code, relating to marlin swordfish meat.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 963—An act to amend section 1 of the Fair Trade Act, relating to fair trade practices.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Special Order.

The hour of two o'clock and thirty minutes p m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 33.

Senate Bill No. 33—An act to add sections 23.1 and 23.2 to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to interest and charges.

Hon. H. A. Dannenbrink in the Chair.

At three o'clock and fifteen minutes p m., Hon H. A. Dannenbrink, member of the Assembly from the Eighteenth District, in the chair.

Motion to Amend Senate Bill No. 33.

Mr King moved to amend Senate Bill No 33 as follows:

Amendment No. 1.

On page 10 of the printed bill, as amended May 24, 1937, strike out lines 42 to 47, inclusive, and insert in lieu thereof the following: "computed at the rate of one per cent (1%) per month on unpaid balances of the loan. For the purpose of".

Substitute Amendment.

Mr Meehan offered the following substitute amendment

Substitute Amendment No. 1.

On page 10 of the printed bill, as amended May 24, 1937 strike out lines 42 to 47, inclusive, and insert in lieu thereof the following: "computed at the rate of 2% of the amount loaned and/or advanced and/or borrowed to or for the borrower for each month during which approximately equal installments are contracted to be paid, and at the same rate on any sum not paid when due For the purpose of".

Substitute amendment by Mr. Meehan read, and refused adoption by the following vote.

AYES—Andreas, Cottrell, Cronin, Cunningham, Dawson, Fulcher, Garibaldi, King, Latham, Laughlin, Lore, Lyon, Meehan, Redwine, Sawallisch, Stream, Turner, Voigt, and Mr. Speaker—19

NOES—Beene, Burns, Hugh M., Cassidy, Crowley, Daley, Dannenbrink, Dilworth Donihue, Donnelly, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Martin, Miller, Eleanor; Morgan, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sheehan Tenney, Walker, Watson, Williamson, and Yorty—35.

The question being on the adoption of the amendment by Mr. King Amendment read, and adopted by the following vote:

AYES—Andreas, Baynham, Burns, Hugh M., Cassidy, Corwin, Crowley, Cunningham, Daley, Dawson, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, King, Kuchel, Latham, Laughlin, Lore, Lyon, Maloney, McMurray, Meehan, Millington, Muldoon, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Stream, Tenney, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—43.

NOES—Beene, Breed, Cottrell, Dannenbrink, Dilworth, Donihue, Glick, Heisinger, Johnson, Martin, Miller, Eleanor; Morgan, O'Donnell, Peyser, Redwine, Scudder, Sheehan, Thorp, Turner Webel, and Williamson—21

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 33, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 33, as Amended.

Senate Bill No. 33—An act to add sections 23.1 and 23.2 to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to interest and charges.

Motion to Amend Senate Bill No. 33.

Mr. Garland moved to amend Senate Bill No. 33 as follows:

Amendment No. 1.

On page 11, line 32, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", except in cities with population of 50,000 or less, in which the fee shall be $50."

Amendment read, and refused adoption by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Clark, Cottrell, Cronin, Dawson, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Heisinger, Johnson, Laughlin, Leonard, McMurray, Patterson, Peek, Pelletier, Peyser, Robertson, Rosenthal, Walker, Watson, Welsh, and Mr. Speaker—27.

NOES—Andreas, Cassidy, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Donihue, Field, Flint, Hornblower, King, Latham, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Morgan, O'Donnell, Redwine, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Weber, Williamson, and Yorty—32.

Motion to Amend Senate Bill No. 33.

Mr. Johnson moved to amend Senate Bill No. 33 as follows:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 10 to 19, inclusive, and insert in lieu thereof the following: "money.

This act applies to all persons in the business of lending money whose charges and business the Legislature has power to regulate under the provisions of the Constitution of the State of California, or the laws and Constitution of the United States."

Amendment read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Patterson, Pelletier, Peyser, Redwine, Richie, Rosenthal, Tenney, Watson, Weber, Welsh, Yorty, and Mr. Speaker—46.

NOES—Andreas, Beene, Burns, Hugh M., Cassidy, Garibaldi, Garland, King, Lyon, Sheehan, Stream, and Williamson—11.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 33, as amended, and with any and all future amendments, without reference to reprint or calendar.

Consideration of Senate Bill No. 33, as Amended.

Senate Bill No. 33—An act to add section 23.1 and 23.2 to an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to interest and charges.

Motion to Amend Senate Bill No. 33.

Mr. Williamson moved to amend Senate Bill No. 33 as follows:

Amendment No. 1.

On page 10, line 13, of the printed bill, as amended, after "may", insert the following: ", in accordance with the provisions of this section,".

Amendment No. 2.

On page 10 of the printed bill, as amended, strike out lines 14 to 16, inclusive, and insert in lieu thereof the following: "loan, such charges as may be agreed upon in writing".

Amendment No. 3.

Strike out the King amendment, and on page 10 of the printed bill, as amended, strike out lines 42 to 47, inclusive, and insert in lieu thereof the following: "computed at the rate of 2 per cent per month on the unpaid balance of any loan up to and including three hundred dollars ($300), and at the rate of 12 per cent per annum on the unpaid balance of any loan in excess of three hundred dollars ($300). All loans made by a licensee to a single borrower within any period of twelve months shall, for the purpose of computing maximum charges, be cumulated and considered as one loan. For the purpose of".

Amendment No. 4.

On page 11, line 9, of the printed bill, as amended, strike out "of five hundred dollars ($500) or less,".

Amendments Nos 1 to 4, inclusive, read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—54.

NOES—Beene, Cassidy, Garland, King, and Lyon—5

Motion to Amend Senate Bill No. 33.

Mr. Johnson moved to amend Senate Bill No. 33 as follows:

Amendment No. 1.

On page 3, line 17, of the printed bill, as amended, strike out the comma, and in line 18, strike out "of evading this act.", and insert in lieu thereof a period.

Amendment No. 2.

On page 5, lines 18 and 19, of the printed bill, as amended, strike out "compensation for services, whether earned or to be earned," and insert in lieu thereof the following: "earned compensation for services".

Amendment No. 3.

On page 7, line 32, of the printed bill, as amended, before "compensation", insert the following: "earned".

Amendment No. 4.

On page 7 of the printed bill, as amended, strike out line 36, and insert in lieu thereof the following: "or other earned compensation for services,".

Amendment No. 5.

On page 7, line 37, of the printed bill, as amended, strike out "earned,".

Amendment No. 6.

On page 7, line 41, of the printed bill, as amended, before "compensation", insert the following: "earned".

Amendments read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—55.

NOES—Andreas, Beene, Cassidy, Garland, Lyon, and McMurray—6.

Motion to Expunge Record and Rescind Action on Senate Bill No. 33.

Mr Lyon moved to expunge all records, and rescind all actions whereby the Assembly, on this day, adopted amendments to Senate Bill No 33.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Beene, Cronin, Garland, Hunt, King, Kuchel, Latham, Lyon, McMurray, Meehan, Stream, and Mr. Speaker—13.

NOES—Baynham, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Leonard, Levey, Lore, Maloney, Martin, Miller, Eleanor; Miller, George P, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—50.

Motion to Amend Senate Bill No. 33.

Mr. Yorty moved to amend Senate Bill No. 33 as follows:

Amendment No. 1.

On page 5 of the printed bill, strike out all of lines 38 to 51, inclusive, and on page 6, strike out all of lines 1 to 13, inclusive, and insert in lieu thereof the following:

"1. Deliver to the borrower at the time the loan is made a statement of the contract, showing in clear and distinct terms the amount and date of the loan and of its

maturity, the nature of the security for the loan, the name and address of the borrower, the broker (if any) and the personal property broker, and an itemization of every charge in connection with the contract.

2. Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made, specifying the amount applied to charges and the amount, if any, applied to principal balance, if any, of such loan.

3. Permit payment of any amount to be made at any time in advance of date due on any contract of loan, but any such payment may be applied first to all agreed charges up to the date of such payment.

4. Upon payment of the loan in full, plainly mark every obligation and security signed by the borrower with the word "Paid" or "Canceled" and release all security, and cancel and return any note, chattel mortgage, and any assignment or order signed by the borrower unless they are a part of the court record in any action.

5. Such other information as the commissioner may require."

Amendment read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Motion to Amend Senate Bill No. 33.

Mr King moved to amend Senate Bill No. 33 as follows.

Amendment No. 1.

On page 10 of the printed bill, as amended May 24, 1937, strike out lines 42 to 47, inclusive, and insert in lieu thereof the following: "computed at the rate of one per cent (1%) per month on unpaid balances of the loan For the purpose of".

Amendment read, and refused adoption by the following vote:

AYES—Cassidy, Cunningham, Hawkins, King, McMurray, Meehan, Patterson, Rosenthal, Sawallisch, Tenney, and Yorty—11

NOES—Beene, Boyle, Breed, Clark, Corwin, Cottrell, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Richie, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—47.

Motion to Amend Senate Bill No. 33.

Mr Garland moved to amend Senate Bill No. 33 as follows:

Amendment No. 1.

On page 11 of the printed bill, as amended, strike out lines 6 to 13, inclusive, and insert in lieu thereof the following: "be permitted under this section. The rate of charges hereinabove authorized shall be deemed to include any fee, bonus, discount, commission, brokerage or other compensation charged or received from a borrower for the loan or forbearance of any money goods or things in action. If any license shall".

Amendment adopted.

Senate Bill No 33, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—58.

NOES—Cunningham, Garland, Hunt, King, Lyon, Patterson, Tenney, and Yorty—8.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1124—An act to amend section 737u and 4252 of the Political Code, relating to compensation of public officers.

Bill read third time, and passed by the following vote

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 483—An act making an appropriation to provide land for the Sonoma State Home.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1116—An act to add sections 51.7 and 55 to, and to amend and renumber sections 51a and 51b as added by Chapter 427 of the Statutes of 1933, of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds, and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers." approved May 31, 1921, relating to public utility districts in unincorporated territory, including the disincorporation of such districts and the winding up of the affairs of disincorporated districts.

Motion to Amend Senate Bill No. 1116.

Mr. Mayo moved to amend Senate Bill No. 1116 as follows:

Amendment No. 1.

On page 5, line 50, of the printed bill, strike out the comma, and insert in lieu thereof the following: "of".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after "sections", add the following: "50.5,".

Amendment No. 3.

On page 6 of the printed bill, after line 8, add the following:

"SEC. 5. Section 50.5 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 50.5. Any territory, included within any public utility district formed under the provisions of this act and not benefited in any manner by such district, or its continued inclusion therein, may be excluded therefrom by order of the board of directors of such district upon the verified petition of the owner or owners in fee of lands whose assessed value, with improvements, is in excess of one-half of the assessed value of all the lands, with improvements, held in private ownership in such territory.

Such petition shall describe the territory sought to be excluded, and shall set forth that such territory is not benefited in any manner by such public utility dis-

trict or its continued inclusion therein, and shall pray that such territory may be excluded and taken from such district.

Upon the filing of such petition with the secretary of the public utility district he shall call a meeting of the board of directors of the district at a time not less than twenty-five days nor more than fifty days after the filing of the petition and cause a notice of the filing of such petition to be published for at least two weeks in some newspaper of general circulation within said district, if there be one, and if not, in some newspaper of general circulation published in the county in which the district is situated. Such notice shall also state the date of the filing of such petition and that the same will come on for hearing before the board of directors of the district and shall state the time of the hearing and the place thereof, which shall be the regular meeting place of the board of directors of the district; *provided, that the board may adjourn the hearing to a more convenient meeting* place within the district. Any land owner or taxpayer within the district shall have the right to appear at said hearing, either in behalf of or in opposition to *the granting of said petition.*

Said petition shall come on for hearing before the board of directors of the district at the time and place specified in the notice of hearing If upon such hearing the board of directors determines that it is for the best interests of the district that the lands mentioned in the petition, or some portion thereof, be excluded from the district, or if it appears that such lands, or some portion thereof, will not be benefited, by their continued inclusion in the district, then the board of directors shall make an order that such lands, or such portion thereof, be excluded from the district, such order to describe specifically the lands so excluded From the time of the making of such order the lands so excluded shall be deemed to be no longer included in the district, but such order of exclusion shall not be taken to invalidate in any manner any taxes or assessments theretofore levied or assessed against the lands so excluded. A copy of such order of exclusion, certified to by the secretary of the district, shall be recorded in the office of the county recorder of the county in which the district is situated and the record of such certified copy shall be deemed prima facie evidence of the exclusion from the district of the lands purporting to be excluded thereby.

The board of directors of any public utility district formed under the provisions of this act may itself initiate the proceedings for the exclusion from the district of any land or lands which it may not be for the best interests of the district to be included, or which may not be benefited in any manner by their continued inclusion therein. Such proceedings shall be initiated by the board of directors by the passage of a resolution requiring all persons interested to appear and show cause before the board of directors, at a time and place specified, why such lands, describing them, should not be excluded from the district and fixing a time and place for such hearing and directing the secretary of the district to give notice of the passage of such resolution and of such hearing. Upon the passage of such resolution the secretary of the district shall give notice thereof and of the time and place of such hearing in the manner hereinbefore prescribed for notice of hearing upon petition by a land owner or land owners, and thereafter all proceedings shall be had in the manner and with the effect herein provided for proceedings upon a petition by a land owner or land owners. The time of hearing fixed by the board of directors by its resolution hereinbefore mentioned shall be not less than twenty-five days nor more than fifty days after the passage of such resolution and the place of hearing so fixed shall be a convenient place within the district."

Amendments adopted.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Bill No. 1116, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 1116, as Amended.

Senate Bill No. 1116—An act to add sections 51.7 and 55 to, and to amend and renumber sections 51a and 51b as added by Chapter 427 of the Statutes of 1933, of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds, and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincor-

porated territory, including the disincorporation of such districts and the winding up of the affairs of disincorporated districts.

Senate Bill No. 1116, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 637—An act to amend section 2 of an act entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Call, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Richie, Rosenthal, Sawallisch, Sheehan, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—52.

NOES—Peyser—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 638—An act to amend sections 4063, 4065, 4066, and 4067 and to repeal sections 4068 and 4069 of the Business and Professions Code, relating to license fees on itinerant vendors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Call, Cottrell, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Leonard, Lore, Maloney, Martin, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—47.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 667—An act to amend section 585 of the Vehicle Code, and to add thereto section 585 5, relating to stolen and altered vehicles and motors

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 719—An act to add section 1324 to the Fish and Game Code, relating to muskrats.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins,

Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan Tenney, Thorp, Voigt Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—56

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 516—An act to amend section 4041.18 of the Political Code, relating to construction of public buildings.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peyser, Richie, Rosenthal, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—53.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Expunge Records and Rescind Actions on Senate Bills Nos. 637 and 638.

Mr Boyle moved to expunge all records, and rescind all actions whereby the Assembly, on this day, passed Senate Bills Nos. 637 and 638.

The roll was called, and the records expunged, and the actions rescinded by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Pelletier, Peyser, Richie, Scudder, Sheehan, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr Speaker—46

NOES—Cassidy, Crowley, Dilworth, Donnelly, Lore, Patterson, Rosenthal, and Tenney—8

Senate Bills Nos. 637 and 638 ordered on third reading calendar.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 321—An act to amend sections 15, 16, 43, 51, 52, 63, 65, 65b, 65c, 65d, 67, 76, 79, 95, 101, 108, and 109 of and to add sections 23a, 23b, and 113 to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Scudder, Sheehan, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—55

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 842—An act to amend section 4140 of the Political Code, relating to the duties and rights of county recorders.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier,

Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 461—An act to amend section 1640 of the Insurance Code and to add Chapter 7, comprising sections 1800 to 1815, to Part 2, Division 1, of said code, all relating to bail licenses.

Motion to Amend Senate Bill No. 461.

Mr. Cunningham moved to amend Senate Bill No 461 as follows:

Amendment No. 1.

On page 2, line 14, of the printed bill, as amended, after the word "part", strike out the period, and insert the following: ", or to Part 5, Division 2 of this code."

Amendment adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Senate Bill No. 461, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 461, as Amended.

Senate Bill No. 461—An act to amend section 1640 of the Insurance Code and to add Chapter 7, comprising sections 1800 to 1815, to Part 2, Division 1, of said code, all relating to bail licenses.

Senate Bill No 461, as amended, read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Glick, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Millington, Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Richie, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—53.

NOES—Gilbert, and Hunt—2

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 68—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Senate Bill No. 2926.

On motion of Mr. Tenney, Senate Bill No 2926 was withdrawn from the calendar, and re-referred to the Committee on Labor and Capital.

Recess.

At five o'clock and thirty minutes p.m., on motion of Mr. O'Donnell, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p m., the Assembly reconvened.
Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 13.

Assembly Bill No. 18.	Assembly Bill No. 1558.
Assembly Bill No. 29.	Assembly Bill No. 1753.
Assembly Bill No. 35.	Assembly Bill No. 1830.
Assembly Bill No. 61.	Assembly Bill No. 1832.
Assembly Bill No. 234.	Assembly Bill No. 1940.
Assembly Bill No. 441.	Assembly Bill No. 2149.
Assembly Bill No. 636.	Assembly Bill No. 2202.
Assembly Bill No. 670.	Assembly Bill No. 2269.
Assembly Bill No. 844.	Assembly Bill No. 2426.
Assembly Bill No. 1123.	Assembly Bill No. 2611.
Assembly Bill No. 1152.	Assembly Bill No. 2674.
Assembly Bill No. 1318.	Assembly Bill No. 2714.
Assembly Bill No. 1339.	Assembly Bill No. 2750.
Assembly Bill No. 1468.	Assembly Bill No. 2828.
Assembly Bill No. 1496.	Assembly Bill No. 2833.
Assembly Bill No. 1500.	Assembly Bill No. 2836.
Assembly Bill No. 1525.	Assembly Bill No. 2806.

And reports the same correctly enrolled, and presented to the Governor on this twenty-fifth day of May, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Senate Bill No. 117.
Senate Bill No. 446.
Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:
Senate Bill No. 283.
Respectfully reports the same back with the recommendation: Do pass as amended.

DESMOND, Chairman.

The above reported bill ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:
Senate Bill No. 501.
Respectfully reports the same back with the recommendation: Do pass as amended.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:
Senate Bill No. 1164.
Respectfully reports the same back with the recommendation: Do pass as amended.

GILBERT, Chairman.

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Senate Bill No. 1148.
Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 26.
Senate Bill No. 370.
Senate Bill No. 657.
Senate Bill No. 672.
Senate Bill No. 673.
Senate Bill No. 674.
Senate Bill No. 675.
Senate Bill No. 676.
Senate Bill No. 1002.
Senate Bill No. 1117.

Respectfully reports the same back with the recommendation: Do pass.

ROBERTSON, Chairman.

The above reported bills ordered on second reading calendar.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred **Senate Bill No. 23.**

Respectfully reports the same back with the recommendation: Do pass.

DONNELLY, Chairman.

The above reported bill ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 355.
Senate Bill No. 356.
Senate Bill No 1029.
Senate Bill No. 1152.
Senate Bill No. 1163.

Respectfully reports the same back with the recommendation: Do pass as amended.

ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

Third Reading of Senate Bills—(Resumed).

Senate Joint Resolution No. 24—Relative to memorializing the President and Congress to enact legislation relative to the conscription of wealth and industry in war time and the effective barring of war profits.

Senate Joint Resolution No. 24 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Explanation of Vote.

MR. SPEAKER: Senate Joint Resolution No. 24 was passed by the method of "a previous roll call." I condemn this well-meant resolution as being deceptive. It is no more possible to take the profit out of war, so long as capitalist economy survives, than it is possible for a man to collect a fine from himself. Legislation falsely purporting to conscript wealth and war profits would merely add a new sanction to the conscription of men.

PAUL A. RICHIE.

Senate Bill No. 951—An act making an appropriation for the purchase of property for State college at Chico.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller,

George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 949—An act to add section 3810 to the Political Code, relating to payment of delinquent taxes before sale to the State.

Motion to Amend Senate Bill No. 949.

Mr. Millington moved to amend Senate Bill No 949 as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the word "taxes", insert the words "or assessments".

Amendment adopted

Request for Unanimous Consent.

Mr. Millington ask for, and was granted, unanimous consent to take up Senate Bill No 949, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 949, as Amended.

Senate Bill No. 949—An act to add section 3810 to the Political Code, relating to payment of delinquent taxes before sale to the State.

Motion to Amend Senate Bill No. 949.

Mr. Redwine moved to amend Senate Bill No. 949 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, following line 12, add the following "This section does not apply to deeds or conveyances to the Veterans' Welfare Board."

Amendment adopted.

Request for Unanimous Consent.

Mr. Millington ask for, and was granted, unanimous consent to take up Senate Bill No 949, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 949, as Amended.

Senate Bill No. 949—An act to add section 3810 to the Political Code, relating to payment of delinquent taxes before sale to the State.

Motion to Amend Senate Bill No. 949.

Mr. Johnson moved to amend Senate Bill No. 949 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "State", and insert in lieu thereof the following: "street and".

Amendment adopted

Request for Unanimous Consent.

Mr. Millington asked for, and was granted, unanimous consent to take up Senate Bill No. 949, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 949, as Amended.

Senate Bill No. 949—An act to add section 3810 to the Political Code, relating to payment of delinquent taxes before sale to the State.

Senate Bill No. 949, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham,

Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 806—An act to provide for the consolidation of Coachella Valley County Water District and Coachella Valley Storm Water District and to provide for the carrying on of the functions of the consolidated district.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 925—An act to provide armory facilities for the National Guard and making an appropriation therefor.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Senate Bill No. 925 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 286—An act to amend section 24½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages and areas contiguous thereto.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham,

Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1028—An act to add section 2B to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to boundaries of municipal corporation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1114—An act to add section 26 to an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purpose, and to create a board of police commissioners," approved April 26, 1927, relating to the dissolution of police districts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 83—An act to amend section 4.102 of the School Code, relating to an appropriation for vocational rehabilitation.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Withdrawal and Re-reference of Senate Bill No. 1155.

On motion of Mr. Mayo, Senate Bill No. 1155 was withdrawn from the Committee on Labor and Capital, and re-referred to the Committee on Ways and Means.

Motion to Expunge Record and Rescind Action on Amendment to Senate Bill No. 1146.

Mr. Desmond moved to expunge the record, and rescind the action whereby the Assembly, on May 19, 1937, adopted an amendment to Senate Bill No. 1146.

The roll was called, and the record expunged and the action rescinded by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Consideration of Senate Bill No. 1146.

Senate Bill No. 1146—An act to amend section 10 of the "Highway Carriers' Act," relating to highway carriers, including rates chargeable by such carriers.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 525—An act to amend section 1197b of the Political Code, relating to initiative measures.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 526—An act to amend section 1197a of the Political Code, relating to initiative measures.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint,

Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 650—An act to amend Part III, Title II, Chapter VIII of the Political Code, so as to add a new section thereto to be numbered section 1195c thereof, relating to printed arguments for and against proposed constitutional amendments, initiative petitions and referendum petitions.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor: Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 692—An act to amend sections 821, 827 and 1011 of, and to add sections 1012.4 and 1012.6 to, the Agricultural Code, relating to fruits and vegetables.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 6—Relative to memorializing the President and Congress of the United States to enact legislation that would result in financial aid in the construction of a neuro-psychopathic hospital for veterans of the World War.

Senate Joint Resolution No. 6 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 7—Relative to memorializing Congress to enact legislation relating to disabled veterans

Senate Joint Resolution No. 7 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J. Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 18—Relative to memorializing the President and the Congress of the United States to take action to relieve producers of agricultural products which have been damaged by freezing.

Senate Joint Resolution No. 18 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1105—An act to amend an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collecton thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, by amending section 1 thereof, amending and renumbering sections 2, 3 and 4, and adding new sections 2, 4, 6, 7, 8 and 9 to said act, relating to fees payable by such persons, corporations and forwarders, including motor transportation brokers, and the collection and disposition of such fees.

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1068—An act to amend sections 5, 6, 7, 8, 9, 11, 12, 13 and 14 of, and to add sections 9½, 12¾, 13½, 13.15, 13¾ and 19¼ to the City Carriers' Act.

Motion to Amend Senate Bill No. 1068.

Mr. Garibaldi moved to amend Senate Bill No. 1068 as follows:

Amendment No. 1.

On page 4, line 26, of the printed bill, as amended, strike out "the proceeding", and insert in lieu thereof the following: "such hearing".

Amendment No. 2.

On page 4 of the printed bill, as amended, insert between lines 31 and 32, the following:

"This section shall become effective on November 1, 1937. However, the time within which any such carrier, operating as such when this section becomes effective, shall file its initial schedule under the provisions of this section may, upon application to the commission by such carrier and for good cause shown, be extended by the commission to a date not later than January 1, 1938."

Amendments adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Senate Bill No. 1068, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 1068, as Amended.

Senate Bill No. 1068—An act to amend sections 5, 6, 7, 8, 9, 11, 12, 13 and 14 of, and to add sections 9½, 12¾, 13½, 13.15, 13¾ and 19¼ to the City Carriers' Act.

Senate Bill No. 1068, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 972—An act to amend sections 1, 3, 4, 6, 7, 8, 10, 12, 13, 14, and 15, to add sections 11½, 13½, 13¾, 14½, 14¾, 20¼, 20½ and 21½, and to repeal section 9 of the Highway Carriers' Act, relative to the use of public highways for commercial purposes by motor vehicles.

Motion to Amend Senate Bill No. 972.

Mr. Garibaldi moved to amend Senate Bill No. 972 as follows:

Amendment No. 1.

On page 5, lines 22 and 23, of the printed bill, as amended, strike out "provided, however, that such", and insert in lieu thereof the following: "Such".

Amendment No. 2.

On page 5, line 31, of the printed bill, as amended, strike out "thereof", and insert in lieu thereof the following: "hereof".

Amendment No. 3.

On page 6, line 19, of the printed bill, as amended, strike out "thereof", and insert in lieu thereof the following: "thereon".

Amendment No. 4.

On page 6 of the printed bill, as amended, insert between lines 38 and 39, the following:

"This section shall become effective on November 1, 1937. However, the time within which any such carrier, operating as such when this section becomes effective,

shall file its initial schedule under the provisions of this section may, upon application to the commission by such carrier and for good cause shown, be extended by the commission to a date not later than January 1, 1938."

Amendments adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Senate Bill No. 972, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 972, as Amended.

Senate Bill No. 972—An act to amend sections 1, 3, 4, 6, 7, 8, 10, 12, 13, 14, and 15, to add sections 11½, 13½, 13¾, 14½, 14¾, 20¼, 20½ and 21½, and to repeal section 9 of the Highway Carriers' Act, relative to the use of public highways for commercial purposes by motor vehicles

Senate Bill No. 972, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Williamson, and Mr. Speaker—52

NOES—Gilbert, Patterson, Richie, Tenney, and Yorty—5.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 704—An act to add section 76 to the Agricultural Code and to repeal section 694da of the Political Code, relating to the State Agricultural Society contingent fund.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 514—An act to regulate auctions.

Bill read third time, and passed by the following vote:

AYES—Beene, Burns, Hugh M., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Muldoon, Peek, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Williamson, and Mr. Speaker—46

NOES—Andreas, Dannenbrink, King, Kuchel, Morgan, Patterson, Pelletier, Richie, Tenney, Watson, and Yorty—11.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 182—An act to add section 21.2 to the Fish and Game Code, relating to fish and game wardens.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier,

Peyser, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—57.

NOES—Dannenbrink—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 930—An act to add section 461 to the Fish and Game Code, relating to prizes for game.

Motion to Amend Senate Bill No. 930.

Mr. Mayo moved to amend Senate Bill No. 930 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, following line 7, insert the following: "This section does not apply to any person or nonprofit organization conducting what is generally known as frog jumping contests."

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, after the word "mammals", insert the following: "fish".

Amendments adopted.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Bill No 930, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 930, as Amended.

Senate Bill No. 930—An act to add section 461 to the Fish and Game Code, relating to prizes for game.

Senate Bill No 930, as amended, read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—55.

NOES—Gilbert, and Heisinger—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 1149—An act to amend section 3700 of the Political Code, relating to the salaries of the members of the State Board of Equalization.

Bill read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Redwine, Rosenthal, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Williamson, and Mr. Speaker—54.

NOES—Dilworth, Kepple, Pelletier, Richie, and Yorty—5.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 884—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.

Motion to Amend Senate Bill No. 884.

Mr. Gannon moved to amend Senate Bill No 884 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out "in making"; strike out line 6, and insert in lieu thereof a comma and the following: "such".

Amendment No. 2.

On page 2, line 4, of the printed bill, as amended, strike out the semicolon, strike out lines 5, 6 and 7, and insert in lieu thereof a period.

Amendments adopted.

Request for Unanimous Consent.

Mr. Gannon asked for, and was granted, unanimous consent to take up Senate Bill No 884, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 884, as Amended.

Senate Bill No. 884—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.

Senate Bill No. 884, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Burns, Hugh M., Call, Clark, Corwin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Richie, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—53

NOES—Dannenbrink, Patterson, and Tenney—3.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Senate Concurrent Resolution No. 43—Relating to the appointment of a Conservation Committee.

Senate Concurrent Resolution No. 43 read, and adopted by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—55.

NOES—Dannenbrink, and Tenney—2.

Title read and approved. Bill ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Joint Resolution No. 52: By Mr. Crowley—Relative to Federal aid to State or Territorial veterans' homes.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 52, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 52.

Assembly Joint Resolution No. 52—Relative to Federal aid to State or Territorial veterans' homes

Assembly Joint Resolution No. 52 read, and adopted by the following vote:

AYES—Burns, Michael J., Clark, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier,

Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—55

NOES—None

Title read and approved Bill ordered to print, and transmitted to the Senate

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 233—An act to amend section 421 of the Fish and Game Code, relating to sporting fishing licenses.

Bill read third time, and passed by the following vote:

AYES—Beene, Burns, Michael J., Call, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 633—An act to add section 1083d to the Political Code, relating to the publication of notice of intention to circulate petitions.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Field, Fulcher, Gannon, Garibaldi, Glick, Heisinger, Hornblower, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, *Morgan, Muldoon, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream,* Turner, Walker, Watson, and Williamson—43.

NOES—Andreas, Cassidy, Clark, Donihue, Donnelly, Flint, Gilbert, Hawkins, Hunt, Johnson, King, Mayo, Meehan, Patterson, Peek, Pelletier, Richie, Tenney, Yorty, and Mr. Speaker—20.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 633.

Mr. Peek gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 633 was this day passed.

Senate Bill No. 572—An act to add a new section to be numbered 4041.29 to the Political Code, relating to powers of boards of supervisors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, *Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor;* Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 766—An act to amend sections 545, 637, 656, 675.5 and 676 of the Vehicle Code, relating to motor vehicles.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, *Johnson,* Kepple, King, Kuchel, *Latham, Laughlin, Leonard,* Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 613—An act to amend section 96 of the "Bank Act," relating to deposits of money received by State Treasurer from trust companies.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Weber, Yorty, and Mr. Speaker—53.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 573—An act to add two new sections to be numbered 2953 and 2954 to the Civil Code, relating to debts secured by mortgages, trust deeds or other hypothecation of real property.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1084—An act to amend section 1 of an act entitled "An act relating to tare allowances on fruit, grain, and wool sold in bags," approved May 27, 1935, relating to sales of farm products.

Motion to Amend Senate Bill No. 1084.

Mr. Dilworth moved to amend Senate Bill No. 1084 as follows.

Amendment No. 1.

On page 1, lines 3 and 4, of the printed bill, as amended, strike out ", black-eye beans".

Amendment adopted.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 184, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 1084, as Amended.

Senate Bill No. 1084—An act to amend section 1 of an act entitled "An act relating to tare allowances on fruit, grain, and wool sold in bags," approved May 27, 1935, relating to sales of farm products.

Senate Bill No. 1084, as amended, read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 626—An act to add a new chapter to be numbered Chapter 9, to Division V of the Agricultural Code, relating to grades and standards for nursery stock.

Bill read third time, and passed by the following vote.

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—59.

NOES—Dannenbrink, Flint, Heisinger, and Watson—4.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 639—An act to amend sections 2322x28 and 4257 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-eighth class.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Peyser, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 388—An act to amend section 397 of the Penal Code, relating to the sale of intoxicating liquors.

Bill read third time.

Demand for Previous Question.

Messrs. Welsh, Morgan, Flint, Andreas and Yorty demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 388.

The roll was called, and Senate Bill No. 388 passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmond, Donihue, Field, Flint, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, King, Laughlin, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Morgan, Muldoon, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Welsh, Williamson, Yorty, and Mr. Speaker—47.

NOES—Boyle, Clark, Cottrell, Cunningham, Dawson, Dilworth, Donnelly, Garibaldi, Garland, Johnson, Kepple, Kuchel, Leonard, Martin, Mayo, Miller, Eleanor; Scudder, Turner, Voigt, Walker, and Watson—21.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 935—An act to amend sections 4 and 5 and to add a new section 4 (b) to an act entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, as amended.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond Dilworth,

Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—59.

NOES—Dannenbrink, Donnelly, Garland, Heisinger, King, Lore, Miller, George P., and Tenney—8.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 935.

Mr. Dannenbrink gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No 935 was this day passed.

Senate Bill No. 240—An act to amend sections 2, 3, 3½, 4, 5, 6, 7, 8, 9, 9a and 12 of an act entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the business of contracting and the registration and licensing of contractors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Donihue, Field, Flint, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Latham, Laughlin, Leonard, Levey, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Patterson, Peek, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, and Williamson—49.

NOES—Clark, Dannenbrink, Dilworth, Donnelly, Gannon, Garland, Heisinger, Lore, Mayo, Miller, George P., Pelletier, Richie, Tenney, Watson, Yorty, and Mr. Speaker—16.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 240.

Mr Dannenbrink gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 240 was this day passed.

Senate Bill No. 438—An act to amend section 4 of an act entitled "An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation of the provisions hereof," approved April 13, 1933, relating to species illegally entered or kept.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 534—An act adding section 1275.5 to the Fish and Game Code, relating to the possession of deer

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard,

Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 757—An act to amend sections 2 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 439—An act to amend sections 782, 784.3 and 830 of the Agricultural Code, relating to fruits, nuts and vegetables.

Motion to Amend Senate Bill No. 439.

Mr. Garland moved to amend Senate Bill No. 439 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "of", insert the following: ", and to add section 783.5 to".

Amendment No. 2.

On page 1 of the printed bill, as amended, after line 27, insert the following:

"SEC. 1.5. Section 783.5 is hereby added to said code to read as follows:

783.5. No lot of fruits, nuts or vegetables bearing or accompanied by a certificate of inspection readily identifying such lot and issued by any agricultural commissioner, deputy, or inspector, shall be rejected from transportation or sale within this State for the purported violation of any provision of this chapter."

Amendments adopted.

Request for Unanimous Consent.

Mr. Dilworth asked for, and was granted, unanimous consent to take up Senate Bill No. 439, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 439, as Amended.

Senate Bill No. 439—An act to amend sections 782, 784.3 and 830 of the Agricultural Code, relating to fruits, nuts and vegetables.

Senate Bill No. 439, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser,

Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 309—An act relating to the State civil service, including the adaption thereof to Article XXIV of the State Constitution and providing for reports in regard to personnel by other officers and employees of the State.

Motion to Amend Senate Bill No. 309.

Mr. McMurray moved to amend Senate Bill No 309 as follows:

Amendment No. 1.

On page 11, line 45, of the printed bill, as amended, strike out "Examina-"; strike out all of lines 46 to 51, inclusive, and insert in lieu thereof the following:

"To the end that the examinations shall be competitive, none but objective standards or measures shall be used in any examination, and no oral examination or interview shall ever be employed, save, when deemed necessary, to ascertain whether or not the applicant possesses the preliminary requirements as to citizenship, age, education, training, or experience prescribed for the position. Each applicant possessing the preliminary requirements for a position is entitled to take the examination for that position but shall not be rated upon the basis of or according to such preliminary requirements, nor upon the basis of or according to his education, training, experience, or personality traits. This requirement does not preclude the giving of such written, physical, medical, and practical demonstration tests as may be appropriate to the position for which the examination is given, to the extent that objective standards and measures are employed therein."

Demand for Previous Question.

Messrs. Cottrell, Dawson, Cunningham, Morgan and Garibaldi demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment.

Amendment read, and refused adoption by the following vote:

AYES—Burns, Michael J., Cassidy, Clark, Daley, Dawson, Donihue, Donnelly, Flint, Gilbert, Hawkins, Heisinger, King, Levey, Lore, McMurray, Meehan, Miller, George P., Patterson, Peek, Richie, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Weber, Yorty, and Mr. Speaker—28.

NOES—Andreas, Baynham, Beene, Breed, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Scudder, Sheehan, Stream, Walker, and Williamson—35.

Motion to Amend Senate Bill No. 309.

Mr. Gannon moved to amend Senate Bill No 309 as follows:

Amendment No. 1.

On page 9, line 7, of the printed bill, as amended, add the following paragraph:

"Sec. 57. The provisions of Article XXIV of the State Constitution and of this act shall apply to, and the term "State civil service" shall include, State officers and employees directly appointed or employed by Attorney General, except deputies, a confidential secretary to be designated by the Attorney General, special counsel, agents and investigators."

Amendment read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Peyser, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, and Williamson—49.

NOES—Donihue, Donnelly, Flint, Gilbert, Heisinger, Hunt, King, Lore, McMurray, Meehan, Patterson, Pelletier, Richie, Tenney, Yorty, and Mr. Speaker—16.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 309, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 309, as Amended.

Senate Bill No. 309—An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution and providing for reports in regard to personnel by other officers and employees of the State.

Senate Bill No. 309, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—Heisinger, and McMurray—2.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 309.

Mr. McMurray gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 309 was this day passed.

Motion for Temporary Suspension of the Rules.

Mr. Crowley moved that the Rules be temporarily suspended for the reconsideration of Senate Bill No. 309, as this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, and Welsh—43.

NOES—Clark, Cronin, Daley, Dawson, Donnelly, Flint, Gilbert, Hawkins, Heisinger, Hunt, King, Levey, Lore, McMurray, Miller, George P., Patterson, Peek, Richie, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—28.

Senate Bill No. 878—An act to amend section 632 of the Agricultural Code, relating to samples.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 953—An act to amend sections 1, 2, 3, 4 and 11 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved

May 15, 1933; to add sections 5, 6, 7, 8, 9, 10, 12, 15 and 21 to said act; to renumber and amend sections 5, 6, 7, 8, 9, 12, 13, 14, 16 and 17 of said act; to repeal sections 10 and 15 of said act; relating to the taxing of operators engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Motion to Amend Senate Bill No. 953.

Mr. Hornblower moved to amend Senate Bill No. 953 as follows:

Amendment No. 1.

On page 13, line 30, of the printed bill, as amended, after "fund", insert a comma and the following: "and are hereby appropriated out of said fund for the support of said department".

Amendment adopted.

Motion to Amend Senate Bill No. 953.

Mr. Cottrell moved to amend Senate Bill No. 953 as follows:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 42 and 43, insert the following:

"If the operator of any motor vehicle is merely the registered owner thereof, and the legal owner of record repossesses such motor vehicle and pays the full amount of the license tax assessed hereunder, together with all interest thereon and penalties, such legal owner shall not be required to pay the fees herein required for reinstatement of license and restoration of registration, nor shall any of the other provisions of this section be applicable."

Amendment adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No. 953, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 953, as Amended.

Senate Bill No. 953—An act to amend sections 1, 2, 3, 4 and 11 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933; to add sections 5, 6, 7, 8, 9, 10, 12, 15 and 21 to said act; to renumber and amend sections 5, 6, 7, 8, 9, 12, 13, 14, 16 and 17 of said act; to repeal sections 10 and 15 of said act; relating to the taxing of operators engaged in the transportation of persons or property upon the public highways by motor vehicle and providing that this act shall take effect immediately.

Senate Bill No. 953, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Cassidy, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—62.

NOES—Yorty—1.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 69—An act making an appropriation to reimburse the San Diego Harbor improvement fund for the moneys transferred

from that fund to the general fund pursuant to Chapter 217, Statutes of 1931.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 278—An act to add section 28.5 to the Agricultural Code, relating to refunds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 228—An act to amend section 788 of the Fish and Game Code, relating to crabs.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, and Mr. Speaker—58

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 122—An act to amend sections 1.71 and 1.81 of the School Code, relating to the transportation of pupils, and declaring the urgency thereof, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—62.

NOES—None.

Senate Bill No. 122 read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By the Committee on Attaches:

House Resolution No. 190A.

Resolved, That the following named person be, and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, and the Controller is hereby directed to draw his warrant in favor of the said person for the said amount, and the Treasurer is hereby directed to pay the same:

	Per day
Gloria Rosenthal, Page	$2 50

Resolved, further, That said appointment shall be for May 26th, one day only, and that thereafter the said person shall be stricken from the list of Assembly Attaches, and her name stricken from the pay roll of the Assembly.

House Resolution No 189 read, and adopted by the following vote:

AYES—Andreas, Breed, Burns, Michael J., Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Riche, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Withdrawal and Re-reference of Senate Bill No. 241.

On motion of Mr Maloney, Senate Bill No 241 was withdrawn from the Committee on Labor and Capital and re-referred to the Committee on Ways and Means.

Notice of Motion to Reconsider Senate Bill No. 240 Waived.

Mr. Dannenbrink waived his notice of motion to reconsider the vote whereby Senate Bill No. 240 was passed.

Senate Bill No 240 ordered transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 25, 1937

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No. 580.
Assembly Bill No. 933.
Assembly Bill No. 954.
Assembly Bill No. 1048.
Assembly Bill No. 1094.
Assembly Bill No. 1097.
Assembly Bill No. 1180.
Assembly Bill No. 1346.
Assembly Bill No. 1399.
Assembly Bill No. 1402.
Assembly Bill No. 1490.
Assembly Bill No. 1499.
Assembly Bill No. 1526.
Assembly Bill No. 1569.
Assembly Bill No. 1740.
Assembly Bill No. 1762.
Assembly Bill No. 1872.
Assembly Bill No. 2403.
Assembly Bill No. 2404.
Assembly Bill No. 2422.
Assembly Bill No. 2452.
Assembly Bill No. 2554.
Assembly Bill No. 2798.
Assembly Bill No. 2858.
Assembly Concurrent Resolution No. 41.
Assembly Concurrent Resolution No. 49.
Assembly Constitutional Amendment No. 59.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

Assembly Constitutional Amendment No. 59.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the adoption of charters by cities, and cities and counties.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fifty-second regular session commencing on the fourth day of January, 1937, two-thirds of the members elected to each of the two houses

of said Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of said State be amended by amending section 8 of Article XI thereof, to read as follows

Sec 8. (a) Any city or city and county containing a population of more than 3,500 inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States or of the Legislature of California, may frame a charter for its own government, consistent with and subject to this Constitution, and any city or city and county having adopted a charter may adopt a new one. Any such charter may be framed by a board of 15 freeholders chosen by the electors of such city or city and county, at any general or special election, but no person shall be eligible as a candidate for such board unless he shall have been, for the five years next preceding, an elector of said city or city and county An election for choosing freeholders may be called by a two-thirds vote of the legislative body of such city or city and county, and on presentation of a petition signed by not less than 15 per cent of the registered electors of such city or city and county, the legislative body shall call such election at any time not less than 30 nor more than 60 days from date of the filing of the petition. Any such petition shall be verified by the authority having charge of the registration records of such city or city and county and the expenses of such verification shall be provided by the legislative body of such city or city and county.

(b) Candidates for the office of freeholders shall be nominated either in such manner as may be provided for the nomination of officers of the municipal or city and county government or by petition, substantially in the same manner as may be provided by general laws for the nomination by petition of electors of candidates for public offices to be voted for at general elections

(c) At such election the electors shall vote first on the question "Shall a board of freeholders be elected to frame a proposed new charter?" and secondly for the candidates of the office of freeholder If the first question receives a majority of votes of the qualified voters voting thereon at such election, the 15 candidates for the office of freeholder receiving the highest number of votes shall forthwith organize as a board of freeholders, but if the first question receives less than a majority of the votes of the qualified voters voting thereon at such election no board of freeholders shall be deemed to have been elected

(d) The board of freeholders shall, within one year after the result of the election is declared, prepare and propose a charter for the government of such city or city and county. The charter so prepared shall be signed by a majority of the board of freeholders and filed in the office of the clerk of the legislative body of said city or city and county The legislative body of said city or city and county shall, within 15 days after such filing, cause such charter to be published once in the official newspaper of said city or city and county and each edition thereof, during the day of publication (or in case there be no such official newspaper, in a newspaper of general circulation within such city or city and county and all the editions thereof issued during the day of publication) and in any city or city and county with over 50,000 population shall cause copies of such charter to be printed in convenient pamphlet form and in type of not less than ten point and shall cause copies thereof to be mailed to each of the qualified electors of such city or city and county, and shall, until the day fixed for the election upon such charter, advertise in one or more newspapers of general circulation in said city or city and county a notice that copies thereof may be had upon application therefor.

(e) Such charter shall be submitted to the electors of such city or city and county at a date to be fixed by the board of freeholders, before such filing and designated on such charter, either at a special election held not less than 60 days from the completion of the publication of such charter as above provided, or at the general election next following the expiration of said 60 days.

(f) As an alternative the legislative body of any such city or city and county, on its own motion may frame or cause to be framed, a proposed charter and submit the proposal for the adoption thereof to the electors at either a special election called for that purpose or at any general or special election. Any charter so submitted shall be advertised in the same manner as herein provided for the advertisement of a charter proposed by a board of freeholders, and the election thereon held at a date to be fixed by the legislative body of such city or city and county, not less than 40 nor more than 60 days after the completion of the advertising in the official paper.

(g) If a majority of the qualified voters voting thereon at such general or special election shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be submitted to the Legislature, if then in session, or at the next regular or special session of the Legislature. The Legislature shall by concurrent resolution approve or reject such charter as a whole, without power of alteration or amendment; and if approved by a majority of the members elected to each house it shall become the organic law of such city or city and county and supersede any existing charter and all laws inconsistent therewith One copy of the charter so ratified and approved shall be filed with the Secretary of State,

one with the recorder in the county in which such city is located, and one in the archives of the city, and in the case of a city and county one copy shall be filed with the recorder thereof, and one in the archives of such city and county; and thereafter the courts shall take judicial notice of the provisions of such charter.

(h) The charter of any city or city and county may be amended by proposals therefor submitted by the legislative body thereof on its own motion or on petition signed by 15 per cent of the registered electors, or both. Such proposals shall be submitted to the electors at either a special election called for that purpose or at any general or special election. Petitions for the submission of any amendment shall be filed with the clerk of the legislative body of the city or city and county. The signatures on such petitions shall be verified by the authority having charge of the registration records of such city or city and county, and the expenses of such verification shall be provided by the legislative body thereof. If such petitions have a sufficient number of signatures the legislative body of the city or city and county shall so submit the amendment or amendments so proposed to the electors at the time of the holding of the next regular municipal election held not less than 60 days from the date of the filing of such petition, or submit the same at any special election called for that purpose prior to the next regular municipal election Amendments proposed by the legislative body and amendments proposed by petition of the electors may be submitted at the same election. The amendments so submitted shall be advertised in the same manner as herein provided for the advertisement of a proposed charter, and the election thereon, held at a date to be fixed by the legislative body of such city or city and county, not less than 40, and not more than 60, days after the completion of the advertising in the official paper

(i) If a majority of the qualified voters voting on any such amendment vote in favor thereof, it shall be deemed ratified, and shall be submitted to the Legislature if then in session, or at the regular or special session next following such election, and approved or rejected without power of alteration in the same manner as herein provided for the approval or rejection of a charter

(j) In submitting any such charter or amendment separate propositions, whether alternative or conflicting, or one included within the other, may be submitted at the same time to be voted on by the electors separately, and, as between those so related if more than one receive a majority of the votes, the proposition receiving the largest number of votes shall control as to all matters in conflict It shall be competent in any charter framed under the authority of this section to provide that the municipality governed thereunder may make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters and in respect to other matters they shall be subject to general laws It shall be competent in any charter to provide for the division of the city or city and county governed thereby, into boroughs or districts, and to provide that each such borough or district may exercise such general or special municipal powers, and to be administered in such manner, as may be provided for each such borough or district in the charter of the city or city and county

(k) The percentages of the registered electors herein required for the election of freeholders or the submission of amendments to charters shall be calculated upon the total vote cast in the city or city and county at the last preceding general State election; and the qualified electors shall be those whose names appear upon the current registration records. The election laws of such city, or city and county shall, so far as applicable, govern all elections held under the authority of this section

SENATE CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1.	Assembly Bill No. 1214.
Assembly Bill No. 204.	Assembly Bill No. 1274.
Assembly Bill No. 249.	Assembly Bill No. 1448.
Assembly Bill No. 308.	Assembly Bill No. 1570.
Assembly Bill No. 428.	Assembly Bill No. 1761.
Assembly Bill No. 526.	Assembly Bill No. 2392.
Assembly Bill No. 931.	Assembly Joint Resolution No. 19.
Assembly Bill No. 1203.	

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Senate Bill No. 812.

Respectfully reports the same back with the recommendation: Do pass as amended

HORNBLOWER, Chairman

The above reported bill ordered on second reading calendar.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Senate Bill No. 604.
Senate Bill No. 770.

Respectfully reports the same back with the recommendation: Do pass.

MALONEY, Chairman

The above reported bills ordered on second reading calendar.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 771.

Respectfully reports the same back with the recommendation. Do pass.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1154.

Respectfully reports the same back with the recommendation. Do pass as amended.

DONIHUE, Chairman.

The above reported bill ordered on second reading calendar.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 11.
Senate Constitutional Amendment No. 28.
Senate Constitutional Amendment No. 32.
Senate Constitutional Amendment No. 33.
Senate Constitutional Amendment No. 34.

Respectfully reports the same back with the recommendation: Be adopted.

HUNT, Chairman.

The above reported bills ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1937.

MR. SPEAKER Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 31.

Respectfully reports the same back with the recommendation Be adopted as amended

HUNT, Chairman

The above reported bill ordered on second reading calendar.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR SPEAKER: Your Committee on Labor and Capital, to which was referred:

Senate Bill No. 166.

Respectfully reports the same back signed out by the committee as amended

FLINT, Chairman	BURNS, MICHAEL J.
MILLER, GEORGE P.	PELLETIER
ROSENTHAL	MALONEY
GILBERT	BEENE

The above reported bill ordered on second reading calendar.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:
Senate Bill No. 24.
Respectfully reports the same back with the recommendation: Do pass.

BAYNHAM, Chairman

The above reported bill ordered on second reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Senate Bill No. 1153.
Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Senate Bill No. 750.
Senate Bill No. 938.
Respectfully reports the same back with the recommendation: Do pass as amended.

PATTERSON, Chairman.

The above reported bills ordered on second reading calendar.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Senate Bill No. 1141.
Respectfully reports the same back without recommendation.

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Senate Bill No. 802.
Respectfully reports the same back with the recommendation: Do pass as amended.

WELSH, Chairman.

The above reported bill ordered on second reading calendar.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 25, 1937.

To the Honorable Members of the Assembly:

I am returning herewith, without my approval, **Assembly Bill No. 1734**, the same being:

"An act to amend section 261a of the Code of Civil Procedure of the State of California, to authorize the appointment of two additional assistant secretaries, one additional stenographic secretary, a phonographic reporter to assist the superior court in any county, or city and county having a population of nine hundred thousand inhabitants or over, and fixing the compensation therefor, and authorizing mileage for such employees under certain circumstances."

Assembly Bill No. 1734 would add several additional court officials to the list already existing in counties having a population of 900,000 inhabitants and over.

No good reason appearing why the above mentioned personnel increase should be authorized, I am returning Assembly Bill No. 1734 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1734 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 25, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 1736**, the same being:

"An act to amend section 4178 of the Political Code, providing that the county clerk, acting as clerk of the superior court, shall assist the judges and commissioners of such court in the transaction of judicial business."

Assembly Bill No. 1736 would add to the duties of the clerk of the superior court that he must "assist the judges and commissioner of such court in the transaction of judicial business."

No definition having been included as to what is intended by this amendment to paragraph 2 of section 4178 of the Political Code, and no good reason appearing for its enactment, I am returning Assembly Bill No. 1736 without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1736 ordered on unfinished business calendar.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 25, 1937.

To the Honorable Members of the Assembly.

I am returning herewith, without my approval, **Assembly Bill No. 1737,** the same being:

"An act to amend section 204a of the Code of Civil Procedure of the State of California, relating to the salary of the jury commissioner for the superior court in counties, or cities and counties having a population of 900,000 inhabitants or more."

This bill increases the salary of the jury commissioner of Los Angeles County from $1,500 per annum to $3,600 per annum.

No good reason having been suggested for the increase of this salary, I am returning the bill without my approval.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1737 ordered on unfinished business calendar.

Second Reading of Senate Bills—(Out of Order).

Senate Bill No. 802—An act to amend section 373g of the Political Code, relating to the development of natural resources.

Committee Amendment to Senate Bill No. 802.

The following amendment was submitted by the committee

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 32 to 40, inclusive.

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 1141—An act to amend sections 2, 3, 4, 5, 7, 8, 10, 12, 13, and 17 and to repeal sections 17a and 18a of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to State lands.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 370—An act providing for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939, providing for the construction of a State Building therefor and the gardening and improvement of its surrounding grounds, creating a California Commission for the Golden Gate International Exposition to have charge of and control of said State Exhibit and Building, defining its powers and duties and making an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Notice of Motion to Reconsider Senate Bill No. 120 Continued.

On motion of Mr. Thorp, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No. 120 was refused passage was continued until the next legislative day.

Consideration of Senate Amendments to Assembly Bill.

Assembly Bill No. 2091—An act to amend section 3491 of the Political Code, relating to reclamation districts and declaring the urgency thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2091?

Amendment No. 1.

On page 1, in lines 1 and 2 of the title of the printed bill, strike out the following: ", and to add section 3491 2 to."

Amendment No. 2.

On page 1, in line 2 of the title of the printed bill, before the word "reclamation" insert the following: "elections in".

Amendment No. 3.

On page 1, in line 3 of the title of the printed bill, strike out the words "and declaring the urgency thereof".

Amendment No. 4.

On page 1, in line 5 of the printed bill, strike out the comma after the word "place" and strike out the word "or" where it first appears in said line 5.

Amendment No. 5.

On page 1, in line 10 of the printed bill, after the word "each" insert the following: "one".

Amendment No. 6.

On page 1, in line 12 of the printed bill, strike out the word "last" and insert in lieu thereof the following: "next preceding".

Amendment No. 7.

On page 2 of the printed bill, after the word "the" where it last appears in line 2, insert the following: "verified petition of twenty per cent of the landowners in the district holding title or evidence of title to and owning at least twenty per cent in value of the lands in the district, the value thereof to be determined from the next preceding assessment roll of the county".

Amendment No. 8.

On page 2, in line 7 of the printed bill, strike out the words "application of any landowner in the district".

Amendment No. 9.

On page 2 of the printed bill, strike out all of lines 51 and 52 and strike out all of page 3.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2091 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Leonard, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Weber, Williamson, and Yorty—59.

NOES—None.

Assembly Bill No. 2091 ordered to enrollment.

Adjournment.

At eleven o'clock and fifty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, May 26, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

EIGHTIETH LEGISLATIVE DAY
ONE HUNDRED FORTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 26, 1937.

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present.

Prayer.

Upon invitation of the Speaker, prayer was offered by the Hon. Geoffrey F. Morgan, member of the Assembly from the Sixtieth District.

Reading of the Journal Dispensed With.

On motion of Mr. Desmond, the further reading of the Journal of Tuesday, May 25, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mary H. Drake, principal; and the following students of Beaver Union School, Ryde, Sacramento County: Gabriel Campos, Elizabeth Nunes, Frank Nunes, Teresa Nunes, Angelina Maro, Mary Rodriguez, Helen Cueba, Norma Bartelini, Beatrice Silva, Librado Dominguez, Manuel Salado, Tony Diaz, Manuel Mayano, Sylvester Mayano, Eusebio Sequindal, John Menezes, Manuel Menezes, Aldene Leavins, Gloria Morais, Lee Hoe Min, Lee Soe Min, Louis Giovannoni, Victor Silva, Leonard Souza,

Henry Patrick, Edson Lee, Ayako Yoshimoto, Uriko Ito, Yoshinori Ito, Masao Tokuyshi, Kioko Tokuyshi, Margarito Ramirez.

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to A. T. Jergins of Los Angeles.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Charles Rambeau of Sacramento.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Herman Schlom and her children Marshall Ivan and Lois Garnett of Hollywood.

Assistant Chief Clerk Greenburg Reading.

Second Reading of Senate Bills.

Senate Bill No. 1148—An act to amend sections 4239d, 4239h and 4239*l* of the Political Code, relating to salaries of county officers of counties of the tenth class, San Joaquin County.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 26—An act making an appropriation to pay the claim of Mrs G. Field against the State of California

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 672—An act making an appropriation for office accommodations for the Division of Real Estate Department of Investment.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 673—An act making an appropriation for office accommodations for the Bureau of Registration of Nurses.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 674—An act making an appropriation for office accommodations for the Detective License Bureau, Division of Prisons and Paroles, Department of Penology.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 675—An act making an appropriation for office accommodations for the Division of Corporations, Department of Investments.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 676—An act making an appropriation for office accommodations for the Superintendent of Collection Agencies.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 657—An act making an appropriation for the addition of another story to the building known as the annex to the State Printing Plant.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1002—An act to amend an act entitled "An act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor," approved June 7, 1913, as amended, relating to the revolving fund, making an appropriation therefor, and providing that it shall go into immediate effect

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1117—An act providing of the compilation of, printing, binding, publishing and distribution of a Legislative Manual, State Blue Book, Roster or Register of California State Government, and repealing certain acts specified herein.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 23—An act to add Chapter 3 to Division III of the Agricultural Code, to consist of sections 430 to 433, inclusive, relating to ownership or control of stockyards by packers.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 355—An act appropriating money for fireproof vault equipment in the office of the Secretary of State.

Committee Amendment to Senate Bill No. 355.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, before the word "for", insert the following: "to be expended during the eighty-ninth and ninetieth fiscal years".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 356—An act to add section 13.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of this act and to provide that this act shall take effect upon the adoption of the constitutional amendment ratifying these provisions," approved June 5, 1933, relating to horse racing, declaring the urgency hereof, to take effect immediately.

Committee Amendments to Senate Bill No. 356.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 21 and 22, insert the following: "ten thousand dollars to the Department of Finance for supervision and auditing of district agricultural fairs and district agricultural associations".

Amendment No. 2.

On page 2, line 25, of the printed bill, as amended, strike out "permanent", and strike out all of lines 26 to 37, inclusive, and insert in lieu thereof the following: "expenditure without regard to fiscal years, as follows: Twenty-five per cent for permanent improvements at, or support of, the California Polytechnic School; thirty-three per cent for permanent improvements at, or support of, the University of California; the remainder for permanent improvements upon the property of the State, citrus, county, or district agricultural associations for fair purposes, in such amounts as may be allocated by executive order of the Director of Finance."

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 1152—An act making an appropriation to pay the claim of J. A. Beek against the State of California

Committee Amendment to Senate Bill No. 1152.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1 to 3, inclusive, and in lieu thereof insert the following:

"SECTION 1. The sum of six thousand seven hundred ninety-five dollars and twenty-one cents ($6,795.21) is".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 1163—An act to amend sections 5 and 31, and to add sections 2 5 and 12a to the "Reclamation Board Act," approved December 24, 1911, as amended, relating to the name of said board and the number of members thereof, its powers and duties, providing for a short title to said act, and providing an appropriation for the purposes of this act, all relating to reclamation and flood control.

Committee Amendments to Senate Bill No. 1163.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 20, of the printed bill, following the word "expended", insert the following "in accordance with law during the eighty-ninth and ninetieth fiscal years".

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 21 to 23, inclusive, and insert in lieu thereof the following: "of said board for said purposes."

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Senate Bill No. 1029—An act making an appropriation to the State Printing Plant.

Committee Amendments to Senate Bill No. 1029.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2, of the printed bill, as amended, strike out "to the State Printing Plant", and insert in lieu thereof the following, "out of any money in the State Treasury not otherwise appropriated, to the Bureau of Printing, Department of Finance".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, after "Controller", insert the following: "all such payments".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 501—An act to amend sections 735, 735 1, 735 3 735.4, 735 8, 736, 736 1, 736 2, 736 3, 736 4, 737.5, 737 6, 737 7, 737.8, 737 9, 737.10, 737.11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736 5, 736.6, 736 7, 737, 737 1, 737.2, 737 3, 737 4, and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately.

Committee Amendments to Senate Bill No. 501.

The following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 736 1", and insert in lieu thereof the following, "sections 736.1, 737.7 and 737.11"

Amendment No. 2.

On page 5 of the printed bill, as amended, between lines 13 and 14, insert the following

"SEC 2. Section 737 7 of the Agricultural Code is hereby amended to read as follows:

737.7 (a) The violation of any provision of this chapter, or of any provision of any stabilization and marketing plan formulated under the provisions of this chapter, or of any of the unfair practices set forth in this chapter, is a misdemeanor The unfair practice provisions described in this chapter are hereby declared to apply to all distributors, whether or not a plan is in effect in the area in which a distributor is licensed or carries on business

(b) Every distributor must pay or make true and prompt accounting and returns for fluid milk or fluid cream delivered to him or it at the time and in the

manner specified in the contract with the producer; failure to make such payment or to make full and true accounting and returns is hereby declared to be a violation of this chapter

(c) Any person who violates any provision of a stabilization and marketing plan shall be liable civilly in the sum of $500 for each and every violation, such sum to be recovered by the director in any court of competent jurisdiction. All sums recovered under this section shall be deposited in the State Treasury to the credit of the Department of Agriculture fund.

SEC. 3 Section 737.11 of the Agricultural Code is hereby amended to read as follows:

737.11. (a) The director may, after due hearing upon a verified complaint signed and filed with the director by any interested person, revoke or suspend any such license as the case may require, when he is satisfied that the licensee has violated any provision of this chapter, or any provision of any stabilization and marketing plan formulated under the provisions of this chapter. Upon the filing of such a verified complaint, the director shall cause a copy thereof, together with a notice of the time and place of hearing of such complaint, to be served personally or by mail upon the person or persons named as respondent or respondents therein. Such service shall be made at least ten days before said hearing, which shall be held in the city or town in which is situated the principal place of business of the licensee or respondent, or in which the transaction or violation complained of is said to have occurred, or in the nearest office of the State Department of Agriculture, at the discretion of the director. At the time and place appointed for such hearing the director or his agents shall hear the parties to said complaint, and shall enter in the office of the director at Sacramento a decision either dismissing such complaint or specifying the facts established on such hearing. A copy of such decision shall be furnished to each, every and all the respective parties thereto.

(b) Such decision may include an order revoking or suspending the license held by the respondent, or affixing such other conditional and probationary orders as may be proper for the enforcement of this chapter or any of the provisions thereof or of any stabilization and marketing plan formulated hereunder. Such findings, and order may determine the amount of damage, if any, to which a complainant is entitled as a result of a failure of the distributor to pay for fluid milk or fluid cream as in this chapter provided, and in such case the director may make an order directing the offender to make reparation and pay to such person complaining such amount on or before the date fixed in the order.

(c) After a hearing upon the verified complaint referred to herein, or after any decision as above described, and in the event that any person against whom an order is entered and specified as herein set forth shall fail, refuse or neglect to obey said order, within the time specified in said order, the director may thereupon and in the premises issue to and serve upon said person or respondent, an order directing said person or respondent to show cause why the license of said person or respondent should not be suspended or revoked for the violation charged or for failure to comply with any previous order entered as herein provided.

(d) Where the order to show cause is heard separately from the case or hearing set forth in the verified complaint, a copy of the said order to show cause, together with notice of the time and place of hearing upon said order, shall be served personally or by mail upon said person or respondent. Said order shall refer to an attached copy of a verified complaint, or to such other notice affidavit or official document, in such a way as generally to advise and inform the respondent of the charge or violation upon which said order is based and pursuant to which it is issued Such service shall be made at least ten days before said hearing, which shall be held in the city or town in which is situated the principal place of business of the respondent, or in which the transaction or violation complained of is said or charged to have occurred, or at the nearest office of the State Department of Agriculture, at the discretion of the director.

(e) At the time and place appointed for such hearing the director or his agents shall hear the matter set forth in the order, and the showing of the licensee in the premises, and shall enter in the office of the director at Sacramento an order and decision specifying the facts, dismissing the order to show cause or directing the suspension or revocation of the license or licenses held by the licensee, or making such other condition or probationary orders as may be proper, upon the evidence presented at such hearing. A copy of said order and decision shall be furnished to the licensee.

(f) The director may refuse to grant a license to an applicant when he is satisfied of the existence of any of the following facts:

(1) Previous violation by the applicant or by any person connected with said applicant of any provision of this chapter or of any stabilization and marketing plan formulated thereunder."

Amendment No. 3.

On page 5, line 14, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "4".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 1164—An act to section 3703 to the Political Code. relating to members of the State Board of Equalization.

Committee Amendments to Senate Bill No. 1164.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out the period, and add the following: ", provided, however, that if a member of said board is duly qualified to represent the district for which he is chosen at the time of his election or appointment he shall not thereafter during the time of his office become disqualified because of any change which the Legislature may make in the boundaries of the equalization districts within the State."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 604—An act to amend an act entitled "Act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, by adding to said act a new section numbered section 5 thereof permitting the City and County of San Francisco, by action of its board of supervisors, to grant to the Government of the United States for the use of the Navy Department certain portions of the tidelands described in the above mentioned act.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 770—An act to add section 1915 to the Harbors and Navigation Code, relating to methods of increasing the commerce at the harbor of San Francisco.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 117—An act to amend sections 411, 412, and 413 of the Code of Civil Procedure, relating to service of summons.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 446—An act to add section 1872 to the Code of Civil Procedure, relating to compensation for expert testimony.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 283—An act to repeal section 685 of the Code of Civil Procedure, relating to the execution of judgments.

Committee Amendment to Senate Bill No. 283.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, as amended in the Senate on May 19th, strike out "eight", and insert in lieu thereof the word "ten".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 812—An act to amend section 1 of an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the

enforcement of said act and penalties for the violation thereof," approved May 15, 1933, as amended

Committee Amendments to Senate Bill No. 812.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 49, of the printed bill, as amended May 14, 1937, strike out the words "regularly engaged", and insert in lieu thereof the word "employed".

Amendment No. 2.

On page 3 of the printed bill, as amended May 14, 1937, strike out lines 13 to 21, inclusive, and insert in lieu thereof the following: "State of California; (e) while operated by the registered owner or by any member of the family of a registered owner, of a pleasure vehicle".

Amendment No. 3.

On page 3 of the printed bill, as amended May 14, 1937, immediately following line 34, insert a new paragraph reading as follows:

"(p) The term "pleasure vehicle" when used in this act shall mean every motor vehicle used on, or operated over, the public highways of this State for the sole use and benefit of the owner or operator thereof, which said motor vehicle while being so used or operated for the use and benefit of the owner or operator thereof is not used or operated in violation of Chapter 339, Statutes of 1933 as amended, or Chapter 91, Statutes of 1915 as amended, or this act"

Amendment No. 4.

On page 5 of the printed bill, as amended May 14, 1937, immediately after line 20, add the following two paragraphs:

"(i) that the proposed operation by applicant will not impair the efficient public service of any common carrier of passengers then serving the public to, from, or between any city, city and county, or municipality proposed to be served by applicant.

(j) that each and every city, city and county, or municipality to, from, or between which applicant proposes to serve is then being inadequately served by the common carriers of passengers then authorized by the commission to serve the same."

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 771—An act to amend section 473a of the Political Code, relating to services of attorneys for various departments, boards, agencies and commissions of this State.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1154—An act to add section 454.5 to the Political Code, relating to disbursing officers' accounts.

Committee Amendments to Senate Bill No. 1154.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, following the period after the word "thereto", insert a new sentence as follows: "Nothing in this section shall apply to money drawn or collected by the Regents of the University of California"

Amendment No. 2.

On page 1, line 12, of the printed bill, following the comma, insert the following: "and Controller".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding section 29 to Article IV of the Constitution, relating to State money.

Committee Amendments to Senate Constitutional Amendment No. 31.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out the words "any money".

Amendment No. 2.

On page 1, line 13, of the printed bill, following the word "whatever", insert the following: "other than money in the control of or collected by the Regents of the University of California".

Amendments adopted.

Senate Constitutional Amendment No. 31 ordered to reprint and third reading.

Senate Bill No. 166—An act to establish a California Agricultural Labor Relations Board for the mediation and arbitration of agricultural labor disputes and for ancillary purposes, and to prescribe its powers and duties.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 24—An act to amend section 2 of the Public Utilities Act, relating to the definition of public utilities, and definitions of other terms used in said act and including and defining toll bridges and toll bridge corporations as public utilities.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1153—An act to amend section 162 of the Fish and Game Code, relating to Fish and Game District 4C.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 750—An act to amend section 722 of the Fish and Game Code, relating to the sale of fish.

Committee Amendments to Senate Bill No. 750.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 722 of", and insert in lieu thereof the following: "sections 65 and 722 of and to add sections 65.5 and 722.5 to".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "sale of fish", and insert in lieu thereof the following: "taking and sale of fish, and creating certain new districts for the regulation thereof".

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, strike out "722", and insert in lieu thereof the following: "65".

Amendment No. 4.

On page 1 of the printed bill, as amended, between lines 2 and 3, insert the following:

"65. District 2. The following shall constitute fish and game district 2: Those portions of the following counties not included in other districts: Mendocino, Colusa, Yolo, Solano, Napa, Sonoma, and Marin.

SEC. 2. Section 65.5 is hereby added to the Fish and Game Code to read as follows:

65.5. District 2¼. The following shall constitute fish and game district 2¼: That portion of Lake County not included in district 2¾. All provisions of this code relating to district 2 shall apply with like force and effect to district 2¼, except that no such provision shall apply to district 2¼ which conflicts with any provision of this code specifically relating to district 2¼.

SEC. 3. Section 722 of the Fish and Game Code is hereby amended to read as follows:".

Amendment No. 5.

On page 1, line 4, of the printed bill, as amended, strike out "Clear Lake", and insert in lieu thereof the following: "district 2¼".

Amendment No. 6.

On page 1, line 6, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "2¼".

Amendment No. 7.

On page 1, line 9, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "2¼".

Amendment No. 8.

On page 1 of the printed bill, as amended, immediately following line 11, insert the following:

SEC. 4. Section 722.5 is hereby added to the Fish and Game Code to read as follows:

722.5. Between November 15 and March 15, catfish taken in district 2¼ may be sold anywhere in the State of California outside of district 2¼ if the following provisions of this section are followed. Every person desiring to transport catfish out of district 2¼ for the purpose of sale shall give written notice of his intention so to do, such notice being given to any deputy, employee, or agent of the commission and to state the place where such catfish may be inspected, the name of the person who intends to transport such catfish out of district 2¼, and the gross weight of the catfish to be so transported. The duplicate of each such notice shall be signed by the commission's deputy, employee, or agent who received the original and shall bear the date and time of day such notice was received by him Within twenty-four hours after such notice is so given to the commission, the commission may inspect such catfish to determine by whom such catfish were taken, the poundage taken by each such fisherman, and the total number of pounds of catfish to be transported out of district 2¼. Upon such inspection, the commission's deputy, employee, or agent inspecting such load shall make out a duplicate report showing the gross weight of the catfish to be so transported, the name of the person transporting the same, and the destination or destinations where such person intends to sell such catfish. The original copy of such report shall be retained by the commission for its information and the duplicate copy thereof shall be given to the person transporting such catfish If the commission fails to make such inspection within such twenty-four hour period, such catfish may be transported out of district 2¼ without such inspection by the commission. Possession by the person named therein of the aforesaid duplicate report covering the catfish being so transported shall constitute proof of the lawfulness of his acts in so transporting such catfish out of district 2¼ for sale elsewhere in this State. In case the commission has failed to inspect a particular load of catfish, possession by the person named therein of the duplicate copy of the notice herein required to be given to the commission shall constitute prima facie evidence of the lawfulness of his acts in so transporting such catfish out of district 2¼ if such duplicate copy of said notice shows on its face that the original thereof was received by the commission at least twenty-four hours previously. Any person following the provisions of this section may possess any number of lawfully taken catfish"

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 938—An act to add sections 118 and 794.5 to the Fish and Game Code, relating to abalones and providing for a new district to regulate the taking thereof.

Committee Amendment to Senate Bill No. 938.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, strike out "point", and strike out all of lines 11, 12, 13, 14, 15, 16, and 17; in line 18, strike out "mentioned junction."; and insert in lieu thereof "southside of the pier at San Simeon thence westerly three miles, thence southerly to a point three miles west of the southern boundary of the State Park at Cambria in San Luis Obispo County, thence easterly to the southwest point of the State Park at Cambria."

Amendment adopted.

Bill read second time, ordered to reprint and third reading

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1135—An act to add a new section to the School Code to be numbered 5.589, relating to the holding of institutes.

The question being put· Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1135?

Amendment No. 1.

On page 1, line 6, of the printed bill, after said line 6, insert the following:

"The superintendent of schools of each county, excepting the City and County of San Francisco and the county of Alameda, and the superintendent of schools of each district located outside the county of Alameda holding an institute in the City and County of San Francisco or the county of Alameda during the year 1939 shall during said year hold an institute for the teachers of such county or school district under the preceding sections of this article who for any reason can not

attend the institute held in the City and County of San Francisco or the county of Alameda."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1135 by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Gilbert, Heisinger, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Walker, Welsh, Williamson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 1135 ordered to enrollment

Assembly Bill No. 4—An act to amend sections 2, 3, 4, 5, 6, 8, 9, 10 and 11 of, and to add section 1.5 to, and to repeal section 7 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, or to amend sections 3002, 3005, 3026, 3043, 3044, 3047, 3049, 3075, 3078, 3081, 3082, 3083, 3084, 3086, 3087, 3088, and 3090 of, to repeal section 3048 of, and to add sections 3005.10, 3042.10, 3087.1, 3087.2, 3087.3 and 3091 to the Welfare and Institutions Code, relating to aid to needy blind.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 4?

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, as amended, after "1929," insert the following: "or to amend sections 3002, 3005, 3026, 3043, 3044, 3047, 3049, 3075, 3078, 3081, 3082, 3083, 3084, 3086, 3087, 3088, and 3090 of, to repeal section 3048 of, and to add sections 3005.10, 3042.10, 3087.1, 3087.2, 3087.3, and 3091 to the Welfare and Institutions Code,".

Amendment No. 2.

On page 3, line 32, of the printed bill, as amended, after the period, insert the following: "For the purpose of this act a minor child shall be deemed to have resided in the State during any period in which such child has been physically present in the State."

Amendment No. 3.

On page 6 of the printed bill, as amended, strike out lines 25 to 34, inclusive, and insert in lieu thereof the following:

"SEC. 9. (a) During such time as grants in aid are provided or made available by the United States Government for aid to the needy blind in this State, the State Treasurer shall pay to each county and city and county from the sum so granted:

(1) An amount which shall be used exclusively as aid to the needy blind equal to one-half of the total sums expended therefor under this act, not counting so much of such expenditure with respect to any individual for any month as exceeds the maximum fixed by the United States Government in granting or making such sums available, and

(2) If authorized by the State Department of Social Welfare, an additional amount equal to such county's proportionate share of any amount so granted or made available to this State by the United States Government for the costs of administering such aid, which additional amount shall be used exclusively for paying such administration costs. The State Department of Social Welfare shall determine the portion of the amount so granted or made available for administration costs to be paid to the counties and cities and counties, which portion shall not be less than one-half of the amount so granted or made available. The State Department of Social Welfare shall adopt rules and regulations which shall be of uniform application for determining the proportionate shares of the respective counties and cities and counties of the portion so determined to be paid to such counties and cities and counties."

Amendment No. 4.

On page 6 of the printed bill, as amended, strike out lines 39, 40 and 41, and insert in lieu thereof the following: "one-half of the remainder of the sums expended by the county or city and county as aid to the needy blind under this act, after deducting from the sums so expended the amount paid to the county or city and county under subdivision (A) (1) of this sec-".

Amendment No. 5.

On page 6, line 45, of the printed bill, as amended, strike out "one-half of", and strike out line 46, and insert in lieu thereof the following: "the amount paid with respect to such person under subdivision (A) (1) of this section."

Amendment No. 6.

On page 8 of the printed bill, as amended, after line 43, insert the following:

"SEC 9. Section 3002 of the Welfare and Institutions Code is hereby amended to read as follows:

3002 No blind person shall be deemed a pauper because he receives aid under this chapter. This chapter shall be construed separate and apart from any provisions of law for the aid and relief of indigents.

SEC. 9.5 Section 3005 of the Welfare and Institutions Code is hereby amended to read as follows:

3005. As used in this chapter, "needy blind person" means any person who by reason or loss of impairment of eyesight is unable to provide himself with the necessities of life and who has not sufficient income of his own to maintain himself as further set forth in section 3084 of this code.

SEC. 9 6 Section 3005.10 is hereby added to the Welfare and Institutions Code, to read as follows:

3005 10. As used in this chapter, "Department of Social Welfare" means the State Department of Social Welfare.

SEC 10. Section 3026 of the Welfare and Institutions Code is hereby amended to read as follows:

3026 It shall be the duty of each county to aid needy blind persons as provided in this chapter.

SEC. 11. Section 3042.10 is hereby added to the Welfare and Institutions Code to read as follows:

3042 10. For the purposes of this chapter neither the residence nor domicile of the husband or wife shall be deemed the residence or domicile of the other, but each may have a separate residence or domicile dependent upon proof of the fact and not on legal presumptions.

For the purposes of this chapter a minor child shall be deemed to have resided in the State during any period in which such child has been physically present in the State.

SEC. 12 Section 3043 of the Welfare and Institutions Code is hereby amended to read as follows:

3043 If, when and during such time as grants in aid are provided by the United States Government for such aid in this State, and accepted by this State, aid shall be granted under the provisions of this chapter to any person otherwise eligible who resides in the State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of such application

SEC. 13. Section 3044 of the Welfare and Institutions Code is hereby amended to read as follows:

3044. No applicant shall receive aid under the provisions of this chapter while he is an inmate of any institution supported in whole or in part by the State or any of its political subdivisions, but recipients of aid under the provisions of this chapter who are patients in a public hospital for a period not exceeding thirty days, and blind persons employed in a shop maintained by the State when such shop does not provide board and room to the employee, shall not be considered inmates of public institutions. No applicant shall be denied the aid provided for in this chapter, however, because he is attending or intends to attend any public high school in this State, the University of California, or any other institution of higher learning in this State.

SEC. 14. Section 3047 of the Welfare and Institutions Code is hereby amended to read as follows:

3047. Aid shall not be received under the provisions of this chapter by any person who owns personal or real property, or both, the county assessed valuation of which, less all encumbrances thereon of record, is in excess of $3,000.

SEC. 14.5. Section 3048 of the Welfare and Institutions Code is hereby repealed.

SEC. 15. Section 3049 of the Welfare and Institutions Code is hereby amended to read as follows:

3049. Free board and lodging supplied to an applicant, because of his necessity therefor, by a friend or relative who is not responsible for his support or who is financially unable to support him, shall not be a ground for refusing aid.

SEC. 16. Section 3075 of the Welfare and Institutions Code is hereby amended to read as follows:

3075. The Department of Social Welfare shall have power to make administrative rules and regulations to enforce the provisions of this chapter, which rules and regulations shall not conflict with the provisions of this chapter and shall be binding upon the boards of supervisors of the various counties.

SEC. 17. Section 3078 of the Welfare and Institutions Code is hereby amended to read as follows:

3078. The Chief of the Division for the Blind in the Department of Social Welfare may, on behalf of the State, at any time inquire into the management by any county of aid to blind persons under the provisions of this chapter.

If at any time the Department of Social Welfare has reason to believe that aid to the needy blind has been obtained improperly, it shall cause special inquiry to be made and may suspend payment for any installment pending the inquiry. It shall notify the board of supervisors of such suspension. If it appears upon the inquiry, that the aid has been obtained improperly, it shall be canceled by the Department of Social Welfare and if it appears that aid was obtained properly, the suspended payment shall be payable.

Any person dissatisfied with the action of the Department of Social Welfare in suspending or cancelling aid, may appeal to the State Social Welfare Board and upon such appeal shall be granted an opportunity for a fair hearing.

Any county which refuses, upon due demand, to permit such inquiry or to comply with any provision of this chapter, shall not thereafter receive any aid or reimbursement from the State under the provisions of this chapter until it has complied with all the requirements of this chapter.

SEC. 18. Section 3081 of the Welfare and Institutions Code is hereby amended to read as follows:

3081. Each applicant for aid under the provisions of this chapter shall file with the county clerk of the county in which he resides, an application, accompanied by an affidavit, signed by himself, stating, if known, his age, sex, counties of residence during the preceding ten years, his financial resources and income, the name and address of his spouse, parent, or adult child, the degree of his blindness, how long he has been blind, what employment and education he has had, his general physical condition, and such other statistical data as the Department of Social Welfare requires.

The county clerk shall forthwith transmit such application to the board of supervisors of the county.

SEC. 19. Section 3082 of the Welfare and Institutions Code is hereby amended to read as follows:

3082. The board of supervisors shall immediately investigate into the merits of all applications for aid under the provisions of this chapter. Such investigation shall be completed within 90 days after the receipt of the application unless for good cause an extension of time is declared necessary by the board of supervisors and shall be subject to approval by the Department of Social Welfare.

The county board of supervisors, subject to laws or ordinances governing civil service, may select to administer this act blind persons who have had special collegiate training to fit them for social work among the blind. The county board of supervisors of counties containing a population of 200,000 or over may each create a special bureau which shall be devoted exclusively to the administration of this act. Not less than 50 per cent of the employed personnel of each such bureau shall consist of trained blind persons. Any county board of supervisors may request the field workers or the home teachers of the Industrial Home for the Adult Blind to investigate and report upon the qualifications of any applicant. The field workers or the home teachers of the Industrial Home for the Adult Blind may, without expense to the county, make such investigations and submit their reports to the board of supervisors together with their recommendations as to action by the board.

SEC. 20. Section 3083 of the Welfare and Institutions Code is hereby amended to read as follows:

3083. The county board of supervisors shall not grant any certificate of qualification for aid under the provisions of this chapter until it has been satisfied that the applicant is entitled to such aid by the evidence of two reputable citizens of the State that they know that the applicant has the required residential qualifications to entitle him to the aid asked for, and by the evidence of a duly licensed and practicing physician skilled in the diseases of the eye that the applicant is blind. The physician shall describe the condition of the applicant's eyes and testify to his blindness. The evidence of each person shall be in writing, signed by him, and he shall be subject to cross-examination by the county board of supervisors or any other person appointed by the board of supervisors to conduct such investigation.

SEC. 21. Section 3084 of the Welfare and Institutions Code is hereby amended to read as follows:

3084. If the county board of supervisors is satisfied that the applicant is entitled to aid under the provisions of this chapter, it shall, without delay, issue an order therefor. The amount of aid to which any applicant shall be entitled shall be, when added to the income of the applicant from all other sources, $50 per month. Income from any of the following sources of a combined total value not exceeding an annual average of $33.33 per month shall not be considered for any purpose: (a) Income from applicant's labor or services; (b) The value of foodstuffs produced by the applicant or his family for his use or that of his family; (c) The value of firewood and/or water produced on the premises of the applicant or given to him by another

for the applicant's use; (d) The value of gifts other than regular contributions by relatives legally responsible under this act; (e) The value of the use and occupancy of premises owned and occupied by the applicant; (f) The net income from real and personal property owned by the applicant. Income in addition to the above specified shall be computed on the basis of net income. The aid granted under this chapter shall be paid monthly, in advance, out of such funds as may be designated by the board of supervisors on warrant of the county auditor of the county. Payments of aid shall be commenced as of the first day of the month in which the application is granted, but in any event the beginning of aid shall not antedate the date of application.

SEC. 22 Section 3086 of the Welfare and Institutions Code is hereby amended to read as follows:

3086. If any applicant or recipient is dissatisfied with the action of the county board of supervisors with respect to his application or receipt of aid, he shall upon filing a petition with the Department of Social Welfare have the right of appeal and shall be accorded an opportunity for a fair hearing. The Chief of the Division for the Blind in the Department of Social Welfare shall set the appeal for hearing before the State Social Welfare Board and shall give all parties concerned written notice of the time and place of such hearing. At the hearing the applicant may appear in person, by counsel of his own choosing, or in person and by such counsel.

The State Social Welfare Board shall consider the appeal, and shall dismiss the appeal or award aid as prescribed in this chapter. The county board of supervisors shall then pay to such blind person the sum, if any, awarded by the State Social Welfare Board.

SEC. 23 Section 3087 of the Welfare and Institutions Code is hereby amended to read as follows:

3087. During such time as grants in aid are made available by the United States Government for aid to the needy blind in this State, the State Treasurer shall pay to each county from the sums so granted, (1) an amount which shall be used exclusively as aid to the needy blind under this chapter, equal to one-half of the total sums expended as aid to the blind under this chapter, not counting so much of such expenditure with respect to any individual for any month as exceeds the maximum fixed by the United States Government in granting or making such sums available, and (2) if authorized by the State Department of Social Welfare an additional amount equal to such county's proportionate share of any amount so granted or made available to this State by the United States Government for the costs of administering such aid, which additional amount shall be used exclusively for paying such administration costs. The Department of Social Welfare shall determine the portion of the amount so granted or made available for administration costs, to be paid to the counties, which portion shall be not less than one-half of the amount so granted or made available. The Department of Social Welfare shall adopt rules and regulations which shall be of uniform application for determining the proportionate shares of the respective counties of the portion so determined to be paid to such counties.

SEC 24 Section 3087.1 is hereby added to the Welfare and Institutions Code to read as follows:

3087.1. From the sums appropriated in section 3025 of this code the State Treasurer shall pay to each county an additional amount, which shall be used exclusively for aid to the needy blind under this chapter, equal to one-half of the remainder of the sums expended by the county as aid to the needy blind under this chapter after deducting from the sums so expended the amount paid to the county under subdivision 1 of section 3087 of this code, except that the State shall pay the county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence after deducting the amount paid with respect to such person under subdivision 1 of section 3087.

SEC 25. Section 3087.2 is hereby added to the Welfare and Institutions Code to read as follows:

3087.2 The method of computing and paying the amounts provided for in sections 3087 and 3087.1 for each quarter shall be as follows:

(a) The Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount to be paid for such quarter to each county under sections 3087 and 3087.1. This estimate shall be based on a report which shall be filed by each county containing (1) its estimate of the total sum to be expended in such quarter in accordance with the provisions of this chapter, and stating the amount appropriated or made available by the county for such expenditures in such quarter, and if the amount is less than that portion of the total sum of such estimated expenditures which is required under this chapter to be paid by each such county, the source or sources from which the difference is expected to be derived, (2) records showing the number of blind individuals receiving aid under the authority of this chapter in the county, and (3) such other information and investigation as the Department of Social Welfare may find necessary

(b) The Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county, reduced or increased as the

case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county under this chapter for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Department of Social Welfare for such prior quarter.

(c) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by the Department of Social Welfare, and the State Controller, the State Treasurer shall pay to the treasurer of each county the amount so certified.

SEC. 26. Section 3087.3 is hereby added to the Welfare and Institutions Code to read as follows:

3087.3. Reports of aid to blind paid out under this chapter shall be presented by the respective counties at times and in the form prescribed by the Department of Social Welfare. Such reports shall be audited by the Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to said county or city and county as a credit to apply against advances made under the terms of section 3087.2.

SEC. 27. Section 3088 of the Welfare and Institutions Code is hereby amended to read as follows:

3088. If any applicant receiving aid under the provisions of this chapter has residing within the State a spouse, parent, or adult child, pecuniarily able to support him, upon the failure of such kindred to perform their duty to support the blind person the board of supervisors may request the district attorney or other civil legal officer of the county to proceed against the kindred in the order of their responsibility for support. Upon such request the district attorney, or other civil legal officer of the county granting aid may, on behalf of the county, maintain an action in the superior court of the county granting such aid, against such relatives, in the order named, to recover for the county such portion of the aid granted as the court finds such relative or relatives pecuniarily able to pay. The receipt of aid by the applicant under the provisions of this chapter, however, shall not be contingent upon such recovery. The sums so recovered shall be credited by the county in its settlement with the State.

SEC. 28. Section 3090 of the Welfare and Institutions Code is hereby amended to read as follows:

3090. Any person qualified for and receiving aid under the provisions of this chapter in any county of the State, who removes to another county in the State, shall be entitled to aid under the provisions of this chapter after one year of residence in the county to which he has removed, and such removal shall not work a forfeiture during such one year period of the aid previously awarded under this chapter. The county to which such person has removed shall provide the necessary medical or hospital care, or both, during the one year period of establishment of residence under this section. The county providing such medical or hospital care, or both, may demand payment of the county granting the aid in an amount not in excess of the cost thereof and it shall be a proper charge and duty of the county granting the aid to pay such medical or hospital care, or both.

Any blind person who leaves his county for the purpose of attending an institution of learning located in the State shall be deemed, for the purposes of this chapter, not to have moved from his county.

SEC. 29. Section 3091 is hereby added to the Welfare and Institutions Code to read as follows:

3091. The Department of Social Welfare shall make such reports in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports.

SEC. 30. This amendatory act shall become effective on the first day of the month next succeeding the ninetieth day after the final adjournment of the fifty-second Legislature of California.

SEC. 31. Sections 1 to 8, inclusive, of this amendatory act shall take effect only if a Welfare and Institutions Code is not enacted by the fifty-second Legislature of California.

SEC. 32. Sections 9 to 29, inclusive, of this amendatory act shall take effect only if a Welfare and Institutions Code is enacted by the fifty-second Legislature of California."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 4 by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Gilbert, Heisinger, Johnson, Kepple, Laughlin, Levey, Lore, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Pelletier,

Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Walker, Welsh, Williamson, and Mr Speaker—44.

NOES—None

Assembly Bill No. 4 ordered to enrollment.

Assembly Bill No. 662—An act to amend section 80 of the Agricultural Code, relating to agricultural districts.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 662?

Amendment No. 1.

On page 2, line 2, of the printed bill, strike out "District 21. The counties of Fresno and Madera.", and insert in lieu thereof the following: "District 21. The county of Fresno

District 21A The county of Madera"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 662 by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Gilbert, Heisinger, Johnson, Kepple, King, Laughlin, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Walker, Welsh, Williamson and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 662 ordered to enrollment.

Assembly Bill No. 1175—An act to amend section 2.876 of the School Code, to repeal section 2.877 thereof; to repeal an act entitled "An act relating to the opening and closing of polls at school elections," approved May 14, 1929; and to add to the School Code a new section to be numbered 2.877, all relating to school district elections.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1175?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "sections", and insert in lieu thereof the word "section".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, strike out the following: "and 2.877"

Amendment No. 3.

On page 1, line 1 of the title of the printed bill, after the comma, insert the following "to repeal section 2.877 thereof; to repeal an act entitled "An act relating to the opening and closing of polls at school elections," approved May 14, 1929; and to add to the School Code a new section to be numbered 2.877, all".

Amendment No. 4.

On page 1, line 2 of the title of the printed bill, strike out the word "districts", and insert in lieu thereof the following: "district elections".

Amendment No. 5.

On page 1 of the printed bill, strike out all of lines 13 and 14, and insert in lieu thereof the following:

"SEC 2 Section 2.877 of the School Code is hereby repealed.

SEC 3. An act entitled "An act relating to the opening and closing of polls at school elections," approved May 14, 1929, is hereby repealed

SEC. 4. A new section is hereby added to the School Code to be numbered 2.877 and to read as follows:".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1175 by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan Stream, Tenney, Walker, Welsh, Williamson, and Mr. Speaker—48.

NOES—None

Assembly Bill No. 1175 ordered to enrollment.

Assembly Bill No. 942—An act to amend section 3897d of the Political Code, relating to lands sold to the State for delinquent taxes

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 942?

Amendment No. 1.

On page 4, line 21, of the printed bill, after the word "California", insert the following: ", and all existing liens represented by the deed to the State of California".

Amendment No. 2.

On page 4, lines 32 and 33, of the printed bill, strike out the words "as provided in section 3898 of this code", and insert in lieu thereof the following: "between the taxing agencies, the liens of which are represented by the deed to the State, pro rata in the proportion which the amount of the taxes and assessments due to each such taxing agency bears to the total amount of taxes and assessments due to such taxing agencies".

Amendment No. 3.

On page 5 of the printed bill, strike out all of lines 2, 3 and 4, and insert in lieu thereof the following: "one year after the execution of such instrument, and thereafter all persons".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 942 by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Welsh, Williamson, and Mr. Speaker—48

NOES—None.

Assembly Bill No. 942 ordered to enrollment

Assembly Bill No. 440—An act to repeal section 5.743 of the School Code, to add thereto two new sections to be numbered 5.743, 5.752 and to amend sections 5.744 and 5.745 thereof, all relating to the salaries of persons employed by school districts in positions requiring certification qualifications.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 440?

Amendment No. 1.

On page 3, line 16, of the printed bill, as amended, strike out "employees", and insert in lieu thereof the word "employee".

Amendment No. 2.

On page 3, line 18, of the printed bill, as amended, strike out "duly", and insert in lieu thereof the word "only".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, as amended, strike out "a new section", and insert in lieu thereof the following: "two new sections".

Amendment No. 4.

On page 1, line 2 of the title of the printed bill, as amended, after the number "5.743", insert the following: "and 5.752".

Amendment No. 5.

On page 1 of the printed bill, as amended, beginning in line 3 of the title, strike out the following: "payment of".

Amendment No. 6.

On page 2 of the printed bill, as amended, following line 15, insert the following:

"SEC. 5. A new section is hereby added to the School Code to be numbered 5.752 and to read as follows.

5.752. The provisions of School Code section 5.751, as enacted by Chapter 261, Statutes of 1937, shall not be construed as applying to substitute employees of a school district."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 440 by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Johnson, Kepple, King, Laughlin, Leonard,

Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Welsh, Williamson, and Mr Speaker—49.

NOES—None.

Assembly Bill No. 440 ordered to enrollment.

Assembly Bill No. 1619—An act to amend section 362a of the Civil Code, relating to the amendment of articles of incorporation.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1619?

Amendment No. 1.

On page 3, line 18, of the printed bill, as amended, after "priority", insert ", preferences, rights, or restrictions"; and strike out "with respect to outstanding", and all of line 19, and insert in lieu thereof the following: "of shares and shares outstanding."

Amendment No. 2.

On page 3 of the printed bill, as amended, following line 24, insert the following:

"(7) If any such amendment would reduce the authorized number of directors of a stock corporation below five such amendment must be approved by resolution of the board of directors and by the vote or consent of the holders of more than eighty per cent of the voting shares.

(8) Any provision of the articles, not inconsistent with the law under which the corporation exists, which has been superseded or changed by any certificate, instrument or proceeding pursuant to any statute which did not expressly provide that such certificate, instrument or proceeding amended the articles, may be readopted and restored by resolution of the board of directors and the vote or written consent of shareholders holding at least a majority of the voting power. The resolution of the board of directors and the resolution or written consent of the shareholders shall identify such provision in the manner hereinafter provided and shall provide for the readoption and restoration thereof. If the readoption and restoration of any such provision would have the same effect as an amendment of the character described in subdivisions (3), (4), (5), (6) or (7) hereof, then the vote or written consent of shareholders required for the readoption and restoration thereof shall include the vote or written consent of shareholders specified in such subdivisions, respectively, representing the number and classes of shares therein prescribed."

Amendment No. 3.

On page 3, line 39, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof "subdivisions".

Amendment No. 4.

On page 4 of the printed bill, as amended, strike out all of the lines 11 to 15, inclusive.

Amendment No. 5.

On page 4, line 24, of the printed bill, as amended, strike out the comma.

Amendment No. 6.

On page 4, line 25, of the printed bill, as amended, after "consent", insert "or writing".

Amendment No. 7.

On page 4, line 26, of the printed bill, as amended, strike out "The wording", also strike out all of line 27, and insert in lieu thereof the following:

"The wording of any provision proposed to be amended or stricken from the articles or readopted and restored shall be deemed".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1619 by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Watson, Welsh, Williamson, and Mr Speaker—51

NOES—None.

Assembly Bill No. 1619 ordered to enrollment.

Assembly Bill No. 1195—An act to repeal an act entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929, to

repeal an act entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of the State and educational institutions supported in whole or in part by the State," approved June 19, 1929, to repeal Part IV of Division V of the School Code, and to add to said Division V of said School Code, a new part to be known as Part IV, all relating to a retirement system for the retirement of officers and employees of the State, counties and school districts rendering service of an educational nature, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1195?

Amendment No. 1.

On page 5, line 14, of the printed bill, as amended, strike out the word "membership", and insert in lieu thereof the word "members".

Amendment No. 2.

On page 5, line 14, of the printed bill, as amended, beginning in said line 14, strike out the following: "identical with".

Amendment No. 3.

On page 5, line 15, of the printed bill, as amended, after the word "the", insert the words "members of".

Amendment No. 4.

On page 5, line 15, of the printed bill, as amended, strike out the word "which", and insert in lieu thereof the following: "the appointive members of the retirement investment board. The teachers retirement board"

Amendment No. 5.

On page 12, line 2, of the printed bill, as amended, after the word "filed", insert the following: "or such payment has been made".

Amendment No. 6.

On page 12, line 6, of the printed bill, as amended, beginning in said line 6, strike out the following: "or such payment has been made".

Amendment No. 7.

On page 13 of the printed bill, as amended, strike out all of lines 17 and 18, and insert in lieu thereof the following: "ice, without interruption The retirement board by rule may modify the method.".

Amendment No. 8.

On page 17, line 41, of the printed bill, as amended, after the word "is", insert the following: "or has been".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1195 by the following vote:

AYES—Beene, Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Richie, Rosenthal, Sawallsch, Scudder, Sheehan, Stream, Tenney, Turner, Watson, Welsh, Williamson, and Mr Speaker—46.

NOES—None.

Assembly Bill No. 1195 ordered to enrollment.

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding section 1.6 to Article XIII thereof, relating to the San Francisco Bay Exposition.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 8?

Amendment No. 1.

On page 1, line 3 of the title of the printed measure, as amended, strike out "1c", and insert in lieu thereof the following: "1.6".

Amendment No. 2.

On page 1, line 9, of the printed bill, strike out "1c", and insert in lieu thereof "1 6"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Constitutional Amendment No. 8 by the following vote.

AYES—Beene, Breed, Burns, Michael J., Call, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Patterson, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Watson, Welsh, Williamson, and Mr Speaker—51

NOES—None

Assembly Constitutional Amendment No 8 ordered to enrollment.

Assembly Constitutional Amendment No. 8.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding section 1 6 to Article XIII thereof, relating to the San Francisco Bay Exposition

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fifty-second regular session commencing on the fourth day of January, 1937, two-thirds of the members elected to each of the two houses *voting in favor thereof, hereby proposes to the people of the State of California* that the Constitution of the State of California be amended by adding a new section to Article XIII thereof to be known as section 1 6 thereof to read as follows:

SECTION 1 6 No tax, license fee or charge of any kind or character shall ever be levied or assessed or charged against any property of the San Francisco Bay Exposition, a nonprofit corporation organized under the laws of the State of California on the twenty-fourth day of July 1934, sponsoring the Golden Gate International Exposition at the City and County of San Francisco in 1939, or against any property used as an exhibit in said exposition while being used or exhibited in connection therewith

Assembly Bill No. 1813—An act to amend section 762 of the Agricultural Code, relating to quality of tomatoes for canning purposes

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1813?

Amendment No. 1.

On page 2, line 11, of the printed bill, strike out the period, and insert in lieu thereof a semicolon

Amendment No. 2.

On page 2 of the printed bill, strike out lines 12 and 13, and insert in lieu thereof the following ", provided that tomatoes of the earliana variety, for canning purposes, shall be considered to be fairly well colored when they show two-thirds good red color as such color is illustrated as 'U S No. 2' in any color chart for the earliana variety, issued by the United States Department of Agriculture, Bureau of Agricultural Economics

Amendment No. 3.

On page 2, line 13, of the printed bill, as amended, after chapter', insert the following " Such color shall be determined by examination of either the surface of the tomato or the fleshy part thereof

Amendment No. 4.

On page 2, line 13, of the printed bill as amended, strike out ", provided", and strike out all of lines 14 to 19, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1813 by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon Patterson, Pelletier, Richie, Robertson, Sawallisch, Scudder, Sheehan Stream, Tenney, Turner, Watson, Weber, Welsh, Williamson, and Mr Speaker—51

NOES—None

Assembly Bill No 1813 ordered to enrollment.

Assembly Bill No. 2464—An act relating to the adoption of codes of fair competition for certain trades and industries within this State, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2464?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", to take effect immediately."

Amendment No. 2.

On page 1, line 22, of the printed bill as amended, strike out "eighty", and insert in lieu thereof the following: "sixty-five".

Amendment No. 3.

On page 2 of the printed bill, as amended, between lines 7 and 8, insert the following:

"Every requested code shall provide for the election of a code or executive authority, each member of which shall serve for a term of two years from and after the date of his election and until his successor is elected and qualified, unless otherwise provided in said code.

Every requested code shall also provide that each member of the industry to be governed thereby shall be subject to the payment of stated fees or dues to be used in the payment of the expenses necessarily incurred in the administration of the code. The code or executive authority shall be given the power to collect all such fees or dues and shall be required to maintain a full, true, and correct account of the amount thereof. A report of all receipts and expenditures of the code or executive authority during the preceding six months period shall be filed with the board of supervisors or other legislative authority which may have given its approval to the code which such authority administers, on or before the tenth day of the months of January and July of each year."

Amendment No. 4.

On page 2 of the printed bill, as amended, after line 47, insert the following:

"SEC. 10. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California and shall therefore take effect immediately. A statement of the facts constituting such necessity is as follows:

There exists throughout the State of California and throughout the Nation at large widespread unemployment and disorganization of trade and industry amounting to an economic emergency which is burdening commerce and is menacing the safety and industrial peace of the public. Among the many trades and industries particularly affected are those in which services are rendered within this State to the public without necessarily involving the sale, manufacture or transportation of merchandise or commodities. In these intrastate trades and industries there is widespread unemployment and economic distress and for the purpose of ameliorating such conditions it is necessary and desirable to authorize immediately the adoption and continuance of codes of fair competition applicable to such trades and industries in the various cities, cities and counties, and counties of the State as provided in this act."

Amendment No. 5.

On page 2 of the printed bill, as amended, between lines 49 and 50, insert the following:

"SEC 6.5. Any person, firm, corporation, trade association, the people of the State of California, or proper official of the State or a political subdivision, may maintain an action to enjoin the commission or continuance of any act in violation of any provision of a code adopted under the provisions of this act, and if injured thereby, for the recovery of damages.

If, in such action, the court finds that the defendant is violating or has violated any provision of such code, it shall enjoin the defendant from a continuance thereof. It is not necessary that actual damages to the plaintiff be alleged or proved. In addition to such injunctive relief, the plaintiff is entitled to recover from the defendant the amount of the actual damage, if any, sustained."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2464 by the following vote:

AYES—Breed, Burns, Michael J., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Pelletier, Richie, Robertson, Rosenthal, Sawal-

lisch, Scudder, Sheehan, Stream, Tenney, Turner, Weber, Welsh, Williamson, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 2464 ordered to enrollment.

Assembly Bill No. 2659—An act to amend sections 13, 13a, 14 and 15 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding."

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2659?

Amendment No. 1.

On page 2, line 17, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following: "twenty".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out line 9, and insert in lieu thereof the following: "of twenty per cent of the area of said".

Amendment No. 3.

On page 3, lines 17 and 18, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following: "twenty".

Amendment No. 4.

On page 3, line 27, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following: "twenty".

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out line 32, and insert in lieu thereof the following: "thereof, and approved by a four-fifths vote of its members; provided, however, that the majority protest provisions hereof shall apply."

Amendment No. 6.

On page 5 of the printed bill, strike out lines 35, 36, 37, 38 and 39, and insert in lieu thereof the following: "officer of the city instituting such proceedings as necessary as a health measure, given in writing and spread upon the minutes of the legislative body thereof, and such necessity is found to exist by resolution adopted by the affirmative vote of four-fifths of the members thereof; provided, however, that before adopting the resolution or ordinance of intention to make such improvement, said legislative body shall also find by resolution adopted by a like vote, that in its opinion the contemplated acquisition and/or improvement is one in which the probable assessments will not exceed the limitations set up in this act; and provided further, that the majority protest provisions hereof shall apply."

Amendment No. 7.

On page 5 of the printed bill, strike out line 48, and insert in lieu thereof the following: "the limitations set up in this act, and the actual assessment thereafter made therein shall be subject to the debt limitation provisions of section 10 hereof; and provided further, that".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2659 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Muldoon, Patterson, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Weber, Welsh, Williamson, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 2659 ordered to enrollment.

Assembly Bill No. 2805—An act relating to the first unit of the Southern California Prison and making an appropriation therefor.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2805?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "erection of the".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, after "Prison", insert the following: ", including the purchase of land therefor,".

Amendment No. 3.

On page 1, line 8, of the printed bill, as amended, after "heretofore", insert the following: "been".

Amendment No. 4.

On page 1, line 19, of the printed bill, as amended, after "1935", insert the following: "and of this act".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2805 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Watson, Weber, Welsh, Williamson, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2805 ordered to enrollment.

Assembly Bill No. 2843—An act to create a Commission to Study Existing Public and Private Arboreta and Botanic Gardens and make recommendations for the establishment of a publicly owned arboretum and botanic garden.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2843?

Amendment No. 1.

On page 1, lines 4 and 5 of the title of the printed bill, as amended, strike out the comma and "and making an appropriation therefor".

Amendment No. 2.

On page 2, line 4, of the printed bill, as amended, strike out "prior to", and insert in lieu thereof the following: "at".

Amendment No. 3.

On page 2 of the printed bill, as amended, after line 10, insert the following:

"SEC. 7. On June 1, 1939, the commission established by this act shall have no further authority and shall cease to exist."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2843 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Weber, Welsh, Williamson, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 2843 ordered to enrollment.

Assembly Bill No. 2854—An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county officers and employees, namely county foresters and fire wardens as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2854?

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, after the word "supervisors", insert the following: "in any county which has established a retirement or pension system for county employees or officers, or by a majority vote of the electors of such county voting upon the proposition of accepting the provisions hereof at any special or general election at which such proposition may be submitted,".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2854 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2854 ordered to enrollment.

Assembly Bill No. 1—An act to amend sections 2, 2½, 3, 4, 14, 15, 16, 17, 18, 18½ and 24, to add sections 3.5, 5, and 25, and to repeal section 8 of the Old Age Security Act of the State of California, or to amend sections 2020, 2024, 2140, 2160, 2162, 2163, 2182, 2183, 2185, 2186, 2187, 2188, 2189, 2200, 2221, 2224 and 2225 of, to add sections 2009 and 2025 to, and to repeal sections 2143, 2226 and 2227 of the Welfare and Institutions Code, relating to aid to the aged.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1?

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, after the comma, insert the following: "or to amend sections 2020, 2024, 2140, 2160, 2162, 2163, 2181, 2182, 2183, 2185, 2186, 2187, 2188, 2189, 2200, 2221, 2224, and 2225 of, to add sections 2009 and 2025 to, and to repeal sections 2143, 2226 and 2227 of the Welfare and Institutions Code,".

Amendment No. 2.

On page 6 of the printed bill, as amended, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following: "which shall be used exclusively as old age assistance equal to one-half of the total of the sums expended as old age assistance under this act, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (2) two and one-half per centum of said amount which shall be used for paying the costs of administering this act and for no other purpose."

Amendment No. 3.

On page 8 of the printed bill, as amended, after line 47, insert the following:

"SEC. 14. Section 2009 is hereby added to the Welfare and Institutions Code to read as follows:

2009. No person receiving aid under the provisions of this chapter shall be deemed a pauper by reason thereof. No warrant drawn in payment of the aid given under the provisions of this chapter shall contain any reference to indigency or pauperism.

SEC 15. Section 2020 of the Welfare and Institutions Code is hereby amended to read as follows:

2020 The amount of aid to which any applicant shall be entitled shall be, when added to the income of the applicant from all other sources, $35 per month. The value of the use and occupancy of premises owned and occupied by applicants shall not be deemed income. Income from any of the following sources of a combined total value not exceeding $15 per month shall not be considered for any purpose:

(a) Income from the applicant's labor or service; or rent from the premises owned and occupied by applicants;

(b) The value of foodstuffs produced by the applicant for the use of himself or his family;

(c) The value of firewood or water produced on the premises of the applicant or given to him by another;

(d) The value of gifts other than regular contributions by relatives legally responsible under this chapter.

SEC. 16. Section 2024 of the Welfare and Institutions Code is hereby amended to read as follows:

2024. During such times as grants in aid are provided or made available to the States by the United States Government as assistance to aged persons, the Governor of the State of California is hereby authorized and empowered to enter into and execute on behalf of this State all necessary agreements in connection therewith which may be required by the United States Government. Any money refunded under the provisions of section 2223 of this code shall be repaid to the county, to the State, and to the United States Government in the following proportions One-half to the United States Government and the remainder equally to the county and the State.

SEC. 17. Section 2025 is hereby added to the Welfare and Institutions Code to read as follows:

2025. If, when, and during such times as the United States Government increases its contributions in assistance of the aged in this State the aid provided for in section 2020 of this code shall be increased by the amount equal to such increase by the United States Government, but in no event shall the total aid granted under this chapter exceed $40 per month.

SEC. 18. Section 2140 of the Welfare and Institutions Code is hereby amended to read as follows.

2140. The State Department of Social Welfare shall have the power to and shall prescribe the form of application, the manner and form of all reports and such additional rules and regulations as are necessary for the carrying out of the provisions of this chapter, and not inconsistent therewith. Such rules and regulations shall be binding upon the boards of supervisors of the various counties. The State Department of Social Welfare shall make such reports in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports

SEC. 19. Section 2160 of the Welfare and Institutions Code is hereby amended to read as follows:

2160. Aid shall be granted under this chapter to any person who comes within all of the following descriptions:

(a) Who has attained the age of 65 years.

(b) Who is a citizen of the United States, registration as a voter shall be accepted as prima facie evidence of citizenship.

(c) Who resides in the State and has so resided continuously for at least 15 years immediately preceding the date of application, but continuous residence in the State shall not be deemed to have been interrupted by any period of absence therefrom if the total of such periods does not exceed three years; or who has so resided for a period of 40 years at least five of which have immediately preceded this application. During such time as grants in aid are provided by the United States Government for such aid in this State and accepted by this State, however, aid may be granted under this chapter to any person who resides in the State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of application.

(d) Who resides in the county in which the application is made and has so resided continuously for at least one year immediately preceding the date of application; any person otherwise qualified who has resided in the State for the required period and who has no county residence may file his application in the county in which he resides, and the aid, if granted to him, shall be paid entirely by the State until he gains such county residence.

(e) Who is not, at the time of receiving such aid, an inmate of any public home for the aged, or any public home, or any public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a hospital not exceeding 30 days in duration. Any such inmate, however, may make an application for aid under this chapter and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon, while he is such an inmate, and, if he is otherwise qualified under the terms of this chapter, such application shall be approved. Payment of the aid granted shall commence within one month following such approval and the applicant may remain an inmate until he receives his first monthly payment, whereupon he shall cease to be such inmate. Persons who are inmates of a boarding home or other institution not supported in whole or in part by public funds shall be granted aid but no such aid shall be granted if such persons are cared for under a contract for a period of time exceeding one month, or requiring the payment of any sum of money other than for room or board.

(f) Who is not receiving adequate support from a husband, wife, or child, able and responsible under the law of this State to furnish such support.

(g) Who has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid

SEC. 20. Section 2162 of the Welfare and Institutions Code is hereby amended to read as follows:

2162. For the purpose of determining the age of an applicant for aid under this chapter any of the following documents shall be sufficient proof of the age of the applicant:

(a) Certificate of birth;

(b) Certificate of baptism;

(c) Statement of age as recorded on marriage license or certificate;

(d) Statement of age of the applicant as shown by the record of registration of voters in any political subdivision of this State, at least five years prior to the date of such application;

(e) Entries in a family Bible or other genealogical record or memorandum of the family of such applicant;

(f) The returns of the United States census taken at least five years prior to the date of such application;

(g) The affidavit of a reputable person if it is based upon his personal knowledge of facts which would determine the probable age of the applicant and is not merely a statement of belief based on applicant's personal appearance; such affidavit shall contain statements of the circumstances upon which said affiant's knowledge is based;

(h) Such other evidence as the State Department of Social Welfare may approve.

SEC. 21 Section 2163 of the Welfare and Institutions Code is hereby amended to read as follows:

2163. No aid under this chapter shall be granted or paid to any person who owns personal property the value of which exceeds $500.

The term personal property shall not include a policy or policies of insurance which has or have been in effect at least five years prior to the date of application, if the value of the policy or policies at maturity is in an amount not exceeding $1,000.

SEC. 22. Section 2181 of the Welfare and Institutions Code is hereby amended to read as follows:

2181. The board of supervisors, directly or through an authorized investigator, shall upon receipt of an application for aid, promptly, without any unnecessary delay, and with all diligence, make the necessary investigation. Such investigation shall be completed within 90 days after receipt of the application unless for good cause an extension of time for investigation is declared necessary by the board of supervisors. Said extension shall be subject to the approval of the State Department of Social Welfare.

The board shall, upon receipt of the report of the investigation, decide upon the amount of aid, if any.

SEC. 23 Section 2182 of the Welfare and Institutions Code is hereby amended to read as follows:

2182. If any applicant or recipient is dissatisfied with the action of the board of supervisors with respect to his application or receipt of aid, he shall upon filing a petition with the State Department of Social Welfare have the right of appeal and shall be accorded an opportunity for a fair hearing. The Chief of the Division for the Aged in the State Department of Social Welfare shall set such appeal for hearing before the State Social Welfare Board and shall give all parties concerned written notice of the time and place of such hearing. At such hearing the applicant or recipient may appear in person, with counsel of his own choosing, or in person and with such counsel.

The State Social Welfare Board shall consider the appeal, and shall dismiss the appeal or award aid as prescribed in this chapter. The county board of supervisors shall then pay to such aged person the sum awarded, if any, by the State Social Welfare Board. Payments of aid shall be commenced as of the first day of the month in which the application is granted, but in no event shall the aid commence prior to the date of application

An applicant whose application for aid under this chapter has been rejected may not again apply for such aid until the expiration of one year from the date of the previous application, except with the consent of the county.

SEC. 24. Section 2183 of the Welfare and Institutions Code is hereby amended to read as follows:

2183. If the application for aid is granted, the clerk of the board of supervisors shall report the fact to the auditor of the county. All payments of aid under this chapter shall be made monthly in advance by the treasurer of the county Such payments shall be paid by warrant and shall be delivered to the applicant at his residence if he so requests. If the recipient of old age assistance is, on the testimony or reputable witnesses, found incapable of taking care of himself or his money, upon recommendation of the board of supervisors and with the approval of the Department of Social Welfare the aid authorized in this chapter may be paid to any responsible person acceptable to the recipient for the benefit of the recipient of this aid, but it shall be unlawful for the board of supervisors to order

any part of the aid granted under this chapter to be paid in the form of merchandise orders for food, rent or otherwise

SEC. 25. Section 2185 of the Welfare and Institutions Code is hereby amended to read as follows:

2185. All necessary expense incurred by county boards of supervisors in carrying out the provisions of this chapter shall be paid by the county in the same manner as other expenses of the county are paid.

SEC. 26. Section 2186 of the Welfare and Institutions Code is hereby amended to read as follows:

2186. When and during such time as grants in aid are provided or made available by the United States Government for aid to the needy aged in this State, the State Treasurer shall pay to each county from the sums granted by the United States Government to the State of California for old age assistance, (1) an amount which shall be used exclusively as old age assistance equal to one-half of the total of the sums expended as old age assistance under this chapter, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (2) two and one-half per centum of said amount which shall be used for paying the costs of administering this chapter and for no other purpose

SEC. 27. Section 2187 of the Welfare and Institutions Code is hereby amended to read as follows.

2187. From the sums appropriated therefor by the State of California in section 2021 of this chapter, the State Treasurer shall pay to each county an additional amount which shall be used exclusively for aid to needy aged equal to one-half of the amount paid by each county after deducting one-half of the amount paid to said county under subdivision (1) of section 2186 of this code, except that the State shall pay the county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence, after deducting one-half of the amount paid under subdivision (1) of section 2186 of this code

SEC. 28. Section 2188 of the Welfare and Institutions Code is hereby amended to read as follows

2188. The method of computing and paying the amounts provided for in sections 2187 and 2186 for each quarter shall be as follows:

(a) The State Department of Social Welfare shall, prior to the beginning of each quarter, estimate the amount to be paid for such quarter to each county under the provisions of sections 2186 and 2187, such estimate to be based on a report filed by each county containing (1) its estimate of the total sum to be expended in such quarter in accordance with the provisions of this chapter, and stating the amount appropriated or made available by the county for such expenditures in such quarter, and if such amount is less than that portion of the total sum of such estimated expenditures which is required under this chapter to be paid by each such county, the source or sources from which the difference is expected to be derived, (2) records showing the number of aged individuals receiving aid under the authority of this chapter in the county, and (3) such other information and investigation as the State Department of Social Welfare may find necessary.

(b) The State Department of Social Welfare shall then certify to the State Controller the amounts so estimated by it for each county, reduced or increased as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the county under this chapter for such quarter, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the State Department of Social Welfare for such prior quarter

(c) The State Controller shall thereupon draw the necessary warrants, and prior to audit or settlement by the State Department of Social Welfare, and the State Controller, the State Treasurer shall pay to the treasurer of each county the amount so certified

SEC. 29. Section 2189 of the Welfare and Institutions Code is hereby amended to read as follows:

2189. (1) Reports of aid to aged paid out under this chapter shall be presented by the respective counties at times and in the form prescribed by the State Department of Social Welfare. (2) Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to the county as a credit to apply against advances made under the terms of section 2188. (3) The clerk of the board of supervisors of each county shall report monthly to the said State department in such manner and form as the latter may prescribe, the number of applications granted, and the grants of aid changed, revoked, or suspended under this chapter by the board of supervisors, during the preceding calendar month, together with copies of all applications received and a statement of the action of the board thereon.

SEC. 30. Section 2200 of the Welfare and Institutions Code is hereby amended to read as follows

2200. Any recipient of aid under this chapter who removes from one county to another county in this State shall be entitled to aid, after residence of one year in the county to which he has so removed; and the removal of any person receiving

aid hereunder from one county to another within this State shall not work a forfeiture during such one year period of the aid previously awarded under this chapter. The county to which such person has removed shall provide the necessary medical or hospital, or both, care if needed during the one year period of establishment of residence under this section. The county providing such medical or hospital, or both, care may demand payment of the county granting the aid in an amount not in excess of the cost thereof and it shall be a proper charge and the duty of the county granting the aid under the provisions of this section to pay such medical or hospital charges, or both.

SEC. 31. Section 2221 of the Welfare and Institutions Code is hereby amended to read as follows:

2221. If, at any time, the State department has reason to believe that aid to the aged has been obtained improperly, it shall cause special inquiry to be made and may suspend payment of any installment pending the inquiry. It shall notify the board of supervisors of such suspension. If it appears upon inquiry that the aid was obtained improperly, it shall be canceled by the State department, but if it appears that aid was obtained properly, the suspended payments shall be payable.

SEC. 32. Section 2224 of the Welfare and Institutions Code is hereby amended to read as follows:

2224. If the person receiving aid has within the State a spouse or adult child pecuniarily able to support said person, the board of supervisors shall request the district attorney or other civil legal officer of the county granting such aid to proceed against the kindred in the order of their responsibility to support. Upon such demand the district attorney or other civil legal officer of the county granting aid shall, on behalf of said county, maintain an action, in the superior court of the county granting such aid, against said relatives, in the order named, to recover for said county such portion of the aid granted as said relative is able to pay. Any sum so recovered shall be credited by the county to the county and to the State in proportion to the contributions of the county and the State respectively.

The granting of or continued receipt of aid shall not be contingent upon such recovery.

SEC. 33. Section 2225 of the Welfare and Institutions Code is hereby amended to read as follows:

2225. Aid granted under the provisions of this chapter shall not constitute a lien upon any property of the recipient and all liens and mortgages heretofore created under the provisions of this chapter are hereby released and the board of supervisors of each county is hereby directed and authorized to execute and record appropriate instruments of release.

SEC. 34. Section 2143 of the Welfare and Institutions Code is hereby repealed.

SEC. 35. Sections 2226 and 2227 of the Welfare and Institutions Code are hereby repealed.

SEC. 36. This amendatory act shall become effective on the first day of the month next succeeding the ninetieth day after the final adjournment of the fifty-second Legislature of California.

SEC. 37. Sections 1 to 13, inclusive, of this amendatory act shall take effect only if a Welfare and Institutions Code is not enacted by the fifty-second Legislature of California.

SEC. 38. Sections 14 to 35, inclusive, of this amendatory act shall take effect only if a Welfare and Institutions Code is enacted by the fifty-second Legislature of California."

Amendment No. 4.

On page 10, line 25, of the printed bill, as amended, after "Federal", insert the following: "financial".

Amendment No. 5.

On page 11, lines 8 and 9, of the printed bill, as amended, strike out "; registration as a voter shall be accepted as prima facie evidence of citizenship".

Amendment No. 6.

On page 1, line 2 of the title of the printed bill, as amended, strike out "4½,".

Amendment No. 7.

On page 5 of the printed bill, as amended, strike out lines 49 to 52, inclusive, and on page 6, strike out lines 1 to 20, inclusive, and insert in lieu thereof the following

"SEC. 15. (A) During such time as grants in aid are provided or made available by the United States Government for old age assistance in this State, the State Treasurer shall pay to each county and city and county from the sums so granted (1) an amount which shall be used exclusively as old age assistance equal to one-half of the total sums expended therefor under this act, not counting so much of such expenditure with respect to any individual for any month as exceeds the maximum fixed by the United States Government in granting or making such sums available, and (2) an additional amount equal to such county's proportionate share of any amount so granted or made available to this State by the United States Government for the costs of administering such aid, which additional amount shall be used exclusively for paying such administration costs. The State Department of Social Welfare shall determine the portion of the amount so granted or made

available for administration costs to be paid to the counties and cities and counties, which portion shall be not less than one-half of the amount so granted or made available. The State Department of Social Welfare shall adopt rules and regulations which shall be of uniform application for determining the proportionate shares of the respective counties and cities and counties of the portion so determined to be paid to such counties and cities and counties."

Amendment No. 8.

On page 6 of the printed bill, as amended, strike out lines 25 and 26, and insert in lieu thereof the following: "one-half of the remainder of the sums expended by the county or city and county as aid to the needy aged under this act, after deducting from the sums so expended the amount paid to the".

Amendment No. 9.

On page 6, line 31, of the printed bill, as amended, strike out "one-", and strike out line 32, and insert in lieu thereof the following: "the amount paid with respect to such person under subdivision (A) (1) of this".

Amendment No. 10.

On page 8, line 45, of the printed bill, as amended, strike out "10b", and insert in lieu thereof the following "10".

Amendment No. 11.

On page 8 of the printed bill, as amended, strike out lines 47 to 49, inclusive, and insert in lieu thereof the following: "ernment. The Federal Government shall be entitled to a share of any amounts collected from the recipients or from their estates equal to not more than one-half of the amount refunded if required as a condition to Federal financial participation and this amount may be specified by the State Department of Social Welfare. The amount due the United States shall be paid promptly by the State to the United States Government and the remainder shall be paid equally to the county or city and county and the State."

Amendment No. 12.

On page 9, line 42, of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "sections 2222 and".

Amendment No. 13.

On page 9, line 43, of the printed bill, as amended, strike out "in", and insert in lieu thereof a period.

Amendment No. 14.

On page 9 of the printed bill, as amended, strike out lines 44 to 46, inclusive, and insert in lieu thereof the following: "The Federal Government shall be entitled to a share of any amounts collected from recipients or from their estates equal to not more than one-half of the amount refunded if required as a condition to Federal financial participation and this amount may be specified by the State Department of Social Welfare The amount due the United States shall be paid promptly by the State to the United States Government and the remainer shall be paid equally to the county and the State."

Amendment No. 15.

On page 13 of the printed bill, as amended, strike out lines 17 to 29, inclusive, and insert in lieu thereof the following:

"2186 During such time as grants in aid are provided or made available by the United States Government for old age assistance in this State, the State Treasurer shall pay to each county from the sums so granted (1) an amount which shall be used exclusively as old age assistance equal to one-half of the total of the sums expended therefor under this chapter, not counting so much of such expenditure with respect to any individual for any month as exceeds the maximum fixed by the United States Government in granting or making such sums available and (2) an additional amount equal to such county's proportionate share of any amount so granted or made available to this State by the United States Government for the costs of administering such aid, which additional amount shall be used exclusively for paying such administration costs. The State Department of Social Welfare shall determine the portion of the amount so granted or made available for administration costs to be paid to the counties, which portion shall be not less than one-half of the amount so granted or made available. The State Department of Social Welfare shall adopt rules and regulations which shall be of uniform application for determining the proportionate shares of the respective counties of the portion so determined to be paid to such counties."

Amendment No. 16.

On page 13 of the printed bill, as amended, strike out lines 36 and 37, and insert in lieu thereof the following: "half of the remainder of the sums expended by the county as aid to the needy aged under this chapter, after deducting from the sums so expended the amount paid to the county under subdivision (1)".

Amendment No. 17.

On page 13, line 41, of the printed bill, as amended, strike out "one-", and strike out line 42, and insert in lieu thereof the following: "the amount paid with respect to such person under subdivision (1) of section 2186".

Amendment No. 18.

On page 1, line 6, of the printed bill, as amended, strike out "provided, however", and strike out lines 7 and 8

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1 by the following vote:

AYES—Baynham Beene, Boyle, Breed, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1 ordered to enrollment.

Assembly Bill No. 204—An act to amend section 692 of, and to add a new section to be numbered 692a to, the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust or mortgage.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 204?

Amendment No. 1.

On page 2, line 9, of the printed bill, strike out the word "under", first appearing in said line.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 204 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Pelletier, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 204 ordered to enrollment

Assembly Bill No. 249—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 249?

Amendment No. 1.

On page 2, line 17, of the printed bill, as amended April 27, 1937, strike out the word "such", and insert in lieu thereof the word "any".

Amendment No. 2.

On page 2, line 37, of the printed bill, as amended April 27, 1937, strike out "$1", and insert in lieu thereof "$10".

Amendment No. 3.

On page 4 of the printed bill, as amended April 27, 1937, after line 17, add the following:

"(9) No grantee shall license or allow the erection of any groin, jetty, sea wall, breakwater, bulkhead or other such improvement within said granted area which might render any damage to lands owned by the State of California outside of said grant; and any plan for such improvement within said granted area shall first be submitted to the Division of State Lands, Department of Finance Plans involving the protection or improvement of lands owned by the State, whether littoral, tide, or submerged, shall in like manner be submitted to the Chief of the Division of State Lands. He shall examine any such plans and advise with any State department concerned, or any grantee, with a view to affording such engineering, consultation and advice as shall assure the best ultimate development of the entire shore line of the State."

Amendment No. 4.

On page 1, line 23, of the printed bill, strike out "provided that such protective structure shall", and strike out all of lines 24 and 25, and in line 26, strike out "of, or damage adjoining littoral property", and insert in lieu thereof the following:

Amendment No. 5.

On page 3, line 51, of the printed bill, as amended, strike out "substantially all", and insert in lieu thereof the word "any"

Amendment No. 6.

On page 4, line 6, of the printed bill, as amended, after the word "officers", strike out the comma, and the word "and".

Amendment No. 7.

On page 4, line 7, of the printed bill, strike out the word 'both".

Amendment No. 8.

On page 4, line 7, of the printed bill, after the word "lands", strike out the remainder of such line, and the word "lands" in line 8, and insert in lieu thereof the following: "and shall likewise exercise such powers and duties with respect to such State-owned lands fronting on lands lying between high water mark and low water mark wherever the latter have been granted to such municipality, port district or its predecessor"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 249 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Heisinger, Hornblower, Johnson, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Weber, Welsh, and Williamson—49.

NOES—None.

Assembly Bill No. 249 ordered to enrollment.

Assembly Bill No. 308—An act to amend section 171a of the Penal Code, relating to the conduct of prisons, jails, and reformatories.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 308?

Amendment No. 1.

On page 1, line 10, of the printed bill, after the word "felony", insert the following: "and shall be imprisoned in the State prison not less than one nor more than twenty-five years".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 308 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 308 ordered to enrollment.

Assembly Bill No. 526—An act to add a new section to be numbered section 2 to Chapter 621 of the Statutes of 1931 entitled "An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof," approved June 5, 1931, relating to the grant of lands to said city.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 526?

Amendment No. 1.

On page 2 of the printed bill, after line 30, add the following:

"(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any

portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest."

Amendment No. 2.

On page 1, line 11, of the printed bill, after the words "of the", strike out "eastern line of Harrison", and insert in lieu thereof "western line of Alice".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 526 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 526 ordered to enrollment.

Assembly Bill No. 931—An act to amend section 396b of the Code of Civil Procedure, relating to transfer of civil actions.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 931?

Amendment No. 1.

On page 1, line 22, of the printed bill, strike out "thereof", and insert in lieu thereof the words "the motion".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 931 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—56.

NOES—None

Assembly Bill No. 931 ordered to enrollment.

Assembly Bill No. 1203—An act to amend sections 36, 37, 143, 185 and 378 of the Vehicle Code, relating to motor vehicles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1203?

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, strike out "received or", and in line 5, strike out "acquired from nonresident dealers".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, as amended, strike out "cars", and insert in lieu thereof the following: "motor vehicles".

Amendment No. 3.

On page 1, line 13 of the title of the printed bill, as amended, strike out "term dealer and vendor", and insert in lieu thereof the following: "terms dealer, vendor, and used or secondhand vehicles".

Amendment No. 4.

On page 1, line 7, of the printed bill, as amended, strike out "car", and insert in lieu thereof the following: "motor vehicle".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 1 to 7, inclusive, and in line 8, strike out "and/or vendees," and insert in lieu thereof the following: "or secondhand vehicle is sold or offered for sale, execute a bond with a surety company duly authorized to do business in this State as surety thereon, payable to the Department of Motor Vehicles for the use and benefit of the purchaser and his vendees, and conditioned to pay all loss".

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 15 to 21, inclusive, and insert in lieu thereof the following: "shall be for $500 for a vehicle having a market value of less than $500 and for $1,000 for a vehicle having a market value of $500 or more. The market value shall be that placed upon the vehicle by the vendor and indicated upon his application for registration. The bond shall be filed with the Department of Motor Vehicles by the vendor, and for which service by".

Amendment No. 7.

On page 2, line 22, of the printed bill, as amended, strike out "in registering said vehicle,".

Amendment No. 8.

On page 2, line 23, of the printed bill, as amended, strike out "$1 and a fee of".

Amendment No. 9.

On page 2 of the printed bill, as amended, strike out lines 29 to 34, inclusive

Amendment No. 10.

On page 2, line 38, of the printed bill, as amended, after "ownership," insert the following: "and a certificate of registration,".

Amendment No. 11.

On page 3, line 11, of the printed bill, as amended, after the period, insert the following: "The terms "used vehicle" or "secondhand vehicle" as herein used mean a vehicle of a type subject to registration under the Vehicle Code, which has been previously registered in this or in any other State."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1203 by the following vote:

AYES—Beene, Breed, Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, and Yorty—58.

NOES—None

Assembly Bill No. 1203 ordered to enrollment.

Assembly Bill No. 1214—An act to amend section 44 of the Vehicle Code, relating to authorized emergency vehicles.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1214?

Amendment No. 1.

On page 2, line 5, of the printed bill, as amended, strike out "ambulance", and insert in lieu thereof the following: "vehicle designed, maintained and used exclusively for ambulance purposes which is".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1214 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1214 ordered to enrollment.

Assembly Bill No. 1274—An act to add section 5803.5 to the Labor Code, relating to termination of liability for workmen's compensation benefits.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1274?

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "such petition shall", and strike out lines 6 to 8, inclusive, and insert in lieu thereof the following "the benefits to such employee shall cease upon the filing of such petition, subject to being

restored by order of the commission, but all accrued benefits shall be paid in full to the employee before the filing of such petition for an order terminating liability can be made."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 1274 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1274 ordered to enrollment.

Assembly Bill No. 1448—An act to amend sections 143, 185, 215, 377, and 378 of the Vehicle Code, relating to the registration of vehicles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1448?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "sections", insert the following: "36, 37,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "the registration of", and insert in lieu thereof the following: "motor".

Amendment No. 3.

On page 1 of the printed bill, as amended, above line 1, insert the following:

"SECTION 1. Section 36 of the Vehicle Code is hereby amended to read as follows

36. "Trailer." A "trailer" is a vehicle designed for carrying persons or property on its own structure and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon any other vehicle.

SEC. 2. Section 37 of the Vehicle Code is hereby amended to read as follows

37. "Semitrailer." A "semitrailer" is a vehicle designed for carrying persons or property and having one or more axles and one or more wheels, used in conjunction with a motor vehicle and so constructed that some part of its weight and that of its load rests upon, or is carried by, another vehicle."

Amendment No. 4.

On page 1, line 1, of the printed bill, as amended, strike out "SECTION 1", and insert in lieu thereof the following: "SEC. 3".

Amendment No. 5.

On page 1, line 20, of the printed bill, as amended, strike out "SEC. 2", and insert in lieu thereof the following: "SEC. 4".

Amendment No. 6.

On page 2, line 31, of the printed bill, as amended, strike out "SEC. 3", and insert in lieu thereof the following: "SEC 5".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1448 by the following vote

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1448 ordered to enrollment.

Assembly Bill No. 1570—An act to amend section 4041.6 of the Politi- Code, relating to the appropriation and expenditure of funds by boards of supervisors.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1570?

Amendment No. 1.

On page 2, line 5, of the printed bill, as amended, after the word "city", insert the following: "which has consented to such inclusion".

Amendment No. 2.

On page 2, line 13, of the printed bill, strike out the word "approved", and insert in lieu thereof the word "performed"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1570 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington Morgan, Muldoon, O'Donnell Patterson, Peek, Pelletier, Richie, Robertson, Sawallisch, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1570 ordered to enrollment.

Assembly Bill No. 1761—An act to amend section 3817a of, and to add sections 3817.3 and 3817.4 to, the Political Code, relating to redemption.

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1761?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, before "wherever", insert a comma.

Amendment No. 2.

On page 1, line 11, of the printed bill, as amended, strike out "as hereinafter provided".

Amendment No. 3.

On page 1, line 16, of the printed bill, as amended, strike out "of this code".

Amendment No. 4.

On page 1 of the printed bill as amended, strike out lines 22 to 28, inclusive, and on page 2, strike out lines 1 to 8, inclusive, and in line 9, strike out "five periods of one year. In", and insert in lieu thereof the following:

"Such payments shall be made to the county treasurer as follows:

(a) The first payment shall consist of twenty per cent, or more, of the amount necessary to make a redemption under section 3817.

(b) Further payments shall be made not later than April 20th in each succeeding fiscal year and each payment shall consist of twenty per cent, or more, of the total amount necessary to redeem under this section, together with interest at the rate of six per cent per annum from the date of the preceding payment, on an amount equal to the difference between such total amount and the total preceding payments excluding interest.

In".

Amendment No. 5.

On page 2, lines 11 and 12, of the printed bill, as amended, strike out 'the right to pay such delinquent taxes in installments shall cease and terminate and".

Amendment No. 6.

On page 2, lines 17 and 18, of the printed bill, as amended, strike out ", unless the full amount has been paid, as computed under section 3817,".

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out lines 21 and 22, and insert in lieu thereof the following: "for the use and occupancy of the real estate. Whenever a payment is to be made which is equal to the difference between the total amount necessary to redeem under this section and the total of the preceding payments, excluding interest,".

Amendment No. 8.

On page 2, line 24, of the printed bill, as amended, strike out "of this code".

Amendment No. 9.

On page 2, line 25, of the printed bill, as amended, after "interest", insert the following: ", and redemption of the property may be made. Redemption under this section is made in the same manner as redemption under section 3817, except

that the amount necessary to redeem shall be computed as of the date of the first payment of delinquent taxes in installments".

Amendment No. 10.

On page 2, line 27, of the printed bill, as amended, strike out "as here-", and strike out line 28, and insert in lieu thereof a period and the following: "One copy of the certificate shall be deliv-".

Amendment No. 11.

On page 2, line 30, of the printed bill, as amended, strike out "said certificate", and insert in lieu thereof the following: "it".

Amendment No. 12.

On page 2, line 32, of the printed bill, as amended, strike out "said", and insert in lieu thereof the following: "the".

Amendment No. 13.

On page 2, lines 33 and 34, of the printed bill, as amended, strike out ", as in this subdivision hereinafter provided".

Amendment No. 14.

On page 2, line 38, of the printed bill, as amended, strike out "said", and strike out line 39, and insert in lieu thereof the following: "showing the name of the person making the payments,".

Amendment No. 15.

On page 2, line 40, of the printed bill, as amended, strike out "or amounts".

Amendment No. 16.

On page 2 of the printed bill, as amended, strike out line 41, and insert in lieu thereof the following: "the years of delinquency, a descrip-".

Amendment No. 17.

On page 2, line 42, of the printed bill, as amended, after "property", insert the following: ", and any other information needed".

Amendment No. 18.

On page 3, line 9, of the printed bill, as amended, strike out "delinquent", and insert in lieu thereof the following: "due".

Amendment No. 19.

On page 3, line 23, of the printed bill, as amended, strike out "delinquent", and insert in lieu thereof the following: "due".

Amendment No. 20.

On page 3, line 27, of the printed bill, as amended, strike out "delinquent", and insert in lieu thereof the following: "due".

Amendment No. 21.

On page 3 of the printed bill, as amended, strike out line 30, and insert in lieu thereof the following: "taxes and penalties which would be due and collectible by".

Amendment No. 22.

On page 3, line 33, of the printed bill, as amended, after "Thereafter", insert a comma.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1761 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—63

NOES—None.

Assembly Bill No. 1761 ordered to enrollment.

Assembly Bill No. 2392—An act providing for the granting by legislative bodies of municipalities of franchises for transmitting and distributing electricity or gas providing for the duration and terms of such franchises and conditions for granting same and providing for the forfeiture thereof for noncompliance therewith.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2392?

Amendment No. 1.

On page 9, line 7, of the printed bill, as amended, following the comma after the word "State", insert the following: "and, as to State highways, subject to the provisions of general laws relating to the location and maintenance of such facilities therein,".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2392 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—62

NOES—None.

Assembly Bill No. 2392 ordered to enrollment.

Assembly Joint Resolution No. 19—Relative to memorializing Congress to enact legislation relating to disabled veterans.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No 19?

Amendment No. 1.

On page 1, line 4, of the printed measure, strike out the words "would be".

Amendment No. 2.

On page 1, line 5, of the printed measure, strike out the word "liable", and insert in lieu thereof "fears a liability".

Amendment No. 3.

On page 1, line 19, of the printed measure, strike out the words "and private".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Joint Resolution No. 19 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson Peek, Pelletier, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr Speaker—67.

NOES—None.

Assembly Joint Resolution No 19 ordered to enrollment.

Assembly Bill No. 1146—An act to amend section 4.192 of the School Code as enacted by Chapter 216, Statutes 1937, and to repeal section 4.193 of the School Code, as enacted by Chapter 216, Statutes of 1937, both relating to the furnishing of facilities, supplies and services by county superintendents of schools for the education of pupils residing in the county.

The question being put, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1146?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 1 to 3, inclusive, of the title and insert in lieu thereof the following:

"An act to amend section 4.192 of the School Code as enacted by Chapter 216, Statutes 1937, and to repeal section 4.193 of the School Code, as enacted by Chapter 216, Statutes of 1937, both relating to the furnishing".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 4.192 of the School Code, as enacted by Chapter 216, Statutes of 1937, is hereby amended to read as follows:".

Amendment No. 3.

On page 2 of the printed bill, as amended, after line 6, insert the following:
"SEC. 2. Section 4.193 of the School Code, as enacted by Chapter 216, Statutes 1937, is hereby repealed."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1146 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1146 ordered to enrollment.

Assembly Bill No. 1137—An act to add Chapter 7, comprising sections 3000 to 3152, inclusive, to Division II and to add section 30005 to Division XXX of the Business and Professions Code, relating to the practice of optometry and repealing acts and parts of acts specified herein.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1137?

Amendment No. 1.

On page 2, line 43, of the printed bill, as amended, strike out "and", and strike out lines 44, 45 and 46, and insert in lieu thereof a period.

Amendment No. 2.

On page 2, line 50, of the printed bill, as amended, strike out "twice", and insert in lieu thereof the following: "once".

Amendment No. 3.

On page 6 of the printed bill, as amended, strike out lines 21, 22 and 23, and insert in lieu thereof the following: "once a year with such additional examinations as the board desires to hold. The time and place of any examination shall be fixed by the board at least thirty days prior to the date that it is to be held. One examination shall be held, com-".

Amendment No. 4.

On page 6, line 24, of the printed bill, as amended, strike out "Addi-", and strike out lines 25 and 26.

Amendment No. 5.

On page 8, line 47, of the printed bill, as amended, after "name", insert the following: "without using the word "optometrist" as a suffix to his name or in connection with it".

Amendment No. 6.

On page 9 of the printed bill, as amended, strike out lines 15, 16, and 17, and insert in lieu thereof the following: "company or corporation constitutes unprofessional conduct."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1137 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1137 ordered to enrollment.

Assembly Bill No. 428—An act to add a new section to the School Code to be numbered 4.197, relating to the insuring of employees of county superintendents of schools against liabilities imposed by law.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 428?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "4.192", and insert in lieu thereof the number "4.194".

Amendment No. 2.

On page 1, line 2, of the printed bill, as amended, strike out "4.192", and insert in lieu thereof the number "4.194".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "4.192", and insert in lieu thereof the number "4.194".

Amendment No. 4.

On page 1, line 3, of the printed bill, as amended, strike out "must", and insert in lieu thereof the word "may".

Amendment No. 5.

On page 1, line 4, of the printed bill, as amended, strike out "persons", and insert in lieu thereof the words "any person".

Amendment No. 6.

On page 1, line 7, of the printed bill, as amended, strike out "employees", and insert in lieu thereof the following: "employee as a result of the negligent operation of a motor vehicle by such employee while acting within the scope of his employment".

Amendment No. 7.

On page 1, line 9, of the printed bill, as amended, strike out the word "employees", and insert in lieu thereof the following: "employee against such liability".

Amendment No. 8.

On page 1, line 2 of the title of the printed bill, as amended, strike out "4.194", and insert in lieu thereof the following: "4.197".

Amendment No. 9.

On page 1, line 2, of the printed bill, as amended, strike out "4.194", and insert in lieu thereof the following: "4.197".

Amendment No. 10.

On page 1, line 3, of the printed bill, as amended, strike out "4.194", and insert in lieu thereof the following: "4.197".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 428 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Dounelly, Field, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 428 ordered to enrollment.

Assembly Bill No. 1139—An act to amend section 10½ of the Optometry Law, or to add section 3129 to the Business and Professions Code, relating to the unlawful practice of optometry.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1139?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "Law," insert the following: "or to add section 3129 to the Business and Professions Code,".

Amendment No. 2.

On page 2 of the printed bill, as amended, after line 33, insert the following:

"SEC. 2. Section 3129 is hereby added to the Business and Professions Code to read as follows:

3129. It is unlawful to advertise at a stipulated price, or any variation of such a price, or as being free, any of the following:

The examination or treatment of the eyes; the furnishing of optometrical services; or the furnishing of a lens, lenses, glasses, or the frames or fittings thereof.

The provisions of this section do not apply to the advertising of goggles, sunglasses, colored glasses or occupational eye-protective devices, provided the same are so made as not to have refractive values.

SEC. 3. Section 1 of this act shall take effect only if the Optometry Law is not repealed and its provisions are not incorporated in the Business and Professions Code by the Legislature at its fifty-second session.

SEC. 4. Section 2 of this act shall only take effect if the Optometry Law is repealed and its provisions are incorporated in the Business and Professions Code."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1139 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—66.

NOES—None.

Assembly Bill No 1139 ordered to enrollment.

Assembly Bill No. 1176—An act to amend section 1286 of the Fish and Game Code, relating to transporting deer.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1176?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "into a closed district"

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "may", and strike out all of lines 4 and 5, and insert in lieu thereof the following: "shall have the license tag countersigned by a fish".

Amendment No. 3.

On page 1, line 10, after "oaths", strike out the period, and insert in lieu thereof a comma and the following: "before transporting such deer except for the purpose of taking it to the nearest officer authorized to countersign the license tag."

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No 1176 by the following vote:

AYES—None.

NOES—Baynham, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58.

Assembly Bill No. 2518—An act to amend section 3212 of the Labor Code, relating to workmen's compensation insurance.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2518?

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "3a of the Workmen's Compensation Insurance and Safety Act of 1917," and insert in lieu thereof the following: "3212 of the Labor Code,".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "3a of the act cited in the title hereof," and insert in lieu thereof the following: "3212 of the Labor Code,".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "Sec. 3a.", and insert in lieu thereof the following: "3212."

Amendment No. 4.

On page 1, line 27, of the printed bill, after the word "are", and before the word "compensable", insert the following: "presumed to be".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2518 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—55.

NOES—None

Assembly Bill No. 2518 ordered to enrollment.

Motion to Expunge Record and Rescind Action on Senate Amendments to Assembly Bill No. 1813.

Mr. Muldoon moved to expunge the record, and rescind the action whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 1813.

The roll was called, and the motion carried by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Weber, Welsh, Williamson, and Mr. Speaker—54

NOES—None.

Assembly Bill No. 1813 ordered on unfinished business calendar.

Consideration of Governor's Veto to Assembly Bills.

Assembly Bill No. 285—An act to amend section 92 of, and to add sections 108 and 109 to the Civil Code, relating to grounds of divorce

The question being put, Shall Assembly Bill No. 285 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Clark, Dannenbrink, Donihue, Gilbert, Hunt, King, Meehan, Patterson, Peek, Pelletier, Reaves, Richie, Sheehan, Tenney, Turner, Voigt, Welsh, Yorty, and Mr. Speaker—19.

NOES—Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Kepple, Kuchel, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Redwine, Sawallisch, Scudder, Stream, Thorp, Walker, Watson, Weber, and Williamson—45.

Assembly Bill No. 2788—An act granting to the city of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city.

The question being put Shall Assembly Bill No. 2788 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Boyle, Clark, Dannenbrink, Donnelly, Flint, Gilbert, Glick, Hunt, King, Miller, George P., Patterson, Peek, Pelletier, Reaves, Rosenthal, Sawallisch, Tenney, Voigt, Welsh, Yorty, and Mr. Speaker—21.

NOES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Field, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, O'Donnell, Redwine, Richie, Robertson, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—43.

Assembly Bill No. 890—An act to amend section 1 of an act entitled "An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assess-

ment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately," approved February 1, 1935, relating to the foreclosure of special assessment bonds.

The question being put: Shall Assembly Bill No 890 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Boyle, Desmond, Hunt, Reaves, and Voigt—5.

NOES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—62.

Assembly Bill No. 2474—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

The question being put: Shall Assembly Bill No. 2474 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Flint, Hunt, King, and Patterson—4.

NOES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65

Assembly Bill No. 2474 ordered to enrollment.

Notices of Motion to Reconsider Senate Bills Waived.

Mr. Dannenbrink waived his notice of motion to reconsider the vote whereby Senate Bill No. 935 was passed.

Senate Bill No. 935 ordered transmitted to the Senate.

Mr. Peek waived his notice of motion to reconsider the vote whereby Senate Bill No. 633 was passed.

Senate Bill No. 633 ordered transmitted to the Senate.

Reconsideration of Senate Bill No. 309.

In compliance with a notice given on a previous day, Mr. McMurray moved that the vote whereby Senate Bill No. 309 was passed be reconsidered.

The roll was called, and Senate Bill No. 309 refused reconsideration by the following vote:

AYES—Burns, Hugh M., Cronin, Daley, Dawson, Donnelly, Gilbert, Heisinger, Hunt, King, Lore, McMurray, Meehan, Miller, George P., O'Donnell, Patterson, Peek, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Thorp, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—28.

NOES—Boyle, Breed, Call, Corwin, Cottrell, Crowley, Cunningham, Dannenbrink, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Maloney, Martin, Mayo, Miller, Eleanor, Millington, Morgan, Muldoon, Scudder, Sheehan, Stream, and Walker—32

Senate Bill No. 309 ordered transmitted to the Senate.

Reconsideration of Senate Bill No. 120.

In compliance with a notice given on a previous day, Mr. Thorp moved that the vote whereby Senate Bill No. 120 was refused passage be reconsidered.

Demand for Previous Question.

Messrs. Morgan, Miller, Stream, Cottrell and Martin demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Senate Bill No. 120

The roll was called, and Senate Bill No. 120 refused reconsideration by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Corwin, Cottrell, Daley, Dilworth, Donnelly, Gannon, Garland, Gilbert, Glick, Heisinger, Johnson, Kepple, Levey, Lore, Martin, Miller, Eleanor; Millington, Morgan, O'Donnell, Reaves, Redwine, Scudder, Stream, Thorp, Turner, Walker, Watson, and Welsh—32.

NOES—Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Garibaldi, Hornblower, Hunt, King, Kuchel, Leonard, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, George P., Patterson, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Weber, Williamson, Yorty, and Mr. Speaker—34

Appointment of Special Committee.

The Speaker announced the appointment of Messrs. Fulcher, Millington, Desmond, Williamson and Meehan as a Special Committee to represent the Assembly at the opening of the new Feather River Highway in accordance with the provisions of Assembly Concurrent Resolution No. 45.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to

Assembly Bill No. 3—An act to amend sections 1, 3, 4, 5, 6, 10, 11, 12 and 13 of the Unfair Practices Act, to repeal sections 8 and 15 of said act, and to add sections 5.5, 15, 16 and 17 thereto, all relating to unfair trade practices;

And appointed Senators Crittenden, Parkman and Tickle, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 3.

The Speaker announced the appointment of Messrs. Boyle, Lyon and Desmond as a Committee on Free Conference concerning Assembly Bill No. 3.

SENATE CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 34.
Assembly Bill No. 81.
Assembly Bill No. 89.
Assembly Bill No. 395.
Assembly Bill No. 479.
Assembly Bill No. 685.
Assembly Bill No. 800.
Assembly Bill No. 1085.
Assembly Bill No. 1251.
Assembly Bill No. 1258.
Assembly Bill No. 1259.
Assembly Bill No. 1260.
Assembly Bill No. 1479.
Assembly Bill No. 1480.
Assembly Bill No. 1481.
Assembly Bill No. 1482.
Assembly Bill No. 1483.
Assembly Bill No. 1484.
Assembly Bill No. 1617.
Assembly Bill No. 1642.
Assembly Bill No. 1721.
Assembly Bill No. 1788.
Assembly Bill No. 1899.
Assembly Bill No. 2734.
Assembly Bill No. 2841.
Assembly Bill No. 2853.
Assembly Bill No. 2859.
Assembly Bill No. 2868.
Assembly Bill No. 2893.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended,

Assembly Bill No. 88.	Assembly Bill No. 2333.
Assembly Bill No. 1253.	Assembly Bill No. 2792.
Assembly Bill No. 1658.	Assembly Bill No. 2895.
Assembly Bill No. 2025.	

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Report of Standing Committee.

The following report of standing committee was received and read.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Senate Bill No. 1043.
Respectfully reports the same back with the recommendation: Do pass.

LAUGHLIN, Chairman

The above reported bill ordered on second reading calendar.

Recess.

At twelve m., on motion of Mr King the Assembly was declared at recess until two o'clock p.m

Reassembled.

At two o'clock p.m., the Assembly reconvened.
Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Senate Bill No. 1159.
Respectfully reports the same back, signed out by committee.

BOYLE, Chairman.	GILBERT
DAWSON.	YORTY
WILLIAMSON.	ROSENTHAL.
LYON.	TENNEY
HUNT	CUNNINGHAM

The above reported bill ordered on second reading calendar.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred.
Senate Bill No. 1038.
Respectfully reports the same back with the recommendation. Do pass as amended.

LAUGHLIN, Chairman.

The above reported bill ordered on second reading calendar.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:
Senate Bill No. 347.
Respectfully reports the same back with the recommendation: Do pass.

RICHIE, Chairman.

The above reported bill ordered on second reading calendar

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 1165—An act making an appropriation for contingent expenses of the Senate, and declaring that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Senate Bill No 1165 read first time, and referred to Committee on Ways and Means.

SENATE CHAMBER, SACRAMENTO, May 25, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following

Senate Bill No. 66.	**Senate Bill No. 465.**
Senate Bill No. 257.	**Senate Bill No. 539.**
Senate Bill No. 361.	**Senate Bill No. 730.**
Senate Bill No. 377.	**Senate Bill No. 860.**
Senate Bill No. 404.	**Senate Bill No. 898**
Senate Bill No. 425.	**Senate Bill No 989.**

J A BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Hon. Samuel W. Yorty in the Chair.

At two o'clock and forty minutes p m., Hon Samuel W. Yorty, member of the Assembly from the Sixty-Fourth District, in the chair

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 443—An act to add section 12.5 and to amend sections 2 and 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the organization of said bureau and defining its powers and duties, and making an appropriation.

Motion to Amend Senate Bill No. 443.

Mr Lyon moved to amend Senate Bill No 443 as follows:

Amendment No. 1.

On page 1, strike out lines 4 and 5 of the printed bill, as amended, and insert in lieu thereof the following: "consisting of three members appointed by the".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 9 and 10, and insert in lieu thereof the following: "conduct of their business as such board of managers Said board".

Amendment No. 3

On page 2, line 12, of the printed bill, as amended, strike out "fifteen", and insert in lieu thereof the following: "ten".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 35 to 37, inclusive, and insert in lieu thereof the following: "board of managers. For the purpose of".

Amendment No. 5.

On page 2, line 49, of the printed bill, as amended, strike out "$50,000", and insert in lieu thereof the following: "$20,000".

Amendments read, and refused adoption by the following vote:

AYES—Andreas, Burns, Michael J., Call, Cronin, Crowley, Dawson, Flint, Gilbert, Hawkins, Hornblower, Latham, Laughlin, Levey, Lyon, Maloney, McMurray, Meehan, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, and Williamson—26

NOES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field,

Fulcher, Gannon, Garibaldi, Glick, Heisinger, Hunt, Johnson, Kepple, Kuchel, Leonard, Lore, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Scudder, Stream, Thorp, Turner, Walker, Watson, Welsh, Yorty, and Mr. Speaker—44.

Senate Bill No. 443 read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Boyle moved a call of the Assembly.

Motion carried.

Time, two o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.
Third Reading of Senate Bills—(Resumed).

Senate Bill No. 509—An act to amend section 3612 of the Political Code, relating to exemptions under section 1¼ of Article XIII of the Constitution.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Patterson, Peek, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 774—An act to add a new section to the Agricultural Code, to be numbered 1079, relating to the disposal of funds received under the provisions of Chapter 7 of Division V of said code, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Senate Bill No. 774 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 333—An act authorizing the use, for major construction and equipment of plant quarantine border inspection stations, of moneys already appropriated; declaring the urgency thereof, and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Senate Bill No. 333 read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnellly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1140—An act to provide for the reimbursement of the general fund for expense of collecting bonds and bond coupons for special funds.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Special Order.

The hour of three o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Motion to Withdraw Senate Bill No. 5 from Committee.

In compliance with a notice given on a previous day, Mr. Mayo moved to withdraw Senate Bill No. 5 from the Committee on Elections, and have it placed upon the calendar.

Motion to Postpone Indefinitely.

Mr. Clark moved that further consideration of the motion to withdraw Senate Bill No. 5 from committee be postponed indefinitely.

Further Proceedings Under Call of the Assembly Dispensed With.

At three o'clock and thirty minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Boyle.

The roll of absentees was called, and Senate Bill No. 443 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Muldoon, Peek, Peyser, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, and Mr. Speaker—50.

NOES—Burns, Michael J., Call, Dawson, Flint, Gilbert, Hawkins, Hornblower, Hunt, Laughlin, Levey, Lore, Lyon, Maloney, McMurray, Meehan, Miller, George P., Patterson, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Williamson, and Yorty—26.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 443.

Messrs. Cottrell and Tenney gave notice that on the next legislative day, they would move to reconsider the vote whereby Senate Bill No. 443 was this day passed.

Further Consideration of Motion to Withdraw Senate Bill No. 5 from Committee.

Demand for Previous Question.

Messrs. Morgan, Dannenbrink, Flint, Reaves and Cunningham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to postpone further consideration of the motion to withdraw Senate Bill No. 5 from committee indefinitely.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Clark moved a call of the Assembly.

Motion carried by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Dannenbrink, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hunt, Laughlin, Lore, Maloney, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Weber, Yorty, and Mr. Speaker—43.

NOES—Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Peyser, Scudder, Sheehan, Stream, Walker, and Williamson—28.

Time, three o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder,

Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty and Mr Speaker—73.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Third Reading of Senate Bills—(Resumed).

Senate Bill No. 393—An act to add section 159a to the Agricultural Code, relating to the elimination of Austrian field cress, and to make an appropriation therefor.

Motion to Amend Senate Bill No. 393.

Mr. Fulcher moved to amend Senate Bill No. 393 as follows:

Amendment No. 1.

On page 1, lines 1 and 2, of the printed bill, as amended, strike out "is hereby added to the Agricultural Code", and insert in lieu thereof the following: "of the Agricultural Code is hereby amended".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, after "be", insert the following "borne as follows:".

Amendments adopted.

Request for Unanimous Consent.

Mr. Fulcher asked for, and was granted, unanimous consent to take up Senate Bill No. 393, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 393, as Amended.

Senate Bill No. 393—An act to add section 159a to the Agricultural Code, relating to the elimination of Austrian field cress, and to make an appropriation therefor.

Senate Bill No. 393, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P, Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding section 4d to Article VI, relating to advisory opinions of the Supreme Court.

Senate Constitutional Amendment No. 27 read, and refused adoption by the following vote:

AYES—Cassidy, Daley, Donnelly, Millington, Patterson, Rosenthal, and Tenney—7.

NOES—Andreas, Baynham, Breed, Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P, Morgan, Muldoon, Peek, Pelletier, Peyser, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—57

Hon. Ben Rosenthal in the Chair.

At four o'clock p.m., Hon. Ben Rosenthal, member of the Assembly from the Fifty-Second District, in the chair

Senate Bill No. 665—An act to amend sections 128 and 129 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read third time, and passed by the following vote.

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M. Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, and Williamson—56

NOES—Latham, Tenney, and Yorty—3

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1135—An act to add section 433.6 to the Political Code, to authorize the State Controller to make pay roll deductions from the salary or wage of certain State employees for the purpose of paying premiums on a policy or certificate of insurance issued to such State employees insured under an insurance plan approved by the Director of Finance.

Motion to Amend Senate Bill No. 1135.

Mr. Gannon moved to amend Senate Bill No. 1135 as follows:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, after "issued" insert the following: "by an insurance company authorized to do business in this State."

Amendment adopted.

Request for Unanimous Consent.

Mr. Gannon asked for, and was granted, unanimous consent to take up Senate Bill No. 1135, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 1135, as Amended.

Senate Bill No. 1135—An act to add section 433.6 to the Political Code, to authorize the State Controller to make pay roll deductions from the salary or wage of certain State employees for the purpose of paying premiums on a policy or certificate of insurance issued to such State employees insured under an insurance plan approved by the Director of Finance.

Senate Bill No. 1135, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, Williamson, and Yorty—64

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 880—An act to amend an act entitled "An act to conserve the agricultural wealth of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission,

fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purpose of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, as amended, by amending sections 2, 8, 9, 10, 13, 18, 19.1, 22 and 22.5, all relating to the institution and enforcement of agricultural proration programs.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, and Yorty—59.

NOES—Patterson, Richie, and Tenney—3.

Senate Bill No. 880 read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Williamson, and Yorty—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 689—An act to repeal section 13½, to amend section 32 and to repeal section 32½ of the Public Utilities Act, relating to public utility rates.

Motion to Amend Senate Bill No. 689.

Mr. Garibaldi moved to amend Senate Bill No. 689 as follows:

Amendment No. 1.

On page 2, line 36, of the printed bill, as amended, after the period in said line, insert the following "This provision shall not be construed to prevent the commission from granting to carriers by water such differentials in rates as may be permitted under other provisions of law."

Amendment adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Senate Bill No. 689, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 689, as Amended.

Senate Bill No. 689—An act to repeal section 13½, to amend section 32 and to repeal section 32½ of the Public Utilities Act, relating to public utility rates.

Motion to Amend Senate Bill No. 689.

Mr. Garland moved to amend Senate Bill No. 689 as follows:

Amendment No. 1.

On page 2, line 31, of the printed bill, as amended, strike out the words "Public Utilities Act," and insert in lieu thereof the words: "Highway Carriers' Act,".

Amendment No. 2.

On page 2, line 34, of the printed bill, as amended, strike out the words "Public Utilities Act," and insert in lieu thereof the words: "Highway Carriers' Act".

Amendments adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Senate Bill No. 689, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 689, as Amended.

Senate Bill No. 689—An act to repeal section 13½, to amend section 32 and to repeal section 32½ of the Public Utilities Act, relating to public utility rates.

Senate Bill No. 689, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Weber, Williamson, and Yorty—64.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 773—An act to amend the title and sections 1, 3 and 12 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the taxation of the transportation of persons or property for hire or compensation on the public streets, roads, or highways in the State of California by motor vehicle, to take effect immediately

Motion to Amend Senate Bill No. 773.

Mr. Hornblower moved to amend Senate Bill No. 773 as follows.

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 31 and 32, insert the following

"Nothing contained in paragraph (1) above shall be construed as limiting the exemptions for which provision is made in paragraphs (2), (3), (4) and (5)"

Amendment adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No. 773, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 773, as Amended.

Senate Bill No. 773—An act to amend the title and sections 1, 3 and 12 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the taxation of the transportation of persons or property for hire or compensation on the public streets, roads, or highways in the State of California by motor vehicle, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bayham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland,

Gilbert, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Welsh, and Williamson—61

NOES—Heisinger, Hunt, Patterson, Tenney, and Yorty—5

Senate Bill No. 773 read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Welsh, and Williamson—61.

NOES—Heisinger, Hunt, Tenney, and Yorty—4.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 1030—An act to amend section 660 of, and to add section 660.3 to, the Fish and Game Code, relating to salmon.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Martin, Mayo, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, and Yorty—55.

NOES—Cassidy, Garland, Hornblower, Kuchel, Maloney, McMurray, Reaves, and Tenney—8.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 203—An act to amend section 651.6 of the Fish and Game Code, relating to salmon.

Bill read third time, and refused passage by the following vote:

AYES—Cronin, Cunningham, Dannenbrink, Dawson, Field, Fulcher, Glick, Hawkins, Hornblower, Kuchel, Levey, Maloney, Millington, Peek, Pelletier, Peyser, Redwine, Robertson, Sheehan, Stream, Turner, and Weber—22.

NOES—Andreas, Baynham, Breed, Burns, Hugh M., Cassidy, Corwin, Cottrell, Crowley, Desmond, Dilworth, Donahue, Donnelly, Garibaldi, Garland, Gilbert, Heisinger, Hunt, Johnson, Laughlin, Lore, Martin, Mayo, McMurray, Meehan, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Reaves, Richie, Rosenthal, Sawallisch, Tenney, Thorp, Walker, Watson, Yorty, and Mr. Speaker—39

Senate Bill No. 285—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to acquire, sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the acquisition, production, transmission or distribution of energy; authorizing such corporations to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Levey, Lore, Maloney, Mar-

tin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—62.

NOES—None.

Senate Bill No. 285 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Yorty—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 747—An act to amend section 841 of the Military and Veterans' Code, relating to veterans' farm and home purchase funds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—65.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 1013—An act to amend section 6d of an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and relating to existing utilities therein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, and Yorty—62

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Motion to Expunge Record and Rescind Action on Senate Bill No. 285.

Mr. Dilworth moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 285.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Andreas, Beene, Breed, Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Welsh, and Yorty—54

NOES—None.

Consideration of Senate Bill No. 285.

Senate Bill No. 285—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to acquire, sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the acquisition, production, transmission or distribution of energy; authorizing such corporations to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations, authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect.

Motion to Amend Senate Bill No. 285.

Mr. Dilworth moved to amend Senate Bill No. 285 as follows:

Amendment No. 1.

On page 12 of the printed bill, as amended May 21, 1937, strike out lines 47 to 51, inclusive, and on page 13, strike out lines 1 to 15, inclusive

Amendment adopted.

Request for Unanimous Consent.

Mr. Dilworth asked for, and was granted, unanimous consent to take up Senate Bill No. 285, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 285, as Amended.

Senate Bill No. 285—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to acquire, sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the acquisition, production, transmission or distribution of energy; authorizing such corporations to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect.

Senate Bill No. 285, as amended, read third time, and passed by the following vote:

AYES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallsch, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, and Yorty—60.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 555—An act to amend section 737kk of the Political Code, relating to the salaries of the judges of the superior court in and for the county of San Diego.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At five o'clock and five minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Further Proceedings Under Call of the Assembly Dispensed With.

At five o'clock and ten minutes p.m, further proceedings under the call of the Assembly were dispensed with on motion of Mr. Clark.

The roll of absentees was called, and the motion to postpone further consideration of the motion to withdraw Senate Bill No. 5 from committee indefinitely, carried by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Cassidy, Clark, Daley, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P, Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Welsh, Yorty, and Mr. Speaker—41.

NOES—Beene, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Garibaldi, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo Miller, Eleanor; Morgan, Peyser, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, Weber, and Williamson—38.

Motion to Expunge Record and Rescind Action on Senate Bill No. 5.

Mr Clark moved to expunge the record, and rescind the action whereby the Assembly, on this day, postponed indefinitely the further consideration of the motion to withdraw Senate Bill No 5 from the Committee on Elections, and have it placed upon the calendar.

Motion to Table Motion.

Mr Latham moved to lay the motion by Mr. Clark on the table.

The roll was called, and the motion to table lost by the following vote:

AYES—Breed, Burns, Michael J, Corwin, Cottrell, Crowley, Cunningham, Dawson, Dilworth, Field, Hornblower, Johnson, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Redwine, Scudder, Stream, Thorp, Walker, and Williamson—25.

NOES—Andreas, Baynham, Burns, Hugh M., Call, Cassidy, Clark, Daley, Dannenbrink, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Turner, Voigt, Watson, Weber, Welsh, and Mr. Speaker—42.

The question being on the motion to expunge the record and rescind the action whereby the further consideration of the motion to withdraw Senate Bill No 5 from committee was postponed indefinitely.

The roll was called, and the motion to expunge the record and rescind the action lost by the following vote:

AYES—Breed, Burns, Michael J., Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Field, Hornblower, Johnson, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Redwine, Scudder, Sheehan, Stream, Thorp, Walker, and Williamson—30.

NOES—Andreas, Baynham, Call, Cassidy, Clark, Daley, Dannenbrink, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hunt, King, Laughlin, Lore, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Turner, Voigt, Watson, Weber, Welsh, and Mr. Speaker—39

Withdrawal and Re-reference of Senate Bill No. 178.

On motion of Mr. Patterson, Senate Bill No 178 was withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Fish and Game.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 883.	**Assembly Bill No. 1921.**
Assembly Bill No. 971.	**Assembly Bill No. 2331.**
Assembly Bill No. 1154.	**Assembly Bill No. 2423.**
Assembly Bill No. 1172.	**Assembly Bill No. 2495.**
Assembly Bill No. 1518.	**Assembly Bill No. 2496.**
Assembly Bill No. 1524.	**Assembly Bill No. 2498.**

And reports the same correctly enrolled, and presented to the Governor on this twenty-sixth day of May, 1937, at ten o'clock a.m.

CUNNINGHAM, Chairman

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1937

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Senate Bill No. 1109.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 2760.

Respectfully reports the same back with the recommendation: Do pass.

KING, Chairman

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred.

Senate Bill No. 979.

Respectfully reports the same back with the recommendation: Do pass

ROSENTHAL, Chairman

The above reported bill ordered on second reading calendar.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937

MR. SPEAKER: Your Committee on Federal Relations, to which was referred

Senate Joint Resolution No. 15.

Respectfully reports the same back with the recommendation Be adopted as amended.

HEISINGER, Chairman

The above reported bill ordered on second reading calendar.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 891—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Motion to Amend Senate Bill No. 891.

Mr. Voigt moved to amend Senate Bill No 891 as follows:

Amendment No. 1.

On page 9, lines 18 and 19, of the printed bill, as amended, strike out "twenty-five dollars ($25)", and insert in lieu thereof the following: "fifty dollars".

Amendment adopted.

Request for Unanimous Consent.

Mr Meehan asked for, and was granted, unanimous consent to take up Senate Bill No. 891, as amended, at this time, without reference to reprint or calendar

Consideration of Senate Bill No. 891, as Amended.

Senate Bill No. 891—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof, to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Motion to Amend Senate Bill No. 891.

Mr. Call moved to amend Senate Bill No. 891 as follows:

Amendment No. 1.

On page 2, line 44, of the printed bill, as amended, strike out ", provided that all greyhounds per-", and insert in lieu thereof a period.

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 45 to 51, inclusive.

Amendments adopted.

Request for Unanimous Consent.

Mr Meehan asked for, and was granted, unanimous consent to take up Senate Bill No. 891, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 891, as Amended.

Senate Bill No. 891—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Motion to Amend Senate Bill No. 891.

Mr. Crowley moved to amend Senate Bill No 891 as follows:

Amendment No. 1.

On page 7 of the printed bill, as amended, strike out lines 42 to 46, inclusive, and insert in lieu thereof the following: "upon receipt of the same and credited to the "greyhound racing fund," which fund is hereby created."

Amendment No. 2.

On page 8 of the printed bill, as amended, strike out lines 2 to 6, inclusive, and insert in lieu thereof the following: "the State Controller shall, at the end of each fiscal year, transfer such moneys in the following proportions and to the several special funds hereinafter named, which funds are hereby created:

One-sixth thereof to the Veterans' Home fund, to be expended in such manner as may be hereafter provided by law; one-sixth to the wine and grape show fund, to be allocated as may hereafter be provided by law, under the supervision of the Depart-".

Amendment No. 3.

On page 8 of the printed bill, as amended, strike out lines 21 to 23, inclusive, and insert in lieu thereof the following. "plus shall be transferred to the Department of Institutions construction and repair fund; no such grape and".

Amendment No. 4.

On page 8 of the printed bill, as amended, strike out lines 27 to 31, inclusive, and insert in lieu thereof the following: "Institutions construction and repair fund to be expended in such manner as may hereafter be provided by law. Except as to the aforesaid sum of twenty thou-".

Amendments adopted.

Request for Unanimous Consent.

Mr. Meehan asked for, and was granted, unanimous consent to take up Senate Bill No. 891, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 891, as Amended.

Senate Bill No. 891—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor

Motion to Amend Senate Bill No. 891.

Mr Flint moved to amend Senate Bill No. 891 as follows:

Amendment No. 1.

On page 7, line 6, of the printed bill, as amended, strike out "and nights".

Amendment No. 2.

On page 7, line 7, of the printed bill, as amended, strike out "or night".

Amendment No. 3.

On page 7, line 9, of the printed bill, as amended, after the period, insert the following "No license shall be granted except for races to be conducted during the daylight hours and it shall be unlawful to conduct a race except during daylight hours."

Amendments read, and refused adoption by the following vote:

AYES—Cunningham, Dannenbrink, Dilworth, Douihue, Donnelly, Field, Flint, Hunt, Johnson, Patterson, Redwine, Sawallisch, and Walker—13.

NOES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Daley, Dawson, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, King, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Meehan, Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Richie, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—44

Motion to Amend Senate Bill No. 891.

Mr. Hornblower moved to amend Senate Bill No. 891 as follows:

Amendment No. 1.

On page 3, line 18, of the printed bill, as amended, after "association", insert the following: "at the board's expense".

Amendment No. 2.

On page 3, line 23, of the printed bill, as amended, strike out "; and any", and strike out lines 30 to 36, inclusive, and insert in lieu thereof a period.

Amendment No. 3.

On page 5, line 25, of the printed bill, as amended, strike out "a", and insert in lieu thereof the following: "an annual".

Amendment No. 4.

On page 5, line 42, of the printed bill, as amended, strike out "such action", and insert in lieu thereof the following: "Any action by the board".

Amendment No. 5.

On page 5, lines 43 and 44, of the printed bill, as amended, strike out "of the county or city and county within which such license was to be exercised".

Amendments adopted.

Request for Unanimous Consent.

Mr. Meehan asked for, and was granted, unanimous consent to take up Senate Bill No 891, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 891, as Amended.

Senate Bill No. 891—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Senate Bill No. 891, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Michael J., Call, Cassidy, Cronin, Crowley, Daley, Dawson, Desmond, Fulcher, Gannon, Garibaldi, Hawkins, Hornblower, King, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peyser, Reaves, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Weber, Welsh, and Williamson—42.

NOES—Boyle, Breed, Burns, Hugh M., Clark, Corwin, Cunningham, Dannenbrink, Dilworth, Donahue, Donnelly, Field, Flint, Garland, Gilbert, Heisinger, Hunt, Johnson, Kuchel, Lore, Martin, Miller, Eleanor, Morgan, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Walker, Watson, Yorty, and Mr. Speaker—31.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Recess.

At five o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock p.m.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 378.	Assembly Bill No. 1671.
Assembly Bill No. 396.	Assembly Bill No. 1759.
Assembly Bill No. 442.	Assembly Bill No. 1760.
Assembly Bill No. 618.	Assembly Bill No. 1764.
Assembly Bill No. 743.	Assembly Bill No. 1888.
Assembly Bill No. 744.	Assembly Bill No. 1906.
Assembly Bill No. 777.	Assembly Bill No. 1951.
Assembly Bill No. 778.	Assembly Bill No. 2062.
Assembly Bill No. 787.	Assembly Bill No. 2117.
Assembly Bill No. 1018.	Assembly Bill No. 2232.
Assembly Bill No. 1035.	Assembly Bill No. 2385.
Assembly Bill No. 1132.	Assembly Bill No. 2501.
Assembly Bill No. 1162.	Assembly Bill No. 2568.
Assembly Bill No. 1400.	Assembly Bill No. 2575.
Assembly Bill No. 1420.	Assembly Bill No. 2673.
Assembly Bill No. 1515.	Assembly Bill No. 2679.
Assembly Bill No. 1519.	Assembly Bill No. 2821.
Assembly Bill No. 1576.	Assembly Bill No. 2847.

And reports the same correctly enrolled, and presented to the Governor on this twenty-sixth day of May, 1937, at two o'clock p.m.

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined **Assembly Bill No. 2760.**

And reports the same correctly engrossed.

CUNNINGHAM, Chairman.

The above reported bill ordered on third reading calendar.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER: Your Committee on Fish and Game to which was referred **Senate Bill No. 178.**

Respectfully reports the same back with the recommendation: Do pass.

PATTERSON, Chairman

Second Reading of Senate Bill No. 178—(Out of Order)

Senate Bill No. 178—An act to add section 37 to the Fish and Game Code, relating to training schools for officers enforcing fish and game laws.

Bill read second time, and ordered on third reading calendar.

Re-reference of Senate Bills.

On motion of Mr Burns, Hugh M., Senate Bill No 668 was withdrawn from the calendar, and re-referred to the Committee on Governmental Efficiency and Economy.

On motion of Mr. Desmond, Senate Bill No. 491 was withdrawn from the calendar, and re-referred to the Committee on Judiciary General.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 809—An act to authorize counties to issue bonds for the purpose of acquiring other general obligation bonds of such county or bonds issued by or for districts therein or bonds issued for street work or other improvements of any kind or character and providing for acquiring such bonds and the levy or collection of taxes and assessments to pay principal and interest of bonds acquired, the use of funds derived from bonds issued under this act or acquired under this act and the payment of bonds issued under this act.

Bill read third time, and passed by the following vote

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy Clark, Cottrell, Crowley Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Fulcher, Garibaldi, Glick, Hawkins, Hornblower, Hunt Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard Levey Lore, Lyon, Maloney, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Pelletier Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—58

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 183—An act to amend sections 1, 2, 3, 5, 6, 11, 12, 17 and 18 of, to repeal section 13 of, and to add section 24 to, an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising and the regulation thereof.

Motion to Amend Senate Bill No. 183.

Mr. Johnson moved to amend Senate Bill No. 183 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "17 and 18", and insert in lieu thereof the following: "and 17"

Amendment No. 2.

On page 7 of the printed bill, as amended, strike out lines 1 to 33, inclusive.

Amendment No. 3

On page 7 line 34, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "9".

Amendment No. 4

On page 7, line 38, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

Demand for Previous Question.

Messrs. Welsh, Dannenbrink, Boyle, Morgan and Flint demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendments.

Amendments read, and refused adoption by the following vote:

AYES—Baynham, Breed, Clark, Crowley, Daley, Dannenbrink, Dilworth, Donnelly, Heisinger, Johnson, Leonard, Meehan, Miller, Eleanor, Morgan, Peek, Pelletier, Richie, Scudder, Thorp, Watson, and Yorty—21.

NOES—Andreas, Beene, Boyle, Burns, Hugh M., Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donihue, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, King, Latham, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Millington, Peyser, Reaves, Sawallisch, Sheehan, Stream, Tenney, Walker, Weber, Welsh, Williamson, and Mr. Speaker—38

Senate Bill No. 183 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Corwin, Cronin, Cunningham, Dawson, Desmond, Donihue, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, King, Kuchel, Latham, Laughlin, Levey, Lyon, Maloney, McMurray, Meehan, Millington, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Weber, Welsh, Williamson, and Mr. Speaker—41.

NOES—Beene, Breed, Cassidy, Clark, Cottrell, Crowley, Daley, Dannenbrink, Dilworth, Donnelly, Heisinger, Johnson, Kepple, Leonard, Martin, Miller, Eleanor; Morgan, Muldoon, Peek, Richie, Scudder, Walker, Watson, and Yorty—24.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 183.

Mrs. Daley gave notice that on the next legislative day she would move to reconsider the vote whereby Senate Bill No. 183 was this day passed.

Senate Constitutional Amendment No. 4—Proposed amendment to Article IV, sections 2 and 34, of the Constitution, relative to sessions of the Legislature.

Senate Constitutional Amendment No. 4 read, and refused adoption by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Call, Cassidy, Clark, Cottrell, Dannenbrink, Dawson, Donihue, Donnelly, Fulcher, Gannon, Hunt, Johnson, Latham, Laughlin, Leonard, Levey, Lyon, Martin, Meehan, Miller, Eleanor; Millington, Morgan, Peek, Reaves, Redwine, Thorp, Weber, and Yorty—32.

NOES—Andreas, Corwin, Cronin, Crowley, Cunningham, Dilworth, Garibaldi, Glick, Hawkins, Hornblower, Kepple, King, Kuchel, Maloney, McMurray, Patterson, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Welsh, Williamson, and Mr. Speaker—30.

Senate Bill No. 440—An act to amend sections 1064, 1071, and 1074 of the Agricultural Code, pertaining to economic poisons.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, McMurray, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 366—An act to add to the Probate Code a new section to be numbered section 1203a, providing for the service upon or mailing to the consular officer of the country, other than the United

States, its Territories or possessions, in which an heir, legatee or devisee of an intestate or testator, resides, of notice of the hearing of any petition for letters of administration and for probate of will of an intestate or testator, providing for the filing by consular officers with the county clerk of requests for such notices, and providing that the county clerk of each county and city and county shall keep a separate register wherein shall be retained the names and addresses of consular officers who make such requests.

Bill read third time, and refused passage by the following vote:

AYES—Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Cunningham, Fulcher, Garibaldi, Glick, Hawkins, Hunt, Kepple, Kuchel, Levey, Lyon, Maloney, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Peek, Redwine, Rosenthal, Sawallisch, Sheehan, Weber, and Mr. Speaker—31.

NOES—Andreas, Beene, Breed, Corwin, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Gannon, Garland, Gilbert, Heisinger, Johnson, Lore, Martin, Mayo, Miller, Eleanor; Patterson, Reaves, Richie, Scudder, Stream, Tenney, Thorp, Voigt, Walker, Watson, and Yorty—33.

Notice of Motion to Reconsider Senate Bill No. 366.

Mr. McMurray gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 366 was this day refused passage.

Senate Bill No. 21—An act to add section 377f to the Penal Code, relating to racing.

Motion to Amend Senate Bill No. 21.

Mr Cottrell moved to amend Senate Bill No 21 as follows.

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, before "who" as a separate paragraph, add a colon and the following

"(a)".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, strike out "drug or narcotic to such dog or horse, or", and insert in lieu thereof the following: "hypnotic or narcotic to such dog or horse, or

(b)".

Amendment No. 3.

On page 1, line 10, of the printed bill, as amended after the comma, add the following: "or

(c) Who knowingly enters any horse or dog in any race within a period of twenty-four hours after any hypnotic or narcotic stimulant has been administered to such horse or dog,".

Amendment No. 4

On page 1, of the printed bill as amended, after line 14, add the following:

"The term "hypnotic" shall include all barbituric acid preparations and derivatives

The term "narcotic" shall include opium and all its alkaloids, salts, preparations and derivatives, cocaine and all its salts preparations and derivatives and substitutes

The term "stimulant" shall include any and all substances used for the purpose of stimulating the nervous system or a horse or dog."

Amendments adopted

Request for Unanimous Consent.

Mr Cottrell asked for, and was granted, unanimous consent to take up Senate Bill No 21, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Senate Bill No. 21, as Amended.

Senate Bill No. 21—An act to add section 377f to the Penal Code, relating to racing.

Motion to Amend Senate Bill No. 21.

Mr. Williamson moved to amend Senate Bill No. 21 as follows:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out "felony", and insert "misdemeanor".

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out "State prison", and insert in lieu thereof "county jail".

Amendment No. 3.

On page 1, line 13, of the printed bill, strike out "ten", and insert in lieu thereof "two".

Amendments adopted.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Senate Bill No. 21, as amended, at this time, without reference to reprint or calendar, and that the same be considered re-engrossed.

Consideration of Senate Bill No. 21, as Amended.

Senate Bill No. 21—An act to add section 377f to the Penal Code, relating to racing.

Senate Bill No. 21, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to Senate.

Senate Bill No. 576—An act to amend section 2924½ of the Civil Code and section 580b of the Code of Civil Procedure, relating to deficiency judgments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Leonard, Levey, Lore, Maloney, Martin, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Yorty, and Mr. Speaker—57.

NOES—Boyle—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1130—An act to amend section 2924 and section 2924b of the Civil Code, relating to the recording of notice of default and to the giving of notice of default and of sale under deeds of trust and mortgages with power of sale.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Reaves, Robertson, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 282—An act to amend section 1425 of the Penal Code, relating to the criminal jurisdiction of justices' courts.

Bill read third time, and refused passage by the following vote:

AYES—Beene, Breed, Burns, Michael J., Cottrell, Dannenbrink, Dilworth, Field, Gannon, Heisinger, Johnson, Kuchel, Martin, Miller, Eleanor; Miller, George P. Muldoon, Redwine, Thorp, Turner, Walker, and Watson—20.

NOES—Andreas, Baynham, Boyle, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dawson, Desmond, Donahue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Millington, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Voigt, Weber, Williamson, Yorty, and Mr. Speaker—52.

Senate Bill No. 1021—An act to add section 13a, to the Dental Practice Act, relating to places of practice.

Motion to Amend Senate Bill No. 1021.

Mr. Dawson moved to amend Senate Bill No. 1021 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 17 to 19, inclusive, and insert in lieu thereof the following: "the date of their appointment, and none of them shall".

Amendment read, and refused adoption by the following vote:

AYES—Crowley, Dannenbrink, Dawson, Donahue, Heisinger, Hunt, Levey, Lore, Maloney, Millington, Patterson, Pelletier, Richie, Sheehan, Tenney, and Mr. Speaker—16.

NOES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Desmond, Dilworth, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Martin, McMurray, Miller, Eleanor; Morgan, Peek, Peyser, Reaves, Redwine, Robertson, Sawallisch, Stream, Turner, Walker, Watson, and Weber—40.

Senate Bill No. 1021 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Desmond, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Johnson, Kepple, Kuchel, Latham, Martin, McMurray, Meehan, Miller, Eleanor; Morgan, Patterson, Peek, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—48.

NOES—Cassidy, Crowley, Dannenbrink, Dawson, Donahue, Gilbert, Heisinger, Hunt, King, Laughlin, Leonard, Levey, Lore, Maloney, Miller, George P., Millington, Muldoon, Pelletier, Richie, Sheehan, Tenney, and Mr. Speaker—22

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 771—An act to amend section 473a of the Political Code, relating to services of attorneys for various departments, boards, agencies and commissions of this State.

Motion to Amend Senate Bill No. 771.

Mr. Cronin moved to amend Senate Bill No. 771 as follows.

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended in the Senate on May 17, 1937, after the comma after the word "Board", insert the following: "Board of Dental Examiners of California,".

Amendment adopted.

Senate Bill No. 771 ordered to reprint, and third reading calendar.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937

MR. SPEAKER: Your Committee on Unemployment, to which was referred:

Senate Bill No. 947.

Respectfully reports the same back signed out by committee

HAWKINS, Chairman.
REAVES.
MARTIN.
CALL.
MALONEY.
DONAHUE
MILLER, GEORGE P.

The above reported bills ordered on second reading calendar.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937

MR. SPEAKER: Your Committee on Ways and Means, to which was referred.
Senate Bill No. 536. **Senate Bill No. 1151.**
Senate Bill No. 720. **Assembly Bill No. 2366.**
Respectfully reports the same back with the recommendation Do pass
ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred.
Senate Bill No. 426.
Senate Bill No. 1165.
Respectfully reports the same back with the recommendation: Do pass as amended.
ROBERTSON, Chairman

The above reported bills ordered on second reading calendar.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred:
Assembly Bill No. 2761.
Respectfully reports the same back with the recommendation Do pass as amended.
KING, Chairman.

The above reported bill ordered on second reading calendar.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER: Your Committee on Civil Service, to which was referred.
Senate Bill No. 1122.
Respectfully reports the same back with the recommendation: Do pass
CROWLEY, Chairman.

The above reported bill ordered on second reading calendar.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred.
Senate Bill No. 296.
Respectfully reports the same back with the recommendation: Do pass as amended.
ROSENTHAL, Chairman.

The above reported bill ordered on second reading calendar.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to
Assembly Bill No. 2773—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers;
And appointed Senators Keating, Allen and Hays as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 2773.

The Speaker announced the appointment of Messrs. Scudder, Gilbert and Glick, as a Committee on Free Conference concerning Assembly Bill No 2773.

Second Reading of Assembly Bills—(Out of Order).

Assembly Bill No. 2366—An act to provide for the construction and operation of a four year State college to be located in the district between Pomona and San Bernardino, and providing the sum of $800,000 for the construction and operation thereof.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2760—An act to amend section 3 of an act entitled "An act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, cities, and towns of the State," approved March 20, 1905, relating to retirement pensions for firemen.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2761—An act to provide for the conditions of employment of firemen in cities, cities and counties and fire protection districts.

Committee Amendment to Assembly Bill No. 2761.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out 'thirty", and insert in lieu thereof the following: "forty-eight".

Amendment adopted.

Bill read third time, ordered to reprint and engrossment.

Second Reading of Senate Bills—(Out of Order).

Senate Bill No. 1122—An act to amend section 78 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 947—An act to provide for the permanent relief and rehabilitation of the indigent and unemployed families of the State of California by the removal of such families to new rural communities to be located upon large tracts of good agricultural land, and providing for loans by the State Department of Social Welfare to a nonprofit cooperative agricultural association created to carry out such purpose and to make an appropriation therefor.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 536—An act making an appropriation to pay the claim of George A. Sturtevant against the State of California.

Bill read second time, and ordered on third reading calendar

Senate Bill No. 1151—An act making an appropriation for the support of the Railroad Commission of the State of California, to take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 720—An act to amend sections 305 and 307 of the Agricultural Code, relating to slaughtering establishments and meat inspection

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1165—An act making an appropriation for contingent expenses of the Senate, and declaring that this act shall take effect immediately.

Committee Amendments to Senate Bill No. 1165.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "Senate", and insert in lieu thereof the following: "Legislature".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "fifteen", and insert in lieu thereof the following: "thirty".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "the Senate", and insert in lieu thereof the following: "each house of the Legislature".

Amendment No. 4

On page 1, lines 4 and 5, of the printed bill, strike out "to be expended", and insert in lieu thereof the following: "of which sum one-half shall be expended by the Assembly and one-half by the Senate".

Amendment No. 5.

On page 1, lines 5 and 6, of the printed bill, strike out "the Senate", and insert in lieu thereof the following: "each house".

Amendment No. 6.

On page 1, lines 9 and 10, of the printed bill, strike out "is hereby declared an urgency measure and".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 1038—An act to add section 4041.29 to the Political Code, relating to reports relating to financial statements by county supervisors.

Committee Amendments to Senate Bill No. 1038.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "4041.29", and insert in lieu thereof the following: "4041.35".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "4041.29", and insert in lieu thereof the following: "4041.35".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "4041.29", and insert in lieu thereof the following: "4041.35".

Amendments adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 426—An act making an appropriation to pay the claim of the disbursing officer of the Fish and Game Commission against the State of California.

Committee Amendment to Senate Bill No. 426.

The following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 2 and 3, of the printed bill, as amended, strike out "two thousand two hundred seventy-five", and insert in lieu thereof the following: "five thousand".

Amendment adopted.

Bill read second time, ordered to reprint and third reading.

Senate Bill No. 1043—An act to amend section 4272 of the Political Code, relating to compensation of officers, officials and deputies in counties of the forty-third class.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 1159—An act to amend section 3817d of the Political Code, relating to moratorium on tax sales.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 347—An act to amend section 1192a of the Penal Code, relating to the inquiry as to the causes of criminal conduct.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 296—An act to amend section 67 of the Code of Civil Procedure of the State of California, relating to the number of superior court judges and providing for the appointment of four additional superior court judges in and for the City and County of San Francisco, and providing for their compensation.

Committee Amendments to Senate Bill No. 296.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "San Francisco," insert the following: "on and after the first Monday after the first day of January, 1939,".

Amendment No. 2.

On page 1, line 9, of the printed bill, strike out "any nine", and insert in lieu thereof the following: "a majority".

Amendment No. 3.

On page 1 of the printed bill, strike out line 17, and in line 18, strike out "not shall appoint", and insert in lieu thereof the following "In the year 1938 there shall be elected, in the manner prescribed by law for the election of superior court judges,"

Amendment No. 4.

On page 1, line 22, of the printed bill, strike out "until", and insert in lieu thereof the following "from".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 23, 24, and 25, and on page 2, strike out lines 1 and 2, and in line 3, strike out "law", and insert in lieu thereof the following: "of January, 1939, until the first Monday after the first day of January, 1945."

Amendments adopted.

Bill read second time, ordered to reprint and third reading

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 339—An act to add section 246a to the Penal Code, relating to assault by a convict.

Bill read third time.

Demand for Previous Question.

Messrs. Hunt, Andreas, Morgan, Lyon and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 339.

The roll was called, and Senate Bill No. 339 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Walker, and Watson—43.

NOES—Call, Clark, Dannenbrink, Dawson, Flint, Gilbert, Hawkins, Hornblower, Hunt, Johnson, King, Laughlin, Lore, Maloney, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Richie, Rosenthal, Sawallisch, Tenney, Voigt, Weber, Williamson, and Mr. Speaker—29

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 344—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonment and parole of prisoners

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder Sheehan, Stream, Thorp, Turner, Voigt, Walker Weber Welsh, and Williamson—60

NOES—Hunt, King, Patterson, Pelletier, Richie, and Tenney—6.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 341—An act to amend section 110 of the Penal Code, relating to aid in escaping from a prison.

Bill read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Gannon moved a call of the Assembly.

Motion carried by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Field, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Kepple, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, Miller, George P., Peyser, Redwine, Rosenthal, Scudder, Sheehan, Stream, Thorp, Walker, Weber, Williamson, and Mr. Speaker—41.

NOES—Baynham, Call, Crowley, Dawson, Donihue Flint, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Lore, McMurray, Meehan, O'Donnell, Patterson, Peek, Pelletier, Sawallisch, Tenney, Voigt, and Watson—25.

Time, eleven o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Hon. Frank G. Martin in the Chair.

At eleven o'clock and forty-five minutes p.m., Hon. Frank G. Martin, member of the Assembly from the Forty-Eighth District, in the chair

Notice of Motion to Reconsider Senate Bill No. 891.

Mr Flint gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 891 was this day passed.

Motion for Temporary Suspension of the Rules.

Mr Meehan moved that the Rules be temporarily suspended for the reconsideration of Senate Bill No. 891, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—63

NOES—Daley, Dilworth, Flint, Gilbert, Heisinger, Hunt, Patterson, Pelletier, Rosenthal, Sheehan, and Walker—11.

The question being on the reconsideration of Senate Bill No 891.

The roll was called, and reconsideration refused by the following vote:

AYES—Flint, Hunt, and Pelletier—3

NOES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan

Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—65

Senate Bill No. 891 ordered transmitted to the Senate

Notice of Motion to Withdraw Senate Bill No. 1155 from Committee.

Mr. Mayo gave notice, in compliance with Rule 58, that he would move to withdraw Senate Bill No. 1155 from the Committee on Ways and Means, and have it placed upon the calendar

Special Order Set for Senate Constitutional Amendment No. 28.

On motion of Mr Breed, the consideration of Senate Constitutional Amendment No 28 was made a special order of business for Thursday, May 27, 1937, at eleven o'clock and thirty minutes p m

Re-reference of Senate Bill No. 1129.

On motion of Mr. Sawallisch, Senate Bill No. 1129 was withdrawn from the calendar, and re-referred to the Committee on Insurance

Notice of Motion to Withdraw House Resolution No. 185 from Committee.

Mr. Patterson gave notice, in compliance with Rule 58, that he would move to withdraw House Resolution No 185 from the Committee on Labor and Capital, and have it placed upon the calendar

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 350—An act to amend section 288a of the Penal Code, relating to sex perversion.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gluck, Heisinger, Hornblower, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Peyser, Redwine, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Welsh—53.

NOES—Clark, Dannenbrink, Gilbert, Hawkins, Hunt, Johnson, King, Lore, Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Tenney, Voigt, Yorty, and Mr Speaker—18.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 346—An act providing when the allowance to a prisoner of time for good conduct shall begin to run, to provide for the conditional release of prisoners, and, further, to extend the provisions of the Parole Laws.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Gluck, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P, Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh Williamson, Yorty, and Mr. Speaker—70

NOES—King, and Tenney—2

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 230—An act to add section 751 5 to the Agricultural Code, relating to the certification of barley.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon.

Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—73.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 331—An act to amend section 252 and to add section 252.5 to the Fish and Game Code, relating to refuges.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—Flint, and Glick—2.

Title read and approved.

Notice of Motion to Reconsider Senate Bill No. 331.

Mr. Garland gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 331 was this day passed.

Senate Bill No. 585—An act to amend section 1 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years," etc., approved June 5, 1915, Statutes 1915, p. 1225, being also known as Act 3966 of Title 290, pages 2074-5, Volume two, General Laws of 1931, and known as the "Juvenile Court Law."

Bill read third time, and refused passage by the following vote:

AYES—Clark, Corwin, Cottrell, Cronin, Daley, Dilworth, Flint, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Kepple, King, Laughlin, Lore, Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Tenney, Voigt, Walker, Watson, Yorty, and Mr Speaker—32.

NOES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Domhue, Donnelly, Field, Fulcher, Gannon, Glick, Hornblower, Hunt Johnson, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Millington, Peyser, Scudder, Sheehan, Stream, Weber, and Williamson—39

Notice of Motion to Reconsider Senate Bill No. 585.

Mr. Rosenthal gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No 585 was this day refused passage.

Further Proceedings Under Call of the Assembly Dispensed With.

At eleven o'clock and forty-seven minutes p m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Gannon

The roll of absentees was called, and Assembly Bill No. 341 passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Kepple, Kuchel, Latham, Leonard, Levey, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Muldoon, O'Donnell, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Walker, and Watson—42.

NOES—Burns, Michael J., Call, Clark, Crowley, Dannenbrink, Dawson, Donahue, Flint, Gilbert, Gluck, Hawkins, Hornblower, Hunt, Johnson, King, Laughlin, Lore, Maloney, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Weber, Williamson, Yorty, and Mr. Speaker—36

Title read and approved. Bill ordered transmitted to the Senate.

Second Reading of Senate Bills (Out of Order).

Senate Bill No. 1109—An act to amend section 2 of the act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to petitions for incorporation

Bill read second time, and ordered on third reading calendar

Adjournment.

At eleven o'clock and fifty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, May 27, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FIRST LEGISLATIVE DAY
ONE HUNDRED FORTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 27, 1937.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79.

Quorum present

Prayer.

Upon invitation of the Speaker, prayer was offered by Rev. Father John E. Tumulty of Sacramento

Reading of the Journal Dispensed With.

On motion of Mr. Cottrell, the further reading of the Journal of Wednesday, May 26, 1937, was dispensed with

Leave of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rufus Platt of Sacramento and Robert Dye of Long Beach.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. T. Remmen, M.D., of Glendale.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Philip Reilly.

On request of Mr. Pelletier, the privilege of the Assembly Chamber for this day was unanimously extended to J. O. Colwell, member of the Los Angeles District, California Federation of Women's Clubs.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Joseph S. Long of Riverside.

On request of Mr. Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Iner Nielsen, member of Democratic State Central Committee.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Richard M. Catlin.

Consideration of Governor's Veto to Assembly Bill No. 1698.

Assembly Bill No. 1698—An act to amend section 737kk of the Political Code, relating to the salary of judges of the superior court, in and for the county of San Diego.

The question being put: Shall Assembly Bill No. 1698 become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Pelletier—1.

NOES—Andreas, Bayuham, Boyle, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dilworth, Flint, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Kepple, Latham, Levey, Lore, Maloney, Martin, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Voigt, Walker, Watson, Williamson, and Mr. Speaker—42.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 2025—An act to repeal section 3819a of the Political Code and to add a new section 3819a thereto, relating to redemption of property from tax sales.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2025?

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 18 and 19, insert the following:

"The note and date of redemption, required by section 3776 to be made by the auditor on the margin of the delinquent list, shall be made by the tax collector:".

Amendment No. 2.

On page 3, lines 35 and 36, of the printed bill, as amended, strike out "sections 3817c, 3817c2 and 3817i or any other section or sections of said code", and insert in lieu thereof the following: "any section".

Amendment No. 3.

On page 3, line 38, of the printed bill, strike out "and payments author-", and strike out lines 39 to 43, inclusive, and insert in lieu thereof a period.

Amendment No. 4.

On page 3 of the printed bill, between lines 45 and 46, insert the following

"The certificate required by section 22 of Chapter 837 of the Statutes of 1929 to be made by the county auditor shall be made by the tax collector."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2025 by the following vote:

AYES—Andreas, Bayuham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dilworth, Flint, Garibaldi, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Levey, Lore, Maloney Mayo, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Turner, Voigt, Watson, Welsh, Williamson, and Mr Speaker—44

NOES—Stream—1.

Assembly Bill No. 2025 ordered to enrollment.

Assembly Bill No. 2895—An act to amend sections 6, 10, 11, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 45, 51, 52, 62, 95, 97, and 101 of, an act entitled "An act to establish a system of unemployment reserves

for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2895?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "to add section 38.5 to, and".

Amendment No. 2.

On page 1, line 17, of the printed bill, strike out "com-", and all of lines 18, 19 and 20, and insert in lieu thereof the following: "fund established by this act.

(g) "Unemployment administration fund" means the unemployment administration fund established by this act.

(h) "Benefit fund" means the benefit fund established by this act.

(i) "Social Security Board" means the Social Security Board established by the Social Security Act

(j) "Department" means the Department of Employment established by this act."

Amendment No. 3.

On page 1, line 29, of the printed bill, after "of", insert the following: "total".

Amendment No. 4.

On page 2, line 15, of the printed bill, strike out "The unemployment fund", and insert in lieu thereof the following: "There is hereby created the special benefit fund. The unemployment fund and the benefit fund".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2895 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cunningham, Dannenbrink, Dilworth, Flint, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Lore, Maloney, Martin, Mayo, Meehan, Miller, George P., Morgan, Muldoon O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Voigt, Watson, Welsh, Williamson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 2895 ordered to enrollment.

Assembly Bill No. 1658—An act to add a new section to the School Code to be numbered 4.353, relating to the manner of disbursing funds of school districts.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1658?

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of lines 5 to 29, inclusive.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1658 by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Dilworth, Flint, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Lore, Maloney, Martin, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Voigt, Watson, Welsh, Williamson, and Mr. Speaker—45.

NOES—None

Assembly Bill No. 1658 ordered to enrollment.

Assembly Bill No. 1253—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 13, 15, 19, and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale, or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs, and devices and to the powers of the State Board of Public Health in relation thereto.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1253?

Amendment No. 1.

On page 3 of the printed bill, as amended, between lines 46 and 47, insert the following paragraph:

"It is unlawful for any person to sell, dispense, administer or prescribe dinitrophenol for therapeutic purposes."

Amendment No. 2.

On page 3, line 39, of the printed bill, strike out the word "tuberculosis".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 5 to 14, inclusive, and insert in lieu thereof the following:

"SEC. 3 The standard of purity of drugs shall be the U. S. Pharmacopoeia and National Formulary and the regulation and definitions adopted for the enforcement of the Food and Drugs Act of June 30, 1906, shall be adopted by the State Board of Health for the enforcement of this act."

Amendment No. 4.

On page 2, line 28, of the printed bill, as amended, after "thereof", insert the following: "and in addition it be labeled in bold face, 8-point type, "substandard", in a square block preceding the name of the substance".

Amendment No. 5.

On page 2, line 40, of the printed bill, as amended, after "thereof", insert the following: "and in addition it be labeled in bold face, 8-point type, "substandard", in a square block preceding the name of the substance".

Amendment No. 6.

On page 3, line 18, of the printed bill, as amended, strike out 'or label or advertising", and insert in lieu thereof the following. ", label, circular, or pamphlet"

Amendment No. 7.

On page 3, lines 48 and 49, of the printed bill, as amended, strike out "self-abuse, cancer, diabetes, heart trouble," and insert in lieu thereof the following: "or self-abuse".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1253 by the following vote

AYES—Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Levey, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, Williamson, and Yorty—59.

NOES—Burns, Hugh M., and Redwine—2

Assembly Bill No. 1253 ordered to enrollment

Assembly Bill No. 2792—An act to amend sections 28a, 65a, 65d, 83a and 109 of, to add section 8a to, and to repeal section 84a of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol, and making an appropriation therefor

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2792?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 6 to 10, inclusive, and insert in lieu thereof the following: "of any county. For the"

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a period

Amendment No. 3.

On page 2, line 6, of the printed bill, as amended, strike out "was", and insert in lieu thereof the following: "were".

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No 2792 by the following vote:

AYES—None.

NOES—Andreas, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Daley, Dannenbrink, Dilworth, Flint, Garibaldi, Garland, Gilbert, Hawkins, Heisin-

ger, Johnson, Latham, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Watson, Williamson, and Mr. Speaker—44

Assembly Bill No. 2333—An act to amend section 3785 of the Political Code, relating to the execution in duplicate and recordation of tax deeds to the State.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2333?

Amendment No. 1.

On page 2, line 13, of the printed bill, after the words "each of", strike out "[all]".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2333 by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Dannenbrink, Dilworth, Donnelly, Flint, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Watson, Weber, Welsh, Williamson, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 2333 ordered to enrollment.

Notice of Motion to Reconsider Senate Bill No. 59 Waived.

Mr. Dannenbrink waived his notice of motion to reconsider the vote whereby Senate Bill No. 59 was passed.

Senate Bill No. 59 ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 690—An act to create a Commission to Promote Traffic Safety Upon the Streets and Highways of this State

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Boyle, Breed, Burns, Michael J., Call, Clark, Cottrell, Cunningham, Dannenbrink, Dilworth, Donnelly, Flint, Garland, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—49.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 2773.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning **Assembly Bill No. 2773**—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers, Reports that it has met a like committee of the Senate, consisting of Senators Keating, Allen and Hays, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments and that the bill be further amended as follows

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 45 and 46

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out lines 30 to 36, inclusive

Amendment No. 3.

On page 5, line 1, of the printed bill, as amended, strike out "He", and insert in lieu thereof the following: "Except in counties of the first class, he".

Amendment No. 4.

On page 6, line 16, of the printed bill, as amended, before "Not", add the following: "(i)".

Amendment No. 5.

On page 6, line 28, of the printed bill, as amended, strike out "(i)", and insert in lieu thereof the following: "(j)".

Amendment No. 6.

On page 6, line 43, of the printed bill, as amended, before "In", add the following: "(k)".

SCUDDER.
GILBERT.
GLICK.
Assembly Committee on Free Conference

KEATING.
ALLEN.
HAYS.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Burns, Michael J., Call, Clark, Cottrell, Cunningham, Dannenbrink, Dilworth, Donnelly, Flint, Garland, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—49.

NOES—None

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 26, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate bills as follows.

Senate Bill No. 29.
Senate Bill No. 371.
Senate Bill No. 412.
Senate Bill No. 558.
Senate Bill No. 869.

And requests that your honorable body recede therefrom

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on unfinished business calendar.

Consideration of Assembly Amendments to Senate Bills.

Senate Bill No. 558—An act authorizing cities to construct and maintain public improvements within and without the territorial boundaries of said cities.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 558?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 558 by the following vote:

AYES—Peek—1.

NOES—Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Daley, Dannenbrink, Dilworth, Donnelly, Flint, Garland, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—49.

Appointment of Committee on Free Conference Concerning Senate Bill No. 558.

The Speaker announced the appointment of Messrs. Stream, Andreas, and Meehan as a Committee on Free Conference concerning Senate Bill No. 558.

Senate Bill No. 29—An act to amend section 1 of an act entitled "An act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, as amended, relating to the procedure necessary for such disincorporation

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No 29?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 29 by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Garibaldi, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Watson, Weber, Welsh, and Williamson—52.

NOES—None.

Appointment of Committee on Free Conference Concerning Senate Bill No. 29.

The Speaker announced the appointment of Messrs. Stream, Glick, and Welsh, as a Committee on Free Conference concerning Senate Bill No. 29.

Senate Bill No. 371—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 371?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 371 by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call Clark, Cottrell, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Garibaldi, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Watson, Weber, Welsh, and Williamson—52.

NOES—None.

Appointment of Committee on Free Conference Concerning Senate Bill No. 371.

The Speaker announced the appointment of Messrs Cronin, Rosenthal, and Johnson, as a Committee on Free Conference concerning Senate Bill No 371

Senate Bill No. 412—An act to amend sections 4262 and 4279 of the Political Code, relating to compensation of officers in counties of the thirty-third and fiftieth classes.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No 412?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No 412 by the following vote:

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark Cottrell Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Garibaldi, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore Lyon Maloney Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Watson, Weber, Welsh and Williamson—52.

NOES—None

Appointment of Committee on Free Conference Concerning Senate Bill No. 412.

The Speaker announced the appointment of Messrs Crowley, Miller, and Cunningham, as a Committee on Free Conference concerning Senate Bill No. 412.

Senate Bill No. 869—An act to amend section 19 of the "Inheritance Tax Act of 1935," relating to inheritance taxation and more particularly to the time of payment to the State Treasurer of inheritance taxes collected by the county treasurers and interest thereon.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 869?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No 869 by the following vote.

AYES—Andreas, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Garibaldi, Gilbert, Hawkins, Heisinger, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Watson, Weber, Welsh, and Williamson—52

NOES—None

Appointment of Committee on Free Conference Concerning Senate Bill No. 869.

The Speaker announced the appointment of Messrs. Williamson, Patterson, and Baynham, as a Committee on Free Conference concerning Senate Bill No. 869.

Special Order Set for Senate Bill No. 186.

On motion of Mr. Muldoon, the consideration of Senate Bill No. 186 was made a special order of business for Thursday, May 27, 1937, at eleven o'clock and thirty-five minutes a.m.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 312—An act to repeal Chapter 2 of Part 1 of Division VI of the Welfare and Institutions Code, comprising sections 5250 to 5288, inclusive, to add a new Chapter 2 thereto, comprising sections 5250 to 5264, inclusive, to repeal Chapters 3 and 4 of Part IV of the Welfare and Institutions Code, comprising sections 7000 to 7081, inclusive, and to add a new Chapter 3 thereto, comprising sections 7000 to 7015, inclusive, relating to homes for the feeble-minded.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Meehan, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Weber, Welsh, Williamson, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 1111—An act making an appropriation for the dredging of certain portions of San Diego Bay.

Bill read third time, and passed by the following vote.

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Garibaldi, Glick, Hawkins, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Turner, Watson, Weber, Welsh, Williamson, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 223—An act to amend section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price from the sale of jute bags.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Flint, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel,

Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Turner, Watson, Weber, Williamson, and Mr. Speaker—52.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 781—An act to amend the title of, and to add section 18a to, the State Medical Practice Act, relating to remedies for violations thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Donnelly, Flint, Garibaldi, Glick, Hawkins, Hornblower, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Muldoon, O'Donnell, Patterson, Peyser, Robertson, Sawallisch, Scudder, Sheehan, Stream, Voigt, Watson, Williamson, and Mr. Speaker—44.

NOES—Gannon, Heisinger, Johnson, Pelletier, Reaves, and Richie—6

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 782—An act to add sections 2372.5, 2410, and 2411 to the Business and Professions Code, relating to disciplinary proceedings within the chapter on medicine.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Cunningham, Dawson, Desmond, Dilworth, Donnelly, Flint, Garibaldi, Hawkins, Heisinger, Hornblower, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peyser, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Voigt, Watson, and Mr. Speaker—45.

NOES—Gannon, Johnson, Pelletier, Reaves, and Scudder—5

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 783—An act to add section 2436 to the Business and Professions Code, relating to remedies for the enforcement of the chapter on medicine thereof.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Dilworth, Donnelly, Flint, Garibaldi, Garland, Glick, Hornblower, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Muldoon, Patterson, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Voigt, Yorty, and Mr. Speaker—41.

NOES—Breed, Dannenbrink, Gannon, Heisinger, Johnson, Pelletier, and Reaves—7.

Title read and approved. Bill ordered transmitted to the Senate.

Special Order.

The hour of eleven o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration

Consideration of Senate Constitutional Amendment No. 28.

Senate Constitutional Amendment No. 28—Proposed amendment to the Constitution, by adding Article XXVI thereto, relative to motor vehicle taxation and revenues.

Demand for Previous Question.

Messrs. Garibaldi, Dawson, Turner, Stream and Beene demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Senate Constitutional Amendment No. 28.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr Breed moved a call of the Assembly.

Motion carried.

Time, twelve o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Breed, Burns, Hugh M, Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, George P, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Special Order Re-set for Senate Bill No. 186.

On motion of Mr. Muldoon, the consideration of Senate Bill No 186 was made a special order of business for Thursday, May 27, 1937, at two o'clock and thirty minutes p.m.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 370—An act providing for a State Exhibit at the Golden Gate International Exposition to be held at San Francisco, California, in 1939, providing for the construction of a State Building therefor and the gardening and improvement of its surrounding grounds, creating a California Commission for the Golden Gate International Exposition to have charge of and control of said State Exhibit and Building, defining its powers and duties and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Flint, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Watson, Weber, Williamson, Yorty, and Mr Speaker—54

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 557—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources.

Motion to Amend Senate Bill No. 557.

Mr. Stream moved to amend Senate Bill No 557 as follows.

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 24 to 26, inclusive, and insert in lieu thereof the following. "to exchange copies thereof with con-".

Amendment adopted

Request for Unanimous Consent.

Mr. Stream asked for, and was granted, unanimous consent to take up Senate Bill No. 557, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 557, as Amended.

Senate Bill No. 557—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources.

Senate Bill No. 557, as amended, read third time, and passed by the following vote:

AYES—Andreas, Bayham, Beene, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donnelly, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Latham, Laughlin, Levey, Lore, Maloney, Mayo, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Watson, Weber, Williamson, Yorty, and Mr. Speaker—50.

NOES—None

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 996—An act to amend section 737ww of the Political Code, relating to the salary of judges of the county of Sonoma.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Garibaldi, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Lore, Maloney, Mayo, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—52.

NOES—Heisinger—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending sections 1a, 1½ and 1½a, of Article XIII, relating to the exemption of certain property from taxation.

Motion to Amend Senate Constitutional Amendment No. 34.

Mr. Miller moved to amend Senate Constitutional Amendment No. 34 as follows:

Amendment No. 1.

On page 1, line 22, of the printed measure, after the comma, insert the following: "all furnishings and other personal property therein,".

Amendment No. 2.

On page 2, line 11, of the printed measure, before "shall", insert the following: "and all personal property used in connection with such institutions.".

Amendments adopted.

Request for Unanimous Consent.

Mr. Miller asked for, and was granted, unanimous consent to take up Senate Constitutional Amendment No. 34, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Constitutional Amendment No. 34, as Amended.

Senate Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending sections 1a, 1½ and 1½a, of Article XIII, relating to the exemption of certain property from taxation.

Senate Constitutional Amendment No. 34, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie,

Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—60

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Constitutional Amendment No. 34.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending sections 1a, 1½ and 1¾a of Article XIII, relating to the exemption of certain property from taxation.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its fifty-second regular session commencing on the fourth day of January, 1937, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of said State be amended as follows:

First—That section 1a of Article XIII be amended to read as follows:

Sec. 1a. Any educational institution of collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its buildings and equipment, its grounds within which its buildings are located, not exceeding 100 acres in area, its securities and income used exclusively for the purposes of education, provided, that no exemption shall be made under the provisions of this section unless the institution claiming such exemption shall have complied with the statutory procedure prescribed with respect thereto.

Second—That section 1½ of Article XIII be amended to read as follows:

Sec. 1½. All buildings, all furnishings and other personal property therein, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship, shall be free from taxation; provided, that no building so used which may be rented for religious purposes and rent received by the owner therefor, shall be exempt from taxation nor shall any exemption be made hereunder unless there is compliance with the statutory procedure prescribed with respect thereto.

Third—That section 1¾a of Article XIII be amended to read as follows:

Sec. 1¾a. All buildings, and so much of the real property connected therewith as may be required for the occupation of institutions sheltering more than 20 orphan or half-orphan children, receiving State aid, and all personal property used in connection with such institutions, shall be free from taxation; provided, that no building or real or personal property so used which may be rented and the rent received by the owner therefor shall be exempt from taxation under the terms of this section nor shall any exemption be made hereunder unless there is compliance with the statutory procedure prescribed with respect thereto.

Senate Bill No. 1134—An act to amend section 985 of the Political Code, relating to official bonds.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Laughlin, Leonard, Lore, Maloney, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 117—An act to amend sections 411, 412, and 413 of the Code of Civil Procedure, relating to service of summons.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Mayo, Meehan, Miller, Eleanor; Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly Dispensed With.

At twelve o'clock and twenty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr Breed.

The roll of absentees was called, and Senate Constitutional Amendment No 28 adopted by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—Glick, Hunt, Meehan, Morgan, Pelletier, Reaves, and Richie—7

Title read and approved. Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 28.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding thereto a new article to be numbered XXVI, embracing sections 1 to 4 inclusive, relating to motor vehicle taxation and revenues

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its fifty-second regular session commencing on the fourth day of January, 1937, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding thereto a new article to be numbered XXVI, embracing sections 1 to 4, inclusive, to read as follows:

ARTICLE XXVI. MOTOR VEHICLE TAXATION AND REVENUES

SECTION 1. (a) From and after the effective date of this article, all moneys collected from any tax now or hereafter imposed by the State upon the manufacture, sale, distribution, or use of motor vehicle fuel, for use in motor vehicles upon the public streets and highways over and above the costs of collection, and any refunds authorized by law shall be used exclusively and directly for highway purposes, as follows:

(1) The construction, improvement, repair and maintenance of public streets and highways, whether in incorporated or unincorporated territory, for the payment for property, including but not restricted to rights of way, taken or damaged for such purposes and for administrative costs necessarily incurred in connection with the foregoing.

(2) As now or hereafter may be provided by law, the net revenue from not more than 20 per cent of 1 cent per gallon tax on such motor vehicle fuel may be expended under any act of the Legislature for the payment, redemption, discharge, purchase, adjustment, contributing to or refunding of special assessments or bonds or coupons issued for street or highway purposes as set forth in this section and which special assessment districts were initiated by an ordinance or resolution of intention adopted prior to January 1, 1933.

SEC. 2. (a) From and after the effective date of this article, all moneys collected from motor vehicle and other vehicle registration license fees and from any other tax or license fee now or hereafter imposed by the State upon vehicles, motor vehicles or the operation thereof, except as may otherwise be provided in section 4 of this article, shall be used for the following purposes:

1 For costs of collection and for the administration and enforcement of all laws now in effect or hereafter enacted, regulating or concerning the use, operation or registration of vehicles used upon the public streets and highways of this State and for the exercise of those powers and for the performance of those duties now imposed upon the California Highway Patrol

2. For street and highway purposes as specified in paragraph (1) of subdivision (a) of section 1 of this article.

(b) The moneys referred to in subdivision (a) of this section allocated to the counties and any city and county may also be used as now or hereafter provided by the Legislature for the following additional purposes, provided such use will not in any manner cause the loss of Federal highway funds to this State;

(1) For the payment of any portion of the principal or interest of, or for the purchase or redemption at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of bonds voted at an election prior to January 1, 1935, and issued by a city, city and county, or county, the proceeds of which have been used for the purposes specified in paragraph (1) of subdivision (a) of section 1 of this article.

(2) For the payment, redemption, discharge, purchase, adjustment, contributing to or refunding of special assessments or bonds or coupons issued to represent such special assessments, which assessments were imposed wherein the ordinance or resolution of intention was adopted prior to January 1, 1933, for the acquisition of rights of way or easements for or for the construction or improvements of public streets, highways or parks.

SEC 3. The provisions of this article are self-executing but the Legislature shall have full power to appropriate such moneys and to provide the manner of their expenditure by the State, counties, cities and counties, or cities for the purposes specified and to enact legislation not in conflict with this article. This article shall not prevent any part of the moneys referred to in sections 1 or 2 hereof from being temporarily loaned to the State general fund upon condition that the amount so loaned shall be repaid therefrom to the funds from which so borrowed to be used for the purposes specified in sections 1 or 2 hereof

SEC 4. This article shall not affect or apply to any license fees or taxes imposed by Chapter 339, Statutes of 1933, as amended, nor to any tax which is now or may hereafter be imposed by the "Retail Sales Tax Act of 1933," as amended, or the "Use Tax Act of 1935," as amended, nor shall it affect or repeal any provision of the "Unemployment Relief Bond Act of 1933," Chapter 207, Statutes of 1933, as approved by section 9 of Article XVI of this Constitution, nor shall it affect or invalidate Chapter 362, Statutes of 1935, as amended, imposing a motor vehicle license fee based upon value. The Legislature may continue in effect the tax imposed by Chapter 362, Statutes of 1935 as amended, provided that the continuation of, or any amendment to, said Chapter 362, shall provide that the revenue from said tax, excluding the costs of collection and subventions to counties, cities and counties, and cities, shall first be applied to the payment of principal and interest on all State highway bonds outstanding on the effective date of this article. In the event the tax imposed by said Chapter 362, Statutes of 1935 as amended, is repealed, the Legislature may make provision for such payment of said State highway bonds by means of any fees or taxes of the types mentioned in this article, whether now or hereafter imposed, provided such payment will not in any manner cause the loss of Federal highway funds to this State.

Nothing in this article shall be construed as repealing, superseding or modifying that provision of section 15 of Article XIII of this Constitution, reading as follows:

"Out of the revenue from State taxes for which provision is made in this article, together with all other State revenues, there shall first be set apart the moneys to be applied by the State to the support of the public school system and the State university."

In the event, however, moneys are transferred to the general fund of the State from the funds referred to in this article for the support of the public schools and the State university, pursuant to section 15 of Article XIII of this Constitution, the moneys so transferred shall be returned to the funds from which they were transferred from the first moneys available in the general fund in excess of those required under section 15 of Article XIII of this Constitution for the support of the public schools and the State university.

Recess.

At twelve o'clock and twenty-five minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Jones in the chair.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 144—An act to amend sections 5, 6, 7, 8, 10, and 11 of, and to add section 13 to, an act entitled "An act providing for the sale of certain State lands," approved May 19, 1915, as amended, relating to State lands, and declaring the urgency thereof, to take effect immediately.

Urgency clause read.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Fulcher moved a call of the Assembly.

Motion carried.

Time, two o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Miller, George P., Morgan, Muldoon, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Tenney, Thorp, Williamson, Yorty, and Mr. Speaker—46.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly

Proceedings Under Call of the Assembly by Unanimous Consent. Motion for Temporary Suspension of the Rules.

On motion of Mr. Lyon, the Rules were temporarily suspended to allow the placing of more than one call of the Assembly.

Re-reference of Senate Bill No. 433.

On motion of Mr. Dilworth, Senate Bill No. 433 was withdrawn from the calendar, and re-referred to the Committee on Conservation.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 196—An act to amend section 1151 of the Fish and Game Code, relating to use of lights.

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Latham, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Pelletier, Richie, Robertson, Sawallisch, Tenney, Thorp, Turner, Walker, Watson, Weber, Yorty, and Mr. Speaker—47.

NOES—Hornblower—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 839—An act to amend sections 1273 and 1274 of the of the Fish and Game Code, relating to deer.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Richie, Robertson, Sawallisch, Tenney, Thorp, Turner, Walker, Weber, and Williamson—50.

NOES—Call, and Watson—2.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 135—An act to amend sections 11, 13, 15, 15c and 21 of, and to add section 11a to an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to the tenure and powers of the general manager, the redemption of and signatures to bonds, civil service, and the establishment of a retirement system, all relating to municipal utility districts.

Motion to Amend Senate Bill No. 135.

Mr. Dannenbrink moved to amend Senate Bill No 135 as follows:

Amendment No. 1.

On page 13 of the printed bill, between lines 3 and 4, insert the following:
"Nothing in this section shall be construed in such manner as to deprive any person of his rights and remedies in a court of competent jurisdiction"

Amendment adopted.

Request for Unanimous Consent.

Mr. Dannenbrink asked for, and was granted, unanimous consent to take up Senate Bill No 135, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 135, as Amended.

Senate Bill No. 135—An act to amend sections 11, 13, 15, 15c and 21 of, and to add section 11a to an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to the tenure and powers of the general manager, the redemption of and signatures to bonds, civil service, and the establishment of a retirement system, all relating to municipal utility districts.

Senate Bill No 135, as amended, read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 1148—An act to amend sections 4239d, 4239h and 4239*l* of the Political Code, relating to salaries of county officers of counties of the tenth class, San Joaquin County.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Field, Fulcher, Gannon, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kepple, Latham, Leonard, Lore, Maloney, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Richie, Robertson, Rosenthal, Scudder, Tenney, Thorp, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—48.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1141—An act to amend sections 2, 3, 4, 5, 7, 8, 10, 12, 13, and 17 and to repeal sections 17a and 18a of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to State lands.

Motion to Amend Senate Bill No. 1141.

Mr Clark moved to amend Senate Bill No. 1141 as follows:

Amendment No. 1.

On page 1, line 12, of the printed bill, after the word "therefrom", insert a comma and the following: "provided, compensation shall be paid the owner for any surface improvements or crops taken or damaged by such use".

Amendment adopted.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Senate Bill No. 1141, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 1141, as Amended.

Senate Bill No. 1141—An act to amend sections 2, 3, 4, 5, 7, 8, 10, 12, 13, and 17 and to repeal sections 17a and 18a of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to State lands.

Senate Bill No. 1141, as amended, read third time.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Clark moved a call of the Assembly.

Motion carried.

Time, two o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Hon. Kennett B. Dawson in the Chair.

At two o'clock and fifty minutes p.m., Hon. Kennett B. Dawson, member of the Assembly from the Twenty-Second District, in the chair.

Special Order.

The special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 186.

Senate Bill No. 186—An act relating to and imposing limitations on expenditure by counties, cities and counties, municipalities, districts,

and other political subdivisions under authority of section 20 of Article XI of the Constitution of the State.

The Speaker in the Chair.

At three o'clock and fifteen minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Motion to Amend Senate Bill No. 186.

Mr Mayo moved to amend Senate Bill No. 186 as follows:

Amendment No. 1.

On page 1, lines 7 and 8, of the printed bill, as amended, strike out "State Board of Equalization", and insert in lieu thereof the following: "unanimous vote of all of the members of its governing body".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out line 24, and insert in lieu thereof the following: "by a unanimous vote of all of its members elected or appointed thereto, may".

Amendment No. 3.

On page 2 line 26, of the printed bill, as amended, strike out "The application shall be in writing and, except in", strike out lines 27 to 45, inclusive, and insert in lieu thereof the following. "Such vote shall not be taken except after a public hearing on the question, notice of which hearing shall be given for not less than ten days by publication twice in some newspaper of general circulation published in the county where such subdivision or a part thereof lies"

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 45 and 46, insert the following. 'It within twenty days after filing such application fifteen per cent of the electors of the area affected protest in writing to the governing body, no approval of an application to exceed the limitations provided for herein shall be effective unless approved at an election called or designated by the governing body"

Point of Order.

Mr. Levey arose to the following point of order: That the amendments submitted by Mr Mayo were unconstitutional.

Ruling on Point of Order.

The Speaker ruled the point of order was well taken.

Motion to Amend Senate Bill No. 186.

Mr. Morgan moved to amend Senate Bill No. 186 as follows:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out the word "The", and insert in lieu thereof the following: "Excepting as herein otherwise provided, the".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following:

"SEC. 4. Any provision of this act to the contrary nothwithstanding, any county, city and county, municipality, district or other political subdivision subject to the limitations herein provided may exceed such limitation by two-thirds vote of the governing body thereof, or by vote of a majority of the electors therof voting at an election called and held for that purpose, and such governing boards are authorized to call and hold such elections".

Amendment No. 3

On page 2, line 49, of the printed bill, after the comma, insert the following: "and excepting those whose preliminary budgets are adopted or approved by two-thirds vote of the governing body thereof,".

Amendment No. 4.

On page 3, line 20, of the printed bill, after the word "subdivision", insert the following: "which is hereby required to be submitted to said State Board of Equalization".

Amendment No. 5.

On page 3, line 30, of the printed bill, strike out "It", and insert in lieu thereof the following: "Excepting as herein otherwise provided, it"

Amendment No. 6.

On page 3, line 48, of the printed bill, strike out "or by election", and strike out all of line 49, and insert in lieu thereof the following: "or unless authorized as otherwise provided herein, and it shall be".

Amendments Declared Unconstitutional.

The Speaker declared the amendments submitted by Mr Morgan unconstitutional

Motion to Postpone Indefinitely.

Mr. Flint moved that further consideration of Senate Bill No. 186 be postponed indefinitely.

The roll was called, and the motion to postpone indefinitely lost by the following vote:

AYES—Flint, Gilbert, Hunt, Pelletier, Reaves, Watson, and Yorty—7.

NOES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Walker, Williamson, and Mr. Speaker—50.

Motion for Committee of the Whole.

On motion of Mr. Hornblower, the Assembly resolved itself into a Committee of the Whole for the consideration of Senate Bill No. 186.

IN COMMITTEE OF THE WHOLE.

Speaker Jones in the chair.

Senate Bill No. 186 considered

On motion of Mr. Hornblower, the committee arose and reported back to the Assembly.

IN ASSEMBLY.

Speaker Jones in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1937.

GENTLEMEN: Your Committee of the Whole has considered Senate Bill No. 186 and respectfully reports the same back.

JONES, Chairman.

Further Consideration of Senate Bill No. 186.

Motion to Amend Senate Bill No. 186.

Mr. Muldoon moved to amend Senate Bill No. 186 as follows:

Amendment No. 1.

On page 3, line 38, of the printed bill, as amended, after "Code", insert the following: "or in the charter of any city, county or city and county organized under section 8 or section 7½ of Article XI of the Constitution,".

Amendment read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Clark, Crowley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Leonard, Lore, Lyon, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Voigt, Walker, Yorty, and Mr. Speaker—41.

NOES—Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Dawson, Desmond, Flint, Garibaldi, Garland, Glick, Hornblower, Kepple, Levey, Maloney, Mayo, Miller, George P., O'Donnell, Pelletier, Reaves, Richie, Tenney, Turner, Watson, Weber, and Williamson—26.

Request for Unanimous Consent.

Mr. Muldoon asked for, and was granted, unanimous consent to take up Senate Bill No. 186, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 186, as Amended.

Senate Bill No. 186—An act relating to and imposing limitations on expenditure by counties, cities and counties, municipalities, districts, and other political subdivisons under authority of section 20 of Article XI of the Constitution of the State.

Motion to Amend Senate Bill No. 186.

Mr Williamson moved to amend Senate Bill No. 186 as follows:

Amendment No. 1.

On page 2, line 8, of the printed bill, after the word "reclamation," insert the following: "school districts,".

Demand for Previous Question.

Messrs. Robertson, Beene, Hunt, Morgan and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment by Mr. Williamson.

Amendment read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—56.

NOES—Burns, Hugh M., Crowley, Dannenbrink, Fulcher, Johnson, Kuchel, Latham, Mayo, Muldoon, Pelletier, Richie, and Sheehan—12.

Request for Unanimous Consent.

Mr. Muldoon asked for, and was granted, unanimous consent to consider all further amendments to Senate Bill No 186, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 186, as Amended.

Senate Bill No. 186—An act relating to and imposing limitations on expenditure by counties, cities and counties, municipalities, districts, and other political subdivisons under authority of section 20 of Article XI of the Constitution of the State.

Motion to Amend Senate Bill No. 186.

Mr Desmond moved to amend Senate Bill No. 186 as follows:

Amendment No. 1.

On page 2, line 9, of the printed bill, after the word "reclamation", add the word "counties".

Amendments read, and refused adoption by the following vote:

AYES—Desmond, Fulcher, Kuchel, Patterson, and Watson—5.

NOES—Andreas, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Yorty, and Mr. Speaker—55.

Motion to Table Senate Bill No. 186.

Mr. Patterson moved to lay Senate Bill No. 186 on the table.

The roll was called, and the motion to table lost by the following vote:

AYES—Clark, Cottrell, Dannenbrink, Flint, Fulcher, Gilbert, Hunt, Kuchel, Lore, Patterson, Peek, Pelletier, Reaves, Tenney, Turner, and Watson—16.

NOES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Cunningham, Dawson, Desmond, Dilworth, Donnelly, Field, Gan-

non, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Latham, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—50.

Motion to Amend Senate Bill No. 186.

Mr. Garibaldi moved to amend Senate Bill No. 186 as follows:

Amendment No. 1.

On page 3, line 38, of the printed bill, as amended, after "Code", insert the following: "and the general reserves and surpluses of any political subdivision, chartered or nonchartered,".

Motion to Re-refer Senate Bill No. 186.

Mr. Boyle moved to re-refer Senate Bill No. 186 to the Committee on Governmental Revenues and Expenditures.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Boyle, Breed, Clark, Cottrell, Cunningham, Daley, Dannenbrink, Flint, Fulcher, Garibaldi, Gilbert, Hunt, Latham, Lore, Lyon, Martin, Mayo, Miller, Eleanor; Morgan, Peek, Pelletier, Reaves, Richie, Tenney, Turner, and Yorty—26.

NOES—Andreas, Baynham, Beene, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Laughlin, Levey, Maloney, McMurray, Millington, Muldoon, Patterson, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Williamson, and Mr. Speaker—42

The question being on the adoption of the amendment by Mr. Garibaldi

Amendment read, and adopted by the following vote

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Clark, Dannenbrink, Dilworth, Donihue, Flint, Garibaldi, Garland, Gilbert, Hunt, Kepple, Kuchel, Leonard, Lore, Lyon, Martin, Mayo, Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Tenney, Turner, Watson, Williamson, Yorty, and Mr. Speaker—34

NOES—Andreas, Beene, Breed, Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Gannon, Glick, Hawkins, Heisinger, Hornblower, Johnson, Latham, Laughlin, Levey, Maloney, McMurray, Miller, Eleanor; Millington, Muldoon, Redwine, Scudder, Sheehan, Thorp, and Walker—33.

Motion to Amend Senate Bill No. 186.

Mr. Hornblower moved to amend Senate Bill No. 186 as follows:

Amendment No. 1.

On page 4, line 20, of the printed bill, as amended, strike out "1941", and insert in lieu thereof the following: "1939".

Amendment adopted.

Consideration of Senate Bill No. 186, as Amended.

Senate Bill No. 186—An act relating to and imposing limitations on expenditure by counties, cities and counties, municipalities, districts, and other political subdivisions under authority of section 20 of Article XI of the Constitution of the State.

Urgency clause read.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Muldoon moved a call of the Assembly.

Motion carried by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garland, Glick, Hawkins, Hornblower, Johnson, Levey, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Peyser, Reaves, Redwine, Richie,

Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Williamson, and Mr Speaker—52.

NOES—Cunningham, Donihue, Flint, Gilbert, Hunt, Kepple, Kuchel, Laughlin, Lore, Lyon, Mayo, Morgan, Patterson, Pelletier, and Watson—15

Time, four o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—73

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent. Further Proceedings Under Call of the Assembly on Urgency Clause to Senate Bill No. 144 Dispensed With.

At four o'clock and forty-two minutes p.m., further proceedings under the call of the Assembly on the urgency clause to Senate Bill No. 144 were dispensed with on motion of Mr. Fulcher.

The roll of absentees was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—65.

NOES—Donnelly, and Hunt—2.

Motion to Expunge Record and Rescind Action on Senate Bill No. 144.

Mr. Fulcher moved to expunge the record, and rescind the action whereby the Assembly, on this day, adopted the urgency clause to Senate Bill No. 144

The roll was called, and the record expunged and the action rescinded by the following vote

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Tenney, Thorp, Voigt, Walker Watson, and Mr. Speaker—61.

NOES—None.

Consideration of Senate Bill No. 144.

Senate Bill No. 144—An act to amend sections 5, 6, 7, 8, 10 and 11 of, and to add section 13 to, an act entitled "An act providing for the sale of certain State lands," approved May 19, 1915, as amended, relating to State lands, and declaring the urgency thereof, to take effect immediately.

Motion to Amend Senate Bill No. 144.

Mr. Yorty moved to amend Senate Bill No. 144 as follows:

Amendment No. 1.

On page 1, in the last line of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", declaring the urgency thereof and providing that this act shall take effect immediately."

Amendment No. 2.

On page 4 of the printed bill, as amended, after line 47, insert the following:

"SEC. 7. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore take effect immediately.

The following is a statement of facts constituting such necessity:

This act will permit holders of certificates of purchase of certain State-owned school lands, as to which the holders are delinquent, to redeem the lands covered by such certificates within the period specified in this act.

If the benefits of this act are not available to such holders until 90 days after final adjournment of the fifty-second session of the Legislature, many of these certificate holders will lose the beneficial value of this act by reason of sales by the State of the lands covered by the certificates, which lands are now subject to sale by the State as a result of delinquency."

Amendments adopted.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to take up Senate Bill No. 144, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 144, as Amended.

Senate Bill No. 144—An act to amend sections 5, 6, 7, 8, 10 and 11 of, and to add section 13 to, an act entitled "An act providing for the sale of certain State lands," approved May 19, 1915, as amended, relating to State lands, and declaring the urgency thereof, to take effect immediately, declaring the urgency thereof and providing that this act shall take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Senate Bill No. 144 read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller, George P., Millington, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Tenney, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Senate Bill No. 1141 Dispensed With.

At four o'clock and fifty-five minutes p.m., further proceedings under the call of the Assembly on Senate Bill No. 1141 were dispensed with on motion of Mr. Clark.

The roll of absentees was called, and Senate Bill No. 1141 passed by the following vote.

AYES—Andreas, Boyle, Burns, Michael J., Cassidy, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kepple, Laughlin, Lore, Martin, McMurray, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Stream, Tenney, Voigt, Watson, Weber, Yorty, and Mr. Speaker—42.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Cunningham, Desmond, Field, Fulcher, Garibaldi, Garland, Glick, Hornblower, Kuchel, Latham, Leonard, Levey, Lyon, Maloney, Mayo, Millington, Muldoon, Redwine, Robertson, Sawallisch, Scudder, Thorp, Turner, Walker, and Williamson—32.

Title read and approved. Bill ordered transmitted to the Senate.

Reconsideration of Senate Bill No. 366.

In compliance with a notice given on a previous day, Mr. McMurray moved that the vote whereby Senate Bill No. 366 was refused passage be reconsidered.

Demand for Previous Question.

Messrs. Lore, Breed, Morgan, Reaves and Gilbert demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Senate Bill No. 366.

The roll was called, and Senate Bill No. 366 reconsidered by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Daley, Dawson, Desmond, Donnelly, Field, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—52.

NOES—Beene, Breed, Cottrell, Cunningham, Dannenbrink, Dilworth, Donihue, Flint, Gannon, Garland, Heisinger, Johnson, Scudder, and Watson—14

Consideration of Senate Bill No. 366.

Senate Bill No. 366—An act to add to the Probate Code a new section to be numbered section 1203a, providing for the service upon or mailing to the consular officer of the country, other than the United States, its Territories or possessions, in which an heir, legatee or devisee of an intestate or testator, resides, of notice of the hearing of any petition for letters of administration and for probate of will of an intestate or testator, providing for the filing by consular officers with the county clerk of requests for such notices, and providing that the county clerk of each county and city and county shall keep a separate register wherein shall be retained the names and addresses of consular officers who make such requests.

Bill read third time.

Demand for Previous Question.

Messrs. Hunt, Morgan, Latham, King and Dannenbrink demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 366.

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr. Sawallisch moved a call of the Assembly.

Motion carried.

Time, five o'clock and ten minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—73.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Motion to Set Reconsideration of Senate Bill No. 183 as Special Order.

Mrs. Daley moved that the consideration of the motion to reconsider Senate Bill No. 183 be made a special order of business for Thursday, May 27, 1937, at eight o'clock and thirty minutes p.m.

The roll was called, and the motion to set as a special order lost by the following vote:

AYES—Baynham, Cassidy, Clark, Crowley, Daley, Dannenbrink, Dilworth, Donnelly, Johnson, Kepple, Kuchel, Latham, Martin, Mayo, Peek, Richie, Scudder, Stream, Tenny, Turner, Walker, Watson, Yorty, and Mr. Speaker—24.

NOES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cottrell, Cronin, Cunningham, Dawson, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Levey, Lore, Maloney, Millington, O'Donnell, Patterson, Peyser, Redwine, Sawallisch, Sheehan, Thorp, Voigt, and Williamson—37.

Hon. Ellis E. Patterson in the Chair.

At five o'clock and twenty minutes p.m., Hon. Ellis E. Patterson, member of the Assembly from the Thirty-Fifth District, in the chair.

Reconsideration of Senate Bill No. 183.

In compliance with a notice given on a previous day, Mrs. Daley moved that the vote whereby Senate Bill No. 183 was passed be reconsidered.

Demand for Previous Question.

Messrs. Burns, Hugh M., Latham, Call, Beene and Morgan demanded the previous question.

The question being put Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Senate Bill No 183.

The roll was called, and Senate Bill No. 183 refused reconsideration by the following vote:

AYES—Andreas, Clark, Crowley, Daley, Dilworth, Donnelly, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Lore, Martin, Mayo, Miller, Eleanor; Morgan, O'Donnell, Peek, Pelletier, Richie, Scudder, Stream, Turner, Walker, Watson, and Yorty—27.

NOES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Levey, Lyon, Maloney, McMurray, Miller, George P., Millington, Patterson, Peyser, Redwine, Sawallisch, Sheehan, Thorp, Voigt, Weber, and Williamson—41.

Senate Bill No. 183 ordered transmitted to the Senate.

Reconsideration of Senate Bill No. 331.

In compliance with a notice given on a previous day, Mr Lyon moved that the vote whereby Senate Bill No 331 was passed be reconsidered.

The roll was called, and Senate Bill No 331 reconsidered by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—65.

NOES—None.

Consideration of Senate Bill No. 331.

Senate Bill No. 331—An act to amend section 252 and to add section 252.5 to the Fish and Game Code, relating to refuges.

Motion to Amend Senate Bill No. 331.

Mr. Garland moved to amend Senate Bill No. 331 as follows:

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, after "that", insert the following: ", except when the traveling is done over a public highway or other public thoroughfare or right of way,"

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 331, as amended, at this time, without reference to reprint or calendar

Consideration of Senate Bill No. 331, as Amended.

Senate Bill No. 331—An act to amend section 252 and to add section 252.5 to the Fish and Game Code, relating to refuges.

Senate Bill No 331, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Weber, and Yorty—63.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

The Speaker in the Chair.

At five o'clock and forty-five minutes p.m., Hon William Moseley Jones, Speaker of the Assembly, in the chair.

Further Proceedings Under Call of the Assembly on Senate Bill No. 366 Dispensed With.

At five o'clock and fifty-five minutes p.m., further proceedings under the call of the Assembly on Senate Bill No. 366 were dispensed with on motion of Mr. Sawallisch.

The roll of absentees was called, and Senate Bill No. 366 passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Dawson, Field, Flint, Garibaldi, Glick, Hawkins, Horn-

blower, Hunt, King, Laughlin, Leonard, Levey, Lore, Maloney, McMurray, Miller, George P., Muldoon, O'Donnell, Patterson, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Sheehan Tenney, Turner, Voigt, Walker, Weber, Welsh, Williamson, and Mr. Speaker—42.

NOES—Beene, Breed, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garland, Gilbert, Heisinger, Johnson, Kepple, Kuchel, Latham, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Peek, Pelletier, Reaves, Redwine, Scudder, Stream, Thorp, Watson, and Yorty—36

Title read and approved. Bill ordered transmitted to the Senate

Re-reference of Senate Bill No. 802.

On motion of Mr. Watson, Senate Bill No. 802 was withdrawn from the calendar, and re-referred to the Committee on Governmental Efficiency and Economy

The roll was called, and Senate Bill No 802 re-referred by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Burns, Michael J., Clark, Cottrell, Cunningham, Dilworth, Donnelly, Garland, Gilbert, Hawkins, Heisinger, Kepple, Kuchel, Latham, Laughlin, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Yorty, and Mr. Speaker—37.

NOES—Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donihue, Field, Fulcher, Gannon, Garibaldi, Horublower, Johnson, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Millington, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Weber, and Williamson—33.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 304—An act to amend section 1 of an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discrimination between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935, relating to highway carriers

Motion to Amend Senate Bill No. 304.

Mr O'Donnell moved to amend Senate Bill No. 304 as follows:

Amendment No. 1.

On page 3, line 10, of the printed bill, as amended, after the period in said line, insert the following:

"This provision shall not be construed to prevent the commission from granting to carriers by water such differentials in rates as may be permitted under other provisions of law."

Amendment adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Senate Bill No. 304, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 304, as Amended.

Senate Bill No. 304—An act to amend section 1 of an act entitled "An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discrimination between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act," approved May 27, 1935, relating to highway carriers.

Senate Bill No 304 as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, and Yorty—66.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Motion to Expunge Record and Rescind Action on Senate Bill No. 366.

Mr. Johnson moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No 366.

The roll was called, and motion to expunge record and rescind action lost by the following vote:

AYES—Boyle, Breed, Cottrell, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Field, Fulcher, Gannon, Garland, Heisinger, Johnson, Kepple, Latham, Martin, Miller, Eleanor; Morgan, Peek, Reaves, Scudder, Tenney, Voigt, Watson, and Yorty—27.

NOES—Baynham, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cronin, Dawson, Donnelly, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Laughlin, Lore, Lyon, Maloney, McMurray, Miller, George P., Millington, Patterson, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Thorp, Turner, Walker, Weber, and Mr. Speaker—33.

Motion to Dispense with Further Proceedings Under Call of the Assembly on Senate Bill No. 186.

At six o'clock and five minutes p.m., Mr. Patterson moved that further proceedings under the call of the Assembly on Senate Bill No. 186 be dispensed with.

The roll was called, and the motion lost by the following vote:

AYES—Boyle, Clark, Dilworth, Donihue, Donnelly, Gilbert, Heisinger, Kepple, Kuchel, Martin, Morgan, O'Donnell, Patterson, Peek, Reaves, Tenney, Turner, Voigt, and Yorty—19.

NOES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Johnson, King, Latham, Laughlin, Levey, Lore, Maloney, McMurray, Miller, Eleanor, Miller, George P., Millington, Muldoon, Pelletier, Peyser, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Walker, Watson, Weber, Williamson, and Mr. Speaker—44.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1002—An act to amend an act entitled "An act creating a revolving fund for the purchase of ballot paper, prescribing its use and appropriating money therefor," approved June 7, 1913, as amended, relating to the revolving fund, making an appropriation therefor, and providing that it shall go into immediate effect.

Bill read third time.

The roll was called

Call of the Assembly.

Pending the announcement of the vote, Mr. Cottrell moved a call of the Assembly.

Motion carried.

Time, eight o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Boyle, Breed, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Hunt, Johnson, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Scudder, Sheehan, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—45.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1117—An act providing for the compilation of, printing, binding, publishing and distribution of a Legislative Manual, State Blue Book, Roster or Register of California State Government, and repealing certain acts specified herein.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine Richie, Rosenthal, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 355—An act appropriating money for fireproof vault equipment in the office of the Secretary of State.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Field, Flint, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King Latham, Laughlin, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—55.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1152—An act making an appropriation to pay the claim of J. A. Beek against the State of California

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—Field, Latham, and Lyon—3

Title read and approved Bill ordered transmitted to the Senate

Senate Bill No. 1163—An act to amend sections 5 and 31, and to add sections 2 5 and 12a to the "Reclamation Board Act," approved December 24, 1911, as amended, relating to the name of said board and the number of members thereof, its powers and duties, providing for a short title to said act, and providing an appropriation for the purposes of this act, all relating to reclamation and flood control

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Cottrell, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Leonard, Levey, Lyon,

Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59

NOES—Boyle—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 672—An act making an appropriation for office accommodations for the Division of Real Estate Department of Investment.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 673—An act making an appropriation for office accommodations for the Bureau of Registration of Nurses.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 674—An act making an appropriation for office accommodations for the Detective License Bureau, Division of Prisons and Paroles, Department of Penology.

Motion to Amend Senate Bill No. 674.

Mr. Desmond moved to amend Senate Bill No. 674 as follows:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, after the word "the", insert the following: "nurses' ".

Amendment adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Senate Bill No 674, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 674, as Amended.

Senate Bill No. 674—An act making an appropriation for office accommodations for the Detective License Bureau, Division of Prisons and Paroles, Department of Penology.

Senate Bill No. 674, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser,

Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Senate Bill No. 675—An act making an appropriation for office accommodations for the Division of Corporations, Department of Investments

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 676—An act making an appropriation for office accommodations for the Superintendent of Collection Agencies.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 657—An act making an appropriation for the addition of another story to the building known as the annex to the State Printing Plant

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Rosenthal Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1029—An act making an appropriation to the State Printing Plant.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt Walker, Weber, Williamson, Yorty, and Mr. Speaker—65

NOES—None

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 501—An act to amend sections 735, 735.1, 735.3, 735.4, 735.8, 736, 736.1, 736.2, 736.3, 736.4, 737.5, 737.6, 737.7, 737.8, 737.9, 737.10, 737 11, 737.12, and the article headings of Articles 2 and 4 of Chapter 10 of Division IV and to repeal sections 736 5, 736 6,

736 7, 737, 737.1, 737.2, 737 3, 737.4, and the article heading of Article 3 of Chapter 10 of Division IV of the Agricultural Code, relating to marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately

Urgency clause read, and adopted by the following vote·

AYES—Andreas Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael, J., Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Senate bill No 501 read third time, and passed by the following vote:

AYES—Andreas, Baynham Boyle, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple Latham Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Willhamson, Yorty, and Mr. Speaker—56

NOES—Scudder—1.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 356—An act to add section 13.5 to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of this act and to provide that this act shall take effect upon the adoption of the constitutional amendment ratifying these provisions." approved June 5, 1933, relating to horse racing, declaring the urgency hereof, to take effect immediately

Motion to Amend Senate Bill No. 356.

Mr Boyle moved to amend Senate Bill No 356 as follows:

Amendment No. 1.

On page 2, line 2, of the printed bill, as amended, after the word "Association", and the semicolon, insert the following "for the fiscal year 1937-1938 fifty thousand dollars to the Sixth District Agricultural Association of the State of California for the purpose of holding a spring and/or fall flower show in Los Angeles (said sum to be payable to the association on or before March 1, 1938, and annually the net receipts from said flower show, up to the sum of fifty thousand dollars thereof, shall be paid into the State Treasury and placed in a fund entitled "Sixth District Agricultural Association flower show fund" and are hereby appropriated to such association annually for and shall constitute a revolving fund for an annual flower show by said association in Los Angeles The words "net receipts" as used herein shall mean the difference between all moneys received in any year by said Sixth District Agricultural Association from any source for the flower show of that year and the moneys actually expended in such year for premiums and all other expenses of said flower show;".

Demand for Previous Question.

Messrs Dannenbrink, Lyon, Cunningham, Andreas and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment by Mr. Boyle.

Amendment read, and refused adoption by the following vote:

AYES—Boyle, Cunningham, Gilbert, Kepple, King, Latham, Lore, Lyon, Martin, Miller, Eleanor; Miller, George P., Morgan, Reaves, Redwine, Tenney, Yorty, and Mr. Speaker—17.

NOES—Andreas, Baynham, Beene, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Gannon, Garibaldi, Glick, Hawkins, Heisinger, Hornblower, Johnson, Leonard, Levey, Maloney, Mayo, McMurray, Meehan, Millington, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Scudder, Sheehan, Thorp, Turner, Walker, Watson, and Williamson—46.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Senate Bill No. 356 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Resolution.

The following resolution was offered:

By Messrs Meehan, Lyon, King, and Hornblower:

House Resolution No. 190.

Assembly resolution, relative to asserted commission of crimes against the legislative power, and calling upon the Attorney General and district attorneys to investigate the same and to prosecute any and all offenders.

WHEREAS, Certain statements have been made within and without the legislative halls to the effect that corruption exists within the membership of the Legislature, and that persons have attempted to influence legislation by resorting to improper methods and means, and specifically on the evening of May 26, 1937, the Senator from Los Angeles charged that he had evidence of corruption affecting members of the Assembly but in no way affecting members of the Senate; and

WHEREAS, The Assembly considers it the solemn obligation of any member of either house of the Legislature having or believing that he has information as to the commission or asserted commission of any criminal offense by another member of the Legislature, to furnish that information and all details thereof promptly and forthwith to the Attorney General, who is the chief law officer of the State, and to the district attorney of the county wherein the offense may have occurred; and

WHEREAS, It is deemed the duty of the Attorney General as such chief law officer and of the district attorney of the county where any such offense may have occurred, promptly and exhaustively to investigate all pertinent facts and vigorously to prosecute the offenders in the appropriate courts if the investigation indicates it is reasonably probable that a criminal offense has been committed; and

WHEREAS, It seems inappropriate for the Legislature or either house thereof to undertake to investigate itself in such a case; now, therefore be it

Resolved by the Assembly of the State of California, That the Attorney General of the State and the district attorney of any county in which any such offense is asserted to have occurred be and they are hereby requested and urged to take cognizance of the making of such statements and charges, investigate thoroughly and vigorously to the fullest extent within their power every phase of the subject of this resolution, and promptly bring to the bar of justice any member of the Legislature and any other person who may appear to have committed any such offense.

Request for Unanimous Consent.

Mr. King asked for, and was granted, unanimous consent to take up House Resolution No. 190, at this time, without reference to committee or calendar.

House Resolution No. 190 read, and adopted by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—67.

NOES—Pelletier—1.

Further Proceedings Under Call of the Assembly on Urgency Clause to Senate Bill No. 1002 Dispensed With.

At ten o'clock and thirty-five minutes p m., further proceedings under the call of the Assembly on the urgency clause to Senate Bill No. 1002 were dispensed with, on motion of Mr. Cottrell.

The roll of absentees was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh, M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—71.

NOES—None.

Senate Bill No. 1002 read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—69.

NOES—None

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1164—An act to add section 3703 to the Political Code, relating to members of the State Board of Equalization

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—66

NOES—Dannenbrink, Dilworth, and Johnson—3

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 604—An act to amend an act entitled "Act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a

public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, by adding to said act a new section numbered section 5 thereof permitting the City and County of San Francisco, by action of its board of supervisors, to grant to the Government of the United States for the use of the Navy Department certain portions of the tidelands described in the above mentioned act

Bill read third time, and passed by the following vote.

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—Robertson—1.

Title read and approved Bill ordered transmitted to the Senate.

Senate Bill No. 770—An act to add section 1915 to the Harbors and Navigation Code, relating to methods of increasing the commerce at the harbor of San Francisco

Bill read third time, and passed by the following vote

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate

Senate Bill No. 446—An act to add section 1872 to the Code of Civil Procedure, relating to compensation for expert testimony.

Motion to Amend Senate Bill No. 446.

Mr. Dawson moved to amend Senate Bill No. 446 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "1872 and 1873", and insert in lieu thereof the following "1872.5 and 1872.6".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "1872", and insert in lieu thereof the following: "1872.5".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "1872", and insert in lieu thereof the following "1872.5"

Amendment No. 4.

On page 2, line 13, of the printed bill, as amended, strike out "1873", and insert in lieu thereof the following: "1872.6".

Amendment No. 5.

On page 2, line 15, of the printed bill as amended, strike out "1873", and insert in lieu thereof the following: "1872.6".

Amendments adopted

Request for Unanimous Consent.

Mr. Dawson asked for, and was granted, unanimous consent to take up Senate Bill No. 446, as amended, at this time, without reference to reprint or calendar

Consideration of Senate Bill No. 446, as Amended.

Senate Bill No. 446—An act to add section 1872 to the Code of Civil Procedure, relating to compensation for expert testimony

Senate Bill No 446, as amended, read third time, and passed by the following vote

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—67.

NOES—None.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 283—An act to repeal section 685 of the Code of Civil Procedure, relating to the execution of judgments.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower Hunt, Johnson, Kepple, Laughlin, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr Speaker—61.

NOES—Field, Kuchel, Redwine, and Watson—4.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Urgency Clause to Senate Bill No. 186 Dispensed With.

At eleven o'clock and five minutes p.m., further proceedings under the call of the Assembly on the urgency clause to Senate Bill No. 186 were dispensed with on motion of Mr Muldoon.

The roll of absentees was called, and the urgency clause refused adoption by the following vote:

AYES—Andreas, Baynham, Breed, Burns Hugh M., Call, Cassidy, Corwin, Cronin, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, King, Latham Levey, Maloney, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Williamson, and Mr. Speaker—42

NOES—Beene, Boyle, Burns, Michael J., Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Donahue, Flint, Gilbert, Glick, Hunt, Johnson, Kepple, Kuchel, Laughlin Leonard, Lore, Lyon, Martin, Mayo, Miller, George P., Morgan, Patterson, Peek, Pelletier, Richie, Tenney, Turner, Watson, and Yorty—34.

Motion to Expunge Record and Rescind Action on Urgency Clause to Senate Bill No. 186.

Mr Levey moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to the urgency clause to Senate Bill No. 186.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Levey moved a call of the Assembly

Motion carried by the following vote

AYES—Andreas, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Field, Fulcher, Gannon, Garland, Haw-

kins, Heisinger, Hornblower, Johnson, King, Latham, Levey, Lyon, Maloney, Martin, McMurray, Meehan, Miller, George P., Muldoon, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Walker, Williamson, and Mr. Speaker—39.

NOES—Baynham, Boyle, Burns, Michael J., Clark, Daley, Dilworth, Donihue, Donnelly, Flint, Gilbert, Glick, Hunt, Kepple, Kuchel, Laughlin, Leonard, Lore, Mayo, Miller, Eleanor; Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Rosenthal, Tenney, Turner, Watson, and Yorty—30.

Time, eleven o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—71

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Hon. Melvyn I. Cronin in the Chair.

At eleven o'clock and thirty minutes p.m., Hon. Melvyn I. Cronin, member of the Assembly from the Twenty-Fifth District, in the chair.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1154—An act to add section 454.5 to the Political Code, relating to disbursing officers' accounts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, and Yorty—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution by adding section 29 to Article IV of the Constitution, relating to State money.

Senate Constitutional Amendment No. 31 read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Turner, Watson, Williamson, and Yorty—61.

NOES—Hunt—1.

Title read and approved. Bill ordered transmitted to the Senate

Senate Constitutional Amendment No. 31.

A resolution to propose to the people of the State of California an amendment to the Constitution by adding section 29 to Article IV of the Constitution, relating to State money.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its fifty-second regular session commencing on the fourth day of January, 1937, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of said State be amended as follows:

Section 29 is hereby added to Article IV of the Constitution to read as follows.

Sec. 29. The Legislature may provide that any money belonging to the State in the control of any State agency or department or collected under the authority of this State from any source whatever other than money in the control of or collected by the Regents of the University of California shall be held in trust by the State Treasurer prior to its deposit in the State Treasury by the State agency or department as may be required by law. Any money held in trust may be disbursed by the State Treasurer upon the order of the State agency or department in the manner permitted by law and money held in trust may be deposited in banks to the same extent that money in the State Treasury may be deposited in banks.

Senate Bill No. 166—An act to establish a California Agricultural Labor Relations Board for the mediation and arbitration of agricultural labor disputes and for ancillary purposes, and to prescribe its powers and duties.

Motion to Set Senate Bill No. 166 as Special Order.

Mr. Hunt moved that the consideration of Senate Bill No 166 be made a special order of business for Friday, May 28, 1937, at three o'clock p.m.

The roll was called, and the motion to set as a special order lost by the following vote:

AYES—Andreas, Cassidy, Hunt, McMurray, Patterson, Reaves, Richie, Turner, Voigt, and Watson—10.

NOES—Baynham, Beene, Breed, Burns, Hugh M., Call, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George, P., Millington, Morgan, Pelletier, Peyser, Robertson, Sawallisch, Scudder, Sheehan, Tenney, and Williamson—46.

Motion to Amend Senate Bill No. 166.

Mr. Robertson moved to amend Senate Bill No. 166 as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended in the Assembly, May 13, 1937, strike out lines 1 to 23, inclusive, and all of pages 2 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. Policy. Labor disputes in California, resulting in strikes and lockouts, have caused great economic loss, not only to the workers and employers directly involved, but to the general public of the State of California and have resulted in bitterness and bloodshed. In the interest of the stabilization of labor conditions and of the general prosperity of the citizenry of the State some machinery should be established capable of effecting the speedy, amicable, and fair adjustment of labor disputes as soon as they arise. The provisions of this act are enacted for the accomplishment of the above objectives

SEC. 2. General Duties. (a) All disputes between an employer or employers and an employee or employees concerning grievances, rates of pay, hours of work, rules, or working conditions, or arising out of agreements concerning such, shall be considered and decided, if possible, in conference between the parties themselves or their representatives designated and authorized so to confer in order to avoid any interruption to production or commerce.

(b) Representatives for the purposes of this act shall be designated by the parties without any interference or coercion of any kind.

SEC. 3. California Labor Relations Board. There is hereby established a California Labor Relations Board composed of five persons to be appointed by the Governor by and with the advice and consent of the Senate

(a) Appointment. The offices of the five board members shall be designated as follows: Board member number 1, board member number 2, board member num-

ber 3, board member number 4, and the chairman of the board. Board member number 1 shall be appointed to represent industrial employees. Board member number 2 shall be appointed to represent agricultural employees. Board member No. 3 shall be appointed to represent industrial employers, and board member number 4 shall be appointed to represent agricultural employers.

The chairman of the board shall be appointed to represent the interest of the State and general public. The chairman of the board shall not be an employee of or financially interested in any business subject to the provisions of this act, nor shall he be an employee of any labor organization or association, the members of which are subject to the terms of this act. The chairman of the board shall be the executive officer thereof.

(b) Tenure. Except as herein provided, the term of office of each member of the board shall be four years, and until the appointment and qualification of his successor. For the purpose of determining the date of expiration of any term, the period during which the predecessor holds over shall be computed as part of the successor's term. Vacancies shall be filled for the unexpired portion of the current term.

The first term of office of board member number 1 and of board member number 3 shall expire February 1, 1939.

The first term of office of board member number 2 and of board member number 4 shall expire February 1, 1940.

The first term of office of the chairman of the board shall expire February 1, 1941.

In making appointments the Governor shall designate the position to be filled.

(c) Expenses. The board may appoint a secretary, experts, referees, attorneys, assistants and such other personnel as seem necessary to it for the administration of this act, subject to the provisions of the Civil Service Laws. The board may make expenditures for necessary rent, books, periodicals and research.

(d) Compensation. Board members numbers 1, 2, 3, and 4 shall receive the sum of $15 per day as compensation for each and every day devoted to the actual performance of their duties under the provisions of this act. The chairman of the board shall receive an annual salary of $6,000. Each member of the board shall receive his actual and necessary traveling expenses incurred in the business of the board. The compensation of employees of the board and other expenses shall be paid monthly from the funds appropriated for the use of the board after being approved by the board.

(e) Quorum. A majority of the members of the board shall constitute a quorum.

Any action concurred in or approved by a majority of the entire board shall be the act of the board; provided, however, that in making and rendering findings, conclusions or recommendations, as hereinafter provided, there may be a majority report and a minority report. The board may authorize its representative or representatives to arrange for, call, hold and conduct the meetings of employees as hereinafter provided.

(f) Annual report. The board shall make and submit to the Governor on or before the first day of December of each year a report containing a full and complete account of its proceedings during the previous 12-month period and setting forth such suggestions and recommendations as it deems of value.

(g) Oath of office. Each member of the board shall, before entering upon the duties of his office, take and subscribe to the constitutional oath of office.

(h) The board shall have the power to make such rules and regulations as may be necessary for the administration of this act.

SEC. 4. Duties of the board.

(a) The parties, or either party, to a dispute between an employee or employees and an employer or employers subject to the terms of this act may invoke the services of the board, or the board may proffer its services in the case of any dispute between said persons concerning grievances, rates of pay, hours of work, rules, or working conditions, or arising out of agreements concerning such. In either event the board shall promptly put itself in communication with the parties to such controversy, and shall use its best efforts, by mediation, to bring them to agreement. If such efforts to bring about an amicable adjustment through mediation shall be unsuccessful, the board shall at once endeavor to induce the parties to submit their controversy to arbitration in accordance with the provisions of this act.

(b) The board shall also have certain other duties as set forth, in other sections of this act.

SEC. 5. Arbitration. Whenever a controversy is not settled in conference or through mediation, the controversy may, by agreement of the parties, be submitted to the arbitration of a board of arbitration composed of three, or if the parties so stipulate, of six persons.

(a) Composition of board of arbitration. In the case of a board of arbitration of three members, each party to the dispute shall name one member, and these two shall choose the third. If, after their first meeting they fail to do so within five days the Labor Relations Board shall name the third. In the case of a board of

arbitration of six members, each party shall name two members, and these four shall name the other two If they fail to do so within five days after their first meeting, the Labor Relations Board shall name the two remaining members

(b) Notice to board When the arbitrators selected by the respective parties have agreed upon the remaining arbitrator or arbitrators, they shall notify the Labor Relations Board, and in the event of their failure to agree upon any or all of the necessary arbitrators within the period fixed by this act, they shall, at the expiration of such period, so notify the Labor Relations Board.

(c) Hearings The board of arbitration shall organize, and select its own chairman, and make all necessary rules for the conduct of its hearings; provided, however, that the board of arbitration shall be bound to give the parties to the controversy a full and fair hearing, which shall include an opportunity to present evidence in support of their claims, and an opportunity to present their case, in person, by counsel, or by other representative as they may respectively elect.

(d) Qualifications No arbitrator, chosen by the Labor Relations Board, shall be interested in the controversy or connected with the parties thereto

(e) Compensation Each member of any board of arbitration, created under the provisions of this act, named by either party to the arbitration shall be compensated by the party naming him Each arbitrator selected by the arbitrators or by the Labor Relations Board shall receive from the said board such compensation as the Labor Relations Board may fix, together with his necessary traveling expenses incurred while serving as an arbitrator.

(f) Copy of award The board of arbitration shall furnish a certified copy of its award to the respective parties to the controversy. It shall transmit the original together with the papers, proceedings, and transcript of the evidence taken at the hearings, certified by at least a majority of the members of the board of arbitration to the Labor Relations Board.

(g) Employment of assistants. A board of arbitration may, subject to the approval of the Labor Relations Board, employ and fix the compensation of such assistants as it deems necessary to carry on the arbitration proceedings The compensation of such employees and the necessary expenses of boards of arbitration shall be paid by the Labor Relations Board from its funds.

(h) Power to administer oaths. All testimony before a board of arbitration shall be given under oath or affirmation, and any member of a board of arbitration shall have the power to administer oaths or affirmations

SEC. 6. Agreement to arbitrate. All agreements to arbitrate under this act shall:

(a) Be in writing.

(b) Stipulate that the arbitration is had under the provision of this act.

(c) State whether the board of arbitration is to consist of three or of six members.

(d) Be signed by the duly accredited representatives of the employer or employers and the employees, parties respectively to the agreement to arbitrate, and be acknowledged by the parties before a notary public or before a member of the Labor Relations Board, and, when so acknowledged, be filed in the office of the Labor Relations Board.

(e) State specifically the questions to be submitted to the said board of arbitration for decision

(f) Provide that the questions, or any one or more of them, submitted by the parties to the board of arbitration may be withdrawn from arbitration on notice to that effect signed by the duly accredited representatives of all parties and served on the board of arbitration.

(g) Stipulate that the signatures of a majority of the board of arbitration affixed to its award shall be competent to constitute a valid and binding award.

(h) Fix a period from the date of the appointment of the arbitrator or arbitrators necessary to complete the board within which the board of arbitration shall commence its hearings

(i) Fix a period from the beginning of the hearings within which the board of arbitration shall make and file its award; however, the parties may agree at any time upon an extension of this period.

(j) Provide for the date from which the award shall become effective and shall fix the period during which the award shall continue in force.

(k) Provide that the award, when certified by a majority of the members of the board of arbitration be filed in the office of the Labor Relations Board, and that when so filed it shall be final and conclusive upon the parties as to the facts determined by it and as to the merits of the controversy decided.

(l) Provide that any difference arising as to the meaning, or the application of the provisions, of an award made by a board of arbitration, shall be referred back for a ruling to the same board, or, by agreement, to a subcommittee of such board, and that such ruling, when acknowledged in the same manner, and filed in the office of the Labor Relations Board, shall be a part of and shall have the same force and effect as the original award.

(m) Provide that the respective parties to the award shall each faithfully execute it.

SEC. 7. Limitation on act. The provisions of this act shall not be construed so as to limit or curtail in any way the right of employees to strike, nor shall anything in this act be construed as directly or indirectly advocating or encouraging the unionization of agricultural or other labor.

SEC. 8 The Labor Relations Board or its authorized representative shall, upon receiving a written request from any employer involved in or affected by a labor dispute, or from a representative of any group of employees involved in or affected by a labor dispute, forthwith proceed to arrange for, call, hold and conduct a meeting of the employees involved in, or affected by such labor dispute, or may at any time on its own motion arrange for, call, hold and conduct such a meeting The Labor Relations Board shall cause reasonable notice of the place where and the time when—not exceeding five days—such meeting shall be held.

At such meeting the board or its representative may present to such employees such information, advice or recommendation as it may deem fit and proper, and, in its discretion, the board or its representative may permit the employer or a representative of the employer and a representative of such employees to make such statements, offers or arguments to such employees as to the board may seem fit and proper.

SEC 9. At such meeting, the board shall be empowered to hold and conduct a vote of the employees affected or involved in such labor dispute on any or all of such questions, disputes or offers by secret ballot, and it is provided that any election held at such meeting shall be by secret ballot, provided, however, that a ballot by acclamation or otherwise may be held if, in the discretion of the Labor Relations Board, a secret ballot is duly cumbersome and unnecessary to accomplish the purposes of this act. For such purpose the board may determine the proper unit, group or class of employees who shall vote upon such questions, disputes or offers.

SEC. 10. The vote of a majority of the employees at any such meeting at which a majority of the employees in any group, unit or class of employees involved in, or affected by such labor dispute, shall be present, shall be final, conclusive and binding upon all of such employees, provided, that no employee shall thereby be required to render labor or service without his consent or against his will or to become a member of any labor organization against his will or without his consent.

SEC. 11 The term "labor dispute," as used in this act, means any question or dispute, whether presently existing or reasonably likely to occur, between employees and their employer concerning wages, hours, terms and conditions of employment or the interpretation of, or compliance with any contract, agreement or understanding, oral or written, between the employees and their employer and shall also include all questions or disputes concerning the proper representatives of such employees for the purposes of collective bargaining.

SEC 12 It shall be unlawful to interfere with or obstruct the calling or holding of any meeting or election herein provided for, or to interfere with, obstruct or prevent the performance of any contract, understanding or agreement made or entered into pursuant to, or in accordance with the provisions of this act, or to attempt to persuade, induce or compel any of the parties thereto, or working thereunder, to violate the same.

SEC 13 Emergency powers of the Labor Relations Board. If a dispute is not adjusted under the foregoing provisions of this act and should in the judgment of the board, threaten substantially to disrupt the planting, harvesting, packing, or shipping of agricultural products, the board shall promptly investigate the facts as to the dispute and make a report thereon to the Governor

SEC. 14 Cooperation with other Federal and State agencies, research to collect statistics, etc

The board shall investigate the underlying agricultural conditions which produce labor disturbances and recommend to the Governor legislation or other procedures designed to improve such conditions. The board shall collect and publish such information and data concerning the supply and demand of transient workers for specific industries as the board finds necessary or desirable to correlate the supply with the demand In any of the aforesaid activities the board is authorized to confer and cooperate with the United States Department of Agriculture, the Resettlement Administration, or any other duly constituted department or agency of the United States or of the State of California.

SEC. 15 If any provision of this act or the application thereof to any person or circumstance is held invalid the remainder of the act or the application of such provision to other persons or circumstances shall not be affected thereby."

Amendment No. 2.

Following section 7, contained in Amendment No. 1, as set forth above insert the following:

"Sec. 7a. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection."

Amendment No. 3

Following section 12, contained in Amendment No. 1, as set forth above, insert the following:

"Sec. 12a. Any person who shall wilfully resist, prevent, impede or interfere with, or who shall conspire to resist, prevent, impede or interfere with any member of this board or any of its agents or agencies in the performance of duties pursuant to this act shall be guilty of a misdemeanor."

Amendments read, and refused adoption by the following vote

AYES—Beene, Breed, Corwin, Cottrell, Cunningham, Dannenbrink, Dilworth, Donnelly, Field, Gannon, Garland, Hunt, Johnson, Kepple, Kuchel, Lyon, Millington, Morgan, Robertson, Scudder, and Watson—21.

NOES—Andreas, Baynham, Burns, Michael J., Cassidy, Clark, Cronin, Dawson, Donihue, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, King, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Patterson, Peek, Pelletier, Richie, Rosenthal, Sawallisch, Sheehan, Tenney, Voigt, Williamson, and Yorty—37.

Motion to Amend Senate Bill No. 166.

Mr. Yorty moved to amend Senate Bill No. 166 as follows:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 1 to 20, inclusive, and insert in lieu thereof the following: "posed of three persons to be appointed by the Governor.

(a) Chairman. The Governor shall designate the chairman of the board, who shall be the executive officer thereof."

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 28 to 35, inclusive, and insert in lieu thereof the following: "The first term of office of the board members shall expire February 1, 1939."

Amendment No. 3.

On page 3, line 42, of the printed bill, as amended, strike out "numbers 1, 2, 3 and 4", and insert in lieu thereof the following: "other than the chairman".

Amendments read, and adopted by the following vote:

AYES—Andreas, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sheehan, Tenney, Turner, Voigt, and Yorty—45.

NOES—Beene, Breed, Call, Corwin, Cottrell, Field, Kuchel, Millington, Peyser, and Scudder—10.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Senate Bill No. 166, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 166, as Amended.

Senate Bill No. 166—An act to establish a California Agricultural Labor Relations Board for the mediation and arbitration of agricultural labor disputes and for ancillary purposes, and to prescribe its powers and duties.

Senate Bill No. 166, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cronin, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Peek, Pelletier Reaves, Robertson Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Welsh, Williamson, Yorty, and Mr. Speaker—49.

NOES—Beene, Breed, Call, Corwin, Cottrell, Cunningham, Field, Kepple, Kuchel, Lyon, Martin, Miller, Eleanor; Patterson, Peyser, Richie, and Watson—16.

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 812—An act to amend section 1 of an act entitled "An act to define motor carrier transportation agent, to provide for the regulation, supervision and licensing thereof, and to provde for the enforcement of said act and penalties for the violation thereof," approved May 15, 1933, as amended.

Motion to Amend Senate Bill No. 812.

Mr. Garland moved to amend Senate Bill No 812 as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended May 26th, after the word 'many", insert the word "passenger."

Amendment adopted

Request for Unanimous Consent.

Mr Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No 812, as amended, at this time without reference to reprint or calendar.

Consideration of Senate Bill No. 812, as Amended.

Senate Bill No. 812—An act to amend section 1 of an act entitled "An act to define motor carrier transportation agent, to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved May 15, 1933, as amended.

Senate Bill No 812, as amended, read third time

Demand for Previous Question.

Messrs. Morgan, Boyle, Andreas, Dannenbrink and Reaves demanded the previous question

The question being put Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Senate Bill No 812, as amended.

The roll was called, and Senate Bill No 812 passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Crouch, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Watson, Weber Williamson, and Yorty—58.

NOES—O'Donnell, Pelletier, and Richie—3.

Title read and approved Bill ordered to reprint, and transmitted to the Senate

Appointment of Special Committee Pursuant to Assembly Concurrent Resolution No. 45.

The Speaker announced the appointment of Messrs. Fulcher, Desmond, Millington and Meehan as a Special Committee to attend the dedicatory ceremonies in connection with the opening of the "Feather River Highway"

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 21.
Assembly Bill No. 288.
Assembly Bill No. 473.
Assembly Bill No. 566.
Assembly Bill No. 581.
Assembly Bill No. 583.

Assembly Bill No. 808.
Assembly Bill No. 1004.
Assembly Bill No. 1005.
Assembly Bill No. 1147.
Assembly Bill No. 1179.
Assembly Bill No. 1285.
Assembly Bill No. 1378.
Assembly Bill No. 1436.
Assembly Bill No. 307.
Assembly Bill No. 702.
Assembly Bill No. 717.
Assembly Bill No. 1012.
Assembly Bill No. 1111.
Assembly Bill No. 1193.
Assembly Bill No. 1362.
Assembly Bill No. 1393.
Assembly Bill No. 1520.
Assembly Bill No. 1625.
Assembly Bill No. 1735.
Assembly Bill No. 1897.
Assembly Bill No. 1944.
Assembly Bill No. 2200.
Assembly Bill No. 2219.
Assembly Bill No. 1455.
Assembly Bill No. 2369.
Assembly Bill No. 2749.
Assembly Constitutional Amendment No. 1.
Assembly Joint Resolution No. 52.
Assembly Concurrent Resolution No. 60.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

Assembly Constitutional Amendment No. 1.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding section 10a to Article VI thereof, relating to removal of judges

Resolved by the Assembly the Senate concurring, That the Legislature of the State of California at its fifty-second session commencing on the fourth day of January, 1937, two-thirds of all members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that Article VI of the Constitution be amended by adding section 10a thereto to read as follows

SECTION 1 That Article VI of the Constitution be amended by adding section 10a thereto to read as follows

10a. Whenever a Justice of the Supreme Court, or of a District Court of Appeal, or a judge of any court of this State, has been convicted in any court of this State or of the United States, of a crime involving moral turpitude, the Supreme Court shall of its own motion or upon a petition filed by any person, and upon finding that such a conviction was had enter its order suspending said justice or judge from office until such time as said judgment of conviction becomes final, and the payment of salary of said justice or judge shall also be suspended from the date of such order When said judgment of conviction becomes final, the Supreme Court shall enter its order permanently disbarring said justice or judge and striking his name from the roll of attorneys and counsellors, and removing said justice or judge from office and his right to salary shall cease from the date of the order of suspension If said judgment of conviction is reversed, the Supreme Court shall enter its order terminating the suspension of said justice or judge and said justice or judge shall be entitled to his salary for the period of the suspension.

SENATE CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 50.
Assembly Bill No. 287.
Assembly Bill No. 2178.
Assembly Bill No. 2195.
Assembly Bill No. 2419.
Assembly Bill No. 2499.
Assembly Bill No. 101.
Assembly Bill No. 472.
Assembly Bill No. 628.
Assembly Bill No. 946.
Assembly Bill No. 1206.
Assembly Bill No. 1415.
Assembly Bill No. 1577.
Assembly Bill No. 1757.
Assembly Bill No. 1794.
Assembly Bill No. 641.
Assembly Bill No. 1049.
Assembly Bill No. 1425.
Assembly Bill No. 2343.
Assembly Bill No. 2358.
Assembly Bill No. 2844.
Assembly Bill No. 1261.
Assembly Bill No. 2622.
Assembly Bill No. 2849.
Assembly Bill No. 2878.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 371.

The following Senators: McGovern, Hays, and Olson, to meet with a like committee from your Honorable Body.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 29.

The following Senators: Fletcher, Young, and Hays, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 558—An act authorizing cities to construct and maintain public improvements within and without the territorial boundaries of said cities;

The following Senators: Fletcher, Young, and Phillips, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to the following:

Assembly Bill No. 269. **Assembly Bill No. 2743.**

SENATE CHAMBER, SACRAMENTO, May 26, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Asembly amendments to the following:

Senate Bill No. 265.
Senate Bill No. 298.
Senate Bill No. 313.
Senate Bill No. 321.
Senate Bill No. 326.
Senate Bill No. 343.
Senate Bill No. 372.
Senate Bill No. 394.
Senate Bill No. 466.
Senate Bill No. 468.
Senate Bill No. 475.
Senate Bill No. 544.
Senate Bill No. 553.
Senate Bill No. 560.
Senate Bill No. 571.
Senate Bill No. 607.
Senate Bill No. 661.
Senate Bill No. 644.
Senate Bill No. 92.
Senate Bill No. 212.
Senate Bill No. 471.
Senate Bill No. 681.
Senate Bill No. 754.
Senate Bill No. 908.
Senate Bill No. 1098.
Senate Bill No. 1106.
Senate Bill No. 1107.
Senate Bill No. 396.
Senate Bill No. 645.
Senate Bill No. 721.
Senate Bill No. 98.
Senate Bill No. 160.
Senate Bill No. 424.
Senate Bill No. 436.
Senate Bill No. 452.
Senate Bill No. 457.
Senate Bill No. 458.
Senate Bill No. 461.
Senate Bill No. 937.
Senate Bill No. 945.
Senate Bill No. 1066.
Senate Bill No. 1102.
Senate Bill No. 19.
Senate Bill No. 61.
Senate Bill No. 434.
Senate Bill No. 667.
Senate Bill No. 963.
Senate Bill No. 971.
Senate Bill No. 1037.
Senate Bill No. 1070.
Senate Bill No. 1116.
Senate Bill No. 1144.
Senate Bill No. 1142.
Senate Bill No. 942.
Senate Bill No. 168.
Senate Bill No. 205.
Senate Bill No. 222.
Senate Bill No. 237.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 26.
Assembly Bill No. 289.
Assembly Bill No. 506.
Assembly Bill No. 746.
Assembly Bill No. 786.
Assembly Bill No. 860.
Assembly Bill No. 985.
Assembly Bill No. 1023.
Assembly Bill No. 1059.
Assembly Bill No. 1060.
Assembly Bill No. 1079.
Assembly Bill No. 1164.
Assembly Bill No. 1168.
Assembly Bill No. 1189.
Assembly Bill No. 1190.
Assembly Bill No. 1191.
Assembly Bill No. 1243.
Assembly Bill No. 1245.
Assembly Bill No. 1594.
Assembly Bill No. 1618.
Assembly Bill No. 1623.
Assembly Bill No. 1629.
Assembly Bill No. 1674.
Assembly Bill No. 1871.
Assembly Bill No. 1905.
Assembly Bill No. 2289.
Assembly Bill No. 2404.
Assembly Bill No. 2554.
Assembly Bill No. 2576.
Assembly Bill No. 2609.
Assembly Bill No. 2613.
Assembly Bill No. 2798.
Assembly Bill No. 2832.
Assembly Bill No. 2851.
Assembly Bill No. 2854.
Assembly Bill No. 2858.
Assembly Bill No. 1818.

And reports the same correctly enrolled, and presented to the Governor on this twenty-seventh day of May, 1937, at ten o'clock a m

CUNNINGHAM, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2366.

And reports the same correctly engrossed.

CUNNINGHAM, Chairman

The above reported bill ordered on third reading calendar

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 8.
Assembly Constitutional Amendment No. 59.
Assembly Concurrent Resolution No. 41.
Assembly Concurrent Resolution No. 49.
Assembly Bill No. 1.
Assembly Bill No. 204.
Assembly Bill No. 249.
Assembly Bill No. 308.
Assembly Bill No. 526.
Assembly Bill No. 550.
Assembly Bill No. 580.
Assembly Bill No. 662.
Assembly Bill No. 933.
Assembly Bill No. 942.
Assembly Bill No. 954.
Assembly Bill No. 1048.
Assembly Bill No. 1094.
Assembly Bill No. 1097.
Assembly Bill No. 1180.
Assembly Bill No. 1244.
Assembly Bill No. 1310.
Assembly Bill No. 1399.
Assembly Bill No. 1346.
Assembly Bill No. 1402.
Assembly Bill No. 1490.
Assembly Bill No. 1499.
Assembly Bill No. 1526.
Assembly Bill No. 1569.
Assembly Bill No. 1593.
Assembly Bill No. 1740.
Assembly Bill No. 1762.
Assembly Bill No. 1831.
Assembly Bill No. 1834.
Assembly Bill No. 1870.
Assembly Bill No. 1872.
Assembly Bill No. 1879.
Assembly Bill No. 2091.
Assembly Bill No. 2132.
Assembly Bill No. 2197.
Assembly Bill No. 2403.
Assembly Bill No. 2422.
Assembly Bill No. 2452.
Assembly Bill No. 2843.

And reports the same correctly enrolled, and presented to the Governor on this twenty-seventh day of May, 1937, at five o'clock p m

CUNNINGHAM, Chairman.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 671.

Respectfully reports the same back signed out by the committee.

DONAHUE, Chairman. DALEY.
LATHAM. MILLER, ELEANOR
MARTIN. CROWLEY

The above reported bill ordered on third reading calendar.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 26, 1937.

To the Honorable Assembly of the State of California,
Sacramento, California.

GREETINGS: I am submitting herewith a list of expenditures made from the Governor's secret service fund for the Special Assembly Committee on Auditing, composed of the following Assemblymen:

Hon. Leon M. Donahue, Chairman,
Hon. Ford A. Chatters,
Hon. C. C. Cottrell,
Hon. Ralph W. Evans,
Hon. C. Don Field.

Certain members of this committee, representing the entire committee, appeared before me stating that the funds alloted to the Special Assembly Committee on Auditing, by the Assembly, had been exhausted, and also called attention to the necessity of completing the work and the investigations they had undertaken.

In answer to their request, $20,000 was allocated to the Governor's secret service fund from the emergency fund of the State, and the amounts of these expenditures and to whom made, and the purposes for which made, are set forth in the report

If there is further information desired relative to this matter which the records of this office will in any way disclose, I shall be very pleased to furnish the same to the Assembly. Accompanying this report is a certificate from the Bank of America, the Sacramento main office, setting forth the amount remaining on deposit with the bank. This amount will be returned to the emergency fund of the State.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Governor's Secret Service Fund—1936.

	Salary	*Expenses*	
Allotment to fund	$ ------	$ ------	$20,000 00
Chatters, Ford A.	------	212 40	
Craig, Thomas D.	906 66	461 27	
Donovan, Helen	797 32	------	
Dunn, J. E. P.	217 50	------	
Evans, Ralph W.	------	612 66	
Field, C. Don	------	182 05	
Friedman, Leo R.	4,366 66	214 20	
Griffin, Robert O.	213 33	------	
Grove, Virgil	25 00	------	
Hout, Ernest G	400 00	163 96	
Hughes, John W.	340 00	69 87	
Martinelli, E. H.	606 66	84 05	
Peters, W. Edmund	2,496 00	414 12	
Randle, James I.	760 02	218 15	
Richardson, James H	666 60	22 95	
Revolving fund	------	2,482 68	
Cottrell, C. C.	------	445 85	
Donahue, Leon M.	------	115 90	
Brady, John T.	------	42 10	
Dunham, Harry E.	------	42 00	
Atherton & Dunn	------	50 00	
Carlisle, A. & Co.	------	13 09	
Dorman, Mo.	------	70 00	
Russ Building Co.	------	195 00	
Pacific Tel. & Tel. Co.	------	150 85	
Royal Typewriter Co.	------	18 00	
Western Union	------	37 74	
Arthur P. Nugent	------	13 50	
Artie Nugent	------	13 50	

	Salary	Expenses
William H. Lavelle	------	$12 50
Arthur M. Loomis & Co	------	577 50
Robert E. O'Brien	------	4 00
Frances Gentry	------	8 51
Harold F. Crandall	------	5 60
Clem Whitaker	------	39 75
Harry Douglas	------	2 00
Sam Leiber	------	2 00
Barbara G. Riggs	------	8 36
Hyman Davis	------	2 00
Stanley Pierson	------	10 23
N. L. Rossi	------	45 80
Wendell Missamore $25.40 (check returned)		
Fontaine Johnson	------	13 24
J. Pettitt	------	12 40
Earl L Farrar	------	25 00
Mrs. Louise Arriaga	------	4 00
James Arriaga	------	25 20
Jessie H. Cave	------	16 25
Joseph Lombardi	------	14 40
Thos W. McManus	------	18 87
Chas. M. Columbia	------	13 24
Expenditures	$11,795 75	$7,206 74
Balance as of May 20, 1937		$997 51

CABLE ADDRESS—BAMLRICAL
13044
BANK OF AMERICA
NATIONAL TRUST AND SAVINGS ASSOCIATION.
SACRAMENTO MAIN OFFICE.

SACRAMENTO, CALIFORNIA, May 26, 1937.

Hon Frank F. Merriam, Governor, State of California,
Sacramento, California.

DEAR GOVERNOR. There was $20,000 deposited into an account in this office by you, known as "The Governor's secret service fund" We have paid checks amounting to $19,002 49, charging this amount against the account, thus leaving a balance in this account of $997 51.

Respectfully,

B. F. VANDENBERG, JR

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 24—An act to amend section 2 of the Public Utilities Act, relating to the definition of public utilities, and definitions of other terms used in said act, and including and defining toll bridges and toll bridge corporations as public utilities.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Watson, Williamson, Yorty, and Mr Speaker—58

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 1153—An act to amend section 162 of the Fish and Game Code, relating to Fish and Game District 4C.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves Richie, Rosenthal, Sawallisch, Scudder, Shee-

han, Tenney, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—Gilbert, and Hunt—2.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 750—An act to amend section 722 of the Fish and Game Code, relating to the sale of fish.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Donnelly, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—Dilworth, Field, Johnson, and Kuchel—4

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 938—An act to add sections 118 and 794.5 to the Fish and Game Code, relating to abalones and providing for a new district to regulate the taking thereof.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1043—An act to amend section 4272 of the Political Code, relating to compensation of officers, officials and deputies in counties of the forty-third class.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—56.

NOES—Heisinger—1

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1038—An act to add section 4041.29 to the Political Code, relating to reports relating to financial statements by county supervisors.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 347—An act to amend section 1192a of the Penal Code, relating to the inquiry as to the causes of criminal conduct.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins

Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, George P., Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the Assembly on Motion to Expunge Record on Senate Bill No. 186 Dispensed With.

At eleven o'clock and eighteen minutes p.m., further proceedings under the call of the Assembly on the motion to expunge the record and rescind the action on the urgency clause to Senate Bill No. 186, were dispensed with, on motion of Mr. Levey.

The roll of absentees was called, and the motion to expunge the record and rescind the action lost by the following vote:

AYES—Andreas, Baynham, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cronin, Crowley, Dawson, Dilworth, Field, Fulcher, Gannon, Garland, Hawkins, Heisinger, Hornblower, King, Latham, Levey, Maloney, Martin, McMurray, Meehan, Millington, Muldoon, Peyser, Redwine, Robertson, Sawallisch, Scudder, Sheehan, Walker, Weber, Welsh, Williamson, and Mr. Speaker—38

NOES—Boyle, Burns, Michael J., Clark, Cottrell, Cunningham, Daley, Dannenbrink, Desmond, Donihue, Donnelly, Flint, Gilbert, Glick, Hunt, Johnson, Kepple, Kuchel, Laughlin, Leonard, Lore, Lyon, Mayo, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Tenney, Turner, Watson, and Yorty—36

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 979—An act to amend section 20j of the California Real Estate Act, relating to subdivisions.

Motion to Amend Senate Bill No. 979.

Mr. Cronin moved to amend Senate Bill No. 979 as follows:

Amendment No. 1.

On page 1, line 7, of the printed bill, after "parcels", add a comma and the following: "where such land is divided by an owner who did not purchase or acquire such land with the view to dividing it for sale or lease, and who does not so divide the lands in regular course of business, or into five or more lots or parcels by any other owner or by any other person".

Amendment adopted.

Motion to Expunge Record and Rescind Action on Amendments to Senate Bill No. 979.

Mr. Mayo moved to expunge the record, and rescind the action whereby the amendments to Senate Bill No. 979 were this day adopted.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Cassidy, Corwin, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Scudder, Sheehan, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—50

NOES—None.

Senate Bill No. 979 ordered on third reading calendar.

Senate Joint Resolution No. 15—Relative to memorializing and petitioning Congress to enact adequate legislation to regulate the presentation of radio programs dealing with crime.

Motion to Table Senate Joint Resolution No. 15.

Mr Dawson moved to lay Senate Joint Resolution No 15 on the table.

The roll was called, and Senate Joint Resolution No. 15 laid on the table by the following vote:

AYES—Baynham, Boyle, Breed, Call, Cassidy, Clark, Corwin, Cottrell, Cronin, *Dannenbrink*, Dawson, *Donihue*, *Field*, *Flint*, Glick, *Hornblower*, *Johnson*, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Scudder, Sheehan, Tenney, Voigt, Walker, Weber, Welsh, Williamson, and Mr. Speaker—49.

NOES—*Andreas*, *Daley*, *Dilworth*, *Donnelly*, *Garland*, Gilbert, Hawkins, Heisinger, Hunt, Patterson, Turner, Watson, and Yorty—13.

Senate Bill No. 1122—An act to amend section 78 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System

Motion to Amend Senate Bill No. 1122.

Mr. Dannenbrink moved to amend Senate Bill No. 1122 as follows.

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "Every", and insert in lieu thereof the following: "From and after January 1, 1933, until January 1, 1937, every member shall be retired on the first day of the calendar month next succeeding that in which he attains the age of seventy-five years.

Other than as provided in the above paragraph every".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 7 and 24, insert the following:

"(b) If he be employed in the Department of Natural Resources and his principal duties consist of active prevention and suppression of fires and he attains the age of 65 years, it being the intention that this paragraph shall apply to persons whose principal duties require field service as distinguished from office service, and are similar to the duties now attached to the positions in said department, under the classification of Ranger, State Fire Chief, Assistant State Fire Chief and shall not apply to persons who e principal duties are those of telephone operator, clerk, stenographer, machinist, mechanic, or otherwise clearly not falling within the scope of active prevention or suppression of fires, even though such persons are subject to occasional call or are occasionally called upon to perform duties within the scope of active prevention and suppression of fires, or".

Amendment No. 3

On page 1, line 24, of the printed bill, as amended, strike out "(b)", and insert in lieu thereof the following: "(c)".

Amendment No. 4.

On page 2, line 9, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendment No. 5.

On page 2 of the printed bill, as amended, after line 10, add the following:

"*Every employee of the university who becomes a member on January 1, 1938*, when this act becomes effective as applied to such employees, and who at that time, has attained the age of seventy years, shall be retired forthwith."

Amendments adopted.

Request for Unanimous Consent.

Mr. Dannenbrink asked for, and was granted, unanimous consent to take up Senate Bill No. 1122, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 1122, as Amended.

Senate Bill No. 1122—An act to amend section 78 of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the

State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employee's Retirement System.

Senate Bill No 1122, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Rosenthal, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Motion to Print Report in Journal.

On motion of Mr. Martin, the following report was ordered printed in the Journal:

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON AGRICULTURAL MARKETING.

In June, 1935, a resolution was adopted by the Assembly calling for the appointment of an Interim Committee to Study the Problems of Agricultural Marketing This resolution appears in the Assembly Journal of Tuesday, June 4, 1935.

The scope of the suggested investigation was comparatively broad but it was definitely instructed "to determine the effects of laws and regulations now in effect, or hereafter to become effective, relative to the marketing of agricultural products and the differential between the price paid to the producer and the price paid by the consumer, and the prices paid to California producers as compared with the prices paid in the local markets and in other markets and to study cooperative marketing in this State and other States."

Speaker Craig immediately appointed a committee consisting of the following Assemblymen: John Phillips, Chairman; T. H. DeLap, Frank G. Martin, Claude Minard, James E. Thorp, James B. Utt and Clarence R Walker Before the committee began its actual work, Assemblyman Minard accepted the secretaryship of the State Bar Association and was compelled to resign from the committee. The Speaker appointed Assemblyman Garibaldi, of Merced, in his place Assemblyman Thorp resigned from the committee because of other work which he felt might interfere with membership on the committee, but his position remained unfilled In the fall Assemblyman Thorp was reappointed.

The committee met during the year at Santa Cruz, Berkeley, Los Angeles, Sacramento and Pasadena.

It was obvious to the committee that with a limited appropriation of $2,500 it would be impossible to do more than to select one or two major points and to make an investigation of these, and to accumulate statistics and records and information and so to lay a foundation for a continued investigation of what is recognized to be one of the most important problems in California today.

At the first meeting, in Santa Cruz, the committee set for itself three fields of investigation, limiting these because of its own limitations of time and appropriation: (1) The effects in California of State and National marketing legislation, (2) The differential in cost between the farm and the consumer, (3) The effects of mass buying and selling upon the general problems of agriculture

Very little was done with the first subject except to accumulate information which can be of value in the future. Following the 1935 session, several of our marketing acts were thrown into litigation and until these suits were settled, and until the acts had been in operation for longer periods of time, there was little that the committee could do. California has set itself out upon a program of agricultural marketing legislation. At the present time (1937) it has provided legislation in some form or another to cover five different types of marketing problems: (1) An act which will permit the producer to control his own marketing and to control the absorption of his own products in the market, instead of leaving this control to middlemen as in the past; (2) An act which includes the handler with the producer; (3) An act which permits marketing control by secondary handlers only; (4) An act which permits intra-State marketing agreements for commodities controlled by inter-State marketing agreements; and (5) the much discussed act regulating the control of milk, which is now recognized to be, to all practical purposes, a commodity having the characteristics of a public utility, and therefore to be regulated along the same lines.

All these have been subject to discussion and regulation in the 1937 session and are therefore not properly a part of this report

The committee emphasizes most urgently the necessity of continued investigation of this particular phase of the subject and the continuation of an interim committee which will give thought to the effects in California of State and National marketing agreements.

The second subject, that of the differential between the price paid to the farmer when the agricultural commodity is purchased from him, and the price which he or any other consumer pays when he repurchases the same article, probably in a processed form, over the counters of a retail store. This problem was perhaps closest to the heart of the chairman, and to many members of the committee, but in the short time and with the limitations already indicated, it was possible to do no more than to accumulate a great deal of extremely valuable information which can eventually be made available to the Legislature.

The committee recommends therefore a continued investigation be made of this very important problem and attempts to submit no figures at this time except to say that it finds in many instances, the cost of individual items which enter into the process between the farm and the retail counter are as great or greater than the entire price paid to the farmer. There are great possibilities here for analyses and investigation which will be of genuine benefit to agriculture.

The third subject which the committee assigned itself took more time than the other two together and produced some interesting results. This was the subject of mass buying and mass selling which had been brought so prominently before the public by the campaign for and against the proposed tax upon chain stores in California. The committee was not interested in any way in the matter of chain store tax but was very much interested in the question of whether mass buying and mass selling was actually beneficial to the farmer and to the consumer. Here again the findings of the committee are so voluminous that it hesitates to hand down an opinion which might be premature. It is obvious that this subject is one of vital importance to California. The Legislature will some of these days be called upon to decide whether or not the increasing growth of multiple stores is beneficial or harmful to agriculture. The problem is a broad one covering the question of hours of labor; of payment to employees; of prices paid to the farmer; of the ownership of agricultural lands by the stores themselves and the use of this land (and the products produced thereon) to influence prices to producers; of services which may be performed by multiple outlets in marketing agricultural commodities which have not moved rapidly in other markets; of advertising and displays and the general promotion of California products through such means, and the increasingly important subject of the sale of foreign-made merchandise in American stores.

This last comment is not essentially within the province of a committee investigating agricultural marketing, but certainly it affects agriculture in that an American working man, who has been deprived of his livelihood by the importation of foreign-made goods, is no longer a purchaser of agricultural products grown in California, or elsewhere. The committee unhesitatingly places itself upon record as seeing no difference between the importation of cheap labor, against which there is both popular and legal prohibition, and the importation of the products of cheap labor made elsewhere which might otherwise have been produced by American labor, living under American standards and therefore better able to buy American made goods and agricultural commodities. This in itself is a subject worthy of further investigation.

In addition to the work of the main committee, several subcommittees investigated specific problems in order to save the time of the entire committee. The work of these subcommittees is included in the accumulative information which the committee hopes will be of later benefit.

The committee is attempting only in this report to fulfill the obligation required of it under the resolution and to suggest that this matter is of such vital importance to California that its work should not be permitted to go into the discard, nor should the importance of the investigation be overlooked. It is the unanimous opinion of the committee that an investigation of agricultural marketing should be continued by the Legislature of California.

This report has been read and approved by all members of the committee with the exception of the Hon. James B. Utt, who could not be reached when the report was submitted, but who has previously concurred in the above findings.

This report would be incomplete without a word of appreciation for the help given the committee and the many courtesies which it received from practically every farm organization in the State and every cooperative group and so many individuals and corporate groups that it would be impossible to list them here. Without this help the work of the committee would have been greatly handicapped.

Respectfully submitted,

T. H. DELAP.
JAMES D. GARIBALDI.
FRANK G. MARTIN.
JAMES E. THORP.
CLARENCE R. WALKER.
JAMES B. UTT.
JOHN PHILLIPS, Chairman.

May 27, 1937.

Motion to Print Report in Journal.

On motion of Mr. Boyle, the following report was ordered printed in the Journal:

REPORT OF DELEGATE TO THE WASHINGTON, D. C., CONFERENCE—THIRD GENERAL ASSEMBLY COUNCIL OF STATE GOVERNMENTS.

Mr. Speaker, and Members of the Assembly:

Your Delegate, appointed pursuant to a resolution introduced in the Assembly, Tuesday, January 12, 1937, requesting:

> "That the Assembly of the State of California hereby authorizes and instructs the Speaker of the Assembly to appoint a Delegate to the Third General Assembly of the Council of State Governments, which convenes in Washington, D. C., on January 21, 1937. Such Delegate shall be and is hereby instructed to return to this body and report the definite recommendations of the Third General Assembly."

I beg to report the following to the Assembly:

The Third General Assembly of the Council of State Governments met at the Mayflower Hotel, Washington, D. C., Thursday, January 21st to 24th, inclusive.

The Third General Assembly of the Council of State Governments.

THURSDAY, JANUARY 21ST.

9.00—Registration

9.30—Meetings of the following commissions and committees:

Interstate Commission on Conflicting Taxation.
Interstate Commission of Social Security
Interstate Commission on Crime.
Interstate Commission on Council Development
Standing Committee on Publications of the National Association of Secretaries of State.

12.30—Luncheon Several brief informal talks

2.00—Continuation of the above.

3.00—Meeting of Board of Managers of the Council of State Governments

6.30—Informal Dinner President McNutt presided. Roll call of the States Address by Senator T. V. Smith of Illinois setting the keynote for the Assembly in the spirit of interstate cooperation After the dinner, committees were formed to plan action on various regional problems, most important of which at the time was the Ohio Basin flood

FRIDAY, JANUARY 22D

9.30—Convening of the Assembly Roll call

10.00—*Session on Crime*, Governor Robert E. Quinn of Rhode Island presided United States Attorney General Homer S. Cummings spoke on Federal-State cooperation in crime control, and pointed out that the Department of Justice was seeking to develop a structure predicated upon cooperation with State and local agencies. The report for the Interstate Commission on Crime was given by its chairman, Judge Richard Hartshorne of New Jersey The four following model crime bills were presented to the Assembly and approved, and their speedy enactment was urged by the States:

1. Uniform Act on Fresh Pursuit of Criminals Across State Lines.
2. Uniform Criminal Extradition Act.
3. Uniform Act to Secure the Attendance of Witnesses from Without a State in Criminal Proceedings
4. Uniform Act for Out-of-State Parolee Supervision

11.00—*Session on Social Security.* Governor Gordon Browning of Tennessee presided Chairman of the Interstate Commission on Social Security, Hon. William J. Ellis, of New Jersey, presented the report of the commission Following the report, the following resolutions were presented and adopted by the Assembly:

1. The States should enact Uniform Settlement Laws (embodying the six fundamental principles contained in the resolution).

2. The States should enact the Uniform Transfer of Dependents Act, and should apply the principle of reciprocal agreements between groups of two or more States having adequate laws to encourage uniformity of practice between cooperating States.

3. The Third General Assembly urged the Congress of the United States to develop the necessary legislation and make appropriations to take care of the transient, the needy, stranded migratory worker, and other unsettled persons through grants-in-aid to the States

4. The Assembly urged the Federal Government to accept full financial responsibility for providing old age assistance and other forms of relief for Indians and persons of Indian blood, who because of their peculiar relationship to the Federal Government should be its particular concern.

5. The Assembly requested the staff of the Council of State Governments to undertake certain studies relative to unemployment compensation and to report to the Interstate Commission on Social Security by July 1, 1937.

John G. Winant, former President of the Council of State Government and then Chairman of the Federal Social Security Board, pointed out the great need for cooperation between all levels of government in dealing with the problems of general welfare and especially of social security.

12.30—Informal luncheon.

2.00—Reports of standing committees and planning session on how the States can organize to cooperate. Governor Robert L. Cochran of Nebraska presided.

Report of Credentials Committee—Senator Stanley P. Mead of Connecticut.

Report of Rules Committee—Commissioner Henry F. Long of Massachusetts.

Report of American Legislators' Association—Senator T. V Smith of Illinois in the absence of its president, Senator Henry Parkman, Jr., of Massachusetts. Several research and study problems that might be undertaken by the association and the council staff were suggested.

Resolution of Senator J. Patrick Beacom of West Virginia urged the States to adopt the Uniform Act Creating State Commissions on Interstate Cooperation, to deal especially with the flood problem. Resolution was adopted.

Resolution presented by Senator T. V. Smith of Illinois to establish a committee to promote interlevel cooperation of Federal, State, and local governments. Resolution was adopted.

Report of Committee on Operation of Commission for Council Development—Senator Jacob Weiss of Indiana. The resolution embodied in the report was amended and adopted. Subsequent amendment provided that a meeting of the Commission on Council Development should be called in Chicago within the calendar year to plan the council's expansion program

7 00—Formal banquet.

Toastmaster, Honorable Paul V. McNutt, President of the Council of State Governments. Mr. Louis Brownlow, Director of Public Administration Clearing House and Chairman of the President's Committee on Administrative Reorganization discussed the need for improved machinery in intergovernmental management The paper of Mr Clarence Dykstra, City Manager of Cincinnati, was read by Mr. Andrew Joyner, Jr., President of the American Municipal Association. It discussed some of the problems of American cities and of their relationship with other levels of government Executive Director of the Council of State Governments, Mr. Henry W. Toll, in giving the response for the State governments, struck the keynote of the whole Assembly with the "Declaration of Interdependence of the Governments within the United States." Following this, a message from President Roosevelt was read, which said, in part, "I trust that as a result of the council's deliberations in Washington, the aims and objects of good government everywhere may be encouraged and advanced."

SATURDAY, JANUARY 23D

9.30—Report for the National Association of Attorney Generals was made by former Attorney General Raymond Nagle, head of the attorney generals division of the council staff He outlined their proposed weekly digest of opinions of the attorney generals throughout the United States

Continuation of discussion of activities of the Interstate Commission on Crime by Judge Hartshorne

10 00—*Session on Agriculture and Regional Planning* Secretary of Agriculture Henry A Wallace, spoke on the problems of farm tenancy and rural poverty and mentioned action which the States might take to help solve this problem, especially the enactment of the State Soil Conservation Districts Law Frederic A Delano, Chairman of the Advisory Board of the National Resources Committee, spoke on Federal-State cooperation in regional planning and pointed out the interstate or regional nature of the conservation and utilization of natural resources.

11 00—*Session to Consider the Demonstrated Possibilities of Commissions on Interstate Cooperation.* Harold C Ostertag, Chairman of the New York Committee, pointed out the possibilities of effective work which the individual commission could perform and enumerated the effective measures which New York had adopted as a result of the functioning of its committee.

Activities of the regional commission known as the Interstate Commission on the Delaware River Basin were discussed by its chairman, Thomas A Logue of Pennsylvania Later, the model act for affiliation with the Council of State Governments was discussed

12.30—Luncheon.

Cary A. Hardee, former Governor of Florida and the present Secretary of the Governors' Conference, explained the purpose and functioning of the Governors' Conference and its relation with the Council of State Governments.

2.00—*Assemblyman James J. Boyle of California Presiding* Report for National Association of Secretaries of State, by its president, Theodore Dammann, Secretary of State of Wisconsin He urged the State Legislatures to defer action on both trademark legislation and the question of taxing nonprofit corporations which are in fact profit-making, until the Association of Secretaries of State had agreed upon uniform policies regarding these subjects. Report of the Interstate Commission on Conflicting Taxation by its chairman, Hon. Seabury C Mastick of New York. It dealt with the separation of sources of revenue Resolutions were adopted urging the Federal Government to relinquish the gasoline tax and also urging Congress to appropriate $25,000 to match a similar appropriation received by the Council of State Governments to finance the staff of the Tax Revision Council Address by Congressman Robert L Doughton (North Carolina), Chairman of the House Ways and Means Committee, on the work of the Tax Revision Council. He pointed out the constitutional sovereignty of both the Federal and State Governments over the same people in the same fields of taxation.

7.00—Dinner.

Address by Governor George H. Earle of Pennsylvania on "Progressive Government in America" He stated, among other things, that economic feudalism is still rampant, that the distribution of the tax burden is still unjust, that the unemployment problem is the biggest problem in America today, and that government must meet the changing needs of the times if it is to continue to exist.

SUNDAY, JANUARY 24TH.

10 30—Joint meeting of all delegates interested in regional problems. There was discussion of various problems in which each of the represented States was interested. From the discussion, plans were formulated for the taking of action on the flood problem in the Ohio Basin (Subsequently, the Interstate Commission on the Ohio Basin was established in Columbus.)

The Assembly adjourned at noon.

Conclusions.

It is my belief that the Council of State Governments should be encouraged to the extent that a bill should be passed to create a Legislative Body on Interstate Cooperation It is interesting to note that the four uniform bills, proposed by the Interstate Commission on Crime, were passed by both houses of the present session This is the first uniform law recommended by the Council of Governments to be adopted by the State of California.

That Senator Henry W. Toll is to be complimented upon the achievement of the almost unbelievable task of bringing together 300 representatives from the various States of the Union, representing Governors, Secretaries of State, Tax Commissioners, and members of the Legislature

That intergovernmental cooperation requires a more modern conception of government, and order, and that this condition is being brought about by the Council of State Governments—the results already achieved by those charged with the government of the States, in that they have pooled their knowledge and experience in discussing complex problems of State and Nation for a harmonious adjustment, which is the modern American Plan

I am herewith returning to the Controller the sum of $180 15

JAMES J. BOYLE

Introduction and Reference of Bills.

The following bill was introduced:

Assembly Concurrent Resolution No. 61: By Miss Miller—Relative to the designation of members of the Legislature to represent the State of California at the Golden Jubilee Celebration of the Tournament of Roses at Pasadena on New Year's Day, 1939.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 61, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 61.

Assembly Concurrent Resolution No. 61—Relative to the designation of members of the Legislature to represent the State of California at the Golden Jubilee Celebration of the Tournament of Roses at Pasadena on New Year's Day, 1939.

Assembly Concurrent Resolution No 61 read, and adopted by the following vote.

AYES—Andreas, Breed, Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Field, Flint, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Rosenthal, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—54.

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate bills as follows:

Senate Bill No. 33.
Senate Bill No. 83.
Senate Bill No. 439.
Senate Bill No. 930.
Senate Bill No. 972.

And requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on unfinished business calendar.

Notices of Motion to Reconsider Continued.

On motion of Mr. Cottrell, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No 443 was passed was continued until the next legislative day.

On motion of Mr. Rosenthal, the consideration of his notice of motion to reconsider the vote whereby Senate Bill No. 585 was refused passage was continued until the next legislative day.

Adjournment.

At eleven o'clock and fifty minutes p.m., on motion of Mr. King, the Speaker declared the Assembly adjourned this day until ten o'clock a m, Friday, May 28, 1937.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-SECOND SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SECOND LEGISLATIVE DAY
ONE HUNDRED FORTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, FRIDAY, MAY 28, 1937.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. William Moseley Jones, Speaker of the Assembly, in the chair. Chief Clerk James G. Smyth at the desk.

Roll Call.

The roll was called, and the following members answered to their names:

Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Crouin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—79

Quorum present.

Prayer.

Upon invitation of the Speaker, prayer was offered by Rev. Father John E. Tumulty of Sacramento.

Reading of the Journal Dispensed With.

On motion of Mr. Lyon, the further reading of the Journal of Thursday, May 27, 1937, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Waters, on motion of Mr. Cunningham.

Guests Extended Privilege of Assembly Floor.

On request of Messrs. Cottrell and Beene, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Randall O'Neill of San Jose.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ellen Marie Welch, and Ann Catherine Welch.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Richard (Dick) Scollin, manager of Senator Hotel, Sacramento.

On request of Mr. Peek, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. O. P. Mattson, formerly of Long Beach.

On request of Messrs. Dilworth and Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A Heber Winder of Riverside.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No. 722.
Assembly Bill No. 2905.

J. A. BEEK, Secretary of Senate.
By F ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 2176.
Assembly Bill No. 2831.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 88—An act to amend section 1600 of the Welfare and Institutions Code, relating to orphaned and abandoned children

The question being put: Shall the Assembly concur in the following Senate Amendment to Assembly Bill No. 88?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend", and insert in lieu thereof the following: "repeal".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 88 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sheehan, Stream, Thorp, Turner, Watson, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 88 ordered to enrollment.

Assembly Bill No. 2178—An act to amend section 632 of the Agricultural Code, relating to records.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2178?

Amendment No. 1.

On page 2 of the printed bill, between lines 8 and 9, insert the following: "Milk and cream must be thoroughly mixed and stirred before samples are taken. Containers of a size larger than a ten-gallon milk can from which samples are taken must be equipped with mechanical devices which will thoroughly mix the milk or cream to be sampled. Such mechanical devices shall be of a type and installed in a manner as provided in rules and regulations promulgated by the director."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2178 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Clark, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray,

Miller, Eleanor, Miller, George P., Millington, Morgan, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sheehan, Stream, Thorp, Turner, Watson, Williamson, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 2178 ordered to enrollment.

Assembly Bill No. 2195—An act to amend sections 500, 501, 503, and 505 of the Vehicle Code, relating to felonies and other offenses.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2195?

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, after the word "defined," strike out the balance of said line 13, and all of lines 14 and 15, and insert in lieu thereof the following: "as meaning either "reckless driving" as defined in subdivision (a) of section 505 of this code, or wilful indifference."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2195 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Clark, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sheehan, Stream, Thorp, Turner, Watson, Williamson, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 2195 ordered to enrollment.

Assembly Bill No. 2499—An act to amend sections 57 and 58 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2499?

Amendment No. 1.

On page 2, line 18, of the printed bill, as amended, strike out "previously", and after "been", insert the following: "previously".

Amendment No. 2

On page 3, line 14, of the printed bill, as amended, strike out "184 99", and insert in lieu thereof the following "194 99"

Amendment No. 3.

On page 8, line 44, of the printed bill, as amended, strike out "2,184 44", and insert in lieu thereof the following: "2,184 00".

Amendment No. 4.

On page 10, line 16, of the printed bill, as amended, after the period, insert the following: "In order to determine when an individual is partially unemployed the commission shall determine and redetermine his average weekly wage in the manner provided in subsection (d) hereof at such reasonable times as the commission may find necessary to administer this act and may by special rule prescribe. For the purpose of such determination the base period shall consist of the first eight out of the last nine completed calendar quarters immediately preceding the date with respect to which an individual's average weekly wage is determined, except that as to any individual whose average weekly wage is determined with respect to any date within the first calendar quarter of the year 1938, the base period for the purpose of such determination shall consist of the first seven out of the last eight completed calendar quarters immediately preceding the date with respect to which such determination is made."

Amendment No. 5.

On page 10, line 27, of the printed bill, as amended, strike out "wages in excess of three hundred ninety dollars", and strike out lines 28 to 31, inclusive.

Amendment No. 6.

On page 11, line 16, of the printed bill, as amended, strike out "total of such wages bears to the"

Amendment No. 7.

On page 11 of the printed bill, as amended, after line 21, insert the following "(h) An individual's weekly benefit amount and the maximum total amount of benefits payable to him in any one benefit year shall be determined as herein

provided in accordance with such procedure as the commission may by special rule prescribe"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2499 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Clark, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sheehan, Stream, Thorp, Turner, Watson, Williamson, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 2499 ordered to enrollment.

Assembly Bill No. 101—An act to amend section 1680 of the Labor Code, relating to the establishment of free employment bureaus.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 101?

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, after the word "Sacramento", strike out the comma and the words "and, whenever the chief of the", strike out all of line 7, and insert in lieu thereof a period.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 101 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Kepple, Latham, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Miller, George P., Millington, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Williamson, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 101 ordered to enrollment.

Assembly Bill No. 628—An act to amend sections 216 and 217 of the Vehicle Code, relating to registration of motor vehicles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 628?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 4 to 11, inclusive, and insert in lieu thereof the following:

"Except as provided in section 217, every nonresident, including any foreign corporation, having an established place of business within this State and owning and regularly operating in such business any vehicle of a type subject to registration hereunder shall register each such vehicle. The same fees shall be collected therefor as is required with reference to like vehicles owned by residents of this State, in addition to any other registration fees required upon registration of a vehicle previously registered outside this State."

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 216", and insert in lieu thereof the following: "sections 216 and 217".

Amendment No. 3

On page 1 of the printed bill, as amended, strike out lines 4 to 23, inclusive, and insert in lieu thereof the following:

"(a) Every nonresident, including any foreign corporation, having an established place of business within this State and owning and regularly operating in such business any vehicle of a type subject to registration hereunder shall register each such vehicle.

(b) Any nonresident owner of a vehicle of a type subject to registration in this State who, while residing in this State, accepts gainful employment within this State shall for the purposes of, and subject to the provisions of this code, be considered a resident of this State;

SEC. 2 Section 217 of the Vehicle Code is hereby amended to read as follows:

217. Foreign Vehicles Used Commercially—When Exempt from Fees. The vehicles mentioned in section 215 shall not be subject to registration or payment of fees in this State, if the State in which the owner has his residence and in which such vehicle is registered exempts from registration fees like vehicles from the State of California, and the same privileges shall be granted by this State to the vehicles from such other State as said State grants to like vehicles registered in California."

Amendment No. 4.

On page 2, line 9, of the printed bill, as amended, after the numerals "215", add the following: "or 216".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 628 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Patterson, Peek, Pelletier, Redwine, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 628 ordered to enrollment.

Assembly Bill No. 946—An act to amend the title to Article IV, Chapter 14, Division 3 of the Probate Code and to amend sections 201.5, 541.5, 645, 646, 752, 770, 771, 772, 780, 830, 860, 1480, 1482, 1530, 1531, 1532, 1533 and 1534 of the Probate Code, to repeal section 930.5 of the Probate Code, and to add sections 578a, 1518 and 1519 to the Probate Code, all relating to the estates of deceased persons, incompetent persons, and minors.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 946?

Amendment No. 1.

On page 5 of the printed bill, strike out lines 44 and 45, and insert in lieu thereof the following:

"SEC. 15. Section 1482 of said code is hereby renumbered as section 1534a of the Probate Code to be included in Chapter VIII of Division IV of the Probate Code and is hereby amended to read as follows:".

Amendment No. 2.

On page 5, line 46, of the printed bill, strike out "1482", and insert in lieu thereof the following: "1534a".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 946 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Gannon, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Williamson, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 946 ordered to enrollment.

Assembly Bill No. 1206—An act to add sections 34.5, 50, 51, 145.1, 604.1, 604.2, 604.3, 604.4, 682 and 682.1 to the Vehicle Code, relating to the transportation of certain inflammable liquids upon highways in this State.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1206?

Amendment No. 1.

On page 7, line 50, of the printed bill, as amended, strike out "145.1", and insert in lieu thereof the following: "604".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1206 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Cunningham, Dannenbrink, Dawson, Dilworth, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1206 ordered to enrollment.

Assembly Bill No. 1757—An act to regulate the operation, conduct, sanitation, use and maintenance of trailer camps and trailer coaches

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1757?

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out the comma and "or where space is rented or held"; strike out lines 10 to 12, inclusive, and insert in lieu thereof a period, and as a separate paragraph, the following:

"This act shall not apply to any trailer coach or group of trailer coaches that constitute wholly or in part an auto camp as defined in Chapter 214 of the Statutes of 1931."

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, strike out the period, and strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: ". or where space is rented or held out for rent to owners or users of trailer coaches or free camping is permitted to owners or users of trailer coaches for the purpose of securing their trade."

Amendment No. 3.

On page 4, line 41, of the printed bill, as amended, strike out "health department", and insert in lieu thereof the following: "Department of Industrial Relations, acting through the Division of Immigration and Housing.".

Amendment No. 4.

On page 4, line 43, of the printed bill, as amended, strike out "may", and insert in lieu thereof the following: "shall".

Amendment No. 5.

On page 1 of the printed bill, as amended, between lines 15 and 16, insert the following:

"SEC 3 5 It shall be unlawful for any person, firm or corporation to commence the operation or construction of a trailer camp or to construct additional buildings or reconstruct or move buildings in an existing trailer camp unless such person, firm or corporation shall first make application in writing to the Division of Immigration and Housing, Department of Industrial Relations, and obtain a permit therefor. Such application shall be accompanied by a description of the grounds upon which said trailer camp is to be constructed or reconstructed or upon which new buildings are to be erected in an existing trailer camp, together with plans and specifications of the proposed construction or reconstruction of such buildings and a description of the water supply, ground drainage, and method of sewage disposal

Ten days after filing of such application, accompanied by plans and specifications as aforesaid, an inspector of the Division of Immigration and Housing, Department of Industrial Relations, shall make an inspection and if, in the opinion of the Division of Immigration and Housing, the place selected for such trailer camp is satisfactory for such purpose and if the plans and specifications of the proposed construction, reconstruction, alteration or moving meet the requirements of this act, the Division of Immigration and Housing shall issue to said applicant or applicants a permit for such work.

For the purpose of defraying expenses of inspection, checking of plans and other incidental costs, the application referred to shall be accompanied by a fee of twenty-five dollars, which fee shall be paid to the Department of Industrial Relations for credit to the Division of Immigration and Housing; provided, however, that in the case of any addition, alteration, or repair to buildings, or equipment in any trailer camp heretofore erected, such application need not be accompanied by any fee."

Amendment No. 6.

On page 2, lines 50 and 51, of the printed bill, as amended, strike out ", except a chemical toilet".

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No 1757 by the following vote:

AYES—Dannenbrink, Dawson, Fulcher, Johnson, Maloney, Patterson, Sheehan, and Thorp—8.

NOES—Boyle, Burns, Hugh M. Clark, Cottrell, Cunningham, Dilworth, Gannon, Garibaldi, Gilbert, Gluck, Hawkins, Heisinger, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Peek, Pelletier, Reaves, Redwine, Rosenthal, Scudder, Stream, Turner, Walker, Watson, Williamson, and Mr. Speaker—36.

Assembly Bill No. 1794—An act to add Chapter 8, comprising sections 1830 to 1830.42, inclusive, to Part 2, Division 1, of the Insurance Code, licensing and regulating persons engaged in the business of writing,

procuring and furnishing bail and bail bonds in criminal actions, and providing penalties for the violation thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1794?

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, strike out "7 of this part", and insert in lieu thereof the following: "5 of this part or Chapter 1, Part 4, Division 2 of this code"

Amendment No. 2.

On page 2, line 31, of the printed bill, as amended, strike out "1830.26", and insert in lieu thereof the following: "1830.25".

Amendment No. 3.

On page 2 of the printed bill, as amended, between lines 39 and 40, insert the following

"1830.26. Unless previously revoked by the commissioner every permit issued under this article expires on July 1st of every year unless a renewal application is duly and properly filed with the commissioner on or before that date. If such renewal application is so filed such permit expires upon the date of issue of the new permit or of notice of denial thereof. The commissioner, in his discretion, may issue such permit upon filing of renewal application and payment of fee therefor, without further investigation or requiring further information from the applicant.

1830.27. The commissioner shall require in advance the following fees.

(a) For filing the application for each permit to engage in the bail bond business, fifty dollars.

(b) For filing the application for each permit to act as agent or solicitor for any person engaged in the bail bond business, ten dollars."

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following

"1830.34. Before granting any permit to engage in the bail bond business, the commissioner shall require the applicant to deposit with the"

Amendment No. 5.

On page 3, line 15, of the printed bill, as amended, strike out "as the case", and in line 16 strike out "may be".

Amendment No. 6.

On page 3 of the printed bill, as amended, strike out line 17, and insert in lieu thereof the following: "of California.

1830.36. Before granting any permit to act as agent or solicitor for any person engaged in the bail bond business, the commissioner shall require the applicant to deposit with the commissioner a bond having an admitted surety insurer as surety thereon in the penal sum of $1,000, conditioned upon the proper application and deposit of all moneys collected or received by the permittee in favor of the people of the State of California.

1830.38. Any person suffering loss or damage on"

Amendment No. 7.

On page 3, line 18, of the printed bill, as amended, strike out "such permittee", and insert in lieu thereof the following: "permittee under this article in respect to business done or transactions occurring under or by virtue of authority granted by the permit,".

Amendment No. 8.

On page 3, line 19, of the printed bill, as amended, strike out "said bond", and insert in lieu thereof the following: "any bond covering such permittee as provided by this article".

Amendment No. 9.

On page 3, line 6, of the printed bill, as amended, strike out "has been convicted of a felony, or that he".

Amendment No. 10.

On page 3 of the printed bill, as amended, strike out lines 33 to 36, inclusive.

Amendment No. 11.

On page 3 of the printed bill, as amended, after line 40, insert the following

"Sec. 2. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional."

Amendment No. 12.

On page 3, line 42, of the printed bill, as amended, strike out "deposit", and insert in lieu thereof the following: "disposal".

Amendment No. 13.

On page 1, line 12, of the printed bill, as amended, after the word "to", insert the following: "Part 5, Division 2 or"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1794 by the following vote:

AYES—Burns, Hugh M., Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Redwine, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 1794 ordered to enrollment.

Assembly Bill No. 50—An act to amend sections 451, 491 and 492 of and to add section 458.1 to the Agricultural Code, relating to dairies and dairy products.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 50?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "458".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, after the word "of", insert the following: "and to add section 458.1 to".

Amendment No. 3.

On page 1 of the printed bill, as amended, after line 14, insert the following: "No provision of this division, except subdivision (b) of section 458.1, or any rule and regulation of the director is a limitation on the power of a municipality or county to provide for reasonable additional regulations not in conflict therewith requiring standards higher than the minimum requirements for the grades of market milk established in this division."

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out "Section 458 of the Agricultural Code is hereby", and strike out all of line 16, and insert in lieu thereof the following: "Section 458.1 is hereby added to the Agricultural Code to read as follows:".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out all of lines 17, 18, 19 and 20, and on page 2, strike out all of lines 1, 2, 3 and 4, inclusive, and insert in lieu thereof the following:

"458.1. The director shall either directly or indirectly through his authorized agents".

Amendment No. 6.

On page 2, line 5, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof "(a)".

Amendment No. 7.

On page 2, line 8, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof: "(b)"

Amendment No. 8.

On page 2, line 22, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof: "(c)".

Amendment No. 9.

On page 2, line 23, of the printed bill, as amended, strike out the words "employees of", and insert in lieu thereof the following: "persons hereafter employed by".

Amendment No. 10.

On page 4 of the printed bill, as amended, strike out all of line 4, and insert in lieu thereof: "Section 458.1, subdivision (b) of this division,".

Amendment No. 11.

On page 4 of the printed bill, as amended, strike out all of lines 5 to 12, inclusive, and insert in lieu thereof the following: "If the provisions of this division and the standards established by or adopted pursuant to the authority granted in this division are complied with a permit shall be issued by the director or the approved milk inspection service, if the applicant's milk is to be sold or distributed within a city or county or combination thereof maintaining an approved milk inspection service, to such dairy, milk plant or place of business."

Amendment No. 12.

On page 1, line 1 of the title of the printed bill, as amended, after the word "of", strike out the words ", and to add section 490.4 to,"

Amendment No. 13.

On page 2, line 25, of the printed bill, as amended, after the word "services", insert the following: "and said employees shall take and successfully pass such examinations to determine their fitness as shall be established by the director, the conduct of which examinations are hereby authorized."

Amendment No. 14.

On page 2, line 30, of the printed bill, as amended, after the word "commission", insert the following: 'no examination by the director shall be required provided, however,".

Amendment No. 15.

On page 2, line 44, of the printed bill, as amended after the word "ordinances", insert the following ", not in conflict with the provisions of this division,".

Amendment No. 16.

On page 2, line 46, of the printed bill, as amended, strike out the words "if the consent of said", and strike out all of line 47, and insert in lieu thereof the following: "provided that a permit in accordance with section 492 has been previously obtained from such other milk inspection service."

Amendment No. 17.

On page 3 of the printed bill as amended, strike out all of lines 1 to 9, inclusive

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 50 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dilworth Fulcher, Gannon Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Lore, Lyon, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Watson, and Mr. Speaker—42.

NOES—Dawson, Levey, and Williamson—3

Assembly Bill No 50 ordered to enrollment.

Assembly Bill No. 641—An act providing for a record of the ownership of street improvement bonds, fixing the time within which such recording should be made, and providing for the effect of failure to so record.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 641?

Amendment No. 1.

On page 2, line 48, of the printed bill, as amended, strike out "six months", and insert in lieu thereof the following: "one year".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 641 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Clark, Cottrell, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Johnson, Kepple, Kuchel, Latham Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—47.

NOES—None.

Assembly Bill No. 641 ordered to enrollment.

Assembly Bill No. 2358—An act to amend sections 1 and 2 of an act entitled "An act to authorize municipal corporations to issue bonds for the purpose of acquiring other general obligation bonds of the municipal corporation, or bonds issued by or for districts therein or bonds issued for street work or other public improvements, and providing for acquiring such bonds, and the levy or collection of taxes and assessments to pay principal and interest of bonds acquired, the use of funds derived from bonds issued under this act or acquired under this act and the payment of bonds issued under this act," as amended, approved April 26, 1909, relating to the issuance, sale or

exchange and redemption of bonds by a municipal corporation for the purpose of acquiring other general obligation bonds of the municipal corporation or bonds issued for street work or other public improvement.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2358?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "orig-", and strike out lines 2 to 6, inclusive, and in line 7, strike out "follows:", and insert in lieu thereof the following: "entitled".

Amendment No. 2.

On page 1, line 16 of the title of the printed bill, as amended, strike out the period and insert in lieu thereof the following: "approved April 26, 1909, relating to the issuance, sale or exchange and redemption of bonds by a municipal corporation for the purpose of acquiring other general obligation bonds of the municipal corporation or bonds issued for street work or other public improvement."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2358 by the following vote:

AYES—Bayuham, Boyle, Breed, Clark, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peck, Pelletier Reaves, Redwine, Rosenthal, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—47

NOES—None

Assembly Bill No 2358 ordered to enrollment.

Assembly Bill No. 2849—An act to amend sections 4 and 23 of an act entitled "An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections, and providing for the punishment of all violations of the provisions of this act," approved May 3, 1923, as amended, relating to voting machines

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2849?

Amendment No. 1.

On page 3, line 1, of the printed bill, after the period, add the following: "Where both voting machines and paper ballots are used, the names of candidates shall as far as possible be placed upon the voting machines, and the name of no candidate shall be placed upon a paper ballot if any measure or proposition is placed upon a voting machine"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 2849 by the following vote:

AYES—Bayuham, Breed, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—50

NOES—None.

Assembly Bill No 2849 ordered to enrollment.

Assembly Bill No. 2878—An act providing ways and means for liquidating, refinancing and readjusting defaulted bonds and warrants secured by, or payable out of proceeds derived from, special assessments and special taxes; for judicial proceedings to carry out such purpose, for the confirmation of plans for liquidation, refinancing and readjust-

ment; authorizing the exercise of the police power and the power of eminent domain; for the acquisition and cancellation of such obligations of such bonds and warrants held by persons not accepting such plan; declaring an emergency and the urgency hereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2878?

Amendment No. 1.

On page 3, line 40, of the printed bill, after the word "including", insert the following ", without in anywise limiting the generality of the foregoing,".

Amendment No. 2.

On page 10, line 33, of the printed bill, strike out "the special assessment district", and insert in lieu thereof "the governing body which adopted the plan".

Amendment No. 3.

On page 10, line 34, of the printed bill, after the letters "cellation", insert the following: "on behalf of the special assessment district".

Amendment No. 4.

On page 11, line 21, of the printed bill, after the period, insert the following: "Provision for the payment of such fees or expenses or provision for any such borrowing or the repayment thereof may be included in and made a part of the plan. The governing body which adopted the plan is hereby authorized to expend any available moneys from the general fund of the county, city and county, municipal or public corporation of which it is the legislative body, for the payment of such fees, expenses, or such borrowings or any part thereof."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2878 by the following vote:

AYES—Bayham, Boyle, Breed, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Morgan, Patterson, Peck, Pelletier, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 2878 ordered to enrollment.

Assembly Bill No. 2622—An act to define business opportunity brokers and salesmen; to provide for the regulation, supervision and licensing thereof by the State Real Estate Division and the Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2622?

Amendment No. 1.

On page 2, line 17, of the printed bill, as amended, after the word "trust", strike out the period and insert in lieu thereof a comma, and add the following: "nor to a real estate broker or real estate salesman while acting as such in connection with the sale, lease or exchange of real property or an interest therein when the transfer of a business, business opportunity or good will of an existing business is purely incidental to the sale, lease or exchange of real property."

Amendment No. 2.

On page 7, line 3, of the printed bill, as amended, after the word "be", strike out "two", and insert in lieu thereof "one".

Amendment No. 3.

On page 7, line 4, of the printed bill, as amended, strike out "dollars", and insert in lieu thereof "dollar."

Amendment No. 4.

On page 7, line 6, of the printed bill, as amended, after the word "be", strike out "two dollars", and insert in lieu thereof "one dollar."

Amendment No. 5.

On page 7, line 8, of the printed bill, as amended, after the word "be", strike out "two dollars", and insert in lieu thereof "one dollar."

Amendment No. 6.

On page 7, line 9, of the printed bill, as amended, after the word "be", strike out "two dollars", and insert in lieu thereof "one dollar."

Amendment No. 7.

On page 7, line 11, of the printed bill, as amended, after the word "be", strike out "two dollars", and insert in lieu thereof "one dollar."

Amendment No. 8.

On page 7, line 39, of the printed bill, as amended, after the word "of", strike out "two dollars", and insert in lieu thereof "one dollar."

Amendment No. 9.

On page 13, line 2, of the printed bill, as amended, after the word "a", strike out "public offense", and insert in lieu thereof "misdemeanor."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2622 by the following vote:

AYES—Boyle, Breed, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Weber, Williamson, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 2622 ordered to enrollment.

Assembly Bill No. 287—An act to amend section 2349 of the Political Code, relating to navigable streams and public waterways.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 287?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "2349 of the Political", and insert in lieu thereof the following: "105 of the Harbors and Navigation".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "2349 of the Political", and insert in lieu thereof the following: "105 of the Harbors and Navigation".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 27, inclusive; on page 2, strike out lines 1 to 50, inclusive; and on page 3, strike out lines 1 to 37, inclusive, and insert in lieu thereof the following:

"105. The following streams and waters are also navigable and are public ways:

Sacramento River, between its mouth and a point one hundred feet below Reid's Ferry, in Shasta County.

Salinas River and Elkhorn Slough, or Estero Viejo, in Monterey County, from its mouth to a point as far up as tidewater flows.

San Joaquin River, between its mouth and Sycamore Point

San Leandro Bay, in the county of Alameda, the waters included in the estuary of San Antonio and the tidal canal connecting it with San Leandro; and the airport channel extending from the bay.

San Rafael Creek, in Marin County, from its mouth to a point as far as tidewater flows therein.

Sonoma River, between its mouth and a point opposite Fowler's hotel in the town of San Luis.

Stockton Slough, between its mouth and the west line of El Dorado Street in Stockton.

Suisun River, between its mouth and the town of Suisun embarcadero.

Tuolumne River, between its mouth and Dickinson's Ferry.

Yuba River, between its mouth and a point at the mouth of the slough at the foot of F Street, in the city of Marysville."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 287 by the following vote:

AYES—Baynham, Breed, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Morgan, Patterson, Peek, Pelletier, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 287 ordered to enrollment.

Assembly Bill No. 1049—An act providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1049?

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, strike out "trademark", and insert in lieu thereof the following: "mark".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1049 by the following vote:

AYES—Boyle, Breed, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—50.

NOES—None.

Assembly Bill No. 1049 ordered to enrollment.

Assembly Bill No. 2343—An act making it unlawful, in any zoning or other ordinance of any city or city and county to prohibit the erection and/or maintenance of a private school or schools in any residential or other district in such city or city and county in which the erection and/or maintenance of a public school or schools is permitted.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2343?

Amendment No. 1.

On page 2 of the printed bill, as amended, following line 12, insert the following: "SEC. 3. As used in this act, "private schools" means only private full-time day schools, taught in the English language, and offering instruction in the several branches of study required to be taught in the public schools of this State."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2343 by the following vote:

AYES—Baynham, Breed, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 2343 ordered to enrollment.

Assembly Bill No. 2419—An act to amend section 2 of the Fish and Game Code, relating to definitions.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2419?

Amendment No. 1.

On page 2 of the printed bill, as amended, after line 12, insert the following: "p. "Chumming" means the placing in the water of fish, parts of fish, or other material upon which fish feed, for the purpose of attracting fish to a particular area in order that they may be taken."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2419 by the following vote:

AYES—Andreas, Boyle, Breed, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington,

Muldoon, Patterson, Peek, Pelletier, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, Welsh, and Mr. Speaker—49.

NOES—None.

Assembly Bill No 2419 ordered to enrollment.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 412.

The following Senators: Biggar, Law and Cunningham, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 869

The following Senators: Tickle, Knowland and Hays, to meet with a like committee from your honorable body

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to the following bill.

Assembly Bill No. 802.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to:

Assembly Bill No. 1176—An act to amend section 1286 of the Fish and Game Code, relating to transporting deer;

And appointed Senators Young, McColl and Metzger as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 1176.

The Speaker announced the appointment of Messrs. Redwine, Garland and Watson, as a Committee on Free Conference concerning Assembly Bill No 1176.

Reports of Committees on Free Conference.

The following reports of Committees on Free Conference were received and read:

Concerning Assembly Bill No. 3.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1937.

MR SPEAKER: Your Committee on Free Conference concerning

Assembly Bill No. 3—An act to amend sections 1, 3, 4, 5, 6, 10, 11, 12, and 13 of the Unfair Practices Act, to repeal sections 8 and 15 of said act, and to add sections 5 5, 15, 16 and 17 thereto, all relating to unfair trade practices.

Reports that it has met a like committee of the Senate, consisting of Senators Crittenden, Parkman and Tickle, and reports that the Committee on Free Conference has agreed to recommend the following

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "5 5,".

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out all of lines 11 to 49, inclusive

Amendment No. 3.

On page 5, lines 14 and 15, of the printed bill, as amended, strike out "in a retail transaction and sale"

Amendment No. 4.

On page 5, line 19, of the printed bill, as amended, strike out "wholesaler or any person", and insert in lieu thereof the following. "selling an article or product of his own manufacture,"

Amendment No. 5.

On page 5, line 21, of the printed bill, as amended, after "similar", strike out the comma, and insert the following "or".

Amendment No. 6.

On page 5, line 22, of the printed bill, as amended, strike out "or kindred".

Amendment No. 7.

On page 6, line 22, of the printed bill, as amended, strike out "and 5.5".

Amendment No. 8.

On page 5, line 3, of the printed bill, as amended, strike out ", 5 and 5.5", and insert in lieu thereof the following "and 5".

BOYLE.
LYON.
DESMOND.
Assembly Committee on Free Conference.

CRITTENDEN.
PARKMAN.
TICKLE.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Breed, Clark, Cottrell, Crowley, Cunningham, Dannenbrink, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Weber, Welsh, Yorty, and Mr. Speaker—55

NOES—None

Concerning Senate Bill No. 558.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning

Senate Bill No. 558—An act authorizing cities to construct and maintain public improvements within and without the territorial boundaries of said cities;

Reports that it has met a like committee of the Senate, consisting of Senators Phillips, Fletcher and Young, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended in Assembly on May 11th, strike out the following words. "As to any such tun-", and strike out all of lines 5 and 6

STREAM
ANDREAS
MEEHAN
Assembly Committee on Free Conference

FLETCHER.
YOUNG.
PHILLIPS
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote

AYES—Andreas, Boyle, Clark, Cottrell, Cunningham, Dawson, Dilworth, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, McMurray, Miller Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber Welsh, Williamson, and Mr. Speaker—45.

NOES—Dannenbrink, Donnelly, Johnson, Mayo, O'Donnell, Pelletier, Reaves, and Yorty—8.

Concerning Senate Bill No. 412.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937

MR SPEAKER: Your Committee on Free Conference concerning

Senate Bill No. 412—An act to amend sections 4262 and 4279 of the Political Code, relating to compensation of officers in counties of the thirty-third and fiftieth classes;

Reports that it has met a like committee of the Senate, consisting of Senators Biggar, Law and Cunningham, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 2, line 26, of the printed bill, as amended, strike out "two thousand dollars", and insert in lieu thereof the following: "one thousand eight hundred dollars".

Amendment No. 2.

On page 2, line 30, of the printed bill, as amended, strike out "nine", and insert in lieu thereof the following: "eight".

Amendment No. 3.

On page 2, line 31, of the printed bill, as amended, strike out "twenty", and insert in lieu thereof the following: "ten".

Amendment No. 4.

On page 2, line 34, of the printed bill, as amended, strike out "six", and insert in lieu thereof the following: "four".

CROWLEY.
CUNNINGHAM.
Assembly Committee on Free Conference.

BIGGAR.
LAW.
CUNNINGHAM.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Boyle, Cottrell, Crowley, Cunningham, Daley, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Reconsideration of Senate Bill No. 443.

In compliance with his notice given on a previous day, Mr. Cottrell moved that the vote whereby Senate Bill No. 443 was passed be reconsidered.

The roll was called, and Senate Bill No. 443 refused reconsideration by the following vote:

AYES—Dawson, Gilbert, Hornblower, Lore, Lyon, McMurray, Pelletier, Reaves, Sawallisch, Sheehan, Voigt, and Mr. Speaker—12.

NOES—Baynham, Boyle, Breed, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Garland, Glick, Heisinger, Johnson, Kepple, Kuchel, Laughlin, Leonard, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Peyser, Redwine, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Watson, and Yorty—42.

Senate Bill No. 443 ordered transmitted to the Senate

Re-reference of Assembly Bill No. 1813.

On motion of Mr. Muldoon, Assembly Bill No. 1813 was withdrawn from the calendar, and re-referred to the Committee on Agriculture

Consideration of Assembly Amendments to Senate Bills.

Senate Bill No. 972—An act to amend sections 1, 3, 4, 6, 7, 8, 10, 12, 13, 14 and 15, to add sections 10¼, 11½, 13½, 13¾, 14½, 14¾, 20¼, 20½ and 21½, and to repeal section 9 of the Highway Carriers' Act, relative to the use of public highways for commercial purposes by motor vehicles.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 972?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 972 by the following vote:

AYES—Crowley, and Donnelly—2.

NOES—Baynham, Breed, Clark, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney,

Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—52.

Appointment of Committee on Free Conference Concerning Senate Bill No. 972.

The Speaker announced the appointment of Messrs Burns, Hugh M., Garibaldi and Beene, as a Committee on Free Conference concerning Senate Bill No. 972.

Senate Bill No. 33—An act to amend sections 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21, and 23, of an act entitled "An act to define personal property brokers and regulate their charges and business." approved April 16, 1909, as amended, so as to provide for the licensing of personal property brokers and brokers by the Commissioner of Corporations; to limit and regulate their charges; to authorize and regulate the assignment of wages, salary, commissions, or other compensation for services when given to a personal property broker as security for a loan of or as consideration for the payment of money, credit, goods or things in action; to provide for the administration and enforcement of this act by the Commissioner of Corporations; and to provide penalties for the violation of this act.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 33?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 33 by the following vote:

AYES—None.

NOES—Baynham, Breed, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Yorty—54.

Appointment of Committee on Free Conference Concerning Senate Bill No. 33.

The Speaker announced the appointment of Messrs. Johnson, Lyon and Tenney as a Committee on Free Conference Concerning Senate Bill No. 33.

Senate Bill No. 83—An act to add a new section to the School Code to be numbered 4102a, relating to an appropriation for vocational rehabilitation.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 83?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 83 by the following vote:

AYES—None.

NOES—Baynham, Breed, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Yorty—54

Appointment of Committee on Free Conference Concerning Senate Bill No. 83.

The Speaker announced the appointment of Messrs. Scudder, Miller, and Cottrell as a Committee on Free Conference, concerning Senate Bill No. 83.

Senate Bill No. 439—An act to amend sections 782, 784.3 and 830 of, and to add section 783.5 to the Agricultural Code, relating to fruits, nuts and vegetables.

The question being put, Shall the Assembly recede from the Assembly amendments to Senate Bill No. 439?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 439 by the following vote:

AYES—None

NOES—Baynham, Breed, Clark, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Welsh, Williamson, and Yorty—54.

Appointment of Committee on Free Conference Concerning Senate Bill No. 439.

The Speaker announced the appointment of Messrs. Dilworth, Garland, and Donnelly as a Committee on Free Conference concerning Senate Bill No. 439.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to

Senate Bill No. 166.

And requests that your honorable body recede therefrom

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Consideration of Assembly Amendments to Senate Bill No. 166.

Senate Bill No. 166—An act to establish a California Agricultural Labor Relations Board for the mediation and arbitration of agricultural labor disputes and for ancillary purposes, and to prescribe its powers and duties.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 166?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 166 by the following vote:

AYES—None

NOES—Baynham, Breed, Clark, Cottrell, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Watson, Welsh, Williamson, Yorty, and Mr. Speaker—56.

Appointment of Committee on Free Conference Concerning Senate Bill No. 166.

The Speaker announced the appointment of Messrs. Clark, Robertson, and Burns, Michael J., as a Committee on Free Conference Concerning Senate Bill No. 166.

Re-reference of Senate Bill No. 979.

Mr. Breed moved that Senate Bill No. 979 be withdrawn from the calendar, and re-referred to the Committee on Judiciary General.

The roll was called, and Senate Bill No. 979 re-referred by the following vote:

AYES—Andreas, Boyle, Breed, Clark, Cottrell, Crowley, Cunningham, Daley, Dawson, Dilworth, Donihue, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Lyon, Maloney, Martin, McMurray

Miller, Eleanor, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—49.

NOES—Dannenbrink, Garibaldi, Leonard, Lore, Mayo, Millington, Robertson, and Sawallisch—8.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to

Assembly Bill No. 2792—An act to amend sections 28a, 65a, 65d, 83a and 109 of, to add section 8a to, and to repeal section 84a of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and to make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol, and making an appropriation therefor;

And appointed Senators Seawell, Holohan, and DeLap as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 2792.

The Speaker announced the appointment of Messrs. Lyon, Hornblower, and Sawallisch, as a Committee on Free Conference concerning Assembly Bill No. 2792.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 771—An act to amend section 473a of the Political Code, relating to services of attorneys for various departments, boards, agencies and commissions of this State.

Motion to Amend Senate Bill No. 771.

Mr. Williamson moved to amend Senate Bill No. 771 as follows:

Amendment No. 1.

On page 2, line 20, of the printed bill, as amended, after "attorney", add the following: "who shall be appointed by and serve at the pleasure of the Governor and".

Amendment adopted.

Senate Bill No. 771 ordered to reprint, and third reading calendar.

Senate Bill No. 947—An act to provide for the permanent relief and rehabilitation of the indigent and unemployed families of the State of California by the removal of such families to new rural communities to be located upon large tracts of good agricultural land, and providing for loans by the State Department of Social Welfare to a nonprofit, cooperative agricultural association created to carry out such purpose and to make an appropriation therefor.

Motion to Amend Senate Bill No. 947.

Mr. Garland moved to amend Senate Bill No. 947 as follows:

Amendment No. 1.

On page 3 of the printed bill, as amended, between lines 27 and 28, insert the following:

"Sec. 7.5. No sum shall be loaned to any nonprofit cooperative association under the provisions of this act unless such association agrees that no products produced by such association shall be sold in competition with producers to whom this act is not applicable."

Demand for Previous Question.

Messrs. Morgan, Baynham, Welsh, Dannenbrink and Mrs Daley demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendment by Mr Garland.

Amendment read, and refused adoption by the following vote:

AYES—Corwin, Cottrell, Crowley, Donnelly, Gannon, Garibaldi, Garland, Leonard, Peyser, Redwine, Robertson, Walker, and Welsh—13

NOES—Andreas, Boyle, Clark, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Flint, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Watson, Weber, Williamson, Yorty, and Mr. Speaker—44.

Senate Bill No. 947 read third time.

Demand for Previous Question.

Messrs. Morgan, Dannenbrink, Johnson, Andreas and Welsh demanded the previous question.

The question being put Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 947.

The roll was called, and Senate Bill No. 947 passed by the following vote:

AYES—Andreas, Baynham, Boyle, Clark, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Flint, Fulcher, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Levey, Lore, Lyon, Maloney, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Turner, Voigt, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—51.

NOES—Breed, Corwin, Cottrell, Redwine, Robertson, and Scudder—6.

Title read and approved Bill ordered transmitted to the Senate

Senate Bill No. 536—An act making an appropriation to pay the claim of George A. Sturtevant against the State of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Clark, Corwin, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 19.

Assembly Bill No. 34.
Assembly Bill No. 395.
Assembly Bill No. 428.
Assembly Bill No. 440.
Assembly Bill No. 479.
Assembly Bill No. 685.
Assembly Bill No. 800.
Assembly Bill No. 931.
Assembly Bill No. 1085.
Assembly Bill No. 1135.
Assembly Bill No. 1175.
Assembly Bill No. 1258.
Assembly Bill No. 1259.
Assembly Bill No. 1260.

Assembly Bill No. 1274.
Assembly Bill No. 1479.
Assembly Bill No. 1480.
Assembly Bill No. 1481.
Assembly Bill No. 1482.
Assembly Bill No. 1483.
Assembly Bill No. 1484.
Assembly Bill No. 1642.
Assembly Bill No. 2805.
Assembly Bill No. 2841.
Assembly Bill No. 2893.

And reports the same correctly enrolled, and presented to the Governor on this twenty-eighth day of May, 1937, at eleven o'clock a.m.

CUNNINGHAM, Chairman.

Consideration of Senate Amendments to Assembly Bill No. 1425.

Assembly Bill No. 1425—An act to amend sections 4295 and 4300c of the Political Code, relating to fees of county recorders and to official service without fee.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1425?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "sections".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, after "4295", insert the following: "and 4300c".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, as amended, after "ing", insert the following: "to fees of county recorders and".

Amendment No. 4.

On page 3 of the printed bill, as amended, at the end thereof, insert the following:

"SEC. 2. Section 4300c of the Political Code is hereby amended to read as follows:

4300c. For recording every instrument, paper, or notice required by law to be recorded, per folio, ten cents.

For indexing every instrument, paper, or notice, for each name, ten cents.

For filing every instrument, paper, or notice for record, and making the necessary entries thereon, twenty cents; provided, however, that the minimum fee for filing for record, recording, indexing and making the necessary entries on any written instrument, paper or notice except as hereinafter or otherwise provided by law, shall be one dollar; and provided further, that the minimum fee for filing for record, recording, indexing and making the necessary entries on any conditional sale contract bailment or feeder contract, lease or mortgage of personal property or crops shall be fifty cents, and the minimum fee for filing for record, recording and indexing and making the necessary entries on any assignment, release, waiver or subordination which is designated on its face as being an assignment, release, waiver or subordination of a conditional sale contract, bailment or feeder contract, lease or mortgage of personal property or crops, shall be fifty cents.

For each certificate under seal, fifty cents

For any copy of any record or paper on file or in the office of the county recorder, when such copy is made by him, per folio, ten cents.

For examining and certifying to a copy of any record or paper on file in the recorder's office when such copy is prepared by another, three cents per folio for comparing such copy with the original

For every entry of discharge, credit, or release on the margin of record, and indexing same, fifty cents.

For searching the records of his office, for each year, fifty cents.

For abstract of title, for each conveyance or encumbrance, twenty-five cents.

For recording each map or plat where the same is copied in a book of record, for each course, ten cents.

For recording or filing each map wherein land is subdivided in lots, tracts, or parcels, five dollars.

For filing building contracts, plans and specifications, one dollar.

For figures or letters on maps or plats, per folio, ten cents; provided, that the fees for recording any map shall not exceed fifty dollars.

For taking acknowledgment of any instrument, fifty cents.

For recording marriage license, and certificate, to be paid by the county clerk, one dollar.

For filing notice of estray stock, and all services in estray cases, fifty cents.

For recording each mark or brand, one dollar.

For administering each oath or affirmation, and certifying the same, fifty cents.

For filing, indexing, and keeping each paper not required by law to be recorded, twenty-five cents; provided, however, no charge or fee shall be made for recording

or indexing any discharge of a Soldier, Sailor or Marine discharged from the Army or Navy of the United States or for issuing certified copies thereof.

The clerk, sheriff and recorder shall account for all fees in this and the two preceding sections provided for, and the clerk, sheriff, and recorder, unless otherwise provided by law, shall pay the same to the treasurer on the first Monday of the month following their collection, as provided in Article 59 of this chapter."

Amendment No. 5.

On page 3, line 26, of the printed bill, as amended, after "bond", insert the following: " ; provided further, that upon the request of any official of the United States, the county recorder shall record instruments to which the United States is a party without payment of the recording fee in advance and shall execute the proper government voucher for payment thereof, upon payment of which he shall transmit same to the treasurer with his first settlement after such collection".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1425 by the following vote:

AYES—Andreas, Baynham, Boyle, Breed, Clark, Corwin, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hunt, Johnson, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Mayo, McMurray, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Recess.

At twelve o'clock and thirty minutes p.m., on motion of Mr. King, the Assembly was declared at recess until two o'clock p.m.

Reassembled.

At two o'clock p.m., the Assembly reconvened Speaker Jones in the chair

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1151—An act making an appropriation for the support of the Railroad Commission of the State of California, to take effect immediately.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Peek, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, and Mr. Speaker—56

NOES—None

Senate Bill No. 1151 read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Peek, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 720—An act to amend sections 305 and 307 of the Agricultural Code, relating to slaughtering establishments and meat inspection

Motion to Amend Senate Bill No. 720.

Mr. O'Donnell moved to amend Senate Bill No 720 as follows:

Amendment No. 1.

On page 2, line 7, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "eight".

Amendment No. 2.

On page 3, line 9, of the printed bill, as amended, after the period, add the following: "No establishment as defined in section 301 of the Agricultural Code which is located in a county wherein State meat inspection is not mandatory at the time of the effective date of this act shall be subject to the provisions of this act unless State funds are available to care for the payment of such State inspection service."

Amendments adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Senate Bill No. 720, as amended, at this time, without reference to reprint or calendar

Consideration of Senate Bill No. 720, as Amended.

Senate Bill No. 720—An act to amend sections 305 and 307 of the Agricultural Code, relating to slaughtering establishments and meat inspection.

Senate Bill No. 720, as amended, read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, O'Donnell, Peek, Redwine, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate

Senate Bill No. 426—An act making an appropriation to pay the claim of the disbursing officer of the Fish and Game Commission against the State of California.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Clark, Cottrell, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, O'Donnell, Peek, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 1165—An act making an appropriation for contingent expenses of the Senate, and declaring that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, King, Kuchel, Leonard, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Williamson, and Mr. Speaker—57.

NOES—Dilworth, Johnson, Mayo, Scudder, and Thorp—5.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 296—An act to amend section 67 of the Code of Civil Procedure of the State of California, relating to the number of superior court judges and providing for the appointment of four additional

superior court judges in and for the City and County of San Francisco, and providing for their compensation.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dawson, Desmond, Donihue, Fulcher, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Hunt, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Weber, and Williamson—56.

NOES—Cassidy, Dannenbrink, Dilworth, Gilbert, Johnson, Mayo, Meehan, and Mr. Speaker—8.

Title read and approved. Bill ordered transmitted to the Senate.

Motion to Print Report in Journal.

Mr. Sawallisch moved that the report of the Director of Motor Vehicles be printed in the Journal.

Demand for Previous Question.

Messrs. Lore, Robertson, Johnson, Morgan and Miller demanded the previous question?

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to print the report in the Journal.

The roll was called, and the motion to print the report in the Journal lost by the following vote:

AYES—Boyle, Clark, Cottrell, Dannenbrink, Donihue, Gannon, Garland, Hawkins, Laughlin, Lore, Maloney, Mayo, McMurray, Peek, and Sawallisch—15.

NOES—Baynham, Beene, Breed, Call, Cassidy, Corwin, Crowley, Cunningham, Daley, Dawson, Dilworth, Donnelly, Glick, Heisinger, Hornblower, Johnson, King, Kuchel, Leonard, Martin, Miller, Eleanor; Morgan, Pelletier, Redwine, Richie, Robertson, Sheehan, Tenney, Voigt, Weber, Yorty, and Mr. Speaker—32.

Introduction and Reference of Bills.

The following bill was introduced

Assembly Concurrent Resolution No. 62: By Mr. Peyser—Relative to designating a representative of the State to attend and observe the Viticultural Congress and the wine judging at the International Exposition in Paris.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 62, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 62.

Assembly Concurrent Resolution No. 62—Relative to designating a representative of the State to attend and observe the Viticultural Congress and the wine judging at the International Exposition in Paris.

Assembly Concurrent Resolution No 62 read, and unanimously adopted

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Resolution.

The following resolution was offered:

By Mr. Peyser:

House Resolution No. 191.

WHEREAS, The interests of the viticultural industry of California require that the reputation of California wines for high quality be reestablished by engaging in competition with wines of the world; and

WHEREAS, In order to lay the groundwork for such competition it is desirable that the State of California have a representative to attend the Viticultural Congress and the wine judging which are to take place during the summer of 1937 in connection with the International Exposition at Paris; and

WHEREAS, Dr. M. A. Amerine of the Division of Viticulture of the University of California is attending the said exposition and is recommended by the Dean of the College of Agriculture as being eminently qualified to act as such representative; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor of the State of California is hereby requested to officially designate Dr. M. A. Amerine of the Division of Viticulture, University of California, to act as a representative of the State of California in attending and observing the Viticultural Congress and the wine judging at the International Exposition in Paris in the summer of 1937.

Request for Unanimous Consent.

Mr Peyser asked for, and was granted, unanimous consent to take up House Resolution No. 191, at this time, without reference to committee or calendar.

House Resolution No. 191 read and unanimously adopted.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 472—An act to amend section 1500 of the Civil Code, relating to the extinction of pecuniary obligations.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 472?

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the word 'clerk", and insert in lieu thereof the word "Treasurer"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 472 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Peek, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, and Mr. Speaker—56.

NOES—None

Assembly Bill No. 472 ordered to enrollment.

Assembly Bill No. 1415—An act to amend section 15 of an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to suits on assigned claims.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1415?

Amendment No. 1.

On page 1, line 7, of the printed bill, after "interest", add the following: "in any court other than a justice's court of Class B"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1415 by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Peek, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, and Mr. Speaker—56.

NOES—None.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 178—An act to add section 37 to the Fish and Game Code, relating to training schools for officers enforcing Fish and Game Laws.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Peek, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 306—An act to amend section 1033 of the Code of Civil Procedure, relating to cost bills in superior, municipal and justices' courts.

Bill read third time, and passed by the following vote:

AYES—Andreas, Baynham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Peek, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, and Mr. Speaker—56

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate

Senate Bill No. 820—An act to amend section 4300i of the Political Code, relating to public administrator's fees.

Bill read third time, and refused passage by the following vote:

AYES—Beene, Burns, Michael J., Clark, Cottrell, Cunningham, Redwine, and Robertson—7.

NOES—Breed, Call, Cassidy, Corwin, Cronin, Dannenbrink, Dawson, Desmond, Dilworth, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, King, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, and Williamson—45.

Hon. Earl D. Desmond in the Chair.

At three o'clock and ten minutes p.m., Hon. Earl D. Desmond, member of the Assembly from the Ninth District, in the chair

Senate Bill No. 824—An act to amend section 755 of the Probate Code, relating to sales of property of the estates of decedents.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cunningham, Daley, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, and Williamson—56.

NOES—Clark, Cronin, Crowley, Dannenbrink, Hawkins, Morgan, and Yorty—7.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 827—An act to amend section 762 of the Probate Code of the State of California, relating to the sale of property belonging to an estate which is subject to any lien.

Bill read third time, and refused passage by the following vote:

AYES—Beene, Call, Clark, Cottrell, Cunningham, Daley, Dilworth, Donnelly, Fulcher, Gannon, Garland, Laughlin, Lore, Mayo, Millington, Peek, Redwine, Sawallisch, Thorp, Voigt, and Yorty—21

NOES—Baynham, Breed, Burns, Michael J., Cassidy, Cronin, Dannenbrink, Dawson, Donihue, Hornblower, Johnson, Kepple, King, Levey, Maloney, Martin, McMurray, Meehan, Miller, George P., O'Donnell, Pelletier, Peyser, Richie, Scudder, Sheehan, Tenney, Turner, Walker, Weber, Williamson, and Mr. Speaker—30.

Re-reference of Senate Bill No. 175.

On motion of Mr. Fulcher, Senate Bill No. 175 was withdrawn from the calendar, and re-referred to the Committee on Judiciary General.

Hon. John H. O'Donnell in the Chair.

At three o'clock and thirty minutes p.m., Hon. John H O'Donnell, member of the Assembly from the Third District, in the chair.

Reconsideration of Senate Bill No. 585.

In compliance with a notice given on a previous day, Mr. Rosenthal moved that the vote whereby Senate Bill No. 585 was refused passage be reconsidered.

The roll was called, and Senate Bill No. 585 reconsidered by the following vote:

AYES—Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Gannon, Gilbert, Glick, Hawkins, Heisinger, Hornblower, King, Kuchel, Laughlin, Levey, Martin, McMurray, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Turner, Watson, Weber, and Yorty—44.

NOES—Cassidy, Donnelly, Field, Leonard, Mayo, and Walker—6

Consideration of Senate Bill No. 585.

Senate Bill No. 585—An act to amend section 1 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years," etc., approved June 5, 1915. Statutes 1915, p. 1225, being also known as Act 3966 of Title 290, pages 2074-5, Volume 2, General Laws of 1931, and known as the "Juvenile Court Law."

Motion to Amend Senate Bill No. 585.

Mr Rosenthal moved to amend Senate Bill No 585 as follows:

Amendment No. 1.

On page 3, line 32, of the printed bill, after "or", insert "habitually".

Amendment adopted.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Senate Bill No 585, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 585, as Amended.

Senate Bill No. 585—An act to amend section 1 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years," etc., approved June 5, 1915, Statutes 1915, p. 1225, being also known as Act 3966 of Title 290, pages 2074-5, Volume 2, General Laws of 1931, and known as the "Juvenile Court Law"

Senate Bill No. 585, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dilworth, Donihue, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Kepple, King, Kuchel, Laughlin, Levey, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Sheehan, Stream, Turner, Watson, and Weber—45.

NOES—Cassidy, Dannenbrink, Donnelly, Field, Leonard, Mayo, Walker, and Williamson—8.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Constitutional Amendment No. 9—Proposed amendment to Article XIII, section 1¼ of the Constitution, relative to exemptions of property on account of military service.

Motion to Amend Senate Constitutional Amendment No. 9.

Mr. Gannon moved to amend Senate Constitutional Amendment No. 9 as follows:

Amendment No. 1.

On page 1 of the printed measure, strike out lines 13 and 14 and insert in lieu thereof the following: "charge therefrom, or who after such service in time of war has continued in such service, or who, after such service in time of war,".

Amendment No. 2.

On page 1, line 16, of the printed measure, strike out "resulting from such service in time of peace".

Amendment No. 3.

On page 1, line 23, of the printed measure, after "served", insert the following: "in time of war".

Amendment No. 4.

On page 1 of the printed measure, strike out lines 25 and 26, and insert in lieu thereof the following: "service, or who, after such service in time of war, has been released from active duty because of disability or".

Amendment No. 5.

On page 2, line 5, of the printed measure, after "United States", insert the following: "in time of war".

Amendment No. 6.

On page 2, line 15, of the printed measure, after "made", insert the following: 'under the provisions of this section, unless the person claiming such exemption shall have complied with the statutory procedure prescribed with respect thereto, nor shall any exemption be made".

Amendment No. 7.

On page 2, line 16, of the printed measure, strike out "act", and insert in lieu thereof the following: "section".

Amendments adopted.

Request for Unanimous Consent.

Mr. Gannon asked for, and was granted, unanimous consent to take up Senate Constitutional Amendment No. 9, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Constitutional Amendment No. 9, as Amended.

Senate Constitutional Amendment No. 9—Proposed amendment to Article XIII, section 1¼ of the Constitution, relative to exemptions of property on account of military service.

Senate Constitutional Amendment No. 9, as amended, read, and adopted by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Williamson—61.

NOES—None.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Constitutional Amendment No. 9.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1¼ of Article XIII, relating to exemptions of property on account of military service

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its fifty-second regular session commencing on the fourth day of January, 1937, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 1¼ of Article XIII of the Constitution of this State be amended to read as follows

Sec. 1¼. The property to the amount of $1,000 of every resident of this State who has served in the Army, Navy, Marine Corps or Revenue Marine Service of the United States in time of war, and received an honorable discharge therefrom, or who after such service in time of war has continued in such service, or who, after such service in time of war, has been released from active duty because of disability or under other honorable conditions, or lacking such amount of property in his own name, so much of the property of the wife of any such person as shall be necessary to equal said amount; and the property to the amount of $1,000 of the widow resident in this State, or if there be no such widow, of the widowed mother resident in this State, of every person who has so served in time of war and has died either during his term of service or after receiving an honorable discharge from said service, or who, after such service in time of war, has been released from active duty because of disability or under other honorable conditions, and the property to the amount of $1,000 of pensioned widows, fathers, and mothers, resident in this State, of Soldiers, Sailors and Marines who served in the Army, Navy or Marine Corps or Revenue Marine Service of the United States in time of war shall be exempt from taxation; provided, this exemption shall not apply to any person named herein owning property of the value of $5,000 or more, or where the wife of such soldier or sailor owns property of the value of $5,000 or more.

The person claiming this exemption may apply any part or all of it to the actual value of his motor vehicle in determining the actual value for the purpose of fixing any license fee on the motor vehicle, the amount of which is a percentage of the actual value of the motor vehicle. No exemption shall be made under the provisions of this section, unless the person claiming such exemption shall have complied with the statutory procedure prescribed with respect thereto, nor shall any exemption be made under the provisions of this section of the property of a person who is not legal resident of the State; provided, however, all real property owned by the Ladies of the Grand Army of the Republic and all property owned by the California Soldiers Widows Home Association shall be exempt from taxation

Senate Bill No. 340—An act to amend section 220 of the Penal Code, relating to the crime of assault with intent to commit rape, etc.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Corwin, Cottrell, Cronin, Daley, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Heisinger, Hornblower, Kepple, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Muldoon, Peyser, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, and Williamson—43.

NOES—Crowley, Dannenbrink, Johnson, King, Lore, Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Robertson, and Yorty—14.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 629—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in

such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, and relating to penalties for violations of this act.

Bill read third time, and passed by the following vote:

AYES—Baynham, Beene, Breed, Burns, Hugh M., Burns, Michael J., Corwin, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Pelletier, Peyser, Reaves, Robertson, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, and Williamson—51.

NOES—Clark, Morgan, Patterson, Peek, Richie, Sawallisch, and Yorty—7.

Title read and approved. Bill ordered transmitted to the Senate.

The Speaker in the Chair.

At four o'clock and ten minutes p.m., Hon. William Moseley Jones, Speaker of the Assembly, in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to:

Assembly Bill No. 1757—An act to regulate the operation, conduct, sanitation, use and maintenance of trailer camps and trailer coaches;

And appointed Senators Allen, Garrison, and Williams, as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assemby Bill No. 1757.

The Speaker announced the appointment of Messrs. Laughlin, McMurray and Breed, as a Committee on Free Conference concerning Assembly Bill No. 1757.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 166.

The following Senators: Crittenden, Hays, and Seawell, to meet with a like committee from your honorable body

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 930.

The following Senators: McColl, Young, and Metzger, to meet with a like committee from your honorable body.

J A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 439.

The following Senators: Phillips, Crittenden, and Jespersen, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 83.

The following Senators: Slater, Tickle, and Knowland to meet with a like committee from your honorable body

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following

Senate Bill No. 278.
Senate Bill No. 285.
Senate Bill No. 309.
Senate Bill No. 393.
Senate Bill No. 444.
Senate Bill No. 514.
Senate Bill No. 613.
Senate Bill No. 626.
Senate Bill No. 633.
Senate Bill No. 665.
Senate Bill No. 689.
Senate Bill No. 766.
Senate Bill No. 773.
Senate Bill No. 862.
Senate Bill No. 878.
Senate Bill No. 880.
Senate Bill No. 884.
Senate Bill No. 891.
Senate Bill No. 949.
Senate Bill No. 953.
Senate Bill No. 1028.
Senate Bill No. 1068.
Senate Bill No. 1084.
Senate Bill No. 1135.
Senate Bill No. 1137.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 33.

The following Senators: Fletcher, Deuel, and Young, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 453—An act to amend section 100 of the Insurance Code, to repeal sections 119 and 12660 to 12741, inclusive, thereof, and to add sections 12660 and 12661 thereto, all relative to land value insurance.

Motion to Amend Senate Bill No. 453.

Mr Baynham moved to amend Senate Bill No 453 as follows

Amendment No. 1.

On page 2, line 7, of the printed bill, after the word "Business", insert "excepting insuring of land and real estate for not over 60 per cent of the appraised value thereof for the purpose of owners or borrowers securing loans on land and real estate," and also, after the figure "12660", in line 18, insert "excepting insuring of land and real estate for not over 60 per cent of the appraised value thereof for the purpose of owners or borrowers securing loans on land and real estate,"; and on page 2, line 8, strike therefrom, beginning with the word "imprisonment", the following: "imprisonment in the State prison for not exceeding ten years or in the county jail for not exceeding one year, or by fine not exceeding one year, or by fine not exceeding $10,000", and insert in lieu thereof the following: "as a misdemeanor, or by a fine for each offense of not exceeding $100."

Amendment read, and refused adoption by the following vote.

AYES—Baynham, Crowley, Dannenbrink, Dilworth, Glick, Hunt, King, Lore, Morgan, Pelletier, Sawallisch, and Mr. Speaker—12.

NOES—Beene, Boyle, Breed, Cassidy, Clark, Corwin, Cronin, Daley, Dawson, Desmond, Donahue, Donnelly, Field, Fulcher, Garland, Hornblower, Johnson, Kuchel, Levey, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Peek, Redwine, Richie, Scudder, Sheehan, Stream, Walker, Weber, Williamson, and Yorty—38.

Senate Bill No. 453 read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cronin, Crowley, Daley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Garibaldi, Garland, Glick, Heisinger, Hornblower, Kuchel, Levey, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Redwine, Richie, Robertson, Scudder Sheehan, Stream, Thorp, Turner, Walker, Weber, Williamson, and Yorty—49.

NOES—Baynham, Dannenbrink, Flint, Gilbert, Hunt, King, Rosenthal, Sawallisch, and Mr. Speaker—9.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 474—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court, Plumas County.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hornblower, Hunt, Johnson, Kepple, Kuchel, Levey, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58.

NOES—Lore—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 300—An act to amend section 737ff of the Political Code, relating to the compensation of the judge of the superior court, Plumas County.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, Kuchel, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—60.

NOES—Lore—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 11—Proposed amendment to Article XX of the Constitution by adding a new section to be numbered 23 thereto, relative to the investigation and settlement of disputes between employers and employees.

Motion to Table Senate Constitutional Amendment No. 11.

Mr. King moved to lay Senate Constitutional Amendment No. 11 on the table.

The roll was called, and Senate Constitutional Amendment No. 11 laid on the table by the following vote:

AYES—Boyle, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dannenbrink, Dawson, Donihue, Field, Flint, Fulcher, Gannon, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Latham, Laughlin, Levey, Lore, Maloney, Martin, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Watson, Weber, Williamson, Yorty, and Mr. Speaker—51.

NOES—Burns, Michael J., Crowley, Garland, and Walker—4.

Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to section 31 of Article IV of the Constitution of said State, relating to the lending of public credit.

Senate Constitutional Amendment No. 32 read, and adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, McMurray, Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 32.

A resolution to propose to the people of the State of California an amendment to section 31 of Article IV of the Constitution of said State, relating to the lending of public credit

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its fifty-second regular session commencing on the fourth day of January, 1937, two-thirds of all the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California that section 31 of Article IV of the Constitution of said State, relating to the lending of public money, be amended to read as follows:

Sec 31. The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State, or of any county, city and county, city, township or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof, in any manner whatever, for the payment of the liabilities of any individual, association, municipal or other corporation whatever, nor shall it have power to make any gift or authorize the making of any gift of any public money or thing of value to any individual, municipal or other corporation whatever; provided, that nothing in this section shall prevent the Legislature granting aid pursuant to section 22 of this article; and it shall not have power to authorize the State, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever, provided further, that irrigation districts for the purpose of acquiring the control of any entire international water system necessary for its uses and purposes, a part of which is situated in the United States, and a part thereof in a foreign country, may in the manner authorized by law, acquire the stock or any foreign corporation which is the owner of, or which holds the title to the part of such system situated in a foreign country, provided further, that irrigation districts for the purpose of acquiring water and water rights and other property necessary for their uses and purposes, may acquire and hold the stock of coporations, domestic or foreign, owning waters, water rights, canals waterworks, franchises or concessions subject to the same obligations and liabilities as are imposed by law upon all other stockholders in such corporation; and

Provided further, that nothing contained in this Constitution shall prohibit the use of State money or credit, in aiding veterans who served in the Military or Naval service of the United States during time of war, in the acquisition of, or payments for, farms or homes, or in projects of land settlement or in the development of such farms or homes or land settlement projects for the benefit of such veterans.

The California Veterans' Welfare Bond Act of 1921 (Statutes of 1921, Chapter 578), as enacted at the forty-fourth session of the Legislature of the State of California, authorizing the issuance and sale of State bonds in the sum of $10,000,000, for the purpose of creating a fund to carry out the provisions of the California Veterans' Welfare Act, providing land settlement for veterans (Statutes of 1921, Chapter 580), and the provisions of the "Veterans Farm and Home Purchase Act," providing farm and home aid for veterans (Statutes of 1921, Chapter 519) is hereby approved, adopted, legalized, validated and made fully and completely effective irrespective of the vote that may be cast upon the proposition of approving or disapproving such Veterans' Welfare Bond Act of 1921 at the general election of November 7, 1922. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action.

Nothing contained in this Constitution shall prohibit the distribution of any surplus, or portion thereof, in the veterans' farm and home building fund arising out of the operation of the Veterans' Farm and Home Purchase Act (Statutes of 1921, Chapter 519), by refunds, or credits on account, or otherwise, to veterans who have served in the Military or Naval service of the United States during time of war and who are, or have been, purchasers under said act, and whose payments under said act have contributed to such surplus. Any distribution made to such purchasers entitled to participate therein shall be made in sums which bear the same ratio to the surplus being distributed as such purchasers' payments into the fund bear to the total of all payments into the fund which contribute to such surplus.

And provided still further, that notwithstanding the restrictions contained in this Constitution, the treasurer of any city, county, or city and county shall have power and it shall be his duty to make such temporary transfers from the funds in his custody as may be necessary to provide funds for meeting the obligations incurred for maintenance purposes by any city, county, city and county, district, or other political subdivision whose funds are in his custody and are paid out solely through his office. Such temporary transfer of funds to any political subdivision shall be made only upon resolution adopted by the governing body of the city, county, or city and county directing the treasurer of such city, county, or city and county to make such temporary transfer. Such temporary transfer of funds to any political subdivision shall not exceed 85 per cent of the taxes accruing to

such political subdivision, shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year, and shall be replaced from the taxes accruing to such political subdivision before any other obligation of such political subdivision is met from such taxes.

And provided further, that the city of Glendale, of Los Angeles County, may, when authorized so to do, by a majority of the voters thereof voting at an election held for that purpose, pay from the surplus of the public service department of said city the amount of any assessment or assessments levied by said city between the eleventh day of May, 1921, and the ratification of this amendment, for the replacement of water mains, to the person or persons owning the property so assessed at the time said payment is so authorized; and that no statute of limitation shall apply in any manner.

Re-reference of Senate Bills Nos. 637 and 638.

On motion of Mr. Boyle, Senate Bills Nos. 637 and 638 were withdrawn from the calendar, and re-referred to the Committee on Revenue and Taxation.

Motion to Expunge Record and Rescind Action on Senate Bill No. 178.

Mr. Hornblower moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 178.

The roll was called, and the record expunged, and the action rescinded by the following vote:

AYES—Beene, Breed, Cassidy, Clark, Corwin, Cottrell, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Miller, George P., Millington, Morgan, Patterson, Pelletier, Peyser, Riehe, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—54.

NOES—None.

Consideration of Senate Bill No. 178.

Senate Bill No. 178—An act to add section 37 to the Fish and Game Code, relating to training schools for officers enforcing fish and game laws.

Motion to Amend Senate Bill No. 178.

Mr. Hornblower moved to amend Senate Bill No. 178 as follows

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "37", and insert in lieu thereof the following: "37.5".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "37", and insert in lieu thereof the following: "37.5".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "37", and insert in lieu thereof the following: "37.5".

Amendments adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No. 178, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 178, as Amended.

Senate Bill No. 178—An act to add section 37 to the Fish and Game Code, relating to training schools for officers enforcing fish and game laws.

Senate Bill No. 178, as amended, read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin,

Mayo, McMurray, Miller, George P, Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—61.

NOES—None

Title read and approved Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 578—An act to amend sections 1, 2 and 4 of, and to add two new sections to be numbered 5 and 6 to "An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor," approved July 16, 1935, and making an appropriation therefor

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Hugh M, Burns, Michael J, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Glick Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Laughlin, Leonard, Levey Lore, Maloney, Martin, Mayo, McMurray, Miller, George P, Millington, Morgan, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, and Mr Speaker—59.

NOES—Latham—1

Title read and approved Bill ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By Mr. Weber:

House Resolution No. 192.

WHEREAS, It appears that a State Blue Book will be compiled, published and distributed following the adjournment of this session of the Legislature; and

WHEREAS, It is fitting that the members of the Assembly should receive copies of the State Blue Book in order that they and their constituents may be made better acquainted with the information therein contained; now, therefore, be it

Resolved by the Assembly of the State of California, That if provision is made by law for the compiling, publishing and distributing of a State Blue Book, the Chief Clerk of the Assembly is authorized to order 865 copies of the State Blue Book for delivery in accordance with the provisions of such law, and the cost thereof, not to exceed $3,460, shall be payable from the legislative printing appropriation

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up House Resolution No. 192, at this time, without reference to committee or calendar.

House Resolution No. 192 read, and adopted by the following vote:

AYES—Beene, Burns, Hugh M, Burns Michael J, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley Cunningham, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Field, Flint Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Miller, George P, Millington, Muldoon, Patterson, Pelletier, Peyser, Reaves Redwine, Richie Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Weber, Williamson, and Mr Speaker—58

NOES—None.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1139—An act to amend sections 649, 649a, 651a and 651d of the Civil Code, relating to colleges and seminaries of learning

Motion to Amend Senate Bill No. 1139.

Mr Williamson moved to amend Senate Bill No 1139 as follows

Amendment No. 1.

On page 2, line 3, of the printed bill, as amended, after "corporation", insert "hereafter incorporated".

Amendment No. 2.

On page 2, line 10, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following "or if any corporation now existing is hereafter authorized by its amended articles of incorporation to confer such degrees or to issue such certificates or diplomas, such corporation".

Amendments adopted.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up Senate Bill No. 1139, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 1139, as Amended.

Senate Bill No. 1139—An act to amend sections 649, 649a, 651a and 651d of the Civil Code, relating to colleges and seminaries of learning.

Senate Bill No. 1139, as amended, read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Garibaldi, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—55.

NOES—Hawkins, and Pelletier—2.

Title read and approved. Bill ordered to reprint, and transmitted to the Senate.

Senate Bill No. 1018—An act to amend section 1200 of the Fish and Game Code, relating to doves.

Bill read third time, and passed by the following vote:

AYES—Beene, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Watson, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 642—An act to amend section 5.120 of the School Code, relating to the issuing of credentials by the State Board of Education.

Bill read third time, and passed by the following vote:

AYES—Beene, Boyle, Breed, Burns, Hugh M., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Peyser, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Thorp, Turner, Walker, Weber, Williamson, and Mr. Speaker—53.

NOES—Flint, Garland, King, Richie, and Tenney—5.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 664—An act to establish an unpaid Commission on Intergovernmental Cooperation.

Motion to Amend Senate Bill No. 664.

Mr. Patterson moved to amend Senate Bill No. 664 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "an unpaid", and insert in lieu thereof the following: "a".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "cooperation", insert the following: "and to make an appropriation therefor".

Amendment No. 3.

On page 3 of the printed bill, between lines 44 and 45, insert the following: "Sec. 11.5. The sum of ten thousand dollars or so much thereof as may be necessary is hereby appropriated out of any money in the State Treasury not otherwise appropriated for the purpose of defraying the expenses of the commission and the members thereof in connection with the exercise of the powers granted and duties imposed by the provisions of this act and for the purpose of contributing to the support of the Council of State Governments."

Amendments read, and refused adoption by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Crowley, Dannenbrink, Desmond, Donihue, Flint, Garland, Gilbert, Hawkins, Heisinger, Hunt, King, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Pelletier, Reaves, Robertson, Rosenthal, Tenney, Turner, Voigt, Yorty, and Mr. Speaker—35.

NOES—Beene, Call, Cottrell, Daley, Dawson, Dilworth, Donnelly, Field, Gannon, Hornblower, Johnson, Kepple, Latham, Levey, Maloney, Martin, Mayo, Millington, Redwine, Richie, Sawallisch, Sheehan, Stream, Walker, Watson, and Williamson—26.

Senate Bill No. 664 read third time, and refused passage by the following vote:

AYES—Beene, Boyle, Breed, Cassidy, Cottrell, Cronin, Dilworth, Garland, Glick, Latham, Lore, Martin, Miller, Eleanor; Patterson, Robertson, and Walker—16.

NOES—Burns, Michael J., Call, Corwin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Levey, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, O'Donnell, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Watson, Williamson, Yorty, and Mr. Speaker—47.

Motion to Expunge Record and Rescind Action on Senate Bill No. 664.

Mr. Latham moved to expunge the record, and rescind the action whereby Senate Bill No. 664 was this day refused passage.

The roll was called, and the motion to expunge record, and rescind action lost by the following vote

AYES—Baynham, Beene, Boyle, Breed, Cassidy, Corwin, Cottrell, Cronin, Dilworth, Garland, Gilbert, Glick, Johnson, Kepple, King, Kuchel, Latham, Miller, Eleanor; Miller, George P., Patterson, Robertson, Rosenthal, Stream, Tenney, Walker, and Mr. Speaker—26.

NOES—Call, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Hawkins, Heisinger, Hornblower, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, O'Donnell, Pelletier, Redwine, Richie, Sawallisch, Sheehan, Voigt, Watson, Williamson, and Yorty—33.

Senate Bill No. 1103—An act to amend sections 270 and 270a of the Penal Code, relating to failure to provide

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—58.

NOES—Crowley—1.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 423—An act to amend sections 3, 5, 6, 7, 9 and 11 of, and to add sections 16 and 17 to, an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof

Bill read third time, and passed by the following vote

AYES—Boyle, Breed, Burns, Michael J., Cassidy, Clark, Corwin, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Laughlin, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Williamson, Yorty, and Mr. Speaker—54

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 26—An act making an appropriation to pay the claim of Mrs. G. Field against the State of California.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—64.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 23—An act to add Chapter 3 to Division III of the Agricultural Code, to consist of sections 430 to 433, inclusive, relating to ownership or control of stockyards by packers.

Bill read third time, and passed by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Garibaldi, Garland, Gilbert, Glick, Heisinger, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, O'Donnell, Patterson, Peek, Redwine, Rosenthal, Scudder, Sheehan, Tenney, Thorp, Voigt, Watson, Yorty, and Mr. Speaker—47

NOES—Daley, Dannenbrink, Dawson, Hornblower, Johnson, Millington, Robertson, and Stream—8

Title read and approved. Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the second paragraph of section 1 of Article IV of the Constitution of said State, relating to the time for submission of initiative measures to the electors.

Senate Constitutional Amendment No. 25 read, and adopted by the following vote

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Garland, Gilbert, Glick, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 25.

A resolution to propose to the people of the State of California an amendment to the second paragraph of section 1 of Article IV of the Constitution of said State, relating to the time for submission of initiative measures to the electors.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its fifty-second regular session commencing on the fourth day of January, 1937, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that the second paragraph of section 1 of Article IV of the Constitution of said State be amended to read as follows:

The first power reserved to the people shall be known as the initiative. Upon the presentation to the Secretary of State of a petition certified as herein provided

to have been signed by qualified electors, equal in number to 8 per cent of all the votes cast for all candidates for Governor at the last preceding general election, at which a Governor was elected, proposing a law or amendment to the Constitution, set forth in full in said petition, the Secretary of State shall submit the said proposed law or amendment to the Constitution to the electors at the next succeeding general election occurring subsequent to 130 days after the presentation aforesaid of said petition, or at any special election called by the Governor in his discretion prior to such general election. All such initiative petitions shall have printed across the top thereof in 12-point black-face type the following: "Initiative measure to be submitted directly to the electors."

Senate Bill No. 254—An act to amend sections 377h, 377i, and 377j of the Political Code, relating to the Department of Professional and Vocational Standards and the boards and commissions comprising the department or subject to its jurisdiction.

Bill read third time, and passed by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 253—An act to add sections 111, 112, 113, 157 and 158 to the Business and Professions Code, relating to the Department of Professional and Vocational Standards and the boards and commissions comprising the department or subject to its jurisdiction.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Hugh M., Burns, Michael J., Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 671—An act to amend section 675a of the Political Code, relating to approval of contracts by the Department of Finance.

Bill read third time, and passed by the following vote:

AYES—Baynham, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, O'Donnell, Patterson, Peek, Redwine, Richie, Rosenthal, Scudder, Sheehan, Stream, Tenney, Voigt, Walker, Watson, Yorty, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 1109—An act to amend section 2 of the act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to petitions for incorporation

Bill read third time, and passed by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Cassidy, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Hunt, Johnson, King, Laughlin, Leonard, Levey, Maloney, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, O'Donnell, Patterson, Reaves, Sawallisch, Scudder, Sheehan, Tenney, Thorp, Voigt, Weber, Williamson, and Yorty—43

NOES—Baynham, Breed, Call, Corwin, Daley, Dilworth, Field, Glick, Kepple, Kuchel, Latham, Lore, Meehan, Redwine, Stream, Walker, Watson and Mr Speaker—18.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Bill No. 771—An act to amend section 473a of the Political Code, relating to services of attorneys for various departments, boards, agencies and commissions of this State.

Bill read third time, and passed by the following vote.

AYES—Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Laughlin, Leonard, Levey, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Reaves, Redwine, Richie, Rosenthal, Sheehan, Tenney, Thorp, Walker, Watson, Williamson, Yorty, and Mr. Speaker—51.

NOES—Heisinger—1.

Title read and approved. Bill ordered transmitted to the Senate.

Re-reference of Senate Bill No. 1159.

On motion of Mr. Martin, Senate Bill No 1159 was withdrawn from the calendar, and re-referred to the Committee on Revenue and Taxation.

Reports of Committees on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Senate Bill No. 83.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning.

Senate Bill No. 83—An act to add a new section to the School Code to be numbered 4.102a, relating to an appropriation for vocational rehabilitation;

Reports that it has met a like committee of the Senate, consisting of Senators Slater, Tickle and Knowland, and reports that the Committee on Free Conference has agreed to recommend the following.

That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 14, of the printed bill, as amended, after the word "amount", insert the following: "in excess of sixty-five thousand dollars".

SCUDDER.
MILLER, GEORGE P.
COTTRELL.
Assembly Committee on Free Conference.

SLATER.
TICKLE.
KNOWLAND.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levy, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—59.

NOES—None

Concerning Assembly Bill No. 1176.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER. Your Committee on Free Conference concerning:

Assembly Bill No. 1176—An act to amend section 1286 of the Fish and Game Code, relating to transporting deer;

Reports that it has met a like committee of the Senate, consisting of Senators Young, McColl and Metzger, and reports that the Committee on Free Conference has agreed to recommend the following.

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, after "tag", insert the following: ", on the route being followed from the point where the deer is taken".

REDWINE.
WATSON.
GARLAND
Assembly Committee on Free Conference.

YOUNG.
McCOLL.
METZGER.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Call, Corwin, Cronin, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Consideration of Senate Amendment to Assembly Bill No. 2844.

Assembly Bill No. 2844—An act to authorize municipal corporations to abandon parks and sell and convey the land embraced therein.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2844?

Amendment No. 1.

On page 3, line 9, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", nor shall any such abandonment or sale affect or impair any right, easement or interest owned or under the control of any other governmental agency for public use other than park purposes."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2844 by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2844 ordered to enrollment.

Consideration of Assembly Amendments to Senate Bill No. 930.

Senate Bill No. 930—An act to add section 461 to the Fish and Game Code, relating to prizes for game.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 930?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 930 by the following vote:

AYES—Andreas, Crowley, and Daley—3.

NOES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Cottrell, Cronin, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hornblower, Johnson, Laughlin, Leonard, Levey, Maloney, Martin, Mayo, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Peek, Robertson, Sawallisch, Scudder, Stream, Tenney, Turner, Voigt, Williamson, and Mr. Speaker—40.

Appointment of Committee on Free Conference Concerning Senate Bill No. 930.

The Speaker announced the appointment of Messrs. Mayo, Hornblower and Patterson, as a Committee on Free Conference concerning Senate Bill No. 930.

Recess.

At four o'clock and two minutes p.m., on motion of Mr. King, the Assembly was declared at recess until four o'clock and seven minutes p.m.

Reassembled.

At four o'clock and seven minutes p m., the Assembly reconvened Speaker Jones in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 27, 1937.

MR. SPEAKER: Pursuant to instructions by the Senate, I am handing you herewith copy of a resolution relative to asserted commission of crimes against the legislative power, and calling upon the Attorney General and district attorneys to investigate the same, and to prosecute any and all offenders, adopted by the Senate on this day.

Senate Resolution, relative to asserted commission of crimes against the legislative power, and calling upon the Attorney General and district attorneys to investigate the same and to prosecute any and all offenders.

WHEREAS, Certain statements have been made within and without the legislative halls to the effect that corruption exists within the membership of the Legislature, and that persons have attempted to influence legislation by resorting to improper methods and means, and specifically on the evening of May 26, 1937, the Senator from Los Angeles charged that he had evidence of corruption affecting members of the Assembly but in no way affecting members of the Senate; and

WHEREAS, The Senate considers it the solemn obligation of any member of either house of the Legislature having or believing that he has information as to the commission or asserted commission of any criminal offense by another member of the Legislature, to furnish that information and all details thereof promptly and forthwith to the Attorney General, who is the chief law officer of the State, and to the district attorney of the county wherein the offense may have occurred; and

WHEREAS, It is deemed the duty of the Attorney General as such chief law officer and of the district attorney of the county where any such offense may have occurred, promptly and exhaustively to investigate all pertinent facts and vigorously to prosecute the offenders in the appropriate courts if the investigation indicates it is reasonably probable that a criminal offense has been committed; and

WHEREAS, It seems inappropriate for the Legislature or either house thereof to undertake to investigate itself in such a case; now, therefore, be it

Resolved by the Senate of the State of California, That the Attorney General of the State and the district attorney of any county in which any such offense is asserted to have occurred be and they are hereby requested and urged to take cognizance of the making of such statements and charges, investigate thoroughly and vigorously to the fullest extent within their power every phase of the subject of this resolution, and promptly bring to the bar of justice any member of the Legislature and any other person who may appear to have committed any such offense.

I certify that the foregoing is a full, true and complete copy of a resolution adopted by the Senate of the State of California on May 27, 1937.

J. A. BEEK, Secretary of the Senate.

Motion to Print Speech in Journal.

Upon motion of Mr. Desmond, which motion was unanimously adopted, the following speech, delivered in the Assembly by Assemblyman Thomas J. Cunningham on Wednesday, May 26th, was ordered printed in the Journal:

Mr. Speaker and Members of the Assembly.

Perhaps I may be out of order at this particular moment in referring to the subject to which I wish to call your attention. Nevertheless, I deem this subject of sufficient importance to every member of the Assembly to refer to it at this time and trust that I may have your attention.

I hold in my hand a copy of the early edition of the Sacramento Union for Thursday, May 27th. Upon the front cover thereof I see a picture of our good friend and colleague, Assemblyman Chester F. Gannon, of Sacramento. I feel that the Sacramento Union has been very unethical in this instance and has taken advantage of this Assembly and of our friend, Chester Gannon, in taking this picture and allowing it to be published on the front page of their newspaper.

I know of no member of this Assembly that has been more faithful in his duties and who has paid more attention to the tremendous task before him than Assemblyman Chester Gannon. While many Assemblymen at times absent themselves to take

care of their own business, such has not been the case with Mr. Gannon, in spite of the fact that his law office is located here in Sacramento. Early one morning I met Mr Gannon in the Assembly Chamber when no other members were present. I asked him if he ever went to his law office, and he replied "I've made arrangements to spend all my time in the Assembly since that is the purpose for which I was elected." I think he is to be highly commended for such a stand, as I know many would have taken advantage of such circumstances.

I believe that he is one member of this Assembly that thoroughly realizes the importance of his work in representing the State and his own district. In fact, I have been so impressed by the seriousness with which he assumes his duties and responsibilities that there is no man in this room whom I feel could have a greater injustice done him than Chester Gannon with reference to this particular picture During the last two weeks and especially these last few days of the fifty-second session, from early morning until late at night, there are times when we all become very weary. Many of us at times feel inclined to recline in our seats and close our eyes with a thought of resting our mind from the labors of the day.

If you recall, last Saturday night, after we had spent the entire week in strenuous work, we were in the Assembly Chamber until the wee hours of the morning of Sunday, May 23d At that time a cameraman from the Sacramento Union was going about the floor of the Assembly quickly snapping the picture of any Assemblyman in any position that he considered would make good newspaper publicity. The picture of Chester Gannon is one of him in a reclining position with his hand raised to the side of his head. There is no indication that Assemblyman Gannon was asleep or was in any position that might not have been assumed by any member of this house at that hour. For the Sacramento Union to take a picture like that in the wee hours of the morning and place it on the front page of their publication is to me an unethical and misfortunate act on the part of that newspaper, especially since it is circulated and published within the district represented by our good friend and colleague, Chester F. Gannon.

I think that my words reflect the consensus of the members of this Assembly. We regret that such an unfortunate advantage was taken of a man so obedient and responsive to his official duty.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER SACRAMENTO, May 28, 1937.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning

Senate Bill No. 972

The following Senators: Hays, Phillips, and Jespersen to meet with a like committee from your honorable body

J A BEEK, Secretary of the Senate
By F. ALFRED BLATZ, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the reports of the Committees on Free Conference concerning

Assembly Bill No. 1757.
Assembly Bill No. 2773.

J. A BEEK, Secretary of Senate
By F ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 2773 ordered to reprint, and enrollment

SENATE CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the reports of the Committees on Free Conference concerning.

Senate Bill No. 412.
Senate Bill No. 83.
Senate Bill No. 972.

J. A. BEEK Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

Reports of Committees on Free Conference.

The following reports of Committees on Free Conference were received and read

Concerning Senate Bill No. 972.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER Your Committee on Free Conference Concerning

Senate Bill No. 972—An act to amend sections 1, 3, 4, 6, 7, 8, 10, 12, 13, 14 and 15, to add sections 10½, 11¼, 13¼, 13¾, 14½, 14¾, 20¼, 20½ and 21½, and to repeal section 9 of the Highway Carriers' Act, relative to the use of public highways for commercial purposes by motor vehicles,

Reports that it has met a like committee of the Senate, consisting of Senators Hays, Phillips, and Jespersen, and reports that the Committee on Free Conference has agreed to recommend the following:
That the Senate concur in Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended in Assembly May 25, 1937, strike out "11½,".

Amendment No. 2.

On page 5 of the printed bill, as amended in Assembly May 25, 1937, strike out lines 6 to 52, inclusive, and on page 6, strike out lines 1 to 37, inclusive.
And that the bill be adopted as further amended

BURNS, HUGH M.
BEENE.
GARIBALDI.
Assembly Committee on Free Conference.

HAYS.
PHILLIPS.
JESPERSEN.
Senate Committee on Free Conference

The roll was called, and the report adopted by the following vote:

AYES—Beene, Burns, Hugh M., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Patterson, Peek, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—50.

NOES—None.

Concerning Assembly Bill No. 1757.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Free Conference Concerning:
Assembly Bill No. 1757—An act to regulate the operation, conduct, sanitation, use and maintenance of trailer camps and trailer coaches;
Reports that it has met a like committee of the Senate, consisting of Senators Allen, Garrison, and Williams, and reports that the Committee on Free Conference has agreed to recommend the following.
That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 2, lines 23 and 24, of the printed bill, as amended, strike out "Division of Immigration and Housing", and insert in lieu thereof the following: "general fund".

LAUGHLIN
McMURRAY.
BREED.
Assembly Committee on Free Conference.

ALLEN
GARRISON.
WILLIAMS.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Beene, Burns, Hugh M., Call, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1757 ordered to reprint, and enrollment.

Concerning Senate Bill No. 930.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER: Your Committee on Free Conference Concerning:
Senate Bill No. 930—An act to add section 461 to the Fish and Game Code, relating to prizes for game,
Reports that it has met a like committee of the Senate, consisting of Senators McColl, Young and Metzger, and reports that the Committee on Free Conference has agreed to recommend the following:
That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended in the Assembly May 25, 1937, after the word "jumping", insert the following: "or striped bass".

HORNBLOWER
MAYO.
PATTERSON
Assembly Committee on Free Conference.

McCOLL.
YOUNG.
METZGER.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Beene, Burns, Hugh M., Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, Miller, Eleanor; Morgan, Muldoon, Patterson, Peek, Pelletier, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—51.

NOES—None.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 508—An act to amend sections 5.10, 5.42, 5.60 and 5.84 of the School Code of the State of California, relating to the establishment of R. O. T. C. units in State colleges and the teaching of courses in military science and tactics in connection therewith.

Motion to Amend Senate Bill No. 508.

Mr. Cottrell moved to amend Senate Bill No. 508 as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "5.60 and 5.84", and insert in lieu thereof the following: "5.93 and 5.101".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the comma, insert the following: "and to add thereto a new section to be numbered 5.88a, all".

Amendment No. 3.

On page 1, line 10, of the printed bill, after the word "may", insert a comma and the following: "as hereinafter provided,".

Amendment No. 4.

On page 2 of the printed bill, strike out all of lines 7 to 35, inclusive, and insert in lieu thereof the following:

"SEC. 3. A new section is hereby added to the School Code to be numbered 5.88a and to read as follows:

5.88a. The Director of Education, with the approval of the State Board of Education, may establish at any one or more of the State colleges courses in military science and tactics complying with the laws of the United States made and provided with reference to R. O. T. C. units in educational institutions. No student enrolled in any State college shall be required to enroll in any course in military science and tactics.

SEC. 4. Section 5.93 of the School Code is hereby amended to read as follows:

5.93. The State Board of Education in standardizing the courses of instruction offered in the several State colleges of the State shall prescribe a course in physical education and shall make the completion of such course a requirement for graduation.

A student enrolled in a course in military science and tactics shall be given the same credit as though enrolled in the course in physical education prescribed under this section, and the receipt by such student of the same number of credits he would have received had he successfully completed such prescribed course in physical education shall be deemed to be the equivalent of the completion of such required course in physical education.

SEC. 5. Section 5.101 of the School Code is hereby amended to read as follows:

5.101. The determination of the time and standards for graduation from the State colleges; provided, that no student who is not a candidate for a teaching credential shall be required as a condition to graduation or otherwise to enroll in more than six units of pedagogy.

No student shall be required as a condition to graduation, or for any other purpose, to enroll in any course in military science and tactics."

Amendments adopted.

Request for Unanimous Consent.

Mr. Millington asked for, and was granted, unanimous consent to take up Senate Bill No. 508, as amended, at this time, without reference to reprint or calendar.

Consideration of Senate Bill No. 508, as Amended.

Senate Bill No. 508—An act to amend sections 5.10, 5.42, 5.60 and 5.84 of the School Code of the State of California, relating to the establishment of R. O. T. C. units in State colleges and the teaching of courses in military science and tactics in connection therewith.

Senate Bill No. 508, as amended, read third time, and passed by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Peyser, Reaves, Redwine, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Williamson, Yorty, and Mr. Speaker—54.

NOES—Cassidy, Patterson, Pelletier, Richie, Watson, and Weber—6.

Title read and approved Bill ordered to reprint, and transmitted to the Senate

Hon. John B. Pelletier in the Chair.

At four o'clock and ten minutes p.m., Hon. John B. Pelletier, member of the Assembly from the Forty-Fourth District, in the chair

Senate Bill No. 367—An act to amend section 328 of the Probate Code, relating to notices prior to the hearing of application for letters

Bill read third time, and refused passage by the following vote:

AYES—Burns, Hugh M., Cassidy, Cronin, Dawson, Field, Hornblower, Levey, Maloney, McMurray, Miller, George P., Muldoon, Peyser, Redwine, Sawallisch, and Sheehan—15

NOES—Baynham, Beene, Breed, Cottrell, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Gannon, Gilbert, Glick, Heisinger, Hunt, Johnson, Kepple, Latham, Laughlin, Lore, Lyon, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Reaves, Richie, Stream, Thorp, Turner, Voigt, Walker, Watson, and Weber—37.

Senate Bill No. 368—An act to amend section 441 of the Probate Code, relating to notices prior to the hearing of application for letters.

Bill read third time, and refused passage by the following vote:

AYES—Cassidy, Cronin, Dawson, Field, Hornblower, Levey, McMurray, Miller, George P., Muldoon, Peyser, Redwine, Sawallisch, Sheehan, Weber, and Williamson—15.

NOES—Baynham, Beene, Boyle, Breed, Cottrell, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Gannon, Gilbert, Glick, Heisinger, Johnson, Kepple, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, Miller, Eleanor; Millington, Morgan, Patterson, Peek, Richie, Rosenthal, Stream, Tenney, Thorp, Turner, Voigt, Walker, and Watson—36

Senate Bill No. 349—An act to amend section 193 of the Penal Code, relating to the penalty for the crime of manslaughter.

Bill read third time

Demand for Previous Question.

Messrs. Dannenbrink, Latham, Morgan, Lyon and Stream demanded the previous question

The question being put Shall the main question be now put?

Demand for previous question sustained

The question being on the passage of Senate Bill No. 349.

The roll was called, and Senate Bill No. 349 refused passage by the following vote:

AYES—Baynham, Beene, Burns, Michael J., Cassidy, Cottrell, Cunningham, Dilworth, Donihue, Donnelly, Field, Gannon, Garland, Heisinger, Latham, Laughlin,

Lyon, Martin, Mayo, Miller, Eleanor; Millington, Muldoon, Peyser, Redwine, Scudder, Stream, Turner, and Walker—27.

NOES—Boyle, Breed, Call, Clark, Cronin, Daley, Dannenbrink, Dawson, Flint, Glick, Hawkins, Hornblower, Hunt, Johnson, King, Levey, Lore, Maloney, McMurray, Meehan, Miller, George P., Morgan, Patterson, Peek, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Tenney, Thorp, Voigt, Watson, Weber, Yorty, and Mr. Speaker—37.

Re-reference of Senate Bills.

On motion of Mr. Tenney, Senate Bill No. 73 was withdrawn from the calendar, and re-referred to the Committee on Commerce and Navigation.

On motion of Mr. Miller, Senate Constitutional Amendment No. 33 was withdrawn from the calendar, and re-referred to the Committee on Constitutional Amendments.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1261—An act to amend sections 1650, 1651, 1654, and 1655, and repealing sections 1656 and 1657, of the Business and Professions Code, relating to registration of licenses with county clerks.

The question being put, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1261?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "1651," insert the following: "1652, 1653,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following: "practice dentistry in this State shall, prior to January 1, 1938, register, on forms prescribed by the board,"

Amendment No. 3.

On page 1 of the printed bill, strike out line 14, and insert in lieu thereof the following: "board. A person licensed by the board after January 1, 1938, shall register with the secretary within thirty days after the date of his license."

Amendment No. 4.

On page 1 of the printed bill, after the period in line 24, add the following: "When any licentiate hereunder desires to have more than one place of practice, he shall, prior to the opening of any additional office, make application therefor to the State Board of Dental Examiners on a form prescribed by the board and receive permission in writing from said board to have such additional place of practice. The board shall have power to carry out the provisions of this section by uniform rules and regulations."

Amendment No. 5.

On page 2 of the printed bill, between lines 9 and 10, insert the following:

"SEC. 4. Section 1652 of the Business and Professions Code is hereby amended to read as follows:

1652. Registration shall be made in a register kept by the secretary for these purposes, which register shall be alphabetically arranged and shall show the name of the person registered as shown by his license, his age, each office address, the date and number of his license to practice dentistry, and the date of registration for each office.

The person licensed need not appear in person before the secretary for the purpose of registering his license, but registration may be made on forms sent by the secretary to licensees.

SEC. 5. Section 1653 of the Business and Professions Code is hereby amended to read as follows:

1653. The secretary shall issue a certificate of registration for each licentiate hereunder and for each office registered by such licentiate."

Amendment No. 6.

On page 2, line 10, of the printed bill, strike out "4", and insert in lieu thereof the following: "6".

Amendment No. 7.

On page 2, line 19, of the printed bill, strike out "Sec. 5", and insert in lieu thereof the following: "Sec. 7".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1261 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Cottrell, Cronin, Cunningham, Dawson, Dilworth, Donahue, Donnelly, Gannon, Garibaldi, Garland, Glick, Heisinger, Hornblower, Johnson, Kepple, Latham, Leonard, Levey, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Peyser, Robertson, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, and Williamson—48.

NOES—Dannenbrink, Hunt, King, Lore, Richie, Tenney, and Mr. Speaker—7

Assembly Bill No. 1261 ordered to enrollment.

Assembly Bill No. 1577—An act authorizing the State Treasurer to pay certain coupons of bonds issued by the State of California and ratifying payments heretofore made.

The question being put, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1577?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after "California", insert the following: "and ratifying payments heretofore made"

Amendment No. 2.

On page 1 of the printed bill, following line 9, insert the following:

"SEC. 2. Any payments heretofore made by the State Treasurer on the coupons hereinabove specified are hereby ratified and rendered fully effective."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1577 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61

NOES—None.

Assembly Bill No. 1577 ordered to enrollment.

Assembly Bill No. 2831—An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the several counties and districts as defined herein, of the State of California, consisting of retirement compensation and death benefits.

The question being put, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2831?

Amendment No. 1.

On page 4, line 14, of the printed bill, as amended, strike out "and", and insert in lieu thereof the following: "or by".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, as amended, before the word "consisting", insert the following: "and attaches of municipal courts,".

Amendment No. 3.

On page 4, line 6, of the printed bill, as amended, after the word "by", insert the following "a majority vote of the electors voting upon such acceptance proposition at any special or general election at which the proposition of accepting the provisions of this act may be submitted and an".

Amendment No. 4.

On page 4 of the printed bill, as amended, between lines 19 and 20, insert the following:

"SEC. 42.5. Except as otherwise provided all officers and attaches of any municipal court established within the county under the provisions of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved on May 23, 1925 (Statutes 1925, p. 648), other than judges or other

than officers or attaches who are participants in any system established under that act referred to in section 48 hereof, shall become members of the association on the first day of the month after the board of supervisors has adopted by four-fifths vote a resolution providing for the inclusion of such officers or attaches in the retirement association and thereafter each person entering such employ becomes a member on the first day of the month after his entrance into the service of such court.

The board of supervisors and all other officers shall have the power to make the appropriations and perform the duties herein specified with reference to such officers and attaches in the same manner as herein specified for county or district officers or employees. The deductions herein provided for may be made from the salaries of such officers or attaches in the same manner as for officers or employees of the county or districts.

As used in this act the term "employee" shall be deemed to include officers or attaches of any such municipal court when such court has been brought within the operation of this act as herein specified."

Amendment No. 5.

On page 1, line 6, of the printed bill, as amended April 15, 1937, strike out the word "a", at the end of the line.

Amendment No. 6.

On page 1, line 7, of the printed bill, as amended, strike out the word "annuity", and insert in lieu thereof the word "compensation"

Amendment No. 7.

On page 2 of the printed bill, as amended, between lines 11 and 12, insert a new section to be numbered 8.5, and to read as follows:

"Sec. 8.5. "Compensation earnable" by a member shall mean the compensation as determined by the retirement board, which would have been earned by the member had he worked throughout the period under consideration, the average number of days ordinarily worked by persons in the same grade or class of positions as the positions held by him during such period, and at the rates of compensation attached to such positions, it being assumed that during any absence he was in the position held by him at the beginning of such absence."

Amendment No. 8.

On page 5, line 24, of the printed bill, as amended, after the word "assets", insert the following: "and records".

Amendment No. 9.

On page 5, line 25, of the printed bill, as amended, after the word "assets", insert the following: "and records".

Amendment No. 10.

On page 5, line 27, of the printed bill, as amended, strike out the word "by" (the first word in the line), and insert in lieu thereof the following: "according to".

Amendment No. 11.

On page 5, line 32, of the printed bill, as amended, strike out the word "to", after the word "entitled".

Amendment No. 12.

On page 5, line 40, of the printed bill, as amended, strike out the period after the word "system", and insert the following: ", said assets shall be administered solely by the board of retirement subject to the provisions of this act as to the custody, investment and disbursement of the retirement fund."

Amendment No. 13.

On page 6 of the printed bill, as amended, strike out all of lines 47 to 52, both inclusive, and insert in lieu thereof the following:

"Sec. 58. An actuarial valuation shall be made within the period of one year from the date on which any system established under this act becomes effective, and thereafter at not to exceed five year intervals. The investigation shall be conducted under the supervision of an actuary and shall cover the mortality, service and compensation experience of the members and beneficiaries, and shall evaluate the assets and liabilities of the retirement fund created. Upon the basis of any or all of such determination, investigation and valuation, and upon the recommendation of the actuary the board of retirement shall recommend to the board of supervisors such changes in the rate of interest, in the rates of contributions of members as well as such changes in county and district appropriations as may be deemed necessary. No adjustment shall be included in the new rates for time prior to the effective date of such revision."

Amendment No. 14.

On page 7 of the printed bill, as amended, strike out all of lines 1 to 6, both inclusive.

Amendment No. 15.

On page 7, line 7, of the printed bill, as amended, after the period following "59", strike out the remainder of the line; and all of lines 8 to 15, inclusive, and

insert in lieu thereof the following 'It shall be mandatory upon the board of supervisors to immediately adjust the rate of interest, the rates of contributions of members, and county and district appropriations in accordance with the recommendations of the board of retirement, but in no event shall the board of supervisors fix the rate of interest, the rates of contributions of members or county and district appropriations that will have the effect of reducing the amount of individual benefits as outlined in this act".

Amendment No. 16.

On page 7, line 32, of the printed bill, as amended, after the word "invested", strike out the remainder of the line, strike out all of line 33, and in line 34, strike out the following language: "county not exceeding 60 per cent of the value thereof, or".

Amendment No. 17.

On page 8, line 4, of the printed bill, as amended, strike out "in January", and insert in lieu thereof "before March thirty-first".

Amendment No. 18.

On page 9, line 22, of the printed bill, as amended, after the period after the word "board.", add the following: "Interest earned on the retirement fund during any year in excess of the total interest credited to contributions during such year, shall remain in said fund as a reserve against deficiencies in interest earned in other years, losses on investments, and other contingencies."

Amendment No. 19.

On page 10, line 5, of the printed bill, as amended, strike out the period, and insert in lieu thereof ", subject to adjustment under section 59."

Amendment No. 20.

On page 11, line 49, of the printed bill, as amended, after the word "treasurer", strike out the remainder of the line, and in line 50, strike out the following: "of the board of retirement".

Amendment No. 21.

On page 12, line 35, of the printed bill, as amended, after the word "county", strike out the remainder of the line; and in line 36, strike out the following: "the contributions of employees".

Amendment No. 22.

On page 12, line 44, of the printed bill, as amended, strike out "Section 116", and insert in lieu thereof the following: "sections 116 and 135."

Amendment No. 23.

On page 13, line 28, of the printed bill, as amended, after the word "forth", strike out the remainder of the line; and in line 29, strike out the following: "of retirement permitted by this act, and".

Amendment No. 24.

On page 14, line 11, of the printed bill, as amended, strike out "pension", and insert in lieu thereof the following: "retirement allowance", and following the comma, after the word "year", add the following: "exclusive of any annuity based on additional contributions,".

Amendment No. 25.

On page 14, line 12, of the printed bill, as amended, after the word "amount", insert the following: "purchased by contributions of the county or district".

Amendment No. 26.

On page 16, line 11, of the printed bill, as amended, after the word "the", strike out the remainder of the line; and in line 12, strike out "life", and insert in lieu thereof the following: "mortality table adopted by the board of supervisors for disabled lives".

Amendment No. 27.

On page 16, line 42, of the printed bill, as amended, strike out the period after the word "stated", and add the following: ", provided that such statement may be in the form of an indorsement on the warrant delivered to said beneficiary in payment of the allowance."

Amendment No. 28.

On page 17, line 12, of the printed bill, as amended, strike out "the" after the comma, and insert in lieu thereof "a member or".

Amendment No. 29.

On page 17, line 14, of the printed bill, as amended, after the word "allowance", strike out the remainder of the line; and in line 15, strike out the following: "tables adopted by the board of supervisors,".

Amendment No. 30.

On page 17, line 16, of the printed bill, as amended, after the word "life", add the following: "in accordance".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2831 by the following vote:

AYES—Beene, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Williamson, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2831 ordered to enrollment.

Assembly Bill No. 2176—An act defining farm labor contractors, providing for the licensing thereof and for the issuance of permits to such farm labor contractors by the Division of Labor Statistics and Law Enforcement, before such farm labor contractors can contract with any crop owner to cultivate, plant, tend, irrigate, harvest, pack or process crops belonging to or in which such crop owner has any interest and providing that the violation of such act shall be a misdemeanor.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2176?

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, of the title, and insert in lieu thereof the following

"An act to add a new article to Chapter 1, Part 1, Division II of the Labor Code to be known as Article 3, relating to farm labor contractors"

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 23, inclusive; strike out everything on pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. A new article is hereby added to Chapter 1, Part 1, Division II of the Labor Code to be known as Article 3 and to read as follows:

Article 3 Farm Labor Contractors.

278 As used in this article, "farm labor contractor" means any person, firm, or association, other than a nonprofit agricultural cooperative association, who contracts with a crop owner or grower or with the agent of such owner or grower, to cultivate, plant, tend, irrigate, or harvest any crop or crops belonging to, or in which such crop owner or grower has any interest, by labor other than that of the contractor, at specified rates of pay for specified services, whether such pay is a fixed sum, or is measured by time, or is determined by a percentage of the crop or crops. The term "farm labor contractor" shall not include, however, any person or group of persons who contract individually or as a group to cultivate, plant, tend, irrigate, or harvest any crop on a unit or piece basis and who, when contracting as a group, share equally in the proceeds of such venture.

279. No farm labor contractor may enter into any contract or agreement described in section 278 of this code who does not possess a valid existing license issued under the provisions of this act.

280. Application for license as a farm labor contractor shall be made in writing to the Division of Labor Statistics and Law Enforcement, which application shall be accompanied by the license fee and the recommendation of two residents of the county in which such labor contractor resides, certifying that the applicant is honest, truthful, solvent, and of good reputation, and a bond in the amount of the estimated maximum total wages, which will become due during one pay roll period as defined by law, or securities or cash in the same amount as that required for a bond, and recommending that a license be granted the applicant. No bond shall be required for issuance of a license to a labor contractor whose pay roll period does not exceed forty-eight hours

281 The Division of Labor Statistics and Law Enforcement may require such other proof as it may deem advisable of the honesty, truthfulness and good reputation of any applicant for a license.

282 The fee for each license shall be two dollars.

283. If the division is satisfied with the honesty, truthfulness, solvency and good reputation of the applicant, it shall issue a license to the applicant which shall expire on midnight of the thirty-first day of December of that year.

284. Upon application to the division accompanied by a fee of one dollar and a renewal bond, new bond or deposit as required for issuance of a license, the division shall issue a renewal license to any farm labor contractor who held a

valid unrevoked license during the preceding year, and who has not violated any provision of this article and who has not committed any act which would justify the refusal of a license upon a new application

285. All contracts described in section 278 entered into in violation of this article are void.

286. Any person, firm or corporation who knowingly allows, suffers or permits any employee of a farm labor contractor to cultivate, plant, tend, irrigate, or harvest, any crop in which he has any interest, or for the cultivating, planting, tending, or harvesting of which he is responsible, unless such farm labor contractor holds a valid unrevoked license, shall be liable to such employee for the reasonable value of all such work performed by such employee.

287. Any person violating any provision of this article is guilty of a misdemeanor."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2176 by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2176 ordered to enrollment.

Reports of Committees on Free Conference.

The following reports of Committees on Free Conference were received and read:

Concerning Senate Bill No. 439.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Free Conference Concerning:

Senate Bill No. 439—An act to amend sections 782, 784.3 and 830 of, and to add section 783.5 to the Agricultural Code, relating to fruits, nuts and vegetables;

Reports that it has met a like committee of the Senate, consisting of Senators Phillips, Crittenden and Jespersen, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 2, line 8, of the printed bill, as amended, after the word "inspector", insert the following: "holding a valid standardization certificate".

Amendment No. 2.

On page 2, line 10, of the printed bill, as amended, after the word "chapter", insert the following: ", except that such certified lot of fruits, nuts or vegetables may be held for inspection at any time by any enforcing officer holding a valid standardization certificate, and if such enforcing officer shall find that the certified lot of fruits, nuts or vegetables is in violation of any provisions of this chapter he may appeal to the director who shall within twenty-four hours cause to be made a reinspection of said certified lot of fruits, nuts or vegetables and said lot of certified fruits, nuts or vegetables shall be released or rejected in accordance with the findings upon such reinspection".

DILWORTH.
GARLAND
DONNELLY
Assembly Committee on Free Conference.

PHILLIPS.
CRITTENDEN
JESPERSEN.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field Flint, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Laughlin Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Morgan, Muldoon, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Concerning Senate Bill No. 33.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER. Your Committee on Free Conference Concerning:

Senate Bill No. 33—An act to amend sections 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 14, 16, 17, 18, 20, 21, and 23, of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to provide for the licensing of personal property brokers and brokers by the Commissioner of Corporations; to limit and regulate their charges; to authorize and regulate the assignment of wages, salary, commissions, or other compensation for services when given to a personal property broker as security for a loan of or as consideration for the payment of money, credit, goods or things in action; to provide for the administration and enforcement of this act by the Commissioner of Corporations; and to provide penalties for the violation of this act;

Reports that it has met a like committee of the Senate, consisting of Senators Fletcher, Deuel and Young, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 2, line 3, of the printed bill, as amended May 25, 1937, strike out "money.", and insert in lieu thereof the following: "money, and taking in the name of the lender, or in any other name, in whole or in part, as security for such loan, any contract or obligation involving the forfeiture of rights in or to personal property, the use and possession of which property is retained by other than the mortgagee or lender, or all who are engaged in the business of lending money and taking in the name of the lender, or in any other name, in whole or in part as security for such loan, any lien on, assignment of, or power of attorney relative to wages, salary, earnings, income or commission."

Amendment No. 2.

On page 2 of the printed bill, as amended May 25, 1937, strike out lines 12 to 16, inclusive.

Amendment No. 3.

On page 5 of the printed bill, as amended May 25, 1937, strike out lines 45 to 51, inclusive, and on page 6, strike out lines 1 to 16, inclusive, and insert in lieu thereof the following:

"1. Deliver to the borrower at the time the loan is made either a copy of each paper signed by the borrower, or a statement in the English language setting forth the name and address of the borrower, the name, address and license number of the personal property broker and of the broker (if any); the date and amount of the loan contract, how and when repayable, the amount of charges included in such contract and an itemization of every charge in connection with the contract, and the basis for computing default or other charges not included therein; and such other information as the commissioner may require

2. Give to the borrower a receipt for each payment made in cash on account of any loan, showing the date and total sum received, and specifying the sum applied to charges not included in the amount of the contract, the sum (if any) applied to the unpaid balance of such contract, and identifying the contract upon which such payment is applied. Where payment is made by check or money order, such check or money order shall be considered a receipt, unless the borrower requests a signed receipt.

3. Apply any payment made in advance of any due date first to all charges to date of such payment that are not included in the amount of such contract, and the balance to the amount thereof.

4. Upon payment of the loan in full, release all security for the loan, and cancel or mark "Paid" and return any note, chattel mortgage, assignment or order signed by the borrower, unless same are a part of the court record in any action."

Amendment No. 4.

On pages 10, lines 40 and 41, of the printed bill, as amended May 25, 1937, strike out "three hundred dollars ($300)", and insert in lieu thereof the following: "five hundred dollars ($500)".

Amendment No. 5.

On page 10, lines 42 and 43, of the printed bill, as amended May 25, 1937, strike out "three hundred dollars ($300)", and insert in lieu thereof the following: "five hundred dollars ($500)".

TENNEY.
JOHNSON.
Assembly Committee on Free Conference

FLETCHER.
DEUEL.
YOUNG.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Flint, Gannon, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Levey, Lore Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—58.

NOES—Garland, and Gilbert—2

Resolutions.

The following resolutions were offered:

By Mr. Williamson:

House Resolution No. 193.

WHEREAS, The California Code Commission, as a part of its work, has in the course of preparation a draft of the proposed Revenue and Taxation Code; and

WHEREAS, Much of this draft in mimeographed form will be submitted to interested persons and groups in order to receive their comment and criticism; and

WHEREAS, In order that this proposed draft may receive the wide circulation and exhaustive scrutiny which such a measure should receive before submission for legislative enactment, it is necessary that it be printed; and

WHEREAS, The laws included in this proposed code, embodying the various portions of the codes and statutes having to do with the revenue and taxation system of this State, including the general property tax, the beverage tax, tax on insurance companies, including ocean marine insurers, the motor vehicle fuel license tax, the motor vehicle transportation license tax, the retail sales tax, the use tax, the bank and corporation franchise tax, including the tax on Massachusetts trusts, the personal income tax, the inheritance tax, and other provisions of the law relating to the raising of revenue for the support of the State and its political subdivisions, should be widely distributed and carefully examined for as long a period and by as many interested persons and groups as possible before submission to the Legislature for enactment into law; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to prepare the proposed Revenue and Taxation Code for printing as soon after the adjournment of the 1937 session of the Legislature as possible, including therein all laws relating to revenue and taxation which are enacted by this session of the Legislature, and to distribute the same to interested persons and groups as herein indicated; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to have not to exceed 1500 copies of the proposed Revenue and Taxation Code printed, the cost thereof to be payable from the legislative printing appropriation.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up House Resolution No. 193 and all following House resolutions, without reference to committee or calendar.

House Resolution No. 193 read, and adopted by the following vote.

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

By the Committee on Attaches:

House Resolution No. 194.

Resolved, That the following named persons be stricken from the list of Assembly attaches and their names be stricken from the pay roll of the Assembly, to take effect on completion of work May 28, 1937:

James G. Smyth
Jack C. Greenburg
T. Berry
C. W. Booth
H. Arthur Daniels
Dave Oliver
Joseph Maloney
Glenn Coolidge
John McGillicuddy
William I. Gunlock
Laura W. Pettit
Blanche Black
Minna Laughlin
Hallie Young
Florence Miller
Rev. William Ehmann

Cristel Hastings	Sam McCance
Lena F. Heisinger	William I. Gavin
Juanita Dependener	Jack Commons
Bessie Golze	Ray R. Kahl
Mary Burns	Daniel McGough
Roberta Hansen	Clarence Nelson
Helen Hutchings	Herb Kling
Rose Klimovich	Harry O. Johnson
Cecelia Mass	Joe Bafigo
Elsie Morebeck	George Campbell
Margaret Quiggle	James Murphy
Peggy Bridges	James Clancy
Louise Pepe	Domingo Correia
Carmelita Lozano	Richard Desmond
Maurine Barrow	Jack Williams
Mary Kennedy	Edwin Queener
Delwin Smith	Dewey Baker
Mrs. E. C. Crowley	William Murphy
William Rinehart	Harold McKenzie
Theron W. Smith	Maurice E. Fox

House Resolution No. 194 read and adopted.

By the Committee on Attaches:

House Resolution No. 195.

Resolved, That the sum of $3,891 be, and the same is hereby appropriated out of the fund for pay of officers, clerks and other employees of the Assembly, to the order of James G. Smyth, Chief Clerk, for services of self and clerks and officers in arranging and preparing the bills, books and all other records of the Assembly in filing the same with the Secretary of State as provided by law, subsequent to adjournment of the fifty-second session of the Legislature.

For the further purpose of indexing, correcting, comparing and proofreading and otherwise preparing the Journal of the Assembly of the fifty-second session of the Legislature, and making the information therein contained readily available for the use of members of the Legislature, State officers and the general public, as a permanent record of the business transacted, during the said fifty-second session

And for the further purpose of compiling, preparing and having printed after the final adjournment a Final Calendar of the legislative business of the fifty-second session, said calendar to comprise the history of all bills introduced, their authors, the number that shall have become laws, those that shall have been read a second time, and any and all such other information as will provide a perfect history of the session's business and a guide for the information of subsequent sessions of the Legislature; and further, a detailed statement of the expenses of both houses of the Legislature during the fifty-second session. When said Final Calendar is prepared, the said James G. Smyth, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State, which may apply for same, and one copy to each member of the Assembly; and be it further

Resolved, That the State Controller is hereby authorized and directed to draw his warrant upon the unexpended balance of the fund provided for the pay of officers, clerks and all other employees of the Assembly, in favor of James G. Smyth, Chief Clerk, in the sum of $3,891, and the Treasurer is hereby directed to pay the same. Vouchers and receipts for all expenditures to be furnished to the Controller.

House Resolution No. 195 read, and adopted by the following vote:

AYES—Bayham, Beene, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donahue, Donnelly, Field, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Peek, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

By Messrs. Miller and Breed:

House Resolution No. 196.

WHEREAS, The fifty-second session of the California Legislature is about to adjourn; and

WHEREAS, Mrs. Hulda McGinn has extended many courtesies and most generous hospitality to the members of the Assembly and their wives; now, therefore, be it

Resolved, That the members of this Assembly do hereby express to Mrs Hulda McGinn their sincere appreciation for her gracious hospitality and many unfailing courtesies; and be it further

Resolved, That a copy of this resolution, duly signed by the Speaker and Chief Clerk of the Assembly, be forwarded to her home.

House Resolution No. 196 read, and unanimously adopted

By the Committee on Attaches:

House Resolution No. 197.

Resolved, That the following named person be, and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, Sundays excepted, and the Controller is hereby directed to draw his warrants in favor of the said person for the said amounts, and the Treasurer is hereby directed to pay the same.

Beginning May 27, 1937— *Per day*

Maurice Fox, Assistant Sergeant-at-Arms.....$5 00

Resolved, further, That the following named person be stricken from the list of Assembly Attaches, and his name be stricken from the pay roll of the Assembly, as follows:

Beginning May 27, 1937— *Per day*

J. Donohue, Assistant Sergeant-at-Arms.....$5 00

House Resolution No. 197 read, and adopted by the following vote:

AYES—Bayuham, Beene, Boyle, Breed, Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dilworth, Donihue, Donnelly, Field, Gannon, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Thorp, Turner, Voigt, Walker, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None.

By Mr. Dannenbrink:

House Resolution No. 198.

WHEREAS, The California Code Commission, as a part of its work, has in the course of preparation a draft of a Health and Safety Code; and

WHEREAS, Much of this draft in mimeographed form has been submitted to many interested persons and groups prior to the present session of the Legislature, but has not yet been printed and thus has not received the wide circulation and exhaustive scrutiny which such a measure should receive before submission for legislative consideration; and

WHEREAS, The laws included in this proposed code, embodying various portions of the codes and statutes having to do with administration of public health, licensing of clinics, dispensaries, and maternity hospitals, quarantine, pest eradication, control of tuberculosis, sanitation, cemeteries, vital statistics, narcotics, housing, fire and police protection, and explosives, are of vital concern to all citizens of this State, and especially to public officials charged with the administration of such laws, and therefore should be widely distributed and carefully examined for as long a period and by as many interested persons and groups as possible before submission to the Legislature for enactment into law; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to complete the proposed Health and Safety Code and prepare it for printing as soon after the adjournment of the 1937 session of the Legislature as possible, including therein all laws and amendments relating to health and safety which are enacted by this session of the Legislature, and to distribute the same to interested persons and groups as herein indicated; and be it further

Resolved, That the Chief Clerk is hereby instructed to have not to exceed 1,500 copies of the proposed Health and Safety Code printed, the cost thereof to be payable from the legislative printing appropriation.

House Resolution No. 198 read, and adopted by the following vote:

AYES—Bayuham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65

NOES—None.

By Mr. Dannenbrink:

House Resolution No. 199.

WHEREAS, Senate Bill No. 24 has passed both houses of the Legislature and is now before the Governor for his consideration; and

WHEREAS, This bill gives jurisdiction to the Railroad Commission over all privately operated toll bridges in regard to fixing of tolls thereon; and

WHEREAS, At the present time the average toll on the State-owned San Francisco-Oakland Bay Bridge is approximately 58 cents, although such bridge cost approximately $55,000,000 to build on a 20-year financing plan, and

WHEREAS, The toll on the new publicly owned Golden Gate Bridge is only 50 cents for a passenger car and five passengers, although such bridge cost approximately $35,000,000, financed on a 20-year plan; and

WHEREAS, The privately owned Carquinez Bridge charges a toll of 60 cents per passenger car and 10 cents per passenger; and

WHEREAS, The average toll on the Carquinez Bridge is approximately 89 cents; and

WHEREAS, The Carquinez Bridge cost only about $7,000,000, financed on a 25-year plan; and

WHEREAS, There are corresponding disparities in tolls charged between publicly owned toll bridges and other privately owned toll bridges; and

WHEREAS, It is just and proper that the traveling public should pay the smallest tolls possible in traveling over toll bridges in this State; now, therefore, be it

Resolved by the Assembly of the State of California, That if Senate Bill No. 24 becomes law, the Railroad Commission is hereby directed, as soon as possible, to start and to continue to a speedy conclusion a complete investigation of the tolls charged on the Carquinez Bridge and on other privately owned toll bridges in this State, as compared with the investment in, and the cost of operation and maintenance of, such bridges; and be it further

Resolved, That copies of this resolution be sent to the members of the Railroad Commission of the State of California.

House Resolution No. 199 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

By Mr. Williamson:

House Resolution No. 200.

Resolved, That James G. Smyth, Chief Clerk, be and he is hereby authorized and empowered to receipt for any and all warrants that may be due members, officers, or other attaches of the Assembly after the close of the session, or that may be drawn upon the contingent fund of the Assembly

House Resolution No. 200 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None

By Messrs. Clark, and Peek

House Resolution No. 201.

WHEREAS, There are several miles of privately owned beach in the city of Long Beach, county of Los Angeles, between the State Park and the beach frontage of the business section in said city, and,

WHEREAS, This beach is at the present time enjoyed and used by millions of people, residents of the State of California and elsewhere, and,

WHEREAS, Such use is subject to being restricted so as to prevent public enjoyment thereof by reason of such private ownership, and,

WHEREAS, It is desirable that this valuable recreational asset be acquired by the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Park Commission and the Director of Natural Resources hereby are requested to purchase said

privately owned beach, if possible, and to add it to the State park system so that it may forever remain an open public beach available for the recreation and enjoyment of the people.

House Resolution No 201 read, and adopted by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, Patterson, Peek, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—65.

NOES—None.

By Messrs Muldoon, and Robertson:

House Resolution No. 202.

WHEREAS, The Legislative Counsel Bureau was organized in the interests of economy and service to the State by furnishing expert legal assistance to the Legislature for the preparation of bills and amendments thereto, and in the consideration of questions of constitutional and parliamentary law arising from time to time, and in the avoidance of constant reprints of legislative measures and of litigation arising from doubtful measures; and

WHEREAS, In the opinion of this House the Legislative Counsel Bureau has ably fulfilled the hopes of its founders and has justified its existence, and has greatly simplified the work of the legislators by relieving them of many technical details, leaving them free to consider legislation; now, therefore, be it

Resolved, That the Assembly of the State of California does hereby express its appreciation of and satisfaction with the work of the bureau, and extends its thanks to the Legislative Counsel and to all his assistants for the unfailing courtesy, boundless zeal, tireless and cheerful industry, and meticulous care with which they have performed the multifarious, arduous and often perplexing duties imposed upon them.

House Resolution No 202 read, and unanimously adopted

By Mr. Boyle:

House Resolution No. 203.

WHEREAS, The Legislative Reference Conference, held annually under the auspices of the American Legislators' Association, fosters cooperative effort among the legislative reference and counsel bureaus of the several States, to the great benefit of such bureaus, and of the Legislatures which they serve; and

WHEREAS, Said conference also furnishes an exceptional opportunity for the discussion of mutual problems and the comparison of methods of such bureaus, contributing thereby to the efficiency of such bureaus and developing the service rendered by them to the various Legislatures; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislative Counsel of the State of California is hereby urged to attend the 1937 and 1938 sessions of said Legislative Reference Conference.

House Resolution No. 203 read, and adopted.

By Messrs Breed, and Meehan

House Resolution No. 204.

WHEREAS, Fox West Coast Theaters, Spyros P Skouras, president, Charles P. Skouras, executive vice president, Mrs. Hulda McGinn, secretary-manager, California Theatres Association, Inc., W. H Lollier, manager, tax division and civic public relations A. M. Bowles, division manager, and Blumenfeld Theatre Circuit, Joseph Blumenfeld, manager, have contributed to the entertainment of the members of the Assembly and their families during their stay in Sacramento by granting admission courtesies of their various places of amusement, now, therefore, be it

Resolved, That the members of the Assembly hereby express their appreciation of the thoughtful courtesy extended them by the aforesaid theaters and their officials; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution suitably engrossed to each of said persons named in this resolution.

House Resolution No 204 read, and adopted.

Motion to Print Report in Journal.

On motion of Mr Yorty, the following report was read, and ordered printed in the Journal.

REPORT OF SPECIAL ASSEMBLY COMMITTEE ON CELEBRATION OF THE DISCOVERY OF CALIFORNIA BY JUAN RODRIGUEZ CABRILLO

MR. SPEAKER Your Committee on the Celebration of the Discovery of California by Juan Rodriguez Cabrillo appointed by House Resolution of January 12th, appearing at page 3 of the Assembly Journal for said day, has had under consideration plans for an appropriate celebration of the discovery of California, and respectfully recommends the following.

That the Governor of the State be requested to appoint a committee of 25 citizens of the State of California to plan a celebration, in the year 1942, of the four hundredth anniversary of the discovery of California by Juan Rodriguez Cabrillo

It is recommended that said committee plan that such celebration shall be held in the city of Los Angeles and that the whole State be invited to participate therein, and it is further recommended that said committee be requested to report its plans and needs for the holding of such celebration to the Legislature at its fifty-third session

(Signed) SAMUEL W. YORTY, Chairman.
CHARLES W. LYON
ELLIS E. PATTERSON
WILLIAM B HORNBLOWER
SETH MILLINGTON

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following:

Senate Constitutional Amendment No. 28.
Senate Constitutional Amendment No. 31.
Senate Constitutional Amendment No. 34.
Senate Joint Resolution No. 25.
Senate Bill No. 21.
Senate Bill No. 135.
Senate Bill No. 144.
Senate Bill No. 182.
Senate Bill No. 183.
Senate Bill No. 223.
Senate Bill No. 283.
Senate Bill No. 304.
Senate Bill No. 331.
Senate Bill No. 355.
Senate Bill No. 356.
Senate Bill No. 440.
Senate Bill No. 443.
Senate Bill No. 446.
Senate Bill No. 501.
Senate Bill No. 557.
Senate Bill No. 572.
Senate Bill No. 673.
Senate Bill No. 690.
Senate Bill No. 809.
Senate Bill No. 938.
Senate Bill No. 1029.
Senate Bill No. 1038.
Senate Bill No. 1122.
Senate Bill No. 1141.
Senate Bill No. 1152.
Senate Bill No. 1154.
Senate Bill No. 1163.
Senate Bill No. 1164.

J A BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following.

Assembly Bill No. 907.
Assembly Bill No. 1613.
Assembly Bill No. 2682.

J A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 464.
Assembly Bill No. 1319.
Assembly Bill No. 1334.
Assembly Bill No. 1908.
Assembly Bill No. 2090.
Assembly Bill No. 2119.
Assembly Bill No. 2196.
Assembly Bill No. 2336.
Assembly Bill No. 2594.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on unfinished business calendar.

Withdrawal of Motion to Withdraw House Resolution No. 185.

On motion of Mr. Beene, the motion by Mr. Patterson, to withdraw House Resolution No. 185 from the Committee on Labor and Capital was withdrawn from the calendar.

Resolutions.

The following resolutions were offered:

By Messrs. Lyon, Morgan, Johnson, Voigt, Meehan, and Reaves:

House Resolution No. 205.

WHEREAS, Hon. William Moseley Jones, during the fifty-second session of the Legislature, has served as Speaker of this Assembly; and,

WHEREAS, Hon. William Moseley Jones for the past three sessions as a member of this Assembly, has evidenced his ability; and,

WHEREAS, As Speaker he has demonstrated his ability and has presided with the utmost fairness, dignity and courtesy over the deliberations of this body; now, therefore, be it

Resolved, That the Assembly in this resolution expresses its appreciative recognition of his services and tenders to him its cordial thanks and best wishes; and be it further

Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably engrossed and presented to the Hon William Moseley Jones.

House Resolution No. 205 read, and unanimously adopted.

By Messrs. Johnson, Voigt, Gannon, Cassidy, Williamson, and Kepple:

House Resolution No. 206.

WHEREAS, Hon. Henry P. Meehan, during the fifty-second session of the Legislature, has been the Speaker *pro tempore* of the Assembly; and

WHEREAS, As Speaker pro tempore, he has presided over the Assembly and carried out the duties of his office with uniform courtesy and fairness; therefore, be it

Resolved, That the Assembly tenders to Hon. Henry P. Meehan its cordial appreciation and recognition of his ability as Speaker pro tempore; and be it further

Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably engrossed and presented to the Hon Henry P. Meehan.

House Resolution No 206 read, and unanimously adopted

By Mrs Daley, Miss Miller, and Mr Richie:

House Resolution No. 207.

Resolved, That the thanks of the Assembly are hereby tendered to Hon James G. Smyth, Chief Clerk, for the competent, efficient and able manner in which he has conducted the business of his office, and the uniform courtesy he has shown to each and every member of the Assembly during this fifty-second session of the California Legislature, and be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to Hon. James G. Smyth, Chief Clerk, with the good wishes of this Assembly

House Resolution No 207 read, and unanimously adopted.

By Messrs. Garland, Fulcher and Flint:

House Resolution No. 208.

Resolved, That the Assembly hereby extends to the Sergeant-at-Arms, Delwin W Smith, its thanks for the efficient manner in which he and his corps of assistants have performed the duties of their various offices during the fifty-second session of the California Legislature, and be it further

Resolved, That a copy of this resolution, suitably engrossed, be presented to Delwin W. Smith, that he may transmit the contents thereof to the attaches under his supervision

House Resolution No 208 read, and unanimously adopted.

By Messrs. King, Tenney, McMurray, Maloney, Burns, Michael J., and Cronin:

House Resolution No. 209.

Resolved, That the Assembly hereby extends to the desk force of the Assembly its thanks and appreciation for the faithful performance of their respective duties and for the courtesy with which they have served the members of this Assembly, during its fifty-second session.

House Resolution No. 209 read, and unanimously adopted

By Messrs. Voigt, Hornblower, Patterson, Cottrell, Garland, and Williamson:

House Resolution No. 210.

Resolved, That the thanks and appreciation of this Assembly be extended in full measure to the Hon Fred B. Wood, Legislative Counsel, and to his efficient and courteous staff of assistants, for the invaluable and important work they have performed and the consistent and courteous assistance they have rendered the members of this Assembly during its fifty-second session of the Legislature, and, be it

Resolved, That a copy of this resolution be suitably engrossed and presented to the Hon. Fred. B. Wood, Legislative Counsel

House Resolution No. 210 read, and unanimously adopted.

By Messrs Cunningham, Breed, Meehan, Weber, Richie, and Yorty:

House Resolution No. 211.

Resolved, That the thanks of the Assembly be extended to the Hon. Frank N. Killam, Superintendent of the Capitol Building and Grounds, for the efficient manner in which he has conducted the business of his office, and to the Capitol telephone exchange operators for their prompt and courteous service accorded the members of this Assembly at all hours during this fifty-second session of the Legislature; and, be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to the Hon. Frank N. Killam, that he may transmit the contents thereof to all State employees directly under his supervision.

House Resolution No. 211 read, and unanimously adopted.

By Messrs. Robertson, Lore, Welsh, Kuchel, Dilworth, and Kepple:

House Resolution No. 212.

WHEREAS, Eleanor K. Olbrich, in the preparation and editing of legislative publications during the fifty-second session and former sessions of the California Legislature, has rendered valuable service to the Speaker, officers and members of the Assembly, now, therefore, be it

Resolved, That the Assembly express to Eleanor K. Olbrich its appreciation for her services in expediting the work of the 1937 session of this Assembly.

House Resolution No 212 read, and unanimously adopted

By Miss Miller, Messrs. Donihue, Leonard, Mayo, Crowley, and Millington:

House Resolution No. 213.

Resolved, That the Assembly extend to Mrs. Hallie Young, Assembly Postmistress during the fifty-second session, its thanks and appreciation of the efficient and courteous manner in which she and her assistant, Miss Florence Miller, have performed the duties of their office during the fifty-second session of the California Legislature.

House Resolution No 213 read, and unanimously adopted

By Mr. Lyon:

House Resolution No. 214.

Resolved, That the members of this Assembly hereby extend to Mrs. Juanita Dependener and her able corps of stenographers their sincere thanks and appreciation for the splendid and efficient service performed during this fifty-second session of the California Legislature.

House Resolution No 214 read, and unanimously adopted.

By Messrs Cunningham, and Maloney:

House Resolution No. 215.

WHEREAS, The Honorable Frank J. Waters, a member of this Assembly, has been and now is ill; and

WHEREAS, By reason of his constant courtesy and gentlemanly bearing, he has endeared himself to the members of this Assembly; now, therefore, be it

Resolved, By the Assembly of the State of California, That the members of the Assembly hereby extend to said Honorable Frank J. Waters their most sincere wishes for his immediate and complete recovery, and that a copy of this resolution be suitably engrossed and forwarded to the Honorable and Mrs. Frank J. Waters.

House Resolution No 215 read, and unanimously adopted.

By Messrs. Peyser, Meehan, Tenney, Sheehan, Boyle, King, Andreas, Reaves, Scudder, Desmond, Call, Gilbert, Fulcher, Voigt, Laughlin, Crowley, Leonard, Maloney, Turner, Millington, Robertson, Levey,

Gannon, Patterson, Burns, Hugh M., McMurray, Lyon, Stream, Williamson, Miller, George P., Cronin, Dawson, Garland, and Field:

House Resolution No. 216.

Relative to suitable pay scales in the State Liquor Control Division.

WHEREAS, Efficiency in governmental administration is in direct relation to the competency, efficiency and wholehearted devotedness to the State's interest on the part of persons engaged in the service of the State, and a constant unvarying personnel policy which comprehends selection of persons possessing these qualities, encouraging them to continue in the service through tenure, promotion as a reward for constant improvement in their work, and a sound and adequate compensation plan, gives the best assurance of developing and maintaining the efficiency of administrative service at the highest possible level; and

WHEREAS, These principles apply with particular force to law enforcement work, especially that of the State Liquor Control Division, engaged as it is in assessing and collecting revenues of the State and in administering statutes that exemplify important policies of social control; and

WHEREAS, The State Personnel Board is charged with the responsibility of elaborating and effectuating personnel plans and policies in the State civil service, including particularly the adjustment of compensation by means of prescribing minimum and maximum salary rates; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby finds that as to the following offices in the State Liquor Control Division, also known as the Alcoholic Beverage Control Division, the salary rates herein indicated are suitable and necessary minimum rates therefor, in conformity with a sound personnel policy, and the State Personnel board is requested and urged so to revise the minimum-maximum salary ranges as to accomplish the same;

The State Liquor Administrator, also known as Chief Liquor Enforcement Officer, a minimum salary of $10,000 per annum; the supervising auditor, grade 2, in the headquarters office of said division, also known as Assistant State Liquor Administrator, $6,000 per annum; each Chief Liquor Control Officer in charge of an administrative district, $5,000 per annum; each Supervising Liquor Control Officer, $3,000 per annum; each liquor control officer, $2,280 per annum; and be it further

Resolved, That the Chief Clerk of the Assembly forthwith transmit copies of this resolution to the State Personnel Board and to each member thereof

House Resolution No. 216 read, and adopted

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

Assembly Bill No. 116.
Assembly Bill No. 123.
Assembly Bill No. 210.
Assembly Bill No. 471.
Assembly Bill No. 490.
Assembly Bill No. 1521.
Assembly Bill No. 1588.
Assembly Bill No. 1612.
Assembly Bill No. 1779.
Assembly Bill No. 1801.
Assembly Bill No. 1849.
Assembly Bill No. 2388.
Assembly Bill No. 2548.
Assembly Bill No. 2581.
Assembly Bill No. 2705.
Assembly Bill No. 2809.
Assembly Bill No. 2873.
Assembly Bill No. 2879.
Assembly Bill No. 2884.
Assembly Bill No. 2887.
Assembly Bill No. 2920.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 32.
Assembly Bill No. 117.
Assembly Bill No. 579.
Assembly Bill No. 1091.
Assembly Bill No. 1368.
Assembly Bill No. 2013.
Assembly Bill No. 2206.
Assembly Bill No. 2621.
Assembly Bill No. 2677.
Assembly Joint Resolution No. 10.
Assembly Joint Resolution No. 18.
Assembly Concurrent Resolution No. 61.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

Resolutions.

The following resolutions were offered:

By Mr. Clark:

House Resolution No. 217.

Relative to completion and publication of a proposed Public Resources Code.

WHEREAS, The California Code Commission as part of its work has in the course of preparation a draft of a Public Resources Code; and,

WHEREAS, Most of this draft in mimeographed form has been submitted to many interested persons and groups prior to the present session of the Legislature but has not yet been printed, and, hence, has not received the wide circulation and careful scrutiny which such a measure should receive before submission for legislative consideration; and,

WHEREAS, The laws included within this code, embracing the provisions of the Political Code and the statutes with reference to the public lands of the State and the sale and leasing thereof, and the laws of the State relating to mining, oil and gas, forestry and State parks, are of vital concern to all citizens of this State and to public officials thereof; and,

WHEREAS, The codification of these laws is especially desirable in order to avoid existing confusion regarding their administration, to eliminate obsolete provisions of these laws, and to collect all laws pertaining to these subjects in one comprehensive act; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to complete the proposed Public Resources Code for printing as soon after the adjournment of the 1937 session of the Legislature as possible including therein all laws relating to such subject which are enacted by this session of the Legislature, and immediately to distribute the same; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to have not to exceed 1,000 copies of the proposed Public Resources Code printed, the cost thereof to be payable from the legislative printing appropriation

House Resolution No 217 read, and adopted by the following vote:

AYES—Baynham, Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garibaldi, Garland, Gilbert, Glick, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Leonard, Levey, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Walker, Watson, Williamson, and Mr. Speaker—61.

NOES—None.

By Mr Johnson, and Miss Miller:

House Resolution No. 218.

WHEREAS, Ethel Corwin, the beloved wife of our colleague, Assemblyman Gordon Corwin, has been gravely ill during many days of this fifty-second session; and

WHEREAS, During all of the trying days of this long session, Gordon Corwin has faithfully discharged the duties of his office, but has also been at all times a tender and loving husband; and

WHEREAS, All of the members of this Assembly regret the absence of Ethel Corwin from the loyal circle of the wives and mothers of our members; now therefore, be it

Resolved, That the Assembly of the State of California express to Ethel Corwin our best wishes and commend our colleague Gordon Corwin for his loving care and for the faithful service rendered to the State of California; and be it further

Resolved, That a copy of this resolution be properly engrossed for presentation to Assemblyman and Mrs Gordon Corwin.

House Resolution No. 218 read, and unanimously adopted.

Consideration of Senate Amendments to Assembly Bill No. 1801.

Assembly Bill No. 1801—An act making an appropriation to pay the claim of the Chief Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1801?

Amendment No. 1.

On page 2, line 4, of the printed bill, as amended, strike out "seventy-seven thou-", and insert in lieu thereof the following: "ten thousand nine hundred eighty and 12/100 dollars ($210,980.12)".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out all of line 5, and insert in lieu thereof the word "is".

Amendment No. 3.

On page 2, line 9, of the printed bill, as amended, strike out "seventy-seven thousand", and all of line 10, and insert in lieu thereof the following: "ten thousand nine hundred eighty and 12/100 dollars ($210,980.12) shall be".

Amendment No. 4.

On page 2, line 11, of the printed bill, as amended, strike out "$195,514", and insert in lieu thereof the figures: "$127,449.52".

Amendment No. 5.

On page 2, line 12, of the printed bill, as amended, strike out "$18,753.09", and insert in lieu thereof the following figures: "$18,916 84".

Amendment No. 6.

On page 2, line 23, of the printed bill, as amended, after the second word "in", insert the following: "that fund, or portion of such fund in the State treasury out of which the Department of Motor Vehicles is supported", and also strike out the last word "the", in said line 23.

Amendment No. 7.

On page 2, line 24, of the printed bill, as amended, strike out the following: "motor vehicle fund in the State Treasury", and strike out the following figures in said line 24: "$14,851.33", and insert in lieu thereof the figures "$16,635.88".

Amendment No. 8.

On page 2 of the printed bill, as amended, strike out all of line 26, and in line 27, strike out the words "the State Treasury."

Amendment No. 9.

On page 2, line 42, of the printed bill, as amended, after the word "Treasury", insert the following: "; $84.35 out of any money in the estates of deceased persons fund in the State Treasury".

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 1801 by the following vote:

AYES—Boyle, and Reaves—2.

NOES—Baynham, Burns, Michael J., Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Gannon, Garland, Gilbert, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Levey, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

Resolutions.

The following resolutions were offered:

By Mr. Garland:

House Resolution No. 219.

WHEREAS, One of the outstanding events of the year is the State Fair, which is held at Sacramento; and

WHEREAS, At this fair are gathered together exhibits of all resources, industry, education, and progress of the State of California; and

WHEREAS, The California State Fair may justly be said to be a State institution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker appoint a Special Committee to consist of five members to represent the Assembly in attendance at the State Fairs to be held in the years 1937 and 1938.

House Resolution No. 219 read, and unanimously adopted.

By 78 Members of the Assembly:

House Resolution No. 220-221.

WHEREAS, The members of the Legislature during the fifty-second session of the State Legislature have received without stint the cooperation and assistance of the people of Sacramento, the Sacramento Chamber of Commerce, and all other civic and fraternal organizations, who have all joined in making our stay in Sacramento an enjoyable and happy occasion; and

WHEREAS, Since the days of General Sutter, Sacramento has been the haven of hospitality, generosity and good will; and

WHEREAS, This hospitality was so magnificently carried on through the two representatives in the Assembly, namely: Assemblyman Earl Desmond and Assem-

blyman Chester Gannon, and in the Senate through Senator Roy Nielsen, and their good wives; now, therefore, be it

Resolved, That we, the members of the Assembly, thank the people of Sacramento and the civic and fraternal organizations for the uniform courtesies extended; and particularly do we congratulate these good people upon giving to the Legislature such able representatives and charming hosts who have made our stay in Sacramento one continuous round of enjoyable social affairs.

House Resolution No 220-221 read, and unanimously adopted

Senate Messages.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 383.	**Assembly Bill No. 2447.**
Assembly Bill No. 491.	**Assembly Bill No. 2451.**
Assembly Bill No. 614.	**Assembly Bill No. 2502.**
Assembly Bill No. 1201.	**Assembly Bill No. 2708.**
Assembly Bill No. 1271.	**Assembly Bill No. 2770.**
Assembly Bill No. 1488.	**Assembly Bill No. 2785.**
Assembly Bill No. 1575.	**Assembly Bill No. 2867.**
Assembly Bill No. 1592.	**Assembly Bill No. 2875.**
Assembly Bill No. 1608.	**Assembly Bill No. 2901.**
Assembly Bill No. 1886.	**Assembly Bill No. 2907.**
Assembly Bill No. 1896.	**Assembly Bill No. 2921.**
Assembly Bill No. 2307.	**Assembly Bill No. 2925.**

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 277.	**Assembly Bill No. 2051.**
Assembly Bill No. 290.	**Assembly Bill No. 2070.**
Assembly Bill No. 1209.	**Assembly Bill No. 2364.**
Assembly Bill No. 1280.	**Assembly Bill No. 2409.**
Assembly Bill No. 1431.	**Assembly Bill No. 2790.**
Assembly Bill No. 1498.	**Assembly Bill No. 2869.**
Assembly Bill No. 1685.	**Assembly Bill No. 2874.**
Assembly Bill No. 1728.	**Assembly Bill No. 2892.**
Assembly Bill No. 1826.	**Assembly Bill No. 2904.**

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

SENATE CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to:

Assembly Bill No. 1801—An act making an appropriation to pay the claim of the Chief Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately;

And appointed Senators Rich, Knowland, and Hays as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 1801.

The Speaker announced the appointment of Messrs. Cottrell, King and Turner as a Committee on Free Conference concerning Assembly Bill No. 1801.

Recess.

At four o'clock and fifteen minutes p.m., on motion of Mr. King, the Assembly was declared at recess until four o'clock and twenty minutes p.m.

Reassembled.

At four o'clock and twenty minutes p.m., the Assembly reconvened. Speaker Jones in the chair.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read.

Concerning Assembly Bill No. 1801.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning: Assembly Bill No. 1801.

Reports that it has met a like committee of the Senate, consisting of Senators Rich, Knowland and Hays, and reports that the Committee on Free Conference is unable to agree.

COTTRELL
KING.
TURNER.
Assembly Committee on Free Conference.

RICH.
KNOWLAND.
HAYS.
Senate Committee on Free Conference.

Appointment of Second Committee on Free Conference Concerning Assembly Bill No. 1801.

The Speaker announced the appointment of Messrs Garland, Field, and Rosenthal as a Second Committee on Free Conference concerning Assembly Bill No. 1801.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 464—An act to amend section 1200 of the Probate Code, relating to mode of giving notice in certain instances, and where not otherwise prescribed.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 464?

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out the words "or of", and insert in lieu thereof the words "of the".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 464 by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Desmond, Donahue, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Kepple, King, Latham, Laughlin, Leonard, Maloney, Mayo, McMurray, Meehan, Morgan, Patterson, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 464 ordered to enrollment.

Assembly Bill No. 1334—An act to amend sections 3, 4, and 11 of, and to add section 605 to, an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs, and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulterating, mislabeling, misbranding, false advertising, and sale of foods and the powers of the State Board of Public Health in relation thereto.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1334?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "of", insert the following: ", and to add section 6.5 to,".

Amendment No. 2.

On page 2, line 2, of the printed bill, strike out "can", and insert in lieu thereof the following "may"

Amendment No. 3.

On page 2, line 9, of the printed bill, after the period, insert the following "The State Board of Public Health is authorized to adopt standards, definitions, and regulations, not in conflict with this act.

The State Board of Public Health may adopt in whole or in part the standards of purity for liquors, alcoholic beverages, and wines promulgated by the Federal Alcohol Administration, United States Treasury Department"

Amendment No. 4

On page 2, line 24, of the printed bill, strike out "added poisonous or other added", and insert in lieu thereof the following: "poisonous or other"

Amendment No. 5.

On page 2, line 46, of the printed bill, strike out "or", and insert in lieu thereof the following ", or in regulations promulgated"

Amendment No. 6.

On page 2, line 47, of the printed bill, after "California", insert the following ", and with reference to liquors, alcoholic beverages, and wines, the standards of purity promulgated by the Federal Alcohol Administration, United States Treasury Department, or in regulations promulgated by the State Board of Public Health".

Amendment No. 7.

On page 3 of the printed bill, between lines 9 and 10, insert the following:

"SEC. 3. A new section to be numbered 6 5 is hereby added to said act, to read as follows

SEC 6 5. With reference to the labeling of beer, ale, porter, and stout, the State Board of Public Health may enforce the labeling provisions of the Alcoholic Beverage Control Act, with reference to the labeling of all other alcoholic beverages as defined in the Alcoholic Beverage Control Act, the State Board of Public Health may adopt in whole or in part the rules and regulations of the Federal Alcohol Administration, United States Treasury Department."

Amendment No. 8.

On page 3, line 10, of the printed bill, strike out "3", and insert in lieu thereof the following "4".

Amendment No. 9.

On page 3, line 12, of the printed bill, after "of", insert the following: "Public".

Amendment No. 10.

On page 3, line 17, of the printed bill, strike out "mislabeled", and insert in lieu thereof the following: ", mislabeled,"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1334 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Clark, Cottrell, Crouch, Crowley, Daley, Dannenbrink, Desmond, Donahue, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Johnson, Kepple, King, Latham, Laughlin, Leonard, Lore, Maloney, Mayo, McMurray, Morgan, Patterson, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Welsh, Williamson, and Mr. Speaker—45

NOES—Boyle—1.

Assembly Bill No. 1334 ordered to enrollment.

Assembly Bill No. 2594—An act to add to the School Code sections 2 310, 2.600, 2 1021, 2 1058, 2 1061, 2 1095, 2.1111, 2.1321, 2 1399, 2 1400, 2 1401, 2 1435, 3.530, 3.762, 3 807, 4 784-1, 5.112, 5 383, 5.460, 5.461, 5 532, 6 204, 6 260, 6 391, 6.452, 6 731, 6 732, 6.733 and 6.751; to add to Chapter XI of Part I of Division II thereof a new article to be known as Article VIa; to add to Chapter II of Part IV of Division II thereof a new article to be known as Article V; to add to Chapter II of Part IV of Division II thereof a new article to be known as Article VII; to add to Chapter I of Part V of Division II thereof a new article to be known as Article V; to add to Chapter I of Part IV of Division III thereof a new article to be known as Article VIII; to add to Chapter II of Part IV of Division III thereof a new article to be known as Article VIIa; to add to Chapter I of Part III of Division IV thereof a new article to be known as Article Ia; to add to Chapter II of Part I of

Division VI thereof, a new article to be known as Article VIa; to add to Chapter III of Part I of Division VI thereof a new article to be known as Article I; to add to Chapter V of Part II of Division VI thereof a new article to be known as Article I, to add to Chapter V of Part II of Division VI thereof a new article to be known as Article III; to add to Chapter V of Part II of Division VI thereof a new article to be known as Article IV; to add to Chapter V of Part II of Division VI thereof a new article to be known as Article V; and to repeal certain acts and parts of acts specified herein, all relating to the public school system.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "and 2.1321", and insert in lieu thereof the following: "2 1321, 2.1399, 2.1400, 2.1401, 2.1435, 3.351, 3 392, 3 530, 3.762, 3 807, 4 784-1, 5.112, 5.383, 5.460, 5.461, 5.532, 6 204, 6 260, 6.391, 6 452, 6 731, 6.732, 6.733 and 6.751; to add to Chapter XI of Part I of Division II thereof a new article to be known as Article VIa; to add to Chapter II of Part IV of Division II thereof a new article to be known as Article V, to add to Chapter II of Part IV of Division II thereof a new article to be known as Article VII; to add to Chapter I of Part V of Division II thereof a new article to be known as Article V; to add to Chapter I of Part IV of Division III thereof a new article to be known as Article VIII; to add to Chapter II of Part IV of Division III thereof a new article to be known as Article VIIa; to add to Chapter I of Part III of Division IV thereof a new article to be known as Article Ia; to add to Chapter II of Part I of Division VI thereof, a new article to be known as Article VIa; to add to Chapter III of Part I of Division VI thereof a new article to be known as Article I; to add to Chapter V of Part II of Division VI thereof a new article to be known as Article I; to add to Chapter V of Part II of Division VI thereof a new article to be known as Article IV; to add to Chapter V of Part II of Division VI thereof a new article to be known as Article V".

Amendment No. 2.

On page 5, line 44, of the printed bill, strike out "2 1331", and insert in lieu thereof the number "2 1321".

Amendment No. 3.

On page 5 of the printed bill, strike out all of lines 45 to 52, inclusive, and insert in lieu thereof the following:

"2 1321. The State Department of Education shall be administered through:

(1) The State Board of Education which shall be the governing and policy determining body of the department;

(2) The State Director of Education in whom all executive and administrative functions of the department are vested and who is the executive officer of the State Board of Education.

SEC 10. A new section is hereby added to the School Code to be numbered 2 1399, and to read as follows:

2 1399. The State Board of Education shall have power:

SEC 11. A new section is hereby added to the School Code to be numbered 2 1400, and to read as follows:

2.1400. To establish at the request of the governing authorities of any State institution, courses of instruction for the inmates of such institution;

SEC. 12 A new section is hereby added to the School Code to be numbered 2 1401, and to read as follows:

2 1401 To examine under arrangements with the governing authorities of any such institution the progress of students taking such courses and to grant certificates of progress or completion as the State Board of Education may determine.

SEC. 13. A new section is hereby added to the School Code to be numbered 2 1435, and to read as follows:

2.1435. All members of the State Curriculum Commission shall serve without compensation, but they shall be allowed their actual and necessary traveling expenses in attending meetings of the commission and in attending meetings of any committee or subcommittee of the commission of which they may be a member.

SEC 14. A new section is hereby added to the School Code to be numbered 3 351, and to read as follows:

3 351. The high school board may admit to such junior college courses of study graduates of any high school, and such other candidates for admission who are over eighteen years of age, and are recommended for admission by the principal of the high school maintaining the junior college courses.

SEC. 15 A new section is hereby added to the School Code to be numbered 3 392, and to read as follows:

3.392. The said State Board of Education shall have the power to make and enforce all necessary rules and regulations not inconsistent with law, to provide for a system of uniform cost accounting for all junior colleges

SEC 16 A new section is hereby added to the School Code to be numbered 3 530, and to read as follows:

3.530. Boards of school trustees, or city boards of education of any school district, may employ teachers to be known as "home teachers" not exceeding one such teacher for every five hundred units of average daily attendance in the elementary or high schools of the district as shown by the report of the county superintendent of schools for the next preceding school year.

SEC. 17. A new section is hereby added to the School Code to be numbered 3 762, and to read as follows:

3.762. A minimum of fifty per cent of each school week must be devoted to reading, writing, language study, spelling and arithmetic in grades one to six inclusive, and a minimum of six hundred minutes of each school week must be devoted to such subjects in grades seven and eight

SEC. 18. A new section is hereby added to the School Code to be numbered 3 807, and to read as follows:

3.807. The course of study for special day and evening classes for adults maintained in connection with any high school shall be designed to fit the needs of adult pupils.

SEC. 19. A new section is hereby added to the School Code to be numbered 4.784-1, and to read as follows:

4.784-1. The Superintendent of Public Instruction shall apportion to every county wherein one or more twenty-four-hour elementary schools are established, an amount equal to one-half of the excess cost of educating pupils in such schools during the next preceding school year as computed by the various county superintendents of schools as provided in this act; provided, that such apportionment shall not exceed one hundred dollars per pupil for each pupil in average daily attendance at such school during the said year.

There shall be set aside from the moneys so received an amount sufficient to provide the necessary supervision by the State Board of Education Apportionments made under the provisions of this section shall be in addition to any other apportionments made from the State school fund on account of the average daily attendance at such schools. No money shall be so apportioned unless such twenty-four-hour elementary schools meet the requirements of the Superintendent of Public Instruction based upon educational standards and standards established by State agencies authorized by law to inspect or supervise child-caring institutions

On or before the thirty-first day of December, 1929, and on or before the thirtieth day of June and the thirty-first day of December in each succeeding year, the State Controller shall transfer from the general fund of the State, to the State school fund, such sum, in addition to the funds already provided by law, as the Superintendent of Public Instruction certifies is required to reimburse the several counties for one-half the excess moneys actually expended by the elementary school districts thereof for the education of pupils in twenty-four-hour elementary schools as provided in this code; provided, that such added amount shall not exceed one hundred dollars per pupil in average daily attendance therein during the next preceding school year.

The State Treasurer shall transfer from the general fund to the State school fund such sum as certified to him by the State Controller under the provisions of this section.

SEC. 20. A new section is hereby added to the School Code to be numbered 5.112, and to read as follows:

5.112. The Director of Education may provide for the establishment and maintenance of cafeterias in the State teachers colleges whenever in his judgment it is desirable to do so. The food served shall be sold to the patrons of the cafeterias at such prices as will pay the cost of operating and maintaining the cafeterias.

SEC. 21. A new section is hereby added to the School Code to be numbered 5 383, and to read as follows:

5.383. Whenever the holder of any life diploma or other teacher's credential or document issued by the State Board of Education in accordance with law requests in writing that any such diploma, credential, or document held by him be revoked, the State Board of Education shall proceed in accordance with general rules and regulations which it has adopted; provided, however, that any such request shall be received, read and made a matter of record at one meeting and shall be acted upon at a subsequent meeting; provided, further, that no such request shall be granted except after an investigation by a committee of the board or its duly authorized agents and the filing with the board by such committee or agents of a report in writing that the best interests of the State warrant the granting of the request without public hearing.

SEC. 22. A new section is hereby added to the School Code to be numbered 5.460, and to read as follows:

5.460. No librarian shall be employed for more than two hours a day in any elementary or secondary school, unless such librarian holds a valid secondary school certificate or a special teacher's certificate in librarianship of proper grade, granted in accordance with the provisions of this code.

SEC. 23. A new section is hereby added to the School Code to be numbered 5.461, and to read as follows:

5.461. Such librarians when employed full time as librarians, or serving full time, partly as librarians and partly as teachers shall rank as teachers.

SEC. 24. A new section is hereby added to the School Code to be numbered 5.532, and to read as follows:

5.532. The governing board of any school district shall have the power and the duty to provide for the payment of the actual and necessary traveling expenses of any employee of the district when performing services for the district under the direction of the governing board thereof. The governing board may direct any employee of the district to attend any convention or conference or to visit schools for the discussion or observation of any school matter appertaining to the duties of the employee or any question of interest to the school district.

SEC. 25. A new section is hereby added to the School Code to be numbered 6.204, and to read as follows:

6.204. Notwithstanding any of the provisions of this article to the contrary, the governing board of any school district of any type or class may, with the approval of the Director of Finance, lease real property owned by such school district to the State Department of Education or to the Regents of the University of California upon such terms and conditions as may be agreed upon. The State Department of Education or the Regents of the University of California is hereby authorized and empowered to enter into any agreement to lease real property under the provisions of this section.

SEC. 26. A new section is hereby added to the School Code to be numbered 6.260, and to read as follows:

6.260. The State Board of Education shall adopt and may cause to be published by the Superintendent of State Printing, one or more textbooks and teachers manuals, as it may deem necessary, in each of the studies prescribed for the elementary schools of this State, or it shall adopt and may cause to be published by the Superintendent of State Printing two or more textbooks and teachers manuals, as it may deem necessary, in each of the studies prescribed for the elementary schools of this State, wherein any book to supplement the basic text is used. The studies above mentioned shall not include morals and manners and art, for each of which a teachers manual may be adopted. Nothing in this section shall be construed as requiring the State Board of Education to adopt more than one textbook or teachers manual in any subject where one such textbook or manual would be sufficient to cover the needs in the subject prescribed, provided, further, that nothing in this section shall be construed as prohibiting district boards of school trustees, city boards of education and county libraries from ordering and purchasing such supplementary textbooks as may be required.

The term elementary schools as used in this chapter includes all public schools, excepting junior high schools, in which instruction is given in the first to the eighth grades inclusive, or in any one or more of such grades.

SEC. 27. A new section is hereby added to the School Code to be numbered 6.391, and to read as follows:

6.391. Such publisher shall also submit one copy of each book, together with a statement of the list price of said book as shown by the publisher's catalog, a statement of all discounts allowed thereon when new copies of such book are purchased, and a statement of the lowest exchange price that will be given when old books in the same subject and of the like kind and grade, but of a different series, are received in exchange.

SEC. 28. A new section is hereby added to the School Code to be numbered 6.452, and to read as follows:

6.452. Nothing in this article shall be construed to prevent any person, publisher, or publisher's agent from supplying for purposes of examination necessary sample copies of school textbooks to any member of a high school board, school official or teacher.

SEC. 29. A new section is hereby added to the School Code to be numbered 6.731, and to read as follows:

6.731. The cost of housing and equipping such cafeterias shall be a charge against the funds of the school district.

SEC. 30. A new section is hereby added to the School Code to be numbered 6.732, and to read as follows:

6.732. Said boards may at their discretion provide for the general supervision of such cafeterias and the cost of such general supervision shall be a charge against the funds of the school district.

SEC. 31. A new section is hereby added to the School Code to be numbered 6.733 and to read as follows

6.733. The food served shall be sold to the patrons of the cafeterias at such a price as will pay the cost of maintaining the cafeterias, exclusive of the cost of such general supervision.

SEC. 32. A new section is hereby added to the School Code to be numbered 6.751, and to read as follows

6.751. Such use of said public schoolhouse and grounds for said meetings shall be subject to such reasonable rules and regulations as the governing board of the district may prescribe and shall in nowise interfere with such use and occupancy of said public schoolhouse and grounds, as is now, or hereafter may be required, for the purposes of said public schools of the State of California.

SEC. 33. A new article is hereby added to Chapter XI of Part I of DIVISION II of the School Code, to be known as Article VIa, and to read as follows

Article VIa. Annexation of High School Districts Wherein Reside Junior College Pupils

2.730a. Whenever a principal of a junior college in any junior college district shall present to the junior college board of such junior college district a statement made under oath that the average daily attendance in such junior college of pupils whose parents reside in a high school district contiguous to such junior college district, was an average of three or more for the two school years next preceding, which statement shall set forth the names of said pupils, the junior college board of such junior college district may petition the board of supervisors of the county, the superintendent of schools of which has jurisdiction over such high school district, to annex such high school district to such junior college district

2.731a. Upon presentation of such petition, accompanied by the sworn statement of the principal of the junior college concerning the attendance and residence of such pupils, and the verification thereof by the county superintendent of schools having jurisdiction over the junior college district, the board of supervisors, shall set the petition for hearing at a regular meeting thereof and shall publish in a newspaper of general circulation in the county once each week for at least two weeks prior to such hearing a notice containing a general statement of the purpose of such petition and the time and place when and where the petition will be heard and shall require the clerk of the said board of supervisors to mail a copy of such notice to each of the trustees of the high school district at least ten days prior to such hearing.

2.732a. The board of supervisors thereof shall at the time and place named in such notice meet to receive any protest which interested parties may present, and, if no protest be filed in accordance with the provisions of this article shall make an order annexing such high school district to the junior college district

2.733a Should a petition protesting against such annexation, signed by at least twenty per cent or more of the qualified electors of such high school district, as shown by the affidavit of one of the petitioners, be filed at said meeting, the board of supervisors shall order an election to be held in said high school district within thirty days after the making of such order, to determine the question. Said election shall be called and held in the same manner as the elections for high school district bonds except that the words to appear upon the ballot shall be "For annexation to (insert name of) junior college district—Yes" and "For annexation to (insert name of) junior college district—No," and except that the returns shall be made to the board of supervisors.

2.734a. If it shall appear that a majority of the votes cast at said election were cast in favor of such annexation, the board of supervisors shall make an order annexing the high school district to the junior college district. Said order shall be entered by the clerk of the board in his record of high school districts and he shall also send a copy thereof to the county clerk of each county in which any part of the junior college district is situated, who shall enter it in his record of junior college districts.

2.735a If it shall appear that a majority of the votes cast at said election were cast against such annexation, no other election shall be called on the question of such annexation until one year from the date of the filing of the original petition

2.736a Whenever the junior college board of each of two or more junior college districts shall, under the provisions of this article petition the board of supervisors having jurisdiction for the annexation of the same high school district, said board shall refer the matter to the county superintendent of schools having jurisdiction over such high school district who shall make a recommendation thereon, after which the board of supervisors having jurisdiction, shall make an order stating to which of said junior college districts the high school district may, in accordance with the provisions of this article, be annexed

2.737a Whenever a high school district is annexed to a junior college district in accordance with the provisions of this article, the territory so annexed to such junior college district shall not be liable for the payment of any part of the interest on, or principal of any bonded indebtedness of such junior college district theretofore incurred, unless a pro rata portion of such indebtedness is assumed under the

provisions of this article. Whenever a high school district is annexed to any junior college district under the provisions of this article, such junior college district shall thereafter constitute the same type of junior college district as would be the case were the district being newly formed and shall be governed and administered as such.

2.738a. From and after the annexation of a high school district under the provisions of this article, all property belonging to the original junior college district, shall be and become the property of the junior college district so formed.

SEC. 34. A new article is hereby added to Chapter II of Part IV of Division II of the School Code to be known as Article V, and to read as follows:

Article V—Divisions.

2.1440. In addition to such divisions of the Department of Education as have been established by law, the State Board of Education may, upon recommendation of the Director of Education, establish such divisions as in the judgment of the board are necessary for the proper transaction of the business of the department.

2.1441. The State Board of Education shall elect an experienced and qualified educator to be the head of each division in the department, such head to be known as chief of the division, but such election shall be made only on nomination of the Director of Education.

2.1442. The State Board of Education shall refuse to elect a nominee of the director, if, after a public hearing the board is convinced that said nominee is morally or professionally unfit for the position or is related to the director by marriage or otherwise.

2.1443. The State Board of Education shall have power to create such subordinate positions in each division as may be recommended by the chief of the division and approved by the Director of Education.

2.1444. The State Board of Education shall select persons to fill all such subordinate positions from a list submitted by the Civil Service Commission and nominated by the Director of Education.

2.1445. The State Board of Education shall have power to fix the salaries of all professional employees subject to approval by the State Department of Finance.

2.1446. The State Board of Education shall elect presidents and principals of teachers' colleges and all other schools governed by the State department on nomination of the Director of Education in the same manner as is hereinbefore provided in this code for the election of chiefs of division.

SEC. 35. A new article is hereby added to Chapter II of Part IV of Division II of the School Code to be known as Article VII, and to read as follows:

Article VII—Division of Schoolhouse Planning.

2.1460. The Department of Education shall have power, and it shall be its duty:

2.1461. To establish and make the rules and regulations needed for the expeditious handling of the work of a Division of Schoolhouse Planning, which is hereby created to carry out the purposes of this article;

2.1462. To establish standards for school buildings,

2.1463. To review plans and specifications of all school buildings, except in districts governed by a city board of education, and to formulate a schedule of charges for such service;

2.1464. To approve plans and specifications submitted by governing boards of school districts, and to return without approval and with recommendation for changes, any plans not conforming to established standards;

2.1465. To make all necessary provisions whereby governing boards of school districts, or architects engaged by them, may procure by purchase or otherwise, copies of standard specifications, plans and building codes prepared by the department;

2.1466. To make upon request of the governing board of any school district, except a city board of education, a survey of the building needs of the district, to advise such governing board concerning such building needs, to suggest plans for financing a building program to meet such needs, and to collect the cost of such survey, exclusive of the salaries of the State employees participating therein, from such district;

2.1467. To employ such experts and such clerical and stenographic assistants as may be required for expediting and checking and approving plans and specifications;

2.1468. All moneys collected by the Division of Schoolhouse Planning under the provisions of this article shall be available for the use of said division;

2.1469. A revolving fund of one thousand dollars is hereby created for the use of the division in carrying out the provisions of this article;

SEC. 36. A new article is hereby added to Chapter I of Part V of Division II of the School Code to be known as Article V, and to read as follows.

Article V—Membership of Schools in Organizations.

2.1520. The governing board of any school district of any type or class and the junior college board of any junior college district of any type or class, may subscribe for membership for any school under its jurisdiction in any society,

association, or organization which has for its exclusive purpose the promotion and advancement of public education through research and investigation and the publication of reports on educational problems. The State Board of Education shall approve a list of such societies, associations and organizations in which membership may be taken and no payment shall be made out of school funds for membership in any society, association or organization whose name does not appear in the list so approved by the State Board of Education. The total amount paid on account of all such membership shall not exceed thirty dollars ($30) for any school during any school year.

SEC. 37. A new article is hereby added to Chapter I of Part IV of Division III of the School Code to be known as Article VIII, and to read as follows:

Article VIII—Continuation Education Classes and Programs of Guidance, Placement and Follow-up in High Schools.

3.490. The high school board of each high school district must establish and maintain a program of guidance, placement and follow-up for all minors within the district subject to the provisions of Chapter II of Part II of Division I of this Code (see page 21).

3.491. The high school board of each high school district must establish and maintain special continuation education classes whenever there are fifty or more minors residing within the high school district who are subject to the provisions of Chapter II of Part II of Division I of this Code (see page 21).

3.492. Special continuation education classes established under the provisions of this article must provide at least four sixty-minute hours of instruction per week for each minor within the high school district who is subject to the provisions of Chapter II of Part II of Division I of this Code (see page 21).

3.493. Classes established under the provisions of this article must be maintained between the hours of eight a.m. and five p.m.

3.494. Classes established under the provisions of this article must provide suitable instruction for the various individuals for whose benefit they are established.

3.495. The State Board of Education shall have the power and the duty to prescribe and enforce standards and regulations for the organization and administration of programs of guidance, placement and follow-up, for programs of coordination and instruction in continuation education, for the special reimbursement thereof, and for the certification of teachers and coordinators for continuation education.

SEC. 38. A new article is hereby added to Chapter II of Part IV of Division III of the School Code to be known as Article VIIa, and to read as follows:

Article VIIa—Twenty-four-hour Elementary Schools.

3.670a. The purpose of this article is to authorize the establishment of twenty-four-hour elementary schools for minors between the ages of eight and sixteen years and to provide for the attendance, maintenance, care, home supervision, guidance, observation, and education of those attending such schools, and to provide such minors with such vocational, homemaking, mental, moral, physical and such other training as will tend to strengthen and develop such minors and enable them to become good and useful citizens. It shall be the duty of the staff of every twenty-four-hour school to make adjustment as rapidly as possible in order that the period of time the child is away from ordinary community life may be as brief as possible; to place such minors in proper homes where they will be assured of suitable educational opportunities, and to cooperate with child placement agencies to this end and to stimulate proper care of such minors by their parents.

3.671a. Any elementary school district, with the approval of the State Board of Education may establish and maintain one or more twenty-four-hour elementary schools in the discretion of the governing board of such district. Such school or schools shall be under the management and control of the governing board of the district which shall have in reference to such school or schools the same powers and duties which are now or may hereafter be assigned by law to such boards for the management of other schools of the district. A twenty-four-hour elementary school, as in this article designated and provided for shall be one of the public elementary schools of the district.

3.672a. The governing board of any school district maintaining a twenty-four-hour school shall, upon the recommendation of the superintendent of schools of the district, appoint a board of admission to said twenty-four-hour school consisting of one member of the governing board of the district, a representative of the welfare or charities department, if such a department exists, of the city within which the district is situated, if within a city, otherwise of the county the superintendent of schools of which has jurisdiction over the district, and two other persons designated by said superintendent. At least one member of the board of admission shall be a woman. The principal of each twenty-four-hour school, the superintendent of schools of the district and a representative of the State Department of Education shall be ex officio members of said board of admission. The chairman of the board of admission shall be the superintendent of schools of the district and the said board shall meet at such times and places as may be designated by the chairman.

Children admitted will be those whose cases represent such serious behavior problems as to need constant study and care; who need more than foster home placement and definitely require twenty-four-hour supervision. Admission of pupils to a twenty-four-hour school shall be by one of the methods hereinafter provided. No child shall be admitted to a twenty-four-hour school except upon the recommendation of the board of admission.

3.673a. It shall be the duty of the said board of admission, or through some person or persons designated by it to investigate the case of any child whose name is submitted in writing accompanied by a signed statement for consideration for admission to such school and to make recommendations in each case. The board of admission shall observe the progress of each child, and shall advise and recommend his release as soon as sufficient progress is indicated.

3.674a. The governing board maintaining twenty-four-hour schools may assign to such school any minor between the ages of eight and sixteen years who is a resident of such school district whose parent or guardian does not exercise proper care, supervision and guidance over him, or who is, by reason of insubordinate conduct, or refusal to obey the rules and regulations of the school authorities, in need of special educational training and discipline to prevent him from becoming subject to the provisions of the Juvenile Court Law, approved June 5, 1915, as amended. Any such pupil may be asssigned to such school by order of the superintendent of schools of such district, approved in writing by the parent, or guardian in compliance with the recommendation of the board of admission. If the parent or guardian of such pupil shall enter into a contract with the school district for the support of such pupil, he may be maintained in such school for the period of the assignment.

3.675a. If the parent or guardian of any such pupil shall refuse to enter into a contract providing for the payment to the school district of a sum sufficient to meet the average cost of maintaining a pupil within such school, including meals and a reasonable sum for lodging, and if the presence of the child within another school of the district or within its home is a menace to the future welfare of other children or of the child itself, it shall be the duty of the superintendent of schools of the district to cause to be filed in the superior court of the county in which such district is located, acting in such department thereof as shall be performing the functions of the juvenile court, or in any other court of competent jurisdiction a complaint asking for an order of the court, committing the child to such twenty-four-hour school and fixing the amount such parent or guardian must pay for its maintenance therein until such time as the superintendent of schools of the district, shall report to the court that the best interests of the minor will be served by its discharge from such school. A copy of the complaint shall be at the same time furnished the parent or guardian. Should such parent or guardian be unable to pay such amount the court may on such order provide for the payment by the county in which such district is located a sum sufficient to cover the costs of maintenance of such child during the period of its commitment to the school.

3.676a. It shall be the duty of the principal of any school in the district in which there has been established a twenty-four-hour school to report to the superintendent of schools of that district, after conference held with the parent or guardian, any pupil in his school who he believes comes within the provisions and intent of this article. This report shall be in writing and shall set forth the facts upon which he believes that the child comes within the provisions of this article.

3.677a. Any minor who shall have been placed in the care and control of such twenty-four-hour school with the consent of the parent or guardian, shall remain therein, if placed therein by order of the superintendent of schools of the district, for the duration of the period provided by said order or until further order of said superintendent of schools of the district; provided, however, that in any event the superintendent making such order shall review the same at intervals of at least twice a year following such order and upon such review may order the continuance or termination of the stay of the child in the twenty-four-hour school.

3.678a. If the minor shall have been placed in the twenty-four-hour school by order of the superintendent of schools of such district, the parent, or guardian with whose consent such minor was so placed in such school, shall have the right, upon application to the superintendent of schools who placed him therein, to secure the release of said minor and his restoration to the care, custody and control of such parent or guardian. The superintendent of the district shall require a written report from the principal of the twenty-four-hour school, giving the progress of the child and the advisability of the release of such child from the twenty-four-hour school and in case such report indicates that the said minor is in need of further care and treatment, that his release would be detrimental to his own welfare or the welfare of others, then the superintendent of the district may report the minor to the juvenile court or other proper court for action, as provided under the Juvenile Court Law, approved June 5, 1915, as amended.

3.679a. If, in the opinion of the principal of any twenty-four-hour school, the further detention therein of any minor is detrimental to said minor, such minor may upon order of the principal be returned to the superintendent of schools of the

district in which the school is located or to the court which committed the child, as the case may seem necessary for the best interest of the child.

3.680a. Any pupil who absents himself from any twenty-four-hour elementary school without permission therefor being first obtained from the principal thereof shall be deemed an habitual truant within the meaning of subdivision 10 of section 1 of the Juvenile Court Law, approved June 5, 1915, as amended, and dealt with as such.

If any person contributes to the absence of any pupil from such school without permission first having been obtained from the principal thereof, or advises, connives at, or aids or assists in such absence or conceals any such pupil after any such absence, such person is guilty of a misdemeanor.

3.681a. The course of study for said pupils and the method or methods used in enforcing said course of study shall be approved by the governing board of the district. There shall also be provided in such school or schools the proper facilities and equipment for vocational and trade training.

3.682a. The principal shall reside in the twenty-four-hour school and shall be furnished suitable quarters, furniture, food, supplies and laundry for himself and his family. The governing board of the district may make provision for maintenance of such individual instructors, officers, and employees as the interests of such school or schools may in its judgment require to reside on the premises.

3.683a. Each twenty-four-hour school may conduct clinics for the diagnosis and observation of children and may advise parents and school authorities regarding courses of study or treatment in the interests of the normal development of any child and to prevent waywardness and delinquency.

3.684a. The cost of securing sites or constructing and equipping buildings and in general the cost of housing and equipping twenty-four-hour schools including the necessary dormitories, dining halls, and other living quarters for pupils and employees of the district shall be a charge against the funds of the school district maintaining the same. The governing board of any such district may employ such principals, assistants, teachers, and employees as are necessary in the judgment of the board for the proper conduct of such twenty-four-hour schools and pay them from the funds of the school district. The expenses of lodging and boarding pupils residing within the buildings of any twenty-four-hour school shall be paid from the sums received from contracts with the parents or guardians of said pupils, or from the funds of the county within which such school is located paid to the school district in pursuance of court orders for the maintenance of pupils therein.

3.685a. This article shall be construed in conformity with the intent as well as the express provisions thereof and shall confer upon the governing board of any twenty-four-hour school or schools that may be created under the provisions of this article, authority to do all those lawful acts which it or they may deem necessary to promote the prosperity of such school or schools, or to promote the well-being and education of all minors entrusted to their charge. In construing this article the singular shall include the plural and the plural the singular, and the masculine shall include the feminine.

SEC. 39. A new article is hereby added to Chapter I of Part III of Division IV of the School Code to be known as Article Ia, and to read as follows:

Article Ia—Emergency Cash Fund.

4.280a. The governing board of any school district, high school or junior college district, of any kind or class, may, with the consent of the county superintendent of schools establish an emergency cash fund for the use of the chief accounting officer of such district, by adopting a resolution setting forth the necessity for such emergency cash fund, the officer for whom and the purposes for which such emergency cash fund shall be available, and the amount thereof, which shall not be more than one per cent of the district's estimated expenditures for the then current fiscal year and shall not in any event exceed five hundred dollars. Two certified copies of such resolution shall be transmitted to the county superintendent of schools who, if he approves the establishment of such fund, shall indorse his consent on such resolution and return one copy thereof to the governing body of the district.

4.281a. The officer for whose use such emergency cash fund is created shall file with the governing body of the district a bond in favor of the district, executed by such officer as principal and by a surety company authorized under the laws of this State to execute bonds as surety, in an amount not less than double the amount of such emergency cash fund. Such bond shall be conditioned upon the faithful administration of such emergency cash fund and upon the willingness and ability of the principal to account for and pay over said emergency cash fund at any time upon the demand of the governing board of the district. The premium on such bond shall be a legal charge against the district, payable from the county or special fund thereof.

4.282a. The governing board of the district shall draw an order, on the form and in the manner required by law for order, requisition and warrant for the payment of school moneys, payable from the county or special fund of the district,

in favor of the officer for whose use such emergency cash fund is created, for the amount of emergency cash fund, and transmit such order to the county superintendent of schools accompanied by the bond and a certified copy of the resolution hereinbefore required; upon his approving such order, the county superintendent of schools shall detach and retain such bond; upon his allowing and signing the warrant, the county auditor shall detach and retain such certified copy of resolution; the county treasurer shall pay such warrant.

4.283a. The person entrusted with said fund shall not be authorized to expend any portion thereof except for services or material, the securing or purchasing of which is a legal charge against such district and no expenditure shall be made unless a receipt is obtained therefor setting forth the date and the purpose of the expenditure and the amount expended. A bill shall be presented to such district monthly, or oftener if necessary, for the reimbursement of such fund in the same manner as other bills are presented, such bill to be supported by the receipt or receipts hereinbefore required. All sums received in payment of said bills shall be returned to the emergency cash fund and each person entrusted with said emergency cash fund shall, upon demand of the county superintendent of schools or the county auditor or of the governing board of such district, give an account of said fund.

4.284a. The governing board of such district may at any time reduce or discontinue any emergency cash fund so established by its order. Whenever any emergency cash fund is ordered reduced the person using the same shall immediately return to the county treasury the amount necessary to reduce the fund, as ordered by such board. If the emergency cash fund is discontinued, the person using the same shall immediately refund the amount thereof to the county treasurer. In either event a reasonable time shall be allowed such person to reimburse himself by bills presented to such school district for expenditures from said fund legally made.

SEC. 40. A new article is hereby added to Chapter II of Part I of Division VI of the School Code to be known as Article VIa, and to read as follows:

Article VIa—Junior College Buildings.

6.90a. The governing board of any junior college district shall have the power, when in its judgment it is deemed necessary, to construct and maintain dormitories in connection with any junior college within the district for use and occupancy by pupils in attendance at such junior college and shall fix the rates to be charged such pupils for quarters therein.

SEC. 41. A new article is hereby added to Chapter III of Part I of Division VI of the School Code to be known as Article I, and to read as follows:

Article I—General Provisions.

6.100. Boards of school trustees, and city boards of education, shall have power and it shall be their duty, when directed by a vote of their districts, to purchase or sell school lands.

6.101. The State Department of Education shall have power, and it shall be its duty to establish standards for school sites.

SEC. 42. A new article is hereby added to Chapter V of Part II of Division VI of the School Code to be known as Article I, and to read as follows:

Article I—Adoption.

6.370. The governing board of each high school district shall adopt textbooks for use in the schools under its control, and only such books may be adopted by said governing board and used as high school textbooks as shall have been filed with and officially listed by the State Board of Education under such regulations as may be prescribed by the State Board of Education.

6.371. The State Board of Education shall classify all instructional material used in high schools, and shall indicate which materials are textbooks. Instructional materials not classified as textbooks may be purchased by governing boards of high school districts without reference to the list of State textbooks.

6.372. The books adopted shall be put in actual use in the district not later than the school year next following their adoption.

6.373. After such books have been selected and adopted by said board, no book shall be changed nor any other book substituted therefor, except as otherwise provided in this chapter, for the period of three years after the date of its adoption, as shown by the official records of the board.

6.374. Whenever courses of study designed to meet the needs of pupils of differing degrees of ability and preparation have been adopted by the governing board of a high school district, different textbooks may be adopted in such courses under regulations prescribed by the State Board of Education.

6.375. Any textbooks in use in the high schools of California on July 1, 1929, may be continued in use until textbooks are purchased and distributed by the high school board in accordance with the provisions of this chapter, but when said books are changed or other books substituted the books adopted shall be from the official list filed with the State Board of Education in pursuance of this chapter and shall be used for a full period of three years.

SEC 43 A new article is hereby added to Chapter V of Part II of Division VI of the School Code to be known as Article IV, and to read as follows

Article IV—Bond of Publisher.

6.400. Every publisher desiring to offer one or more books for official listing must file with the State Board of Education a bond in a form approved by the Attorney General payable to the State of California in a sum to be determined by the State Board of Education

6.401. The sum of the bond for any publisher offering one or more books shall be not less than one thousand dollars nor more than ten thousand dollars, the bond to be conditioned as follows:

6.402. First—That the publisher will furnish said book or books offered by him and listed by the State Board of Education, to any high school district at a price which shall not exceed the lowest price the publisher has made for such book or books offered anywhere in the United States under similar conditions of transportation and marketing.

6.403. Second—That the publisher will reduce such price automatically to purchasers within the State of California, whenever reductions are made elsewhere in the United States, so that at no time shall any book so filed and listed be sold to school authorities in California at a higher net price that is received for such book elsewhere in the United States; and that upon failure or refusal of the publisher to make such reduction all contracts or such book or books shall become null and void.

6.404. Third—That all books offered for sale, adoption or exchange in the State of California shall be equal in quality to that officially filed in the office of the State Board of Education as regards paper, binding, print, illustration, subject matter, and all other particulars that may effect (affect) the value of such school books

6.405. Fourth—That the publisher will not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in textbooks, and that he will not enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of school books for use in the State of California.

6.406 Fifth—That the publisher will maintain an office in California or designate an agent or arrange with a depositary in California, to receive and handle orders for said book or books.

6.407. Sixth—That the publisher will pay the costs in a sum not to exceed five hundred dollars of any investigation of the merits of any book filed by him should a commission of impartial experts find, after public hearing, that such book filed by said publisher and sold by him in California contained sectarian or denominational doctrine contrary to law, or propaganda injurious, in the judgment of such commission, to the schools.

6.408. It shall be a misdemeanor for any publisher or his representative to offer for sale any textbook to the high schools of California unless said book has been officially filed and there is on file in the office of the State Board of Education a valid bond, conditioned as herein provided in full force and effect.

6.409. When, in the judgment of the State Board of Education, there exists sufficient evidence that a textbook listed by said board contains sectarian or denominational doctrine contrary to law or contains propaganda injurious to the welfare of the public schools, said board shall cause the book to be investigated by a committee of impartial experts. Such committee shall be constituted and shall conduct its investigation under such rules and regulations as may be prescribed by the State Board of Education. If, in the opinion of the committee such textbook does contain sectarian or denominational doctrine contrary to law or does contain propaganda injurious to the welfare of the public schools, said board of education may remove said book from the official list.

SEC. 44. A new article is hereby added to Chapter V of Part II of Division VI of the School Code, to be known as Article V, and to read as follows:

Article V—Purchase of Textbooks.

6.420. The State Department of Education shall provide each publisher with a certificate for each book officially filed and shall from time to time notify county superintendents of schools, city superintendents of schools and high school principals, that such books have been officially listed together with the price at which such books are to be sold.

6.421. At least once each year the State Department of Education shall publish a complete list of all books officially listed for use in the high schools of California, one copy of which shall be sent to each county superintendent of schools, each city superintendent of schools, each high school principal and each clerk of the governing board of every high school district, and to each publisher whose books are listed

6.422. Whenever a book has been removed from the list by action of the State Board of Education, it shall be illegal for any high school district to purchase copies of such book or to continue the use of such book in high schools in the district, beyond the close of the current school year.

6.423. Books shall be removed from the list in any one of the following ways: (a) upon written request of the publisher thereof; (b) by action of the State Board

of Education after formal investigation as provided in this chapter; (c) by action of the State Department of Education after the book has been on the list for a period of ten years, but such action shall not prevent the publisher again officially filing such book for listing.

6.424. It shall be the duty of the clerk or secretary, or other person named by the board of such purpose, to purchase textbooks on order of the governing board of the high school district and to examine the books when received, and if they are found to be correct and in accordance with the order, a warrant shall be drawn for the proper amount, including the cost of transporting the textbooks, against any fund of the high school district available for such purpose and remitted to the publisher within thirty days after receipt of the books."

Amendment No. 4.

On page 6, line 1, of the printed bill, strike out "10", and insert in lieu thereof the number "45".

Amendment No. 5.

On page 6, line 1, of the printed bill, after the word "sections", insert the following: "and articles".

Amendment No. 6.

On page 6, line 4, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "2.1435, 3.351, 3.530, 3.762, 5.460, 5.461, 6.260, 6.452, 6.731, 6.732 and 6.751.

Articles V and VII of Chapter II, Part IV, Division II; Article VIII of Chapter I, Part IV of Division III; Article III of Chapter II of Part I of Division VI; Article I of Chapter III, Part I, Division VI; Articles I, III, IV and V of Chapter V, Part II, Division VI."

Amendment No. 7.

On page 6, line 5, of the printed bill, strike out "11", and insert in lieu thereof the number "46".

Amendment No. 8.

On page 6 of the printed bill, strike out all of lines 10 to 14, inclusive, and insert in lieu thereof the following:

"Year	*Chapter*	*Year*	*Chapter*
1929	60	1929	327
1929	61	1929	335
1929	144	1929	351
1929	151	1929	395
1929	160	1929	433
1929	161	1929	456
1929	162	1929	461
1929	167	1929	547
1929	171	1929	554
1929	172	1929	612
1929	179	1929	694
1929	185	1929	696
1929	226	1929	700
1929	268	1929	860
1929	275	1929	866
1929	323	1935	232

SEC. 47. Section 2 of Chapter 1004, Statutes of 1931, is hereby repealed."

Amendment No. 9.

On page 1, line 3 of the title of the printed bill, as amended strike out the following "3.351 3.392."

Amendment No. 10.

On page 1, line 29 of the title of the printed bill, as amended, after the semicolon insert the following: "to add to Chapter V of Part II of Division VI thereof a new article to be known as Article III;"

Amendment No. 11.

On page 3 of the printed bill, as amended, strike out all of lines 36 to 52 inclusive, and strike out all of page 4, and on page 5, strike out all of lines 1 to 25, inclusive.

Amendment No. 12.

On page 5 line 26 of the printed bill, as amended, strike out "4" and insert in lieu thereof the number "3".

Amendment No. 13.

On page 5 line 33, of the printed bill, as amended, strike out "5", and insert in lieu thereof the number "4"

Amendment No. 14.

On page 5, line 39, of the printed bill, as amended, strike out "6", and insert in lieu thereof the number "5".

Amendment No. 15.

On page 5, line 47, of the printed bill, as amended, strike out "7" and insert in lieu thereof the number "6".

Amendment No. 16.

On page 6, line 9, of the printed bill, as amended, strike out "8", and insert in lieu thereof the number "7".

Amendment No. 17.

On page 6, line 22, of the printed bill, as amended, strike out "9", and insert in lieu thereof the number "8".

Amendment No. 18.

On page 6, line 40, of the printed bill, as amended, strike out "10", and insert in lieu thereof the number "9".

Amendment No. 19.

On page 6, line 43, of the printed bill, as amended, strike out "11", and insert in lieu thereof the number "10".

Amendment No. 20.

On page 6, line 48, of the printed bill, as amended, strike out "12", and insert in lieu thereof the number "11".

Amendment No. 21.

On page 7, line 3, of the printed bill, as amended, strike out "13", and insert in lieu thereof the number "12".

Amendment No. 22.

On page 7 of the printed bill, as amended, strike out all of lines 11 to 23 inclusive.

Amendment No. 23.

On page 7, line 24, of the printed bill, as amended, strike out "16", and insert in lieu thereof the number "13".

Amendment No. 24.

On page 7, line 33, of the printed bill, as amended, strike out "17", and insert in lieu thereof the number "14".

Amendment No. 25.

On page 7, line 40, of the printed bill, as amended, strike out "18", and insert in lieu thereof the number "15".

Amendment No. 26.

On page 7, line 45, of the printed bill, as amended, strike out "19", and insert in lieu thereof the number "16".

Amendment No. 27.

On page 8, line 31, of the printed bill, as amended, strike out "20", and insert in lieu thereof the number "17"

Amendment No. 28.

On page 8, line 39, of the printed bill, as amended, strike out "21", and insert in lieu thereof the number "18".

Amendment No. 29.

On page 9, line 3, of the printed bill, as amended, strike out "22", and insert in lieu thereof the number "19".

Amendment No. 30.

On page 9, line 10, of the printed bill, as amended, strike out "23", and insert in lieu thereof the number "20".

Amendment No. 31.

On page 9, line 15, of the printed bill, as amended, strike out "24", and insert in lieu thereof the number "21".

Amendment No. 32.

On page 9, line 27, of the printed bill, as amended, strike out "25", and insert in lieu thereof the number "22"

Amendment No. 33.

On page 9, line 39, of the printed bill, as amended, strike out "26", and insert in lieu thereof the number "23"

Amendment No. 34.

On page 10, line 13, of the printed bill, as amended, strike out "27", and insert in lieu thereof the number "24".

Amendment No. 35.

On page 10, line 23, of the printed bill, as amended, strike out "28", and insert in lieu thereof the number "25".

Amendment No. 36.

On page 10, line 29, of the printed bill, as amended, strike out "29", and insert in lieu thereof the number "26".

Amendment No. 37.

On page 10, line 33, of the printed bill, as amended, strike out "30", and insert in lieu thereof the number "27".

Amendment No. 38.

On page 10, line 39, of the printed bill, as amended, strike out "31", and insert in lieu thereof the number "28".

Amendment No. 39.

On page 10, line 44, of the printed bill, as amended, strike out "32", and insert in lieu thereof the number "29".

Amendment No. 40.

On page 11, line 1, of the printed bill, as amended, strike out "33", and insert in lieu thereof the number "30".

Amendment No. 41.

On page 12, line 43, of the printed bill, as amended, strike out "34", and insert in lieu thereof the number "31".

Amendment No. 42.

On page 13, line 29, of the printed bill, as amended, strike out "35", and insert in lieu thereof the number "32".

Amendment No. 43.

On page 14, line 19, of the printed bill, as amended, strike out "36", and insert in lieu thereof the number "33".

Amendment No. 44.

On page 14, line 41, of the printed bill, as amended, strike out "37", and insert in lieu thereof the number "34".

Amendment No. 45.

On page 14, line 50, of the printed bill, as amended, strike out the following "(see page 21)".

Amendment No. 46.

On page 15, line 3, of the printed bill, as amended, strike out the following "(see page 21)".

Amendment No. 47.

On page 15 of the printed bill, as amended, beginning in line 8, strike out the following: "(see page 21)".

Amendment No. 48.

On page 15, line 23, of the printed bill, as amended, strike out "38", and insert in lieu thereof the number "35".

Amendment No. 49.

On page 19, line 30, of the printed bill, as amended, strike out "39", and insert in lieu thereof the number "36".

Amendment No. 50.

On page 21, line 3, of the printed bill, as amended, strike out "40", and insert in lieu thereof the number "37".

Amendment No. 51.

On page 21, line 15, of the printed bill, as amended, strike out "41", and insert in lieu thereof the number "38".

Amendment No. 52.

On page 22 of the printed bill, as amended, following line 15, insert the following:

"SEC. 40 A new article is hereby added to Chapter V of Part II of Division VI of the School Code to be known as Article III and to read as follows.

Article III—Listing of Textbooks by State Board of Education.

6.390. Any publisher desiring to offer textbooks for the use of pupils enrolled in the high schools of the State shall file with the State Board of Education at Sacramento a written application for the listing of such book or books accompanied by a uniform fee to be fixed by the State Board of Education and which shall not exceed five dollars for each book for which listing is applied, such sum to be deposited in the State treasury to the credit of the general fund.

6.391. Such publisher shall also submit one copy of each book, together with a statement of the list price of said book as shown by the publisher's catalog, a statement of all discounts allowed thereon when new copies of such book are purchased, and a statement of the lowest exchange price that will be given when old books in the same subject and of the like kind and grade, but of a different series, are received in exchange."

Amendment No. 53.

On page 22, line 16, of the printed bill, as amended, strike out "43", and insert in lieu thereof the number "41".

Amendment No. 54.

On page 23, line 38, of the printed bill, as amended, strike out "44", and insert in lieu thereof the number "42".

Amendment No. 55.

On page 24, line 30, of the printed bill, as amended, strike out "45", and insert in lieu thereof the number "43".

Amendment No. 56.

On page 24, line 34, of the printed bill, as amended, strike out the following "3.351,".

Amendment No. 57.

On page 24, line 41, of the printed bill, as amended, strike out "46", and insert in lieu thereof the number "44".

Amendment No. 58.

On page 25, line 16, of the printed bill, as amended, between "1929----------866" and "1935----------232", insert the following. "1933----------238".

Amendment No. 59.

On page 25, line 19, of the printed bill, as amended, strike out "47", and insert in lieu thereof the number "45".

Amendment No. 60.

Strike out page 11 of the printed bill, as amended, and on page 12, strike out lines 1 to 42, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2594 by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Clark, Cronin, Crowley, Daley, Dannenbrink, Donihue, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Morgan, Muldoon, Patterson, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—44.

NOES—None.

Assembly Bill No 2594 ordered to enrollment.

Assembly Bill No. 2119—An act to amend section 1300.1 of the Agricultural Code, relating to processors of farm products and the licensing thereof.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2119?

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 11 and 12, insert the following:

"Such applicant shall further satisfy the director of his or its character, responsibility and good faith in seeking to carry on the business stated in the application."

Amendment No. 2.

On page 2, line 8, of the printed bill, as amended, immediately following "of", insert the following: "raw or fresh".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 25 to 27, and insert in lieu thereof the following. "or applied for hereunder. Previous violation of record of any provisions of this chapter by the applicant or by any person owning any substantial interest in or acting in a proprietary capacity in the business of said applicant, or charged with the management of said business, shall be good and sufficient grounds for denial of license."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2119 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Cottrell, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Morgan, Muldoon, Patterson, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 2119 ordered to enrollment.

Assembly Bill No. 2196—An act to amend sections 2, 19 and 20 of an act entitled "An act imposing a tax for the privilege of selling, renting or leasing tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing this act shall take effect immediately," approved July 31, 1933, to repeal section 33 of said act, to renumber section 32½ of said act, relating to the taxation of the privilege of selling, renting or leasing tangible personal property.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2196?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "and", and insert in lieu thereof a comma.

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, after "27", insert "and 29".

Amendment No. 3.

On page 4, line 5, of the printed bill, as amended, strike out "note", and insert in lieu thereof "thereupon make an assessment of such tax, noting".

Amendment No. 4.

On page 4, line 10, of the printed bill, as amended, after "assessment", insert ", such assessment becomes final at the expiration of such ten days, unless a petition for reassessment is filed within such ten days, and".

Amendment No. 5.

On page 6 of the printed bill, as amended, between lines 21 and 22, insert the following:

"SEC. 8. Section 29 of the act cited in the title hereof is hereby amended to read as follows:

"Sec. 29. All fees, taxes, interest and penalties imposed under this act must be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California, and said board shall transmit such payments to the State Treasurer to be deposited in the State Treasury to the credit of the "Retail sales tax fund" For expenditure by the board in carrying out the provisions of this act, in addition to any other appropriations, there is hereby appropriated out of the retail sales tax fund the sum of $400,000, or so much thereof as may be necessary, together with such amounts as may be made available pursuant to section 661 of the Political Code, provided, that the amounts thus made available under said section shall not increase the total amount available for expenditure by the board in carrying out the provisions of this act during any fiscal year to an amount which exceeds two and one-half per cent of the total of the amounts deposited in said fund during such year. All moneys in the retail sales tax fund, unless otherwise appropriated shall, upon order of the State Controller, be drawn therefrom for the purpose of refunding to the retailers hereunder or be transferred to the general fund of the State"

Amendment No. 6.

On page 6, line 22 of the printed bill as amended, strike out "8", and insert in lieu thereof "9".

Amendment No. 7.

On page 6, line 28, of the printed bill, as amended, strike out "9", and insert in lieu thereof "10".

Amendment No. 8.

On page 6 of the printed bill, as amended, strike out line 29, and in line 30, strike out "tions", and insert in lieu thereof "and employees".

Amendment No. 9.

On page 6, line 34, of the printed bill, as amended, strike out "10", and insert in lieu thereof "11".

Amendment No. 10.

On page 6 of the printed bill, as amended, between lines 37 and 38, insert the following: "of the Retail Sales Tax Act of 1933 as they existed on January 1, 1937, are hereby continued in force until July 1, 1937, and that the provisions".

Amendment No. 11.

On page 6, line 38, of the printed bill, as amended, following the word "act", insert the following: "during the eighty-ninth and ninetieth fiscal years".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2196 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dilworth, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Weber, Welsh, Williamson, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 2196 ordered to enrollment

Assembly Bill No. 1908—An act to amend sections 1, 3, 7 and 11 of the Motor Vehicle Fuel License Tax Act, relating to the definition of terms used in said act, the imposition of a license tax thereunder, the determination of taxable distributions of motor vehicle fuel, and the refund of said license tax under certain conditions.

The question being put, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1908.

Amendment No. 1.

On page 1, line 9 of the title of the printed bill, as amended, after "property", insert "and to make an appropriation for the administration of motor vehicle fuel taxes and providing that this act shall take effect immediately"

Amendment No. 2.

On page 3, lines 34 and 35, of the printed bill, as amended, strike out " , whether as a mounted city carrier or in any other capacity,"

Amendment No. 3.

On page 4 of the printed bill, as amended, after line 52, insert the following

"SEC 7. For expenditure by the State Board of Equalization in carrying out the provisions of the act cited in the title hereof and the Use Fuel Tax Act of 1937 during the eighty-ninth and ninetieth fiscal years, in addition to any other appropriations, there is hereby appropriated from the motor vehicle fuel fund the sum of thirty thousand dollars, or so much thereof as may be necessary

SEC. 8. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall under the provisions of section 1 of Article IV of the Constitution, take effect immediately "

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1908 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Welsh, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 1908 ordered to enrollment.

Assembly Bill No. 1319—An act to amend section 1 of an act entitled "An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act," approved April 7, 1927, or sections 580 and 581 of the Business and Professions Code, relating to the unlawful use of degrees, certificates or transcripts necessary for the practice of a healing art.

The question being put: Shall the Assembly concur in the following Senate amendments to AssemblyBill No. 1319?

Amendment No. 1.

On page 1, line 10 of the title of the printed bill, as amended, after "1927,", insert the following "or sections 580 and 581 of the Business and Professions Code,".

Amendment No. 2.

On page 2 of the printed bill, as amended, after line 28, insert the following:

"SEC. 2. Section 580 of the Business and Professions Code is hereby amended to read as follows:

580. No person, company or association shall sell or barter or offer to sell or barter any medical degree, or osteopathic degree, or chiropractic degree, or drugless practitioner degree, or naturopathic degree or any degree, certificate or transcript made or purporting to be made pursuant to any laws regulating the licensing and registration or issuing of a certificate to physicians and surgeons, drugless practitioners, chiropodists, midwives, osteopathic physicians and surgeons or drugless practitioners, naturopaths, chiropractors or persons lawfully engaged in any other system or mode of treating the sick or afflicted.

SEC. 3. Section 581 of the Business and Professions Code is hereby amended to read as follows:

581. No person, company or association shall purchase or procure by barter or by any unlawful means or method, any diploma, certificate or transcript, with intent that it shall be used as evidence of the holder's qualifications to practice as a physician and surgeon, an osteopathic physician and surgeon, a naturopath, a drugless practitioner, a chiropodist, or a midwife or any other system or mode of treating the sick or afflicted as provided in Chapter 5 of Division II of this code, relating to the practice of medicine, or in any fraud of the law regulating this practice or shall with fraudulent intent, alter in a material regard, any such diploma, certificate, or transcript.

SEC. 4. Section 1 of this act shall take effect only if a Business and Professions Code is not enacted by the Legislature at its fifty-second session.

SEC. 5. Sections 2 and 3 of this act shall take effect only if a Business and Professions Code is enacted by the Legislature at its fifty-second session."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1319 by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dilworth, Domihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Welsh, and Williamson—50.

NOES—None.

Assembly Bill No. 1319 ordered to enrollment.

Assembly Bill No. 116—An act making an appropriation for the enforcement of standards, quality and identity, in the manufacture and sale of California wines and brandy.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 116?

Amendment No. 1.

On page 1, line 3, of the printed bill, following the word "law", insert the following: "during the eighty-ninth and ninetieth fiscal years".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 116 by the following vote:

AYES—Boyle, Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Domihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Welsh, Williamson, and Mr. Speaker—56.

NOES—Dilworth—1.

Assembly Bill No. 116 ordered to enrollment.

Assembly Bill No. 123—An act to make an appropriation for the purchase or construction of a dam and water distribution system in Napa County, declaring the urgency hereof, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 123?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, after "County", insert a comma and the following: "declaring the urgency hereof, to take effect immediately".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, after "expended", insert the following: "by the Department of Finance in accordance with law".

Amendment No. 3.

On page 1 of the printed bill, as amended, after line 9, insert the following:

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution. The following is a statement of the facts constituting such necessity:

The water supply for the Veterans' Home of California and other State institutions in Napa County is inadequate. In order to avoid impairment of the health of inmates by reason of the lack of adequate water and to eliminate a serious fire hazard it is necessary that this act take effect immediately."

Amendment No. 4.

On page 1, line 4, of the printed bill, as amended, strike out "two hundred fifty thousand".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 123 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dilworth, Domhue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 123 ordered to enrollment.

Assembly Bill No. 1612—An act to amend sections 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, and 3091 of the Labor Code, relating to master and apprentice

The question being put. Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1612?

Amendment No. 1.

On page 7, line 41, of the printed bill, as amended, following the word "act", insert the following "during the eighty-ninth and ninetieth fiscal years".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1612 by the following vote.

AYES—Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dilworth, Domhue, Donnelly, Flint, Fulcher, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—54.

NOES—None

Assembly Bill No. 1612 ordered to enrollment.

Assembly Bill No. 2548—An act to provide for the acquisition of the Muir Wood Toll Road by the State and the inclusion thereof in the county road system of the county of Marin, and making an appropriation therefor.

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2548?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1 to 3, inclusive, and in line 4, strike out "acquisition of", and insert in lieu thereof the following:

"SECTION 1. The Department of Public Works may acquire".

Amendment No. 2.

On page 2, line 5, of the printed bill, as amended, strike out the period, and strike out lines 6 to 8, inclusive, and in line 9, strike out "(4)", and insert in lieu thereof the following: ", if the balance of the cost of acquisition is paid by the county of Marin, the City and County of San Francisco, or any other agency or combination of agencies other than the State

(3)".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2548 by the following vote:

AYES—Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—57

NOES—None.

Assembly Bill No. 2548 ordered to enrollment.

Assembly Bill No. 2705—An act to add section 130 to the Welfare and Institutions Code, relating to compensation of the Director of Social Welfare.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2705?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 3 of the title, and insert in lieu thereof the following: "of the Director of Social Welfare."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 16 to 22, inclusive, and insert in lieu thereof the following: "the Director of Social Welfare shall receive a salary of six thousand dollars per annum."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2705 by the following vote:

AYES—Breed, Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 2705 ordered to enrollment.

Assembly Bill No. 2873—An act creating the Colorado River Board of California and the office of Colorado River Commissioner of California, prescribing the powers and the duties of said board and commissioner.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2873?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 4 to 7, inclusive, of the title, and insert in lieu thereof the following: "commissioner."

Amendment No. 2.

On page 1, line 18, of the printed bill, as amended, after "chairman", insert the following: ", who shall be ex officio the "Colorado River Commissioner" and who shall serve without compensation, but he shall be reimbursed for traveling and other expenses actually and necessarily incurred in the performance of his duties".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 12 to 17, inclusive.

Amendment No. 4.

On page 2, line 18, of the printed bill, as amended, strike out "Sec. 5", and insert in lieu thereof the following: "Sec. 4".

Amendment No. 5.

On page 2, line 25, of the printed bill, as amended, strike out "Sec. 6", and insert in lieu thereof the following: "Sec. 5".

Amendment No. 6.

On page 2, line 49, of the printed bill, as amended, after the words "Sec. 7", strike out the balance of line 49, and lines 50 to 52, and on page 3, strike out lines 1 to 9, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2873 by the following vote.

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 2873 ordered to enrollment

Assembly Bill No. 2879—An act making an appropriation for the support of the State colleges, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2879?

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, following the word "appropriated", strike out the comma and the word "to", and strike out all of lines 5 to 9, inclusive, and insert in lieu thereof the following: "for the support of the State colleges during the eighty-ninth and ninetieth fiscal years

SEC. 2. The moneys herein appropriated are in augmentation of the appropriation made by Chapter 157 of the Statutes of 1937 for the support of said colleges, and shall be allocated to the several colleges by executive order of the Director of Education on the basis of the enrollment for the fall quarter or semester of 1936 in such a manner that there shall be"

Amendment No. 2.

On page 1, line 10, of the printed bill, as amended, after "fund", insert the following: "under the provisions of this act and Chapter 157 of the Statutes of 1937".

Amendment No. 3.

On page 1, line 12, of the printed bill, as amended, strike out "less", and insert in lieu thereof the following: "more".

Amendment No. 4.

On page 1, line 15, of the printed bill, as amended, strike out "less", and insert in lieu thereof the following: "more".

Amendment No. 5.

On page 1, line 19, of the printed bill, as amended, strike out "less", and insert in lieu thereof the following: "more".

Amendment No. 6.

On page 1, line 22, of the printed bill, as amended, strike out "less", and insert in lieu thereof the following: "more".

Amendment No. 7.

On page 1 of the printed bill, as amended, between lines 25 and 26, insert the following: "Upon such executive order the amount allocated shall be transferred by the Controller to the support appropriation of the college concerned"

Amendment No. 8.

On page 1, line 26, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figure "3".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2879 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Flint, Gannon, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Kepple, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robert-

son, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—55.

NOES—Dilworth, and Johnson—2.

Assembly Bill No 2879 ordered to enrollment.

Assembly Bill No. 2887—An act making an appropriation to the Department of Finance for construction, reconstruction, repairs, improvements, equipment and furnishings in the State Capitol and the State office buildings in the city of Sacramento.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2887?

Amendment No. 1.

On page 1, line 2, of the printed bill, as amended, strike out "thousand", and insert in lieu thereof the following: "three thousand five hundred".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, after "Finance", add the following: ", sixty thousand dollars of which shall be used".

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, after "Capitol", add a comma and the following: "and the remainder shall be used to subdivide Room 404C of the State Capitol Building into smaller offices for the Senate, and to provide necessary ventilation and electrical installation for the same".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2887 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2887 ordered to enrollment.

Assembly Bill No. 2920—An act to make an additional appropriation to the Department of Public Works to carry out the unified and centralized program of construction, repair and improvement of State property, including State buildings, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2920?

Amendment No. 1.

On page 1, line 2, of the printed bill, strike out "$6,000,000", and insert in lieu thereof the following: "$7,206,250".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2920 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Reaves, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Weber, Welsh, Williamson, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 2920 ordered to enrollment.

Assembly Bill No. 471—An act making an appropriation to meet a deficiency in an appropriation for the support of the Department of Motor Vehicles, and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 471?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, after "dollars", insert the following "and".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 471 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 471 ordered to enrollment.

Assembly Bill No. 490—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 490?

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to repeal Chapter IIA, comprising sections 2283 to 2290, inclusive, of Title V of Part III of the Political Code, and to repeal an act entitled "An act to authorize the transportation of certain dependent children for whom proper homes are offered outside the State," approved May 12, 1927, and to add a new Chapter IIA, comprising sections 2283 to 2283.70, inclusive, to Title V of Part III of the Political Code, relating to aid to children."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and strike out page 2, and insert in lieu thereof the following:

"SECTION 1. Chapter IIA, comprising sections 2283 to 2290, inclusive, of Title V of Part III of the Political Code, is hereby repealed.

SEC. 2. The act entitled "An act to authorize the transportation of certain dependent children for whom proper homes are offered outside the State," approved May 12, 1937, is hereby repealed.

SEC. 3. Chapter IIA, comprising sections 2283 to 2283.70, inclusive, is hereby added to Title V of Part III of the Political Code, to read as follows:

CHAPTER IIA. NEEDY CHILDREN.

Article 1. General Provisions.

2283. As used in this chapter, "needy children" means the following needy minor persons: orphans, half-orphans, abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation.

2283.1. As used in this chapter the following terms have the meaning herein set forth

(a) "Aid" means financial assistance and support granted under the provisions of this chapter.

(b) An "abandoned child" means one who has been abandoned by both parents for a period of one year and the whereabouts of his parents is unknown; or who has been declared "abandoned" by finding of a court

(c) A "dependent illegitimate" child means a child whose paternity is unknown or can not be established.

(d) A "foundling" means a child deserted by both parents without means of identification.

2283.2. Nothing in this chapter shall be construed as authorizing any public official, agent, or representative, in carrying out any of the provisions of this chapter, to take charge of any child over the objection of either of the parents of such child, or of the person standing in the place of a parent to such child, except pursuant to a proper court order.

2283.3. As used in this chapter "county" includes city and county."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 490 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 490 ordered to enrollment.

Assembly Bill No. 1521—An act to amend section 44 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1521?

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after "1938." insert the following: "and after his employer has satisfied the conditions set forth under section 9 of this act with respect to becoming an employer.".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1521 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—60

NOES—None.

Assembly Bill No. 1521 ordered to enrollment.

Assembly Bill No. 1779—An act making an appropriation for the support of the Sales Tax Division of the Board of Equalization during the eighty-eighth fiscal year, and to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1779?

Amendment No. 1.

On page 1, line 2, of the printed bill, as amended, strike out "to the credit and in augmentation of", and insert in lieu thereof the following: "from the retail sales tax fund to meet the deficiency in".

Amendment No. 2.

On page 1, line 10, of the printed bill, as amended, strike out the word "specified", and strike out all of lines 11 to 19, inclusive, and insert in lieu thereof the following: "for the eighty-eighth fiscal year."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1779 by the following vote:

AYES—Boyle, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—59.

NOES—Pelletier—1.

Assembly Bill No. 1779 ordered to enrollment.

Assembly Bill No. 210—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 210?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "seven thousand eight hundred seventy", and insert in lieu thereof the following: "eight thousand eight hundred thirty-five".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 210 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—59.

NOES—None.

Assembly Bill No 210 ordered to enrollment

Assembly Bill No. 2388—An act to amend the title of, and to add section 15a to the "Central Valley Project Act of 1933," relating to the powers and duties of the Water Project Authority.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2388?

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend the title of, and to add section 15a to the "Central Valley Project Act of 1933," relating to the powers and duties of the Water Project Authority."

Amendment No. 2.

On page 2, line 6, of the printed bill, strike out "purchase", and insert in lieu thereof the following: "acquisition"

Amendment No. 3.

On page 2, line 8, of the printed bill, strike out "perform duties", and insert in lieu thereof the following "conform to such requirements".

Amendment No. 4.

On page 2 of the printed bill, strike out all of lines 15 to 19, both inclusive, and insert in lieu thereof the following: "and occupation of certain real property and rights of way belonging to the State; defining the term "State agency" and".

Amendment No. 5.

On page 2 of the printed bill, strike out all of lines 23 to 25, both inclusive, and insert in lieu thereof the following: "and providing for the repayment therefor; authorizing State agencies to contract with the Water Project Authority; granting certain preferences to State agencies and certain other organizations in contracting with said authority, and providing for certain powers and duties of any such contracting State agency and its governing body or board and officers; authorizing"

Amendment No. 6.

On page 2, line 30, of the printed bill, strike out the following: "and".

Amendment No. 7.

On page 2, line 32, of the printed bill, change the period to a semicolon, and add the following "and repealing all acts or parts of acts in conflict with this act"

Amendment No. 8.

On page 2, line 37, of the printed bill, strike out the word "contract", and insert in lieu thereof the following: "make and enter into contracts"

Amendment No. 9.

On page 2, line 39, of the printed bill, strike out all of lines 39 to 42, both inclusive, and insert in lieu thereof the following: "operation of said Central Valley Project or any part thereof or to make and enter into contracts for the acquisition by said authority of the works and properties of said Central Valley Project or any part thereof, and for the repayment by said authority of the cost thereof to the United States or to conform to such requirements not otherwise inconsistent"

Amendment No. 10.

On page 2 of the printed bill, strike out all of lines 48 and 49, and insert in lieu thereof the following: "California may receive the benefits to be derived from the construction, maintenance and operation of said project."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2388 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Domhue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None

Assembly Bill No. 2388 ordered to enrollment.

Assembly Bill No. 2581—An act to amend sections 1 and 3 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur contests," approved by the electors November 4, 1924, relating to amateur boxing, sparring and wrestling matches and exhibitions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2581?

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, strike out the comma and "four of whom are".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, strike out "one new member", and insert in lieu thereof the following: "two new members".

Amendment No. 3.

On page 2, line 3, of the printed bill, as amended, strike out "Commencing on January 1, 1938, the", strike out lines 4 and 5, and in line 6, strike out "acting ex officio."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2581 by the following vote:

AYES—Breed, Burns, Hugh M., Call, Corwin, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Flint, Fulcher, Gannon, Garibaldi, Garland, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, Meehan, Miller, Eleanor, Millington, Morgan, Muldoon, O'Donnell, Pelletier, Robertson, Scudder, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, and Yorty—44.

NOES—Clark, Cottrell, Crowley, Hawkins, Hunt, McMurray, Miller, George P., Patterson, Sawallisch, Sheehan, and Mr. Speaker—11.

Assembly Bill No. 2581 ordered to enrollment.

Assembly Bill No. 2884—An act to amend and renumber sections 6 and 7, to renumber section 8, and to add new sections numbered 6, 7, 8, 9, 10, 11, 12, 14, 15, and 16 to "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts, declaring the urgency hereof and providing that this act shall take effect immediately.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2884?

Amendment No. 1.

On page 1, lines 9 and 10, of the printed bill, strike out "maintaining the swimming pool of swimming pools of the district", and insert in lieu thereof the following: "the operation, improving, maintaining and keeping sanitary the community property or properties of the district including the cost of new construction of improvements or buildings thereon".

Amendment No. 2.

On page 1, line 14, of the printed bill, strike out "registered".

Amendment No. 3.

On page 1, line 19, of the printed bill, after "district", add the following: "or at the seat of the county government".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2884 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—61.

NOES—None

Assembly Bill No 2884 ordered to enrollment

Assembly Bill No. 2809—An act to regulate the caravaning of vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof, and to repeal an act entitled "An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof." approved July 6, 1935, declaring the urgency thereof, and providing that it shall take effect immediately

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2809?

Amendment No. 1.

On page 3, line 2, of the printed bill, as amended, after "treasury", insert a comma and the following: "and are hereby appropriated out of said fund for the support of the Department of Motor Vehicles,".

Amendment No. 2.

On page 3, line 24, of the printed bill, as amended May 12, 1937, after the word "vehicles", strike out the word "wholly", and insert in lieu thereof the following: "between points".

Amendment No. 3.

On page 3, line 24, of the printed bill, as amended May 12, 1937, after the word "or", strike out the word "wholly", and insert in lieu thereof the following: "between points".

Amendment No. 4.

On page 3, line 2, of the printed bill, as amended, following the word "Vehicles", strike out the comma and the words "and the remainder", and insert in lieu thereof a semicolon and the following: "provided however, that should a motor vehicle support fund be created in the State Treasury said one-half of such fees shall be paid into and become a part of said motor vehicle support fund. The remainder of such fees".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2809 by the following vote:

AYES—Breed, Burns, Hugh M., Call, Clark, Corwin, Cottrell, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Flint, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2809 ordered to enrollment.

Assembly Bill No. 277—An act to amend section 1418 of the Penal Code, relating to reprieves, commutations, and pardons.

The question being put: Shall the Assembly concur in the following Senate Amendments to Assembly Bill No. 277?

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out the period after the word "Governor", and insert in lieu thereof a comma.

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out the words "if in the opinion", and all of lines 16 to 26, inclusive, and insert in lieu thereof the following: "who shall transmit all papers and documents relied upon in support of and in opposition to the application to the Advisory Pardon Board. The Advisory Pardon Board, after investigation, shall transmit its written recommendation upon such application to the Governor, together with all papers filed in connection with the application.

No application which has not received a recommendation from the Advisory Pardon Board favorable to the applicant shall be forwarded to the Clerk of the Supreme Court, unless the Governor, notwithstanding the fact that the Advisory Pardon Board has failed to make a recommendation favorable to the applicant, especially refers an application to the justices for their recommendation, but in all cases where the Advisory Pardon Board has made a recommendation favorable to the applicant and in those cases referred by the Governor, notwithstanding an adverse recommendation, the application, together with all papers and documents relied upon in support of and in opposition to said application, including prison records and recommendation of the Advisory Pardon Board, shall be forwarded to the Clerk of the Supreme Court for consideration of the justices. If a majority of the justices recommend that clemency be granted, the Clerk of the Supreme Court shall transmit the application, together with all papers and documents filed in the case, to the Governor; otherwise the documents shall remain in the files of the court."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 277 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Richie, Robertson, Sawallisch, Scudder, Sheehan, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 277 ordered to enrollment.

Assembly Bill No. 290—An act to amend an act entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, by amending sections 2, 3, 4 and 16 and by adding thereto certain new sections to be designated sections 2a, 2b, 2c, 2d, 2e and 2f, respectively, relating to the powers of said district and providing for a civil service system for said district.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 290?

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, after the word "to", insert the following: "the powers of said district".

Amendment No. 2.

On page 4, line 11, of the printed bill, as amended, strike out the following: "acquired in fee otherwise than by condemnation".

Amendment No. 3.

On page 8, line 33, of the printed bill, as amended, after the word "powers", insert the following: "hereby granted or to carry out any of the objects and purposes".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 290 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Walker, Watson, Weber, Welsh, Williamson, and Yorty—58.

NOES—None.

Assembly Bill No. 290 ordered to enrollment.

Assembly Bill No. 1209—An act to amend section 770 of the Vehicle Code, relating to the disposition of fines and forfeitures.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill 1209?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended May 10, 1937, strike out the word and numerals "and 777".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended May 10, 1937, strike out "fees, fines,", and insert in lieu thereof "fines".

Amendment No. 3.

On page 1 of the printed bill as amended May 10, 1937, strike out all of lines 13 to 23, both inclusive.

Amendment No. 4.

On page 2 of the printed bill, as amended May 10, 1937, strike out all of lines 1 to 17, both inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1209 by the following vote:

AYES—Breed, Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1209 ordered to enrollment.

Assembly Bill No. 2904—An act to add section 291.4 to the Civil Code, relating to corporations.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2904?

Amendment No. 1.

On page 1, line 4, of the printed bill, after "Act", insert "or section 3668 of the Political Code".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2904 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Pelletier, Peyser, Robertson, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—53.

NOES—Dilworth—1.

Assembly Bill No. 2904 ordered to enrollment.

Assembly Bill No. 1431—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved June 8, 1936, entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1431?

Amendment No. 1.

On page 1, lines 16 and 17, of the printed bill, strike out "two hundred seventy-five thousand six hundred fifty-four dollars and ninety-one cents", and insert in lieu thereof the following "one hundred thirty-seven thousand eight hundred twenty-seven dollars and forty-six cents".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following "such fiscal year nineteen thousand six hundred fifteen dollars and fifty cents for agricultural subjects, fifty-four thousand three hundred seven dollars and fifty-four cents for trade and industrial subjects, twenty-seven thousand four hundred ninety-six dollars and eighteen cents for homemaking subjects, thirteen thousand six hundred fifty-three dollars and ten cents for distributive occupation subjects, and twenty-two thousand seven hundred fifty-five dollars and fourteen cents for teacher training."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1431 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Assembly Bill No 1431 ordered to enrollment.

Assembly Bill No. 1685—An act to amend sections 4, 8, 9, 12, 25, 33, 38a, 39, 42, 49, 67, 78, 83, 85a, 86, and 108 of, and to add sections 3a, 33a, 75a and 83b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931 relating to retirement of employees of the University of California and making an appropriation therefor

The question being put: Shall the Assembly concur in the following amendments to Assembly Bill No 1685?

Amendment No. 1.

On page 1, line 18, of the printed bill, as amended, after "corporations;" insert the following: "in addition to other funds so controlled, funds deposited in the State Treasury and disbursed therefrom in payment of compensation, regardless of the sources from which they were derived, shall be considered as directly controlled by the State, for the purposes of this section;".

Amendment No. 2.

On page 7, line 50, of the printed bill, as amended, after "fund", insert the following: "or any other fund received, in whole or in part as a donation to the State, with restrictions as to its use which prevent contributions under section 109 hereof,".

Amendment No. 3.

On page 8, line 20, of the printed bill, as amended, after the comma, insert the following: "and in addition to any other appropriation therefor,"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1685 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—56

NOES—None.

Assembly Bill No. 1685 ordered to enrollment.

Assembly Bill No. 2051—An act to add sections 6 5, 8.5, 9 5 and 9 7 to, and amend sections 7, 8, 9, 37 and 38 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2051?

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, strike out "$250,000", and insert in lieu thereof the figures "$200,000".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 2051 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr Speaker—55

NOES—None

Assembly Bill No. 2051 ordered to enrollment

Assembly Bill No. 2070—An act to add sections 9 and 10 to an act entitled "An act creating a Commission to Codify, Consolidate, Revise or Compile the Statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, making an appropriation for said commission and adding a short title to said act

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2070?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, following the word "treasury", insert the following: "not otherwise appropriated".

Amendment No. 2.

On page 1, line 7, of the printed bill, as amended, after the word "act", insert the following: "during the eighty-ninth and ninetieth fiscal year".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out all of lines 8 to 14, inclusive.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2070 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2070 ordered to enrollment.

Assembly Bill No. 2364—An act making an appropriation for the concreting of fish pond pools of the State trout hatchery at or near Forest Home on Mill Creek, San Bernardino County.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2364?

Amendment No. 1.

On page 1, line 3, of the printed bill, following the word "expended", insert the following: "during the eighty-ninth and ninetieth fiscal years".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2364 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2364 ordered to enrollment.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Cottrell:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER. Your Committee on Introduction of Bills to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Cottrell:

An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

CALL, Chairman.

The roll was called, and the report adopted by the following vote

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Bill No. 2927: By Mr. Cottrell—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Bill read first time.

Announcement by the Speaker.

The Speaker announced that, in accordance with the provisions of Assembly Rule No. 70, he was recommending the consideration of Assembly Bill No. 2927.

The roll was called, and permission to consider Assembly Bill No. 2927 granted by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—62.

NOES—None.

Consideration of Assembly Bill No. 2927 Under Assembly Rule No. 70. Case of Urgency.

The following resolution was offered by Mr. Cottrell:

Resolved, That Assembly Bill No 2927 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—62.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering Assembly Bill No. 2927, at this time.

Second Reading of Assembly Bill No. 2927.

Assembly Bill No. 2927—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr. Speaker—62.

NOES—None

Third Reading of Assembly Bill No. 2927.

Assembly Bill No. 2927—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Fulcher Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek Pelletier, Peyser, Richie, Robertson,

Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Welsh, Williamson, Yorty, and Mr Speaker—62

NOES—None.

Title read and approved Bill ordered to print, and transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 720.

And requests that your honorable body recede therefrom

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

Consideration of Assembly Amendments to Senate Bill No. 720.

Senate Bill No. 720—An act to amend sections 305 and 307 of the Agricultural Code, relating to slaughtering establishments and meat inspection, and making an appropriation.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 720?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 720 by the following vote:

AYES—None.

NOES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—64.

Appointment of Committee on Free Conference Concerning Senate Bill No. 720.

The Speaker announced the appointment of Messrs O'Donnell, Rosenthal and Mayo, as a Committee on Free Conference concerning Senate Bill No. 720.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 812.

And requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Consideration of Assembly Amendments to Senate Bill No. 812.

Senate Bill No. 812—An act to regulate the use of public highways for commercial purposes by motor carriers of passengers operating thereon for the transportation of persons for hire or compensation; to define motor carriers of passengers and to provide for the regulation and supervision thereof and the issuance of permits thereto; to confer powers upon the Railroad Commission of California with respect to motor carriers of passengers and their agents; to prevent discriminations between various forms of transportation; to confer powers on the Department of Motor Vehicles with respect to the issuance of license plates or emblems to motor carriers of passengers; to foster a fair distribution of traffic between the several transportation agencies to the end that the public highways may be relieved of unnecessary commercial traffic and that necessary existing agencies of transportation shall be preserved, and providing penalties for violation of this act.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 812?

The roll was called, and the Assembly refused to recede from its amendments to Senate Bill No. 812 by the following vote:

AYES—None.

NOES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—64

Appointment of Committee on Free Conference Concerning Senate Bill No. 812.

The Speaker announced the appointment of Messrs. Hornblower, Garland, and Dawson as a Committee on Free Conference concerning Senate Bill No. 812.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Senate Bill No. 166.

ASSEMBLY CHAMBER, SACRAMENTO, MAY 28, 1937

MR. SPEAKER: Your Committee on Free Conference concerning

Senate Bill No. 166—An act to establish a California Labor Relations Board for the mediation and arbitration of labor disputes and for ancillary purposes, and to prescribe its powers and duties;

Reports that it has met a like committee of the Senate, consisting of Senators Crittenden, Hays, and Seawell, and reports that the Committee on Free Conference has been unable to reconcile the differences between contending interest and therefore recommends as follows:

That said bill be re-referred to the Committee on Agriculture and that the following resolution be adopted:

WHEREAS, The Legislature is about to adjourn for the fifty-second session and

WHEREAS, There is pending before both houses a great number of labor mediation bills; and

WHEREAS, After diligent efforts to pass one or more of such bills, it is now obvious that no labor mediation bill can pass at this session; and

WHEREAS, Parts of the State have been torn by labor disputes and there are now serious labor disturbances in several parts of the State, causing great loss both to labor and to business, and great anxiety to our people; and

WHEREAS, Within the next two years labor disturbances may arise, threatening the public peace and safety, and causing further economic loss; and

WHEREAS, The Governor of the State is the only public official now in a position to assist in directing mediation for settlement of such disturbances; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislature of the State of California does hereby urge upon the Governor of the State of California that he, from time to time, when a necessary occasion may arise, appoint a fair and impartial Mediation Board, fairly representative of the diversified interests of the State, for the purpose of assisting in the early settlement of any labor dispute that may arise, the duties of which board shall not continue longer than necessary to assist with reference to any given labor disturbance, the Governor to authorize the payment of the necessary expenses of such mediation from the emergency fund; and be it further

Resolved, That this resolution is not to be construed as recommending a permanent mediation board, but only as a policy to be followed in case an occasion exists

ROBERTSON.
CLARK.
BURNS, MICHAEL J.
Assembly Committee on Free Conference

HAYS.
CRITTENDEN
SEAWELL.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Watson, Weber, Williamson, Yorty, and Mr. Speaker—63

NOES—None.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 2869—An act making an appropriation for the support of the Third District Court of Appeal, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2869?

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 7 and 8, insert the following:

"SEC. 2. The expenditure herein authorized of the moneys appropriated by this act shall be subject to all of the provisions of Chapter 157 of the Statutes of 1937."

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, strike out "2", and insert in lieu thereof the figure "3".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2869 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62

NOES—Cottrell—1

Assembly Bill No. 2869 ordered to enrollment

Assembly Bill No. 2874—An act making an appropriation for the support of the State Controller, to take effect immediately

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2874.

Amendment No. 1.

On page 1 of the printed bill, between lines 7 and 8, insert the following:

"SEC. 2. The expenditures herein authorized of the moneys appropriated by this act shall be subject to all of the provisions of Chapter 157 of the Statutes of 1937."

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out "2", and insert in lieu thereof the figure "3".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2874 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—64.

NOES—None

Assembly Bill No. 2874 ordered to enrollment

Assembly Bill No. 2892—An act to provide a unified and centralized program of construction, repair and improvement of State property,

including buildings, and making an appropriation for the purposes of this act, declaring the urgency thereof, and providing this act shall take effect immediately.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2892?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "State", insert the following "property, including".

Amendment No. 2.

On page 2, line 26, of the printed bill, as amended, strike out "Seven hundred eighty-one", and insert in lieu thereof the following: "Nine hundred sixty-one"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2892 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No 2892 ordered to enrollment

Assembly Bill No. 2409—An act to make an appropriation to the Department of Agriculture for market news service.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2409?

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, following the word "expended", insert the following: "during the eighty-ninth and ninetieth fiscal years"

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2409 by the following vote:

AYES—**Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin,** Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, **Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore,** Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P. Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2409 ordered to enrollment.

Assembly Bill No. 2790—An act relating to the care and control of venereal diseases, granting other and further powers in relation thereto to the State Board of Public Health and its subordinate agencies, authorizing the acceptance of Federal social security funds and making an appropriation therefor.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2790?

Amendment No. 1.

On page 2, line 46, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma

Amendment No. 2.

On page 5 of the printed bill, as amended, between lines 31 and 32, add the following

"14.5. Nothing in this act shall be construed to interfere with the freedom of any adherent of the teachings of any well-recognized religious sect, denomination, or organization to depend exclusively upon prayer for healing in accordance with the teachings of such religious sect, denomination or organization Any person utilizing the right acknowledged in the preceding sentence shall, together with any person or persons treating him, be exempt from all provisions of this act regarding venereal diseases, except that the laws of the State of California and rules and

regulations of the State Board of Public Health regarding compulsory reporting of communicable diseases and the quarantine of such diseases and any provisions in this act regarding callings in which he may not be permitted to engage shall apply."

Amendment No. 3.

On page 4, line 49, of the printed bill, as amended, following the word "act", insert the following: "during the eighty-ninth and ninetieth fiscal years".

Amendment No. 4.

On page 4, line 51, of the printed bill, as amended, strike out the following: "and the State Department of Finance".

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out all of line 34 after the word "examination", and all of lines 35, 36, and 37, and insert in lieu thereof the following: "when in its opinion such procedure is reasonably necessary to carry out the provisions and purposes of this act Such examination may be made in the State laboratory or in a clinical laboratory which shall be under the immediate supervision and direction of a clinical laboratory technologist or a licensed physician and surgeon or in any other laboratory in this State which for a period of more than five years prior to the enactment of this act shall have been actively engaged in the examination of specimens of a similar character for physicians and surgeons in this State; provided, however, that nothing in this act shall be construed as limiting any person's freedom to have additional examinations made elsewhere."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2790 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2790 ordered to enrollment.

Assembly Bill No. 1280—An act to add section 139.5 to the Agricultural Code, relating to the suppression of rodents, and to make an appropriation therefor.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1280?

Amendment No. 1.

On page 1, line 23, of the printed bill, as amended, following the word "expended", insert the following: "during the eighty-ninth and ninetieth fiscal years".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1280 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Richie, Robertson, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—59.

NOES—None

Assembly Bill No. 1280 ordered to enrollment.

Assembly Bill No. 1498—An act to amend section 76 of an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to compensation of members of the Unemployment Reserves Commission.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1498?

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, strike out "a system of unemployment reserves", and insert in lieu thereof the following "compensation of members of the Unemployment Reserves Commission".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1498 by the following vote:

AYES—Breed, Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—59

NOES—None

Assembly Bill No. 1498 ordered to enrollment.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Second Committee on Free Conference concerning:

Assembly Bill No. 1801.

The following Senators: Deuel, DeLap, and Wagy to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of the Senate
By F. ALFRED BLATZ, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning

Senate Bill No. 720.

The following Senators: Metzger, Crittenden, and Young, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 812.

The following Senators: Gordon, DeLap, and Parkman, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1024. **Assembly Bill No. 2375.**
Assembly Bill No. 1559.

And respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on unfinished business calendar.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 1024—An act to add section 171b, and to amend sections 167 and 168 of, to the Civil Code, relating to the separate property and earnings of the wife.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1024?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "171b to", insert the following: ", and to amend sections 167 and 168 of,"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "property", insert the following: "and earnings".

Amendment No. 3.

On page 1 of the printed bill, after line 7, insert the following

"SEC. 2. Section 167 of said code is hereby amended to read as follows

167. The property of the community is not liable for the contracts of the wife, made after marriage, unless secured by pledge or mortgage thereof executed by the husband. Except as otherwise provided by law, the earnings of the wife are liable for her contracts heretofore or hereafter made before or after marriage.

SEC. 3. Section 168 of said code is hereby amended to read as follows

168. The earnings of the wife are not liable for the debts of the husband, but, except as otherwise provided by law, such earnings shall be liable for the payment of debts, heretofore or hereafter contracted by the husband or wife for the necessities of life furnished to them or either of them while they are living together."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1024 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Domhue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Love, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, and Yorty—59.

NOES—None

Assembly Bill No. 1024 ordered to enrollment.

Assembly Bill No. 2375—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as subsequently amended, entitled and known and cited as California Toll Bridge Authority Act" by amending the title thereof and by amending sections 20 and 22½ thereof and by adding thereto new sections numbered 6¾ and 9¾a, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the authorization of the issuance and sale of revenue bonds for the purpose of retiring, paying, funding and refunding outstanding bonds on certain conditions and prescribing the form thereof and the amount for which the same may be issued; also providing for the acquisition in eminent domain of real property for the purpose of exchange of the same for real property needed for the purpose of such bridges; also providing for the acquisition of property and rights of way and for the lease, sale, exchange or other disposition of any property or interest therein not necessary for the purposes of any such bridge; and providing that this act become effective immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2375?

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, as amended, after the word "construction", insert the following: ", acquisition".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 19 of the title, and insert in lieu thereof the following: "sinking funds, trustees to receive and disburse revenues, minimum reserve requirements, and the".

Amendment No. 3.

On page 3, line 33, of the printed bill, as amended, after the comma, insert the following: "and for the designation of trustees to receive and disburse the revenues of such bridges and for the qualifications, duties and powers of such trustees."

Amendment No. 4

On page 5 of the printed bill, as amended, strike out lines 30 to 33, inclusive, and insert in lieu thereof the following: "through, over, under, on or across State property, including highways, and streets, alleys, lanes and roads within any city, city".

Amendment No. 5.

On page 7 of the printed bill, as amended, strike out line 37, and insert in lieu thereof the following: "ments for such bonds, and designating a trustee or trustees which shall be a bank or trust company or banks or trust companies duly qualified to do business in this State, to receive and disburse the revenues of such toll bridge works or improvement, providing that as long as any of such".

Amendment No. 6.

On page 8, line 5, of the printed bill, as amended, after the period, insert the following: "The California Toll Bridge Authority shall in its absolute discretion fix the terms and conditions upon which such trustee or trustees shall receive, hold and disburse such revenues and may prescribe the powers and duties of such trustee or trustees."

Amendment No. 7.

On page 8 of the printed bill, as amended, strike out lines 51 and 52, and on page 9, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following: "through, over, under, on or across any property of this State, including highways, now or hereafter owned, opened, or dedicated to or for public use and howsoever acquired, and through, over, under, on or across the streets, alleys, lanes, and roads now or hereafter opened or dedicated to".

Amendment No. 8.

On page 9 of the printed bill, as amended, strike out lines 35 to 39, inclusive, and insert in lieu thereof the following "the California Toll Bridge Authority shall be entitled to the benefit of such reservation or grant."

Amendment No. 9.

On page 6 of the printed bill, as amended, strike out lines 37 to 42, inclusive, and insert in lieu thereof the following

"In the event that the Department of Public Works determines that it is for the best interests of the public highways in the State that a toll bridge or bridges or other highway crossing be acquired by negotiation and purchase or through eminent domain, and operated by the State, said department shall submit its recommendation to that effect to the California Toll Bridge Authority, together with preliminary estimates of the cost of such acquisition and a preliminary estimate of the amount required to be raised for such purpose by the issuance of revenue bonds, and a preliminary estimate of the toll charges necessary to pay, in addition to all operating and maintenance expenses, the interest and redemption of the revenue bonds proposed to be issued If a majority of the members of the California Toll Bridge Authority concur in the recommendation of the Department of Public Works, the Author-"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2375 by the following vote:

AYES—Breed, Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr Speaker—59

NOES—None.

Assembly Bill No 2375 ordered to enrollment

Assembly Bill No. 1559—An act to repeal section 3897 of the Political Code, and to add to said code a new section to be numbered 3897, relating to the sale of property deeded to the State for delinquent taxes

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1559?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "to said code a new section to be numbered 3897", and insert in lieu thereof the following "sections 3897 and 3897.1 thereto"

Amendment No. 2.

On page 6 of the printed bill, as amended, following line 20, insert the following:

"SEC. 3. Section 3897.1 is hereby added to the Political Code to read as follows:

3897 1. In any case where the total sale price of the property sold in one transaction, at private sale or public auction, under section 3897 exceeds $5,000, the board of supervisors may by resolution permit such sale to be by contract of sale instead of for cash.

Such contract of sale shall be on the following terms: One-tenth of the purchase price in cash at the time of sale, and the balance in nine annual installments thereafter, with interest on the unpaid balance of the purchase price at five per cent per year, payable annually and subject to the condition that all current taxes and assessments thereafter levied and assessed during the term of the contract shall be paid within the time allowed by law therefor."

Amendment No. 3.

On page 5, line 30, of the printed bill, as amended, strike out "three months", and insert in lieu thereof the following: "one year".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1559 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1559 ordered to enrollment.

Assembly Bill No. 1826—An act making an appropriation for the eradication of bovine tuberculosis and to amend section 239 of the Agricultural Code, relating to the payment of indemnities, declaring the urgency of this act, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1826?

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, following the word "agriculture", insert the following: "during the eighty-ninth and ninetieth fiscal year".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1826 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Tenney, Turner, Voigt, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1826 ordered to enrollment.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Senate Bill No. 869.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning:

Senate Bill No. 869—An act to amend section 19 of the "Inheritance Tax Act of 1935," relating to inheritance taxation and more particularly to the time of payment to the State Treasurer of inheritance taxes collected by the county treasurers and interest thereon;

Reports that it has met a like committee of the Senate, consisting of Senators Tickle, Knowland and Hays, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Senate concur in the Assembly amendments

WILLIAMSON.
PATTERSON
Assembly Committee on Free Conference.

TICKLE.
KNOWLAND.
HAYS.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond,

Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Weber, Williamson, and Yorty—61

NOES—None

Resolutions.

The following resolutions were offered:

By Mr. Peyser:

House Resolution No. 222.

Relative to suitable pay scales in tax assessment and collection divisions of the State service.

WHEREAS, Efficiency in governmental administration is in direct relation to the competency, efficiency and wholehearted devotedness to the State's interest on the part of persons engaged in the service of the State, and a personnel policy which comprehends selection of persons possessing these qualities, encouraging them to continue in the service through tenure, promotion as a reward for constant improvement in their work, and a sound and adequate compensation plan, gives the best assurance of developing and maintaining the efficiency of administrative service at the highest possible level; and

WHEREAS, These principles apply with especial force to tax assessment and collection work, especially that of the State Board of Equalization in whose office there are annually assessed taxes in excess of $175,000,000; and

WHEREAS, The State Personnel Board is charged with the responsibility of elaborating and effectuating personnel plans and policies in the State civil service, including particularly the adjustment of compensation by means of prescribing minimum and maximum salary rates, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby finds that as to the classifications of auditors, particularly those engaged in active field work in the assessment of State taxes as well as in other classifications such as investigators, district tax administrators, division chiefs, and clerical and technical assistants, the salary rates, and particularly the minimum rates therefor now in force are insufficient to be in conformity with the sound personnel policy, and the State Personnel Board is hereby requested and urged so to revise such salary ranges upward as to assure more nearly adequate compensation for those persons engaged in the performance of these difficult and important duties, particularly as to such persons as may be engaged in active field work in the assessment and collection of the State revenues under the general supervision of the State Board of Equalization; and be it further

Resolved, That the Chief Clerk of the Assembly forthwith transmit copies of this resolution to the State Personnel Board and to each member thereof.

House Resolution No. 222 read, and adopted.

By Mr. Robertson:

House Resolution No. 223.

WHEREAS, During the fifty-second session of the Legislature, there have been introduced an extraordinarily large number of bills and other measures; and

WHEREAS, The staff of the Legislative Bill Room, by virtue of efforts bordering on the heroic, have kept the members of this Assembly and all other interested parties amply supplied with legislature publications; and

WHEREAS, The service rendered by the staff of the Legislative Bill Room has been unfailingly courteous, prompt and efficient; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of the Assembly hereby express their thanks and most sincere appreciation for the outstanding public service rendered by the staff of the Legislative Bill Room in facilitating the needed supply of legislative publications.

House Resolution No. 223 read, and unanimously adopted

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Concurrent Resolution No. 55.
Assembly Concurrent Resolution No. 58.
Assembly Concurrent Resolution No. 62.

Assembly Bill No. 1320.
Assembly Bill No. 1845.
Assembly Bill No. 1981.
Assembly Bill No. 2116.
Assembly Bill No. 2407.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 939.
Assembly Bill No. 1114.
Assembly Bill No. 1265.
Assembly Bill No. 1266.
Assembly Bill No. 1287.
Assembly Bill No. 1516.
Assembly Bill No. 1711.
Assembly Bill No. 2063.
Assembly Bill No. 2140.
Assembly Bill No. 2175.
Assembly Bill No. 2180.
Assembly Bill No. 2194.
Assembly Bill No. 2204.
Assembly Bill No. 2298.
Assembly Bill No. 2318.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Resolution.

The following resolution was offered:

By Mr. Heisinger:

House Resolution No. 224A.

WHEREAS, The Assembly has succeeded in its work exceptionally; and

WHEREAS, Such success depends largely upon the efficiency of the attaches, as well as upon the members of the Assembly; and

WHEREAS, The members of the Assembly have been able to present the passage of their bills because of the fact that such bills have been engrossed quickly and efficiently; and

WHEREAS, Mr William Gunlock in charge of the Engrossment and Enrollment Room has diligently and efficiently performed the work in that capacity, therefore, be it

Resolved by the Assembly, That we extend our vote of appreciation and thanks to Mr. Gunlock and to his staff for their efficient services.

House Resolution No 224A read, and adopted.

Consideration of Assembly Amendments to Assembly Bills.

Assembly Bill No. 2175—An act to regulate the employment of labor on public works.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2175?

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after the words "provide that", insert a comma and the following: "if available as determined by the awarding authority,".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, strike out "thirty", and insert in lieu thereof the word "twenty".

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, after the word "contracts", insert the words "for public works".

Amendment No. 4

On page 1, line 10, of the printed bill, as amended, strike out "thirty", and insert in lieu thereof the word "twenty".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2175 by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelle-

tier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Williamson, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 2175 ordered to enrollment.

Assembly Bill No. 2090—An act to add sections 26, 26a, 26aa 26b 26c, 26d, 26e, 26f, 26g, 26h, 26i, 26j, 26k, 26l, 26m, 26n, 26o, 26p, 26q, 26r, 26s, 26t, 26u, 26v, 26w, 27, 28, 29, 30 and 31 to an act entitled "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, relating to certain State lands and the production and disposition of oil, gas and other hydrocarbon substances therefrom, providing for the acquisition and condemnation of rights of way or easements to gain access to said State lands, repealing all acts or parts of acts inconsistent or in conflict herewith.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2090?

Amendment No. 1.

On page 7 of the printed bill, as amended, strike out line 42 after the period, and all of lines 43 to 46, inclusive, and insert in lieu thereof the following:

"No bid shall be accepted and no lease shall be made unless the same provides for payment to the State of more than thirty per cent (30%) of the amount or value of the production of oil and gas from any wells drilled thereunder, when the average daily production thereof during a period of thirty consecutive producing days exceeds 200 barrels of oil, and for payment to the State of more than forty per cent (40%) of the value of such production, when the average daily production thereof during a period of thirty consecutive producing days exceeds one thousand barrels of oil, and for payment to the State of more than fifty per cent (50%) of the value of such production when the average daily production thereof during a period of thirty consecutive producing days exceeds two thousand barrels of oil."

Amendment No. 2.

On page 8, line 10, of the printed bill, as amended, after "shore," insert the following: "or any other means designated by the commission,".

Amendment No. 3.

On page 8, line 14, of the printed bill, as amended, strike out "as to the", and strike out lines 15 and 16.

Amendment No. 4.

On page 8 of the printed bill, as amended, between lines 30 and 31, insert the following:

"At any time after the drilling of the offset or first wells required to be drilled under such lease, the lessee may quitclaim to the State said leased premises, except that portion on which any well shall have been drilled and is producing oil and gas in commercial quantities and a space of 330 feet square evenly surrounding the same; provided, that said lessee shall also grant to any subsequent lessee of such quitclaim area, on such terms and conditions as the commission may prescribe, a right to the joint use with said original lessee of rights of way, easements or other interests in real property acquired in connection with the operation of said original lease as may be necessary or convenient in connection with operations on said quitclaimed area under a subsequent lease. The commission may thereupon lease to the highest bidder such quitclaimed portion of said leased area in substantially the same manner as is herein provided for making such original lease."

Amendment No. 5.

On page 11 of the printed bill, as amended, between lines 24 and 25, insert the following:

"In any lease made under the provisions of this act, the commission shall prescribe a reasonable rate of prospecting and development of the land included

therein. The rate of production thereunder shall be pursuant to any State law, or rule and regulation thereunder.

That the lessee shall comply with all reasonable rules and regulations not inconsistent with the provisions of this act that the commission thereafter makes affecting the said State lands and the production of oil, gas, and other hydrocarbons therefrom."

Amendment No. 6.

On page 12 of the printed bill, as amended, strike out lines 6 to 52, inclusive, and on page 13, strike out lines 1 to 17, inclusive.

Amendment No. 7.

On page 13, line 18, of the printed bill, as amended, strike out "Sec. 28.", and insert in lieu thereof the following: "Sec. 25."

Amendment No. 8.

On page 13, line 28, of the printed bill, as amended, strike out "Sec. 29.", and insert in lieu thereof the following: "Sec. 26."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2090 by the following vote:

AYES—Baynham, Beene, Boyle, Breed, Burns, Michael J., Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Desmond, Donihue, Flint, Gannon, Garland, Glick, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, Kuchel, Latham, Laughlin, Leonard, Levey, Lore, Maloney, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Sawallisch, Scudder, Sheehan, Stream, Thorp, Turner, Walker, Watson, Weber, Williamson, and Mr. Speaker—55.

NOES—Dilworth, Donnelly, Field, Martin, and Robertson—5.

Assembly Bill No. 2090 ordered to enrollment.

Assembly Bill No. 2063—An act to add Article IIa to Chapter III of Title I of Part III of the Political Code, embracing sections 360 to 360h, inclusive, relating to the creation of a State Department of Highway Safety Engineering, and prescribing its powers and duties.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2063?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 11, and insert in lieu thereof the following: "the Safety Engineer."

Amendment No. 2.

On page 1, line 22, of the printed bill, as amended, before "accidents", insert the following: "highway".

Amendment No. 3.

On page 1, line 23, of the printed bill, as amended, strike out "ascertaining the precise causes", and insert in lieu thereof the following: "highway construction and maintenance,".

Amendment No. 4.

On page 2, line 1, of the printed bill, as amended, strike out "thereof,".

Amendment No. 5.

On page 2, line 2, of the printed bill, as amended, after "equipment", insert the following: "on the highways".

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out line 3, and insert in lieu thereof the following: "of preventing such accidents."

Amendment No. 7.

On page 2, line 5, of the printed bill, as amended, after "various", insert the following: "highway construction and maintenance".

Amendment No. 8.

On page 2, line 10, of the printed bill, as amended, after "acute", insert a comma and the following: "taking into consideration the density of traffic and the capacity of the highway".

Amendment No. 9.

On page 2, line 11, of the printed bill, as amended, after "any", insert the following: "State,".

Amendment No. 10.

On page 2 of the printed bill, as amended, strike out lines 13 to 27, inclusive, and insert in lieu thereof the following: "vention."

Amendment No. 11.

On page 2, line 33, of the printed bill, as amended, after "prevention", insert the following: "with particular attention to highway construction and maintenance"

Amendment No. 12.

On page 2, line 37, of the printed bill, as amended, strike out "of traffic safety" and in line 38, strike out "and traffic accident prevention", and insert in lieu thereof the following: "relating to said subject".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2063 by the following vote.

AYES—Burns, Michael J., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, King, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Williamson, and Yorty—49.

NOES—None.

Assembly Bill No. 2063 ordered to enrollment.

Assembly Bill No. 2298—An act to amend section 24 of the District Primary Law, relating to party conventions, membership and organization of State central committees and county central committees.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2298?

Amendment No. 1.

On page 3 of the printed bill, strike out line 36, and insert in lieu thereof the following: "that:

(a) He is a delegate to the State convention.

(b) The conven-".

Amendment No. 2.

On page 3, line 38, of the printed bill, strike out the comma and "that said", and insert in lieu thereof a period, and as a separate paragraph, the following:

"(c) Said".

Amendment No. 3.

On page 3, line 40, of the printed bill, strike out the comma and "and that said", and insert in lieu thereof a period, and as a separate paragraph, the following:

"(d) Said".

Amendment No. 4.

On page 3, line 46, of the printed bill, strike out the comma and "and the", and insert in lieu thereof a period, and as a separate paragraph, the following:

"(e) Said delegate must send a notice by mail to each of such three appointees, which shall inform him that he is a member of the committee, that the committee will meet at Sacramento on the day following the third Thursday in September, that the meeting may be attended either in person or by proxy, that every proxy must be filed in the office of the Secretary of State not later than ten o'clock of the morning of the meeting of the committee and that such proxy must be in writing signed and acknowledged before a notary public or other officer authorized to administer oaths.

(f) Three forms of proxy are inclosed, one of each of which he must send with each of such notices. The".

Amendment No. 5.

On page 4, line 15, of the printed bill, strike out "second Saturday", and insert in lieu thereof the following: "day".

Amendment No. 6.

On page 4 of the printed bill, between lines 31 and 32, insert the following

"The Secretary of State shall also inclose with such notice three copies of the following form of proxy for attendance at the meeting of the State Central Committee.

PROXY FOR ATTENDANCE AT THE STATE CENTRAL COMMITTEE

MEETING AT SACRAMENTO, IN THE YEAR, 19____

I _____ duly qualified to sit as a member of the State Central Committee meeting at Sacramento in the year 19___ by virtue of (being a delegate to the State convention) (my appointment thereto by _____; said appointment having been duly filed in the office of the Secretary of State on the ___ day of _____, 19___) (strike out part inapplicable) do hereby designate _____; _____;
(Name) (Post office address)

as my proxy with full power to act for me in every respect as a duly qualified

member of the State Central Committee meeting at Sacramento on the _____ day of _____, 19___.

In witness whereof I have hereunto set my hand this ___ day of _____, 19___

_____
(Member)

Signed and acknowledged before me this ___ day of _____, 19___

_____
Notary Public"

Amendment No. 7.

On page 4, line 33, of the printed bill, after the comma add the following: "the chairman of each county central committee of the party,".

Amendment No. 8.

On page 4 of the printed bill, between lines 42 and 43, add the following: "Each delegate to the State convention shall send a notice by mail to each of such appointees which will inform him that he is a member of the committee, that the committee will meet in Sacramento on the day following the convention, that the meeting may be attended either in person or by proxy, that every proxy must be filed in the office of the Secretary of State not later than ten o'clock of the morning of the meeting of the committee and that such proxy must be in writing signed and acknowledged before a notary public or other officer authorized to administer oaths. Each delegate shall inclose with such notice one copy each of the forms of proxy sent to such delegate by the Secretary of State."

Amendment No. 9.

On page 5 of the printed bill, strike out lines 16 to 19, inclusive, and insert in lieu thereof the following: "and shall certify the name of each elector so nominated, his residence and his business address to the Secretary of State. Such certificates shall be delivered to and filed with the Secretary of State. The Secretary of State shall cause the names of candidates for President and Vice President of the several political parties to be placed upon the ballot for the ensuing November election. The names of the candidates for electors of President and Vice President shall not be printed upon the ballot. The votes cast for candidates for President and Vice President of each political party shall be counted for the candidates for presidential electors of such political party whose names have been filed with the Secretary of State."

Amendment No. 10.

On page 5, line 30, of the printed bill, after "shall", add the following: "immediately notify such newly appointed members by mail or telegraph and shall also"

Amendment No. 11.

On page 5, line 31, of the printed bill, strike out "and post-office addresses" and insert in lieu thereof the following: "of all"

Amendment No. 12.

On page 5, line 33, of the printed bill, strike out "thirty-"

Amendment No. 13.

On page 5, line 36, of the printed bill, strike out "thirty-".

Amendment No. 14.

On page 5 of the printed bill, strike out lines 38 to 51, inclusive, and on page 6, strike out lines 1 to 26, inclusive.

Amendment No. 15.

On page 6, line 46, of the printed bill, strike out "second Saturday", and insert in lieu thereof the following: "day".

Amendment No. 16.

On page 8 of the printed bill, between lines 10 and 11, add the following:

"Such county central committees shall perform such other duties and services for their respective political parties as seems to be for the benefit of each party. Such county central committees shall continue to function and exist until the election at the succeeding August primary election, and qualification of the members of the new county central committees."

Amendment No. 17.

On page 9, line 46, of the printed bill, after the period, add the following: "Such members shall be entitled to all the rights and privileges including the right to vote and shall have the same standing in every way as other members of the county central committee."

Amendment No. 18.

On page 9 of the printed bill, between lines 19 and 20, add the following:

"The county clerk of each county or city and county shall within ten days after the second Tuesday in September, following the August primary election, ascertain who is the duly elected chairman of the county central committee and shall mail a certificate to that effect to the Secretary of State.

If any chairman of any county central committee refuses to call a meeting, such a meeting may be called upon five days notice by a majority of the members of the county central committee.

Each county central committee may make rules and regulations providing:

(a) How officers of the committee may be removed.

(b) How meetings may be called, and any provisions so made shall supersede anything in this act to the contrary.

(c) Whether or not proxies may be used and the conditions under which they may be used.

Any such rule heretofore adopted by any county central committee by majority vote of the members elected thereto is hereby validated and made of the same effect as if adopted after this act was passed."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2298 by the following vote:

AYES—Call, Clark, Corwin, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Johnson, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—50

NOES—None.

Assembly Bill No. 2298 ordered to enrollment.

Assembly Bill No. 1265—An act to revise an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, as amended, relating to the practice of veterinary medicine and surgery, and repealing acts and parts of acts specified herein.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bll No. 1265?

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended in the Assembly May 14th, strike out "thirty", and insert in lieu thereof the word "ninety".

Amendment No. 2.

On page 2, line 16, of the printed bill, strike out "30", and insert in lieu thereof the word "ninety".

Amendment No. 3.

On page 5 of the printed bill, as amended, between lines 47 and 48, insert the following paragraph:

"Any final action of the board suspending or revoking a license shall be subject to review by the courts in accordance with law."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1265 by the following vote:

AYES—Burns, Hugh M., Call, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kepple, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 1265 ordered to enrollment

Assembly Bill No. 1266—An act to repeal Chapter 11, comprising sections 4800 to 4897, inclusive, of Division II of the Business and Professions Code, and to add Chapter 11, comprising sections 4800 to 4905, inclusive, to Division II of the Business and Professions Code, relating to the practice of veterinary medicine and surgery.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1266?

Amendment No. 1.

On page 2, line 8, of the printed bill, as amended in Assembly May 14th, strike out "thirty", and insert in lieu thereof the word "ninety".

Amendment No. 2.

On page 2, line 14, of the printed bill, strike out "thirty", and insert in lieu thereof the word "ninety".

Amendment No. 3.

On page 5, line 11, of the printed bill, as amended, after "article.", insert the following:

"Any final action of the board suspending or revoking a license shall be subject to review by the courts in accordance with law."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1266 by the following vote:

AYES—Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, King, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Weber, Williamson, Yorty, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 1266 ordered to enrollment.

Assembly Bill No. 2180—An act to amend section 3804 of the Political Code and to add to said code a new section to be numbered 3804c relating to the refund of taxes erroneously or illegally collected and to credit by offset of erroneously or illegally collected taxes against current taxes.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2180?

Amendment No. 1.

On page 2, lines 24 and 25, of the printed bill, as amended, strike out: "decision of the Supreme Court of California", and insert in lieu thereof the following: "final judgment".

Amendment No. 2.

On page 2, line 51, of the printed bill, as amended, commencing with the word "determination", strike out the remainder of said line, and insert in lieu thereof the word "judgment".

Amendment No. 3.

On page 3, lines 20 and 21, of the printed bill, as amended, strike out: "decision of the Supreme Court of California final", and insert in lieu thereof the following "final judgment".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2180 by the following vote:

AYES—Burns, Hugh M., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Johnson, Kepple, King, Kuchel, Leonard, Lore, Maloney, Martin, McMurray, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Watson, Williamson, Yorty, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 2180 ordered to enrollment

Assembly Bill No. 2194—An act to amend section 4041.21 of the Political Code, relating to powers and duties of boards of supervisors and permitting boards of supervisors to rent or lease space in county courthouses for news stand, cigar stand and lunch room purposes.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2194?

Amendment No. 1.

On page 2, line 33, of the printed bill, after the word "purposes", strike out the comma, and the balance of the line; and in line 34, strike out "erence".

Amendment No. 2.

On page 2, line 18, of the printed bill, as amended, after the word "of", insert the following: "surplus products of any salvage or vocational activities conducted by the county or any of its institutions, and".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2194 by the following vote:

AYES—Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Hawkins, Hornblower, Johnson, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, Patterson, Pelletier, Peyser, Reaves, Riche, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr Speaker—48.

NOES—None.

Assembly Bill No. 2194 ordered to enrollment.

Assembly Bill No. 1516—An act to add section 6.5 to, and amend section 7 of, and to repeal section 8 of, an act entitled "An act to establish a system of unemployment reserves for this State, and making appropriation therefor," approved June 25, 1935, relating to a system of unemployment reserves.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1516?

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, after "and", insert the following: "(1)".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended, strike out "on", and insert in lieu thereof the following: "or".

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, after "or", insert the following. "(2)".

Amendment No. 4.

On page 2, line 16, of the printed bill, as amended, after "State", strike out the comma, and insert in lieu thereof a semicolon.

Amendment No. 5.

On page 2, line 24, of the printed bill, as amended, strike out "Service performed in maritime employment", and insert in lieu thereof the following: "Maritime services".

Amendment No. 6.

On page 2, line 25, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and".

Amendment No. 7.

On page 2, line 33, of the printed bill, as amended, strike out "In", and insert in lieu thereof the following: "Service performed in the employ of the United States Government or of an instrumentality of the United States; provided, that in".

Amendment No. 8.

On page 2, line 43, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "; provided further, that if this State should not be certified by the Social Security Board under section 903 of the Social Security Act of any year, then the payments required of such instrumentalities and their workers with respect to such year shall be refunded by the commission from the unemployment fund without interest;".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1516 by the following vote:

AYES—Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon,

O'Donnell, Patterson, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr Speaker—49.

NOES—None

Assembly Bill No 1516 ordered to enrollment.

Assembly Bill No. 2140—An act to amend section 2351 of the Labor Code, relating to sanitation of work places.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2140?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "2 of an act entitled "An act to pro-", and strike out lines 2, 3, and 4 of the title, and insert in lieu thereof the following "2351 of the Labor Code, relating to sani-".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "2 of the act cited in the title hereof", and insert in lieu thereof the following. "2351 of the Labor Code".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following.

2351. Every factory or workshop in which one or more persons are employed shall be so ventilated while work is carried on that the air will not become injurious to the health of the employees, and shall also be so ventilated as to render harmless, as far as practicable, all injurious gases, vapors, dust, or other impurities generated in the course of the manufacturing process or handicraft carried on therein."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2140 by the following vote:

AYES—Breed, Burns, Hugh M. Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, King, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Williamson, Yorty, and Mr. Speaker—50.

NOES—None.

Assembly Bill No 2140 ordered to enrollment

Assembly Bill No. 2318—An act to amend sections 4 and 5, and to renumber and amend section 6 to be section 17 of an act entitled "An act authorizing the establishment, maintenance, and operation of recreation districts," approved June 19, 1931, relating to recreation districts

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2318?

Amendment No. 1.

On page 1, line 22, of the printed bill, as amended, strike out "either".

Amendment No. 2.

On page 1, line 23, of the printed bill, as amended, after "roads", insert the following. "bridges, road repair, bridge repair,".

Amendment No. 3.

On page 2, line 2, of the printed bill, as amended, strike out "condemnations", and insert in lieu thereof the following: "condemnation".

Amendment No. 4.

On page 2, line 5, of the printed bill, as amended, strike out "project", and insert in lieu thereof the following: "projects".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2318 by the following vote:

AYES—Burns, Hugh M. Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, King, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Richie, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 2318 ordered to enrollment.

Assembly Bill No. 1711—An act creating a special fund to be known as the "Judges' retirement fund," providing for disbursements there from, and to make appropriations therefor.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1711?

Amendment No. 1.

On page 2, line 6, of the printed bill, as amended, strike out "in which the provisions of said section".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1711 by the following vote:

AYES—Burns, Hugh M., Call, Cassidy, Cottrell, Cronin, Crowley, Daley, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, King, Kuchel, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Weber, Williamson, Yorty, and Mr. Speaker—48

NOES—None.

Assembly Bill No. 1711 ordered to enrollment.

Assembly Bill No. 1114—An act to add Part 2, Comprising Chapter 1, sections 4000 to 4083, inclusive, to Division V of the Welfare and Institutions Code, relating to aid for needy disabled persons

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1114?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "4083", and insert in lieu thereof the following: "4084".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1114 by the following vote:

AYES—Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Gilbert, Glick, Hawkins, Hornblower, Johnson, King, Kuchel, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller Eleanor; Miller, George P., Millington, Muldoon, O'Donnell, Patterson, Pelletier Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner Walker, Weber, Williamson, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1114 ordered to enrollment.

Assembly Bill No. 2336—An act to add Chapter 5 to Division I of the Fish and Game Code, relating to the licensing of landowners to collect fees or other charges for the privilege of hunting on their land

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2336?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 16 and 17, and insert in lieu thereof the following:

"50.5. No licensee under the provisions of this chapter shall be subject to the provisions of Articles 7 and 8 of Chapter 3, Part 3, Division IV. No person required to be licensed under said Articles 7 and 8 shall be licensed under this chapter."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2336 by the following vote:

AYES—Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kuchel, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington Muldoon, Patterson, Pelletier, Peyser, Reaves, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr Speaker—49.

NOES—None.

Assembly Bill No. 2336 ordered to enrollment

Assembly Bill No. 1588—An act to amend sections 1, 2, 4, 6, 9, 10, 14, 17, 31 and 33 of, and to add section 34 to, the Assessment Bond Refunding Act of 1933, relating to the refunding of indebtedness of special improvement districts, the levy and enforcement of reassessments therefor, and the issuance of refunding bonds, and declaring the urgency thereof, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1588?

Amendment No. 1.

On page 8, line 19, of the printed bill, as amended, strike out "bonds", and insert in lieu thereof the word "indebtedness"; and in line 20, add to the word "district", the letter "s"; and in line 52, strike out "bonds", and insert in lieu thereof the word "indebtedness".

Amendment No. 2.

On page 10, line 3, of the printed bill, as amended, add to the word "reassessment" the letter "s".

Amendment No. 3.

On page 16, line 21, of the printed bill, as amended, after the word "lands", add the following: "subject to reassessment hereunder".

Amendment No. 4.

On page 16, line 22, of the printed bill, as amended, following the word "districts", insert the following language: "and benefited by the acquisitions or improvements or acquisitions and improvements,".

Amendment No. 5.

On page 18, line 18, of the printed bill, as amended, strike out all the language following the word "hereunder", and in line 19, strike out all of the words preceding the period.

Amendment No. 6.

On page 18 of the printed bill, as amended, following line 19, insert the following language:

"Where any bonds or interest coupons have been reduced to judgment, the amount found due upon such bonds or coupons and for which judgment was rendered, shall be a part of the indebtedness to be refunded, and shall be deemed principal or interest or both, as the case may be, for the purpose of such refunding, and except as the context indicates otherwise, wherever the words bonds or interest coupons are used in this act with reference to outstanding bonds or coupons, they shall be deemed to include such judgment. The filing of the consent of the owners of a majority in area of the lands in the district to any refunding and reassessment initiated under this act shall waive any statute of limitations which might thereafter bar an action upon any bonds or interest coupons proposed to be refunded, and such waiver shall continue after such consent is filed until six months after the refunding proceeding is formally abandoned or if not formally abandoned until one year after the date of the last order of the legislative body therein.

The State of California and any city, county, or other political subdivision or public corporation owning bonds of any special improvement district, which might be refunded under the provisions of this act may agree that such bonds be refunded hereunder and may do and perform all acts and things necessary or convenient therefor.

Wherever the State of California, or any county, city, school district of any kind or class, political subdivision of any kind or class or public corporation of any kind or class, owns or has an interest in lands within any district, the indebtedness of which is proposed to be refunded hereunder, it shall have the same right as any private landowner, to appear and be heard in the proceeding or in any suit thereon and all of the curative clauses of this act shall apply to such State, county, city, school district, political subdivision or public corporation."

Amendment No. 7.

On page 19, line 7, of the printed bill, as amended, add to the word "reassess", the following letters: "ment".

Amendment No. 8.

On page 19, line 25, of the printed bill, as amended, strike out all of the language after the word "from", and in line 26, strike out the following: "erty was sold to the State, in computing".

Amendment No. 9.

On page 19, line 27, of the printed bill, as amended, strike out all of the language following the word "property", and in line 28, strike out all of the language preceding the period.

Amendment No. 10.

On page 19 of the printed bill, as amended, following line 28, insert the following language:

"In the event property has been deeded to the city for delinquent taxes or for delinquent taxes and assessments, it shall likewise be subject to reassessment hereunder. The legislative body of the city is authorized to consent to the refunding; in event of foreclosure or suit to quiet title, process shall be served upon the same person or persons as in other cases of suit against the city; and the computation of the amount to be deducted in the event of redemption shall be made by the city auditor or other person in which duties of that class are vested by law."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1588 by the following vote:

AYES—Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kuchel, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr Speaker—47.

NOES—None.

Assembly Bill No. 1588 ordered to enrollment.

Assembly Bill No. 1849—An act to amend sections 1, 2, 5, 7, 9, 10, 14, 16, 25, 29 and 30 of, and to add a new section to be numbered section 18 to an act entitled "An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments, levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bond and to enforce the lien of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the Bankrupt Laws of the United States of America in any refunding," approved July 20, 1935, and declaring the urgency of this act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1849?

Amendment No. 1.

On page 17 of the printed bill, as amended, at the end of line 32, following the word "lands", insert the following: "subject to reassessment hereunder"

Amendment No. 2.

On page 15, line 33, of the printed bill, as amended, following the word "districts", insert the following: "and benefited by the acquisitions or improvements or acquisitions and improvements,".

Amendment No. 3.

On page 18 of the printed bill, as amended, following line 2, insert the following:

"Where any bonds or interest coupons have been reduced to judgment, the amount found due upon such bonds or coupons and for which judgment was rendered, shall be a part of the indebtedness to be refunded, and shall be deemed principal or interest or both, as the case may be, for the purpose of such refunding, and except as the context indicates otherwise, wherever the words bonds or interest coupons are used in this act with reference to outstanding bonds or coupons, they shall be deemed to include such judgment. The filing of the consent of the owners of a majority in area of the lands in the district to any refunding and reassessment initiated under this act shall waive any statute of limitations which might thereafter bar an action upon any bonds or interest coupons proposed to be refunded, and such waiver shall continue after such consent is filed until six months after the refunding proceeding is formally abandoned or if not formally abandoned until one year after the date of the last order of the legislative body therein.

The State of California and any city, county, or other political subdivision or public corporation owning bonds of any special improvement district, which might be refunded under the provisions of this act may agree that such bonds be refunded

hereunder and may do and perform all acts and things necessary or convenient therefor.

Wherever the State of California, or any county, city, school district of any kind or class, political subdivision of any kind or class or public corporation of any kind or class, owns or has an interest in lands within any district, the indebtedness of which is proposed to be refunded hereunder, it shall have the same right as any private landowner, to appear and be heard in the proceeding or in any suit thereon and all of the curative clauses of this act shall apply to such State, county, city, school district political subdivision or public corporation."

Amendment No. 4.

On page 18 of the printed bill, as amended, strike out all of line 44, and also strike out the word "computing" in line 45.

Amendment No. 5.

On page 18, line 46, of the printed bill, as amended, strike out the following: "or in any sale of the property by the State".

Amendment No. 6.

On page 18, following line 46, of the printed bill, as amended, insert the following language:

"In the event property has been deeded to the city for delinquent taxes or for delinquent taxes and assessments, it shall likewise be subject to reassessment hereunder. The legislative body of the city is authorized to consent to the refunding; in event of foreclosure or suit to quiet title, process shall be served upon the same person or persons as in other cases of suit against the city; and the computation of the amount to be deducted in the event of redemption shall be made by the city auditor or other person in which duties of that class are vested by law."

Amendment No. 7.

On page 19, line 2, of the printed bill, as amended, following the word "State", insert the following: "or to any city therein"

Amendment No. 8.

On page 19, line 8, of the printed bill, as amended, after the word "authorized.", add the following. "Any proceedings taken prior to the time these amendments take effect may be continued to completion under the provisions of the act as hereby amended."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1849 by the following vote:

AYES—Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kuchel, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1849 ordered to enrollment.

Assembly Bill No. 1728—An act to amend section 8 and to repeal sections 33 and 34 of "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, relating to elections in cities of the fifth and sixth class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1728?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the numeral "4", and the comma which follows it

Amendment No. 2.

On page 2, line 33, of the printed bill, strike out the numeral "4", and the comma which follows it.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1728 by the following vote:

AYES—Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kuchel, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1728 ordered to enrollment.

Assembly Bill No. 2388—An act to amend the title of, and to add section 15a to the "Central Valley Project Act of 1933," relating to the powers and duties of the Water Project Authority

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2388?

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend the title of, and to add section 15a to the "Central Valley Project Act of 1933," relating to the powers and duties of the Water Project Authority."

Amendment No. 2.

On page 2, line 6, of the printed bill, strike out "purchase", and insert in lieu thereof the following: "acquisition".

Amendment No. 3.

On page 2, line 8, of the printed bill, strike out "perform duties", and insert in lieu thereof the following: "conform to such requirements".

Amendment No. 4.

On page 2 of the printed bill, strike out all of lines 15 to 19, both inclusive, and insert in lieu thereof the following: "and occupation of certain real property and rights of way belonging to the State; defining the term "State agency" and".

Amendment No. 5.

On page 2 of the printed bill, strike out all of lines 23 to 25, both inclusive, and insert in lieu thereof the following: "and providing for the repayment therefor, authorizing State agencies to contract with the Water Project Authority; granting certain preferences to State agencies and certain other organizations in contracting with said authority, and providing for certain powers and duties of any such contracting State agency and its governing body or board and officers; authorizing".

Amendment No. 6.

On page 2, line 30, of the printed bill, strike out the following "and".

Amendment No. 7.

On page 2, line 32, of the printed bill, change the period to a semicolon, and add the following "and repealing all acts or parts of acts in conflict with this act."

Amendment No. 8.

On page 2 line 37, of the printed bill, strike out the word "contract", and insert in lieu thereof the following: "make and enter into contracts".

Amendment No. 9.

On page 2, line 39, of the printed bill, strike out all of lines 39 to 42, both inclusive, and insert in lieu thereof the following: "operation of said Central Valley Project or any part thereof or to make and enter into contracts for the acquisition by said authority of the works and properties of said Central Valley Project or any part thereof, and for the repayment by said authority of the cost thereof to the United States or to conform to such requirements, not otherwise inconsistent".

Amendment No. 10.

On page 2 of the printed bill, strike out all of lines 48 and 49, and insert in lieu thereof the following: "California may receive the benefits to be derived from the construction, maintenance and operation of said project."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2388 by the following vote:

AYES—Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dannenbrink, Dawson, Donihue, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, Kuchel, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Walker, Weber, Williamson, Yorty, and Mr. Speaker—47.

NOES—None.

Assembly Bill No 2388 ordered to enrollment.

Leave of Absence.

Mr. Thorp was granted leave of absence for the balance of this legislative day, on motion of Mr. Scudder.

Resolutions.

The following resolutions were offered:

By Mr. King:

House Resolution No. 224B.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in the sum of eight hundred and fifty dollars ($850) in favor of James G. Smyth, Chief Clerk of the Assembly, and the Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, rental of typewriters, illuminating resolutions, traveling expenses, and any other incidental expenses in connection with completing the work of the fifty-second session of the Assembly of the State of California. Vouchers and receipts for all expenditures to be furnished to the Controller.

House Resolution No. 224B read, and adopted by the following vote.

AYES—Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Glick, Hawkins, Hornblower, Johnson, King, Kuchel, Leonard, Lore, Maloney, Martin, McMurray, Meehan, Miller, Eleanor; Millington, Muldoon, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Williamson, Yorty, and Mr Speaker—51.

NOES—None.

By Mr. King:

House Resolution No. 225.

Resolved, That the Speaker appoint a Committee of Three to wait upon the Senate, and inform it that the Assembly has concluded its labors and ask if it has any further message to deliver to this body.

House Resolution No. 225 read, and adopted.

Appointment of Special Committee.

In accordance with House Resolution No 225, the Speaker appointed Messrs King, Maloney and O'Donnell as such Special Committee.

By Mr. King:

House Resolution No. 226.

WHEREAS, The members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the end of the session; therefore, be it

Resolved, That the Sergeant-at-Arms, Delwin W. Smith, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrant on the contingent expense fund of the Assembly in favor of said Delwin W. Smith, in the sum not to exceed eight hundred dollars ($800) and the State Treasurer is hereby directed to pay the same; and it is further directed that Delwin W. Smith furnish to the Controller vouchers and receipts for all expenditures made by him

House Resolution No. 226 read, and adopted by the following vote:

AYES—Breed, Burns, Hugh M., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, King, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Turner, Walker, Williamson, Yorty, and Mr. Speaker—56.

NOES—None.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1711.

Mr Williamson moved to expunge the record and rescind the action whereby the Assembly, on this day, concurred in the Senate amendments to Assembly Bill No 1711.

The roll was called, and the record expunged and the action rescinded by the following vote

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, Patterson,

Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Weber, Williamson, and Mr Speaker—54.

NOES—None.

Consideration of Senate Amendment to Assembly Bill No. 1711.

Assembly Bill No. 1711—An act creating a special fund to be known as the "Judges' retirement fund," providing for disbursements therefrom, and to make appropriations therefor.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1711?

Amendment No. 1.

On page 2, line 6, of the printed bill, as amended, strike out "in which the provisions of said section".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1711 by the following vote:

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Heisinger, Hornblower, Johnson, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Reaves, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Weber, Williamson, and Mr. Speaker—54.

NOES—None

Assembly Bill No. 1711 ordered to enrollment.

Resolutions.

The following resolutions were offered:

By Mr. Cronin:

House Resolution No. 227.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of James G Smyth, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office.

House Resolution No. 227 read, and adopted by the following vote

AYES—Breed, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clark, Cottrell, Cronin, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Field, Fulcher, Gannon, Garibaldi, Garland, Glick, Hawkins, Hornblower, Johnson, Kuchel, Latham, Leonard, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, Patterson, Peek, Pelletier, Peyser, Richie, Rosenthal, Sawallisch, Sheehan, Stream, Tenney, Walker, Williamson, Yorty, and Mr. Speaker—51.

NOES—None.

By Mr. King:

House Resolution No. 228.

Resolved, That the Speaker appoint a Committee of Three to wait upon His Excellency, Hon. Frank F. Merriam, Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Appointment of Special Committee.

The Speaker announced the appointment of Messrs Redwine, Ritchie and Patterson as such Special Committee.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 508.

And requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate
By F. ALFRED BLATZ, Assistant Secretary

Consideration of Assembly Amendments to Senate Bill No. 508.

Senate Bill No. 508—An act to amend sections 5.10, 5.42, 5.93 and 5.101 of the School Code of the State of California, and to add thereto a new section to be numbered 5.88a, all relating to the establishment of R. O. T. C. units in State colleges and the teaching of courses in military science and tactics in connection therewith.

The question being put: Shall the Assembly recede from the Assembly amendments to Senate Bill No. 508?

The roll was called, and the Assembly refused to recede from its amendments to Assembly Bill No. 508 by the following vote:

AYES—Cunningham, Dannenbrink, and Latham—3.

NOES—Burns, Hugh M., Call, Cassidy, Clark, Corwin, Crowley, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Garibaldi, Hawkins, Hornblower, Johnson, Kepple, King, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Morgan, Pelletier, Peyser, Reaves, Rosenthal, Sawallish, Scudder, Stream, Turner, Voigt, Walker, Welsh, and Mr. Speaker—37.

Appointment of Committee on Free Conference Concerning Senate Bill No. 508.

The Speaker announced the appointment of Messrs. Gannon, Clark, and Hawkins, as a Committee on Free Conference concerning Senate Bill No. 508.

Reports of Committees on Free Conference.

The following reports of Committees on Free Conference were received and read:

Concerning Senate Bill No. 812.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Free Conference concerning

Senate Bill No. 812—An act to regulate the use of public highways for commercial purposes by motor carriers of passengers operating thereon for the transportation of persons for hire or compensation; to define motor carriers of passengers and to provide for the regulation and supervision thereof and the issuance of permits thereto; to confer powers upon the Railroad Commission of California with respect to motor carriers of passengers and their agents; to prevent discriminations between various forms of transportation; to confer powers on the Department of Motor Vehicles with respect to the issuance of license plates or emblems to motor carriers of passengers; to foster a fair distribution of traffic between the several transportation agencies to the end that the public highways may be relieved of unnecessary commercial traffic and that necessary existing agencies of transportation shall be preserved, and providing penalties for violation of this act,

Reports that it has met a like committee of the Senate, consisting of Senators Parkman, Gordon and DeLap, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 3 of the printed bill, as amended May 26, 1937, strike out lines 14 to 24, inclusive, and insert in lieu thereof the following: "State of California; (e) while operated by the registered owner of a pleasure vehicle or by any member of his family in the transportation of persons to the same destination as that of the operator or to a place through which the operator passes on the way to his destination, whether any consideration is paid to the operator or not, if the operation of the motor vehicle is for purposes other and additional to that of carrying the persons paying the compensation and is not in the regular course of business"

Amendment No. 2.

On page 4 of the printed bill, as amended May 26, 1937, strike out lines 16 to 21, inclusive, and insert in lieu thereof "ten ($10) dollars."

Amendment No. 3.

On page 5 of the printed bill, as amended May 26, 1937, strike out lines 22 to 31, inclusive.

Amendment No. 4.

On page 1, line 14 of the title of the printed bill, as amended May 26, 1937, following the word "that", strike out the remainder of line 14, and line 15 down to and including the word "that".

Amendment No. 5.

On page 1, line 8, of the printed bill, as amended May 26, 1937, following the word "regulated", strike out the remainder of line 8, and on page 2, line 1, strike out the following words "hazards and wear and tear on public highways and".

Amendment No. 6.

On page 2, line 3, of the printed bill, as amended May 26, 1937, strike out "that the highways may be rendered safer for the", and in line 4, strike out the words "use of the general public".

Amendment No. 7.

On page 4 of the printed bill, as amended May 26, 1937, strike out "without unneces-", and on page 5, strike out lines 1 to 4, inclusive.

HORNBLOWER
GARLAND.
DAWSON.

PARKMAN
GORDON.
DELAP.

Assembly Committee on Free Conference.

Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Concerning Senate Bill No. 720.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning

Senate Bill No. 720—An act to amend sections 305 and 307 of the Agricultural Code, relating to slaughtering establishments and meat inspection, and making an appropriation;

Reports that it has met a like committee of the Senate consisting of Senators Metzger, Crittenden and Young, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 2, line 32, of the printed bill, as amended in Assembly on May 28, 1937, strike out "$1,130,000", and insert in lieu thereof the following: "$500,000".

O'DONNELL.
ROSENTHAL.
MAYO.

METZGER.
CRITTENDEN.
YOUNG.

Assembly Committee on Free Conference.

Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Concerning Assembly Bill No. 2792.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning

Assembly Bill No. 2792—An act to amend sections 28a, 65a, 65d, 83a and 109 of to add section 8a to, and to repeal section 84a of an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and making an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol, and making an appropriation therefor;

Reports that it has met a like committee of the Senate, consisting of Senators

Seawell, Holohan and DeLap, and reports that the Committee on Free Conference has agreed to recommend the following:
That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after "patrol", insert the following: "of the county of Los Angeles in California, or as a member of the highway patrol of any other county in the State on and after the effective date of the contract entered into by said county with the State in connection with its highway patrol, as provided for in Chapter 266, Statutes of 1923. For the".

Amendment No. 2.

On page 1, line 11, of the printed bill, as amended, strike out the following: "of any county. For the".

HORNBLOWER.
LYON.
SAWALLISCH.
Assembly Committee on Free Conference.

SEAWELL.
DELAP.
HOLOHAN.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning:

Assembly Bill No. 3. **Senate Bill No. 869.**
Senate Bill No. 558.

J. A. BEEK, Secretary.
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 3 ordered to reprint and enrollment.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference concerning:

Senate Bill No. 508.

The following Senators: Quinn, Nielsen, and Knowland, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly Amendments to:

Senate Constitutional Amendment No. 9.
Senate Bill No. 178. **Senate Bill No. 578.**
Senate Bill No. 296. **Senate Bill No. 585.**
Senate Bill No. 423. **Senate Bill No. 771.**
Senate Bill No. 426. **Senate Bill No. 1139.**
Senate Bill No. 453.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to the following:

Assembly Bill No. 2353.
Assembly Constitutional Amendment No. 48.
Assembly Concurrent Resolution No. 56.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, the following

Assembly Bill No. 119.	**Assembly Bill No. 2007.**
Assembly Bill No. 590.	**Assembly Bill No. 2058.**
Assembly Bill No. 672.	**Assembly Bill No. 2078.**
Assembly Bill No. 715.	**Assembly Bill No. 2247.**
Assembly Bill No. 950.	**Assembly Bill No. 2835.**
Assembly Bill No. 1463.	**Assembly Bill No. 2857.**
Assembly Bill No. 1750.	**Assembly Bill No. 2927.**

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary

The above reported bills ordered on unfinished business calendar.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 2204—An act to add section 1777.5 to the Labor Code, relating to the employment of apprentices.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2204?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "5a to "An act to provide for the pay-", and strike out lines 2 to 14, inclusive, of the title, and in line 15, strike out "1931", and insert in lieu thereof the following: "1777 5 to the Labor Code".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section to be numbered 1777 5 is hereby added to the Labor Code to read as follows.

1777.5. Nothing in this chapter shall prevent the employment".

Amendment No. 3.

On page 1, line 18, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "chapter".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2204 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—69.

NOES—None.

Assembly Bill No. 2204 ordered to enrollment.

Assembly Bill No. 1287—An act to add Article 4 to Chapter 10 of Division IV of the Agricultural Code, relating to the marketing and distribution of fluid milk and fluid cream.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1287?

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, strike out "Article", and insert in lieu thereof the following: "Division".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1287 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Riche, Robertson, Rosenthal, Sawallisch,

Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Wilhamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1287 ordered to enrollment.

Assembly Bill No. 2927—An act making an appropriation for the contingent expenses of the Assembly and declaring that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2927?

Amendment No. 1.

On page 1, lines 7 and 8, of the printed bill, strike out "without regard to fiscal years", and insert in lieu thereof "only for expenses incurred during eighty-eighth and subsequent fiscal years and shall not exceed the total aggregate sum of four thousand dollars."

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 2927 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Wilhamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2927 ordered to enrollment

Assembly Bill No. 939—An act to amend sections 4802 and 4803 of and to add sections 4804 and 4805 to the Labor Code, relating to workmen's compensation.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 939?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "9c and 9d of, and to add section 9e", and strike out line 2, and in line 3 of the title, strike out "Safety Act of 1917," and insert in lieu thereof the following: "4802 and 4803 of, and to add sections 4804 and 4805 to the Labor Code,".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "9c of the act cited in the title hereof", and insert in lieu thereof the following: "4802 of the Labor Code".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "Sec 9c.", and insert in lieu thereof the following: "4802."

Amendment No. 4.

On page 1 of the printed bill, strike out line 7, and insert in lieu thereof the following: "prescribed by this division as part of the compensation for persons".

Amendment No. 5.

On page 1, line 9, of the printed bill, strike out "by the provisions of this act"

Amendment No. 6.

On page 1, line 13, of the printed bill, strike out "9d of said act", and insert in lieu thereof the following: "4803 of the Labor Code".

Amendment No. 7.

On page 1, line 15, of the printed bill, strike out "Sec. 9d.", and insert in lieu thereof the following: "4803."

Amendment No. 8.

On page 1, line 20, of the printed bill, strike out "act", and insert in lieu thereof the following: "division".

Amendment No. 9.

On page 1, line 21, of the printed bill, strike out "9a", and insert in lieu thereof the following: "4800".

Amendment No. 10.

On page 1, line 27, of the printed bill, strike out "said act", and insert in lieu thereof the following: "the Labor Code".

Amendment No. 11.

On page 1, line 28, of the printed bill, strike out "9e", and insert in lieu thereof the following: **"4804".**

Amendment No. 12.

On page 2, line 1, of the printed bill, strike out "Sec. 9e.", and insert in lieu thereof the following: **"4804."**

Amendment No. 13.

On page 2, line 5, of the printed bill, strike out "said act", and insert in lieu thereof the following: **"the Labor Code".**

Amendment No. 14.

On page 2, line 6, of the printed bill, strike out "9f", and insert in lieu thereof the following: **"4805".**

Amendment No. 15.

On page 2 of the printed bill, strike out line 7, and insert in lieu thereof the following:

"4805. No benefits shall be awarded under this division on".

Amendment No. 16.

On page 2, line 15, of the printed bill, strike out "act", and insert in lieu thereof the following: **"division".**

Amendment No. 17.

On page 2, line 16, of the printed bill, strike out "act", and insert in lieu thereof the following: **"division".**

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 939 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 939 ordered to enrollment

Assembly Bill No. 119—An act to amend sections 2, 4, 5, 7, 8, 9, 11 and 13 of, and to add sections 4a, 4b, 4c, 4d, and 4e to an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the payment and collection of taxes, and the suspension of licenses, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 119?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after the word "sections", strike out "4, 5, 8 and 11", and insert in lieu thereof the following: 2, 4, 5, 7, 8, 9, 11 and 13".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "and", and insert in lieu thereof a comma, and after "4(b)", add ", 4(c), 4(d) and 4(e)".

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, after the word "section" strike out "4", and insert in lieu thereof "2"

Amendment No. 4.

On page 1 of the printed bill, as amended, between lines 2 and 3, insert the following

"SEC. 2. Each operator of a motor vehicle within this State who transports or desires to transport for compensation or hire persons or property upon any public highway within this State shall apply to the board, on such forms as the board may prescribe, for a license to operate motor vehicles for the transportation of persons or property for hire or compensation upon public highways in this State

Each application for a license must be accompanied by a fee of five dollars payable to the board. Upon the receipt of the application of any such operator, accompanied by such fee, the board shall issue to the applicant a license to transport for compensation or hire persons or property upon any public highway within this State; provided, however, that no license issued hereunder shall be construed to authorize the operation of any vehicle upon the public highways of this State contrary to the laws now or hereafter in effect regulating the operation of motor vehicles. No license issued hereunder shall be assignable by operation of law or otherwise.

All licenses issued under the provisions of this act shall expire on the thirty-first day of December next succeeding the date upon which they are issued. If any person shall become an operator and shall fail to apply for the license and pay the fee required hereunder within thirty days thereafter or shall fail to apply for the renewal of a license previously held and pay the license fee of five dollars prior to the first day of January of the succeeding year and shall continue to act as an operator taxable hereunder, there shall be added to the license fee to be charged to such person an amount of five dollars.

SEC. 2. Section 4 of the act cited in the title hereof is hereby amended to read as follows:".

Amendment No. 5.

On page 1, line 8, of the printed bill, as amended, after the word "Sec.", strike out "2", and insert in lieu thereof "3".

Amendment No. 6.

On page 2, line 7, of the printed bill, as amended, strike out "thirty", and insert in lieu thereof "ten".

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out all of lines 9 to 15, both inclusive.

Amendment No. 8.

On page 2, line 16, of the printed bill, as amended, after the word "Sec.", strike out "3", and insert in lieu thereof "4".

Amendment No. 9.

On page 2 of the printed bill, as amended, strike out all of lines 18 to 40, both inclusive, and insert in lieu thereof the following:

"Sec. 4(b). Any operator failing to pay any tax, except taxes determined by the board under the provisions of sections 4(c) and 4(d) hereof, within the time required by this act shall pay in addition to the tax a penalty of ten per cent of the unpaid amount thereof, plus interest at the rate of one-half of one per cent a month, or fraction thereof, from the date at which the tax became due and payable until the date of payment.

SEC. 5. Section 4(c) is hereby added to the act cited in the title hereof to read as follows

Sec 4(c). If the board is not satisfied with the return and payment of tax made by any operator, it is hereby authorized to make an additional assessment of tax due from any such operator based upon the information contained in the return or upon any information in its possession. All additional assessments shall bear interest at the rate of one-half of one per cent per month, or fraction thereof, from the twentieth day after the close of the month or months, as the case may be, for which the additional assessment is imposed until the date of payment. If any part of the deficiency for which the additional assessment is imposed is due to negligence or intentional disregard of the act or authorized rules and regulations, a penalty of ten per cent of the amount of the additional assessment shall be added, plus interest as above provided. If any part of the deficiency for which the additional assessment is imposed is due to fraud or an intent to evade the tax, a penalty of twenty-five per cent of the amount of the additional assessment shall be added, plus interest as above provided. The board shall give to the operator written notice of such additional assessment. Such notice may be served upon the operator personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the operator at his address as the same appears in the records of the board.

For the purpose of the proper administration of this act and to prevent evasion of the tax hereby imposed, it shall be presumed that the gross receipts from all operations of operators are subject to the tax hereby imposed until the contrary is established.

SEC. 6. Section 4(d) is hereby added to the act cited in the title hereof to read as follows:

Sec. 4(d). If any operator shall fail, neglect or refuse to file a return within the time required herein, the board shall make an estimate of the amount of the taxable gross receipts of such operator for the month or months for which such operator failed to make a return and upon the basis of such estimated amount shall compute and assess the tax payable by such operator, adding to the amount of tax so determined a penalty equal to ten per cent thereof. All such assessments shall bear interest at the rate of one-half of one per cent per month, or fraction thereof,

from the twentieth day after the close of the month or months, as the case may be, for which such assessments are imposed until the date of payment If the neglect or refusal of an operator to file a return as required by this act was due to fraud or an intent to evade the tax, there shall be added to the tax a penalty equal to twenty-five per cent thereof in addition to the ten per cent penalty as above provided. Promptly thereafter the board shall give to the delinquent written notice of such estimate, tax and penalty, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 4(c) hereof.

SEC. 7. Section 4(e) is hereby added to the act cited in the title hereof, to read as follows:

Sec. 4(e). Any operator against whom an assessment is made by the board under the provisions of section 4(c) or 4(d) hereof may petition for a reassessment thereof within fifteen days after the date of mailing the notice thereof to such operator. If a petition for reassessment is not filed within said fifteen day period the amount of the assessment becomes final at the expiration thereof.

If a petition for reassessment is filed within said fifteen day period the board shall reconsider the assessment and, if the operator has so requested in his petition, shall grant said operator an oral hearing and shall give the operator ten days' notice of the time and place thereof. The board shall have power to continue the hearing from time to time as may be necessary.

The order or decision of the board upon a petition for reassessment shall become final fifteen days after the date of mailing the notice thereof to such operator.

All assessments made by the board under the provisions of section 4(c) or 4(d) hereof shall become due and payable at the time they become final and if not paid when due and payable there shall be added thereto a penalty of ten per cent of the amount of the tax.

Any notice required by this section shall be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 4(c) hereof.

Except in the case of a fraudulent return or neglect or refusal to make a return, every notice of additional tax proposed to be assessed hereunder shall be mailed to the operator within three years after the return of such operator was filed."

Amendment No. 10.

On page 2, line 41, of the printed bill, as amended, after the word "Sec.", strike out "4", and insert in lieu thereof "8".

Amendment No. 11.

On page 4 of the printed bill, as amended, between lines 37 and 38, insert the following:

"SEC 9. Section 7 of said act is hereby amended to read as follows:

Sec. 7. The board shall have the power, and it is hereby authorized, to prescribe the forms of all reports of gross receipts from operations, to prescribe the forms for keeping records of gross receipts from operations, and to make any and all examinations of the records of operators and other investigations as it may deem necessary in carrying out the provisions of this act.

The board is hereby charged with the enforcement of the provisions of this act, except in so far as duties and powers are herein vested in the Department of Motor Vehicles, and is hereby authorized to prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of the provisions of this act

The board may appoint accountants, auditors, investigators and such other expert and clerical assistants as it may from time to time deem necessary to enforce its powers and perform its duties under this act."

Amendment No. 12.

On page 4, line 38, of the printed bill, as amended, after the word "Sec.", strike out "5", and insert in lieu thereof "10".

Amendment No. 13.

On page 5 of the printed bill, as amended, between the lines 10 and 11, insert the following

"SEC. 11. Section 9 of said act is hereby amended to read as follows:

Sec. 9. No injunction or writ of mandate or other legal or equitable process shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection under this act of any license tax sought to be collected by the Controller, but after payment of any such license tax under protest duly verified and setting forth the grounds of objection to the legality of such license tax, the operator paying such license tax may bring an action against the State Treasurer in the superior court of the county of Sacramento for the recovery of license tax so paid under protest No such action may be instituted more than sixty days after the last day prescribed for the payment of such license tax without penalty, and failure to bring suit within said sixty days shall constitute waiver of any and all demands against this State on account of alleged overpayment of license taxes hereunder No grounds of illegality of the license tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the license tax

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any license taxes due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of six per cent per annum upon the amount of license tax found to have been illegally collected from the date of payment of such license tax to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the Controller.

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any license tax paid hereunder, when such action is brought by or in the name of an assignee of the operator paying said license tax, or by any person, company or corporation other than the person, company or corporation that has paid such license tax.

If the board determines that any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected or computed, the board shall set forth that fact in the records of the board and shall certify to the State Board of Control the amount collected in excess of what was legally due, from whom it was collected, or by whom paid, and if approved by that board the same shall be credited on any taxes then due from the operator under this act and the balance shall be refunded to the operator, or his successors, administrators, executors or assigns, but no such credit or refund shall be allowed after three years from the date of overpayment.

If the total taxes and licenses, excluding such State taxes and licenses as are on, according to or measured by gross receipts or net income or with respect to motor vehicle fuel, becoming due and payable during a calendar year and paid during such year to this State and its political subdivisions, including municipalities, by an operator upon, or on account of the operations of, his property used exclusively to produce gross receipts from his operations taxable hereunder, shall exceed 2 per cent of such gross receipts from his operations during such year, the amount of such excess, not exceeding, however, the amount of license taxes paid hereunder during such year, shall be subject to refund upon a verified claim therefor filed with the board by such operator within ninety days after the close of such year. Thereafter the board shall examine such claim and if it shall appear to the satisfaction of the board that a refund is due, shall certify to the State Board of Control the amount thereof, and if approved by that board the same shall be credited on any taxes then due from the operator under this act and the balance shall be refunded to the operator, or his successors, administrators, executors or assigns, but no such credit or refund shall be allowed unless the claim therefor shall have been filed within the time herein specified.

Any refund or any portion thereof which is erroneously made and any credit or any portion thereof which is erroneously allowed, may be recovered in an action brought by the Controller of the State in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California and such action shall be tried in the county of Sacramento unless the court with the consent of the Attorney General, orders a change of place of trial. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for.

In the event that a tax has been illegally levied against an operator the board shall certify such fact to the State Board of Control and said board shall authorize the cancellation of the tax upon the records of the board."

Amendment No. 14.

On page 5, line 11, of the printed bill, as amended, after the word "Sec.", strike out "6", and insert in lieu thereof "12".

Amendment No. 15.

On page 5 of the printed bill, as amended, strike out all of lines 13 to 50, inclusive, and insert in lieu thereof the following:

"Sec. 11. Whenever any operator licensed hereunder fails to comply with any provision of this act or any rule or regulation of the board prescribed and adopted under this act, the board, upon hearing after giving ten days' notice in writing of the time and place of the hearing to show cause why the license of such operator should not be revoked, may revoke such license. The Department of Motor Vehicles upon receiving written notice from the board that the license of an operator has been revoked by the board or that an operator has failed, neglected or refused to obtain the license provided in section 2 hereof shall suspend forthwith the registration of the motor vehicles specified in such notice of such operator and shall cause to be removed from such motor vehicles all number plates or emblems issued by said department for display upon such motor vehicles. Thereafter it shall be unlawful to operate such motor vehicles upon the public highways of this State until the operator has fully complied with the provisions of this act and a certificate to that effect has been issued by the board to the Department of Motor Vehicles and the registration of the motor vehicles of such operator has been restored by said department.

The license of an operator shall be reinstated by the board following the revocation of such license when the amount of license tax assessed hereunder and interest thereon together with all penalties have been paid and the provisions of this act have been fully complied with by such operator and a fee of five dollars has been paid to the board for such reinstatement The registration of the motor vehicles of such operator and the number of plates and emblems removed therefrom shall be restored by the Department of Motor Vehicles upon the issuance by the board to said department of a certificate to the effect that the operator has fully complied with the provisions of this act and the payment to said department of a fee of five dollars for the restoration of the registration of each motor vehicle

If the registration of any motor vehicle has been suspended as provided herein, the Department of Motor Vehicles shall not thereafter reregister such motor vehicle or transfer the registration of ownership thereof upon the records of the department until such time as the board has issued to said department a certificate to the effect that the operator has fully complied with the provisions of this act.

Transfer by the Department of Motor Vehicles of the registered ownership of any motor vehicle licensed hereunder may be effected only after a certificate of license tax clearance has been issued therefor by the board Such certificate of license tax clearance shall completely extinguish the lien herein provided in the motor vehicle described therein."

Amendment No. 16.

On page 6 of the printed bill, as amended, between lines 6 and 7, insert the following

"SEC. 13. Section 13 of said act is hereby amended to read as follows:

Sec. 13 All taxes, interest and penalties due hereunder shall be paid in the form of remittances payable to the Controller of the State of California and shall be deposited by the Controller in the State Treasury to the credit of the general fund and all sums paid to the Department of Motor Vehicles hereunder shall be deposited in the State Treasury to the credit of the motor vehicle fund

All remittances for taxes, together with interest and penalties thereon, received by the board hereunder shall be transmitted daily to the Controller with the appropriate advices as to the operators by whom such remittances have been sent. The State Controller shall keep an appropriate record of such payments

The board shall notify the Controller of any and all assessments made pursuant to sections 4(c) and 4(d) hereof, as well as the amounts self-assessed under section 4(a) hereof, and the Controller shall keep an appropriate record of all such matters

SEC. 14. The tax assessed by the board under the provisions of the act cited in the title hereof with respect to the operations of operators during the month of May, 1937 shall be paid to the Controller in accordance with the provisions of section 5 of said act as such provisions existed on January 1, 1937, anything in said act or in this act to the contrary notwithstanding.

SEC. 15 All taxes assessed against operators prior to July 1, 1937, pursuant to the provisions of the act cited in the title hereof, as those provisions existed on January 1, 1937, and remaining unpaid on July 1, 1937, shall be collected by the Controller under the provisions of said act as amended hereby.

SEC. 16. The amendments to the act cited in the title hereof effected by this act shall become operative on July 1, 1937, except that the amendment hereby effected to section 2 of the act cited in the title hereof shall become operative on October 1, 1937."

Amendment No. 17.

On page 6, line 7, of the printed bill, as amended, after the word "Sec", strike out "7", and insert in lieu thereof "17".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 119, by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 119 ordered to enrollment.

Assembly Bill No. 1463—An act to amend the title of and sections 1 3 and 6 to, an act entitled "An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation hereof," approved June 19, 1931, relating to motor boat regulation.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1463?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "and to add".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "Section 7".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1463 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—69.

NOES—None.

Assembly Bill No. 1463 ordered to enrollment.

Assembly Bill No. 2058—An act to amend section 1144 of and to add sections 1143a, 1145a and 1145b to the Agricultural Code, relating to egg products and providing for the keeping and giving of information in reference thereto, regulating the delivery thereof from public warehouses, regulating the containers in which egg products are packed, providing for the seizure of egg products and food products manufactured using egg products and providing an appropriation for the enforcement of Article 4 of Chapter 8 of Division V of the Agricultural Code.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2058?

Amendment No. 1.

On page 2, of the printed bill, as amended, strike out lines 8 to 10, inclusive, and insert in lieu thereof the following:

"1145a. All egg products imported into this State from without the United States and packed in drums or tin containers shall be sold in this State in the original container or in a new container."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 11 to 14, inclusive, and insert in lieu thereof the following:

1145a. All egg products packed in drums or tin containers and sold in this State shall be sold only in new containers."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2058 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2058 ordered to enrollment.

Assembly Bill No. 2247—An act to add section 8a to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2247?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1 to 3, inclusive, of the title and insert in lieu thereof the following: "An act to add section 8a to an act enttiled "An act to".

Amendment No. 2.

On page 1, line 8 of the title of the printed bill, as amended, strike out the comma after "Patrol", and strike out line 9, and insert in lieu thereof a period.

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 24, inclusive, and on page 2, strike out lines 1 to 11, inclusive.

Amendment No. 4.

On page 2, line 12, of the printed bill, as amended, strike out "Sec. 3.", and insert in lieu thereof the following: "Section 1."

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 21 to 52, inclusive, and strike out all of pages 3 and 4.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2247 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2247 ordered to enrollment.

Assembly Bill No. 590—An act to amend section 10 of the Fish and Game Code, relating to the administration of Fish and Game Laws.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 590?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "amend", strike out the balance of the line, and strike out all of lines 2 to 4, inclusive, and insert in lieu thereof the following: "section 10 of the".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 3 to 24, inclusive, and strike out all of pages 2, 3 and 4, and insert in lieu thereof the folllowing

"10. There shall be a Division of Fish and Game in the Department of Natural Resources, which division shall be administered through a Fish and Game Commission consisting of five members appointed by and holding office at the pleasure of the Governor."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 590 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 590 ordered to enrollment.

Assembly Bill No. 2835—An act to provide for the regulation of the marketing, preparing and processing of processed foodstuffs, to provide for the administration of such act by the Director of Agriculture and to prescribe standards for the guidance of said director.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2835?

Amendment No. 1.

On page 1, line 2, of the title of the printed bill, as amended, strike out the word "agricultural", and insert in lieu thereof the word "processed"

Amendment No. 2.

On page 1, line 4, of the title of the printed bill, as amended, after the word "Agriculture", strike out the comma, and insert in lieu thereof the word "and".

Amendment No. 3.

On page 5 of the title of the printed bill, as amended, after the word "director", strike out the comma and insert in lieu thereof a period, and strike out the remaining words in the title reading as follows: "and to declare the urgency of this act, to take effect immediately"

Amendment No. 4.

On page 3 line 44, of the printed bill, as amended, strike out the word "manufacturing".

Amendment No. 5.

On page 6, line 6, of the printed bill, as amended, strike out "an", and insert in lieu thereof the word "a".

Amendment No. 6.

On page 6, line 39 of the printed bill, as amended, strike out "an", and insert in lieu thereof the word "a"

Amendment No. 7.

On page 12, line 35, of the printed bill, as amended, strike out "stores", and insert in lieu thereof the words "sales of"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2835 by the following vote

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch,

Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—69.

NOES—None.

Assembly Bill No 2835 ordered to enrollment

Assembly Bill No. 2007—An act to amend section 92 of the Agricultural Code, relating to appropriations for agricultural fairs, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2007?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill as amended after the word "fairs", insert a comma and the following "declaring the urgency thereof and providing that this act shall take effect immediately."

Amendment No. 2.

On page 2, line 20, of the printed bill, as amended, after the word "appropriated" insert a comma and the following "except that no county or district may hold a joint or combined fair and receive an allotment of money under the provisions of this section"

Amendment No. 3.

On page 2 of the printed bill, as amended, following line 27, insert the following "SEC 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California and as such shall take effect immediately The facts constituting such emergency are as follows:

There has been made available out of the "Fair and exposition fund" an apportionment of money to the several county and district agricultural fairs of this State Under present law this money is available for payment of premiums and capital outlay only As many of the fairs require money for rent of equipment and to meet expenses in connection with the preparation of fairs to be held during the calendar year 1937 it is necessary that this act take effect immediately to make such money available"

Amendment No 4

On page 2 of the printed bill as amended strike out all of lines 9 to 11 inclusive and insert in lieu thereof the word "county"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No 2007 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Persel, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—69

NOES—None.

Assembly Bill No 2007 ordered to enrollment

Assembly Bill No. 672—An act to amend section 1626 of the Streets and Highways Code.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 672?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill as amended, after "Code" insert the following "relating to relief of special assessment districts".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No 672 by the following vote

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek,

Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 672 ordered to enrollment.

Assembly Bill No. 715—An act to add two new sections, to be numbered 1000a and 1000b to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 715?

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended on April 26, 1937, strike out the word "to", after the word "due".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 715 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 715 ordered to enrollment.

Assembly Bill No. 2078—An act to amend sections 85, 794 and 799, and to add section 85.5 to the Fish and Game Code, relating to abalones, and creating a new district for the regulation of the taking thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2078?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 799 of", and insert in lieu thereof the following: "sections 85, 794 and 799, and to add section 85.5 to".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, after "abalones", insert the following: ", and creating a new district for the regulation of the taking thereof".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 85 of the Fish and Game Code is hereby amended to read as follows:

85. District 17. The following shall constitute fish and game district 17: The waters and tidelands to high water mark of Monterey Bay and Pacific Ocean lying between a line extending west from Pigeon Point lighthouse and a line extending west from the mouth of Carmel River, in Monterey County, excluding the areas included in districts 15, 16 and 17A, and excluding all rivers, creeks, sloughs and lagoons emptying into the Pacific Ocean and Monterey Bay within the boundaries of this district.

SEC. 2. Section 85.5 is hereby added to said code to read as follows:

85.5. District 17A. The following shall constitute fish and game district 17A: The ocean waters and tidelands to high water mark lying within the following boundaries: Beginning at high water mark at the most seaward point of Point Pinos, thence seaward three miles and thence southerly along a line three miles seaward from high water mark to a point three miles west of the mouth of the Carmel River, thence to high water mark of the most seaward headland of the mouth of said river. Except as otherwise specifically provided all of the provisions of this code relating to district 17 shall apply to district 17A.

SEC. 3. Section 794 of said code is hereby amended to read as follows:

794. It is unlawful to take any abalone the shell of which, measured in greatest diameter, is less than the following specifications: Red abalone, 7 inches; red abalone taken or possessed in districts 7, 10, 17A or 18 for commercial purposes, 8 inches; green abalone, 6½ inches; pink abalone, 6 inches; black abalone,

5 inches. Red abalone may be taken for commercial purposes without bag limits in district 17A, only in water which is 20 feet or more in depth.

SEC. 4. Section 799 of said code is hereby amended to read as follows:".

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2078 by the following vote:

AYES—Boyle, Burns, Michael J., Call, Cassidy, Clark, Corwin, Crowley, Cunningham, Daley, Dawson, Desmond, Donnelly, Flint, Fulcher, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Kepple, Kuchel, Latham, Leonard, Lore, Maloney, Mayo, Meehan, Millington, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Sawallisch, Scudder, Stream, Turner, Voigt, and Mr. Speaker—41.

NOES—Dannenbrink, Dilworth, Donihue, Johnson, and Robertson—5.

Assembly Bill No. 2078 ordered to enrollment.

Assembly Bill No. 2857—An act to amend sections 86, 88 and 89 of the Agricultural Code, relating to agricultural districts and including provision for leasing of property of such districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2857?

Amendment No. 1.

On page 2, line 10, of the printed bill, as amended, after the period, insert the following: "The provisions of this subdivision shall not apply to existing leases or extensions or renewals thereof."

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 13 and 14, insert the following:

"(g) Repay to any member of the board of directors of such association all money expended by him for construction on behalf of such district, but no such repayment shall be made from money allocated to such association from the fair and exposition fund. The provisions of section 920 of the Political Code shall not apply to any repayments made under authority of this subdivision."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2857 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2857 ordered to enrollment.

Assembly Bill No. 1750—An act to add section 10.5 to The Personal Income Tax Act of 1935, relating to taxation and earned income credits.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1750?

Amendment No. 1.

On page 1 of the printed bill, as amended May 11th, strike out that portion of line 1 of the title following the word "add", and in line 2, strike out the words "and 10.8 to," and insert in lieu thereof the following: "section 10.5 to".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended May 11th, strike out "2.1" and insert in lieu thereof the following: "10.5".

Amendment No. 3

On page 1 of the printed bill, as amended May 11th, strike out lines 4 to 26, both inclusive; on page 2, strike out lines 1 to 48, both inclusive, and insert in lieu thereof the following:

"SEC. 10.5. Earned Income Credits.

(a) An individual subject to the tax imposed by this act shall be allowed a credit against the tax in an amount equal to four per cent of the earned income credit provided for in subsection (b) of this section.

(b) The earned income credit shall be an amount equal to ten per cent of the earned net income, but shall not exceed ten per cent of the amount of net income in excess of credits against net income provided in section 10.

(c) For the purposes of this section—

(1) "Earned income" means wages, salaries, professional fees, and other amounts received as compensation for personal services actually rendered, but does not include any amount not included in gross income, nor that part of the compensation derived by the taxpayer for personal services rendered by him to a corporation which represents a distribution of earnings or profits rather than a reasonable allowance as compensation for the personal services actually rendered. In the case of a taxpayer engaged in a trade or business in which both personal services and capital are material income producing factors, a reasonable allowance as compensation for the personal services actually rendered by the taxpayer, not in excess of twenty per cent of his share of the net profits of such trade or business, shall be considered as earned income.

(2) "Earned income deductions" means such deductions as are allowed by section 8 for the purpose of computing net income, and are properly allocable to or chargeable against earned income.

(3) "Earned net income" means the excess of the amount of the earned income over the sum of the earned income deductions. If the taxpayer's net income is not more than $3,000, his entire net income shall be considered to be earned net income, and if his net income is more than $3,000, his earned net income shall not be considered to be less than $3,000. In no case shall the earned net income be considered to be more than $14,000.

(4) In the case of the members of a partnership the proper part of each share of the net income which consists of earned income shall be determined under rules and regulations to be prescribed by the commissioner and shall be separately shown in the return of the partnership.

(5) The commissioner shall by regulations prescribe the method of applying the provisions of subsection (b) of section 16 (relating to computing income on the basis of a short period, and placing such income on an annual basis) to cases where the taxpayer makes a separate return under said subsection on account of a change in the accounting period, and it appears that for the period for which the return is so made he has received earned income.

SEC. 2. The provisions of this act effecting changes in the computation of taxes imposed by The Personal Income Tax Act of 1935 shall be applied only in the computation of the taxes for taxable years ending on or after December 31, 1937."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1750 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1750 ordered to enrollment.

Resolutions.

The following resolutions were offered:

By Mr. Boyle:

House Resolution No. 229.

WHEREAS, The American Legislators' Association offers a service of great value to the various State Legislatures, and through them to the people of the States; and

WHEREAS, There is included in such service the furnishing of important information bearing on legislation and legislative methods and, whenever desired, the establishing of contacts with authoritative sources of such information; and

WHEREAS, There is also included in such service the furnishing of a monthly magazine, known as "State Government," which contains material of special interest to legislators and which is of considerable significance and assistance in the preparation of legislation and in the efficient functioning of the Legislature; and

WHEREAS, There is further included in such service the holding of annual conferences of State legislators, which conferences may be attended by any member of a State Legislature, to the end that there may be an exchange of ideas and a comparison of practices, as well as the establishment of reciprocal relationships engendering a cooperative and friendly attitude of inestimable value in the solution of legislative problems; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is hereby directed to subscribe to such service for the calendar years 1937 and 1938, and there is hereby set aside for that purpose the sum of $500 from the

contingent fund of the Assembly, so that each member of the Assembly of the fifty-second session of the Legislature will be entitled to the services above mentioned.

House Resolution No 229 read, and refused adoption by the following vote

AYES—Boyle, Cassidy, Crowley, Cunningham, Desmond, Dilworth, Flint, Johnson, Latham, Lore, Martin, Meehan, Peek, Reaves, and Redwine—15

NOES—Burns, Michael J., Call, Clark, Dannenbrink, Dawson, Donnelly, Gilbert, Hawkins, Hornblower, King, Leonard, Maloney, Millington, Patterson, Pelletier, Richie, Rosenthal, Turner, Voigt, and Mr. Speaker—20.

By Messrs. Clark, Burns, Michael J., and Robertson.

House Resolution No. 230.

WHEREAS, The Legislature is about to adjourn for the fifty-second session; and

WHEREAS, There is pending before both houses a great number of labor mediation bills; and

WHEREAS, After diligent efforts to pass one or more of such bills, it is now obvious that no labor mediation bill can pass at this session; and

WHEREAS, Parts of the State have been torn by labor disputes and there are now serious labor disturbances in several parts of the State, causing great loss both to labor and to business, and great anxiety to our people; and

WHEREAS, Within the next two years labor disturbances may arise, threatening the public peace and safety, and causing further economic loss; and

WHEREAS, The Governor of the State is the only public official now in a position to assist in directing mediation for settlement of such disturbances; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California does hereby urge upon the Governor of the State of California that he, from time to time whenever necessary occasion may arise, appoint a fair and impartial Mediation Board, fairly representative of the diversified interests of the State, for the purpose of assisting in the early settlement of any labor dispute, the duties of which board shall not continue longer than necessary to assist with reference to any given labor disturbance, the Governor to authorize the payment of the necessary expenses of such mediation from the emergency fund; and be it further

Resolved, That this resolution is not to be construed as recommending a permanent mediation board, but only as a policy to be followed in case an occasion arises; and, be it further

Resolved, That a copy of this resolution be transmitted to the Governor.

House Resolution No. 230 read, and adopted by the following vote

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawyer, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

By the Committee on Contingent Expenses.

House Resolution No. 231.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

American Signal Corporation	$750 00
Cascade Towel Supply Company	45 22
Bureau of Purchases	242 91
Department of Finance	48 43

House Resolution No 231 read, and adopted by the following vote

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawyer, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Motion to Correct Journal.

On motion of Mr. Rosenthal, the Assembly Journal of May 26, 1937, page 79, was corrected to have the following committee amendments to Senate Bill No. 296 inserted in lieu of those now appearing through error:

Committee Amendments to Senate Bill No. 296.

Amendment No. 1.

On page 1, line 3, of the printed bill, after "San Francisco," insert the following: "on and after the first Monday after the first day of January, 1939,".

Amendment No. 2.

On page 1, line 9, of the printed bill, strike out "any nine", and insert in lieu thereof the following: "a majority".

Amendment No. 3.

On page 1 of the printed bill, strike out line 17, and in line 18, strike out "nor shall appoint", and insert in lieu thereof the following: "In the year 1938 there shall be elected, in the manner prescribed by law for the election of superior court judges,".

Amendment No. 4.

On page 1, line 22, of the printed bill, strike out "until", and insert in lieu thereof the following: "from".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 23, 24, and 25, and on page 2, strike out lines 1 and 2, and in line 3, strike out "law.", and insert in lieu thereof the following: "of January, 1939, until the first Monday after the first day of January, 1945."

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning:

Senate Bill No. 930.
Senate Bill No. 439.
Senate Bill No. 33.
Assembly Bill No. 1176.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 1176 ordered to reprint, and enrollment.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to the following:

Assembly Bill No. 1645.
Assembly Bill No. 691.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 215.
Assembly Bill No. 380.
Assembly Bill No. 353.
Assembly Bill No. 741.
Assembly Bill No. 842.
Assembly Bill No. 863.
Assembly Bill No. 978.
Assembly Bill No. 983.
Assembly Bill No. 984.
Assembly Bill No. 988.
Assembly Bill No. 1121.
Assembly Bill No. 1134.
Assembly Bill No. 1188.
Assembly Bill No. 1635.
Assembly Bill No. 1828.
Assembly Bill No. 2250.
Assembly Bill No. 2414.
Assembly Bill No. 2732.
Assembly Bill No. 2733.
Assembly Bill No. 2885.
Assembly Bill No. 2913.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 322.	Assembly Bill No. 2503.
Assembly Bill No. 982.	Assembly Bill No. 2827.
Assembly Bill No. 1017.	Assembly Bill No. 2863.
Assembly Bill No. 1465.	Assembly Bill No. 2912.
Assembly Bill No. 2283.	

Assembly Constitutional Amendment No. 51.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered on unfinished business calendar.

Motion to Print Editorial in Journal.

On motion of Mr. McMurray, the following editorial from the Daly City Record of Friday, May 28, 1937, was ordered printed in the Journal:

Vicious Whispers.

"Rumour," wrote Shakespeare, "is a pipe blown by surmises, jealousies, conjectures." So one or another of American Presidents have found, and that an evil report, however baselessly set afloat, is hard to overtake with fact. A "whispering campaign" of slanderous or insinuating stories passed from a loose tongue to a suspicious ear and often enlarged in repetition has been a recurrent abuse in American politics.

The injustice and tragedy that can be wrought by such irresponsible and malicious gossiping was exemplified poignantly enough, one would think, in one of its instances—in the campaign which is generally held to have cost the life of the wife of General Andrew Jackson. But it began even earlier with the false imputation of atheism to Jefferson, and has continued since in the times of Van Buren, Garfield, Cleveland, Theodore Roosevelt and Woodrow Wilson, to crop out in the "poison pen" books against President Hoover

News reports in recent weeks have brought into the open a similar circulation of rumors purporting to deal with the physical condition and the mental stability of President Roosevelt These have been promptly labeled absurd by Washington correspondents, including those of anti-administration newspapers, who have opportunity to question and observe the President at least twice a week.

However heartily one may disagree with a man on questions of political judgment, it is certainly a disgraceful business to be led by any disagreement to impugn his rationality instead of arguing out the issues on their merits. Those who insist on the grandeur of man and the supremacy of mental powers over evil circumstances should surely disbelieve that eventual disaster must follow an infirmity long since overcome And those who recognize the mesmeric tendency of reiterated fears, suspicions and dark predictions ought certainly to be the last to lend themselves to a mass suggestion that would add to the burdens of their Chief Magistrate.

Rather is it the true part of all citizens to pray that divine support and guidance may continually surround all officials in whose hands the common welfare lies

Recess.

At four o'clock and twenty-two minutes p.m., on motion of Mr. King, the Assembly was declared at recess until four o'clock and twenty-seven minutes p m.

Reassembled.

At four o'clock and twenty-seven minutes p m, the Assembly reconvened.

Speaker Jones in the chair

Consideration of Senate Amendments to Assembly Bill No. 950

Assembly Bill No. 950—An act to add Chapter 2, comprising sections 2500 to 2615, inclusive, to Division IV of the Welfare and Institutions Code, to amend section 5077 of the Welfare and Institutions Code and to repeal an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 950?

Amendment No. 1.

On page 1, lines 3, 4 and 5 of the title of the printed bill, as amended, (which lines appear in capital letters,) strike out "to amend section 5077 of the Welfare and Institutions Code,".

Amendment No. 2.

On page 6, line 9, of the printed bill, as amended, strike out "all able-bodied

Amendment No. 3.

On page 6, line 10, of the printed bill, as amended, strike out indigent persons and all", and insert in lieu thereof the following "all unemployable unemployed"

Amendment No. 4

On page 6, line 37, of the printed bill, as amended, strike out able-bodied", and insert in lieu thereof the following: "unemployable unemployed incapacitated"

Amendment No. 5.

On page 7 of the printed bill, as amended, strike out lines 30 and 31 and insert in lieu thereof the following:

"2554. Neither the domicile nor residence of the husband shall be deemed to be the domicile or residence of the wife if they are living separate and apart and in such case each may have a separate domicile or residence dependent upon proof of the fact and not upon legal presumptions."

Amendment No. 6.

On page 11 of the printed bill, as amended, strike out lines 7 to 35, inclusive and in line 36, strike out "Sec. 3", and insert in lieu thereof the following "Sec. 2."

Amendment No. 7.

On page 11, line 39, of the printed bill, as amended strike out "4", and insert in lieu thereof the following: "3".

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Redwine moved a call of the Assembly.

Motion carried.

Time, four o'clock and thirty minutes p m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names

Boyle, Burns, Michael J., Call, Cassidy, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gannon, Garland, Gilbert, Hawkins, Hornblower, Johnson, Kepple, King, Latham, Leonard, Love, Maloney, Martin, Mayo, McMurray, Millington, O'Donnell, Patterson, Peek, Pelletier, Reaves, Redwine, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Walker, Weber, and Mr. Speaker—47

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Assembly.

Proceedings Under Call of the Assembly by Unanimous Consent.

Report of Second Committee on Free Conference.

The following report of Second Committee on Free Conference was received and read:

Concerning Assembly Bill No. 1801.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning:

Assembly Bill No. 1801—An act making an appropriation to pay the claim of the Chief Accounting Officer of the Department of Finance against the State of California, declaring the urgency thereof and providing that this act shall take effect immediately:

Reports that it has met a like committee of the Senate, consisting of Senators DeLap, Deuel, and Wagy, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, of the printed bill, as amended, strike out line 3, and in line 4, strike out "(210,980.12)", and insert in lieu thereof the following: "fifty-six thousand two hundred seventy-one and 48/100 dollars ($256,271.48)".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 7 to 10, inclusive, and insert in lieu thereof the following:

"SEC. 2. The sum of two hundred fifty-six thousand two hundred seventy-one and 48/100 dollars ($256,271.48) shall be paid as follows: $172,449.52 out".

Amendment No. 3.

On page 2, line 2, of the printed bill, as amended, after the semicolon, insert the following: "$291.36 out of any money in the petroleum and gas fund in the State Treasury;".

GARLAND.
FIELD
ROSENTHAL.
Assembly Committee on Free Conference.

DEUEL.
DELAP.
WAGY.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Resolution.

The following resolution was offered:

By Messrs. Field, Rosenthal, and Garland:

House Resolution No. 232.

WHEREAS, The free conference report on Assembly Bill No. 1801, which has been this day adopted by the Assembly of the State of California, increases the items of appropriation under Assembly Bill No. 1801 in the sum of $45,291.36; and

WHEREAS, It is the intent of the Assembly that this sum be disbursed to pay the following claims:

J. B. Case	$291 36
William E Laney	40,000 00
Fred Froehlinger	5,000 00

now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Accounting Officer of the Department of Finance is hereby requested to pay the foregoing claims in accordance with the intent of this Assembly.

House Resolution No. 232 read, and adopted by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Consideration of Senate Amendment to Assembly Constitutional Amendment No. 51.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the

Constitution of the State by amending section 23a of Article IV thereof, relating to officers, employees and attaches of the Legislature.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 51?

Amendment No. 1.

On page 1 of the printed measure, strike out lines 10 to 15, inclusive, and insert in lieu thereof the following: "and attaches, for both houses, at any regular or extraordinary session, exceed a total sum equivalent to ten dollars per day per member, said total sum to be apportioned between the two houses as the Legislature shall provide; nor shall the pay of any officer, employee".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Constitutional Amendment No. 51 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Vogt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Constitutional Amendment No. 51 ordered to enrollment.

Assembly Constitutional Amendment No. 51.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 23a of Article IV thereof, relating to officers, employees and attaches of the Legislature.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fifty-second regular session commencing on the fourth day of January, 1937, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that section 23a of Article IV of the Constitution be amended to read as follows:

Sec. 23a. The Legislature may provide for additional help; but in no case shall the total expense for officers, employees and attaches, for both houses, at any regular or extraordinary session, exceed a total sum equivalent to $10 per day per member, said total sum to be apportioned between the two houses as the Legislature shall provide; nor shall the pay of any officer, employee or attache be increased after he is elected or appointed. The Legislature shall provide for the selection of all officers, employees and attaches of both houses and so far as advisable shall require such selection to be under the provisions of the law governing civil service.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 2503—An act to add to the act entitled "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, new sections to be numbered 25a, 25b, 25c, 25d, 25e, 25f, 25g, 25h, 25i, 25j, 25k, 25*l*, 25m, 25n, 25o, 25p, 25q, 25r, 25s, 25t, 25u, 25v, 25w and 25x, creating a State Oil and Gas Commission and prescribing its powers and duties relating to the development of State lands.

The question being put: Shall the Assembly concur in the following Senate Amendments to Assembly Bill No. 2503?

Amendment No. 1.

On page 5 of the printed bill, as amended, strike out lines 36 to 51, inclusive, and on page 6, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"Sec. 25k. Those certain lands described in section 27 of this act shall be offered for lease in the manner as hereinafter provided, to that qualified bidder offering by bid to pay to the State the highest cash bonus, to be paid at the time of execution by the State of the lease therefor. In addition to such cash bonus, each lessee shall pay to the State a royalty at twenty per cent of the value, of all the oil, gas, casinghead gasoline, or other hydrocarbon substances produced and saved from said State lands."

Amendment No. 2.

On page 8 of the printed bill, as amended, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following: "said lease for the amount of cash bonus to be paid to the State and sign and execute".

Amendment No. 3.

On page 8, lines 29 and 30, of the printed bill, as amended, strike out "percentages of amount or value of production bid", and insert in lieu thereof the following: "amounts offered as a cash bonus".

Amendment No. 4.

On page 8, line 32, of the printed bill, as amended, strike out "percentage", and insert in lieu thereof the following: "bonus".

Amendment No. 5.

In line 13 of the title of the printed bill, strike out the following: "26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38."; strike out all of line 14 of the title of the printed bill; and in line 15 of the title of the printed bill strike out the following: "55 and 56," and insert in lieu thereof the following: "25b, 25c, 25d, 25e, 25f, 25g, 25h, 25i, 25j, 25k, 25l, 25m, 25n, 25o, 25p, 25q, 25r, 25s, 25t, 25u, 25v, 25w, and 25x".

Amendment No. 6.

On page 1, line 3, of the printed bill, after the word "act", insert the following: "from section 25a to 25x".

Amendment No. 7.

On page 2, line 1, of the printed bill, after the word "act", insert the following: "from section 25a to 25x".

Amendment No. 8.

On page 2, line 10, of the printed bill, after the word "to", strike out "56", and insert in lieu thereof "25x".

Amendment No. 9.

On page 2, line 13, of the printed bill, strike out "26", and insert in lieu thereof "25b".

Amendment No. 10.

On page 2, line 15, of the printed bill, strike out "26", and insert in lieu thereof "25b".

Amendment No. 11.

On page 2, line 16, of the printed bill, strike out "interests in certain".

Amendment No. 12.

On page 2, line 28, of the printed bill, after the word "private", strike out "or public".

Amendment No. 13.

On page 2, line 30, of the printed bill, strike out "27", and insert in lieu thereof "25c".

Amendment No. 14.

On page 2, line 32, of the printed bill, strike out "27", and insert in lieu thereof "25c", and strike out "56" and insert in lieu thereof "25x".

Amendment No. 15.

On page 2, line 41, of the printed bill, strike out "provided, however, that said provisions shall".

Amendment No. 16.

On page 2 of the printed bill, strike out all of lines 42 and 43.

Amendment No. 17.

On page 2, line 44, of the printed bill, strike out "28", and insert in lieu thereof "25d".

Amendment No. 18.

On page 2, line 46, of the printed bill, strike out "28", and insert in lieu thereof "25d".

Amendment No. 19.

On page 2, line 47, of the printed bill, strike out "56", and insert in lieu thereof "25x".

Amendment No. 20.

On page 2, line 49, of the printed bill, strike out "56", and insert in lieu thereof "25x"

Amendment No. 21.

On page 2, line 51, of the printed bill, strike out "29", and insert in lieu thereof "25e".

Amendment No. 22.

On page 3 line 1, of the printed bill, strike out "29", and insert in lieu thereof "25e".

Amendment No. 23.

On page 3 of the printed bill, strike out all of lines 7 and 8.

Amendment No. 24.

On page 3, line 9, of the printed bill, strike out "Sec. 30."

Amendment No. 25.

On page 3, line 19, of the printed bill, strike out "7", and insert in lieu thereof "6", and strike out "31", and insert in lieu thereof "25f".

Amendment No. 26.

On page 3, line 21, of the printed bill, strike out "31", and insert in lieu thereof "25f".

Amendment No. 27.

On page 3, line 25, of the printed bill, strike out "8", and insert "7", and strike out "32", and insert in lieu thereof "25g".

Amendment No. 28.

On page 3, line 27, of the printed bill, strike out "32", and insert in lieu thereof "25g"

Amendment No. 29.

On page 3, line 44, of the printed bill, strike out "9", and insert in lieu thereof "8", and strike out "33", and insert in lieu thereof "25h".

Amendment No. 30.

On page 3, line 46, of the printed bill, strike out "33", and insert in lieu thereof "25h".

Amendment No. 31.

On page 4, line 1, of the printed bill, strike out "10", and insert in lieu thereof "9", and strike out "34", and insert in lieu thereof "25i".

Amendment No. 32.

On page 4 of the printed bill, strike out all of lines 3 and 4, and insert in lieu thereof the following:

"SEC. 25i. All or any parcel shall be offered for lease in the manner hereinafter provided."

Amendment No. 33.

On page 4, line 5, of the printed bill, strike out "11", and insert in lieu thereof "10", and strike out "35", and insert in lieu thereof "25j".

Amendment No. 34.

On page 4, line 7, of the printed bill, strike out "35", and insert in lieu thereof "25j"; and strike out "thirty (30)", and insert in lieu thereof "twenty (20)".

Amendment No. 35.

On page 4, line 9, of the printed bill, strike out "a newspaper of daily and general", and in line 10 of the printed bill strike out "circulation in the county of Orange and in three other".

Amendment No. 36.

On page 4, line 13, of the printed bill, strike out "and one published in the city of Long Beach,".

Amendment No. 37.

On page 4, line 16, of the printed bill, strike out "thirty", and insert in lieu thereof "ten".

Amendment No. 38.

On page 4 of the printed bill, strike out all of lines 17 to 21, inclusive, and insert in lieu thereof the following: "bid upon forms to be supplied by the commission. Said notice shall specify the minimum royalty requirements herein established".

Amendment No. 39.

On page 4 of the printed bill, strike out all of lines 22 to 52, inclusive, and insert in lieu thereof the following: "The said bid shall contain the following information The name and address of the person bidding, and if a corporation, the State under which it is organized, and in case of a foreign corporation, the date of qualifying in this State; and such other information as the commission may require"

Amendment No. 40.

On page 5 of the printed bill, strike out all of lines 1 to 31, inclusive

Amendment No. 41.

On page 5, line 32, of the printed bill, strike out "16", and insert in lieu thereof "11", and strike out "40", and insert in lieu thereof "25k"

Amendment No. 42.

On page 5, line 34, of the printed bill, strike out "40", and insert in lieu thereof "25k".

Amendment No. 43.

On page 5, line 35, of the printed bill, strike out "56", and insert in lieu thereof "25x".

Amendment No. 44.

On page 6, line 3, of the printed bill, strike out "17", and insert in lieu thereof "12", and strike out "41", and insert in lieu thereof "25l"

Amendment No. 45.

On page 6, line 5, of the printed bill, strike out "41", and insert in lieu thereof "25l".

Amendment No. 46.

On page 6, line 11, of the printed bill, strike out "18", and insert in lieu thereof "13", and strike out "42", and insert in lieu thereof "25m".

Amendment No. 47.

On page 6, line 13, of the printed bill, strike out "42", and insert in lieu thereof "25m".

Amendment No. 48.

On page 6, line 32, of the printed bill, after the word "any", strike out "Federal and".

Amendment No. 49.

On page 6, line 41, of the printed bill, strike out "19", and insert in lieu thereof "14", and strike out "43", and insert in lieu thereof "25n".

Amendment No. 50.

On page 6, line 43, of the printed bill, strike out "43", and insert in lieu thereof "25n".

Amendment No. 51.

On page 6, line 45, of the printed bill, strike out "strip or"

Amendment No. 52.

On page 7, line 25, of the printed bill, after the word "lease", change the period to a comma, and add "except as to the amount of royalty".

Amendment No. 53.

On page 7, line 26, of the printed bill, strike out "20", and insert in lieu thereof "15", and strike out "44", and insert in lieu thereof "25o".

Amendment No. 54.

On page 7, line 28, of the printed bill, strike out "44", and insert in lieu thereof "25o".

Amendment No. 55.

On page 8, line 3, of the printed bill, strike out "21", and insert in lieu thereof "16", and strike out "45", and insert in lieu thereof "25p"

Amendment No. 56.

On page 8, line 5, of the printed bill, strike out "45", and insert in lieu thereof "25p", and after the word "Every", strike out the word "qualified".

Amendment No. 57.

On page 8, line 13, of the printed bill, strike out "thirty (30)", and insert in lieu thereof "fifteen (15)".

Amendment No. 58.

On page 8, line 29, of the printed bill, strike out "22", and insert in lieu thereof "17", and strike out "46", and insert in lieu thereof "25q"

Amendment No. 59.

On page 8, line 31, of the printed bill, strike out "46", and insert in lieu thereof "25q".

Amendment No. 60.

On page 8, line 35, of the printed bill, after the word "parcel", strike out the period and add a comma and the following: "and in the event two or more persons bid on any one or more of said parcels at the same percentage and have duplicate bids thereon, the person who shall receive said lease shall immediately be determined by lots cast by the commission."

Amendment No. 61.

On page 8 of the printed bill, strike out all of lines 36 to 47, inclusive.

Amendment No. 62.

On page 8, line 48, of the printed bill, strike out "25", and insert in lieu thereof "18", and strike out "49", and insert in lieu thereof "25r".

Amendment No. 63.

On page 8, line 50, of the printed bill, strike out "49", and insert in lieu thereof "25r".

Amendment No. 64.

On page 9, line 9, of the printed bill, strike out "26", and insert in lieu thereof "19", and strike out "50" and insert in lieu thereof "25s".

Amendment No. 65.

On page 9, line 11, of the printed bill, strike out "50", and insert in lieu thereof "25s".

Amendment No. 66.

On page 9, line 17, of the printed bill, strike out "One copy of an accepted bid or lease," and all of lines 18 to 27, inclusive.

Amendment No. 67.

On page 9, line 28, of the printed bill, strike out "28", and insert in lieu thereof "20", and strike out "52", and insert in lieu thereof "25t".

Amendment No. 68.

On page 9, line 30, of the printed bill, strike out "52", and insert in lieu thereof "25t".

Amendment No. 69.

On page 9, line 44, of the printed bill, strike out "29", and insert in lieu thereof "21", and strike out "53", and insert in lieu thereof "25u".

Amendment No. 70.

On page 9, line 46, of the printed bill, strike out "53", and insert in lieu thereof "25u".

Amendment No. 71.

On page 10, line 26, of the printed bill, strike out "30", and insert in lieu thereof "22", and strike out "54", and insert in lieu thereof "25v".

Amendment No. 72.

On page 10, line 28, of the printed bill, strike out "54", and insert in lieu thereof "25v".

Amendment No. 73.

On page 10, line 45, of the printed bill, strike out "31", and insert in lieu thereof "23", and strike out "55", and insert in lieu thereof "25w".

Amendment No. 74.

On page 10, line 47, of the printed bill, strike out "55", and insert in lieu thereof "25w".

Amendment No. 75.

On page 11, line 3, of the printed bill, strike out "32", and insert in lieu thereof "24", and strike out "56", and insert in lieu thereof "25x".

Amendment No. 76.

On page 11, line 5, of the printed bill, strike out "56", and insert in lieu thereof "25x".

Amendment No. 77.

On page 8, line 17, of the printed bill, after the word "of", strike out "$25,000", and insert in lieu thereof the following: "$10,000".

Amendment No. 78.

On page 8, line 23, of the printed bill, after the word "Of", strike out "$5,000", and insert in lieu thereof the following: "$25,000".

Amendment No. 79.

On page 8, line 24, of the printed bill, after the word "lease", insert the following: "then".

The roll was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 2503 by the following vote.

AYES—None.

NOES—Boyle, Burns, Michael J., Call, Cassidy, Corwin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Dilworth, Donahue, Donnelly, Field, Flint, Fulcher, Gilbert, Hornblower, Hunt, Johnson, Kepple, Latham, Leonard, Maloney, Martin, McMurray, Meehan, Millington, O'Donnell, Patterson, Peek, Pelletier, Reaves, Richie, Rosenthal, Scudder, Stream, Turner, Walker, Weber, and Mr. Speaker—41.

Assembly Bill No. 2283—An act to amend section 4300*l* of the Political Code, relating to fees in municipal courts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2283?

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended in the Assembly on April 21, 1937, after the word "fact", strike out "and all proceedings subsequent."

Amendment No. 2.

On page 1, line 10, of the printed bill, as amended, strike out the word "thereto."

Amendment No. 3.

On page 1, line 10, of the printed bill, after the comma after the word "jury", insert the word "and".

Amendment No. 4.

On page 1, line 11, of the printed bill, after the comma after the word "judgment", strike out the following: "issuance of execution, and supple-".

Amendment No. 5.

On page 1, line 12, of the printed bill, as amended, strike out "mentary proceedings thereto."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2283 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2283 ordered to enrollment.

Assembly Bill No. 322—An act to amend section 1027 of the Political Code, relating to the Great Seal of the State of California.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 322?

Amendment No. 1.

On page 1, lines 6 to 30 inclusive, of the printed bill, in the facsimile of the great seal appearing thereon, delete one star so that there shall be no more than 31 stars appearing thereon.

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 322 by the following vote.

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 322 ordered to enrollment.

Assembly Bill No. 2912—An act creating the office of Park Engineer in the State Department of Public Works, and relating to the powers

and duties thereof and the qualifications, compensation and tenure of appointees thereto.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2912?

Amendment No. 1.

On page 1, line 15, of the printed bill, as amended, after "hereunder", insert the following ", and he shall not be a member of the State Employees' Retirement System during such period".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2912 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr Speaker—69.

NOES—None.

Assembly Bill No. 2912 ordered to enrollment.

Assembly Bill No. 1017—An act to add a new section numbered 4041.26 to the Political Code, relating to jurisdiction, powers and duties of county boards of supervisors.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1017?

Amendment No. 1.

On page 2, line 2, of the printed bill, after the words "the purpose of", strike out the rest of said line 2, and strike out all of lines 3 to 11, both inclusive, and *insert in lieu thereof the following:* "*free concerts to the public*".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 1017 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Riche, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1017 ordered to enrollment.

Assembly Bill No. 982—An act to amend section 5.502 of the School Code, and to add thereto two new sections to be numbered 5.384 and 5.398, all relating to persons holding credentials or certificates authorizing their employment in the public school system.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 982?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after the comma, insert the following: "and to add thereto two new sections to be numbered 5.384 and 5.398,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "the classification", and strike out all of lines 3 and 4 of said title, and insert in lieu thereof the following: "persons holding credentials or certificates authorizing their employment in the public school system."

Amendment No. 3.

On page 5 of the printed bill, as amended, after line 9, insert the following:

"SEC. 2. A new section is hereby added to the School Code to be numbered 5.384 and to read as follows:

5.384. Upon the conviction of any person holding a credential, life diploma or other document issued by the State Board of Education of a crime involving moral turpitude, such credential, life diploma or other document shall be revoked by the State Board of Education.

SEC. 3. A new section is hereby added to the School Code to be numbered 5.398, and to read as follows:

5.398. Upon the conviction of the holder of any certificate issued by any county board of education of a crime involving moral turpitude, such certificate shall be revoked by the county board of education."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 982 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Teneny, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 982 ordered to enrollment.

Assembly Bill No. 1465—An act to amend sections 2.876, 2.878, 2.885, 2.890, 2.891, to repeal section 2.886 of the School Code, and to add section 2.876½ to the School Code, relating to school district elections.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1465?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 3, 4, 5 and 6 of the title, and insert in lieu thereof the following: "and to add section 2.876½ to".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, after the word "election", insert the following "serving at any school district election the polls at which are required to be opened at the same hour and kept open until the same hour as were the polls at the last general election".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out all of lines 8 to 17, both inclusive.

Amendment No. 4.

On page 1, line 18, of the printed bill, as amended, strike out the figure "3", and insert in lieu thereof the figure "2".

Amendment No. 5.

On page 3, line 1, of the printed bill, as amended, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendment No. 6.

On page 3, line 16, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "4".

Amendment No. 7.

On page 3, line 18, of the printed bill, as amended, strike out the figure "6", and insert in lieu thereof the figure "5".

Amendment No. 8.

On page 3, line 26, of the printed bill, as amended, strike out the figure "7", and insert in lieu thereof the figure "6".

Amendment No. 9.

On page 3, line 37, of the printed bill, as amended, strike out the figure "8", and insert in lieu thereof the figure "7".

Amendment No. 10.

On page 3 of the printed bill, as amended, strike out all of lines 46, 47 and 48.

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1465 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert,

Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1465 ordered to enrollment.

Further Proceedings Under Call of the Assembly Dispensed With.

At four o'clock and thirty-five minutes p.m., further proceedings under the call of the Assembly were dispensed with on motion of Mr. Redwine.

The roll of absentees was called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 950 by the following vote:

AYES—Boyle, Cassidy, Crowley, Cunningham, Dannenbrink, Desmond, Dilworth, Donihue, Donnelly, Field, Fulcher, Gannon, Garland, Johnson, Kepple, Latham, Leonard, Maloney, Martin, Mayo, O'Donnell, Redwine, Robertson, Scudder, Stream, Turner, Walker, and Weber—28.

NOES—Burns, Michael J., Call, Daley, Dawson, Flint, Gilbert, Hawkins, Hornblower, King, Lore, McMurray, Millington, Patterson, Peek, Pelletier, Reaves, Rosenthal, Voigt, and Mr. Speaker—19.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Senate Bill No. 508.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning:

Senate Bill No. 508—An act to amend sections 5.10, 5.42, 5.93 and 5.101 of the School Code of the State of California, and to add thereto a new section to be numbered 5.88a, all relating to the establishment of R. O. T. C. units in State colleges and the teaching of courses in military science and tactics in connection therewith;

Reports that it has met a like committee of the Assembly, consisting of Senators Quinn, Nielsen, and Knowland, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Senate concur in the Assembly amendments.

HAWKINS.
CLARK.
Assembly Committee on Free Conference.

QUINN.
KNOWLAND.
NIELSEN
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote.

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Resolution.

The following resolution was offered:

By Messrs. Hornblower, Morgan, King, Voigt, Rosenthal, Martin, Patterson, and Johnson:

House Resolution No. 233.

WHEREAS, Under and pursuant to the provisions of section 21 of Article V of the Constitution of California, the Governor and the Controller of the State are vested with power to authorize the setting aside and the payment from moneys in the general fund, not otherwise appropriated, of such sums as they consider proper for the necessary expenses of the Attorney General in performing the duties imposed upon him by the provisions of said section 21; and

WHEREAS, Such necessary expenses necessarily and appropriately include the expenses and compensation of special counsel employed by the Attorney General to conduct any criminal prosecutions within a county when the district attorney of the county for any reason becomes disqualified from conducting such prosecution; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Governor and the Controller are hereby requested and directed to exercise said authority in them vested by said section 21 of Article V of the Constitution, both as to such special counsel heretofore employed as well as to such special counsel as may hereafter be employed by the Attorney General pursuant to the authority in him vested.

House Resolution No. 233 read, and adopted by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Resolutions.

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 234.

WHEREAS, Many courtesies that have made this session so enjoyable have been extended to us with uniform consideration by Miss Cristel Hastings, Secretary to the Chief Clerk;

NOW THEREFORE, In recognition thereof, we, the members of the Assembly, do hereby commend her for said cooperation, and we further extend to her our compliments and wishes for her continued success in her chosen field of Literature and letters.

House Resolution No. 234 read, and unanimously adopted.

Communication.

The following communication was received and read:

Resolution.

WHEREAS, The Right Honorable James G. Smyth, Chief Clerk of the Assembly, has proven himself to be kind and considerate of his assistants at the desk; and

WHEREAS, He has not only been the Chief Clerk and a competent administrator, but a good friend and companion as well; and

WHEREAS, It is fitting and proper that the staff of the Chief Clerk of the Assembly for the fifty-second session of the Legislature express its appreciation; now, therefore, be it

Resolved, That the staff of the Chief Clerk of the Assembly does hereby express its appreciation of the opportunity of having been able to work with the Honorable James G. Smyth, and does hereby tender him this token of their appreciation.

THE DESK FORCE.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to

Assembly Bill No. 2503—An act to add to the act entitled "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands, to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, new sections to be numbered 25a, 25b, 25c, 25d, 25e, 25f, 25g, 25h, 25i, 25j, 25k, 25*l*, 25m, 25n, 25o, 25p, 25q, 25r, 25s, 25t, 25u, 25v, 25w, and 25x, creating a State Oil and Gas Commission and prescribing its powers and duties relating to the development of State lands;

And appointed Senators Westover, Wagy, and Knowland, as a Committee on Free Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of Senate.

By F. ALFRED BLATZ, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 2503.

The Speaker announced the appointment of Messrs. Hornblower, Clark, and Millington, as a Committee on Free Conference Concerning Assembly Bill No. 2503.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning:

Senate Bill No. 508.
Senate Bill No. 812.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No. 330.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 2593.
Assembly Bill No. 2871.
Assembly Bill No. 2924.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended:

Assembly Concurrent Resolution No. 59.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

The above reported bill ordered on unfinished business calendar.

Consideration of Senate Amendments to Assembly Bills.

Assembly Bill No. 2863—An act making an appropriation to the Division of Fish and Game, Department of Natural Resources.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2863?

Amendment No. 1.

On page 1, line 6, of the printed bill, following the word "control", insert the following: "during the eighty-ninth and ninetieth fiscal years".

Amendment No. 2.

On page 1 of the printed bill, following line 9, insert the following:

"SEC. 2. The expenditures herein authorized of the moneys appropriated by this act shall be subject to all the provisions of Chapter 157 of the Statutes of 1937."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 2863 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donihue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2863 ordered to enrollment.

Assembly Bill No. 2827—An act declaring a State policy relating to soil conservation through the prevention or control of soil erosion,

creating a State Soil Conservation Advisory Committee and defining its duties and authority; providing procedure for the organization, management and dissolution of soil conservation districts and defining their powers; providing for cooperation between the State Soil Conservation Advisory Committee, the United States, the State, counties, soil conservation districts, other public districts, and individuals and corporations; and making an appropriation for paying the expenses of the State Soil Conservation Advisory Committee.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2827?

Amendment No. 1.

On page 16, line 47, of the printed bill, as amended, following the word "act", insert the following: "during the eighty-ninth and ninetieth fiscal years".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2827 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2827 ordered to enrollment.

Assembly Concurrent Resolution No. 59—Relative to additional construction in connection with the coordinated State building plan.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 59?

Amendment No. 1.

On page 2, line 2, of the printed bill, strike out "35,000.00", and insert in lieu thereof "215,000.00".

Amendment No. 2.

On page 2, between lines 5 and 6, of the printed bill, insert the following

"State Fair Buildings	750,000
Capitol Electroliers	16,250
California School for the Deaf	260,000"

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Concurrent Resolution No. 59 by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor; Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Motion to Print Statement in Journal.

On motion of Mr. McMurray, the following statement was ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, May 28, 1937

Honorable P. J. McMurray, Assembly Chamber,
State Capitol, Sacramento, California.

DEAR MR. MCMURRAY: In response to your request, we beg to say that it is our opinion that a subpena issued by a district attorney summoning a citizen to appear before a grand jury not in existence at the time, and specifying no matter to be examined, nor the names of persons involved, is of no effect

In the case of *In re Peart*, 5 Cal. (2d) 469, the facts were these:

The district attorney of Colusa County signed a subpena directed to and served upon petitioner, ordering him to appear before the grand jury, at a time and place specified, to testify in an investigation pending before such jury. An order of the court, based upon affidavit of the district attorney, was endorsed upon the subpena. Upon the failure of the witness to appear as ordered, he was arrested and brought before the court, tried, and committed. This proceeding in habeas corpus was brought and the court said after dismissing the excuse of illness as not being sustained:

"The more serious question here presented is as to the authority of the district attorney to issue the subpena in question."

After quoting from and discussing the provisions of section 1326 of the Penal Code, the court further said:

"When therefore it is provided that a subpena may be signed and issued by a district attorney 'for such witnesses as the grand jury upon investigation pending before them may direct,' the logical construction of the section would seem to preclude such issuance by the district attorney unless so directed by the grand jury

The grand jury is not an adjunct of the office of the district attorney but is an independent judicial body. * * *

In examining the duties of the district attorney as enumerated in section 4153 of the Political Code we do not find him charged with instituting proceedings before the grand jury but merely to attend upon and give advice to them upon pending matters. * * *

We are constrained to hold that the power to issue a subpena upon behalf of a grand jury without their direction is an excess of jurisdiction by a district attorney."

The judgment of contempt was set aside and the petitioner discharged.

Very truly yours,

FRED B. WOOD, Legislative Counsel.
By ARTHUR P. WILL, Consultant.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to:

Assembly Bill No. 950.

And appointed Senators Hays, Holohan, and Tickle, as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary

Appointment of Committee on Free Conference Concerning Assembly Bill No. 950.

The Speaker announced the appointment of Messrs. Redwine, Lore and Desmond, as a Committee on Free Conference concerning Assembly Bill No. 950.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning:

Senate Bill No. 166.
Senate Bill No. 720.
Assembly Bill No. 950.

J. A. BEEK, Secretary of the Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Reports of Committees on Free Conference.

The following reports of Committees on Free Conference were received and read:

Concerning Assembly Bill No. 950.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER. Your Committee on Free Conference Concerning:

Assembly Bill No. 950—An act to add Chapter 2, comprising sections 2500 to 2615, inclusive, to Division IV of the Welfare and Institutions Code, and to repeal an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents;

Reports that it has met a like committee of the Senate, consisting of Senators Holohan, Hays, and Tickle, and reports that the Committee on Free Conference has

agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows.

Amendment No. 1.

On page 1 of the printed bill, as amended in Senate May 26, 1937, strike out lines 11 to 16, inclusive, and insert in lieu thereof the following:

"2500 Every county and every city and county shall relieve and support all incompetent, poor, indigent persons and those incapacitated by age, disease, or accident, lawfully resident therein, when such persons are not supported and relieved by their relatives or friends, or by their own means, or by State hospitals or other State or private institutions."

Amendment No. 2.

On page 2, lines 18 and 19, of the printed bill, as amended in Senate May 26, 1937, strike out "unemployable unemployed incapacitated indigent", and insert in lieu thereof the following "indigent who is not incapacitated by reason of age, disease or accident,".

REDWINE.
LORE.
DESMOND.
Assembly Committee on Free Conference.

HAYS.
TICKLE.
Senate Committee on Free Conference.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Burns, Hugh M., Burns, Michael J., Call, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Daley, Dannenbrink, Dawson, Desmond, Dilworth, Donahue, Donnelly, Flint, Fulcher, Gannon, Garibaldi, Garland, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kepple, King, Kuchel, Latham, Leonard, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Eleanor, Miller, George P., Millington, Morgan, Muldoon, O'Donnell, Patterson, Peek, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Sheehan, Stream, Tenney, Turner, Voigt, Walker, Watson, Weber, Welsh, Williamson, and Mr. Speaker—69

NOES—None.

Assembly Bill No. 950 ordered to reprint and enrollment.

Concerning Assembly Bill No. 2503.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Free Conference concerning

Assembly Bill No. 2503—An act to add to the act entitled "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights, to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith, providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, new sections to be numbered 25a, 25b, 25c, 25d, 25e, 25f, 25g, 25h, 25i, 25j, 25k, 25l, 25m, 25n, 25o, 25p, 25q, 25r, 25s, 25t, 25u, 25v, 25w, and 25x, creating a State Oil and Gas Commission and prescribing its powers and duties relating to the development of State lands;

Reports that it has met a like committee of the Assembly, consisting of Assemblymen Millington, Hornblower and Clark, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows

Amendment No. 1.

On page 2, line 34, of the printed bill, as amended, strike out "all".

Amendment No. 2.

On page 2, lines 37 and 38, of the printed bill, as amended, strike out "and more particularly described as follows, to wit:", and insert in lieu thereof the following: "lying within".

Amendment No. 3.

On page 3 of the printed bill, as amended, between lines 10 and 11, insert the following:

"Notwithstanding any other provisions of this act, no lease shall be executed covering any lands within said area which have been granted by the State to a municipality unless the terms and conditions of such lease have been approved by the municipality to which the lands have been granted. As to such lands the terms and conditions imposed by such municipality may include leasing in a different manner than other lands, provisions for competitive bidding on a royalty basis, or for a higher royalty, in any event not less than twenty per cent of the value of the production from such lands."

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out lines 23 to 30, inclusive, and insert in lieu thereof the following "and reasonable regulation thereunder."

HORNBLOWER
CLARK.
Assembly Committee on Free Conference.

WAGY.
WESTOVER.
KNOWLAND.
Senate Committee on Free Conference

The question being on the adoption of the report.

The roll was called.

Motion for Call of the Assembly.

Pending the announcement of the vote, Mr Hornblower moved a call of the Assembly.

Motion lost by the following vote:

AYES—Cassidy, Clark, Crowley, Dannenbrink, Dilworth, Donnelly, Gilbert, Hawkins, Hornblower, Johnson, Maloney, Patterson, Peek, Rosenthal, and Voigt—15.

NOES—Corwin, Daley, Dawson, Desmond, Donihue, Field, Fulcher, Gannon, Garland, Hunt, Kepple, Latham, Lore, Martin, Meehan, Millington, Muldoon, Reaves, Redwine, Richie, Robertson, Stream, Turner, Walker, Weber, and Mr. Speaker—26.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote.

AYES—Boyle, Burns, Michael J., Cassidy, Clark, Crowley, Daley, Dannenbrink, Dawson, Dilworth, Donnelly, Gilbert, Hawkins, Hornblower, Johnson, Latham, Lore, Maloney, McMurray, Meehan, O'Donnell, Patterson, Peek, Pelletier, Richie, Rosenthal, Scudder, Voigt, and Weber—28.

NOES—Call, Corwin, Desmond, Donihue, Field, Flint, Fulcher, Gannon, Garland, Hunt, Kepple, Martin, Millington, Muldoon, Reaves, Redwine, Robertson, Stream, Turner, Walker, and Mr. Speaker—21.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the reports of the Committees on Free Conference concerning

Assembly Bill No. 2503. **Senate Bill No. 869.**
Assembly Bill No. 2792.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 2792 ordered to reprint and enrollment.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Second Committee on Free Conference concerning:

Assembly Bill No. 1801.

J. A. BEEK, Secretary of Senate.
By F. ALFRED BLATZ, Assistant Secretary.

Assembly Bill No. 1801 ordered to reprint and enrollment.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Joint Resolution No. 51.
Assembly Bill No. 19.
Assembly Bill No. 30.
Assembly Bill No. 40.
Assembly Bill No. 42.
Assembly Bill No. 90.
Assembly Bill No. 136.
Assembly Bill No. 214.
Assembly Bill No. 565.
Assembly Bill No. 951.
Assembly Bill No. 1044.
Assembly Bill No. 1104.
Assembly Bill No. 1495.
Assembly Bill No. 1555.
Assembly Bill No. 1606.
Assembly Bill No. 1707.
Assembly Bill No. 1709.
Assembly Bill No. 1824.
Assembly Bill No. 1898.
Assembly Bill No. 2124.
Assembly Bill No. 2280.
Assembly Bill No. 2284.
Assembly Bill No. 2285.
Assembly Bill No. 2286.
Assembly Bill No. 2374.
Assembly Bill No. 2394.
Assembly Bill No. 2410.
Assembly Bill No. 2552.
Assembly Bill No. 2597.
Assembly Bill No. 2626.

Assembly Bill No. 2663.
Assembly Bill No. 2747.
Assembly Bill No. 2804.
Assembly Bill No. 2910.
Assembly Bill No. 2911.
Assembly Bill No. 2915.
Assembly Bill No. 2923.
Assembly Bill No. 2682.

J. A BEEK, Secretary of Senate

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to the following:

Assembly Bill No. 1347.
Assembly Bill No. 2743.

J. A BEEK, Secretary of Senate.

Resolution.

The following resolution was offered:

By Mr. Hunt:

House Resolution No. 235.

WHEREAS, The newspaper men who have attended this session of the Legislature have faithfully and accurately reported to the public the deliberations and transactions of this Assembly; and

WHEREAS, It is essential to the orderly process of democratic government that the Legislature be kept in touch with the people and that the people be kept in touch with the Legislature; and

WHEREAS, The press and its representatives are a most valuable link between the Legislature and the people, and have cooperated to the utmost in an endeavor to expedite and bring to successful fulfillment the work of this Legislature, now, therefore, be it

Resolved, That the Assembly of the State of California does hereby extend its sincere gratitude to the members of the press for their many courtesies, utter impartiality, and constant attendance at this session.

House Resolution No. 235 read, and unanimously adopted

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined,

Assembly Constitutional Amendment No. 1.
Assembly Concurrent Resolution No. 60.
Assembly Joint Resolution No. 52.
Assembly Bill No. 4.
Assembly Bill No. 21.
Assembly Bill No. 81.
Assembly Bill No. 89.
Assembly Bill No. 288
Assembly Bill No. 473.
Assembly Bill No. 566.
Assembly Bill No. 581.
Assembly Bill No. 583.
Assembly Bill No. 808.
Assembly Bill No. 1004.
Assembly Bill No. 1005.
Assembly Bill No. 90.
Assembly Bill No. 136.
Assembly Bill No. 1271.
Assembly Bill No. 1280.
Assembly Bill No. 1495.
Assembly Bill No. 1516.
Assembly Bill No. 1559.
Assembly Bill No. 1824.
Assembly Bill No. 2364.
Assembly Bill No. 1137.
Assembly Bill No. 1139.
Assembly Bill No. 1146.
Assembly Bill No. 1147.
Assembly Bill No. 1179.
Assembly Bill No. 1203.
Assembly Bill No. 1214.
Assembly Bill No. 1251.
Assembly Bill No. 1285.
Assembly Bill No. 1378.
Assembly Bill No. 1436.
Assembly Bill No. 1448.
Assembly Bill No. 1570.
Assembly Bill No. 1617.
Assembly Bill No. 1619.
Assembly Bill No. 1658.
Assembly Bill No. 1721.
Assembly Bill No. 1761.
Assembly Bill No. 1788.
Assembly Bill No. 1897.
Assembly Bill No. 1899.
Assembly Bill No. 1944.
Assembly Bill No. 2025.
Assembly Bill No. 2200.
Assembly Bill No. 2219.
Assembly Bill No. 2333.
Assembly Bill No. 2369.
Assembly Bill No. 2392.
Assembly Bill No. 2464.
Assembly Bill No. 2518.
Assembly Bill No. 2734.
Assembly Bill No. 2749.
Assembly Bill No. 2853.
Assembly Bill No. 2868.
Assembly Bill No. 2887.
Assembly Bill No. 2915.
Assembly Bill No. 2923.
Assembly Bill No. 2927.

And reports the same correctly enrolled and presented to the Governor, on this twenty-eighth day of May, 1937, at two o'clock p m. CUNNINGHAM, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 51.
Assembly Concurrent Resolution No. 55.
Assembly Concurrent Resolution No. 58.
Assembly Concurrent Resolution No. 59.
Assembly Concurrent Resolution No. 61.
Assembly Concurrent Resolution No. 62.
Assembly Joint Resolution No. 18.
Assembly Joint Resolution No. 51.
Assembly Joint Resolution No. 10.
Assembly Bill No. 3.
Assembly Bill No. 19.
Assembly Bill No. 30.
Assembly Bill No. 32.
Assembly Bill No. 40.
Assembly Bill No. 42.
Assembly Bill No. 50.
Assembly Bill No. 88.
Assembly Bill No. 101.
Assembly Bill No. 116.
Assembly Bill No. 117.
Assembly Bill No. 119.
Assembly Bill No. 123.
Assembly Bill No. 210.
Assembly Bill No. 214.
Assembly Bill No. 215.
Assembly Bill No. 277.
Assembly Bill No. 287.
Assembly Bill No. 290.
Assembly Bill No. 307.
Assembly Bill No. 322.
Assembly Bill No. 353.
Assembly Bill No. 380.
Assembly Bill No. 383.
Assembly Bill No. 471.
Assembly Bill No. 472.
Assembly Bill No. 464.
Assembly Bill No. 490.
Assembly Bill No. 491.
Assembly Bill No. 565.
Assembly Bill No. 579.
Assembly Bill No. 590.
Assembly Bill No. 614.
Assembly Bill No. 628.
Assembly Bill No. 641.
Assembly Bill No. 672.
Assembly Bill No. 702.
Assembly Bill No. 715.
Assembly Bill No. 717.
Assembly Bill No. 722.
Assembly Bill No. 741.
Assembly Bill No. 842.
Assembly Bill No. 863.
Assembly Bill No. 907.
Assembly Bill No. 946.
Assembly Bill No. 939.
Assembly Bill No. 950.
Assembly Bill No. 951.
Assembly Bill No. 978.
Assembly Bill No. 982.
Assembly Bill No. 983.
Assembly Bill No. 984.
Assembly Bill No. 988.
Assembly Bill No. 1012.
Assembly Bill No. 1017.
Assembly Bill No. 1024.
Assembly Bill No. 1044.
Assembly Bill No. 1049.
Assembly Bill No. 1091.
Assembly Bill No. 1104.
Assembly Bill No. 1111.
Assembly Bill No. 1114.
Assembly Bill No. 1121.
Assembly Bill No. 1134.
Assembly Bill No. 1176.
Assembly Bill No. 1188.
Assembly Bill No. 1193.
Assembly Bill No. 1195.
Assembly Bill No. 1201.
Assembly Bill No. 1206.
Assembly Bill No. 1209.
Assembly Bill No. 1253.
Assembly Bill No. 1261.
Assembly Bill No. 1265.
Assembly Bill No. 1266.
Assembly Bill No. 1287.
Assembly Bill No. 1319.
Assembly Bill No. 1320.
Assembly Bill No. 1334.
Assembly Bill No. 1362.
Assembly Bill No. 1368.
Assembly Bill No. 1393.
Assembly Bill No. 1415.
Assembly Bill No. 1425.
Assembly Bill No. 1431.
Assembly Bill No. 1455.
Assembly Bill No. 1463.
Assembly Bill No. 1465.
Assembly Bill No. 1488.
Assembly Bill No. 1498.
Assembly Bill No. 1520.
Assembly Bill No. 1521.
Assembly Bill No. 1555.
Assembly Bill No. 1575.
Assembly Bill No. 1577.
Assembly Bill No. 1588.
Assembly Bill No. 1592.
Assembly Bill No. 1599.
Assembly Bill No. 1606.
Assembly Bill No. 1608.
Assembly Bill No. 1612.
Assembly Bill No. 1613.
Assembly Bill No. 1625.
Assembly Bill No. 1635.
Assembly Bill No. 1685.
Assembly Bill No. 1707.
Assembly Bill No. 1709.
Assembly Bill No. 1711.
Assembly Bill No. 1728.
Assembly Bill No. 1735.
Assembly Bill No. 1750.
Assembly Bill No. 1757.
Assembly Bill No. 1779.
Assembly Bill No. 1794.
Assembly Bill No. 1801.
Assembly Bill No. 1826.
Assembly Bill No. 1828.
Assembly Bill No. 1845.
Assembly Bill No. 1849.
Assembly Bill No. 1886.
Assembly Bill No. 1896.
Assembly Bill No. 1898.
Assembly Bill No. 1908.
Assembly Bill No. 1981.
Assembly Bill No. 2007.

Assembly Bill No. 2013.
Assembly Bill No. 2051.
Assembly Bill No. 2058.
Assembly Bill No. 2063.
Assembly Bill No. 2070.
Assembly Bill No. 2078.
Assembly Bill No. 2090.
Assembly Bill No. 2116.
Assembly Bill No. 2119.
Assembly Bill No. 2124.
Assembly Bill No. 2140.
Assembly Bill No. 2175.
Assembly Bill No. 2176.
Assembly Bill No. 2178.
Assembly Bill No. 2180.
Assembly Bill No. 2194.
Assembly Bill No. 2195.
Assembly Bill No. 2196.
Assembly Bill No. 2204.
Assembly Bill No. 2206.
Assembly Bill No. 2247.
Assembly Bill No. 2250.
Assembly Bill No. 2280.
Assembly Bill No. 2283.
Assembly Bill No. 2284.
Assembly Bill No. 2285.
Assembly Bill No. 2286.
Assembly Bill No. 2298.
Assembly Bill No. 2307.
Assembly Bill No. 2318.
Assembly Bill No. 2336.
Assembly Bill No. 2343.
Assembly Bill No. 2358.
Assembly Bill No. 2374.
Assembly Bill No. 2375.
Assembly Bill No. 2388.
Assembly Bill No. 2407.
Assembly Bill No. 2409.
Assembly Bill No. 2410.
Assembly Bill No. 2414.
Assembly Bill No. 2419.
Assembly Bill No. 2447.
Assembly Bill No. 2451.
Assembly Bill No. 2499.
Assembly Bill No. 2502.
Assembly Bill No. 2548.
Assembly Bill No. 2552.
Assembly Bill No. 2581.
Assembly Bill No. 2593.
Assembly Bill No. 2594.
Assembly Bill No. 2597.
Assembly Bill No. 2621.
Assembly Bill No. 2622.
Assembly Bill No. 2626.
Assembly Bill No. 2659.
Assembly Bill No. 2663.
Assembly Bill No. 2677.
Assembly Bill No. 2682.
Assembly Bill No. 2705.
Assembly Bill No. 2708.
Assembly Bill No. 2732.
Assembly Bill No. 2733.
Assembly Bill No. 2747.
Assembly Bill No. 2770.
Assembly Bill No. 2773.
Assembly Bill No. 2785.
Assembly Bill No. 2790.
Assembly Bill No. 2792.
Assembly Bill No. 2804.
Assembly Bill No. 2809.
Assembly Bill No. 2827.
Assembly Bill No. 2831.
Assembly Bill No. 2835.
Assembly Bill No. 2844.
Assembly Bill No. 2849.
Assembly Bill No. 2857.
Assembly Bill No. 2859.
Assembly Bill No. 2863.
Assembly Bill No. 2867.
Assembly Bill No. 2869.
Assembly Bill No. 2871.
Assembly Bill No. 2873.
Assembly Bill No. 2874.
Assembly Bill No. 2875.
Assembly Bill No. 2878.
Assembly Bill No. 2879.
Assembly Bill No. 2884.
Assembly Bill No. 2885.
Assembly Bill No. 2892.
Assembly Bill No. 2895.
Assembly Bill No. 2901.
Assembly Bill No. 2904.
Assembly Bill No. 2905.
Assembly Bill No. 2907.
Assembly Bill No. 2910.
Assembly Bill No. 2911.
Assembly Bill No. 2912.
Assembly Bill No. 2913.
Assembly Bill No. 2920.
Assembly Bill No. 2921.
Assembly Bill No. 2924.
Assembly Bill No. 2925.

And reports the same correctly enrolled, and presented to the Governor on this twenty-eighth day of May, 1937, at four o'clock and fifty-five minutes p.m.

CUNNINGHAM, Chairman.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 40.
Senate Bill No. 410.
Senate Bill No. 520.
Senate Bill No. 755.
Senate Bill No. 1104.

Respectfully reports the same back without further action.

O'DONNELL, Chairman.

The above reported bills ordered transmitted to the Senate.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Senate Bill No. 73.

Respectfully reports the same back without further action.

MALONEY, Chairman.

The above reported bill ordered transmitted to the Senate

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred
Senate Bill No. 433.
Respectfully reports the same back without further action

ANDREAS, Chairman

The above reported bill ordered transmitted to the Senate.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:
Senate Constitutional Amendment No. 1.
Senate Constitutional Amendment No. 33.
Respectfully reports the same back without further action

HUNT, Chairman.

The above reported bills ordered transmitted to the Senate

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Corporations, to which was referred:
Senate Bill No. 406.
Respectfully reports the same back without further action.

McMURRAY, Chairman.

The above reported bill ordered transmitted to the Senate.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on County Government, to which was referred:
Senate Bill No. 826.
Respectfully reports the same back without further action.

LAUGHLIN, Chairman.

The above reported bill ordered transmitted to the Senate.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:
Senate Bill No. 1014.
Senate Bill No. 1015.
Respectfully reports the same back without further action

RICHIE, Chairman.

The above reported bills ordered transmitted to the Senate.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred:
Senate Bill No. 643.
Respectfully reports the same back without further action.

CLARK, Chairman.

The above reported bill ordered transmitted to the Senate.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Elections, to which was referred:
Senate Bill No. 5.
Respectfully reports the same back without further action.

GILBERT, Chairman.

The above reported bill ordered transmitted to the Senate.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:
Senate Joint Resolution No. 11.
Senate Joint Resolution No. 20.
Respectfully reports the same back without further action

HEISINGER, Chairman.

The above reported bills ordered transmitted to the Senate.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 57.
Senate Bill No. 235.
Senate Bill No. 420.
Senate Bill No. 519.
Senate Bill No. 756.
Senate Bill No. 647.
Senate Bill No. 807.

Respectfully reports the same back without further action.

PATTERSON, Chairman.

The above reported bills ordered transmitted to the Senate.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 250.
Senate Bill No. 251.
Senate Bill No. 668.
Senate Bill No. 802.

Respectfully reports the same back without further action.

DONIHUE, Chairman.

The above reported bills ordered transmitted to the Senate.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Insurance, to which was referred

Senate Bill No. 1129.

Respecttully reports the same back without further action

SAWALLISCH, Chairman.

The above reported bill ordered transmitted to the Senate.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Irrigation, to which was referred:

Senate Bill No. 177.
Senate Bill No. 399.
Senate Bill No. 1132.

Respectfully reports the same back without further action.

GARLAND, Chairman.

The above reported bills ordered transmitted to the Senate.

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Senate Bill No. 660.
Senate Bill No. 1131.
Senate Bill No. 1160.

Respectfully reports the same back without further action.

DESMOND, Chairman.

The above reported bills ordered transmitted to the Senate.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Senate Bill No. 175.
Senate Bill No. 491.
Senate Bill No. 638.
Senate Bill No. 821.
Senate Bill No. 912.
Senate Bill No. 979.
Senate Bill No. 1056.

Respectfully reports the same back without further action

ROSENTHAL, Chairman.

The above reported bills ordered transmitted to the Senate.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Labor and Capital, to which was referred:

Senate Bill No. 649.
Senate Bill No. 1118.

Respectfully reports the same back without further action

FLINT, Chairman.

The above reported bills ordered transmitted to the Senate.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred:
Senate Bill No. 70.
Senate Bill No. 225.
Respectfully reports the same back without further action.

HORNBLOWER, Chairman.

The above reported bills ordered transmitted to the Senate.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:
Senate Bill No. 328.
Senate Bill No. 1133.
Respectfully reports the same back without further action.

KING, Chairman.

The above reported bills ordered transmitted to the Senate.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred:
Senate Bill No. 158.
Respectfully reports the same back without further action.

WELSH, Chairman.

The above reported bill ordered transmitted to the Senate.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:
Senate Bill No. 342.
Respectfully reports the same back without further action.

REAVES, Chairman.

The above reported bill ordered transmitted to the Senate.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:
Senate Bill No. 597.
Respectfully reports the same back without further action.

TURNER, Chairman.

The above reported bill ordered transmitted to the Senate.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Senate Bill No. 219.
Senate Bill No. 637.
Senate Bill No. 727.
Senate Bill No. 1159.
Respectfully reports the same back without further action.

BOYLE, Chairman.

The above reported bills ordered transmitted to the Senate.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred:
Senate Bill No. 167.
Senate Bill No. 484.
Respectfully reports the same back without further action.

MEEHAN, Chairman.

The above reported bills ordered transmitted to the Senate.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred:
Senate Concurrent Resolution No. 29.
Respectfully reports the same back without further action.

PEEK, Chairman.

The above reported bill ordered transmitted to the Senate.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 64.
Senate Bill No. 241.
Senate Bill No. 1143.
Senate Bill No. 1155.

Respectfully reports the same back without further action.

ROBERTSON, Chairman.

The above reported bills ordered transmitted to the Senate.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 76.
Assembly Bill No. 254.
Assembly Bill No. 255.
Assembly Bill No. 545.
Assembly Bill No. 213.
Assembly Bill No. 757.
Assembly Bill No. 194.
Assembly Bill No. 232.
Assembly Bill No. 233.
Assembly Bill No. 582.
Assembly Bill No. 1732.
Assembly Bill No. 1813.
Assembly Bill No. 1931.
Assembly Bill No. 2089.
Assembly Bill No. 2212.
Assembly Bill No. 2362.
Assembly Bill No. 2469.
Assembly Bill No. 2722.
Assembly Bill No. 2772.
Assembly Bill No. 2774.
Assembly Bill No. 2837.

Respectfully reports the same back without further action.

O'DONNELL, Chairman.

On Aviation and Aircraft.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred:

Assembly Bill No. 1337.

Respectfully reports the same back without further action.

GLICK, Chairman.

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Banking, to which was referred:

Assembly Bill No. 148.
Assembly Bill No. 796.

Respectfully reports the same back without further action.

WILLIAMSON, Chairman.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred:

Assembly Bill No. 1181.
Assembly Bill No. 1182.
Assembly Bill No. 1183.
Assembly Bill No. 1421.
Assembly Bill No. 1857.
Assembly Bill No. 2026.
Assembly Bill No. 2823.

Respectfully reports the same back without further action.

TENNEY, Chairman.

On Building and Loan.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Building and Loan, to which was referred:

Assembly Bill No. 195.
Assembly Bill No. 355.
Assembly Bill No. 594.
Assembly Bill No. 595.
Assembly Bill No. 596.
Assembly Bill No. 597.
Assembly Bill No. 1718.
Assembly Bill No. 1814.
Assembly Bill No. 2066.
Assembly Bill No. 2067.
Assembly Bill No. 2068.
Assembly Bill No. 2142.

Respectfully reports the same back without further action.

GARIBALDI, Chairman.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Civil Service, to which was referred:

Assembly Bill No. 453.
Assembly Bill No. 454.
Assembly Bill No. 675.
Assembly Bill No. 676.
Assembly Bill No. 855.
Assembly Bill No. 1199.
Assembly Bill No. 1514.
Assembly Bill No. 1547.
Assembly Bill No. 1548.
Assembly Bill No. 1549.
Assembly Bill No. 1550.
Assembly Bill No. 1551.

Assembly Bill No. 1552.
Assembly Bill No. 1850.
Assembly Bill No. 2120.
Assembly Bill No. 2227.
Assembly Bill No. 2509.
Assembly Bill No. 2510.

Respectfully reports the same back *without further action*

CROWLEY, Chairman.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred:

Assembly Bill No. 412.
Assembly Bill No. 413.
Assembly Bill No. 414.
Assembly Bill No. 415.
Assembly Bill No. 416.
Assembly Bill No. 417.
Assembly Bill No. 418.
Assembly Bill No. 419.
Assembly Bill No. 420.
Assembly Bill No. 421.
Assembly Bill No. 422.
Assembly Bill No. 423.
Assembly Bill No. 468.
Assembly Bill No. 826.
Assembly Bill No. 1321.
Assembly Bill No. 1322.
Assembly Bill No. 1323.
Assembly Bill No. 1324.
Assembly Bill No. 1325.
Assembly Bill No. 1326.
Assembly Bill No. 1327.
Assembly Bill No. 1328.
Assembly Bill No. 1329.
Assembly Bill No. 1332.
Assembly Bill No. 1331.
Assembly Bill No. 1330.
Assembly Bill No. 2234.
Assembly Bill No. 2337.
Assembly Bill No. 2701.

Respectfully reports the same back without further action

MALONEY, Chairman.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Conservation, to which was referred:

Assembly Bill No. 1236.
Assembly Bill No. 1381.
Assembly Bill No. 1533.
Assembly Bill No. 2056.

Respectfully reports the same back without further action

ANDREAS, Chairman.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred.

Assembly Bill No. 168.
Assembly Bill No. 169.
Assembly Constitutional Amendment No. 2.
Assembly Constitutional Amendment No. 3.
Assembly Constitutional Amendment No. 5.
Assembly Constitutional Amendment No. 7.
Assembly Constitutional Amendment No. 9.
Assembly Constitutional Amendment No. 10.
Assembly Constitutional Amendment No. 13.
Assembly Constitutional Amendment No. 14.
Assembly Constitutional Amendment No. 15.
Assembly Constitutional Amendment No. 16.
Assembly Constitutional Amendment No. 17.
Assembly Constitutional Amendment No. 18.
Assembly Constitutional Amendment No. 19.
Assembly Constitutional Amendment No. 22.
Assembly Constitutional Amendment No. 23.
Assembly Constitutional Amendment No. 24.
Assembly Constitutional Amendment No. 25.
Assembly Constitutional Amendment No. 27.
Assembly Constitutional Amendment No. 28.
Assembly Constitutional Amendment No. 29.
Assembly Constitutional Amendment No. 32.
Assembly Constitutional Amendment No. 33.
Assembly Constitutional Amendment No. 34.
Assembly Constitutional Amendment No. 35.
Assembly Constitutional Amendment No. 36.
Assembly Constitutional Amendment No. 37.
Assembly Constitutional Amendment No. 39.
Assembly Constitutional Amendment No. 41.
Assembly Constitutional Amendment No. 42.
Assembly Constitutional Amendment No. 43.
Assembly Constitutional Amendment No. 44.
Assembly Constitutional Amendment No. 45.
Assembly Constitutional Amendment No. 46.

Assembly Constitutional Amendment No. 47.
Assembly Constitutional Amendment No. 49.
Assembly Constitutional Amendment No. 50.
Assembly Constitutional Amendment No. 53.
Assembly Constitutional Amendment No. 54.
Assembly Constitutional Amendment No. 55.
Assembly Constitutional Amendment No. 56.
Assembly Constitutional Amendment No. 57.
Assembly Constitutional Amendment No. 61.
Assembly Constitutional Amendment No. 63.
Assembly Constitutional Amendment No. 64.
Assembly Constitutional Amendment No. 65.
Assembly Constitutional Amendment No. 66.
Assembly Constitutional Amendment No. 67.

Respectfully reports the same back without further action

HUNT, Chairman

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Corporations, to which was referred

Assembly Bill No. 173.
Assembly Bill No. 227.
Assembly Bill No. 1531.
Assembly Bill No. 1644.

Respectfully reports the same back without further action

McMURRAY, Chairman

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER: Your Committee on County Government, to which was referred,

Assembly Bill No. 51.
Assembly Bill No. 133.
Assembly Bill No. 530.
Assembly Bill No. 621.
Assembly Bill No. 723.
Assembly Bill No. 740.
Assembly Bill No. 1311.
Assembly Bill No. 1360.
Assembly Bill No. 1657.
Assembly Bill No. 1668.
Assembly Bill No. 1669.
Assembly Bill No. 1670.
Assembly Bill No. 1703.
Assembly Bill No. 1829.
Assembly Bill No. 2139.
Assembly Bill No. 2155.
Assembly Bill No. 2577.
Assembly Bill No. 2643.
Assembly Bill No. 2697.
Assembly Bill No. 2729.

Respectfully reports the same back without further action

LAUGHLIN, Chairman

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER: Your Committee on Crime Problems, to which was referred:

Assembly Bill No. 310.
Assembly Bill No. 311.
Assembly Bill No. 333.
Assembly Bill No. 431.
Assembly Bill No. 470.
Assembly Bill No. 504.
Assembly Bill No. 651.
Assembly Bill No. 652.
Assembly Bill No. 659.
Assembly Bill No. 665.
Assembly Bill No. 682.
Assembly Bill No. 683.
Assembly Bill No. 711.
Assembly Bill No. 843.
Assembly Bill No. 885.
Assembly Bill No. 1031.
Assembly Bill No. 1041.
Assembly Bill No. 1163.
Assembly Bill No. 1165.
Assembly Bill No. 1366.
Assembly Bill No. 1367.
Assembly Bill No. 1383.
Assembly Bill No. 1692.
Assembly Bill No 1841
Assembly Bill No. 1842.
Assembly Bill No. 1843.
Assembly Bill No. 1851.
Assembly Bill No. 1945.
Assembly Bill No. 2019.
Assembly Bill No. 2022.
Assembly Bill No. 2031.
Assembly Bill No. 2193.
Assembly Bill No. 2273.
Assembly Bill No. 2274.
Assembly Bill No. 2275.
Assembly Bill No. 2276.
Assembly Bill No. 2294.
Assembly Bill No. 2299.
Assembly Bill No. 2303.
Assembly Bill No. 2471.
Assembly Bill No. 2555.
Assembly Bill No. 2591.
Assembly Bill No. 2685.
Assembly Bill No. 2696.
Assembly Bill No. 2698.

Respectfully reports the same back without further action

RICHIE, Chairman

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, May 28 1937

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred:

Assembly Bill No. 764.
Assembly Bill No. 765.

Respectfully reports the same back without further action.

MILLINGTON, Chairman.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Education, to which was referred

Assembly Bill No. 5.
Assembly Bill No. 45.
Assembly Bill No. 46.
Assembly Bill No. 97.
Assembly Bill No. 106.
Assembly Bill No. 109.
Assembly Bill No. 111.
Assembly Bill No. 208.
Assembly Bill No. 328.
Assembly Bill No. 340.
Assembly Bill No. 358.
Assembly Bill No. 402.
Assembly Bill No. 403.
Assembly Bill No. 492.
Assembly Bill No. 631.
Assembly Bill No. 653.
Assembly Bill No. 654.
Assembly Bill No. 805.
Assembly Bill No. 812.
Assembly Bill No. 868.
Assembly Bill No. 972.
Assembly Bill No. 974.
Assembly Bill No. 975.
Assembly Bill No. 976.
Assembly Bill No. 979.
Assembly Bill No. 1026.
Assembly Bill No. 1131.
Assembly Bill No. 1149.
Assembly Bill No. 1160.
Assembly Bill No. 1161.
Assembly Bill No. 1248.
Assembly Bill No. 1249.
Assembly Bill No. 1355.
Assembly Bill No. 1414.
Assembly Bill No. 1627.
Assembly Bill No. 1630.
Assembly Bill No. 1675.
Assembly Bill No. 1733.
Assembly Bill No. 1852.
Assembly Bill No. 1909.
Assembly Bill No. 1910.
Assembly Bill No. 2043.
Assembly Bill No. 2045.
Assembly Bill No. 2133.
Assembly Bill No. 2156.
Assembly Bill No. 2201.
Assembly Bill No. 2339.
Assembly Bill No. 2342.
Assembly Bill No. 2567.
Assembly Bill No. 2580.
Assembly Bill No. 2645.
Assembly Bill No. 2650.
Assembly Bill No. 2651.
Assembly Bill No. 2652.
Assembly Bill No. 2744.
Assembly Bill No. 2763.
Assembly Bill No. 2764.
Assembly Bill No. 2862.
Assembly Bill No. 2864.

Respectfully reports the same back without further action.

CLARK, Chairman.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Elections, to which was referred:

Assembly Bill No. 80.
Assembly Bill No. 129.
Assembly Bill No. 179.
Assembly Bill No. 230.
Assembly Bill No. 246.
Assembly Bill No. 280.
Assembly Bill No. 286.
Assembly Bill No. 316.
Assembly Bill No. 327.
Assembly Bill No. 356.
Assembly Bill No. 357.
Assembly Bill No. 460.
Assembly Bill No. 514.
Assembly Bill No. 515.
Assembly Bill No. 613.
Assembly Bill No. 704.
Assembly Bill No. 751.
Assembly Bill No. 755.
Assembly Bill No. 806.
Assembly Bill No. 847.
Assembly Bill No. 886.
Assembly Bill No. 957.
Assembly Bill No. 891.
Assembly Bill No. 1000.
Assembly Bill No. 1001.
Assembly Bill No. 1155.
Assembly Bill No. 1156.
Assembly Bill No. 1159.
Assembly Bill No. 1254.
Assembly Bill No. 1417.
Assembly Bill No. 1727.
Assembly Bill No. 2018.
Assembly Bill No. 2579.
Assembly Bill No. 2624.
Assembly Bill No. 2665.
Assembly Bill No. 2666.
Assembly Bill No. 2886.

Respectfully reports the same back without further action.

GILBERT, Chairman.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Engrossment and Enrollment, to which was referred:

Assembly Concurrent Resolution No. 36.

Respectfully reports the same back without further action.

CUNNINGHAM, Chairman.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO May 28, 1937.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred:

Assembly Bill No. 315.
Assembly Bill No. 867.
Assembly Bill No. 888.
Assembly Bill No. 1110.

Respectfully reports the same back without further action.

MILLER, GEORGE P., Chairman

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred:

Assembly Joint Resolution No. 7.
Assembly Joint Resolution No. 20.
Assembly Joint Resolution No. 24.
Assembly Joint Resolution No. 25.
Assembly Joint Resolution No. 27.
Assembly Joint Resolution No. 32.
Assembly Joint Resolution No. 40.
Assembly Joint Resolution No. 41.
Assembly Joint Resolution No. 42.
Assembly Joint Resolution No. 50.

Respectfully reports the same back without further action.

HEISINGER, Chairman.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred:

Assembly Bill No. 113.
Assembly Bill No. 139.
Assembly Bill No. 150.
Assembly Bill No. 157.
Assembly Bill No. 205.
Assembly Bill No. 228.
Assembly Bill No. 677.
Assembly Bill No. 1270.
Assembly Bill No. 1303.
Assembly Bill No. 1304.
Assembly Bill No. 1428.
Assembly Bill No. 1631.
Assembly Bill No. 1632.
Assembly Bill No. 1633.
Assembly Bill No. 1634.
Assembly Bill No. 1758.
Assembly Bill No. 1795.
Assembly Bill No. 1917.
Assembly Bill No. 2254.
Assembly Bill No. 2260.
Assembly Bill No. 2291.
Assembly Bill No. 2292.
Assembly Bill No. 2389.

Respectfully reports the same back without further action.

LYON, Chairman.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 62.
Assembly Bill No. 94.
Assembly Bill No. 96.
Assembly Bill No. 104.
Assembly Bill No. 105.
Assembly Bill No. 110.
Assembly Bill No. 182.
Assembly Bill No. 183.
Assembly Bill No. 306.
Assembly Bill No. 466.
Assembly Bill No. 525.
Assembly Bill No. 537.
Assembly Bill No. 591.
Assembly Bill No. 592.
Assembly Bill No. 593.
Assembly Bill No. 630.
Assembly Bill No. 690.
Assembly Bill No. 748.
Assembly Bill No. 749.
Assembly Bill No. 750.
Assembly Bill No. 754.
Assembly Bill No. 774.
Assembly Bill No. 775.
Assembly Bill No. 801.
Assembly Bill No. 815.
Assembly Bill No. 822.
Assembly Bill No. 940.
Assembly Bill No. 943.
Assembly Bill No. 944.
Assembly Bill No. 945.
Assembly Bill No. 961.
Assembly Bill No. 1020.
Assembly Bill No. 1066.
Assembly Bill No. 1067.
Assembly Bill No. 1068.
Assembly Bill No. 1166.
Assembly Bill No. 1170.
Assembly Bill No. 1535.
Assembly Bill No. 1621.
Assembly Bill No. 1803.
Assembly Bill No. 1804.
Assembly Bill No. 1805.
Assembly Bill No. 1806.
Assembly Bill No. 1807.
Assembly Bill No. 1808.
Assembly Bill No. 1809.
Assembly Bill No. 1810.
Assembly Bill No. 1811.
Assembly Bill No. 1812.
Assembly Bill No. 1862.
Assembly Bill No. 1937.
Assembly Bill No. 1942.
Assembly Bill No. 2039.
Assembly Bill No. 2074.
Assembly Bill No. 2097.
Assembly Bill No. 2186.
Assembly Bill No. 2187.
Assembly Bill No. 2190.
Assembly Bill No. 2255.
Assembly Bill No. 2256.
Assembly Bill No. 2257.
Assembly Bill No. 2258.
Assembly Bill No. 2314.
Assembly Bill No. 2335.
Assembly Bill No. 2347.

Assembly Bill No. 2396.
Assembly Bill No. 2397.
Assembly Bill No. 2406.
Assembly Bill No. 2523.
Assembly Bill No. 2558.
Assembly Bill No. 2559.
Assembly Bill No. 2560.
Assembly Bill No. 2561.
Assembly Bill No. 2653.
Assembly Bill No. 2664.
Assembly Bill No. 2711.
Assembly Bill No. 2712.
Assembly Bill No. 2751.
Assembly Bill No. 2754.
Assembly Bill No. 2755.
Assembly Bill No. 2756.
Assembly Bill No. 2757.
Assembly Bill No. 2765.
Assembly Bill No. 2780.
Assembly Bill No. 2781.
Assembly Bill No. 2782.
Assembly Bill No. 2783.

Respectfully reports the same back without further action.

PATTERSON, Chairman.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Concurrent Resolution No. 26.
Assembly Constitutional Amendment No. 26.
Assembly Bill No. 31.
Assembly Bill No. 37.
Assembly Bill No. 39.
Assembly Bill No. 41.
Assembly Bill No. 43.
Assembly Bill No. 73.
Assembly Bill No. 369.
Assembly Bill No. 370.
Assembly Bill No. 371.
Assembly Bill No. 372.
Assembly Bill No. 511.
Assembly Bill No. 557.
Assembly Bill No. 678.
Assembly Bill No. 713.
Assembly Bill No. 760.
Assembly Bill No. 852.
Assembly Bill No. 935.
Assembly Bill No. 952.
Assembly Bill No. 980.
Assembly Bill No. 1096.
Assembly Bill No. 1196.
Assembly Bill No. 1240.
Assembly Bill No. 1349.
Assembly Bill No. 1357.
Assembly Bill No. 1359.
Assembly Bill No. 1443.
Assembly Bill No. 1504.
Assembly Bill No. 1508.
Assembly Bill No. 1581.
Assembly Bill No. 1622.
Assembly Bill No. 1690.
Assembly Bill No. 1775.
Assembly Bill No. 1797.
Assembly Bill No. 1865.
Assembly Bill No. 2129.
Assembly Bill No. 2152.
Assembly Bill No. 2153.
Assembly Bill No. 2165.
Assembly Bill No. 2166.
Assembly Bill No. 2167.
Assembly Bill No. 2169.
Assembly Bill No. 2229.
Assembly Bill No. 2261.
Assembly Bill No. 2334.
Assembly Bill No. 2424.
Assembly Bill No. 2425.
Assembly Bill No. 2521.
Assembly Bill No. 2524.
Assembly Bill No. 2525.
Assembly Bill No. 2526.
Assembly Bill No. 2527.
Assembly Bill No. 2528.
Assembly Bill No. 2529.
Assembly Bill No. 2530.
Assembly Bill No. 2531.
Assembly Bill No. 2532.
Assembly Bill No. 2533.
Assembly Bill No. 2534.
Assembly Bill No. 2535.
Assembly Bill No. 2536.
Assembly Bill No. 2537.
Assembly Bill No. 2538.
Assembly Bill No. 2539.
Assembly Bill No. 2540.
Assembly Bill No. 2541.
Assembly Bill No. 2542.
Assembly Bill No. 2543.
Assembly Bill No. 2544.
Assembly Bill No. 2545.
Assembly Bill No. 2546.
Assembly Bill No. 2595.
Assembly Bill No. 2618.
Assembly Bill No. 2644.
Assembly Bill No. 2852.

Respectfully reports the same back without further action.

DONIHUE, Chairman.

On Governmental Revenue and Expenditure.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Governmental Revenue and Expenditure, to which was referred:

Assembly Bill No. 1077.
Assembly Bill No. 1112.
Assembly Bill No. 1124.
Assembly Bill No. 1336.
Assembly Bill No. 1394.
Assembly Bill No. 1902.
Assembly Bill No. 2332.
Assembly Bill No. 2683.

Respectfully reports the same back without further action.

SHEEHAN, Chairman.

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred:

Assembly Bill No. 384.
Assembly Bill No. 385.
Assembly Bill No. 937.
Assembly Bill No. 938.
Assembly Bill No. 1447.
Assembly Bill No. 1540.
Assembly Bill No. 1640.
Aesembly Bill No. 1641.
Assembly Bill No. 1695.
Assembly Bill No. 1932.
Assembly Bill No. 1933.
Assembly Bill No. 2030.
Assembly Bill No. 2098.
Assembly Bill No. 2147.
Assembly Bill No. 2313.
Assembly Bill No. 2491.
Assembly Bill No. 2590.
Assembly Bill No. 2758.
Assembly Bill No. 2759.

Respectfully reports the same back without further action

CASSIDY, Chairman

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER: Your Committee on Insurance, to which was referred

Assembly Bill No. 141.
Assembly Bill No. 142.
Assembly Bill No. 143.
Assembly Bill No. 145.
Assembly Bill No. 146.
Assembly Bill No. 147.
Assembly Bill No. 330.
Assembly Bill No. 438.
Assembly Bill No. 487.
Assembly Bill No. 547.
Assembly Bill No. 568.
Assembly Bill No. 569.
Assembly Bill No. 570.
Assembly Bill No. 571.
Assembly Bill No. 572.
Assembly Bill No. 573.
Assembly Bill No. 643.
Assembly Bill No. 644.
Assembly Bill No. 645.
Assembly Bill No. 657.
Assembly Bill No. 783.
Assembly Bill No. 818.
Assembly Bill No. 881.
Assembly Bill No. 882.
Assembly Bill No. 936.
Assembly Bill No. 1007.
Assembly Bill No. 1122.
Assembly Bill No. 1272.
Assembly Bill No. 1281.
Assembly Bill No. 1437.
Assembly Bill No. 1536.
Assembly Bill No. 1537.
Assembly Bill No. 1596.
Assembly Bill No. 1694.
Assembly Bill No. 1741.
Assembly Bill No. 1744.
Assembly Bill No. 1751.
Assembly Bill No. 1752.
Assembly Bill No. 1796.
Assembly Bill No. 2011.
Assembly Bill No. 2029.
Assembly Bill No. 2064.
Assembly Bill No. 2118.
Assembly Bill No. 2236.
Assembly Bill No. 2238.
Assembly Bill No. 2240.
Assembly Bill No. 2241.
Assembly Bill No. 2242.
Assembly Bill No. 2243.
Assembly Bill No. 2244.
Assembly Bill No. 2248.
Assembly Bill No. 2249.
Assembly Bill No. 2251.
Assembly Bill No. 2290.
Assembly Bill No. 2295.
Assembly Bill No. 2330.
Assembly Bill No. 2344.
Assembly Bill No. 2408.
Assembly Bill No. 2438.
Assembly Bill No. 2439.
Assembly Bill No. 2475.
Assembly Bill No. 2477.
Assembly Bill No. 2478.
Assembly Bill No. 2480.
Assembly Bill No. 2481
Assembly Bill No. 2483.
Assembly Bill No. 2484.
Assembly Bill No. 2485.
Assembly Bill No. 2486.
Assembly Bill No. 2488.
Assembly Bill No. 2490.
Assembly Bill No. 2492.
Assembly Bill No. 2494.
Assembly Bill No. 2519.
Assembly Bill No. 2520.
Assembly Bill No. 2600.
Assembly Bill No. 2601.
Assembly Bill No. 2726
Assembly Bill No. 2727.
Assembly Bill No. 2736.
Assembly Bill No. 2898.

Respectfully reports the same back without further action

SAWYELLISCH, Chairman

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER: Your Committee on Irrigation, to which was referred

Assembly Bill No. 781.
Assembly Bill No. 782.
Assembly Bill No. 1126.
Assembly Bill No. 1127.
Assembly Bill No. 1128.
Assembly Bill No. 1157.
Assembly Bill No. 1158.
Assembly Bill No. 1790.
Assembly Bill No. 2017.
Assembly Bill No. 2293.
Assembly Bill No. 2442.
Assembly Bill No. 2443.
Assembly Bill No. 2448.

Respectfully reports the same back without further action.

GARLAND, Chairman

On Judiciary Codes.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Judiciary Codes, to which was referred:

Assembly Bill No. 36.
Assembly Bill No. 115.
Assembly Bill No. 130.
Assembly Bill No. 176.
Assembly Bill No. 177.
Assembly Bill No. 178.
Assembly Bill No. 180.
Assembly Bill No. 191.
Assembly Bill No. 239.
Assembly Bill No. 256.
Assembly Bill No. 257.
Assembly Bill No. 284.
Assembly Bill No. 294.
Assembly Bill No. 309.
Assembly Bill No. 324.
Assembly Bill No. 326.
Assembly Bill No. 337.
Assembly Bill No. 339.
Assembly Bill No. 345.
Assembly Bill No. 350.
Assembly Bill No. 391.
Assembly Bill No. 392.
Assembly Bill No. 447.
Assembly Bill No. 463.
Assembly Bill No. 465.
Assembly Bill No. 477.
Assembly Bill No. 480.
Assembly Bill No. 527.
Assembly Bill No. 535.
Assembly Bill No. 539.
Assembly Bill No. 540.
Assembly Bill No. 544.
Assembly Bill No. 564.
Assembly Bill No. 577.
Assembly Bill No. 601.
Assembly Bill No. 622.
Assembly Bill No. 623.
Assembly Bill No. 624.
Assembly Bill No. 625.
Assembly Bill No. 626.
Assembly Bill No. 627.
Assembly Bill No. 681.
Assembly Bill No. 686.
Assembly Bill No. 687.
Assembly Bill No. 688.
Assembly Bill No. 689.
Assembly Bill No. 738.
Assembly Bill No. 753.
Assembly Bill No. 794.
Assembly Bill No. 798.
Assembly Bill No. 807.
Assembly Bill No. 831.
Assembly Bill No. 833.
Assembly Bill No. 929.
Assembly Bill No. 947.
Assembly Bill No. 959.
Assembly Bill No. 960.
Assembly Bill No. 967.
Assembly Bill No. 968.
Assembly Bill No. 969.
Assembly Bill No. 973.
Assembly Bill No. 995.
Assembly Bill No. 996.
Assembly Bill No. 1028.
Assembly Bill No. 1032.
Assembly Bill No. 1033.
Assembly Bill No. 1036.
Assembly Bill No. 1038.
Assembly Bill No. 1039.
Assembly Bill No. 1040.
Assembly Bill No. 1042.
Assembly Bill No. 1043.
Assembly Bill No. 1046.
Assembly Bill No. 1047.
Assembly Bill No. 1055.
Assembly Bill No. 1061.
Assembly Bill No. 1073.
Assembly Bill No. 1074.
Assembly Bill No. 1075.
Assembly Bill No. 1076.
Assembly Bill No. 1102.
Assembly Bill No. 1103.
Assembly Bill No. 1116.
Assembly Bill No. 1133.
Assembly Bill No. 1145.
Assembly Bill No. 1234.
Assembly Bill No. 1241.
Assembly Bill No. 1292.
Assembly Bill No. 1293.
Assembly Bill No. 1309.
Assembly Bill No. 1315.
Assembly Bill No. 1351.
Assembly Bill No. 1384.
Assembly Bill No. 1385.
Assembly Bill No. 1386.
Assembly Bill No. 1387.
Assembly Bill No. 1388.
Assembly Bill No. 1419.
Assembly Bill No. 1450.
Assembly Bill No. 1464.
Assembly Bill No. 1477.
Assembly Bill No. 1478.
Assembly Bill No. 1485.
Assembly Bill No. 1489.
Assembly Bill No. 1492.
Assembly Bill No. 1507.
Assembly Bill No. 1543.
Assembly Bill No. 1571.
Assembly Bill No. 1585.
Assembly Bill No. 1587.
Assembly Bill No. 1649.
Assembly Bill No. 1650.
Assembly Bill No. 1651.
Assembly Bill No. 1652.
Assembly Bill No. 1653.
Assembly Bill No. 1654.
Assembly Bill No. 1660.
Assembly Bill No. 1661.
Assembly Bill No. 1662.
Assembly Bill No. 1663.
Assembly Bill No. 1672.
Assembly Bill No. 1673.
Assembly Bill No. 1687.
Assembly Bill No. 1689.
Assembly Bill No. 1708.
Assembly Bill No. 1739.
Assembly Bill No. 1749.
Assembly Bill No. 1777.
Assembly Bill No. 1853.
Assembly Bill No. 1914.
Assembly Bill No. 1919.
Assembly Bill No. 1920.
Assembly Bill No. 1923.
Assembly Bill No. 1927.
Assembly Bill No. 1950.
Assembly Bill No. 2004.
Assembly Bill No. 2021.
Assembly Bill No. 2032.

Assembly Bill No. 2036.
Assembly Bill No. 2049.
Assembly Bill No. 2054.
Assembly Bill No. 2060.
Assembly Bill No. 2065.
Assembly Bill No. 2081.
Assembly Bill No. 2082.
Assembly Bill No. 2085.
Assembly Bill No. 966.
Assembly Bill No. 2093.
Assembly Bill No. 2094.
Assembly Bill No. 2095.
Assembly Bill No. 2096.
Assembly Bill No. 2141.
Assembly Bill No. 2148.
Assembly Bill No. 2168.
Assembly Bill No. 2224.
Assembly Bill No. 2228.
Assembly Bill No. 2300.
Assembly Bill No. 2301.
Assembly Bill No. 2302.
Assembly Bill No. 2306.
Assembly Bill No. 2308.
Assembly Bill No. 2416.
Assembly Bill No. 2467.
Assembly Bill No. 2473.
Assembly Bill No. 2549.
Assembly Bill No. 2592.
Assembly Bill No. 2630.
Assembly Bill No. 2631.
Assembly Bill No. 2641.
Assembly Bill No. 2657.
Assembly Bill No. 2667.
Assembly Bill No. 2668.
Assembly Bill No. 2670.
Assembly Bill No. 2681.
Assembly Bill No. 2686.
Assembly Bill No. 2691.
Assembly Bill No. 2703.
Assembly Bill No. 2706 .
Assembly Bill No. 2707.
Assembly Bill No. 2740.
Assembly Bill No. 2742.
Assembly Bill No. 2818.
Assembly Bill No. 2819.

Respectfully reports the same back without further action

DESMOND, Chairman.

On Judiciary General.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER: Your Committee on Judiciary General, to which was referred:

Assembly Bill No. 64.
Assembly Bill No. 70.
Assembly Bill No. 149.
Assembly Bill No. 170.
Assembly Bill No. 171.
Assembly Bill No. 235.
Assembly Bill No. 334.
Assembly Bill No. 404.
Assembly Bill No. 437.
Assembly Bill No. 482.
Assembly Bill No. 484.
Assembly Bill No. 486.
Assembly Bill No. 532.
Assembly Bill No. 543.
Assembly Bill No. 553.
Assembly Bill No. 554.
Assembly Bill No. 680.
Assembly Bill No. 705.
Assembly Bill No. 706.
Assembly Bill No. 707.
Assembly Bill No. 739.
Assembly Bill No. 767.
Assembly Bill No. 784.
Assembly Bill No. 799.
Assembly Bill No. 803.
Assembly Bill No. 813.
Assembly Bill No. 823.
Assembly Bill No. 874.
Assembly Bill No. 997.
Assembly Bill No. 1010.
Assembly Bill No. 1019.
Assembly Bill No. 1045.
Assembly Bill No. 1053.
Assembly Bill No. 1056.
Assembly Bill No. 1058.
Assembly Bill No. 1064.
Assembly Bill No. 1087.
Assembly Bill No. 1106.
Assembly Bill No. 1107.
Assembly Bill No. 1108.
Assembly Bill No. 1109.
Assembly Bill No. 1117.
Assembly Bill No. 1167.
Assembly Bill No. 1187.
Assembly Bill No. 1192.
Assembly Bill No. 1197.
Assembly Bill No. 1226.
Assembly Bill No. 1237.
Assembly Bill No. 1255.
Assembly Bill No. 1256.
Assembly Bill No. 1291.
Assembly Bill No. 1312.
Assembly Bill No. 1338.
Assembly Bill No. 1382.
Assembly Bill No. 1390.
Assembly Bill No. 1398.
Assembly Bill No. 1429.
Assembly Bill No. 1470.
Assembly Bill No. 1471.
Assembly Bill No. 1475.
Assembly Bill No. 1497.
Assembly Bill No. 1503.
Assembly Bill No. 1542.
Assembly Bill No. 1545.
Assembly Bill No. 1564.
Assembly Bill No. 1565.
Assembly Bill No. 1566.
Assembly Bill No. 1584.
Assembly Bill No. 1638.
Assembly Bill No. 1677.
Assembly Bill No. 1696.
Assembly Bill No. 1701.
Assembly Bill No. 1713.
Assembly Bill No. 1714.
Assembly Bill No. 1781.
Assembly Bill No. 1782.
Assembly Bill No. 1783.
Assembly Bill No. 1819.
Assembly Bill No. 1844.
Assembly Bill No. 1901.
Assembly Bill No. 1983.
Assembly Bill No. 1984.
Assembly Bill No. 2015.
Assembly Bill No. 2020.
Assembly Bill No. 2040.
Assembly Bill No. 2042.
Assembly Bill No. 2050.
Assembly Bill No. 2130.

Assembly Bill No. 2207.
Assembly Bill No. 2214.
Assembly Bill No. 2226.
Assembly Bill No. 2252.
Assembly Bill No. 2271.
Assembly Bill No. 2272.
Assembly Bill No. 2296.
Assembly Bill No. 2297.
Assembly Bill No. 2367.
Assembly Bill No. 2368.
Assembly Bill No. 2382.
Assembly Bill No. 2417.
Assembly Bill No. 2432.
Assembly Bill No. 2489.
Assembly Bill No. 2628.
Assembly Bill No. 2669.
Assembly Bill No. 2672.
Assembly Bill No. 2741.
Assembly Bill No. 2745.
Assembly Bill No. 2778.
Assembly Bill No. 2779.
Assembly Bill No. 2811.

Respectfully reports the same back without further action.

ROSENTHAL, Chairman

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred

Assembly Concurrent Resolution No. 44.

Assembly Bill No. 52.
Assembly Bill No. 60.
Assembly Bill No. 86.
Assembly Bill No. 100.
Assembly Bill No. 102.
Assembly Bill No. 201.
Assembly Bill No. 202.
Assembly Bill No. 408.
Assembly Bill No. 507.
Assembly Bill No. 649.
Assembly Bill No. 714.
Assembly Bill No. 733.
Assembly Bill No. 734.
Assembly Bill No. 735.
Assembly Bill No. 736.
Assembly Bill No. 814.
Assembly Bill No. 829.
Assembly Bill No. 870.
Assembly Bill No. 889.
Assembly Bill No. 965.
Assembly Bill No. 992.
Assembly Bill No. 1092.
Assembly Bill No. 1095.
Assembly Bill No. 1119.
Assembly Bill No. 1458.
Assembly Bill No. 1459.
Assembly Bill No. 1460.
Assembly Bill No. 1546.
Assembly Bill No. 1816.
Assembly Bill No. 1827.
Assembly Bill No. 1916.
Assembly Bill No. 2087.
Assembly Bill No. 2088.
Assembly Bill No. 2131.
Assembly Bill No. 2184.
Assembly Bill No. 2185.
Assembly Bill No. 2253.
Assembly Bill No. 2371.
Assembly Bill No. 2372.
Assembly Bill No. 2373.
Assembly Bill No. 2379.
Assembly Bill No. 2383.
Assembly Bill No. 2437.
Assembly Bill No. 2440.
Assembly Bill No. 2482.
Assembly Bill No. 2487.
Assembly Bill No. 2556.
Assembly Bill No. 2582.
Assembly Bill No. 2585.
Assembly Bill No. 2656.
Assembly Bill No. 2692.
Assembly Bill No. 2693.
Assembly Bill No. 2719.
Assembly Bill No. 2720.
Assembly Bill No. 2856.
Assembly Bill No. 2902.
Assembly Bill No. 2926.

Respectfully reports the same back without further action.

FLINT, Chairman.

On Libraries.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Libraries, to which was referred:

Assembly Bill No. 1150.

Respectfully reports the same back without further action

JOHNSON, Chairman.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred:

Assembly Bill No. 77.
Assembly Bill No. 788.
Assembly Bill No. 789.
Assembly Bill No. 1090.
Assembly Bill No. 1229.
Assembly Bill No. 1233.
Assembly Bill No. 1288.
Assembly Bill No. 1289.
Assembly Bill No. 1747.
Assembly Bill No. 1943.
Assembly Bill No. 1947.
Assembly Bill No. 1948.
Assembly Bill No. 2012.
Assembly Bill No. 2033.
Assembly Bill No. 2158.
Assembly Bill No. 2177.
Assembly Bill No. 2213.
Assembly Bill No. 2225.
Assembly Bill No. 2278.
Assembly Bill No. 2386.
Assembly Bill No. 2399.
Assembly Bill No. 2421.
Assembly Bill No. 2655.
Assembly Bill No. 2775.
Assembly Bill No. 2776.
Assembly Bill No. 2777.
Assembly Bill No. 2787.
Assembly Bill No. 2793.

Respectfully reports the same back without further action.

DONNELLY, Chairman.

On Manufactures.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Manufactures, to which was referred:

Assembly Bill No. 1333.

Respectfully reports the same back without further action.

DALEY, Chairman.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred:

Assembly Bill No. 158.
Assembly Bill No. 159.
Assembly Bill No. 160.
Assembly Bill No. 161.
Assembly Bill No. 162.
Assembly Bill No. 163.
Assembly Bill No. 164.
Assembly Bill No. 165.
Assembly Bill No. 166.
Assembly Bill No. 167.
Assembly Bill No. 488.
Assembly Bill No. 489.
Assembly Bill No. 493.
Assembly Bill No. 495.
Assembly Bill No. 496.
Assembly Bill No. 498.
Assembly Bill No. 589.
Assembly Bill No. 598.
Assembly Bill No. 599.
Assembly Bill No. 603.
Assembly Bill No. 604.
Assembly Bill No. 605.
Assembly Bill No. 606.
Assembly Bill No. 607.
Assembly Bill No. 608.
Assembly Bill No. 609.
Assembly Bill No. 610.
Assembly Bill No. 611.
Assembly Bill No. 612.
Assembly Bill No. 724.
Assembly Bill No. 725.
Assembly Bill No. 726.
Assembly Bill No. 727.
Assembly Bill No. 845.
Assembly Bill No. 1006.
Assembly Bill No. 1008.
Assembly Bill No. 1009.
Assembly Bill No. 1141.
Assembly Bill No. 1142.
Assembly Bill No. 1143.
Assembly Bill No. 1952.
Assembly Bill No. 1953.
Assembly Bill No. 1954.
Assembly Bill No. 1955.
Assembly Bill No. 1956.
Assembly Bill No. 1957.
Assembly Bill No. 1958.
Assembly Bill No. 1959.
Assembly Bill No. 1960.
Assembly Bill No. 1961.
Assembly Bill No. 1962.
Assembly Bill No. 1963.
Assembly Bill No. 1929.
Assembly Bill No. 1964.
Assembly Bill No. 1965.
Assembly Bill No. 1966.
Assembly Bill No. 1967.
Assembly Bill No. 1968.
Assembly Bill No. 1969.
Assembly Bill No. 1970.
Assembly Bill No. 1971.
Assembly Bill No. 1972.
Assembly Bill No. 1973.
Assembly Bill No. 1974.
Assembly Bill No. 1975.
Assembly Bill No. 1976.
Assembly Bill No. 1977.
Assembly Bill No. 1978.
Assembly Bill No. 1979.
Assembly Bill No. 1980.
Assembly Bill No. 1982.
Assembly Bill No. 1985.
Assembly Bill No. 1986.
Assembly Bill No. 1987.
Assembly Bill No. 1988.
Assembly Bill No. 1989.
Assembly Bill No. 1990.
Assembly Bill No. 1991.
Assembly Bill No. 1992.
Assembly Bill No. 1993.
Assembly Bill No. 1994.
Assembly Bill No. 1995.
Assembly Bill No. 1996.
Assembly Bill No. 1997.
Assembly Bill No. 1998.
Assembly Bill No. 1999.
Assembly Bill No. 2000.
Assembly Bill No. 2001.
Assembly Bill No. 2002.
Assembly Bill No. 2003.
Assembly Bill No. 2125.
Assembly Bill No. 2264.
Assembly Bill No. 2265.
Assembly Bill No. 2266.
Assembly Bill No. 2267.
Assembly Bill No. 2349.
Assembly Bill No. 2350.
Assembly Bill No. 2453.
Assembly Bill No. 2454.
Assembly Bill No. 2586.
Assembly Bill No. 2604.
Assembly Bill No. 2619.
Assembly Bill No. 2620.
Assembly Bill No. 2731.
Assembly Bill No. 2914.

Respectfully reports the same back without further action.

CRONIN, Chairman.

On Military Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 1279.
Assembly Bill No. 2450.

Respectfully reports the same back without further action.

DAWSON, Chairman.

On Mines and Mining.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred:
Assembly Bill No. 1401.
Assembly Bill No. 1774.
Assembly Bill No. 1930.
Respectfully reports the same back without further action.

FULCHER, Chairman.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred:

Assembly Bill No. 54.
Assembly Bill No. 58.
Assembly Bill No. 87.
Assembly Bill No. 95.
Assembly Bill No. 107.
Assembly Bill No. 108.
Assembly Bill No. 112.
Assembly Bill No. 118.
Assembly Bill No. 120.
Assembly Bill No. 154.
Assembly Bill No. 172.
Assembly Bill No. 186.
Assembly Bill No. 209.
Assembly Bill No. 219.
Assembly Bill No. 251.
Assembly Bill No. 264.
Assembly Bill No. 275.
Assembly Bill No. 312.
Assembly Bill No. 318.
Assembly Bill No. 344.
Assembly Bill No. 364.
Assembly Bill No. 365.
Assembly Bill No. 446.
Assembly Bill No. 519.
Assembly Bill No. 567.
Assembly Bill No. 639.
Assembly Bill No. 640.
Assembly Bill No. 703.
Assembly Bill No. 710.
Assembly Bill No. 769.
Assembly Bill No. 816.
Assembly Bill No. 835.
Assembly Bill No. 1022.
Assembly Bill No. 1050.
Assembly Bill No. 1051.
Assembly Bill No. 1202.
Assembly Bill No. 1353.
Assembly Bill No. 1354.
Assembly Bill No. 1403.
Assembly Bill No. 1405.
Assembly Bill No. 1423.
Assembly Bill No. 1438.
Assembly Bill No. 1454.
Assembly Bill No. 1456.
Assembly Bill No. 1457.
Assembly Bill No. 1476.
Assembly Bill No. 1534.
Assembly Bill No. 1541.
Assembly Bill No. 1554.
Assembly Bill No. 1655.
Assembly Bill No. 1659.
Assembly Bill No. 1710.
Assembly Bill No. 1767.
Assembly Bill No. 1768.
Assembly Bill No. 1769.
Assembly Bill No. 1770.
Assembly Bill No. 1823.
Assembly Bill No. 1878.
Assembly Bill No. 2035.
Assembly Bill No. 2059.
Assembly Bill No. 2076.
Assembly Bill No. 2077.
Assembly Bill No. 2083.
Assembly Bill No. 2110.
Assembly Bill No. 2112.
Assembly Bill No. 2126.
Assembly Bill No. 2134.
Assembly Bill No. 2137.
Assembly Bill No. 2138.
Assembly Bill No. 2209.
Assembly Bill No. 2210.
Assembly Bill No. 2211.
Assembly Bill No. 2220.
Assembly Bill No. 2245.
Assembly Bill No. 2246.
Assembly Bill No. 2320.
Assembly Bill No. 2322.
Assembly Bill No. 2323.
Assembly Bill No. 2324.
Assembly Bill No. 2325.
Assembly Bill No. 2327.
Assembly Bill No. 2381.
Assembly Bill No. 2393.
Assembly Bill No. 2429.
Assembly Bill No. 2430.
Assembly Bill No. 2458.
Assembly Bill No. 2459.
Assembly Bill No. 2462.
Assembly Bill No. 2512.
Assembly Bill No. 2602.
Assembly Bill No. 2605.
Assembly Bill No. 2633.
Assembly Bill No. 2634.
Assembly Bill No. 2735.
Assembly Bill No. 2737.
Assembly Bill No. 2738.
Assembly Bill No. 2796.
Assembly Bill No. 2812.
Assembly Bill No. 2891.

Respectfully reports the same back without further action.

HORNBLOWER, Chairman.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 28 1937.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred:

Assembly Bill No. 270.
Assembly Bill No. 548.
Assembly Bill No. 560.
Assembly Bill No. 671.
Assembly Bill No. 673.
Assembly Bill No. 1082.
Assembly Bill No. 1083.
Assembly Bill No. 1153.

Assembly Bill No. 1313.
Assembly Bill No. 1416.
Assembly Bill No. 1449.
Assembly Bill No. 1511.
Assembly Bill No. 1589.
Assembly Bill No. 1656.
Assembly Bill No. 1731.
Assembly Bill No. 1802.
Assembly Bill No. 1840.
Assembly Bill No. 1848.
Assembly Bill No. 1877.
Assembly Bill No. 1882.
Assembly Bill No. 2041.
Assembly Bill No. 2144.
Assembly Bill No. 2154.
Assembly Bill No. 2354.
Assembly Bill No. 2355.
Assembly Bill No. 2357.
Assembly Bill No. 2648.
Assembly Bill No. 2649.
Assembly Bill No. 2700.
Assembly Bill No. 2768.
Assembly Bill No. 2769.
Assembly Bill No. 2771.
Assembly Bill No. 2784.

Respectfully reports the same back without further action

KING, Chairman.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER. Your Committee on Oil Industries, to which was referred:

Assembly Bill No 151.
Assembly Bill No. 192.
Assembly Bill No. 247.
Assembly Bill No. 375.
Assembly Bill No. 376.
Assembly Bill No. 377.
Assembly Bill No. 533.
Assembly Bill No. 729.
Assembly Bill No. 730.
Assembly Bill No. 731.
Assembly Bill No. 732.
Assembly Bill No. 770.
Assembly Bill No. 853.
Assembly Bill No. 1738.
Assembly Bill No. 1881.
Assembly Bill No. 1887.
Assembly Bill No. 1946.
Assembly Bill No. 2460.
Assembly Bill No. 2461.
Assembly Bill No. 2822
Assembly Bill No. 2866.

Respectfully reports the same back without further action.

WELSH, Chairman.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Prisons and Reformatories, to which was referred:

Assembly Bill No. 292.
Assembly Bill No. 1691.
Assembly Bill No. 2635.
Assembly Bill No. 2636.
Assembly Bill No. 2637.

Respectfully reports the same back without further action.

REAVES, Chairman.

On Public Charities and Corrections.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER. Your Committee on Public Charities and Corrections, to which was referred:

Assembly Bill No. 791.
Assembly Bill No. 1298.
Assembly Bill No. 1308.
Assembly Bill No. 2159.
Assembly Bill No. 2160.
Assembly Bill No. 2205.
Assembly Bill No. 2288.

Respectfully reports the same back without further action.

PELLETIER. Chairman.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred:

Assembly Bill No. 17.
Assembly Bill No. 708.
Assembly Bill No. 709.
Assembly Bill No. 716.
Assembly Bill No. 790.
Assembly Bill No. 837.
Assembly Bill No. 1252.
Assembly Bill No. 1257.
Assembly Bill No. 1340.
Assembly Bill No. 1528.
Assembly Bill No. 1529.
Assembly Bill No. 1544.
Assembly Bill No. 1601.
Assembly Bill No. 1665.
Assembly Bill No. 1856.
Assembly Bill No. 2115.
Assembly Bill No. 2143.
Assembly Bill No. 2182.
Assembly Bill No. 2563.
Assembly Bill No. 2569.
Assembly Bill No. 2676.
Assembly Bill No. 2687.
Assembly Bill No. 2718.

Respectfully reports the same back without further action.

MULDOON, Chairman.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 84.
Assembly Bill No. 126.
Assembly Bill No. 128.
Assembly Bill No. 137.
Assembly Bill No. 138.
Assembly Bill No. 220.
Assembly Bill No. 245.
Assembly Bill No. 250.
Assembly Bill No. 282.
Assembly Bill No. 295.
Assembly Bill No. 299.
Assembly Bill No. 300.
Assembly Bill No. 301.
Assembly Bill No. 304.
Assembly Bill No. 314.
Assembly Bill No. 349.
Assembly Bill No. 382.
Assembly Bill No. 389.
Assembly Bill No. 393.
Assembly Bill No. 394.
Assembly Bill No. 398.
Assembly Bill No. 426.
Assembly Bill No. 456.
Assembly Bill No. 459.
Assembly Bill No. 517.
Assembly Bill No. 555.
Assembly Bill No. 616.
Assembly Bill No. 718.
Assembly Bill No. 719.
Assembly Bill No. 720.
Assembly Bill No. 721.
Assembly Bill No. 745.
Assembly Bill No. 752.
Assembly Bill No. 792.
Assembly Bill No. 875.
Assembly Bill No. 993.
Assembly Bill No. 1054.
Assembly Bill No. 1088.
Assembly Bill No. 1286.
Assembly Bill No. 1294.
Assembly Bill No. 1374.
Assembly Bill No. 1375.
Assembly Bill No. 1422.
Assembly Bill No. 1424.
Assembly Bill No. 1513.
Assembly Bill No. 1603.
Assembly Bill No. 1636.
Assembly Bill No. 1693.
Assembly Bill No. 1746.
Assembly Bill No. 1756.
Assembly Bill No. 1772.
Assembly Bill No. 1773.
Assembly Bill No. 1863.
Assembly Bill No. 1885.
Assembly Bill No. 1926.
Assembly Bill No. 2069.
Assembly Bill No. 2071.
Assembly Bill No. 2072.
Assembly Bill No. 2073.
Assembly Bill No. 2099.
Assembly Bill No. 2101.
Assembly Bill No. 2102.
Assembly Bill No. 2103.
Assembly Bill No. 2104.
Assembly Bill No. 2105.
Assembly Bill No. 2106.
Assembly Bill No. 2107.
Assembly Bill No. 2108.
Assembly Bill No. 2109.
Assembly Bill No. 2111.
Assembly Bill No. 2113.
Assembly Bill No. 2128.
Assembly Bill No. 2151.
Assembly Bill No. 2208.
Assembly Bill No. 2217.
Assembly Bill No. 2222.
Assembly Bill No. 2230.
Assembly Bill No. 2262.
Assembly Bill No. 2263.
Assembly Bill No. 2268.
Assembly Bill No. 2287.
Assembly Bill No. 2305.
Assembly Bill No. 2311.
Assembly Bill No. 2312.
Assembly Bill No. 2319.
Assembly Bill No. 2428.
Assembly Bill No. 2476.
Assembly Bill No. 2504.
Assembly Bill No. 2513.
Assembly Bill No. 2514.
Assembly Bill No. 2515.
Assembly Bill No. 2516.
Assembly Bill No. 2517.
Assembly Bill No. 2550.
Assembly Bill No. 2571.
Assembly Bill No. 2573.
Assembly Bill No. 2574.
Assembly Bill No. 2603.
Assembly Bill No. 2608.
Assembly Bill No. 2627.
Assembly Bill No. 2632.
Assembly Bill No. 2639.
Assembly Bill No. 2640.
Assembly Bill No. 2716.
Assembly Bill No. 2717.
Assembly Bill No. 2894.
Assembly Bill No. 1820.

Respectfully reports the same back without further action.

TURNER, Chairman.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937

MR. SPEAKER: Your Committee on Public Utilities, to which was referred:

Assembly Bill No. 242.
Assembly Bill No. 523.
Assembly Bill No. 819.
Assembly Bill No. 834.
Assembly Bill No. 925.
Assembly Bill No. 1392.
Assembly Bill No. 1426.
Assembly Bill No. 1854.
Assembly Bill No. 2009.
Assembly Bill No. 2010.
Assembly Bill No. 2075.
Assembly Bill No. 2121.
Assembly Bill No. 2321.
Assembly Bill No. 2328.
Assembly Bill No. 2401.
Assembly Bill No. 2411.
Assembly Bill No. 2413.
Assembly Bill No. 2431.
Assembly Bill No. 2449.
Assembly Bill No. 2455.
Assembly Bill No. 2463.
Assembly Bill No. 2465.
Assembly Bill No. 2588.

Respectfully reports the same back without further action

BAYNHAM, Chairman.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 68.
Assembly Bill No. 75.
Assembly Bill No. 79.
Assembly Bill No. 127.
Assembly Bill No. 140.
Assembly Bill No. 144.
Assembly Bill No. 155.
Assembly Bill No. 156.
Assembly Bill No. 181.
Assembly Bill No. 221.
Assembly Bill No. 222.
Assembly Bill No. 223.
Assembly Bill No. 224.
Assembly Bill No. 226.
Assembly Bill No. 243.
Assembly Bill No. 244.
Assembly Bill No. 248.
Assembly Bill No. 261.
Assembly Bill No. 321.
Assembly Bill No. 325.
Assembly Bill No. 405.
Assembly Bill No. 452.
Assembly Bill No. 461.
Assembly Bill No. 551.
Assembly Bill No. 559.
Assembly Bill No. 768.
Assembly Bill No. 771.
Assembly Bill No. 785.
Assembly Bill No. 871.
Assembly Bill No. 887.
Assembly Bill No. 926.
Assembly Bill No. 927.
Assembly Bill No. 1098.
Assembly Bill No. 1099.
Assembly Bill No. 1100.
Assembly Bill No. 1239.
Assembly Bill No. 1242.
Assembly Bill No. 1246.
Assembly Bill No. 1282.
Assembly Bill No. 1356.
Assembly Bill No. 1376.
Assembly Bill No. 1377.
Assembly Bill No. 1380.
Assembly Bill No. 1395.
Assembly Bill No. 1396.
Assembly Bill No. 1397.
Assembly Bill No. 1418.
Assembly Bill No. 1538.
Assembly Bill No. 1716.
Assembly Bill No. 1846.
Assembly Bill No. 1847.
Assembly Bill No. 1867.
Assembly Bill No. 1884.
Assembly Bill No. 1890.
Assembly Bill No. 1891.
Assembly Bill No. 1892.
Assembly Bill No. 1893.
Assembly Bill No. 1894.
Assembly Bill No. 2145.
Assembly Bill No. 2146.
Assembly Bill No. 2164.
Assembly Bill No. 2203.
Assembly Bill No. 2317.
Assembly Bill No. 2418.
Assembly Bill No. 2433.
Assembly Bill No. 2572.
Assembly Bill No. 2680.
Assembly Bill No. 2721.
Assembly Bill No. 2739.
Assembly Bill No. 2766.
Assembly Bill No. 2767.
Assembly Bill No. 388.
Assembly Bill No. 1799.
Assembly Bill No. 2005.
Assembly Bill No. 2006.
Assembly Bill No. 2221.
Assembly Bill No. 2400.
Assembly Bill No. 2412.
Assembly Bill No. 2838.
Assembly Bill No. 2855.

Respectfully reports the same back without further action.

BOYLE, Chairman.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred:

Assembly Concurrent Resolution No. 16.
Assembly Bill No. 6.
Assembly Bill No. 9.
Assembly Bill No. 44.
Assembly Bill No. 114.
Assembly Bill No. 207.
Assembly Bill No. 225.
Assembly Bill No. 237.
Assembly Bill No. 274.
Assembly Bill No. 281.
Assembly Bill No. 302.
Assembly Bill No. 332.
Assembly Bill No. 366.
Assembly Bill No. 367.
Assembly Bill No. 433.
Assembly Bill No. 458.
Assembly Bill No. 512.
Assembly Bill No. 558.
Assembly Bill No. 561.
Assembly Bill No. 585.
Assembly Bill No. 633.
Assembly Bill No. 634.
Assembly Bill No. 635.
Assembly Bill No. 712.
Assembly Bill No. 742.
Assembly Bill No. 776.
Assembly Bill No. 793.
Assembly Bill No. 876.
Assembly Bill No. 877.
Assembly Bill No. 878.
Assembly Bill No. 879.
Assembly Bill No. 1030.
Assembly Bill No. 1113.
Assembly Bill No. 1297.
Assembly Bill No. 1302.
Assembly Bill No. 1352.
Assembly Bill No. 1372.
Assembly Bill No. 1539.
Assembly Bill No. 1567.
Assembly Bill No. 1684.
Assembly Bill No. 1702.
Assembly Bill No. 1723.
Assembly Bill No. 1724.
Assembly Bill No. 1771.
Assembly Bill No. 1791.
Assembly Bill No. 1792.
Assembly Bill No. 2259.
Assembly Bill No. 2135.
Assembly Bill No. 2163.

Assembly Bill No. 2329.
Assembly Bill No. 2359.
Assembly Bill No. 2361.
Assembly Bill No. 2522.
Assembly Bill No. 2566.
Assembly Bill No. 2606.
Assembly Bill No. 2661.
Assembly Bill No. 2725.
Assembly Bill No. 2746.

Respectfully reports the same back without further action.

MEEHAN, Chairman.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Rules, to which was referred
Assembly Concurrent Resolution No. 2.
Assembly Concurrent Resolution No. 8.
Assembly Concurrent Resolution No. 30.
Respectfully reports the same back without further action.

PEEK, Chairman.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Social Service and Welfare to which was referred:

Assembly Bill No. 2.
Assembly Bill No. 48.
Assembly Bill No. 49.
Assembly Bill No. 56.
Assembly Bill No. 57.
Assembly Bill No. 66.
Assembly Bill No. 67.
Assembly Bill No. 91.
Assembly Bill No. 92.
Assembly Bill No. 99.
Assembly Bill No. 125.
Assembly Bill No. 131.
Assembly Bill No. 199.
Assembly Bill No. 229.
Assembly Bill No. 240.
Assembly Bill No. 319.
Assembly Bill No. 335.
Assembly Bill No. 336.
Assembly Bill No. 359.
Assembly Bill No. 360.
Assembly Bill No. 361.
Assembly Bill No. 362.
Assembly Bill No. 363.
Assembly Bill No. 373.
Assembly Bill No. 374.
Assembly Bill No. 474.
Assembly Bill No. 475.
Assembly Bill No. 476.
Assembly Bill No. 531.
Assembly Bill No. 542.
Assembly Bill No. 660.
Assembly Bill No. 661.
Assembly Bill No. 674.
Assembly Bill No. 846.
Assembly Bill No. 932.
Assembly Bill No. 1115.
Assembly Bill No. 1148.
Assembly Bill No. 1461.
Assembly Bill No. 1509.
Assembly Bill No. 1510.
Assembly Bill No. 1560.
Assembly Bill No. 1681.
Assembly Bill No. 1717.
Assembly Bill No. 1900.
Assembly Bill No. 1903.
Assembly Bill No. 1922.
Assembly Bill No. 2114.
Assembly Bill No. 2172.
Assembly Bill No. 2173.
Assembly Bill No. 2174.
Assembly Bill No. 2191.
Assembly Bill No. 2192.
Assembly Bill No. 2237.
Assembly Bill No. 2310.
Assembly Bill No. 2351.
Assembly Bill No. 2352.
Assembly Bill No. 2435.
Assembly Bill No. 2436.
Assembly Bill No. 2479.
Assembly Bill No. 2493.
Assembly Bill No. 2506.
Assembly Bill No. 2507.
Assembly Bill No. 2508.
Assembly Bill No. 2511.
Assembly Bill No. 2589.
Assembly Bill No. 2629.
Assembly Bill No. 2709.
Assembly Bill No. 2715.

Respectfully reports the same back without further action.

LORE, Chairman.

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred:

Assembly Bill No. 518.
Assembly Bill No. 821.
Assembly Bill No. 1015.
Assembly Bill No. 1016.

Respectfully reports the same back without further action.

GANNON, Chairman.

On State Colleges.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: Your Committee on State Colleges, to which was referred.
Assembly Bill No. 212.
Assembly Bill No. 1174.
Respectfully reports the same back without further action.

BURNS, HUGH M., Chairman.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER Your Committee on State Grounds and Parks, to which was referred:

Assembly Bill No. 1269.

Respectfully reports the same back without further action.

YORTY, Chairman.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER. Your Committee on Unemployment, to which was referred.

Assembly Bill No. 59.
Assembly Bill No. 187.
Assembly Bill No. 190.
Assembly Bill No. 368.
Assembly Bill No. 485.
Assembly Bill No. 497.
Assembly Bill No. 505.
Assembly Bill No. 529.
Assembly Bill No. 556.
Assembly Bill No. 679.
Assembly Bill No. 884.
Assembly Bill No. 1452.
Assembly Bill No. 1453.
Assembly Bill No. 1493.
Assembly Bill No. 1505.
Assembly Bill No. 1506.
Assembly Bill No. 1517.
Assembly Bill No. 1522.
Assembly Bill No. 1523.
Assembly Bill No. 1527.
Assembly Bill No. 1686.
Assembly Bill No. 2235.
Assembly Bill No. 2370.
Assembly Bill No. 2434.
Assembly Bill No. 2466.
Assembly Bill No. 2497.
Assembly Bill No. 2500.
Assembly Bill No. 2564.
Assembly Bill No. 2570.
Assembly Bill No. 2654.

Respectfully reports the same back without further action.

HAWKINS, Chairman

On Universities.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR SPEAKER. Your Committee on Universities, to which was referred

Assembly Bill No. 1093.
Assembly Bill No. 1278.
Assembly Bill No. 2037.
Assembly Bill No. 2038.

Respectfully reports the same back without further action.

DANNENBRINK, Chairman

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER. Your Committee on Ways and Means, to which was referred:

Assembly Concurrent Resolution No. 27.
Assembly Concurrent Resolution No. 40.
Assembly Bill No. 16.
Assembly Bill No. 122.
Assembly Bill No. 152.
Assembly Bill No. 188.
Assembly Bill No. 198.
Assembly Bill No. 342.
Assembly Bill No. 397.
Assembly Bill No. 410.
Assembly Bill No. 434.
Assembly Bill No. 435.
Assembly Bill No. 502.
Assembly Bill No. 552.
Assembly Bill No. 637.
Assembly Bill No. 638.
Assembly Bill No. 648.
Assembly Bill No. 666.
Assembly Bill No. 667.
Assembly Bill No. 668.
Assembly Bill No. 696.
Assembly Bill No. 758.
Assembly Bill No. 759.
Assembly Bill No. 804.
Assembly Bill No. 872.
Assembly Bill No. 949.
Assembly Bill No. 958.
Assembly Bill No. 981.
Assembly Bill No. 994.
Assembly Bill No. 998.
Assembly Bill No. 1003.
Assembly Bill No. 1011.
Assembly Bill No. 1013.
Assembly Bill No. 1089.
Assembly Bill No. 1125.
Assembly Bill No. 1227.
Assembly Bill No. 1307.
Assembly Bill No. 1316.
Assembly Bill No. 1344.
Assembly Bill No. 1369.
Assembly Bill No. 1373.
Assembly Bill No. 1379.
Assembly Bill No. 1439.
Assembly Bill No. 1451.
Assembly Bill No. 1491.
Assembly Bill No. 1556.
Assembly Bill No. 1557.
Assembly Bill No. 1561.
Assembly Bill No. 1563.
Assembly Bill No. 1578.
Assembly Bill No. 1582.
Assembly Bill No. 1590.
Assembly Bill No. 1602.
Assembly Bill No. 1611.
Assembly Bill No. 1614.
Assembly Bill No. 1637.
Assembly Bill No. 1639.
Assembly Bill No. 1643.
Assembly Bill No. 1664.
Assembly Bill No. 1697.
Assembly Bill No. 1712.
Assembly Bill No. 1715.
Assembly Bill No. 1866.
Assembly Bill No. 2047.
Assembly Bill No. 2127.
Assembly Bill No. 2161.
Assembly Bill No. 2216.
Assembly Bill No. 2239.

Assembly Bill No. 2315.
Assembly Bill No. 2346.
Assembly Bill No. 2348.
Assembly Bill No. 2360.
Assembly Bill No. 2363.
Assembly Bill No. 2402.
Assembly Bill No. 2468.
Assembly Bill No. 2470.
Assembly Bill No. 2578.
Assembly Bill No. 2660.
Assembly Bill No. 2695.
Assembly Bill No. 2728.
Assembly Bill No. 2795.
Assembly Bill No. 2807.
Assembly Bill No. 2816.
Assembly Bill No. 2839.
Assembly Bill No. 2865.
Assembly Bill No. 1583.
Assembly Bill No. 2583.

Respectfully reports the same back without further action.

ROBERTSON, Chairman.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1937.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following Assembly Bills without further action:

Assembly Constitutional Amendment No. 11.
Assembly Constitutional Amendment No. 12.
Assembly Constitutional Amendment No. 20.
Assembly Constitutional Amendment No. 31.
Assembly Constitutional Amendment No. 38.
Assembly Constitutional Amendment No. 60.
Assembly Constitutional Amendment No. 62.
Assembly Concurrent Resolution No. 20.
Assembly Concurrent Resolution No. 24.
Assembly Concurrent Resolution No. 37.
Assembly Concurrent Resolution No. 57.
Assembly Joint Resolution No. 8.
Assembly Joint Resolution No. 12.
Assembly Joint Resolution No. 13.
Assembly Joint Resolution No. 14.
Assembly Joint Resolution No. 17.
Assembly Joint Resolution No. 21.
Assembly Joint Resolution No. 43.
Assembly Joint Resolution No. 48.
Assembly Joint Resolution No. 49.
Assembly Bill No. 7.
Assembly Bill No. 15.
Assembly Bill No. 22.
Assembly Bill No. 53.
Assembly Bill No. 55.
Assembly Bill No. 63.
Assembly Bill No. 65.
Assembly Bill No. 71.
Assembly Bill No. 72.
Assembly Bill No. 82.
Assembly Bill No. 83.
Assembly Bill No. 93.
Assembly Bill No. 103.
Assembly Bill No. 121.
Assembly Bill No. 124.
Assembly Bill No. 134.
Assembly Bill No. 153.
Assembly Bill No. 175.
Assembly Bill No. 189.
Assembly Bill No. 217.
Assembly Bill No. 231.
Assembly Bill No. 238.
Assembly Bill No. 253.
Assembly Bill No. 258.
Assembly Bill No. 259.
Assembly Bill No. 262.
Assembly Bill No. 263.
Assembly Bill No. 265.
Assembly Bill No. 266.
Assembly Bill No. 268.
Assembly Bill No. 271.
Assembly Bill No. 272.
Assembly Bill No. 276.
Assembly Bill No. 278.
Assembly Bill No. 293.
Assembly Bill No. 313.
Assembly Bill No. 323.
Assembly Bill No. 329.
Assembly Bill No. 343.
Assembly Bill No. 354.
Assembly Bill No. 379.
Assembly Bill No. 381.
Assembly Bill No. 390.
Assembly Bill No. 400.
Assembly Bill No. 409.
Assembly Bill No. 427.
Assembly Bill No. 429.
Assembly Bill No. 432.
Assembly Bill No. 439.
Assembly Bill No. 445.
Assembly Bill No. 450.
Assembly Bill No. 478.
Assembly Bill No. 494.
Assembly Bill No. 499.
Assembly Bill No. 513.
Assembly Bill No. 516.
Assembly Bill No. 536.
Assembly Bill No. 538.
Assembly Bill No. 546.
Assembly Bill No. 549.
Assembly Bill No. 578.
Assembly Bill No. 586.
Assembly Bill No. 615.
Assembly Bill No. 617.
Assembly Bill No. 646.
Assembly Bill No. 647.
Assembly Bill No. 655.
Assembly Bill No. 658.
Assembly Bill No. 684.
Assembly Bill No. 697.

Assembly Bill No. 701.
Assembly Bill No. 766.
Assembly Bill No. 772.
Assembly Bill No. 773.
Assembly Bill No. 779.
Assembly Bill No. 780.
Assembly Bill No. 817.
Assembly Bill No. 825.
Assembly Bill No. 828.
Assembly Bill No. 830.
Assembly Bill No. 832.
Assembly Bill No. 838.
Assembly Bill No. 839.
Assembly Bill No. 840.
Assembly Bill No. 848.
Assembly Bill No. 849.
Assembly Bill No. 850.
Assembly Bill No. 851.
Assembly Bill No. 854.
Assembly Bill No. 869.
Assembly Bill No. 873.
Assembly Bill No. 928.
Assembly Bill No. 934.
Assembly Bill No. 941.
Assembly Bill No. 977.
Assembly Bill No. 986.
Assembly Bill No. 987.
Assembly Bill No. 999.
Assembly Bill No. 1002.
Assembly Bill No. 1027.
Assembly Bill No. 1029.
Assembly Bill No. 1037.
Assembly Bill No. 1052.
Assembly Bill No. 1062.
Assembly Bill No. 1065.
Assembly Bill No. 1070.
Assembly Bill No. 1071.
Assembly Bill No. 1080.
Assembly Bill No. 1081.
Assembly Bill No. 1101.
Assembly Bill No. 1136.
Assembly Bill No. 1144.
Assembly Bill No. 1171.
Assembly Bill No. 1173.
Assembly Bill No. 1184.
Assembly Bill No. 1185.
Assembly Bill No. 1186.
Assembly Bill No. 1198.
Assembly Bill No. 1204.
Assembly Bill No. 1225.
Assembly Bill No. 1235.
Assembly Bill No. 1238.
Assembly Bill No. 1247.
Assembly Bill No. 1250.
Assembly Bill No. 1273.
Assembly Bill No. 1275.
Assembly Bill No. 1284.
Assembly Bill No. 1295.
Assembly Bill No. 1296.
Assembly Bill No. 1299.
Assembly Bill No. 1300.
Assembly Bill No. 1314.
Assembly Bill No. 1345.
Assembly Bill No. 1348.
Assembly Bill No. 1350.
Assembly Bill No. 1370.
Assembly Bill No. 1404.
Assembly Bill No. 1433.
Assembly Bill No. 1487.
Assembly Bill No. 1494.
Assembly Bill No. 1553.
Assembly Bill No. 1572.
Assembly Bill No. 1586.
Assembly Bill No. 1591.
Assembly Bill No. 1595.
Assembly Bill No. 1597.
Assembly Bill No. 1600.
Assembly Bill No. 1605.
Assembly Bill No. 1609.
Assembly Bill No. 1610.
Assembly Bill No. 1624.
Assembly Bill No. 1646.
Assembly Bill No. 1648.
Assembly Bill No. 1666.
Assembly Bill No. 1667.
Assembly Bill No. 1704.
Assembly Bill No. 1725.
Assembly Bill No. 1743.
Assembly Bill No. 1745.
Assembly Bill No. 1754.
Assembly Bill No. 1765.
Assembly Bill No. 1780.
Assembly Bill No. 1784.
Assembly Bill No. 1785.
Assembly Bill No. 1800.
Assembly Bill No. 1817.
Assembly Bill No. 1821.
Assembly Bill No. 1822.
Assembly Bill No. 1835.
Assembly Bill No. 1855.
Assembly Bill No. 1868.
Assembly Bill No. 1873.
Assembly Bill No. 1874.
Assembly Bill No. 1876.
Assembly Bill No. 1880.
Assembly Bill No. 1883.
Assembly Bill No. 1889.
Assembly Bill No. 1904.
Assembly Bill No. 1924.
Assembly Bill No. 1928.
Assembly Bill No. 1934.
Assembly Bill No. 1935.
Assembly Bill No. 1939.
Assembly Bill No. 1941.
Assembly Bill No. 2008.
Assembly Bill No. 2016.
Assembly Bill No. 2034.
Assembly Bill No. 2044.
Assembly Bill No. 2046.
Assembly Bill No. 2084.
Assembly Bill No. 2122.
Assembly Bill No. 2123.
Assembly Bill No. 2136.
Assembly Bill No. 2150.
Assembly Bill No. 2179.
Assembly Bill No. 2181.
Assembly Bill No. 2188.
Assembly Bill No. 2189.
Assembly Bill No. 2199.
Assembly Bill No. 2218.
Assembly Bill No. 2281.
Assembly Bill No. 2282.
Assembly Bill No. 2309.
Assembly Bill No. 2316.
Assembly Bill No. 2340.
Assembly Bill No. 2377.
Assembly Bill No. 2387.
Assembly Bill No. 2390.
Assembly Bill No. 2391.
Assembly Bill No. 2395.
Assembly Bill No. 2427.
Assembly Bill No. 2441.
Assembly Bill No. 2472.
Assembly Bill No. 2551.
Assembly Bill No. 2584.
Assembly Bill No. 2599.
Assembly Bill No. 2617.
Assembly Bill No. 2623.

Assembly Bill No. 2625.
Assembly Bill No. 2638.
Assembly Bill No. 2642.
Assembly Bill No. 2646.
Assembly Bill No. 2671.
Assembly Bill No. 2675.
Assembly Bill No. 2702.
Assembly Bill No. 2704.
Assembly Bill No. 2724.
Assembly Bill No. 2748.
Assembly Bill No. 2753.
Assembly Bill No. 2797.
Assembly Bill No. 2802.
Assembly Bill No. 2820.
Assembly Bill No. 2830.
Assembly Bill No. 2846.
Assembly Bill No. 2848.
Assembly Bill No. 2850.
Assembly Bill No. 2870.
Assembly Bill No. 2872.
Assembly Bill No. 2876.
Assembly Bill No. 2880.
Assembly Bill No. 2881.
Assembly Bill No. 2882.
Assembly Bill No. 2883.
Assembly Bill No. 2888.
Assembly Bill No. 2889.
Assembly Bill No. 2890.
Assembly Bill No. 2896.
Assembly Bill No. 2897.
Assembly Bill No. 2900.
Assembly Bill No. 2903.
Assembly Bill No. 2906.
Assembly Bill No. 2909.
Assembly Bill No. 2916.
Assembly Bill No. 2917.
Assembly Bill No. 2918.
Assembly Bill No. 2922.
Assembly Bill No. 1815.
Assembly Bill No. 2553.

J. A. BEEK, Secretary of Senate.
By F ALFRED BLATZ, Assistant Secretary.

Appointment of Special Committees.

Pursuant to the provisions of House Resolution No. 171, the Speaker announced the appointment of the following Assembly Interim Committees:

Agriculture—Messrs Garibaldi, chairman; Heisinger, Andreas, Donnelly, and Peyser.

Civil Service—Messrs. Miller, chairman, Glick, Johnson, Yorty, and Stream.

Coordinating Committee—Messrs Jones, chairman, Lyon, and Meehan.

Fish and Game—Messrs. McMurray, chairman; Garland, Call, Watson, and Fulcher.

Governmental Efficiency and Economy—Messrs. Millington, chairman; Burns, Hugh M., Dannenbrink, Voigt, King, and Weber, and Miss Miller.

Judiciary—Messrs. Rosenthal, chairman; Gannon, Welsh, Williamson, Patterson, Kepple, and Crowley.

Labor and Capital—Messrs Richie, chairman; Tenney, Reaves, Clark, Muldoon, Cronin, and Dawson.

Motor Vehicles—Messrs. Sawallisch, chairman; Hornblower, Field, Peek, and Laughlin.

Public Morals—Messrs. Turner, chairman; Desmond, Corwin, King, Voigt, Baynham, and Kuchel.

Revenue and Taxation—Messrs. Robertson, chairman; O'Donnell, Hunt, Flint, Latham, and Maloney, and Mrs. Daley.

Social Welfare—Messrs Lore, chairman; Cassidy, Gilbert Pelletier, and Hawkins.

Appointment of Members to Prepare Arguments.

The Speaker announced the appointment of the following members to prepare arguments for and against proposed constitutional amendments to be voted upon at the General Election, November 8, 1938

Assembly Constitutional Amendment No. 1—For the amendment, Messrs. Redwine, and Gannon.

Assembly Constitutional Amendment No. 4—For the amendment, Messrs Boyle, and Robertson.

Assembly Constitutional Amendment No. 6—For the amendment, Messrs Maloney, Sheehan, Dawson, Hornblower, McMurray, Cronin, Williamson, Peyser, and Levey.

Assembly Constitutional Amendment No. 21—For the amendment, Messrs. Donihue, Meehan, Williamson, Hunt, Dannenbrink, Desmond, Watson, Gannon, and Breed.

Assembly Constitutional Amendment No. 51—For the amendment, Messrs. Voigt, and Hornblower: against the amendment, Messrs. Cunningham, and Donnelly

Assembly Constitutional Amendment No. 59—For the amendment, Messrs Hunt, and Call.

Report of Special Committee.

The Special Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out.

Committee from the Senate.

Senators Keating, Law and Cunningham appeared before the bar of the Assembly, and informed the Assembly that the Senate was ready to adjourn, and asked if the Assembly had any further message to convey to the Senate.

The Speaker informed the committee from the Senate that the Assembly had concluded its labors and was ready to adjourn, and had no further communication to make to the Senate.

Report of Special Committee.

The Special Committee appointed to wait upon the Governor, reported that such had been done, and that the Governor wished this committee to convey to the Assembly his appreciation of their splendid cooperation, his compliments and best wishes.

Motion to Approve Journals.

On motion of Mr. King, all of the Assembly Journals, to and including May 28, 1937, not previously approved, were approved as corrected by the Minute Clerk.

Adjournment Sine Die.

At five o'clock p.m., on Friday, May 28, 1937, in accordance with the provisions of Senate Concurrent Resolution No. 37, the Honorable William Moseley Jones, Speaker of the Assembly, announced that the time for final adjournment of the fifty-second session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned sine die.

JAMES G. SMYTH,
Chief Clerk of the Assembly.

WILLIAM MOSELEY JONES,
Speaker of the Assembly.

DAVID V. OLIVER,
Minute Clerk of the Assembly.

HENRY P. MEEHAN,
Speaker pro tempore of the Assembly.

Assembly Bills Approved by Governor, Chaptered and Filed With the Secretary of State.

The following Assembly Bills were approved by the Governor, chaptered and filed with the Secretary of State Unless otherwise specified, all bills become effective 90 days after adjournment sine die of the Legislature, or on August 27, 1937.

Number...	Chapter...	Number...	Chapter...	Number...	Chapter...	Number...	Chapter...	Number...	Chapter...	Number...	Chapter...	Number...	Chapter...	Number...	Chapter...	Number...	Chapter...	Number...	Chapter...
1	405	386	366	699	36	923	128	1200	295	1407	270	1599	256	1861	155	2375	486	2732	521
3	860	395	909	700	37	924	129	1201	764	1408	275	1604	42	1864	604	2376	487	2733	522
4	406	398	504	702	846	930	336	1203	705	1409	349	1606	483	1870	494	2385	709	2734	585
10	73	399	341	722	665	933	506	1205	228	1410	242	1607	189	1871	638	2392	650	2750	586
11	30	411	323	737	205	939	848	1207	92	1411	271	1608	769	1875	344	2405	639	2752	139
12	56	424	184	744	666	942	492	1208	63	1412	302	1613	484	1879	397	2414	710	2762	328
13	330	436	279	746	599	950	464	1209	780	1415	513	1616	351	1888	870	2415	57	2786	24
19	524	440	620	747	244	953	62	1210	64	1420	737	1618	583	1895	233	2420	192	2789	361
20	74	441	595	756	38	954	623	1211	145	1425	912	1619	676	1896	774	2422	413	2790	787
21	661	442	596	761	600	955	849	1212	65	1431	629	1623	916	1897	775	2444	141	2791	193
23	75	443	21	763	847	956	54	1213	66	1432	296	1625	631	1898	856	2445	142	2792	858
24	76	444	332	786	621	962	294	1215	67	1434	250	1626	632	1899	857	2446	143	2803	35
25	77	449	85	795	292	963	280	1216	68	1436	601	1629	633	1906	570	2447	781	2804	523
26	78	451	201	797	285	964	91	1217	210	1440	187	1647	915	1907	352	2452	711	2805	378
27	79	455	704	800	622	970	267	1218	281	1441	53	1671	634	1908	776	2456	286	2806	671
28	80	457	8	809	185	989	208	1219	134	1442	195	1674	748	1915	154	2457	287	2808	362
29	662	462	47	811	324	991	247	1220	229	1444	161	1676	190	1918	353	2464	396	2809	788
30	663	467	205	821	32	1005	446	1221	69	1445	198	1680	34	1936	234	2495	748	2810	274
33	81	469	211	836	99	1014	866	1222	93	1446	350	1683	851	2023	319	2496	749	2813	178
34	501	471	761	841	335	1018	507	1223	282	1448	886	1688	232	2024	326	2498	750	2815	363
38	82	473	412	842	837	1021	681	1224	338	1462	315	1699	272	2025	571	2499	751	2821	587
40	664	483	333	844	763	1024	508	1228	914	1463	756	1700	273	2028	605	2501	739	2826	322
42	881	500	157	856	245	1025	133	1230	268	1465	630	1705	152	2051	395	2502	782	2828	895
50	703	501	314	857	206	1044	527	1231	339	1466	316	1706	153	2052	572	2505	535	2829	496
61	427	503	381	858	246	1048	393	1232	340	1467	235	1711	771	2055	670	2548	783	2831	677
74	845	506	740	859	240	1049	667	1243	765	1468	514	1719	358	2057	377	2554	434	2832	497
78	290	509	9	861	238	1057	145	1244	668	1469	230	1720	317	2058	777	2557	327	2833	682
98	390	510	48	862	293	1059	931	1245	836	1479	515	1721	669	*2090	832	2568	574	2834	367
116	759	520	86	864	201	1060	509	1260	431	1480	516	1722	318	2091	495	2575	188	2835	780
117	525	521	87	865	207	1069	209	1262	40	1481	517	1728	529	2092	871	2576	489	2836	876
123	760	522	88	866	239	1072	303	1263	341	1483	518	1729	71	2100	90	2581	651	2840	538

132	130	524	392	880	399	1078	343	1264	424	1484	519	1730	707	2124	927	2587	58	2841	877
135	422	526	408	883	684	1084	325	1266	933	1488	528	1742	94	2132	485	2596	575	2845	305
154	179	528	243	893	101	1085	925	1267	329	1490	482	1748	855	2157	164	2597	536	2847	588
185	180	541	225	894	102	1086	344	1268	345	1496	910	1757	539	2162	254	2598	276	2849	878
193	5	550	597	895	103	1104	867	1276	149	1499	706	1763	43	2183	606	2607	321	2853	678
196	97	562	60	896	104	1111	835	1277	280	1502	135	1764	602	2196	778	2609	576	2860	790
200	175	563	61	897	105	1118	297	1280	766	1512	19	1766	305	2197	683	2610	577	2861	364
203	181	566	402	898	106	1129	298	1285	627	1515	742	1779	432	2198	283	2611	578	2868	539
204	502	574	10	899	107	1132	882	1301	241	1516	741	1786	136	2202	708	2613	579	2869	791
210	391	575	11	900	108	1137	423	1306	186	1518	743	1787	72	2204	872	2614	580	2873	838
211	131	576	98	*901	109	1138	146	1310	852	1519	744	1788	193	2215	873	2615	581	2874	792
214	181	581	862	902	110	1139	447	1317	30	1520	745	1789	137	2219	874	2616	582	2875	793
216	176	583	863	903	111	1140	147	1318	675	1521	746	1793	44	2233	257	2621	784	2878	672
234	503	584	266	904	112	1747	624	1335	316	1524	747	1794	653	2247	859	2622	785	2879	794
236	6	590	448	905	113	1151	337	1341	347	1530	231	1798	191	2269	635	2626	537	2884	879
252	342	600	159	908	114	1152	850	1342	219	1532	162	1801	772	2270	138	2658	237	2887	795
260	224	614	762	909	227	1154	851	1343	70	1555	779	1818	869	2277	95	2662	450	2892	796
273	11	620	144	910	115	1162	510	1346	512	1558	887	1825	637	2279	320	2663	435	2893	636
277	526	625	598	911	116	1164	511	1358	18	1562	33	1826	773	2283	531	2673	490	2895	752
279	284	629	165	912	117	1168	757	1363	883	1568	177	1830	569	2286	532	2674	491	2901	797
287	911	632	226	913	118	1169	13	1364	348	1571	151	1831	926	2289	875	2682	584	2905	834
291	31	636	864	914	119	1172	428	1365	884	1575	767	1833	163	2298	407	2684	167	2907	798
296	83	650	89	915	120	1175	625	1368	885	1576	917	1836	251	2307	533	2688	354	2910	641
297	46	662	865	916	121	1176	429	1371	760	1577	913	1837	252	2331	520	2689	355	2911	642
305	132	663	52	917	122	1179	430	1378	649	1579	40	1838	236	2338	573	2690	356	2913	712
307	619	664	50	918	123	1189	400	1391	150	1580	41	1839	253	2341	255	2694	357	2915	673
320	84	669	334	919	124	1190	401	1393	628	1585	853	1845	398	2345	133	2705	640	2920	799
347	182	670	505	920	125	1191	674	1399	734	1592	768	1849	603	2356	156	2708	786	2921	800
352	183	672	861	921	126	1194	248	1400	735	1593	868	1859	425	2358	607	2723	359	2924	608
353	770	698	12	922	127	1195	626	1402	736	1598	449	1860	140	2374	531	2730	360	2925	801

Total 610

* Bills held up from going into effect on August 27, 1937, by referendum, and will be voted upon at the next general election, November 8, 1938.

Assembly Bills Vetoed by the Governor During Session.

8, 69, 197, 285, 331, 387, 1679, 1682, 1698, 1726, 1734, 1736,
401, 406, 425, 448, 481, 602, 1737, 1912, 1913, 1925, 1938, 2061,
694, 810, 890, 892, 906, 948, 2080, 2223, 2380, 2398, 2474, 2547,
1063, 1105, 1177, 1406, 1435, 1620, 2788, 2794, 2799, 2817, 2825

Total 47

Assembly Bills Pocket Vetoed by the Governor.

18, 32, 35, 81, 88, 89, 1642, 1658, 1678, 1685, 1707, 1709,
90, 101, 119, 136, 215, 249, 1735, 1740, 1750, 1753, 1759, 1760,
288, 289, 290, 303, 308, 322, 1761, 1762, 1824, 1828, 1832, 1834,
338, 341, 378, 380, 383, 428, 1858, 1869, 1872, 1886, 1905, 1921,
464, 472, 479, 490, 491, 565, 1940, 1944, 1949, 1951, 1981, 2007,
579, 580, 618, 641, 685, 695, 2013, 2014, 2053, 2062, 2063, 2070,
715, 717, 741, 743, 762, 777, 2078, 2079, 2116, 2117, 2119, 2140,
778, 787, 808, 860, 863, 907, 2149, 2175, 2176, 2178, 2180, 2194,
931, 946, 951, 971, 978, 982, 2195, 2200, 2206, 2232, 2250, 2280,
983, 984, 985, 988, 1004, 2284, 2285, 2318, 2333, 2336, 2343,
1012, 1017, 1023, 1034, 1035, 1079, 2364, 2369, 2378, 2388, 2394, 2403,
1091, 1094, 1097, 1114, 1121, 1123, 2404, 2407, 2409, 2410, 2419, 2423,
1134, 1135, 1146, 1180, 1188, 1193, 2426, 2451, 2518, 2552, 2593, 2594,
1206, 1214, 1251, 1253, 1258, 1259, 2612, 2659, 2677, 2679, 2714, 2747,
1261, 1265, 1271, 1274, 1287, 1290, 2749, 2770, 2773, 2785, 2798, 2801,
1319, 1320, 1334, 1339, 1362, 1455, 2827, 2842, 2843, 2844, 2851, 2854,
1482, 1486, 1495, 1498, 1500, 1501, 2857 2858 2859, 2863 2867, 2871,
1525, 1526, 1559, 1569, 1570, 1573, 2885, 2904, 2912 2923 2927
1594, 1612, 1615, 1617, 1628 1635,

Total 220

Assembly Constitutional Amendments Chaptered and Filed With the Secretary of State.

The following Assembly Constitutional Amendments chaptered, and filed with the Secretary of State will be voted upon at the next general election to be held November 8, 1938.

Number	Chapter	Author	Subject of title	Date filed with Secretary of State
1	132	Redwine	Relative to removal of judges	June 1
4	99	Boyle	Relative to State and county boards of equalization	May 17
6	109	Johnson	Relative to the Judicial Council	May 24
8	117	Maloney et al	Relative to the San Francisco Bay Exposition	May 28
21	111	Donahue et al	Relating to the powers of the State Legislature to levy taxes and make gifts	May 25
51	137	Voigt	Relative to officers, employees and attaches of the Legislature	June 7
59	120	Hunt	Relative to the adoption of charters of cities and cities and counties	May 28

Total 7

Assembly Concurrent Resolutions Chaptered and Filed With the Secretary of State.

Number	Chapter	Author	Subject of title	Date filed with Secretary of State
1	6	Leonard	Relative to approving amendments to charter of city of Santa Cruz	Jan 11
3	3	Waters et al	Relative approving amendments to charter city of Los Angeles	Jan 8
4	4	Cassidy et al	Relative approving amendments to charter city of Oakland	Jan 8
5	5	Desmond	Relative approving amendments to charter city of Sacramento	Jan. 8
6	7	Redwine et al	Reltive permitting Gavin W Craig an opportunity of being heard in his defense	Jan 12
7	8	Welsh	Relative to granting leave of absence to Hon Jefferson E Peyser	Jan 12
9	12	Garibaldi et al	Relative to death of son of Senator William Gibbs McAdoo	Jan 19
10	16	Scudder	Relative to approving amendments to charter city of Petaluma	Jan 22
11	15	Weber	Relative to approving amendments to charter city of Stockton	Jan 22
12	18	King	Relative to granting leave of absence to Hon James J Boyle	Jan 22
13	112	Gilbert et al	Relating to employment of deaf citizens	May 25
14	20	Desmond, Garrison	Approving amendments, charter of Sacramento County	Jan 23
15	71	Cunningham et al	Relative to celebration of Admission Day as a legal holiday	Apr. 26
17	45	Miller, Eleanor	Relating to Pasadena Community Playhouse	Mar. 25
19	30	Dawson	Printing reports of United Spanish War Veterans	Jan 29
21	31	Redwine et al	Expenses of joint committee re Gavin W Craig	Jan 29
22	32	Redwine	Rules of procedure for joint committee re Gavin W Craig	Jan. 29
23	33	Redwine et al	Comepnsating counsel for Gavin W Craig	Jan 29
25	35	Turner et al	Adjournment out of respect to memory of Hon Henry E Stubbs	Mar. 8
28	52	Peck	Relative to an amendment to Joint Rule No 15	Apr 5
29	43	Desmond	Directing an investigation and report on Antioch Toll Bridge	Mar. 19
32	46	Field	Relative to approving amendments to charter of city of Burbank	Mar 25
34	47	Mayo	Relating to adjournment out of respect for Colonel Charles Goff Thomson, deceased	Mar 26
38	58	Maloney et al	Relative to amendments to charter of the city of San Francisco	Apr 14
39	57	Kuchel et al	Commemorating service in U S Senate by Hon Hiram W Johnson	Apr 9
41	118	Miller, George P	Relating to public employment for qualified physically handicapped citizens of the State	May 28
42	61	Peyser	Relative to recommending Gubernatorial proclamation of "California Vintage Weeks"	Apr 16
43	79	Boyle et al	Relating to certain amendments to the charter of the city of Los Angeles	Apr 29
45	108	Fulcher	Relative to opening ceremonies of "Feather River Highway"	May 21
46	82	Field	Relating to amendments to the charter of the city of Glendale	Apr 30
47	83	Miller, Eleanor	Relating to amendments to the charter of the city of Pasadena	Apr. 30
48	88	Burns, Hugh M	Relating to an amendment to the charter of the city of Fresno	May 14
49	119	Cottrell	Relating to the State building plan	May 28
50	97	Scudder	Relating to amendments to the charter of the city of Petaluma	May 15
51	91	Boyle et al	Relating to an amendment to the charter of the city of Los Angeles	May 14
52	92	Clark	Relating to an amendment to the charter of the city of Long Beach	May 14
53	98	Kuchel	Relating to the approval of the charter of the city of Huntington Beach	May 15
54	93	Boyle et al	Relating to an amendment to the charter of the city of Los Angeles	May 14
57	134	Robertson	Relative to a coordinated State building plan	June 7
58	135	Burns, Michael J, Scudder	Relative to ceremonies of Golden Gate Bridge Fiesta	June 7
59	147	McMurray, Williamson	Relative to State building plan	June 11
60	124	Desmond	Relating to leaves of absence	June 1
61	136	Miller, Eleanor	Relative to Pasadena Tournament of Roses	June 7
62	148	Peyser	Relative to viticultural congress at International Exposition in Paris	June 11

Total 44

Assembly Joint Resolutions Chaptered and Filed With the Secretary of State.

Number	Chapter	Author	Subject of title	Date filed with Secretary of State
1	48	Heisinger	Initiate an amendment to the Constitution of U S to abolish electoral college	Mar 31
2	9	Hornblower et al	Memorializing the Reconstruction Finance Corporation to reduce rate on bonds	Jan 14
3	13	Maloney et al	Memorializing Congress to provide for widows of Federal employees	Jan 19
4	49	Hornblower et al	Memorializing President and Congress to increase aid under Social Security Act	Mar 31
5	65	Heisinger	Relating to compulsory arbitration of labor disputes	Apr 20
6	68	Patterson	Relating to check dams in the Salinas River Valley	Apr 22
9	70	Heisinger	Relating to the Central Valley Authority	Apr 26
10	145	Daley	Designating Armistice Day as a holiday	June 11
11	23	Breed	Relief of transients problem	Jan 23
15	21	Scudder	Re Child Labor Amendment	Jan 23
18	146	Miller, Geo P	In re Social Security Act	June 11
19	121	Gannon et al	Relative to memorializing Congress to enact legislation relating to disabled veterans	May 28
22	20	Patterson	Re sewage disposal	Jan 29
23	110	Glick	Relating to special assessment districts	May 25
26	113	Gilbert	Relating to wages of those employed on work relief projects	May 27
28	36	Hawkins	Abolish evil of lynching	Mar 8
29	72	Lyon	Relating to Veterans of the Philippine Insurrection	Apr 27
30	50	Lyon	Granting travel pay and other allowance to certain soldiers	Mar 31
31	60	Hunt	Relative to memorializing Congress to enact legislation limiting number of cars in train	Apr 16
33	41	Daley	Relative to opinion from Attorney General on proposed legislation to prohibit deficiency judgments	Mar 15
34	39	Stream et al	Relative to a summer White House in California	Mar 11
35	44	Fulcher	Relative to memorializing the President and Congress for an investigation by the U S Reclamation Service	Mar 31
36	51	Burns, M J, et al	Memorializing the President and Congress to enact Bill H R 1009, relating to noxious weeds	Mar 31
37	81	Maloney et al	Relative to the United States Maritime Commission	Apr 30
38	80	Robertson et al	Relating to the Santa Maria river flood control and the Santa Ana river flood control projects	Apr 29
39	77	Robertson	Relating to legislation concerning aviation	Apr 28
44	87	Crowley et al	Relating to the new post office for the city of Los Angeles	May 12
45	104	Scudder et al	Relating to petrified redwood forest	May 21
46	105	Boyle	Relating to the Federal Alcohol Administration	May 21
47	106	Boyle et al	Relating to the Pacific Exposition	May 21
51	133	Stream, Daley	Relating to San Diego Bay	June 7
52	123	Crowley	Relative to Federal aid to veterans	June 1

Total 32